

ZONING ORDINANCE
OF
THE VILLAGE OF SHILOH, OHIO

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ZONING ORDINANCE

OF

THE VILLAGE OF SHILOH, OHIO

SECTION 100 TITLE

An Ordinance imposing comprehensive regulations upon the use of land within the Village of Shiloh, Ohio by dividing the Village into various use districts, imposing regulations as to the use of land, the location, height and bulk of buildings and other structures, establishing off-street parking requirements, creating a Village Planning Commission and granting to it certain powers, creating the position of Village Zoning Inspector and granting that person certain powers, providing for zoning permits, conditional zoning permits and variances, providing for a system to amend this Ordinance, providing for penalties for violation of this Ordinance and a procedure to enforce its provisions, and adopting an official zoning district map.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF SHILOH, OHIO:

SECTION 101 SHORT TITLE

This Ordinance shall be known and may be cited in all proceedings as the "Zoning Ordinance of the Village of Shiloh, Ohio".

SECTION 102 AUTHORITY AND PURPOSE

This Ordinance is enacted pursuant to the authority vested in this Village by Articles XVIII, Section 3, of the Ohio Constitution and is intended to exercise the broadest authority permitted by law over the use of land within this Village. It is the finding of this Council that the public health, safety, morals and welfare are directly and significantly affected by the use of land and it is the intention of this Council to exercise its authority to the fullest to preserve and protect not only the public health, safety, morals and welfare, but also the value of land and the aesthetics of this community while at the same time recognizing and protecting the rights of individuals to use their land as they deem best.

SECTION 103 RELATIONSHIP TO OTHER LEGISLATION

This Ordinance is intended to be comprehensive legislation with respect to the use of land within this Village. It is intended to repeal and supersede all prior zoning Ordinances only, and shall not be deemed to repeal the Village Subdivision Regulations, the Code or Ordinances of the Village, or any Ordinances, resolutions or rules of the Village dealing with water, sanitary sewers, streets or storm sewers as are presently in effect. In the event of an inconsistency between this Ordinance and any existing Ordinance, resolution or rule, this Ordinance shall prevail.

SECTION 104 CONSTRUCTION

The following rules shall be applied in the construction and application of this Ordinance:

- A. Compliance with the Constitution of the United States and with the State of Ohio was intended;
- B. Compliance with state statutes insofar as they are mandatory was intended;
- C. A just and reasonable result was intended;
- D. A result feasible of execution was intended;
- E. The title of all sections of this Ordinance are intended for identification only and in the event of a conflict between the title and the text of section, the text shall control;
- F. The word shall is mandatory, the word may is permissive;
- G. In the event a word or phrase is not defined in this Ordinance, it shall be presumed to be used in its ordinary dictionary definition;
- H. In the event of a conflict between a general provision and a specific provision, the specific provision shall control;
- I. Words used in the singular shall include the plural and words used in the plural shall include the singular;
- J. Words used in the present shall include the future;
- K. The conjunction and means all connected items shall apply; the conjunction or means any of the connected items may apply singly or in combination; the phrase either or means that the connected items shall apply singly, but not in combination.

SECTION 105 SEPARABILITY

If any section of this Ordinance is declared invalid, unenforceable or unconstitutional by a court of competent jurisdiction with respect to the application of that section to a particular parcel of land or a particular owner of that land, said invalidity, unenforceability or unconstitutionality shall not be deemed to affect the validity, enforceability or constitutionality of that provision as to any other parcel of land or any other owner of land. If any section of this Ordinance is declared invalid, unenforceable or unconstitutional, per se, by a court of competent jurisdiction, such declaration shall not affect any other section of this Ordinance or the Ordinance as a whole. The balance of this Ordinance shall remain in full force and effect and the section declared invalid, unenforceable or unconstitutional shall be deemed to have never been enacted.

SECTION 106 APPLICABILITY

This Ordinance applies to all land and to every structure lying within the corporate limits of the Village of Shiloh, Ohio as those limits now exist or may hereinafter be extended by annexation

except land owned by this Village. Land owned by the United States of America, the State of Ohio, Richland County, Cass Township, the Plymouth Local School District or any other political subdivision or any department or agency of any of them shall be subject to this Ordinance except to the extent expressly exempted by law.

SECTION 107 ESTABLISHMENT OF DISTRICTS

For the purpose of determining the regulations of land and structures as imposed by this Ordinance, the corporate limits of the Village of Shiloh, Ohio are hereby divided into the following use districts:

- R-1 Residential District
- R-2 Residential District
- B-1 Neighborhood Business District
- B-2 General Business District
- I-1 Industrial District

SECTION 108 OFFICIAL ZONING DISTRICT MAP

The location of each of the zoning districts provided for in this Ordinance are shown upon the Official Zoning District Map which is incorporated by reference and made a part of this Ordinance. Said Official Zoning District Map is identified by a certificate signed by the Mayor, Clerk/Treasurer and Zoning Inspector in the following form:

THIS IS THE OFFICIAL ZONING DISTRICT MAP OF THE VILLAGE OF SHILOH,
RICHLAND COUNTY, OHIO DULY ADOPTED BY THE COUNCIL OF THE
VILLAGE IN ORDINANCE 92- ON 1992.

SECTION 109 INTERPRETATION OF ZONING DISTRICT BOUNDARIES

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the Official Zoning Districts Map, the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following the corporation boundary line shall be construed as following the corporation boundary line.
4. Boundaries indicated as following railroad tracks shall be construed to be midway between the main tracks.
5. Boundaries indicated as approximately following the center line of streams, rivers or other bodies of water shall be construed to follow such center lines.

6. Boundaries indicated as parallel to or extensions of features indicated in Subsections 1 through 5 above shall be so construed. Distances not specifically indicated on the Official Zoning Districts Map shall be determined by the use of a scale shown on the Map.

SECTION 110 ZONING OF ANNEXED AREAS

Any area annexed to the Village of Shiloh shall immediately, upon such annexation, be automatically classified according to one of the district classifications listed in Section 107 for the annexed area as adopted by Village Council. The Planning Commission shall recommend appropriate zoning for such area within one (1) month from the date the matter is first referred to the Village Planning Commission by Village Council.

SECTION 111 ZONING OF VACATED AREAS

Wherever any street, alley or other public way is vacated by action of Village Council and in a manner authorized by law, the Zoning District adjoining each side of such street, alley, or public way shall be automatically extended to the center line of such vacation and all areas included in the vacation shall then be subject to the same use, area and height regulations of the extended district.

SECTION 112 EXCLUSIONARY NATURE OF ORDINANCE

This Ordinance shall be deemed to be exclusionary in nature and any use of land not specifically allowed by this Ordinance in a district or in any district shall be deemed to be a use which was intentionally excluded from the district or all districts.

SECTION 115 DEFINITIONS

As used in this Ordinance the following terms shall mean:

- A. ACCESSORY BUILDINGS: A building located on property under common ownership with the principle building which is secondary in importance to the main building, including but not limited to detached garages, storage buildings, barns, shelters and decorative structures.
- B. ACCESSORY USE: Any activities which are incidental, subordinate and customarily carried on in addition to the primary use of the premises. In residential districts this shall include activities which are in the nature of a hobby or recreation and not carried on with the intent to make a profit for the land occupant. It shall also include activities related to the occupant's employment off premises that are occasionally carried on in the premises. The parking of any commercial tractor, commercial truck or semi-trailer in any residential or business district shall not be considered an accessory use. Such activities shall not be deemed a home occupation. Accessory uses does not include satellite television reception equipment, electricity producing windmills or amateur radio antennae. Accessory uses shall also include:

1. Off-street loading and parking facilities and the storage of goods used, produced, or offered for sale which shall be accessory uses in business, warehouse or industrial districts only and subject to all regulations of the district where located.
 2. Garage or other casual sales or personal property shall be considered an accessory use so long as they are limited to (2) two times a year and for no longer than three (3) days each time. The advertising restrictions contained in this section shall not apply to such sales. See SECTION 510.
 3. The storage of licensed motor vehicles or the parking of not more than one (1) trailer, recreational vehicle, bus or boat owned by residents of the premises only. Storage of any such items for non-residents of the premises whether or not a fee is charged, shall not be deemed as accessory use. All such items shall be stored no closer to the street than the minimum front yard setback requirements of the district.
 4. The storage of unlicensed collector's vehicle, owned by the residents of the premise only, provided the collector vehicle is concealed at all times by means of a building or concealable fence as determined by the Zoning Inspector.
 5. Accessory use shall include the keeping of dogs (family, hunting), cats, or other domesticated pets, but shall not allow the keeping of exotic or dangerous animals such as, but not limited to, lions, tigers, leopards, panthers, cougars, bobcats, bears, wolves, foxes, apes, gorillas, poisonous or constrictor snakes, crocodiles, alligators or pit bull dogs.
 6. The sale of fruits or vegetables grown on the premises where sold.
 7. Any activity which is the subject of any advertising including, but not limited to newspaper, magazine, radio, television, poster, billboard, handbill, direct mailing, year book, telephone directory or other publications shall not be deemed to be an accessory use.
 8. No zoning permit shall be required to engage in an accessory use listed above.
- C. AGRICULTURE: The use of land for farming purposes including dairying, pasturage, agriculture, floriculture, horticulture, viticulture, animal and poultry husbandry. Any processing of agriculture products shall be limited to that incidental, subordinate and customarily carried on at the agriculture stage of production but the processing of agriculture products beyond this point shall not be deemed to be an agriculture use.
- D. ALTERATION: Any change, addition or rearrangement in construction or type of occupancy, or change in the structural parts of a building such as walls, windows, partitions, columns, girders, or the moving from one location or position to another.
- E. ALLEY: Is a public right-of-way less than twenty one (21) feet in width usually affords a secondary means of access to abutting property and not intended for general traffic

circulation.

- F. APARTMENT: A room or suite of rooms in a multi-family dwelling designed and intended to be occupied as a residence by a single family.
1. Apartment-Studio: An apartment consisting of one principal room along with a kitchen and bathroom.
 2. Apartment-One Bedroom: An apartment consisting of two principal rooms along with a kitchen and bathroom.
 3. Apartment-Two Bedroom: An apartment consisting of three principal rooms along with a kitchen and bathroom.
 4. Apartment-Three or More Bedrooms: An apartment consisting of four or more principal rooms along with a kitchen and bathroom.
- G. ARTERIAL THOROUGHFARES: Main Street, State Route 603.
- H. BASEMENT: Is that portion of a building which is partially below and partially above ground level, and so located that the vertical distance from the grade to the floor below is greater than the vertical distance from the grade to the ceiling. If the ground adjacent to the building is not entirely level, the ground level shall be computed by determining the average elevation of the ground for each face of the building, and taking the average of said total averages.
- I. BOARDING HOUSE: Is a dwelling where meals or lodging and meals are provided for compensation to two (2) or more persons.
- J. BUILDING: Is any structure designed, built or occupied by human beings for any purpose which is permanently affixed to the land and has one or more floors and a roof. When a structure is separated by a fire wall, each such separated portion of such structure shall be deemed a separate building. A building shall not include such structures as billboards, fences, radio towers, or structures such as water towers, tanks, grain elevators or similar structures with interior spaces not ordinarily accessible for human habitation or commercial activities.
- K. BUILDING HEIGHT: Is the vertical distance measured from the established grade to the highest point of the roof surface for flat roofs; to the deck line of a mansard roof; and to the average height between eaves and the ridge line of a gable, hip, or gambrel roof. Where a building is located on sloping terrain or the side of a hill, the height may be measured from the average elevation of the finished grade at the building wall.
- L. BUILDING LINE: Is a line defining the minimum front, side or rear yard requirements.
- M. BUILDING, PRINCIPAL: Is the building housing the principal activity performed on a lot.

- N. BUSINESS OR TRADE SCHOOLS: Privately owned instructional institutions which teach specialized skills designed to enhance employment opportunities.
- O. CHURCH, SYNAGOGUES OR TEMPLE: A building or group of buildings controlled by a religious body organized to sustain public worship where persons regularly assemble primarily for religious worship.
- P. COLLECTOR THOROUGHFARE: Prospect Street, Walnut Street, Euclid Street, North Street.
- Q. COLLECTOR'S VEHICLE: Any motor vehicle or agricultural tractor or traction engine of special interest having a fair market value of one hundred dollars or more, whether operable or not that is owned, operated, collected, preserved, restored, maintained or used essentially as a collectors item, leisure pursuit, or investment, but not as the owner's principal means of transportation.
- R. COMMERCIAL TRACTOR: means any motor vehicle having motive power designed or used for drawing other motor vehicles, or designed or used for drawing another motor vehicle while carrying a portion of such other motor vehicle or its load, or both.
- S. COMMERCIAL TRUCK: means any motor vehicle designed by the manufacturer to carry a load exceeding three (3) tons.
- T. CONVALESCENT HOME: A residential facility which provides therapy and rehabilitative services to persons recovering from illness or injury.
- U. DAY CARE CENTER: A facility licensed by the State of Ohio that houses and cares for children unaccompanied by their parents or guardians during daylight hours.
- V. DEVELOPMENT: Is the construction of a new building or other structure on a lot, relocation of an existing building on another lot, or the use of open land for a new use.
- W. DRIVE-IN: Is a business establishment so developed that its retail or service character is dependent on providing a driveway approach and parking spaces for motor vehicles so as to serve patrons while in the motor vehicle rather than within a building or structure.
- X. DRIVE THRU/CARRYOUT: Is a business or establishment so developed that its retail or service character is dependent on providing a driveway approach and the temporary stopping of motor vehicle inside a building so as to serve patrons in the motor vehicle.
- Y. DRIVEWAY: An area of a lot intended to be used by motor vehicles to travel over the lot to or from a public street.
- Z. DWELLING: Is a building which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants and built on a site complying with the local building codes or built completely or partially off site complying with the basic building codes of the State of Ohio for Industrialized Units. The term "dwelling" does

not include hotels, motels, rooming houses, boarding houses, nursing homes, rest homes, funeral homes, half-way houses, conjugal living centers, mobile homes, or manufactured homes.

