

ARTICLE 19 GENERAL PROVISIONS

19.01 GENERAL REGULATIONS

Except as herein provided, no building or structure shall be erected, converted, enlarged, reconstructed, moved, etc.:

- A. Except for a purpose permitted in the district in which the building or land is located.
- B. Except in conformance with the height or bulk limits established herein for the district in which the building or use is located.
- C. Except in conformance with the yard or lot regulations of the district in which the building or use is located.
- D. Except in conformance with the off-street parking, and off-street loading space regulations of the district in which the building or use is located.
- F. Unless such building or structure is located on a lot as herein defined and, in no case, shall there be more than one main building on a lot except as specifically provided hereinafter.

19.02 YARDS REQUIRED FOR CORNER AND THROUGH LOTS

- A. In any district, the side yard of a corner lot that abuts the side street shall have the same setback requirements as the front yards.
- B. The street of the least dimension shall be considered the front yard.
- C. On Through lots, the front yard requirements shall apply to all street frontages.

19.03 CORNER LOT ACCESSORY BUILDINGS

In no case shall a corner lot accessory building project beyond the building to which it is accessory, be closer than five feet (5') to a common lot line, nor be located closer than ten feet (10') to the rear lot line of the lot on which it is to be located.

19.04 LOTS ADJOINING ALLEYS

In calculating the area of a lot that adjoins an alley, for the purpose of applying lot area requirements of this Resolution, one-half (1/2) the width of such alley abutting the lot, shall be considered as part of such lot.

19.05 ACCESSORY BUILDINGS

- A. In any residential zone, no garage or other accessory building shall be erected within the front yard.
- B. No garage or accessory building shall be constructed in the required side yards except that a garage or accessory building erected entirely to the rear of the main dwelling, may not be located less than five feet (5') from the side or rear lot line or any dedicated easement.
- C. No detached garage or accessory building in the residential and business districts shall exceed the height of the main building.
- D. All applications for accessory building permits shall be accompanied by a site plan as required under Section 21.02.

19.06 HEIGHT OF FENCES

- A. Front, Side and Rear Fences: In any residential (R Districts) and A-1 Districts, fences constructed within a front, side or rear yard shall not be higher than six feet (6'). In all other districts, such fences shall not exceed eight feet (8') in height.
- B. Planting, Fences, and Walls in the Front Yard: No fence, wall or hedge planting shall interfere with visibility from a driveway. The Enforcing officer is hereby empowered to cause all such obstructions to be moved in the interest of the public safety.

19.07 REMOVAL OF SOIL, SAND OR OTHER MATERIAL

The use of land for the removal of topsoil, sand or other material, other than materials from basement excavations, is not permitted in any zone unless otherwise provided. When permitted as a conditional use, a bond or letter of credit will be required to assure that such removal will not cause stagnant water to collect or leave the surface of the land in an unstable condition, unfit for the growing of turf, or for other land uses permitted in the district in which such removal occurs.

19.08 WATER RETENTION AND DETENTION

No approved drainage or detention/retention structures, including but not limited to ponds, pipes, channels, inlet and outlet structures or other devices may be modified, blocked, added, removed or altered in any way without the written consent of the Miami County Engineer's Office. All such structures shall be maintained by the appropriate private entity or combination of private entities, i.e. homeowner's association, condo association, developer, property owner or any such applicable entity, in a fashion so as to function as originally designed and approved. Such maintenance shall include, but is not limited to, periodic mowing, cleaning, and re-grading to meet the approved design grades. In addition, no plantings, landscaping, structures, fencing, or other devices shall

be allowed in an approved retention/detention area without the written consent of the Miami County Engineer's Office. The provisions of Section 19.08 shall not apply to any agricultural use as defined by ORC Section 303.01.

