

## **ARTICLE 16: GENERAL DEVELOPMENT STANDARDS**

### **Section 1601: Intent and Purpose**

The following general regulations are applicable to all Zoning Districts unless otherwise stipulated or modified by the requirements of a specific Zoning District.

### **Section 1602: Street Frontage Required**

No new Lot shall be created, nor shall any Building be erected, upon a Lot which does not possess its own access drive and the required minimum Frontage upon a public or an approved private street or Common Access Drive (CAD) established for the District in which such Lot is located.

### **Section 1603: Reserved**

### **Section 1604: Common Access Drives**

A Common Access Drive shall be permitted if approved by the Delaware County Regional Planning Commission.

### **Section 1605: Access Drives and Appurtenant Structures**

All private access drives and necessary or related appurtenant Structures shall conform to the following requirements and may be subject to approval by the Genoa Township Fire Department:

- 1605.01 Private access driveways for individual Lots that terminate at a length greater than eighty (80) feet from a public street shall be not less than twelve (12) feet in width and shall be constructed over an aggregate base of ten (10) inches or other depth as necessary to support the weight of service and emergency vehicles.
- 1605.02 Private access driveways for individual Lots with a travel length over four hundred (400) feet shall be designed to provide widened paved passing areas at least fifteen (15) feet in width and sixty (60) feet in length at intervals not more than three hundred (300) feet in distance from each other.
- 1605.03 All culverts, bridges, and similar drainage facilities constructed as integral components of access drives shall be certified by a professional engineer in writing that good engineering practices have been utilized in their design and construction and that such Structures meet current standards as necessary to protect the public safety and general welfare.
- 1605.04 Gates erected across an access drive, or across any part of a property's ingress/egress and/or incorporated in an Entry Feature of any property shall provide manual or automatic release mechanisms for emergency vehicle access. Electronically or manually locking gates that cannot meet the above requirements are prohibited.
- 1605.05 Entry Features.
  - A) The maximum height permitted for an Entry Feature, excluding architectural features or gates spanning over a driveway, shall be eight (8) feet.
  - B) Entry Features erected approximately parallel to a Lot's linear Right-of-Way Frontage shall comprise no more than fifty percent (50%) of the length of said Frontage. Said measurement shall exclude any architectural features or gates spanning over a driveway.

### **Section 1606: Principal Buildings per Lot**

No more than one (1) Principal Building or Structure may be constructed upon any one Lot for the purposes of this Resolution unless approved as part of a Planned Development. No Divergence shall be required to place more than one (1) Principal Building or Structure in a Planned Development.

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**Section 1607: Reduction of Area or Space**

- 1607.01 No Lot, Yard, court, parking area, or other space shall be reduced in area or dimension thus making said area or dimension less than the minimum required by this Resolution without a Variance or Divergence. If said area or dimension is already less than the minimum required by this Resolution, it shall be considered to be non-conforming and subject to Article 25.
- 1607.02 No part of a Yard, court, parking area, or other space provided for any Building or Structure for the purpose of complying with the provisions of this Zoning Resolution shall be included as part of a Yard, court, parking area or other space required under this Zoning Resolution for another Building or Structure unless otherwise specified herein.

**Section 1608: Architectural Projections Into Required Yards**

All architectural projections shall be in accordance with the following provisions:

- 1608.01 Sills, pilasters, cornices, eaves, gutters, and other similar architectural features, may project into any required yard Setback, No Build Zone, or No Disturb Zone a maximum of twenty-four (24) inches.
- 1608.02 Decks, steps, elevated patios, Awnings, balconies, and other similar types of incidental Structures which are attached to a Principal Building may extend into the required Front and Rear Yard a maximum of ten (10) feet.
- 1608.03 No Structure, unless otherwise specified herein, may project into a required Side Yard.
- 1608.04 Window wells.
- A) Egress window wells may extend into a required side yard provided that the well is covered with a hard surface and the well is no closer than six (6) feet to any adjoining Lot Line.
  - B) Window wells which do not provide egress and are two (2) feet or less in depth may extend to the Lot Line.