- AA. 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.
1. Dwelling Unit, One Family: Is a dwelling consisting of one (1) dwelling unit only, separated from other dwelling units by open space.
 2. Dwelling Unit, Two Family: Is a dwelling consisting of two (2) 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.
 3. Dwelling Unit, Multiple Family: Is a dwelling consisting of three (3) or more dwelling units with varying arrangements of entrances and party walls.
- BB. ERECTED: Built, constructed, altered, moved upon, reconstructed, or any physical operations on the premises including excavation, fill, drainage, and the like.
- CC. ESSENTIAL SERVICES: Is the erection, construction, alteration, or maintenance by public utilities or municipal departments, or commissions, of underground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communications, supply or disposal systems, including poles, wires, mains, drains, sewer and water pipes, conduit, cables, fire alarm boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, but not including buildings for the furnishing of adequate service by such public utilities or municipal departments of commissions, or for the public health or safety or general welfare.
- DD. EXCAVATION: Any breaking of ground except agriculture, gardening or ground care.
- EE. FAMILY: One or more persons living together as a single housekeeping unit and related by blood, marriage or adoption.
- FF. FENCE: A structure designed or intended to enclose or screen.
- GG. FIREWOOD, WOODSTACKS, ETC.: Any wood, woodstack, or other combustible material which is intended to be used for burning purposes in any fireplace, stove, boiler, furnace or similar apparatus.
- HH. FLOOR AREA - MINIMUM: For the purpose of computing the minimum allowable floor area per dwelling unit, the sum of the horizontal areas of each floor of the building shall be measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings. The floor area measurement is exclusive of areas devoted to basements, unfinished attics, attached garages, breezeways, and enclosed or unenclosed porches.

- II. FLOOR AREA - USABLE OR OPEN TO THE PUBLIC: Is that area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients, or customers. Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the buildings measured from the interior faces of the exterior walls. Such floor area which is used or intended to be used principally for the storage or processing of merchandise, hallways, or for utilities or sanitary facilities, shall be excluded.
- JJ. FRATERNAL, SOCIAL, SERVICE OR VETERANS ORGANIZATIONS: A private club organized around a common interest or goal which is jointly supported, meets periodically and providing recreational activities and/or meals for members and guests.
- KK. FRATERNITY OR SORORITY HOUSE: A residential facility occupied by a number of persons unrelated by blood, marriage or adoption who maintain a common bond of purpose or interest whether or not formally expressed.
- LL. GARAGE: Is an accessory building or portion of a main building designed and intended primarily for the storage of vehicles or boats owned or used by the occupants of the building, but may also be used incidentally for the storage of other personal property.
- MM. GARAGE, SERVICE REPAIR: A place where the following services may be carried out; general repair, engine rebuilding, sale of engine fuels, rebuilding or reconditioning of motor vehicles, collision service, such as body, frame, or fender straightening and repair; overall painting and undercoating of automobiles.
- NN. GROUND LEVEL: Is the elevation established for the purpose of regulating the number of floors and the height of a building. The ground level shall be the level of the ground adjacent to the walls of the building if finished ground is level. If the ground is not entirely level, the ground level shall be determined by computing the average elevation of the ground for each face of the building, and taking the average of said total averages.
- OO. HOME OCCUPATION: A home occupation shall be allowed as a conditionally permitted use in any Residential District provided it meets the following criteria:
1. No person other than members of the family residing on the premises shall be engaged in such occupation;
 2. The use of the dwelling unit 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 of the floor area of the dwelling unit shall be used in the conduct of the home occupation; In addition any attached garage may also be used provided such use does not preclude the storage therein of motor vehicles for which it was designed;
 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;

4. No home occupation shall be conducted in any accessory building;
 5. No additional traffic shall be generated by such home occupation in greater volumes than would normally be expected for that residential neighborhood; and
 6. No equipment or process shall be used in such home occupation which creates 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 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.
 7. No signs will be permitted.
- PP. HOTEL OR MOTEL: Every establishment kept, used to held out to the public to offer sleeping accommodations to transient guests for compensation.
- QQ. INDUSTRIAL UNIT: For the purpose of this Ordinance an industrialized unit shall be considered to be a family residential dwelling provided it meets all the following criteria:
1. Is designed only for erection or installation on a site-built permanent foundation and which the manufacturer thereof acknowledges is not intended to be used other than on a site-built permanent foundation.
 2. Is designed not to be moved once erected or installed on the site-built permanent foundation and can be moved to such site by only temporary towing gear, axles, etc. which operate only during transportation and are removable and designed to be removed prior to erection or installation on a site-built permanent foundation.
 3. It complies with the Ohio and/or local building codes as evidenced by appropriate manufacture's or governmental certification.
- RR. JUNK: Scrap of all kinds, including bones, rags, used bottles or cans or paper packaging, old or used machinery, tools, equipment, appliances, motor vehicles or parts thereof, used construction materials and any and all manufactured goods which are so worn, deteriorated or obsolete so as to make them unusable in their present condition, but which may be subject to salvage or remanufacture. The definition of junk motor vehicle as defined elsewhere in this Section shall apply herein.
- SS. JUNK MOTOR VEHICLE: Any motor vehicle which is in wrecked, dismantled or worn-out condition and unfit for operation as a motor vehicle, except a collector's vehicle as defined elsewhere in this Section.
- TT. JUNKYARD: Any premises where junk is bought, sold, exchanged, baled, packed, disassembled, stored or handled.

- UU. KENNEL, COMMERCIAL: Is any lot or premises on which three (3) or more dogs, cats or other household pets are either permanently or temporarily boarded. Kennel shall also include any lot or premises where household pets are bred and sold.
- VV. LOADING SPACE: Is an off-street space or berth outside the street right-of-way line on the same lot with a building or group of buildings, for the temporary parking of a vehicle while loading or unloading merchandise or materials.
- WW. LOCAL STREETS: All other public streets in the Village not specified as arterial thoroughfares or collector streets.
- XX. LOT: Is a parcel or parcels of land under common ownership occupied or intended to be occupied by one or more buildings and the accessory buildings together with such setback areas as are required by the Ordinance. A lot may or may not be specifically designated as a separate parcel by the county auditor.
1. Lot Area: The total horizontal area within the lot lines of the lot.
 2. Lot, Corner: Is a lot at the point of intersection of and abutting on two or more intersecting streets.
 3. Lot Depth: Is the horizontal distance between the street right- of-way line and rear lot lines measured along the median between the side lot lines. Where the right-of-way depth is not established it shall be assumed to be sixty (60) feet.
 4. Lot Interior: Is a lot other than a corner lot.
 5. Lot Lines: Are the lines defining the limits of a lot as described below:
 - a. Front Lot Line - In the case of an interior lot, is that line separating said lot from the street. In the case of a corner lot, or double frontage lot, is that line separating said lot from either street.
 - b. Side Lot Line - Is any lot line other than the front or rear lot line.
 - c. Rear Lot Line - Is the lot line opposite the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten (10) feet long lying farthest from the front lot line and wholly within the lot.
 6. Lot Width: Is the horizontal distance measured between the side lot lines, and along the minimum building setback line.
- YY. MASTER PLAN: Is the Comprehensive Plan including graphic and written proposals indicating the general location for streets, parks, schools, public buildings and private land use development of the Village of Shiloh, including any part of such plan or changes thereto.

- ZZ. MANUFACTURED HOME: A factory-built single-family structure, transportable in one or more sections which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three-hundred and twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein, and which may not comply with either the local or State building codes, but bears a label certifying that it is built in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, established and administered by the U.S. Department of Housing and Urban Development (HUD) for manufactured homes, which became effective June 15, 1976.
- AAA. MERCHANDISE: All tangible personal property offered for sale, rental, or lease.
- BBB. MINIMUM BUILDING SETBACK LINE: An imaginary line across a property parallel to the public street on which the property is located at a point equal to the minimum front yard setback requirement of that district.
- CCC. MINIMUM LIVING FLOOR AREA: For the purposes of computing the minimum allowable floor area in a residential dwelling unit, the sum of the horizontal areas of each story of the building shall be measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings. The floor area measurement is exclusive of areas devoted to basements, unfinished attics, attached garages, breezeways, and enclosed and unenclosed porches.
- DDD. MOBILE HOME: A transportable, factory-built single-family structure, designed to be used as a year-around residential dwelling and built prior to the enactment of the National Manufactured Housing Construction and Safety Standards Act of 1974, which became effective June 15, 1976.
- EEE. NIGHTCLUB: A tavern which either provides live entertainment or permits dancing by patrons.
- FFF. NON-CONFORMING BUILDING: Is a building lawfully existing at the time of the enactment of this Ordinance and which does not conform to the area and height regulations of the district in which it is located.
- GGG. NON-CONFORMING USE: Is a use lawfully existing at the time of the enactment of this Ordinance, and which does not conform to the use provisions of the district in which it is located.
- HHH. NURSERY: A space, building or structure, or combination thereof, for the storage of live trees, shrubs, or plants offered for retail sale on the premises including products used for gardening or landscaping. The definition of nursery within the meaning of this Ordinance does not include any space, building or structure used for the sale of fruits, vegetables, or Christmas trees.

- III. NURSERY, DAY: Is a building, structure, place, or location, or any combination thereof, and other physical property therewith included, that shall be used for the purpose of housing and caring for children unaccompanied by parents during daylight hours.
- JJJ. NURSING HOME: A residential facility licensed by the state of Ohio which provides skilled nursing care to individuals who by reason of illness or physical or mental impairment require such care.
- KKK. OBSCURING GREENBELT: Evergreen or similar plant material which obstructs the view.
- LLL. OFF-STREET PARKING LOT: Is a facility providing vehicular parking spaces along with adequate drives and aisles, for maneuvering and providing access for entrance and exit so as to provide for the parking of more than two (2) vehicles.
- MMM. OPEN SPACE: Is any part of a lot which is in its natural state, open and unobstructed except for natural vegetation.
- NNN. PARABOLIC OR DISH-TYPE ANTENNA: Any structure that is a concave, circular or dish-shaped device designed for receiving communications or television signals from a satellite or a ground station. Such antenna shall be considered to be a conditionally permitted use.
- OOO. PARKING SPACE: Is an area of definite length and width, exclusive of aisles and drives or entrances giving access thereto, and fully accessible for the temporary storage of motor vehicles.
- PPP. PRIVATE: Use is limited to occupants or their guests.
- QQQ. PRIVATE SWIMMING OR TENNIS CLUB: Buildings and grounds owned by a nonprofit organization used for swimming or tennis for recreational purposes by members who are invited or elected to join with the use of the facilities restricted to members and their guests and not open to the general public.
- RRR. PSYCHIATRIC: That branch of medicine which deals with mental, emotional or behavioral disorders.
- SSS. PUBLIC UTILITY: Is any person, firm, corporation, governmental agency or board or other entity other than the Village of Shiloh authorized to furnish and furnishing under governmental regulations to the public, electricity, gas, steam, telephone, telegraph, cable television service, transportation, water or sewerage.
- TTT. RECREATIONAL: The use of land for entertainment by active participation of patrons such as sporting events or games of skill.
- UUU. RECREATIONAL VEHICLE: A vehicular portable structure designed to be used as a temporary dwelling for travel or recreation purposes and includes travel trailers, motor

homes and truck campers.

VVV. RESTAURANT: A public eating establishment in which the primary function is the preparation and serving of food for consumption on or off the premises but is not licensed by the state to sell beer or intoxicating liquor.

www. REST HOME: A residential facility licensed by the State of Ohio which provides personal assistance for persons who are dependent upon the assistance of others by reason of age or physical or mental impairment but not requiring skilled nursing care.

XXX. RETAIL SALE: The transfer of title to personal property for the purpose of consumption or use as opposed to resale.

YYY. RETIREMENT CENTERS: A residential facility designed primarily for the elderly which may include a nursing home, rest home or individual apartment units in combination along with retail facilities and other accessory uses intended primarily to serve residents.

ZZZ. ROOMING HOUSE: A dwelling or part thereof where lodging is provided for compensation for four (4) or fewer unrelated persons where no cooking or dining facilities are provided to those persons in individual rooms or elsewhere on the premises.

AAAA. SEMITRAILER: Any vehicle of the trailer type without motive power so designed or used with another and separate motor vehicle that in operation a part of its own weight or that of its load, or both, rests upon and is carried by such other vehicle furnishing the motive power for propelling itself and the vehicle referred to in this division, and includes, for the purpose only of registration and taxation under such chapters, any vehicle of the dolly type, such as a trailer dolly, designed or used for the conversion of a semitrailer into a trailer.

BBBB. STORY: Is that part of a building, included between the surface of one (1) floor and the surface of the next floor above or if there is no floor above, then the ceiling next above.

CCCC. STREET: Is a right-of-way which affords the principal means of access to abutting property and which has been dedicated or deeded to the public use and accepted by the Village of Shiloh.

DDDD. STRUCTURE: Is anything constructed or erected which requires location on or below the ground, or attachment of something having a location on the ground. This includes, but not limited to swimming pools, decks, fences, tennis courts and other personal recreational activities.

EEEE. TAVERN: An establishment open to the public which sells food and is licensed to sell beer or intoxicating liquor by the State of Ohio but does not provide live entertainment or permit dancing by patrons.

FFFF. TEMPORARY USE OR BUILDING: Is a use of building permitted by the planning

commission to exist during periods of construction of the principal building for use, or for special events.

GGGG. TRAILER: Any non-selfpropelled vehicle originally designed or adapted to be pulled by a motor vehicle to provide its motive power, and designed, intended or used to carry or store goods including a vehicle originally designed or intended to be used on rails such as a box car, caboose or other railroad car.

HHHH. USE: Is the principal purpose for which land, or a building is arranged, designed or intended, or for which land or a building is or may be occupied.

IIII. WAREHOUSE: A building used for the reception and storage of goods, materials and merchandise temporarily or for a length of time.

JJJJ. WHOLESALE SALE: The transfer of title to personal property for the purpose of resale.

KKKK. YARDS: The open spaces on the same lot as the principal building, unoccupied and unobstructed from the ground upward except for natural vegetation and further defined as follows:

1. Front Yard: Is an open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the street right-of-way line and the nearest point of the principal building.
2. Side Yard: Is an open space between the side lot line and the principal building, extending from the front yard to the rear yard, the width of which is the minimum horizontal distance from the nearest point on the side lot line to the nearest point of the principal building.
3. Rear Yard: Is an open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the principal building.