19.09 ESSENTIAL SERVICES

Essential services shall be allowed in any district insofar as permitted, authorized or regulated by law or other Resolutions. Buildings required by a public utility in conjunction with an essential service, may be permitted in any district when approved by the Planning Commission. In granting such permission, the Planning Commission shall consider the location, size, use, and effect such building will have upon adjacent land and buildings.

19.10 EXTERNAL EFFECTS

No land, building, or structure in any district shall be used or occupied in any manner so as to be unsightly or create any dangerous, injurious, noxious, or otherwise objectionable vibration; smoke, dust, fumes, odor, or other forms of air pollution; heat, cold, or dampness; electrical or electronic disturbances; nuclear radiation; or any other condition detrimental to persons or property not located on the premises on which such building, structure or use is located. Such uses, when lawfully permitted under the provisions of this Resolution, shall be operated in a manner so as to insure that the property rights of all other parcels of land will not be adversely affected to the extent of reducing the enjoyment of property rights thereon.

19.11 OUTDOOR STORAGE AND WASTE DISPOSAL

Every use shall be operated in accordance with the following provisions:

- A. No highly flammable or explosive liquids, solids or gases shall be stored in bulk above ground except in a Light or Heavy Industrial District. Tanks or drums of fuel directly connected with heating devices or appliances located on the same lot are excluded from this provision.
- B. All outdoor storage facilities for fuel, raw materials and products shall be enclosed or concealed by a fence or wall.
- C. No materials or wastes shall be deposited upon a lot in such form or manner as to allow such materials or wastes to be transferred off the lot by wind, flood or natural causes or forces.
- D. All materials or wastes which might cause fumes or dust, or which constitute a fire hazard, or which may be edible or attractive to rodents or insects shall not be stored outdoors, except in closed containers constructed of an impervious material.

19.12 PROJECTIONS INTO REQUIRED YARDS

- A. Chimneys, flues, sills, pilasters, cornices, caves, gutters, roof overhangs, and other similar features may project into a required side yard a maximum of twelve (12) inches.
- B. No structure may be constructed, placed or projected into a required front yard.
- C. No structure may project into a required side yard except that, where a single lot under one ownership existed in a residential district at the time of passage of this resolution, and such lot is of insufficient width to meet the side yard requirements of this Resolution, the Board of Appeals may grant a minimum variance to permit the construction of a one-family residence.

19.13 EXCEPTIONS TO HEIGHT LIMITATIONS

Chimneys, domes, spires, necessary mechanical appurtenant, and radio and television towers may exceed district height limitations, provided:

- A. Public or semi-public service buildings, hospitals, institutions, or schools, where permitted, may be erected to a height not exceeding ninety feet (90') when the required side and rear yards are each increased by one foot (1') for each foot of additional building height above the height regulations for the district in which the building is located.
- B. Commercial radio and television towers shall be located centrally on a continuous parcel having a dimension at least equal to the height of the tower measured from the center of the base of the tower to all points on each property.
- C. Radio towers for licensed amateur radio stations, which exceed the allowable height of structures in the residentially zoned districts, shall be limited in height from their base to the distance from the base to the nearest property line.

19.14 TEMPORARY USES

In any district, subject to the conditions stated below, the Enforcing officer may issue a permit for the following temporary uses. The fee to be established shall be a uniform fee determined by resolution of the Board of County Commissioners for the specified time as stated in the application. All applications for temporary use permits shall be accompanied by a site plan as required under Section 21.02.

- A. Temporary office buildings, or yard for construction material or equipment, provided such use is adjacent to the construction site. Each permit shall be valid for one (1) year and may be renewed if conditions warrant such renewal.
- B. Temporary office incidental and necessary to real estate sales and rentals. Each permit shall be valid for a period of two (2) years and may be renewed for two (2) additional years if conditions warrant such renewal. In no instance should a temporary

office be located in a structure used for human habitation.

C. Building and yard locations shall be subject to such conditions and safeguards as the Enforcing Officer may deem necessary to preserve the character of the surrounding area.

