

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

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

The following general regulations are applicable to all zoning Districts within Genoa Township 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: Corner Lots**

On a Corner Lot the Principal Building and all Accessory Structures shall be required to have the same Setback distance from all street Right-of-Way lines as required for the front yard in the District in which such Structures are located. The minimum required setback from all other property lines shall be equal to that of the minimum Side Yard required within the relevant zoning district. There shall be no required Rear Yard on a corner lot.

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

A Common Access Drive may 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:

- 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 entrance 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. Fire Department approval shall be obtained before any installation of a gate.

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

No more than one Principal Building or Structure may be constructed upon any one Lot for the purposes of this Resolution. The construction of more than one Principal Building or Structure upon any one Lot shall require a Variance from the Board of Zoning Appeals.

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

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. If said area or dimension is already less than the minimum required by this Resolution it shall not be further reduced.

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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.

**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 a maximum of twenty-four (24) inches. However, nothing may project into any No Build or No Disturb Zone.
- 1608.02 Unroofed Porches, decks and steps may extend from the Dwelling into the required front and rear yard a maximum of ten (10) feet. Open Structures such as roofed Porches, patios, canopies, balconies, and carports, shall be considered parts of the Building to which Attached and shall not project into any required yard.
- 1608.03 No Structure may project into a required side yard except in the case of a single Nonconforming Lot of record, which is of insufficient width to meet the side yard requirements of this Resolution. The Board of Zoning Appeals may grant a minimum specified Variance to permit the construction of a single-family residence in such a case.
- 1608.04 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 property 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) No Accessory Building shall be located within fifteen (15) feet of any Side or Rear Lot Line or when the required Side Lot Line for the Principal Building on that property is less than fifteen (15) feet the Accessory Building may be located at that reduced setback.
  - C) The maximum number of permitted Accessory Buildings per parcel shall be one (1) plus one (1) for each full acre of parcel size, but in no case shall exceed five (5) Accessory Buildings on a parcel.
  - D) The maximum height shall not exceed twenty-two (22) feet on a parcel under three (3) acres in size. On parcels three (3) acres or larger, the maximum height shall not exceed thirty-five (35) feet.
  - E) The maximum size of Accessory Building(s) shall not exceed the maximum permitted building coverage within the zoning district.
  - F) No Accessory Building within any district shall be used for human occupancy except as a permitted Conditional Use if specified within a district.
- 1609.02 All Accessory Structures, not otherwise regulated, shall be in conformity with the following provisions, except those specifically listed in Section 109:
  - A) No Accessory Structure shall exceed twelve (12) feet in height or be located in an easement, Front Yard or in a required Setback for an Accessory Building, according to Section 1609.01, unless specifically permitted.
  - B) A mechanical Structure, such as a generator, air conditioning unit or similar structure is permitted in a Rear or Side Yard, if the unit is at least fifteen (15) feet from any adjoining property.
  - C) A propane tank is permitted in a Side or Rear setback if it is at least six (6) feet from any adjoining property and entirely screened from view from adjoining properties.

- D) An outdoor fireplace, pit or permanently-sited grill is permitted in a required Rear Yard provided it is no closer than fifteen (15) feet from any property line.
- E) Solar panels shall be constructed so as 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.

**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 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: Objectionable, Noxious or Dangerous Uses, Practices or Conditions**

No land or Building in any District shall be occupied or used in any manner which creates or contributes to the existence of conditions which are dangerous, injurious, harmful, noxious or objectionable, or which otherwise adversely affect surrounding areas or adjoining premises. Specifically the occupation or use of any land or Building 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:

- 1611.01 The storage or accumulation of trash, garbage, refuse and other debris (including, without limitation, discarded household goods, discarded commercial products, discarded building materials, discarded industrial by-products, discarded brush and other vegetation and other similar materials) shall be a Nuisance per se and shall be prohibited excepting trash, garbage, refuse and debris that is completely enclosed within an appropriate container and placed at an assigned location for regularly scheduled pick-up. In all cases, there shall be full compliance with all applicable zoning District standards.
- 1611.02 The storage or accumulation of Junk, Junk Vehicles, vehicle parts and other similar debris shall be a Nuisance per se and shall be prohibited excepting the Outdoor Storage of inoperable, unlicensed or unused motor vehicles for a period exceeding seven (7) days provided such vehicles are completely enclosed within a Building so as not to be visible from any adjoining property or public road. In all cases there shall be full compliance with applicable zoning District standards.
- 1611.03 Noise or vibration which, at the property line of the property on which such noise or vibration is produced, exceeds the level that is normally perceptible from other activities in the area shall be prohibited.
- 1611.04 Direct or reflected glare that adversely affects neighboring areas or interferes with safety on any public street, road or highway shall be prohibited.
- 1611.05 All construction and maintenance within Genoa Township shall be accomplished in a manner consistent with maintenance of good surface drainage
  - A) Modifications to property shall not create adverse impacts on off-site drainage.
  - B) Every reasonable effort shall be made to ensure that proper drainage on the subject property and adjacent or servant properties is maintained or improved.

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- C) In no event shall any person interdict or interfere with any existing tile or surface drain channel unless it is determined that such tile or channel can be removed or relocated without interfering with the drainage on adjacent properties.
  - D) All buildings over two hundred (200) square feet in Floor Area shall contain gutters and downspouts adequate to handle all rainwater discharged from the roof of the building.
  - E) Downspouts and pumps shall be either connected to a storm water outlet or discharged to a location that will not create surface water runoff.
- 1611.06 Storage of firewood, mulch and other similar products or materials in a Planned Residential District must not be in the Front Yard or within ten (10) feet of an adjoining property and such materials shall not be stored outdoors for more than six (6) months. Storage of such materials shall be orderly or entirely screened from view from other ;properties.
- 1611.07 Maintenance of buildings shall ensure boarded doors or windows are painted consistent with the color of the building.

**Section 1612: Insecure, Unsafe or Structurally Defective Buildings or Structures**

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. The enforcement shall be accomplished through the procedures outlined in Section 505.86 of the Ohio Revised Code.

**Section 1613: Off-Road Motorized Vehicles**

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, safety and welfare of Genoa Township residents such vehicles shall be operated only in conformance with the following standards:

- 1613.01 No Off-Road Motorized Vehicle shall be operated on private property without the consent of the owner.
- 1613.02 No Off-Road Motorized Vehicle shall be operated in any public park, wildlife preserves, or forest preserve unless a designated trail is provided and marked as such.
- 1613.03 Erosion shall be physically controlled and detained on-site.

**Section 1614: Water Impoundments**

All water impoundments such as ponds, lakes or swimming pools shall be constructed and developed so that no such impoundments are located between a principal structure and the edge of the contiguous road Right-of-Way line within any District.

**Section 1615: Utilities**

- 1615.01 Planned Developments shall have an adequate source of potable water. All water lines constructed within a Planned Development shall be the financial responsibility of the owner or developer.
- 1615.02 No construction of Buildings within any segment of a Planned Development shall be commenced until after the extension of sanitary sewage lines or approved sanitary treatment facilities required with alternative sewage disposal systems have been completed.
- 1615.03 The following utility equipment shall be provided, constructed and installed underground within a Planned Development: gas lines, sanitary and storm sewer lines, water lines, electrical lines, telephone lines, and cable television lines.

- 1615.04 All utility systems shall be located and designed in such a manner and method as to preserve the natural features of the land such as streams, rock outcropping, topsoil, trees and shrubs and the same shall be incorporated into and with the Landscaping of said lands.
- 1615.05 Easements across Lots or centered on Rear or Side Lot Lines shall be provided for utilities where necessary and shall be of adequate width to facilitate the proposed usage.

**Section 1616: Height Requirements**

No Principal Building shall exceed thirty-five (35) feet in height, as defined herein.

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