SECTION 200 R-1 RESIDENTIAL DISTRICT - PURPOSE

The purpose of the R-1 Residential District is to provide for low density residential development with a minimum of non-residential intrusion.

SECTION 201 R-1 RESIDENTIAL DISTRICT - USE

Within the R-1 Residential District the following uses and no others shall be permitted:

- A. One family dwelling units.
- B. Two family dwelling units.
- C. Accessory uses (see definition).
- D. Accessory buildings (see Section 509).

SECTION 202 CONDITIONALLY PERMITTED USES

Within the R-1 Residential District the following uses shall be conditionally permitted:

- A. Home occupations.
- B. Churches, synagogues and temples for religious worship.
- C. Public or private schools certified by the State of Ohio and offering courses in grades kindergarten through high school.
- D. Private swimming pools or tennis courts, basketball courts and skating rinks except that no such use shall be enclosed by any temporary or permanent structure or building, except for a fence subject to Section 204.
- E. Utility and public service buildings and uses (excluding storage yards) when operating requirements necessitate the locating of said building within the district in order to serve the immediate vicinity.
- F. Parabolic/Dish type antennae (see Section 518).

SECTION 203 ACCESS

All uses conditionally permitted under paragraphs B., C. and E. of Section 202 shall have access directly onto an arterial or collector thoroughfare and all driveways shall exit onto such streets. All driveways shall enter the street right of way at a point that is at least on hundred (100) feet from the nearest intersection of public streets.

SECTION 204 FENCING/SCREENING

Fencing/Screening shall be permitted in Section 201 A. and B. and Section 202 B., D. and E. subject to the following conditions:

- A. No fencing/screening shall extend towards the front lot line beyond the front of the principal building or structure or the required minimum front yard setback or whichever is greater except for a temporary snow fence or aesthetic fencing/screening.
- B. No fencing/screening shall be permitted on side lot lines where there is less than a minimum of six (6) feet of clearance from building or structure on both properties.
- C. Aesthetic fencing/screening whose sole purpose is to enhance the attractiveness of the building, shall be permitted in front yards on an individual basis upon filing for a permit. In no circumstances will such fencing/screening be placed upon Village right-of-ways, nor shall it exceed three (3) feet in height or thirty-two (32) feet in linear distance. No fee will be required.
- D. Temporary Snow Fence shall be permitted subject to the following provisions:
 - 1. May be installed between the period of November 1 to April 1 of each year.
 - 2. Such fence does not block travel on any public sidewalk, alley or street.
 - 3. Such fence is at least ten (10) feet from the edge of any public street or alley.
 - 4. A permit must be filed but no fee will be required.
 - 5. May be installed on special occasions during the week of the Village Ox Roast for safety reasons without a permit.
- E. Privacy fences shall be permitted subject to the following:
 - 1. No privacy fence may exceed the maximum height of six (6) feet in height and it must be located only in the backyard.
 - 2. The fence shall be subject to a six (6) foot side yard setback, but regardless of setback, it shall never extend beyond the sides of the dwelling.
 - 3. Such fence may not be more than twenty-four (24) feet in linear distance.
 - 4. A permit must be filed but no fee will be required.
- F. See Section 521

SECTION 205 LIGHTING

All exterior lighting in this district shall be shielded so as not to shine onto adjoining property.

SECTION 206 LOUD SPEAKERS

No loud speakers shall be allowed outside of any building nor shall they be permitted to be used inside any building in such a manner that they are designed or intended to broadcast outside of said building.

SECTION 207 MINIMUM LOT SIZE

The minimum lot size for those uses permitted under Sections 201 A. and B. and Sections 202 D. and E. are as follows:

- A. Width 90 feet.
- B. Length 130 feet.
- C. Total square feet 11,700 sq. ft.
- D. Width at set back 90 feet.

The minimum lot size for those uses permitted under Sections 202 B. and C. shall be two (2) acres.

SECTION 208 MAXIMUM BUILDING SIZE

All uses conditionally permitted under Section 202 B. and C. shall have no more than twenty five percent (25%) of the lot area covered by buildings.

SECTION 209 MAXIMUM BUILDING HEIGHT

All buildings/structures under Section 201 A. and B. and Section 202 B., C. and E. shall not exceed more than twenty five (25) feet in height or two (2) stories in height above the ground level except for a steeple, chimney, aerial or other appurtenances.

SECTION 210 SETBACKS

All buildings/structures in Section 201 A. and B. and 202 D. shall meet the following set back requirements:

- A. Front-30 feet from street right of way. (See Section 214)
- B. Side-6 feet from side property line.
- C. Rear-40 feet from rear property line.

Accessory building-see Section 509

All buildings/structures in Section 202 B., C. and E. shall meet the following set back

requirements:

- A. Front-30 feet from street right of way. (See Section 214)
- B. Side-25 feet from side property line.
- C. Rear-50 feet from rear property line. All property situated at the intersecting of two public streets (corner lots) shall meet the minimum set back requirements as required in that district along both such streets.

SECTION 211 MINIMUM FLOOR AREA

The minimum interior floor area shall be as follows:

- A. One family dwelling unit-twelve hundred sq. ft.
- B. Two family dwelling unit-one thousand sq. ft. per unit.

SECTION 212 GARAGE

Each dwelling unit shall have a minimum of one garage with dimensions not less than 12 x 22 feet and which shall be located on the same lot as the dwelling.

SECTION 213 GREENBELT REQUIREMENTS

All parking lots located in B., C., D. and E. of Section 202 must in addition to a required set back of twelve (12) feet from all abutting property lines be required to have and maintain an obscuring greenbelt. (Section 519)

SECTION 214 FRONT YARD VARIANCE

In any R-1 District where the average depth of at least two (2) existing front yards on lots located within one hundred (100) feet of the lot in question and within the same block are less than the minimum front yard set back prescribed, the Planning Commission may modify the required front yard depth of such lot no more than ten (10) feet.

SECTION 215 SIGN REGULATIONS

See Section 551

SECTION 216 PARKING REGULATIONS

See Section 530

SECTION 217 GENERAL REGULATIONS

See Section 500

SECTION 218 EXCLUDED RESIDENTIAL USES

In any R-1 District the following uses are excluded:

- A. Mobile Homes
- B. Manufactured Homes
- C. Junk or unlicensed motor vehicles that are stored outside any building or structure.

SECTION 240 R-2 RESIDENTIAL DISTRICT - PURPOSE

The purpose of the R-2 Residential District is to provide for moderate density residential development with a minimum of non-residential intrusion.

SECTION 241 R-2 RESIDENTIAL DISTRICT - USE

Within the R-2 Residential District the following uses and no others will be permitted:

- A. One family dwelling units
- B. Two family dwelling units
- C. Accessory uses (see definition)
- D. Accessory buildings (see Section 509)

SECTION 242 CONDITIONALLY PERMITTED USES

Within the R-2 Residential District the following uses and no others will be permitted:

- A. Home occupations;
- B. Churches, synagogues, and temples for religious worship;
- C. Public or private schools certified by the State of Ohio and offering courses in grades kindergarten through high school;
- D. Private swimming pools or tennis courts, basketball courts and skating rinks except that no such use shall be enclosed by any temporary or permanent building or structure except for a fence that is subject to Section 245;
- E. Utility and public service buildings and uses (excluding storage yards) when operating requirements necessitate the locating of said building within the district in order to serve the immediate vicinity.
- F. Parabolic/Dish-type Antennae (See Section 518)

- G. Multi-family dwelling units, two stories or less and subject further to the following:
1. Proposed development shall have one (1) property line abutting an arterial thoroughfare or the boundary line of a B-Business or I-Industrial District.
 2. A fifteen foot (15') wide greenbelt measured from the lot line shall be provided on all side and rear yards of multifamily developments.
 3. A six (6) foot high obscuring fence shall be provided along the side and rear perimeters of all parking lots. Such fence/screening devices shall not have any openings except such openings as may be required by the Fire Department for vehicular or emergency access to the proposed development.
 4. A maximum of ten (10) multifamily dwelling units shall be allowed per acre.
- H. Townhouse Dwellings provided that there will be no more than four (4) townhouses dwellings in any contiguous group. All such dwellings are subject to same requirements as Section 242 G., 1, 2, 3 and 4.

SECTION 243 ACCESS

All uses conditionally permitted under paragraphs B., C., E., G. and H. of Section 242 shall have access directly onto an arterial or collector street and all driveways shall exit onto such streets. All driveways shall enter the street right of way at a point that is at least one hundred (100) feet from the nearest intersections of public streets.

SECTION 244 GREENBELT REQUIREMENTS

All parking lots located in B., C., E., G. and H., of Section 242 in addition to having a required set back of twelve (12) feet from all abutting property lines shall be required to have and maintain an obscuring greenbelt. All buildings/structures in Section 242 E. shall have and maintain an obscuring greenbelt. A greenbelt is required twelve (12) feet from front of building. (see Section 519)

SECTION 245 FENCING/SCREENING

Fencing/screening shall be permitted in paragraphs A. and B. of Section 241 and paragraphs B. through H. of Section 242 subject to the following conditions:

- A. No fencing/screening shall extend towards the front lot line beyond the front of the principal buildings or structures or the required minimum front yard set back or whichever is greater except for a temporary snowfence or decorative fencing/screening.
- B. No fencing/screening shall be permitted on side lot lines where there is less than a minimum of six (6) feet of clearance from building or structure on both properties.
- C. Aesthetic fencing/screening whose sole purpose is to enhance the attractiveness of the

house, shall be permitted in front yards on an individual basis upon filing for a permit. In no circumstances will such fencing/screening be placed upon Village right of ways, nor shall it exceed 3 feet in height or 32 feet in linear distances. No fee will be required.

D. Temporary snowfence shall be permitted subject to the following provisions:

1. May be installed between the period of November 1 to April 1 each year.
2. Such fence does not block travel on any public sidewalk, alley, or street.
3. Such fence is at least ten (10) feet from the edge of any public street or alley.
4. A permit must be filed but in no instance will a fee be required.
5. May be installed on special occasions during the week of the Village Ox Roast for safety reason without a permit.

E. Privacy fence shall be permitted subject to the following conditions:

1. No privacy fence may exceed the maximum height of six (6) feet in height and it must be located only in the back yard.
2. The fence shall be subject to a six (6) foot side yard setback, but regardless of setback, it shall never extend beyond the sides of the dwelling.
3. Such fence may not be more than twenty-four (24) feet in linear distance.
4. A permit must be filed but no fee will be required.

F. Fence requirements in Section 242 G. and H. will take precedent over any of the above requirements.

G. See Section 521

SECTION 246 LIGHTING

All exterior lighting in this district shall be shielded so as not to shine onto adjoining properties.

SECTION 247 LOUD SPEAKERS

No loud speakers shall be allowed outside of any building nor shall they be permitted to be used inside any building in such a manner that they are designed or intended to broadcast outside of said buildings.

SECTION 248 MINIMUM LOT SIZE

The minimum lot size for those uses permitted under Section 241 A. and B. and Section 242 D.

and E. are as follows:

- A. Width 90 feet.
- B. Length 130 feet.
- C. Total square feet 11,700 sq. ft.
- D. Width at set back 90 feet.

The minimum lot size for those uses permitted under Section 242 G. and H. are as follows:

- A. Width 200 feet.
- B. Length 130 feet.
- C. Total square feet 20,000 sq ft.
- D. Width at set back line 200 feet.

The minimum lot size for those uses permitted under Section 242 B. and C. shall be 2 acres.

Accessory Building - See Section 509.

Whenever more than one building in Section 242 G. and H. are located on the same lot, the minimum distance between buildings shall be twenty (20) feet.

SECTION 249 MULTI-FAMILY/TOWNHOUSE UNIT AREA

Each dwelling unit shall contain the following minimum floor area:

- A. Studio apartment-500 sq. ft.
- B. One bedroom apartment-600 sq. ft.
- C. Two bedroom apartment-700 sq. ft.
- D. Three or more bedroom apartment-850 sq. ft.

SECTION 250 MAXIMUM BUILDING SIZE

All uses conditionally permitted under Section 242 B., C., G. and H. shall have no more than twenty five per cent (25%) of their lot area covered by buildings.

SECTION 251 MAXIMUM BUILDING HEIGHT

All buildings/structures under Section 241 A. and B. and Section 242 B., C., D., E., G. and H.

shall not exceed more than 25 feet in height or two (2) stories in height above the ground level except for a steeple, chimney, aerial, or other appurtenances.

SECTION 252 SETBACKS

All buildings/structures in Section 241 A. and B. and 242 D. shall meet the following set back requirements:

- A. Front-30 feet from street right-of-way. (See Section 253)
- B. Side-6 feet from side property line.
- C. Rear-40 feet from rear property line.

All building/structures in Section 242 B., C., E., G. and H. shall meet the following set back requirements:

- A. Front-30 feet from street right of way. (See Section 253)
- B. Side-25 feet from side property line.
- C. Rear-50 feet from rear property line.

SECTION 253 FRONT YARD VARIANCE

In any R-2 District where the average depth of at least two (2) existing front yards on lots located within one hundred (100) feet of the lot in question and within the same block are less than the minimum front yard set back prescribed, the Planning Commission may modify the required front yard depth of such lot no more than ten (10) feet.

SECTION 254 SIGN REGULATIONS

See Section 551

SECTION 255 PARKING REGULATIONS

See Section 530

SECTION 256 GENERAL REGULATIONS

See Section 500

SECTION 257 EXCLUDED RESIDENTIAL USES

In any R-2 District the following uses are excluded:

- A. Mobile Homes.

- B. Manufactured Homes.
- C. Junk or unlicensed motor vehicles that are stored outside any building or structure.

SECTION 270 MHP MANUFACTURED HOME PARK DISTRICT - PURPOSE

The purpose of the MHP Manufactured Home Park District is to provide an area for manufactured homes which are of such nature as to warrant individual consideration and regulations due to the unique demands they place upon the public health and welfare, and the requirements of location and development that generally are peculiar to these uses.

