

## **ARTICLE 17: SPECIAL AND MISCELLANEOUS USES**

### **Section 1701: Intent and Purpose**

The following regulations are applicable to the districts within which they are specified unless otherwise stipulated or modified by the regulations within a specific zoning District.

### **Section 1702: Temporary Conditional or Accessory Uses**

The following Uses are deemed temporary in nature and are subject to the specific conditions and time limitations that follow and to the regulations of any District in which such Use is located. In addition any Use listed within this Section may be conditionally permitted only upon a finding by the Board of Zoning Appeals that such a Use complies with the requirements of Article 3.

- 1702.01 Carnivals, circuses, tent meetings, bazaars, political rallies, festivals, art shows, or other similar public events may be conditionally permitted upon church, school or other similar sites within any District. Prior to the issuance of a temporary Conditional Use Permit the written consent of at least fifty one percent (51%) of the owners of all residentially used property within one thousand (1000) feet of the property lines of the Temporary Use site must be obtained. Written consent of the various property owners shall be filed by the applicant at least ninety (90) days prior to the scheduled event.
- 1702.02 The temporary placement of a Mobile Home upon a Lot which already contains a residential Structure may be permitted where the Board of Zoning Appeals finds that special circumstances or conditions such as fires, windstorms, or other similar events which are fully described in the findings of the Board, have existed so that the use of a temporary residential Structure is necessary in order to prevent exceptional hardship to the applicant, provided that such a Temporary Structure does not represent a hazard to the safety, health, or welfare of the community.
- 1702.03 An applicant for a temporary Conditional Use Permit must produce a written statement from the Delaware County Health Department approving the water supply and wastewater disposal system of the temporary Mobile Home location. Such permit may be initially issued for nine (9) months, renewable for up to an additional three (3) months for all permits, not exceeding a total of twelve (12) months.

### **Section 1703: Kindergartens**

Kindergarten facilities may be permitted in specified Districts provided the following conditions are met:

- 1703.01 The Building occupied by the Use is compatible with neighborhood Structures in dimension, size, and architecture.
- 1703.02 There shall be an outdoor play area of eighty five (85) square feet or more per child.
- 1703.03 Such play area shall be enclosed with a chain link Fence or its equivalent in strength and protective character to a height of five (5) feet to control accessibility of children to adjoining hazardous conditions such as streets, ponds, etc., or adjacent yards.
- 1703.04 A drop-off area is provided so that children do not have to walk through the parking lot to enter the facility.
- 1703.05 Parking spaces are provided as specified in Section 1904.

### **Section 1704: Residential Care Facilities**

Selected Residential Care Facilities providing resident services for the care and/or rehabilitation of individuals who require protective supervision within a residential environment shall be conditionally permitted in designated residential Districts only in accordance with the following provisions:

- 1704.01 With the exception of Foster Homes no more than two (2) Residential Care Facilities of any type may be permitted in any one (1) census tract within Genoa Township.