**Section 1609: Accessory Structures**

- 1609.01 All Accessory Buildings shall be in conformity with the following provisions:
- A) No Accessory Building shall be erected within any required Front Yard Setback of the Principal Building.
  - B) Side and Rear Yard Setbacks for Accessory Buildings shall be ten (10) feet. When the required Side Yard Setback is less than ten (10) feet, the Accessory Building may be located at that reduced Setback.
  - C) The maximum number of permitted Accessory Buildings per Lot shall be one (1) plus one (1) for each full acre of Lot size, but in no case shall exceed five (5) Accessory Buildings on a Lot.
  - D) The maximum height shall not exceed twenty-two (22) feet on a Lot under three (3) acres in size. On parcels three (3) acres or larger, the maximum height shall not exceed thirty-five (35) feet.
  - E) Accessory Buildings shall be subject to any applicable Building and/or Lot Coverage restrictions within this Resolution.
  - F) No Accessory Building within any district shall contain an Accessory Dwelling unless such Use is permitted as a Conditional Use within a District. Accessory Dwellings, where permitted, shall comply with Section 1713.

- 1609.02 All Accessory Structures shall be in conformity with the following provisions, unless otherwise stated within this Resolution:
- A) No Accessory Structure shall be erected within any required Front Yard Setback.
  - B) Side and Rear Yard Setbacks for Accessory Structures shall be ten (10) feet. When the required Side Lot or Rear Lot Line for the Principal Building on that property is less than ten (10) feet, the Accessory Structure may be located at that reduced Setback.
    - 1) A propane tank is permitted in a Side or Rear setback so long as it is placed in accordance with the minimum setback requirements set forth in the National Fire Protection Association's Liquefied Petroleum Gas Code (NFPA 58), as may be amended, and thus shall not require a Zoning Permit.
    - 2) Mechanical structures, such as air conditioners and generators, shall be exempt from any Side or Rear Yard requirements and thus shall not require a Zoning Permit.
  - C) No Accessory Structure shall exceed twelve (12) feet in height.
  - D) Solar panels shall be constructed to not protrude more than two (2) feet above the roofline of a building on which they are mounted, not to exceed the maximum building height.
  - E) Accessory Structures shall be subject to any applicable Lot Coverage restrictions within this Resolution.
  - F) Fences, Accessory Walls, and retaining walls shall be regulated by Article 20.
  - G) Entry Features shall be regulated by Section 1605.
  - H) Outdoor advertising and Signs shall be regulated by Article 18.

**Section 1610: Outdoor Storage and Waste Disposal**

All Outdoor Storage and waste disposal shall be in accordance with the following provisions:

- 1610.01 Highly flammable or explosive liquids, solids, or gases shall not be stored in bulk above or below ground in any Residential or Planned Residential District.
- 1610.02 The storage of hazardous or toxic materials shall not be permitted without documented approval by the Ohio Environmental Protection Agency.
- 1610.03 Materials or wastes which might cause fumes or dust, which constitute a fire hazard, or which may be edible or attractive to rodents or insects shall be stored outdoors only in closed containers constructed of impervious material.
- 1610.04 No materials or wastes shall be deposited upon a Lot in such form or manner that they may be transferred off the Lot by wind, flood, or natural causes or forces.

**Section 1611: Nuisances**

- 1611.01 Any Building or Structure declared unfit for human habitation in any Zoning District by the Board of Health, or any Building or Structure in the township declared insecure, unsafe, or structurally defective by the Township Fire Department, the County Building Department or other authority responsible under Chapter 3781 of the Ohio Revised Code for the enforcement of building regulations, shall be removed or repaired to a safe and structurally sound condition. Enforcement shall be accomplished through the procedures outlined in Section 505.86 of the Ohio Revised Code.
- 1611.02 The following shall be prohibited and subsequently considered a Nuisance. Enforcement shall be accomplished through the procedures outlined in Section 505.87 of the Ohio Revised Code, where applicable, and/or via Section 116 of this Resolution:
  - A) The storage or accumulation of trash, garbage, refuse and other debris (including, without limitation, discarded household goods, discarded commercial products, discarded building

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materials, discarded industrial by-products, discarded brush and other vegetation and other similar materials). Garbage, refuse, and debris that is completely enclosed within an appropriate container and placed at an assigned location for regularly scheduled pick-up shall not be considered a violation of this standard.