SECTION 271 MHP MANUFACTURED HOME PARK DISTRICT - PERMITTED USES

Within the MHP Manufactured Home Park District the following uses and no others shall be permitted:

- A. Manufactured Home Park Developments complying with the requirements of the Ohio Administrative Code Chapter 3701 promulgated by the Ohio Public Health Council in accordance with Chapter 3733 of the Ohio Revised Code and subject further to the review and approval of a site plan by the Village Planning Commission.
- B. Accessory uses (see definition)
- C. Accessory buildings (see Section 509)

SECTION 272 CONDITIONALLY PERMITTED USES

Within the MHP Manufactured Home Park district the following uses and no others shall be conditionally permitted:

- A. Home occupations (see definition)

SECTION 273 ACCESS

All Manufactured Home Park Developments shall have access directly onto an arterial or collector thoroughfare and all driveways shall exit onto such streets. All driveways shall enter the street right of way at a point that is at least four hundred (400) feet from the nearest intersection of public streets, measured from the street right of way lines.

SECTION 274 MINIMUM LOT SIZE

All Manufactured Home Park Developments shall include at least then (10) acres of land and at least ten (1) manufactured home stands.

SECTION 275 SETBACKS

All structures and activity areas in Manufactured Home Park Developments shall meet the following setback requirements:

- A. Front - Forty (40) feet from street right of way.
- B. Side - Ten (10) feet from side property line.
- C. Rear - Ten (10) feet from rear property line.

SECTION 276 GREENBELT REQUIREMENTS

All Manufactured Home Park Developments shall provide an obscuring greenbelt on those sides of the Manufactured Home Park that abut onto an R-Residential District. (See Section 519)

SECTION 277 LIGHTING

All exterior lighting in the district shall be shielded so as not to shine onto adjoining properties.

SECTION 278 LOUD SPEAKERS

No loud speakers shall be located outside of any building nor shall they be permitted to be used inside any building in such a manner that they are designed or intended to broadcast outside said building.

SECTION 279 SIGN REGULATIONS

See Sections 551 to 574

2. No more than one dwelling unit per building.
- D. Churches, synagogues and temples for religious worship subject to the following conditions:
1. Minimum lot size-2 acres.
 2. Minimum lot width at building set back line shall be two hundred (200) feet.
 3. Minimum set back requirements:
 - a. Front - 30 feet from right-of-way.
 - b. Side - 15 feet from side property line.
 - c. Rear - 40 feet from rear property line.
- E. Rooming houses/boarding houses subject to the following conditions:
1. The house may accept no more than four (4) overnight guests for compensation at any one time.
 2. The house may rent no more than three (3) rooms.
 3. For purposes of advertising, there shall be no more than one (1) sign or identification plate and such sign or plate shall not exceed two (2) square feet in area.
 4. Off-street parking at the rate of one (1) space per guest room and such parking required for that dwelling unit.
 5. Plans must be approved by a representative of the State Fire Marshal or the Shiloh Village Fire Chief.
 6. Rooming houses shall be conducted by the resident with no additional employees.
- F. Accessory Uses
- G. Parabolic/Dish type Antennae (See Section 518)
- H. Parking of one semi tractor and semi trailer or commercial truck.

SECTION 303 EXCLUDED USES

Notwithstanding the provision of Section 301 and 302, the following businesses shall not be permitted in a B-1 Neighborhood Business District:

- A. Sale or repair of automobiles, used automobiles or truck parts, trucks, trailers, campers, recreational vehicles, motor homes, motorcycles, boats, farm equipment, construction machinery and industrial machines.
- B. Gasoline service stations.
- C. Hotels/Motels.
- D. Trees, shrubs, plants, lawn and garden equipment and supplies.
- E. Warehouses, moving and storage business or truck terminal.
- F. Restaurants, taverns, or nightclubs.
- G. Fraternal, social, service or veterans organizations.
- H. Junkyards, garbage or rubbish haulers or recycling operations.
- I. Sewer or septic tank cleaning or repairing.
- J. Automobile wrecking or salvage yards.
- K. Indoor/outdoor recreational vehicles or motorcycle racing, etc.
- L. Funeral homes.
- M. Business or trade schools.
- N. Processing, manufacturing or assembly operations except as are incidental to the sale of goods.
- O. Convenience food stores.
- P. Nursing homes, rest homes, convalescent homes/retirement centers.
- Q. Drive thru/carry out.
- R. Mobile homes and manufactured houses.
- S. Junk or unlicensed motor vehicles stored outside any building or structure.

SECTION 304 FENCING/SCREENING REQUIREMENTS

Fencing/screening shall be permitted in all areas of B-1 District subject to the requirements of Section 204 and Section 521.

SECTION 305 LIGHTING

All exterior lighting in the district shall be shielded so as not to shine onto adjoining properties.

SECTION 306 LOUD SPEAKERS

No loud speakers shall be located outside of any building nor shall they be permitted to be used inside any building in such a manner that they are designed or intended to broadcast outside of said building.

SECTION 307 GREENBELT REQUIREMENTS

All land within B-1 Neighborhood Business District which abuts a residential district, or existing residential use shall have an obscuring greenbelt. (See Section 519)

SECTION 308 ACCESS

All uses permitted in Section 301 A. and 302 A., B., C., D., E. and F. shall have access directly onto an arterial or collector street and all driveways shall exit onto such streets.

SECTION 309 MAXIMUM BUILDING SIZE

All uses and conditionally permitted uses shall have no more than twenty- five percent (25%) of their lot covered by building.

SECTION 310 MAXIMUM BUILDING HEIGHTS

All buildings shall not exceed 25 feet in height or two (2) stories in height above the ground level except for a steeple, chimney, aerial or other appurtenances.

SECTION 311 SETBACK REQUIREMENTS

All buildings shall meet the following set back requirements except where otherwise specifically provided:

- A. Front - thirty (30) feet from right-of-way.
- B. Side - six (6) feet from side property lines, except those sides which are adjacent to a residential district. A twenty-five (25) foot setback shall be required and not used for any other purpose on the side abutting the residential district.
- C. Rear - thirty (30) feet from rear property line.

SECTION 312 SIGN REGULATIONS

See Sections 551 to 574

SECTION 313 PARKING REGULATIONS

See Sections 530 to 543

SECTION 314 GENERAL REQUIREMENTS

See Sections 500 to 516

SECTION 340 B-2 GENERAL BUSINESS DISTRICT - PURPOSE

The purpose of the B-2 General Business District is to provide a zone for the conduct of business uses of all types.

SECTION 341 B-2 GENERAL BUSINESS DISTRICT - USE

Within the B-2 General Business District the following uses are permitted:

- A. All uses permitted in B-1 Business District under Section 301.
- B. Business engaged in the sale of goods or services to the public except those excluded under Section 343 or made conditionally permitted under Section 342.
- C. Individual recreational areas.
- D. Restaurants, taverns and night clubs.
- E. Hotels/motels
- F. Outdoor recreational uses except motor vehicles or motorcycle racing.
- G. Fraternal & social organizations.
- H. Nursing homes/rest homes, convalescent homes and retirement centers.
- I. Funeral homes.
- J. Business and trade schools.
- K. Accessory uses to any of the above.
- L. Automotive car washes.
- M. Laundromats.

SECTION 342 CONDITIONALLY PERMITTED USES

Within the B-2 Business District the following uses shall be conditionally permitted:

- A. Gasoline service stations and automobile service repair garages subject to regulations in

Section 345.

- B. Drive thru carryouts.
- C. Attached one family dwelling units subject to the provisions of Section 344.
- D. Rooming houses subject to the provisions of Section 302 E.
- E. Parabolic/dish type antennae (See Section 518).
- F. Parking of one semi-tractor and semitrailer or commercial truck.
- G. Billiard Rooms

SECTION 343 EXCLUDED USES

Notwithstanding Section 341 within the B-2 General Business District the following uses shall not be permitted:

- A. Automobile wrecking or salvage yards.
- B. Junkyards, garbage or rubbish haulers or recycling operations.
- C. Sewer or septic cleaning or repairing.
- D. Processing, manufacturing or assembly operations, except as are incidental to the sale of goods.
- E. Churches, synagogues, and temples for religious worship.
- F. Junk or unlicensed motor vehicles stored outside any building or structure.
- G. Mobile homes and manufactured homes

SECTION 344 ATTACHED ONE FAMILY DWELLING UNITS - CONDITIONS

A one family dwelling unit shall be allowed in this district provided it meets the following requirements:

- A. Minimum floor area of 800 square feet.
- B. No more than one dwelling unit shall be permitted per building.
- C. Each such dwelling unit must be attached to or constructed within a building containing a business or office use.
- D. Accessory uses as permitted in the R-2 District.

SECTION 345

GASOLINE SERVICE STATIONS

Whenever gasoline service stations are listed as a conditionally permitted use within the Village, the following requirements shall apply:

- A. Gasoline service stations shall be limited to the sale of motor vehicle fuel, oil, tires, batteries, accessories and incidental repair work. Such work shall not include body repair, painting, tire recapping, engine rebuilding or overhauling.
- B. Curb cuts for ingress and egress shall be limited to a specific number as approved by the Planning Commission and the balance of the property shall be barricaded from access to the streets.
- C. All curb cuts shall be at least one hundred (100) feet from the nearest intersection.
- D. The minimum lot area shall be twenty thousand (20,000) square feet.
- E. Service stations shall be shielded on all sides which abut onto a residential district or existing residential use, except the street side, by an obscuring greenbelt at least six (6) feet in height, six feet in width and four feet from property line.
- F. No inoperative motor vehicles shall be stored on the premises except those which are presently being worked upon.
- G. The rental of trucks or trailers may also be carried on as part of the gasoline service station business provided that the total lot shall be not less than one (1) acre.
- H. The entire surface used for motor vehicle movement or storage shall be paved with asphalt or concrete.
- I. All pump islands shall be located at least twenty-five (25) feet from the street right of way.
- J. All buildings shall have a setback of at least forty (40) feet from the front lot line and from any side lot line which abuts a public street. The building setback line which does not abut a public street and the rear lot line shall be fifteen (15) feet.
- K. All lighting shall be shielded from adjoining properties.
- L. One parking space shall be provided on the premises for each employee and one space for each two hundred (200) square feet of floor area devoted to the sale of non-automotive products. The space used for vehicle fueling shall not be used to meet these parking requirements.
- M. No used motor vehicle parts including tires shall be stored outside of any building.

SECTION 346

FENCING/SCREENING REQUIREMENT

Fencing/screening shall be permitted in all areas of B-2 District subject to the requirements of Section 204 and Section 521.

SECTION 347 LIGHTING

All exterior lighting in the B-2 District shall be shielded so as not to shine on R-1, R-2, or B-1 properties located within 40 feet of property lines.

SECTION 348 LOUD SPEAKERS

No loud speakers shall be located outside of any building nor shall they be permitted to be used inside any building in such a manner that they are designed or intended to broadcast outside of said buildings.

SECTION 349 GREENBELT REQUIREMENTS

All land within a B-2 District which abuts a residential district or existing residential use shall have an obscuring greenbelt. (See Section 519)

SECTION 350 MAXIMUM BUILDING HEIGHT

All buildings within a B-2 District shall not exceed more than 2 stories or 25 feet from ground level excluding water tanks, aerials, chimneys, and other appurtenances that may exceed that height.

SECTION 351 SETBACK REQUIREMENTS

All buildings in Section 341 and 342 shall meet the following setback requirements:

- A. Front - thirty (30) feet from right-of-way.
- B. Side - no setback required except those sides which are adjacent or abuts a residential district. A twenty five (25) foot setback shall be required and not used for any other purpose on the side abutting the residential district.
- C. Rear - thirty (30) feet from property line.

SECTION 352 SIGN REGULATIONS

See Sections 551 to 574

SECTION 353 PARKING REGULATIONS

See Sections 530 to 543

SECTION 354 GENERAL REQUIREMENTS

See Sections 500 to 516

SECTION 400 I-1 INDUSTRIAL DISTRICT - PURPOSE

The purpose of an area within the Village where manufacturing, assembling and processing of raw material or parts can occur without detrimental effect upon the balance of the Village. It shall also provide an area where the transfer and storage of goods can occur.

SECTION 401 I-1 INDUSTRIAL DISTRICT - USE

The following uses shall be permitted in the I-1 Industrial District:

- A. Manufacturing and assemble of products from raw materials or component parts except as otherwise expressly prohibited.
- B. The incidental use of premises which are primarily manufacturing in nature for offices, storage or shipping in connection with the manufacturing process.
- C. Truck terminal.
- D. Warehouses.
- E. Storage and transfer facilities.
- F. Wholesale storage and distribution facilities.
- G. Accessory uses to any of the above.
- H. Parabolic/dish type antennae. (See Section 518)

SECTION 402 EXCLUDED USES

Notwithstanding any other provision of this ordinance the following uses are determined to be inconsistent with the proper use of land within this village and shall not be permitted in any use district:

- A. Manufacture or storage of explosives including fireworks or matches.
- B. Manufactures of fertilizer.
- C. Junkyards, scrap yards or motor vehicle wrecking yards.
- D. Slaughter houses.
- E. Asphalt or tile manufacture.
- F. Brick or tile manufacture.
- G. Cement, plaster or mortar manufacture.

- H. Creosote manufacture.
- I. Fat rendering or production of animal or vegetable products by boiling or distillation.
- J. Garbage and waste disposal plants or incinerators.
- K. Petroleum refineries.
- L. Paper, pulp, cardboard and building board manufacture.
- M. Roofing material manufacture.
- N. Solid waste, hazardous waste or radioactive waste disposal facilities.
- O. Pesticide manufacture.
- P. Rubber manufacture or reclamation.
- Q. Stockyards.
- R. Tanning, curing or processing of hides or animal skins.
- S. Gas and oil wells.
- T. Mobile homes and manufactured homes.
- U. Junk or unlicensed motor vehicles stored outside any building or structure.

SECTION 403 FENCING/SCREENING

Parcels within the I-1 Industrial District shall have, in addition to the required setbacks, a six (6) foot high obscuring fence along all sided of the property, except the front which abuts a residential district. This fence shall be constructed no closer to the front property line than the minimum setback line along the sides of property. In no instance shall any fence contain barbed wire, electric current or charge of electricity.

SECTION 404 GREENBELT REQUIREMENTS

All land within an I-1 District which abuts a Residential District, B-1 District or residential use must provide an obscuring greenbelt. (See Section 519)

SECTION 405 LIGHTING

All exterior lighting in the district shall be shielded so as not to shine onto the adjoining R-1, R-2, B-1, or B-2 Districts or properties.