D. Gathering under canvas or in the open for a religious service, show, meeting, exhibition, bazaar, carnival, or circus, except that, if located within four hundred (400) feet of any residential area, no permit will be issued unless there is first filed with the Enforcing Officer the written consent of the owners of sixty percent (60%) of all residentially used property with four hundred (400) feet of location of such gathering. Temporary permit may be issued for up to thirty (30) days.

E. Temporary signs in accordance with Section 20.06.

F. Temporary Mobile Home: A mobile home located in the R-1, F-1, A-1, or A-2 district when its intended use is of a temporary nature as interim living quarters until such time as construction or reconstruction of a detached one-family dwelling is completed. Before issuance of a temporary permit, the applicant must submit to the office of the Enforcing officer:

1. Health Department approval,
2. A bond or letter of credit may be required in the amount of five hundred dollars (\$500) to secure the cost of removal of the temporary mobile home under the provisions of this section,
3. A plot plan indicating placement of both the permanent dwelling and the temporary mobile home.
4. Construction/reconstruction plans of the proposed detached one-family dwelling and have said plans approved by the Building Inspector.

Location of the temporary mobile home shall be exempt from the applicable yard requirements during the length of the temporary permit. The Enforcing officer shall determine location in regards to property lines and right-of-way. The temporary permit shall be valid for eighteen (18) months with construction to commence within ninety (90) days after issuance of the required permits. Any request for extension of the eighteen (18) month period must be made to the Board of Appeals for its consideration as a conditional use. Said mobile home must be removed within thirty (30) days after completion of the permanent unit. Completion date will be the final inspection of the dwelling by the Building Inspector. No request hereunder will be accepted for consideration within the F-1, Flood Plain District, unless the applicant has furnished a valid written favorable recommendation thereto by the Miami Conservancy District and complies with the Flood Damage Prevention Regulations of Miami County, Ohio.

G. Temporary parking lots when such a parking lot has been approved by the County Engineer's Office and the Miami County Planning Commission. Each permit shall be valid for a period not exceeding 18 months. Only one (1) such permit shall be issued per

parking lot.

19.15 MAJOR STREET SETBACKS

Any building or structure shall hereafter be constructed in accordance with the required front yard setback in the district in which it is to be located, measured from the required right-of-way line of a proposed or existing arterial or collector street designated as such on the official Thoroughfare Plan.

19.16 OFF-STREET LOADING REGULATIONS

On the same premises with every building structure or part thereof, erected and occupied for commerce, industry, public assembly, or other uses involving the receipt of distribution by vehicles of materials or merchandise, there shall be provided and permanently maintained adequate space for standing, loading, and unloading services in order to avoid undue interference with public use of the streets or alleys in conformance with the following:

A. General Provisions:

1. **Screening:** Off-street loading spaces that adjoin or are across a street or alley from property zoned for any residential use shall have a dense evergreen planting, fence, masonry wall, or such other screening, as may be determined by the Planning Commission. The Planning Commission shall also determine the height, location, and density of screening used to provide adequate protection to adjoining property.
2. **Entrances and Exits:** Off-street loading spaces shall be provided with entrances and exits not less than twelve feet (12') in width and so located as to minimize traffic congestion.
3. **Dimensions:** Each off-street loading space shall be not less than ten (10) feet in width, twenty-five feet (25') in length, and fifteen feet (15') in height, exclusive of access drives.
4. **Projection into Yards:** Off-street loading space may occupy all or any part of any required rear yard space.

B. Amount of Loading Space Required: Adequate amounts of off-street loading space shall be provided. An area adequate for maneuvering, ingress and egress shall be provided in addition to required loading space.

19.17 OFF-STREET PARKING REGULATIONS

Hereafter, no building shall be erected or altered, and no land used, unless there is provided adequate off-street parking space or spaces for the needs of tenants, personnel, and patrons together with means of ingress or egress.