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- 1704.02 Foster Homes for children or adults who for various reasons cannot reside with their natural family may be permitted within any residential Dwelling provided such homes possess a valid, appropriate license.
- 1704.03 Family Care Homes may be permitted as a Conditional Use within an adequately sized unattached residential Dwelling within any residential District provided that:
- A) The home shall possess a valid license from appropriate state and/or local agencies.
  - B) The home shall be required to meet the District regulations applicable to single-family residences within the District in which such home is located.
  - C) The home shall provide adequate off street parking for each resident and/or resident supervisor who is permitted to own or operate an automobile.
  - D) The Zoning Permit shall be limited to the operator to whom it is originally issued and is not transferable to any subsequent operator.
- 1704.04 Group Care Homes may be conditionally permitted within an adequately-sized unattached residential Dwelling within designated residential Districts subject to the following criteria:
- A) No Group Care Home may be permitted unless the agency supervising such a facility satisfies the Board of Zoning Appeals that the home complies with all state and/or local licensing requirements.
  - B) The home shall not be located closer than twenty thousand (20,000) feet to another Family Care Home or Group Care Home. Variances of more than ten percent (10%) of this requirement may not be considered.
  - C) The home shall be reasonably accessible, by reason of location or transportation provided by the operator, to necessary medical, psychiatric, recreational, or other services required by the residents.
  - D) Every room occupied for sleeping purposes within the home shall contain a minimum of eighty (80) square feet of habitable Floor Area for each occupant.
  - E) The operator or agency applying for a Conditional Use Permit to operate such a facility shall provide the Board of Zoning Appeals with a plan that documents the following:
    - 1) The need for the home in relation to the specific clientele served;
    - 2) A description of program objectives and the nature of other community-based residential social service facilities operated by such operator or agency; and
    - 3) A list of the licensing agencies' standards and the sponsoring agency's standards for the operation of the desired facility.
  - F) The home shall provide adequate Off-Street parking area for each resident supervisor and/or resident who is permitted to own or operate an automobile.
  - G) The proposed use of the site as a group care home shall be compatible with the present character of the neighborhood, considering noise, traffic, lights, exterior Alterations of the Structure, or other potentially offensive characteristics.
  - H) The Conditional Use Permit shall be limited to the operator to whom it is originally issued and is not transferable to any subsequent operator.
- 1704.05 Suitable space shall be provided for indoor and/or outdoor recreational activities for the clientele served, based upon generally accepted recreational standards or those specified by the licensing authority.

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- 1704.06 No exterior Alterations of the Structure shall be made which depart from the residential character of the Building. All new Structures proposed shall be of compatible residential design with the surrounding neighborhood, to the degree possible.
- 1704.07 All exterior lighting shall be in accordance with Article 21.
- 1704.08 In its review of each proposed facility, the Board of Zoning Appeals shall make specific findings of fact relative to the following criteria. Specifically the Board shall determine that the proposed facility:
- A) Is in fact a Residential Care Facility and, if required, is licensed by the appropriate authority to provide such service within the State of Ohio (and the respective jurisdiction);
  - B) Is in fact a needed facility in the location proposed, based upon evidence acceptable to the Board of Zoning Appeals;
  - C) Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or officially planned Uses of the general vicinity and that such Use will not change the essential character of the same area. In this regard, it does not contribute to a concentration of such facilities in the respective area;
  - D) Will not be hazardous or disturbing to existing or officially planned future neighboring Uses from the standpoint of noise, lights, congestion or traffic generation which would be incompatible with the neighborhood environment;
  - E) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed Use shall be able to provide adequately any such services;
  - F) Will not involve Uses, activities and conditions of operation that will be detrimental to any persons, property, or the general welfare;
  - G) Will have vehicular approaches to the property that shall be so designed as not to create an interference with traffic on surrounding public thoroughfares; and
  - H) Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- 1704.09 The Board of Zoning Appeals may issue a Conditional Use Permit for a period of one (1) year. At the completion of the one (1) year period, the Residential Care Facility operation shall be reviewed by the Board of Zoning Appeals. The Board of Zoning Appeals may extend the Conditional Use or deny the Conditional Use.

**Section 1705: Cemeteries**

The following standards shall apply to the development and construction of cemeteries within Genoa Township:

- 1705.01 The site proposed for a Cemetery shall not interfere with the development of a system of collector and larger streets in the vicinity of such site. In addition, such site shall have direct access to a Thoroughfare which the Board of Zoning Appeals determines is adequate to serve the size of facility proposed.
- 1705.02 Any new Cemetery shall be located on a site containing not less than twenty (20) acres.
- 1705.03 Internment shall not be within three hundred (300) feet of a Dwelling, unless the owner of such Dwelling gives his consent, or unless the entire tract appropriated is a necessary addition to or enlargement of a Cemetery already in use, as further provided in Ohio Revised Code, Section 1721.03.
- 1705.04 A mausoleum shall not be within three hundred (300) feet of any property line.