SECTION 406 LOUD SPEAKERS

Loud speakers shall be permitted on the outside of buildings, but must meet the following requirements:

- A. Speakers must be maintained at a level that does not broadcast onto other properties.

SECTION 407 MINIMUM LOT SIZE

The minimum lot size within the I-1 Industrial District shall be twenty thousand (20,000) square feet.

SECTION 408 MINIMUM LOT WIDTH

The minimum lot width in an I-1 Industrial District shall be two hundred (200) feet.

SECTION 409 MAXIMUM BUILDING HEIGHT

All buildings within an I-1 Industrial District shall not exceed more than forty (40) feet in height above ground level except for chimneys, aerials, or appurtenances.

SECTION 410 SETBACK

- A. Front - 50 feet from right of way.
- B. Side - 20 feet from property line, except those sides which are adjacent to a residential district. A 30 foot setback shall be required and not used for any other purpose on the side abutting the residential district.
- C. Rear - 50 feet from property line.

SECTION 411 OUTDOOR STORAGE

Raw materials, finished products, work in process, machinery or equipment may not be stored outside of an enclosed structure except in the side or rear yards. No storage shall be allowed on the areas required by Section 410 as rear and side yard setback area. Any such materials must be hidden by an appropriate obscuring fence so that they are not visible from adjacent properties or the public street upon which the building is located. The area of outside storage shall not exceed 25% of the building area.

SECTION 412 SIGN REGULATION

See Sections 551 to 574

SECTION 413 PARKING REGULATIONS

See Sections 530 to 543

SECTION 414 GENERAL REGULATIONS

See Sections 500 to 516

SECTION 500 GENERAL CONDITIONS APPLICABLE TO ALL DISTRICTS

The following conditions shall be applicable to all land, buildings and structures within the Village of Shiloh, Ohio.

SECTION 501 LOT WIDTH REQUIREMENTS

All buildings except accessory buildings shall be situated on a parcel of property which meets the minimum width requirements at the minimum building setback line imposed within the zoning district wherein the property is located.

SECTION 502 FRONTAGE OF PUBLIC STREET

No structure shall be constructed which does not meet the minimum frontage requirements of Section 501 along a duly dedicated and accepted public street within this Village.

SECTION 503 CORNER LOTS

Property situated at the intersection of two public streets shall meet the minimum setback requirements as required in that district along both such streets.

SECTION 504 ONE PRINCIPAL BUILDING

In residential districts no more than a single one or two family dwelling unit shall be allowed on any single parcel of land as carried on the county auditor's tax duplicate on the date of the application for a zoning permit. This provision shall not apply to accessory buildings.

SECTION 505 CALCULATION OF OPEN SPACE

All land that is used for setback requirements shall be and remain under ownership of the owner of the building or structure for which the setbacks are established and may not be sold to any adjoining property owner to the extent that such sale would reduce the land below the minimum setback or area required by this ordinance. No land may be used to satisfy the setback or area requirements of more than one building except an accessory building.

SECTION 506 DRAINAGE CHANNELS

The Zoning Inspector and the Planning Commission shall have the authority to require as a condition of the granting of any zoning permit or conditional zoning permit that existing drainage channels be maintained or relocated so as to avoid flooding or damage to adjoining properties from surface water.

SECTION 507 WATER AND SEWER CONNECTIONS

Issuance of a zoning permit, conditional zoning permit or the approval of a site plan shall not be

deemed a guarantee that municipal water or sewer service will be available to the property. All connections to water and sewer systems shall be in accordance with the Ordinances and rules of this Village.

SECTION 508 TEMPORARY BUILDINGS

Temporary buildings for uses incidental to constructions shall be allowed upon the construction site without a zoning permit for a period not to exceed one (1) year. Such use for a period of longer than one (1) year must be approved by the Planning Commission on such terms as it deems to be in the public interest.

SECTION 509 ACCESSORY BUILDINGS

Accessory buildings as defined in this Ordinance shall be permitted in all districts provided that their use is incidental, subordinate and customary to the primary use of the property upon which they are located.

- A. An accessory building which is physically attached to the principal building shall be deemed a part thereof for all purposes;
- B. No accessory building shall be located in any front yard;
- C. Accessory buildings shall be located at least six (6) feet from the side property lines and at least six (6) feet from the rear property lines;
- D. No accessory building shall exceed one (1) story in height from the ground level up;
- E. No accessory building shall be used for human habitation;
- F. Accessory buildings shall not occupy more than fifty per cent (50%) of the total lot area minus that occupied by the principal building and all required setbacks.
- G. Accessory buildings located on a corner or double frontage lot shall not be permitted to project beyond the minimum front yard depth facing the adjacent streets.
- H. No school busses, vans, mobile homes, flat trailer and trailers will be used as a accessory building.

SECTION 510 HOME SALE

A home sale is a sale of personal property to the general public conducted on any portion of the residence property within a residential zoning district, to include but not limited to garage sales, patio sales, yard sales, carport sales, basement sales, porch sales, driveway sales, rummage sales. All home sales must meet the following requirements:

- A. Home sales shall not be conducted on the same residential property more than twice in a twelve (12) month period.

- B. No home sale shall be commenced earlier than nine (9:00) A.M., nor shall such sale last later than sundown.
- C. No home sale shall last more than three (3) consecutive days.
- D. No home sales shall offer new or used merchandise for sale that has been purchased by the resident for purpose of such resale at such home sale.

SECTION 511 FIREWOOD, WOODPILES, SCRAP WOOD, ETC.

In all districts firewood, woodpiles, or similar materials must be stored and reasonably stacked on side or rear yards only. Such material must have a minimum setback from property line of six (6) feet and be no more than five (5) feet in height and cover no more than a total of 200 square feet and have a total of no more than 15 linear feet.

SECTION 512 PUBLIC AND PRIVATE ACCESS REQUIREMENTS

Every dwelling shall be located on a lot having access to a public or private street. Public streets shall be designed in accordance with the minimum improvement standards with the Village of Shiloh Subdivision Regulations. All multiple family developments designed to be serviced by private drives and streets shall be approved and shall further meet the minimum improvement standards established for private streets by the Village Engineer or the Village Street Superintendent.

SECTION 513 CORNER CLEARANCE

No fence, wall, greenbelt, planting strip, or any other obstruction to vision above a height of two (2) feet from the established street grade shall be permitted within the triangular area at the intersection of any street right-of-way lines formed by a straight line drawn between said right-of-way lines at a distance along each line of twenty-five (25) feet measured from their point of intersection.

SECTION 514 ACCESSWAYS

For the purpose of this Ordinance, any walk, terrace or other pavement surfacing providing access to side, rear or front yards and/or accessory structures, and not more than ten (10) inches above the ground level shall not be considered a structure and shall be permitted in any required yard.

SECTION 515 SWIMMING POOL FENCES AND SETBACKS

All swimming pools shall be surrounded on all sides by a minimum of a six (6) foot fence with a gate for access. All swimming pools including both in-ground and above-ground shall comply with the same setback requirements as accessory buildings applicable in the district in which it is located.

SECTION 516 TRAILERS USED FOR STORAGE

No trailer whether operable or not shall be used for the storage of goods in any use district. A trailer may be used as a temporary construction office or toolshed during the construction or remodeling of any structure.

SECTION 517 MANUFACTURED HOME OR MOBILE HOME AS TEMPORARY DWELLING

In the event of the accidental destruction or damage to any dwelling unit within this Village, the owner thereof may for a period of time, not to exceed one year, reside in a manufactured home or mobile home upon the premises while the dwelling unit is being rebuilt.

SECTION 518 PARABOLIC/DISH TYPE ANTENNAE

Parabolic/dish type antennae are allowed in all districts subject to the following requirements and shall be considered a conditionally permitted use.

The objective of this regulation is to preserve the residential and building character of the community and to prevent the congestion of properties so as to hinder fire safety in recognition of the facts that the majority of the Village's homes and buildings are located on narrow or small lots and are of a character and type of an earlier period in the community's history and that such antennae are of such size and construction so as to conflict with this objective.

- A. Maximum number per lot:
 - 1. Residential lot: One (1)
 - 2. Business or Industrial lot: Two (2)
- B. Maximum diameter: Twelve (12) feet
- C. Minimum setback from all property lines of lot: Ten (10) feet except corner lots shall comply with Section 503.
- D. No antenna may be located in a front or side yard.
- E. All antennae shall be no higher above ground level than one-half ($\frac{1}{2}$) the diameter of the antenna unless it is determined that a higher mounting is necessary in order to obtain proper reception, then such height shall not exceed that required to receive proper reception. In order to obtain proper reception, roof-mounted antennae shall only be permitted if the roof-mounted antenna does not exceed the antenna height necessary to obtain proper reception and it does not conflict with the objective of these regulations. Any height exception shall be documented by the installer/manufacturer of the antennae.
- F. If it is determined that any of the restrictions of Paragraphs B to F prevent normal reception of the antennae, then the restrictions may be modified so as to permit reception provided there is not substantial detriment to the objectives of this regulation.

SECTION 519 OBSCURING GREENBELT

Whenever a greenbelt is required by this Ordinance, it shall be subject to the following conditions:

- A. It shall be planted within three (3) months from the date of the issuance of a zoning certificate.
- B. It shall be constructed with permanent evergreen plant material and shall have a minimum height of four (4) feet at the time of planting.
- C. It shall have a setback of six (6) feet from each adjoining property line where required and have a minimum width of four (4) feet.
- D. All greenbelts shall be reasonably maintained. Any maintenance or replacement of a greenbelt or part thereof deemed necessary by the Zoning Inspector must be completed within thirty (30) days from the time the notice is delivered by the Zoning Inspector.

SECTION 520 VARIANCES

The Village Planning Commission is hereby authorized to grant variances from any of the provisions of Section 519 if it determines from the evidence presented that the literal application of these provisions will cause undue hardship or practical difficulties. The Planning Commission shall in granting a variance from the requirements of this Ordinance consider the following factors:

- A. The extent to which the greenbelt will interfere with ingress or egress including sight distance to the applicant's property or any adjacent property.
- B. The extent to which the greenbelt will interfere with public utility easements or existing structures or buildings.
- C. The extent to which the variance will have an adverse effect upon property values in the area.
- D. The extent to which the variance will detract from the appearance of the area.

SECTION 521 FENCE/SCREEN REQUIREMENTS

Whenever a fence/screen is required by this Ordinance it shall be subject to the following general conditions unless other specific requirements are otherwise provided:

- A. Fences shall not exceed four (4) feet in height, measured from the surface of the ground.
- B. Fences shall be erected within three (3) months from the date of issuance of a zoning certificate.
- C. Fences, except temporary snow fences, shall be constructed of materials that are durable, weather and rust resistant. In no instance shall any fence contain barbed wire, electric

current or charge of electricity.

- D. Fences shall remain durable and be reasonably maintained. Any maintenance or replacement of a fence deemed necessary by the Zoning Inspector must be completed within thirty (30) days from the date notice is delivered by the Zoning Inspector.
- E. Unless otherwise stipulated a minimum setback requirement of two (2) feet is required for all fencing.
- F. A permit must be filed but no fee will be required.

SECTION 522 VARIANCES

The Village Planning Commission is hereby authorized to grant variances from any of the provisions of Section 521 if it determines from the evidence presented that the literal application of these provisions will cause undue hardship or practical difficulties. The Planning Commission shall in granting a variance from the requirements of this Ordinance consider the following factors:

- A. The extent to which the fence will interfere with ingress or egress including sight distance to the applicant's property or any adjacent property.
- B. The extent to which the fence will interfere with public utility easements or existing structures or buildings.
- C. The extent to which the variance will have an adverse effect upon property values in the area.
- D. The extent to which the variance will detract from the appearance of the area.

SECTION 530 PARKING REQUIREMENTS-PURPOSE

Regardless of the zoning of the district the use of the property shall determine the number of parking spaces required by this Ordinance. It is the purpose of these provisions to require a landowner to provide sufficient parking space on the owner's property for the maximum number of vehicles which may be present at any one time; to provide for a system of safe ingress and egress and to minimize the number of cars that are parked upon public streets.

SECTION 531 PERMITS CONDITIONED ON ADEQUATE PARKING

No zoning permit or conditional zoning permit shall be issued for any commercial, industrial or residential land use which does not comply with the off- street parking and maneuvering lane requirements of this Ordinance.

SECTION 532 USE OF PARKING SPACES

All off-street parking spaces shall be used only for the temporary parking of motor vehicles.

Except in residential districts no long term storage or repair work, except in the case of an emergency shall be performed in any off- street parking area.

SECTION 533 FRONT YARD PARKING

In business districts, no required off-street parking area shall be located within four (4) feet of the street right-of-way line.

SECTION 534 CONVERSION OF PARKING AREA

No area designated for off-street parking may be sold, the lease thereon permitted to be canceled nor converted to another use if in so doing the minimum number of parking spaces required by this Ordinance are not retained.

SECTION 535 SURFACE OF PARKING AREA

All off-street parking areas and all driveways, except driveways for one or two family dwelling units, shall be Portland cement concrete or asphaltic concrete and well drained. Any off street parking area that is excavated shall be resurfaced by Portland cement concrete or asphaltic concrete within thirty (30) days after completion of construction or as the weather may reasonably permit.

SECTION 536 SIZE OF PARKING SPACES

All off-street parking spaces required by this Ordinance shall be laid out and maintained as follows:

<u>Parking Angle at Base Line</u>	<u>Parking Width</u>	<u>Space Length</u>	<u>Maneuvering Lane Width</u>
45 degrees	8'4"	20'	12'
60 degrees	8'6"	20'	15'
90 degrees	9'	20'	20'

SECTION 537 MINIMUM REQUIRED PARKING SPACES

The following shall be the minimum number of spaces required:

A. Residential Uses

1. One or two family dwelling units, two per dwelling unit which may include parking space in the garage.
2. Multiple family dwelling units, two per dwelling unit plus one for each full-time employee which may include parking spaces in garages.