A. General Provisions:

1. Residential off-street parking spaces are designed and shall be used only for the parking of passenger type vehicles. Such spaces shall consist of a parking strip, driveway garage, or combination thereof, and shall be located on the premises they are intended to serve.
2. Any area once designed as required off-street parking shall never be changed to any other use, unless and until equal facilities are provided elsewhere.
3. Off-street parking existing at the effective date of this Resolution in connection with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building or new use.
4. Two or more building or uses may collectively provide the required off-street parking in which case the required number of parking spaces shall not be less than the sum of requirements for the several uses computed separately.
5. Where operating hours of buildings do not overlap, the Board of Appeals may grant an exception to allow the dual function of off-street parking spaces.
6. The storage or sale of merchandise or the repair of vehicles is prohibited on required off-street parking spaces.
7. For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with a use the Board of Appeals considers as being similar in type.
8. A suitable means of vehicular ingress and egress to premises used for parking shall be provided and shall open directly from and to a public street, alley or highway. The width of any exit or entrance adjoining property or opposite property zoned for residential uses shall be approved by the County Engineer or Planning Commission prior to obtaining any permit therefore. The County Engineer or Planning Commission may require the owner to provide acceleration and/or deceleration lanes where traffic volumes indicate the need. Fencing, wheel stops, or other physical barriers shall be provided for all boundaries of the parking area except at points of ingress and egress to prevent encroachment of vehicles.
9. All parking lots shall be surfaced with a hard or semi-hard dust free surface in conformance with the standards of the County Engineer.
10. If the parking lot is to be open for use after dark, it shall be provided with not less than two (2) lumens of light per square foot of parking lot surface. Lights shall be

shielded so as not to shine directly or in an offensive manner on adjoining residential property.

11. When a parking lot abuts a residential zone, they shall be permanently maintained along such boundary, screening as provided in Section 19.18.

12. Prior to constructing an accessory parking lot, the owner or person in charge of the land to be used for parking, shall submit a plot plan, according to Section 21.02), to the Enforcing Officer, who will submit same to the Planning Commission, County Engineer, and other agencies for their consideration and recommendations. Such plot plan shall show the boundaries of the property, location of adjacent houses, parking spaces, circulation patterns, drainage plan and construction plan for boundary walls and planting plan. The circulation patterns shall include adequate barriers to prevent the cross cutting of the parking area.

13. The Board of Appeal may permit accessory parking within an adjacent lot zoned for residential uses, providing:

(a) Such lot is necessary for the public convenience and will not have an adverse effect on adjacent properties.

(b) A public hearing is held in accordance with the procedure given in Section 21.08.

(c) All provisions of Section 19.17 of this Resolution are complied with.

(d) No parking shall be permitted between the street line and the building line prevailing in the zone in which the proposed parking area is to be located. The resulting open area shall be planted in grass, or otherwise landscaped to create a permanent green area.

(e) A dense evergreen planting with a minimum height of four (4) feet and a mature height at least five feet six inches (5'6"), or a solidly constructed decorative fence shall be permanently maintained along the mutual boundary of the restricted accessory parking area and adjacent land zoned for residential uses except for the portion of such boundary located within a required front yard.

(f) Whenever a lot located in a residential zone is used for accessory parking purposes and is located across the street from residentially zoned land, that portion of the lot used for parking purposes shall be screened from the street as specified in paragraph 5 above except for access drive. Such screening shall be placed along the setback line.

(g) Ingress and egress for vehicles to any premises used for parking under conditional use permit by the Board of Appeals shall be by means of streets or alleys through businesses or industrial areas, not by means of streets or alleys through residential areas.

14. Drive-In Service Establishments: Establishments that, by their nature, create periodic lining up of customers in automobiles waiting to be serviced shall provide off-street areas for these waiting customers. Those establishments that can normally serve their customers in three (3) minutes or less shall provide at least five (5) off-street waiting spaces per window. Where normal customer servicing time is greater than three (3) minutes per car, additional spaces shall be provided on the basis of one (1) additional space per additional minute of waiting time. Quick Auto Wash shall provide at least ten (10) off-street waiting spaces.