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- 1705.05 A crematory or other Structure shall not be within one thousand (1,000) feet of any property line.
- 1705.06 Every Cemetery company or association shall cause a plat of its grounds and of the Lots laid out by it to be made and recorded or filed in the offices of the county recorder in accordance with Ohio Revised Code, Section 1721.09.
- 1705.07 All required yards shall be landscaped and maintained in good order. A plan for perpetual care of the grounds shall be required.

**Section 1706: Churches**

The following standards shall apply to the development and construction of churches and their Accessory Uses within Genoa Township:

- 1706.01 The minimum lot area shall be three (3) acres and the minimum Lot Width shall be three hundred (300) feet.
- 1706.02 The lot area shall be adequate to accommodate the required Off Street Parking Space requirements of the church in accordance with Article 19. In no event shall parking be permitted on adjacent streets or within a street Right-of-Way.
- 1706.03 The church Building shall be set back from any adjacent residential property line a distance equal to or greater than the height of the Structure exclusive of the steeple or spire or the Setbacks determined according to Section 1706, whichever is larger.
- 1706.04 The church lot shall be accessible to a major arterial street in a manner that does not require the passage of traffic through local residential streets.
- 1706.05 Accessory living quarters may be provided on the church lot as a Conditional Use subject to location, Density, and additional lot area requirements approved by the Board of Zoning Appeals, except in a Planned Community Facilities District where such facilities are permitted without Conditional Use approval.
- 1706.06 Accessory recreational uses may be provided on the church lot as a Conditional Use subject to approval by the Board of Zoning Appeals, except in a Planned Community Facilities District where such facilities are permitted without Conditional Use approval, provided that other applicable standards contained in Section 1711 and in other sections of the Resolution are met.
- 1706.07 Minimum Setbacks and side and rear yard requirements will be according to the following table; shall be the highest Setback required by Zoning Districts on either side or directly across the street.

	RR	SR	PRD/PRD-V	PCD	LI/PID	CB	PCF
Front Parking		75 feet			30 feet		
Front Driveway	75 feet	50 feet	30 feet 30 feet		30 feet		
Side Parking & Drive		25 feet			6 feet		
Rear Parking & Drive		75 feet			6 feet		
Building, Front		75 feet		100 feet existing, 50 feet new roads		50 feet	
Building, Side		Note A			25 feet		
Building, Rear		Note B			25 feet		

Note A: Setback equals one-fourth (1/4) of the sum of the height of the Structure plus the length of the wall most nearly parallel to the Side Lot Line. In no case shall the Setback be less than twenty-five (25) feet.

Note B: Setback equals one-fourth (1/4) of the sum of the height of the Structure plus the length of the wall most nearly parallel to the Rear Lot Line. In no case shall the Setback be less than fifty (50) feet.

- 1706.08 Lighting – All lighting shall be in compliance with Article 21.
- 1706.09 Temporary Signs – All signage shall comply with Article 18.

- 1706.10 Required Parking Plan – All parking shall comply with Article 19.
- 1706.11 Accessory private school Buildings associated with a church may be located on a church lot subject to a Conditional Use approval being granted by the Board of Zoning Appeals, except in a Planned Community Facilities District where such schools are permitted without Conditional Use approval, provided that said institution occupies not less than twenty (20) acres and adequate parking areas for faculty, staff, and students in accordance with Article 19. A site plan shall be prepared and submitted for consideration and shall provide screening adjacent to residential areas.

### **Section 1707: Temporary Uses**

The following regulations are necessary to govern the operation of certain Uses that are non-permanent in nature. Application for a Temporary Zoning Permit, where applicable, shall be made to the Zoning Inspector, containing a graphic description of the property to be utilized and a site plan, a description of the proposed Use, and sufficient information to determine yard requirements, Setback, sanitary facilities, and parking space for the proposed Temporary Use. The following Uses are deemed to be Temporary Uses and shall be subject to the specific regulations and time limits, which follow, and to the regulations of any District in which such use is located:

- 1707.01 Model Homes, the same being defined as residential-type Structures used as sales offices by a builder/developer and to display the builder/developer's product. The same may be furnished within, since its purpose is to display features (such as exterior siding treatments, roofing materials, interior trim, moldings, floor coverings, etc.) in the environment of a completed home, and may be staffed by the builder/developer's sales force. Model homes shall be subject to the following restrictions:
- A) Hours of operation: All model homes shall close by 9:00 p.m. during the Spring, Summer and Fall seasons, and by 8:00 p.m. during the winter season. No model home shall be open on Sunday before 12:00 noon.
  - B) Lighting: All exterior lighting must be "down lighting," so that absolutely no light shall be cast onto adjoining residential properties. All Off-Street Parking Spaces must be illuminated. All exterior lighting shall be extinguished at the closing time of the model home, except that which is in character with those found on surrounding homes.
  - C) Parking: All model homes shall provide Off-Street paved Parking Spaces for the public. Such Off-Street paved parking shall be located contiguous to the model home. The parking lot shall be removed upon expiration of model home permit. The number of required parking spaces shall be six (6) per model home. The driveway of the model home may be utilized for not more than two (2) of the required parking spaces.
  - D) Screening and Trash Receptacles: Landscape drawings shall be required and shall show adequate Landscaping and screening from adjoining residential Lots, together with the clear marking of the boundaries of the model home lot. Trash receptacles shall be provided around the model home for use by the public.
  - E) Termination of Use: The use of model homes within a residential subdivision, or within any single phase of a multi-phase subdivision shall be permitted for one (1) year, and may be granted for six-month extensions, but shall terminate when building permits reach ninety percent (90%) of the lots therein.
  - F) Signs: All model home signage shall comply with Article 18.
- 1707.02 Temporary offices including mobile offices for contractors and equipment sheds incidental to construction projects may be permitted within any District. The permit shall not be valid for more than one (1) year but may be renewed for six-month extensions if construction is substantially underway. Such uses shall be removed immediately upon completion of the construction project, or upon expiration of the Temporary Zoning Permit whichever occurs sooner.

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1707.03 The seasonal sale of agricultural produce grown on the premises may be permitted within any District when in compliance with Section 519.21 of the Ohio Revised Code. Such sales shall not extend for more than five (5) months in any calendar year and all Structures or Roadside Stands shall be removed at the conclusion of the seasonal sale. All such structures must be set back from the roadway pavement a minimum of thirty-five (35) feet and the site shall contain adequate Off-Street Parking Spaces so as not to create a traffic hazard and to provide for safe ingress and egress.

1707.04 Garage Sales may be permitted within any District in which Dwellings are permitted in accordance with the following standards:

- A) No person shall sell or offer for sale at a Garage Sale any merchandise that has been purchased, consigned, or otherwise acquired for purposes of resale. The offering of new merchandise for sale shall be prima-facie evidence that such merchandise was acquired by the resident for purpose of resale. The provisions of this paragraph shall not apply to corporations not for profit, churches, temples, schools, fraternities, sororities, associations, Clubs or lodges. Such organizations may conduct sales of personal property donated to them on real estate owned or occupied by such organizations.
- B) Only one such sale may be conducted on any parcel of real estate in any six (6) month period, which sale shall be limited to not more than three (3) consecutive days or two (2) consecutive weekends of two (2) days each. No sale may extend later than sunset.
- C) No Sign except advertising a Garage Sale may be displayed at any place except on the premises on which the sale is held. Only one (1) such Sign may be displayed. A maximum of three (3) directional Signs may be placed off the premises to direct the public to the sale. The display of such advertising and directional Signs shall be limited to the dates and hours during which the sale is held. Such Signs shall not be larger than four (4) square feet in display area, shall not be illuminated or animated, shall not be placed in a Right-of-Way of any public street or road, and shall not interfere or obstruct visibility when entering or leaving property.
- D) Except as provided above, the provisions of this Section shall not apply to a sale of property publicized solely by classified newspaper advertising, which describes or identifies the specific property offered for sale and does not designate the date, hours, or location of the sale other than by stating name, address or telephone number of the seller.