- B) The storage or accumulation of Junk, Junk Vehicles, vehicle parts and other similar debris. Outdoor Storage of inoperable, unlicensed or unused motor vehicles for a period exceeding seven (7) days shall not be considered a violation of this standard provided such vehicles are completely enclosed within a Building so as not to be visible from any adjoining property or public road.
- C) Overgrown or unmaintained weeds, grasses, and/or vegetation which are/is noxious, pose(s) a threat to public health, safety, or general welfare, or constitute(s) a significant annoyance and/or inconvenience to the general public.

**Section 1612: Objectionable Practices or Conditions**

1612.01 The occupation or Use of any Lot, Building, or Structure in any District shall be in violation of this Resolution if one or more of the following conditions is found to exist at any time:

- A) Noise or vibration which, at the Lot Line of the Lot on which such noise or vibration is produced, exceeds a level that is normally perceptible from other activities in the area, significantly out of character for the area, and/or poses a direct and immediate threat to public health, safety, or general welfare.
- B) Direct or reflected glare exists that is in violation of Article 21.

1612.02 The operation of Off-Road Motorized Vehicles including but not limited to all-terrain vehicles, snowmobiles, and motor bikes, are a Nuisance per se when operated in such a manner that causes excessive noise, loss of protective vegetation, damage to property or loss of wildlife habitat. Accordingly, to protect the health and safety of Genoa Township residents such vehicles shall be operated only in conformance with the following standards:

- A) No Off-Road Motorized Vehicle shall not be operated in any public park, wildlife preserves, or forest preserve unless a designated trail is provided and marked as such.
- B) Erosion shall be physically controlled and detained on-site in accordance with the standards and regulations of Delaware County.

**Section 1613: Reserved**

**Section 1614: Water Impoundments**

1614.01 All water impoundments, such as ponds or lakes, shall be constructed and developed so that said impoundment(s) is/are set back at least fifty (50) feet from the Front Lot Line and ten (10) feet from any Side or Rear Lot Line. This standard shall not apply to stormwater basins, decorative ponds, lakes, or water features located within designated Open Space areas of Planned Developments.

**Section 1615: Sight Distance**

1615.01 No Structure, Fill or vegetation shall be erected, placed, planted, or allowed to grow on any Corner Lot so as to create a sight impediment within seventy-five (75) feet of the intersecting center lines of any two or more public Streets. In determining if any sight impediment exists, the Zoning Inspector, or their designee, shall measure the sight distance between the center lines of such Streets at a height of three feet, nine inches (3'9") above the actual grades of the Streets.

**Section 1616: Exceptions, Modifications, and Interpretations of Height Regulations**

1616.01 Height limits stipulated elsewhere in this Zoning Resolution shall not apply to:

- A) Spires, belfries, cupolas, domes, bulkheads, elevator penthouses, or parapet walls extending not more than four (4) feet above the limiting height of the Building.
- B) Fire towers, cooling towers, grain elevators, gas holders or other Structures; provided, however, that, all such Structures above the heights otherwise permitted in the District shall not occupy more than twenty-five percent (25%) of the area of the Lot and shall be distant not less than twenty-five (25) feet in all parts from every Lot Line.

**Section 1617: Dangerous Wild Animals**

1617.01 No person within any District shall own, harbor, keep, breed, sell, or import any dangerous wild animal, as defined and regulated by ORC 935.01(C), as may be amended, and the Ohio Department of Agriculture, unless otherwise exempted by said law or agency.

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