15. Barriers to Encroachment: No off-street parking, storage, or display of vehicles for sale or rent shall be permitted within any required yard.

B. Amount of Off-Street Parking Space required: The amount of required off-street parking spaces for new uses or buildings, additions thereto, and additions to existing buildings shall be determined in accordance with the following minimum parking provisions, provided that no parking area shall project into a required front yard in any district.

1. One-Family Dwelling: Two spaces for each family unit plus one space for each roomer, one of which may project into the required front yard.
2. Two-Family Dwelling: Two parking spaces for each family, plus one space for each of two roomers, one of which may project into the required front yard.
3. Multi-Family: Two parking spaces per dwelling unit plus one space for each employee.
4. Apartment Hotel: One space per apartment, plus one for each employee.
5. Housing for the Elderly: One parking space for each two units, plus one space for each employee.
6. Boarding House: One parking space for each sleeping room.
7. Hotel or Motel: One parking space per unit, plus one for each employee.
8. Church: One parking space for each three seats in the main auditorium.
9. Hospital: One for each two beds, plus one for each staff doctor and one for each two full time employees on shift, including nurses.
10. Sanitarium, Convalescent Home, or Children's Home: One for each two beds, plus one for each two employees.
11. Elementary and Junior High School: One parking space for each employee, plus one parking space for each 80 square feet in the main auditorium not containing fixed seats, or one space for six fixed seats in the main auditorium, whichever is greater.

12. Senior High School: One parking space for each employee, plus one parking space for each ten students, one parking space for each 80 square feet of floor area in the main auditorium not containing fixed seats, or one parking space for each six fixed seats in the main auditorium, whichever is greater.
13. College and Business University: One for each two employees, plus one for each three students.
14. Libraries, Museums, or Art Galleries: One for each 600 square feet of floor area, plus one square foot for each four employees.
15. Post Office: One for each 500 square feet of floor area, plus one for each three (3) employees.
16. Private Club and Lodge: One parking space for each three (3) persons allowed by fire, health, or building code.
17. Bowling Alley: Five (5) parking spaces for each alley.
18. Public Golf Course: Six (6) parking spaces for each golf hole, plus one space for each employee.
19. Sports Arena, Auditorium, Theater, or Assembly Hall, other than in schools: One (1) parking space for each four (4) persons allowed by the fire code up to 1000 seats, plus one (1) parking space for each three (3) persons allowed by the fire code over 1000 seats, plus one (1) for each two (2) employees.
20. Professional Offices, Medical Clinics: One (1) parking space for each 150 square feet of floor area: provided that an office, when used as a home occupation, shall provide one (1) parking space for each 100 square feet, or major fraction thereof, of office area in addition to that required for the residing family or families.
21. Office Building: One parking space for each 200 square feet of gross floor area excluding any floor space used for parking.
22. Bank, Dry Cleaning, Laundry, and Similar Service Business: One (1) parking space for each 250 square feet of floor area.
23. Drive-In Bank: Five (5) parking spaces for each teller window, plus one (1) for each employee if no inside customer service is provided.
24. Auto Service Station: Four spaces.
25. Automobile Sales and Service Garage: One parking space for each 200 square feet of floor area in the main display room.
26. Used Car Lot: One space for each 1500 square feet of lot area.