**Section 1708: Home Occupations**

1708.01 The following standards shall govern Home Occupations as a permitted Use within Genoa Township.

- A) The owner of the premises must reside in the Dwelling Unit used for the Home Occupation.
- B) No person or persons, other than the owners of the premises shall operate a Home Occupation.
- C) Not more than one worker exclusive of the owners shall be employed in a Home Occupation at any one time.
- D) All Home Occupations shall be conducted entirely within the Dwelling Unit, and 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.
- E) Not more than twenty percent (20%) or four hundred (400) square feet of the gross Floor Area, whichever is less, of any Dwelling Unit shall be used for a Home Occupation.
- F) Home Occupations shall not be permitted in any Accessory Building within any District.
- G) 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 other than one Sign, not exceeding two (2) square feet in area, non- illuminated, and mounted flat against the wall of the Building in which the Home Occupation is located.

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- H) There shall be no sale on the premises of commodities other than those produced as the result of the Home Occupation.
- I) No traffic shall be generated by such Home Occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such Home Occupation shall meet the Off-street parking requirements as specified in this Resolution, and shall not be located in a required front yard.
- J) Equipment or processes shall not be used in such Home Occupations which create noise, vibrations, glare, fumes, odors, or electrical interference detectable off the Lot. No equipment or process shall be used which creates visual, audible or electrical interference in any radio or television receiver or computer terminal off the premises, or causes fluctuations in voltage off the premises.
- K) There shall be no increased burden placed upon existing public services provided to the residence as a result of a Home Occupation.

1708.02 A person may apply for a Conditional Use Permit for a Home Occupation that does not comply with the requirement of Section 1708.01. The criteria for the issuance of such a permit for a Home Occupation are as follows:

- A) There shall be no more than two (2) non-residential employees or volunteers to be engaged in the proposed Use;
- B) Sales of commodities not produced on the premises may be permitted provided that the commodities are specified in the application and are reasonably related to the Home Occupation;
- C) Outside storage related to the Home Occupation may be permitted if totally screened from adjacent residential Lots, provided the application so specifies;
- D) Not more than thirty percent (30%) of the gross Floor Area of any residence shall be devoted to the proposed Home Occupation;
- E) The external appearance of the Structure in which the Use is to be conducted shall not be altered and not more than one (1) Sign no larger than two (2) square feet shall be mounted flush to the wall of the Structure;
- F) Minor or moderate Alterations in accordance with other provisions of this Resolution may be permitted to accommodate the proposed Use but there shall be no substantial construction or reconstruction;
- G) No equipment process, materials or chemicals shall be used which create offensive noise, vibration, smoke, dust, odor, heat, glare, x-rays, radiation or electrical disturbances; and
- H) No more than two (2) additional parking places may be proposed in conjunction with the Home Occupation, which shall not be located in a required Front Yard.

**Section 1709: Swimming Pools**

1709.01 Swimming Pools, except for a pool for the occupants of a single-family Dwelling, shall comply with the following conditions and requirements:

- A) The pool and Accessory Structures thereto, including the areas used by bathers, shall not be closer than seventy-five (75) feet to any property line; and
- B) The swimming pool and all of the area used by bathers shall be walled or fenced to prevent uncontrolled access by children from the street or adjacent properties. Said Fence or Accessory Wall shall not be less than six (6) feet in height and maintained in good condition.

1709.02 Loud speakers, juke boxes, public address systems and electric amplifiers shall be permitted only if the use of the same is solely for the occupants of the Building, and only if the equipment is

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installed within the Building and does not create a Nuisance and disturb the peace of other persons or properties in this or any other District.

- 1709.03 Exterior lighting shall be shaded wherever necessary to avoid casting direct light upon any other property or upon any public street.
- 1709.04 Off-street parking shall be provided in accordance with Article 19.
- 1709.05 Private accessory Swimming Pools for single-family Dwellings may be permitted in any District, provided the following provisions are met:
- A) The pool is intended solely for the enjoyment of the occupants and guests of the Principal Use of the property on which it is located;
  - B) It may not be located closer than ten (10) feet to any property line and may not encroach upon any required Front Yard, Side Yard, or any required on-site wastewater leaching areas;
  - C) The Swimming Pool shall be walled or fenced in order to prevent uncontrolled access by children from any street or adjacent property. Any such Fence shall not be less than four (4) feet in height and maintained in good condition with a gate and lock; and
  - D) Exterior lighting shall be shaded wherever necessary in order to avoid casting direct light upon any other property or any public street.