B. Commercial uses

1. Retail stores and shopping centers - three (3) spaces for each 100 square feet of floor area open to the public.
2. Banks, savings and loans or credit unions - one (1) for each employee and one (1) for each 100 square feet of floor area open to the public.
3. Office use - one (1) for each employee and one (1) for each 200 square feet of usable floor space.
4. Restaurants, taverns, nightclubs - one (1) space for each employee and one (1) space for each three (3) customer seats.
5. Funeral homes - one (1) space for each fifty (50) square feet of area used for displaying bodies.
6. Schools
 - a. Elementary and junior high - two (2) for each classroom and one (1) for every eight (8) seats in the room with the largest seating capacity.
 - b. High school - one (1) for each employee and one (1) for every ten (10) students.
 - c. Business or trade schools - one (1) for each employee and one (1) for every two (2) students.
7. Hotels or motels - one (1) space for each employee, and five (5) for every four (4) guest rooms.
8. Rest, nursing or convalescent homes - one (1) space for each employee and one (1) space for every four (4) patients or residents.
9. Indoor recreation - one (1) space for each employee and one (1) space for each 200 square feet of area open to the public.
10. Outdoor recreation except golf courses - one (1) space for each employee and one (1) for each 300 square feet open to the public.
11. Bowling alley - one (1) space for each employee and four (4) spaces for each alley or lane.
12. Private club or lodge - one (1) space for each employee and one (1) space for every three (3) seats.
13. Churches - one (1) space for every three (3) seats in the largest room.

14. Rooming, boarding, fraternity or sorority houses - one (1) space for each two (2) residents and one (1) space for each available room.
15. Golf courses - one (1) space for each employee and two (2) for every green.
16. Service repair garages - one (1) space for each employee on the largest shift, one (1) space for each service bay area, one (1) space for each business vehicle.

C. Industrial Uses

1. One (1) space for each employee on the largest shift.

SECTION 538 LOCATION OF PARKING SPACES

All parking shall be located on a lot owned or leased by the applicant and the Planning Commission may require proof of the applicant's right to use any non-owned property.

SECTION 539 JOINT PARKING AREAS

No parking area may be used to meet the requirements of this Ordinance for two or more land uses unless the area is adequate to satisfy the requirements of this Ordinance for all such uses simultaneously.

SECTION 540 USE OF SETBACK AREAS FOR PARKING

Unless otherwise specified in this Ordinance all setback areas may be used for parking.

SECTION 541 VARIANCE FROM PARKING REQUIREMENT

Where because of unusual circumstances with respect to the land use or unusual topographical features the number or size of parking spaces required by this Ordinance are in excess of those that are likely to be actually needed, the Planning Commission shall have the authority to reduce the requirements of Section 536 and Section 537 of this Ordinance.

SECTION 542 ACCESS TO PARKING SPACES

Access to all off-street parking spaces shall be by means of a maneuvering lane. Except for one (1) and (2) two family residential driveways on local streets, no parking space shall be arranged so as to require backing directly onto a public street.

SECTION 543 USES NOT SPECIFIED

Whenever this Ordinance fails to provide the parking space requirements for a specific use, the Planning Commission is authorized to designate the appropriate number of parking spaces and shall make the compliance with its order a condition of the site plan approval. In reaching its decision, the Planning Commission shall consider the following factors:

- A. The maximum number of employees, customers and other persons who will be on the premises at any one time.
- B. The length of time each person will be present.
- C. The likelihood that persons will arrive by motor vehicle.
- D. The number of spaces required by Section 537 of this Ordinance for uses comparable to the proposed use.

SECTION 550 SIGN REGULATION - PURPOSE

It is determined that the use of land for the location of signs is a significant use of land with this Village. In order to promote the aesthetics of this Village and to reduce the hazards to motorists and pedestrians from the distractions caused by signs, these regulations are enacted as the minimum necessary to protect the public safety and welfare.

SECTION 551 SIGN REGULATION - EXCEPTIONS

The following signs shall be permitted in all districts within this Village and no sign permit shall be required for them:

- A. Traffic control or other regulatory or identification signs erected by the Federal, State, County, Township or Village governmental authorities.
- B. One sign per parcel advertising the sale, rental or lease of real estate provided such signs are located on the premises that are the subject of the sale, rental or lease, unlighted and no larger than four (4) square feet.
- C. Political signs provided they are removed no later than ten (10) days after the election at which the candidate or issue appears on the ballot
- D. In residential districts, garage, basement, porch or other casual sale signs provided no more than two (2) such sales are held per twelve (12) month period and the signs are present for no more than three (3) days each time.
- E. Signs erected for the convenience of the public showing the location of telephones, bus stops and other public conveniences.
- F. Real estate open house or directional signs provided they are displayed for no more than three (3) days a week for any property.
- G. Construction project identification signs denoting the owner or developer, the architect, engineer or contractor and information concerning the project located on the premises where the construction is taking place and no larger than forty (40) square feet.
- H. Temporary banners or signs announcing educational, religious or public events no larger

than twenty (20) square feet and located on the premises where the event is to occur.

- I. Signs denoting the name and address of the occupants of the premises, not to exceed two (2) square feet in area.

SECTION 552 SIGN PERMIT REQUIRED

With the exception of those signs listed in Section 551, and those excluded under Section 568, no person, firm or corporation shall erect, enlarge or structurally alter any sign within this Village without first obtaining a permit from the Village Zoning Inspector. No permit shall be required for the change in an existing sign which does not increase its size or change its structural nature. Whenever the size of a sign is regulated or the fee for a sign permit is based upon the size of the sign, such measurement shall be based upon total display area.

SECTION 553 SIGN PERMIT FORM

The Zoning Inspector shall provide application forms for a sign permit which, when approved by him/her, shall become the sign permit. The application shall contain the following information:

- A. Name and address of the owner of the property where the sign is to be erected.
- B. Name and address of the sign erector.
- C. Description of the sign including materials used in its construction, size, location of proposed erection.
- D. A diagram of the proposed sign and its location on the property.
- E. Such application shall be accompanied by fees according to the schedule in Section 807.

SECTION 554 SIGNS PERMITTED IN RESIDENTIAL DISTRICTS

Commercial signs are hereby determined to be a non-residential use of land and no commercial signs except as expressly hereinafter permitted in this Section shall be allowed in the R-1, R-2 Residential Districts within this Village.

- A. Signs or bulletin boards customarily incidental to places of worship, schools, libraries, museums, social clubs, or societies, which signs or bulletin boards shall not exceed fifteen (15) square feet in area and which shall be located on the premises of such institution.
- B. Signs identifying a group home or apartment building in R-2 District and of no more than 8 square feet.
- C. Signs identifying a complex or subdivision which does not exceed more than ten (10) square feet.

- D. Signs for home occupations shall not be permitted.
- E. Church signs must be a permanent structure conforming with the structure of existing church signs within the Village of Shiloh.

SECTION 555 SIGNS PERMITTED IN BUSINESS AND INDUSTRIAL DISTRICTS

In business and industrial districts the following signs are permitted:

- A. All signs allowed in the residential districts under Section 554.
- B. On premises activities signs as hereinafter regulated.
- C. Off premises activities signs subject to the following:
 - 1. No more than one sign shall be allowed on each parcel of land of two (200) hundred feet or less of frontage on the side where the sign is to be located.
 - 2. One (1) sign may be located every two (200) hundred feet for parcels in excess of two (200) hundred feet of frontage on the side where the sign is to be located.
 - 3. Each sign shall not exceed thirty-two (32) square feet of total display area.
 - 4. All signs allowed under this provision shall comply with the minimum front and side yard setback requirements of the district where located.

SECTION 556 SIZE LIMITATIONS OF SIGNS

In any business or industrial district, each business shall be allowed the following signs for advertising on premises activities:

- A. One wall or projecting sign with a maximum area of ten (10) square feet for each one thousand (1000) square feet of floor area open to the public, but in no event larger than thirty-two (32) square feet.
- B. One pole or pylon sign with a maximum area of twenty (20) square feet per side.
- C. Accessory signs such as those denoting name brands of articles sold or credit cards accepted not to exceed ten (10) square feet per business.

SECTION 557 POLE OR PYLON SIGNS - HEIGHTS

No pole or pylon sign allowed under Section 556 shall be higher than twenty (20) feet from the ground.

SECTION 558 POLE OR PYLON SIGNS - LOCATION

No pole or pylon sign allowed under Section 556 shall be located closer than ten (10) feet of the public right-of-way nor closer than twenty (20) feet of any adjoining property lines.

SECTION 559 LIGHTING

All signs that are lighted shall have the lighting arranged in such a manner as to minimize its effects upon neighboring properties or adjacent streets, and shall not be designed or located to cause confusion with traffic control lights. All lighting shall be of constant intensity and no flashing, intermittent, rotating or moving lights shall be allowed.

SECTION 560 SIGN ERECTORS

No person, partnership or corporation shall erect, enlarge or structurally alter any sign within this Village:

- A. Which contains any electric connection; or
- B. Which, when completed, is twelve (12) or more feet off the ground; or
- C. Which is larger than eight (8) square feet; unless said person, partnership or corporation is the holder of a current sign erector's license issued under this Ordinance.

An application for said license shall be filed with the Village Zoning Inspector and shall contain the following information:

- A. Name and address of the sign erector;
- B. Description of the types of signs the sign erector plans to erect;
- C. Evidence that the sign erector has in effect general liability insurance providing coverage for wrongful death and bodily injury in an amount of at least \$500,000 per person and \$1,000,000 per incident;
- D. Payment of a fee of five dollars (\$5.00). Upon a determination by the Zoning Inspector that the sign erector has met the requirements of this section he shall issue a sign erector's license which shall be valid for a period of one year from its date of issue.

SECTION 561 PUBLIC RIGHT-OF-WAY

No signs except those erected by a governmental agency shall be permitted upon the public right-of-way and any sign so located shall be deemed a public nuisance subject to immediate removal.

SECTION 562 COMPLIANCE WITH STATE LAW

All signs erected in this Village in addition to complying with the provisions of this Ordinance shall comply where applicable with Chapter 5516, Revised Code of Ohio, and the regulations

thereunder.

SECTION 563 TEMPORARY SIGNS

Temporary signs not exceeding eighteen (18) square feet in area shall be allowed in all business and industrial areas in addition to all other signs permitted by this Ordinance. A sign permit shall be required for each temporary sign. The applicant shall indicate upon the application the number of months the sign will be displayed before the sign permit is issued. In no case may a temporary sign be displayed for more than six (6) months in any twelve (12) month period. No fee for a temporary sign is required. (See Section 561)

SECTION 564 VARIANCES

The Village Planning Commission is hereby authorized to grant variances from any of the provisions of Section 550 to Section 573 if it determines from the evidence presented that the literal application of these provisions will cause undue hardship or practical difficulties. The Planning Commission shall in granting a variance from the requirements of this Ordinance consider the following factors:

- A. The extent to which the variance will impair vehicular or pedestrian traffic by distracting attention from traffic control signals.
- B. The extent to which any variance will interfere with ingress or egress including sight distance to the applicant's property or any adjacent property.
- C. The extent of which any variance will interfere with public utility poles, wires or other facilities or traffic control devices.
- D. The extent to which the variance will have an adverse effect upon property values in the area.
- E. The extent to which the variance will detract from the appearance of the area.

SECTION 565 VARIANCE PROCEDURE

Whenever the Zoning Inspector is unable to issue a sign permit because the proposed sign does not comply with the provisions of this Ordinance, he shall advise the applicant of his/her right to appeal to Planning Commission for a variance. Such appeal shall be in writing accompanied by a fee of \$25.00 and the hearing thereon shall be conducted in accordance with the provisions of Section 604 C., D. and E. of this Ordinance.

SECTION 566 SIGNS - PROHIBITED LOCATIONS

No sign shall be allowed to overhang a public street nor be located within six (6) feet horizontally or twelve (12) feet vertically of any electrical lines or appurtenances.

SECTION 567 REMOVAL OF UNSAFE SIGNS

If the Zoning Inspector finds that any sign within this Village presents a risk of harm to persons or property, he shall immediately give written notice to the landowner where the sign is located. Unless the unsafe condition is remedied within seven (7) days, the Zoning Inspector shall cause the sign to be removed. In the event of a clear and present danger that the sign will fall or otherwise injure a pedestrian or motorist, the Zoning Inspector may cause the sign to be removed without prior notice.

SECTION 568 POLITICAL, RELIGIOUS OR CHARITABLE SIGNS

In addition to the signs excluded from regulation by Section 551 this Ordinance is not intended to apply to signs advocating political, religious or philosophical points of view which are located on private property. No permit shall be required for such signs nor shall the other restrictions of this Ordinance be applicable to them.

SECTION 569 SHOPPING CENTER SIGNS

Notwithstanding the provisions of Section 555, in lieu of the single pole or pylon sign permitted for each business, a single pole or pylon sign for a shopping center shall be allowed on each public street which the shopping center abuts. No other pole or pylon signs shall be allowed in the shopping center.

SECTION 570 STRUCTURE

All signs shall be constructed in accordance with the Ohio Basic Building Code and applicable electrical regulation and shall be subject to building and electrical inspection by Richland County.

SECTION 571 ABANDONED SIGNS

Any business which ceases to operate shall remove all signs, poles and other sign supporting structures from the premises. Upon failure to do so, the Zoning Inspector shall give notice to the owner of the property to remove said sign. Unless the sign is removed within ten (10) days thereafter, the Village may remove the sign at the landowner's expense.

SECTION 572 SIGN INSTALLATION

All signs shall be installed in accordance with the applicable provisions of the Ohio Basic Building Code. In the event that a sign is more than fifteen (15) feet tall, the Zoning Inspector shall request that the Village Engineer review the construction plans in order to be certain that the sign will not be a hazard to the public. The actual charges paid by the Village for the engineer's review shall be added to the cost of the sign permit.

SECTION 573 MAINTENANCE AND INSPECTION

Every sign shall be subject to periodic inspection by the Zoning Inspector. All supports, braces, guys and anchors shall be kept in good repair and shall be painted or otherwise treated to resist corrosion. Any repairs deemed necessary by the Zoning Inspector must be completed within a

thirty (30) day period from date of written notification.