27. Barber Shop and Beauty Parlor: One (1) parking space for each chair, plus one (1) for each employee.
28. Drive-In Eating Establishment: One (1) parking space for 60 square feet of floor area, but not less than 20 spaces.
29. Furniture and Appliances, Household Equipment, Decorator, Electrician, and Shoe Repair: One (1) parking space for each 800 square feet of floor area, plus one space for each two (2) employees.
30. Laundromat: One (1) space for each two (2) washing machines.
31. Mortuary or Funeral Home: One (1) parking space for each fifty (50) square feet of floor area in the slumber rooms, parlors, or individual service rooms.
32. Restaurant, Tavern and Drive-In Eating Establishment with Inside Service: One (1) parking space for each four (4) seats, plus one (1) space for each two (2) employees.
33. Retail Store: Including Rental Service Store: One (1) parking space for each 200 square feet of gross floor area, excepting a self-service establishment or supermarket shall provide one (1) parking space for each 100 square feet of gross floor area.
34. Contractor's Yard or Plant Storage Yard: One (1) space for each three (3) employees.
35. Warehouse and Wholesale Store: One (1) parking space for each 800 square feet of floor area.
36. Manufacturing Plant or Research Laboratory: One (1) space for each one and one half (1 1/2) employees per largest work shift.

In the case of a use not specifically mentioned, the requirements for off-street parking shall be the same as for a similar use specifically mentioned. Similarity to be determined by the Enforcing officer.

19.18 SCREENING

Hereafter no buildings or structures shall be erected, altered, or enlarged, nor shall land be used for any non-residential use on a lot that adjoins or faces any residential district until a plan for screening has been submitted and approved by the Planning Commission. No part of any building or structure shall be occupied, nor any land used, until all required screening, as provided for in this section, is in place.

A. Screening shall be provided for one or more of the following purposes:

1. Visual barrier to partially or completely obstruct the view of unattractive structures or activities.
 2. As an acoustic screen to aid in absorbing or deflecting noise.
 3. For the containment of debris and litter.
- B. Screening may be one of the following, or a combination of two or more:
1. A solid masonry wall.
 2. A solidly constructed decorative fence.
 3. Louvered fence.
 4. Dense evergreen plantings.
 5. Deciduous trees and shrubs.
- C. Whenever any non-residential use abuts a residential district, a visual screening wall, fence, or planting shall be erected or placed along such mutual boundary lines.
- D. Visual screening walls, fences, or plantings shall be at least five feet, six inches (5'6") high, except in required front yards where maximum height shall meet the requirements of Section 19.06.
- E. Screening for the purposes of absorbing or deflecting noise shall have a depth of at least fifteen feet (15') of dense plantings or a solid masonry wall in combination with decorative plantings.
- F. Whenever required, screening is adjacent to parking areas or driveways, such screening shall be protected by bumper blocks, posts, or curbing to avoid damage by vehicles.

19.19 NON-CONFORMITIES

Within the districts established by this Resolution or amendments that may later be adopted there, exist lots, structures, and uses of land and structures which were lawful before this Resolution was passed or amended, but are or may be prohibited, regulated, or restricted under the terms of this Resolution or future amendment. It is the intent of this Resolution to permit these non-conformities to continue until they are removed, but not to encourage their continuance. Such uses are declared by this Resolution to be incompatible with permitted uses in the districts involved. It is further the intent of this Resolution that non-conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district except by application from the property owner or lessee to the Board of Appeals for approval of specific plans.

To avoid undue hardship, nothing in this Resolution shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Resolution. Actual building 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, provided that work shall be diligently carried on until completion of the building involved.

A. Non-Conforming Lots of Record: In any district in which single-family dwellings are permitted, notwithstanding other limitations imposed by other provisions of this Resolution, a single-family dwelling and customary accessory building may be erected on any single lot of record at the effective date of adoption or amendment of this Resolution.

B. Non-Conforming Uses of Land: Where, at the effective date of adoption or amendment of this Resolution a lawful use of land exists that is made no longer permissible under the terms of this Resolution as enacted or amended, such use may be continued so long as it remains otherwise lawful, subject to the following provisions.

1. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land that was occupied at the effective date of adoption or amendment Resolution except as provided.
2. No such non-conforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this Resolution.
3. If any such non-conforming use of land is voluntarily discontinued for two (2) years or more, any future use of such land shall be in conformity with Section 303.01 to 303.25, inclusive of the Ohio Revised Code and this Resolution.
4. Where a non-conforming use of the land, by the nature of the use, requires expansion or enlargement of the land area so used in order to continue in operation such as removal of sand, earth, stone, minerals, etc., continuance of such operations following the adoption or amendment of this Resolution shall be deemed a violation unless a conditional use for such purpose has been granted by the Board of Appeals.

C. Non-Conforming Structures: Where a lawful structure exists at the effective date of adoption or amendment of this Resolution that could not be built under the terms of this Resolution by reasons of area restrictions, lot coverage, building height, yards, or other characteristics of the structure or its location on the lot, such structure may be contained so long as it remains otherwise lawful.

D. Non-Conforming Uses of Structures: If a lawful use of a structure or of structure and premises in combination exists at the effective date of adoption or amendment of this Resolution, the lawful use may be continued so long as it remains otherwise lawful

subject to the following:

1. If no structural alterations are made, any non-conforming use of a structure, or structures and premises, may be changed to another non-conforming use provided that the Board of Appeals, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use.

2. Any structure or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district in which such structure is located, and the non-conforming use may not thereafter be resumed.

3. If any such non-conforming use of a structure or structure and premises in combination, is voluntarily discontinued for two (2) years or more, any future use of such structure or structure and premises in combination shall be in conformity with Section 303.01 to 303.25, inclusive, or the Ohio Revised Code and this Resolution.

E. Repairs and Maintenance: On any building devoted in whole or in part to any non-conforming use, ordinary repairs and repair or replacement of walls, fixtures, wiring, or plumbing, are permitted.

F. Restoring Buildings: When a building or structure, the use of which does not conform to the provisions of this Resolution, has been damaged by explosion, fire, Act of God, or the public enemy to the extent of twice its assessed value for tax purposes, it shall not be restored or reconstructed or in any way used except in conformity with the district regulations of the district in which the building is situated. When a non-conforming use qualifies for such reconstruction, a building permit shall be secured for that purpose within one (1) year from the date of occurrence of such damage, and such reconstruction shall be diligently prosecuted and completed without delay. Failure to comply with the above restrictions shall cause such non-conforming uses to lapse, and the premises shall conform thereafter to the established district regulations therein.

G. Violations not Rendered Non-Conforming: A use, structure, or lot in violation of the provisions of the Resolution shall not become non-conforming upon the adoption of an amendment to the Resolution. Nothing in this resolution shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by an official charged with protecting the public safety, upon order of such official.

19.20 MOBILE HOME & RECREATION VEHICLE

A. No person shall occupy any mobile home or recreation vehicle as a residence in any district outside an approved and licensed mobile home park or trailer court, except as provided in the A-2, General Agriculture District.

B. No mobile home may be stored or parked in any residential district outside an approved and licensed mobile home park or trailer court.

C. No mobile home, mobile home classified as a recreation vehicle, or boat, may be stored or parked in any required front yard of any residential district.

19.21 DECORATIVE DRIVEWAY ENTRANCES

Decorative entrance structures for driveways shall be permitted in any district.

19.22 EXCEPTION TO DEPTH-TO-WIDTH AND MINIMUM FRONTAGE REQUIREMENTS

The depth to width requirements of Sections 5.08 and 15.09 and the minimum frontage requirements of Sections 5.09, 14.06, and 15.10 may be waived or modified where all of the following exist:

A. Where there exists, as of June 18, 1986, on the lot which is the subject of the waiver or modification, one lawful single family residence, not including house trailer, mobile home, recreational vehicle or tent dwelling.

B. Such waiver or modification is only necessary for the purpose of preserving existing agricultural farmland.

C. The frontage of the lot which is the subject of such modification or waiver is not less than thirty feet.