SECTION 574 DEFINITIONS

For the purpose of Sections 550 to 573 only, the following definitions shall apply:

- A. COMMERCIAL SIGN: A sign used to promote the sale of product or service.
- B. OFF PREMISES ACTIVITIES SIGN: A sign denoting the name of a business, its products, services, logo, slogans or other information relating to goods or services which are not sold on the premises where the sign is located.
- C. ON PREMISES ACTIVITIES SIGN: A sign denoting the name of a business or its products, services, logo, slogans or other information relating to goods or services sold on the premises where the sign is located.
- D. POLE SIGN: A sign wholly supported by a structure placed on or into the ground.
- E. PROJECTING SIGN: A sign which is affixed to a wall or other structure in such a manner as to form a 90° angle therewith.
- F. PYLON SIGN: A sign with an enclosed base which appears to be an integral part of the sign.
- G. SHOPPING CENTER: A group of contiguous retail stores originally planned and developed as a single unit with common off-street parking facilities.
- H. SIGN: Any object which is used to display words, letters, pictures, or symbols with the intent to convey a message or attract attention.
- I. TEMPORARY SIGNS: A sign which is not permanently affixed to the ground or a building and is capable of being moved with a minimum of effort.
- J. WALL SIGN: A sign attached to or erected against or applied directly upon a wall of a building or other structure and may be an integral part of the wall with the exposed face of the sign in a place parallel to the place of the wall.

SECTION 580 NON-CONFORMING USES - INCOMPATIBILITY

INTENT: Within the districts established by this Ordinance or amendments that may later be adopted, there exist lots, uses of land, structures, and uses of structures and land in combination which were lawful before this Ordinance was passed or its present amendments adopted, but which would be prohibited, regulated or restricted under the terms of this Ordinance or amendments. It is the intent of this Ordinance to permit these non-conformities to continue until they are removed, but not to encourage their survival. Non-conformities are declared by this Ordinance to be incompatible with permitted uses in the districts in which such use is located. A non-conforming use of land, or a non-conforming use of a structure and land in combination

shall not be extended or enlarged more than ten percent (10%). Nothing in this Ordinance shall be deemed to require a change in the plans, constructions, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption of amendment of this Ordinance and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, providing that work shall be carried out diligently.

SECTION 581 SINGLE NON-CONFORMING LOTS OF RECORD

In any district in which single family dwellings are permitted, a single family dwelling and customary accessory buildings may be erected on a single lot of record at the effective date of adoption or amendment of this Ordinance. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable within the district, provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variances of requirements of this Ordinance other than lot area or lot width shall be obtained only through action of the Planning Commission as provided in Section 603. No portion of any lot shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this Ordinance.

SECTION 582 NON-CONFORMING USES OF LAND

Where, at the time of adoption of this Ordinance, lawful uses of land exist which would not be permitted by this Ordinance, the uses may be continued so long as they remain otherwise lawful, provided:

- A. No such non-conforming uses shall be enlarged or increased, nor extended, to occupy more than ten percent (10%) more of the area of land than was occupied at the effective date of the adoption or amendment of this Ordinance;
- B. No such non-conforming uses shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such uses at the effective date of the adoption or amendment of this Ordinance;
- C. If any non-conforming uses of land are discontinued or abandoned for more than six (6) months, any subsequent use of such land shall conform to the regulations specified by this Ordinance for the district in which such land is located;
- D. No additional structure not conforming to the requirements of this Ordinance shall be erected in connection with such non-conforming use of land.

SECTION 583 NON-CONFORMING STRUCTURES

Where a lawful structure exists at the effective date of the adoption or amendment of this

Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards, its location on the lot, bulk, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

- A. No existing structure devoted to a use not permitted by this Ordinance in the district in which it is located shall be enlarged or extended more than ten percent (10%), moved or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located;
- B. Should such non-conforming structure or non-conforming portion of a structure be destroyed, it may not be reconstructed.
- C. Should any structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

SECTION 584 NON-CONFORMING USES OF STRUCTURES AND LAND IN COMBINATION

If a lawful use involving individual structures, or a structure and land in combination, exists at the effective date of adoption or amendment of this Ordinance that would not be allowed in the district under the terms of this Ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- A. No existing structure devoted to a use not permitted by this Ordinance in the district in which it is located shall be enlarged or extended by more than ten percent (10%) moved or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located;
- B. Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such a use at the time of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside such building;
- C. Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use for a period of two years, shall thereafter conform to the regulations for the district, and the non-conforming use may not thereafter be resumed;
- D. When a non-conforming use of structure, or structure and land in combination, is discontinued or abandoned for more than six (6) months, the structure or structure and land combination shall not thereafter be used except in conformity with the regulations of the district in which it is located;
- E. Where non-conforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land.

SECTION 585 REPAIRS AND MAINTENANCE

On any non-conforming structure or portion of a structure containing a non-conforming use, work may be done on ordinary repairs, or on repair or replacement of walls, fixtures, wiring, or plumbing, provided that the cubic content existing when it became non-conforming shall not be increased except as hereabove provided. Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

SECTION 586 SUBSTITUTIONS OF NON-CONFORMING USES

So long as no structural alterations are made, except as required by enforcement of other codes or resolutions, any non-conforming use may, upon appeal to and approval by the Board of Zoning Appeals, be changed to another non-conforming use of a less intensive classification, or the Board shall find that the use proposed for substitution is more appropriate to the district than the existing non-conforming use. In permitting such change, the Board may require that additional conditions and safeguards be met, which requirements shall pertain as stipulated conditions to the approval of such change, and failure to meet such conditions shall be considered a punishable violation of this Resolution. Whenever a non-conforming use has been changed to a less intensive use or becomes a conforming use, such use shall not thereafter be changed to a more intensive use.

SECTION 587 SINGLE DWELLING UNIT EXCEPTION

Notwithstanding the provisions of Section 580 to Section 586 inclusive of this Ordinance, any one or two family dwelling unit located in any use district in this Village may be expanded or enlarged so long as its use is not changed from that of a one or two family dwelling unit. Such expansion or enlargement shall be subject to the minimum setback requirements of Section 210 of this Ordinance.

SECTION 588 ACCESSORY USE EXCEPTION

Notwithstanding the provisions of Section 580 to Section 586 inclusive of this Ordinance, the owner or occupant of any one or two family dwelling unit located in any use district may engage in any accessory use or construct any accessory building that would be permitted in the R-1, Residential District, in accordance with the provisions of Section 201.

VILLAGE PLANNING COMMISSION

SECTION 600 VILLAGE PLANNING COMMISSION - CREATION, APPOINTMENTS AND VACANCIES

There is hereby created a Village Planning Commission composed of the Mayor of this Village, one (1) member of Village Council appointed by Council for his/her term of office on Council and three (3) residents of the Village appointed by the Mayor for six (6) year overlapping terms.

- A. In the event of the death of the Council member of the Commission, his or her resignation from this Commission, or resignation from Council, Village Council shall appoint another of its members to serve the remainder of the unexpired term.
- B. In the event of the death or resignation of a citizen member of this Commission, the Mayor shall appoint some other resident of this Village for the remainder of the unexpired term.
- C. The unexcused absence of any member of this Commission from three (3) consecutive monthly meetings or the establishing of a permanent residence outside of this Village shall be deemed a resignation.

SECTION 601 ORGANIZATION AND FUNCTIONS

The Planning Commission shall:

- A. Elect a chairman, vice-chairman and secretary from among its members to serve for their term upon the Commission;
- B. Keep a complete record of its proceedings including the vote of each member on all motions before the commission;
- C. Within the limits of the money appropriated for it, shall purchase such supplies and equipment as it finds necessary to carry out its duties;
- D. Retain or otherwise employ within the limits of the money appropriated for it such consultants as it finds necessary to carry out its duties
- E. Establish a schedule for its meetings which shall include at least one (1) regular meeting per month and such additional meetings as are necessary to carry out its duties; and
- F. Adopt rules and regulations to govern the conduct of its meetings.

SECTION 602 CONDUCT OF MEETINGS

At least three (3) members must be present at any meeting before any official business can be conducted. An affirmative vote of three (3) members shall be necessary to pass any motion before the Commission. The abstention or refusal to vote of any member shall not be counted for

or against the motion and the member so abstaining or refusing to vote shall be deemed absent for the purpose of the motion upon which he or she abstains or refuses to vote. All meetings of the Commission shall be open to the public at all times. Reasonable steps shall be taken to notify the public and the news media of the time of all regular and special meetings. All records of the Commission shall be public records and shall be filed with the Village Clerk-Treasurer.

SECTION 603 POWERS AND DUTIES

The Planning Commission shall have the following powers and duties:

- A. To initiate amendments to the Village Zoning Ordinance including both changes in the text or changes of the use district of any parcel of land;
- B. To review applications for amendments to the Village Zoning Ordinance and make recommendations to Village Council thereon, including both changes in the text or changes of the use district of any parcel of land whether initiated by Village Council or initiated by any owner or lessee of the land in question;
- C. To review and approve or deny the platting or other subdivision of land within this Village in accordance with the Village Subdivision Ordinance;
- D. To review and approve or deny site plans for the use of land within this Village for all uses except one and two family dwelling units. All site plans shall be drawn on a scale of one inch (1") to twenty feet (20');
- E. To grant variances in the use of land permitted in a particular district where the proposed use is similar in character to the uses already permitted in the district and the proposed use will be consistent with the overall character of the district as stated in this Ordinance. No use variance shall be permitted under this subsection where the effect of said variance would be to rezone the land to another use district as, for example, where the use in question is already expressly permitted in another use district;
- F. To grant variances from the literal requirements of the requirements of this Ordinance where because of unique circumstances applicable to the particular property under consideration, the literal application of a particular provision of this Ordinance will cause undue hardship and the variance will not be detrimental to the overall purpose of the zoning Ordinance;
- G. To hear and decide appeals from any decision of the Zoning Inspector in denying or granting a zoning or sign permit under this Ordinance;
- H. To issue conditional zoning permits where such permits are provided for a particular use within a use district and where the Commission finds that each of the specific conditions has been met or that the waiver of one or more of the specific conditions will be in accordance with the standards herein provided.

SECTION 604 HEARINGS BEFORE PLANNING COMMISSION

- A. All appeals to the Planning Commission from any decision of the Zoning Inspector shall be filed within thirty (30) days of the decision appealed. It shall be initiated by filing with the Village Clerk-Treasurer, a written appeal on the form provided and must be accompanied by the fee required by Section 807 of this Ordinance.
- B. All requests for variances or conditional permits to the Planning Commission shall be filed with the Village Clerk-Treasurer, or with the Planning Commission when in open session, on a form provided and shall be accompanied with the appropriate fee required by Section 807 of this Ordinance.
- C. Hearings on appeals or on applications for variances shall be held at the next regular Planning Commission meeting occurring more than fourteen (14) days after the application is filed or at such special meeting called for this purpose. The fourteen (14) day requirement herein may be waived by the Commission for good cause shown.
- D. At the hearing on variances, all testimony shall be received under oath or affirmation, a verbatim record of the proceedings shall be kept, the application shall be allowed upon application and deposit of fees to the issuance of subpoenas for the attendance of witnesses, all testimony shall be subject to cross examination.
- E. The Commission shall render its decision within a reasonable time after the hearing not to exceed sixty (60) days and advise the applicant in writing thereof.

SECTION 605 NOTICE OF HEARING ON VARIANCE

The Clerk-Treasurer of this Village shall give notice of the time and place of the public hearing on all requests for variances by first-class mail at least ten (10) days prior to the hearing to all owners of property within, contiguous to and directly across the street from the parcel or parcels involved. Said notice shall be mailed to the address listed in the current county auditor's tax duplicate. The failure of delivery of said notice shall not invalidate any subsequent action with respect to the proposed variance.

SECTION 606 ZONING INSPECTOR - CREATION AND APPOINTMENT

There is hereby created the position of Zoning Inspector for the Village of Shiloh, Ohio. The Zoning Inspector shall be appointed by the Mayor and may be removed by the Mayor at any time. He or she shall be paid such compensation as Council shall direct.

SECTION 607 ZONING INSPECTOR - POWERS AND DUTIES

The Zoning Inspector shall have the following powers and duties:

- A. To issue zoning permits for one and two family dwelling units and accessory uses thereto, provided the proposed use is permitted under the zoning Ordinance and the applicant has paid the appropriate application fee at time of filing.
- B. To issue sign permits provided the proposed sign is in accordance with the zoning

Ordinance and the applicant has paid the proper application fee at the time of filing.

- C. To issue zoning permits for business and industrial uses and accessory uses thereto, after the site plan has been approved by the Planning Commission and the applicant has paid the proper application fee at the time of filing.
- D. To issue conditional zoning permits and variance permits after approval by the Planning Commission and applicant has paid the proper application fee at the time of filing.
- E. To investigate alleged violations of the zoning Ordinance.
- F. To attend all regular and special meetings of the Planning Commission and such other meetings as the Mayor or Council shall direct.
- G. To keep records of all activities of his office and to report monthly at the first meeting of a month to Village Council as to the various classes of permits issued during the month. Give written report the first meeting in January to the Village Council as to all various classes of permits issued during the preceding year.
 - 1. The Zoning Inspector shall within ten (10) days after receipt of an application issue a zoning certificate if the application complies with the requirements of this Ordinance and the application is accompanied by a proper fee. If such certificate is refused, the applicant shall be notified in writing of such refusal and cause within ten (10) days.
- H. To determine that all construction has occurred only in accordance with the provisions of any permit, conditional permit or variance issued;
- I. To perform such other duties as the Council, Planning Commission of the Mayor directs with respect to the enforcement of the zoning Ordinance;
- J. To maintain the Official Zoning Map of the Village and make all changes of use districts thereon immediately after their approval by Council;

SECTION 609 VARIANCES

The Commission may waive or modify any specific condition where because of unusual circumstances relating to the property in question or unusual hardship upon the owner, the strict application of all conditions would be inequitable.

SECTION 610 ADDITIONAL CONDITIONS

The Planning Commission may, in addition to the specific conditions listed in this Ordinance, also impose any of the following conditions as a further condition upon the granting of the conditional zoning permit in the interest of protecting the public health, safety, welfare, preserving property values of surrounding properties and the Village as a whole and the aesthetic values of the Village.

- A. The location, width, radius and number of driveways entering onto any public street;
- B. The requirement that barriers be established to prevent access to a public street at any other location than established driveways;
- C. A limitation upon access to certain public streets where there are more than one public street abutting the property;
- D. Limitations upon the use of required setbacks for the parking of motor vehicles, storage or display of goods for sale or use;
- E. Limitations on the intensity and location of lighting and requirements that lighting be shielded from adjoining properties;
- F. Requirements that surface water be detained, channelized or otherwise carried from the property to public storm sewers so as to avoid injury to adjoining properties;
- G. Requirements that culverts be installed parallel to the road under any proposed driveway so as not to interfere with the existing flow of surface water. The size of the culvert shall be determined based upon accepted engineering standards.

SECTION 611 APPLICATION FOR ZONING PERMIT

All applications for zoning permits shall be made upon forms provided by the Zoning Inspector. Each application shall be accompanied by a site plan of the entire parcel drawn to a scale of one inch equals twenty feet (1" = 20'). Each application shall be accompanied by the appropriate fee required by Section 807 of this Ordinance. If the application is for a one or two-family dwelling unit or for a use accessory thereto and meets all the requirements of this Ordinance, the Zoning Inspector shall issue the permit. If the application is for any other use, the Zoning Inspector shall refer it to the Planning Commission which shall review the application and site plan and upon their approval, direct the Zoning Inspector to issue the zoning permit.

SECTION 612 APPLICATION FOR CONDITIONAL PERMIT

All applications for conditional zoning permits shall be made upon forms provided by the Zoning Inspector. Each application shall be accompanied by site plan of the entire parcel drawn to a scale of one inch equals twenty feet (1" = 20'). Each application shall be accompanied by the fee as established hereafter. The application shall be considered at the next regular meeting of the Planning Commission occurring more than seven (7) days after filing, or at a special meeting called for this purpose. Notice shall be given to the applicant at the time the application is received of the date of the meeting at which the application will be considered. The Planning Commission may waive the time limit of this section for good cause.

SECTION 613 OWNER'S CONSENT

All applications for any permit under this Ordinance shall be signed by the landowner or be accompanied by written evidence that the landowner has authorized the application to be filed.

SECTION 614 VIOLATIONS OF CONDITIONS

Any zoning permit or conditional zoning permit issued under this Ordinance shall be valid only so long as each and every condition imposed by this Ordinance or the Planning Commission shall be complied with by the landowner or tenant. Any violation of any of the conditions of the permit shall be deemed to void the permit and make the continued use of the land a violation of this Ordinance which may be prosecuted or enjoined under Sections 800 to 806 of this Ordinance.

SECTION 700 AMENDMENTS

The provisions of this Ordinance and the Official Village Zoning Map may from time to time be amended by Village Council by Ordinance. Such amendments may be initiated in any one of the following manners:

- A. By filing an application with the Clerk-Treasurer of this Village on a form provided by the Zoning Inspector and signed by the owner of the land seeking the amendment or by any interested person seeking an amendment to the text of this Ordinance. Such application must be accompanied by the fee provided in Section 807 of this Ordinance;
- B. By motion of the Village Council directed to the Planning Commission and requesting a recommendation concerning an amendment to the text of this Ordinance or a change of the use district of any parcel of land within this Village.
- C. By motion of the Planning Commission directed to Village Council recommending an amendment to the text of this Ordinance or a change of a use district of any parcel of land.

SECTION 701 AMENDMENT PROCEDURE - PLANNING COMMISSION

Upon receipt of an application to amend this Ordinance or the adoption of a motion by Council to amend it, the application or motion shall be referred to the Planning Commission. Planning Commission shall consider the application or motion at its next regular meeting or at a special meeting called for this purpose.

Upon review and consideration of the proposed amendment the Planning Commission shall make a report to Council. Said report shall:

- A. Recommend that the rezone or amendment to the text be adopted in accordance with the application or Council motion; or
- B. Recommend that the rezone or amendment to the text be adopted in a form modified by the Commission from the application or motion as originally submitted to the Planning Commission; or
- C. Recommend that the application for the rezone or amendment to the text be denied.

All recommendations of the Planning Commission shall be concurred by at least three (3) members of the Commission. Such recommendation shall be returned to Council no later than Council's second regular meeting after submission of the proposed amendment or application to the Planning Commission. The failure of the Commission to make a recommendation in the time provided herein shall be deemed to be a recommendation in favor of the amendment or rezone.

SECTION 702 PUBLIC HEARING

Upon receipt of a recommendation on an amendment or rezone from the Planning Commission, or an amendment or rezone initiated by Planning Commission, Council shall set a public hearing upon the proposed amendment or rezone which shall be held no earlier than thirty (30) days after notice of this hearing has been given by one publication in a newspaper of general circulation within this Village. Such hearing may be held at either a regular or special Council meeting.

SECTION 703 NOTICE TO PROPERTY OWNERS

In the event the proposed amendment involves the rezone of ten (10) or fewer parcels of land as listed on the county auditor's current tax duplicate, the Clerk-Treasurer of this Village shall also give notice of the time and place of said public hearing by first class mail at least twenty (20) days before said hearing to all owners of property within, contiguous to and directly across the street from the parcel or parcels involved. Said notice shall be mailed to the address listed on the current county auditor's tax duplicate. The failure of delivery of said notice shall not invalidate any subsequent action with respect to the proposed amendment. During the thirty (30) day period specified above, the Ordinance containing the proposed amendment along with the application and any map and the report of the Planning Commission along with any other documents relating thereto shall be on file in the office of the Clerk-Treasurer for public inspection.

SECTION 704 COUNCIL ACTION

The proposed amendment shall be placed before Council in the form of an amendment to this Ordinance and may be voted upon at the same meeting at which the public hearing is held or at a subsequent regular or special meeting. Any amendment which differs in any respect from the recommendation of the Planning Commission may be adopted only by a three-fourths (3/4) vote of Village Council. Any amendment which is in all respects in accordance with the recommendations of the Planning Commission may be adopted by a majority vote of Council. All amendments shall go into effect in thirty (30) days of adoption unless the Ordinance adopting the same is declared to be an emergency measure, in which case the amendments shall go into immediate effect.

SECTION 800 VIOLATIONS, PENALTIES AND ENFORCEMENT

No person shall build or remodel any structure or building so as to change its exterior dimensions, including the building or remodeling of accessory buildings or change any use or a structure or change the use of land within this Village without first obtaining a zoning permit or conditional zoning permit as required by this Ordinance. No person shall fail to comply with all terms and conditions of any zoning permit or conditional zoning permit issued hereunder.

SECTION 801 NOTICE OF VIOLATION

Any person who commences any building, remodeling or change in the use of any structure or land without first obtaining the appropriate permit under this Ordinance, or who violates any provision of a zoning or conditional zoning permit, shall upon discovery be given a written notice to apply for the appropriate permit or cease the violation of said provision immediately.

SECTION 802 PENALTY

Whoever fails to obtain the proper permit or remedy the violation of the provision of the zoning or conditional zoning permit within ten (10) days after having been advised in writing to do so, shall be guilty of a minor misdemeanor and upon conviction shall be fined not more than one hundred dollars (\$100.00). Any subsequent conviction thereto, the fine shall not exceed five hundred dollars (\$500.00). Each day such violation or failure to comply shall exist shall constitute a separate offense.

2.	Two-family dwelling	\$20.00
3.	Multi-family dwelling - per building	\$50.00
4.	Non residential permitted use - per building	\$20.00
5.	Accessory building - less than 200 sq. ft.	\$10.00
6.	Accessory building - 200 sq. ft. or more	\$20.00
7.	Fences	No Fee
8.	Decks or Porches	\$10.00
B.	BUSINESS USE	\$20.00
C.	BUSINESS ADDITIONS, EXTENSIONS, ENLARGEMENTS	\$20.00
D.	INDUSTRIAL USE	\$50.00
E.	BUSINESS OR INDUSTRIAL SIGNS	\$ 1.00 Per Sq. Feet
F.	CONDITIONAL ZONING PERMIT	\$10.00
G.	VARIANCE	\$20.00
H.	VARIANCE FOR FENCING/SCREENING	\$ 5.00
I.	APPEAL TO PLANNING COMMISSION	\$20.00
J.	VARIANCE FOR SIGNS	\$25.00
K.	APPLICATION FOR REZONE OR AMENDMENT TO ORDINANCE	\$100.00

Whenever actual construction of any structure or the use of any land for which a zoning certificate or conditional zoning certificate is required has commenced before a zoning certificate or conditional zoning certificate has been issued, the fee for either certificate shall be \$100.00 in lieu of the fee hereinabove established. The Village Planning Commission shall have the authority to waive the provisions of this paragraph in those cases in which the applicant can establish good cause for the failure to obtain the required certificate before beginning construction.

SECTION 849 REPEALER

That Ordinance 1965-11 known as the Shiloh Village Zoning Ordinance and all amendments thereto and including the Zoning District Map and all amendments thereto and any other ordinance in conflict herewith be and the same are hereby repealed.

SECTION 850 ENACTMENT

That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

PASSED _____

Ayes _____ Naves _____

Mayor

ATTEST:

Clerk/Treasure

APPROVED AS TO FORM:

Village Solicitor

VILLAGE OF SHILOH, RICHLAND COUNTY, OHIO

APPLICATION FOR ZONING PERMIT

FEE \$ _____

1. Applicant's Name _____

Address _____

Phone # _____

2. Property Owner _____

Address _____

Phone # _____

3. Location of property _____

4. Zoning District _____

5. Applicant hereby applies for a zoning permit for the following use:

_____ One family dwelling unit _____ Two family dwelling unit

_____ Multi family dwelling unit - number of units _____

_____ Accessory building (Describe) _____

_____ Other residential use _____ Business _____ Industrial

_____ Other (Describe) _____

6. Parcel Description

Frontage _____ Depth _____ Area _____ X _____

7. Building Description

Width _____ Depth _____

Number of stories _____ Height _____

8. Setbacks

Left side _____ Right side _____

Front _____ Rear _____

Width at setback _____

9. Site Plan

An accurate diagram/blueprint must be attached showing the location of the building to be constructed, all existing buildings on the property with their dimensions, boundaries and division of property abutting streets and properties, and any greenbelt requirement landscaping.

10. Sewer System

Public or EPA approved _____ Private _____

11. Paid

Cash _____ Check _____

Date _____ Receipt No. _____

Unless construction begins within six (6) months from date of issuance or is completed within eighteen (18) months, the Zoning Permit will be revoked.

NOTICE:

Applicant acknowledges that construction or use of this land is authorized only in accordance with the representations on this application and accompanying site plan and must conform with all provisions of the Shiloh Zoning Ordinance. Separate permits may be needed from Richland County Codes and Permits Department, Richland County Health Department and the Village of Shiloh Water Department.

Approval by the Zoning Inspector of this document shall constitute a zoning permit.

Date Applicant's Signature

Based upon the information contained in this application and the accompanying site plan, a zoning certificate is:

Approved _____ Denied _____

Reason for denial _____

Date _____

Zoning Inspector

VILLAGE OF SHILOH, RICHLAND COUNTY, OHIO
APPLICATION FOR A CONDITIONAL ZONING PERMIT

FEE \$ _____

1. Applicant's Name _____

Address _____

Phone # _____

2. The undersigned requests a conditional zoning permit for property located at:

and zoned _____ district, for the following use:

_____.

3. Attached as part of this application are:

A. A copy of the zoning application.

B. Complete plan improvement specifications for any proposed use/building.

4. Paid: Cash _____ Check _____ Date _____ Receipt No. _____

Date

Applicant's Name

CONDITIONAL ZONING PERMIT

A conditional zoning permit is hereby granted in accordance with this application and subject to the following conditions established by this Planning Commission and approved by Village Council under Section _____.

Date

Planning Commission Chairman

VILLAGE OF SHILOH, RICHLAND COUNTY, OHIO

APPLICATION FOR A SIGN PERMIT

FEE \$ _____

1. Applicant's Name _____

Address _____

Phone Number _____

2. Property Owner _____

Address _____

Phone Number _____

3. Licensed Sign Erector's Name _____

4. Description of sign including size, materials and height:

_____.

5. A diagram of the proposed sign and its location on the property is attached.

Date

Applicant's Name

6. Paid: Cash _____ Check _____ Date _____ Receipt No. _____

Based upon the information contained in this application and accompanying diagrams, a sign permit is:

Approved _____

Denied _____

Reason for denial _____

Date

Zoning Inspector

VILLAGE OF SHILOH, RICHLAND COUNTY, OHIO

APPLICATION FOR APPEAL

FEE \$ _____

1. Applicant's Name _____

Address _____

Phone Number _____

2. The undersigned hereby appeals to the Planning Commission of the Village of Shiloh, Ohio from the decision of the Zoning

Inspector on _____ denying a zoning/sign permit.

3. Attached as part of this application are:

A. A copy of the zoning/sign application.

B. Complete plan improvement specifications for any proposed use/building.

4. Paid: Cash _____ Check _____ Date _____ Receipt No. _____

Date

Applicant's Name

VILLAGE OF SHILOH, RICHLAND COUNTY, OHIO

APPLICATION FOR A VARIANCE

FEE \$ _____

1. Applicant's Name _____

Address _____

Phone Number _____

2. The undersigned request a variance for property located at
_____ and zoned _____ district
for the following purpose: _____

3. The section of this ordinance to be varied is _____
.

4. The undue hardship or practical difficulties which justify this variance are as follows:

5. Attached as part of this application are:

A A copy of the zoning application

B Complete plan improvement specifications for any proposed use or building.

6. Paid: Cash _____ Check _____ Date _____ Receipt No. _____

Date

Applicant's Name

VARIANCE ZONING PERMIT

A variance is hereby granted in accordance with this application and subject to the following conditions established by the Planning Commission and approved by the Planning Commission under Section _____.

Date

Planning Commission Chairman

APPLICATION FOR AMENDMENT TO THE ZONING ORDINANCE OF
THE VILLAGE OF SHILOH, OHIO

FEE \$ _____

Applicant's Name _____

Address _____

Phone Number _____

_____ Application to Rezone Land _____ Application to Amend Text

The undersigned hereby applies for the following amendment to the zoning ordinance of the
Village of Shiloh, Ohio:

APPLICATION TO REZONE LAND

Current zone district _____

Proposed zone district _____

Legal description and address of property:

APPLICATION TO AMEND TEXT

Section or sections to be amended _____

Text of proposed amended: _____

Paid: Cash _____ Check _____ Date _____ Receipt No. _____

Applicant

VILLAGE OF SHILOH, RICHLAND COUNTY, OHIO
CERTIFICATE AS TO OFFICIAL ZONING DISTRICT MAP