**Section 1710: Golf Courses**

All golf course facilities shall be in accordance with the following provisions in addition to any conditions required by the Board of Zoning Appeals:

- 1710.01 The hours of operation of the golf course shall be limited from dawn to dusk to prevent undue disturbance to neighboring uses.
- 1710.02 All maintenance equipment shall be stored in sheds or other Structures and away from view.
- 1710.03 No hole or green shall be located within two hundred (200) feet of an existing residential Structure unless otherwise approved as part of the development plan within a Planned Development District.
- 1710.04 The Board of Zoning Appeals may require fencing, Accessory Walls, Landscaping, earth mounds or other measures where it is determined that buffering or screening is necessary to manage land use conflicts and/or protect the public safety unless otherwise approved as part of the development plan within a Planned Development District.
- 1710.05 Parking area requirements shall conform to Article 19.
- 1710.06 The minimum Floor Area requirements for the clubhouse or management Structure shall be five thousand (5000) square feet.
- 1710.07 Any golf courses hereinafter constructed within designated areas of Genoa Township shall occupy not less than one hundred fifty (150) acres.

**Section 1711: Private Recreational Facilities – Outdoor**

- 1711.01 Minimum lot area for a private recreational facility shall be no less than six (6) acres.
- 1711.02 Setbacks:
- A) Front: 100 feet for structures and 75 feet for parking;
  - B) Rear: 75 feet;
  - C) Side: 75 feet;

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- D) All Structures and playing fields for outdoor recreation shall be located at least two hundred (200) feet and drives and parking areas shall be at least fifty (50) feet from any adjacent parcels where residences are a permitted Use; and
- E) Where a landscaped screen is not already required adjacent to another parcel, one (1) deciduous tree shall be provided for every forty (40) feet of parking lot boundary and loading/unloading area, plus a three (3) foot average height continuous planting, hedge, Fence, Accessory Wall, or earth mound. The same parking lot perimeter screening shall also be provided adjacent to the public Right-of-Way. At least one (1) tree per five thousand (5,000) square feet of parking area shall be provided within the parking lot.
- 1711.03 All outdoor playing fields, courts and other similar outdoor recreation facilities must be secured at night to prevent unauthorized access. While no lighting will be permitted on any such outdoor recreation facility, security lights may be approved for any permanent facilities at the site.
- 1711.04 The maximum Density allowed on any parcel shall not exceed one (1) field for every five (5) acres.
- 1711.05 A minimum of thirty-five (35) parking spaces shall be provided for every field at the site. All parking areas shall be constructed in accordance with Article 19 of this Resolution.
- 1711.06 A minimum eight (8) foot high landscaped screen or combination mound and plant material with a ninety percent (90%) year round opacity shall be provided on any side of the site adjacent to parcels where Dwellings are a permitted Use. If a mound is used it shall be constructed with no more than a 4 to 1 slope. Mounds shall not be constructed to restrict the natural flow of surface water to or from the site.
- 1711.07 Permanent toilet facilities, connected to a sanitary sewer or other approved on-site disposal system, must be provided with the following minimum number of fixtures:
- Women - 5 toilets and 2 lavatories (minimum); and
- Men - 1 toilet, 2 urinals and 2 lavatories (minimum).
- Additional fixtures must be added at the rate of three (3) for every two (2) fields over four (4) fields per site.
- 1711.08 Accesses and Traffic Impact
- Access shall be from an arterial street or commercial collector or shall be provided in a manner that does not cause heavy traffic on residential streets.

**Section 1712: Horse Care**

Private care of horses intended solely for the enjoyment of the occupants and guests of the Principal Use of the property and the boarding of horses may be permitted as a Conditional Use within designated Districts subject to the following conditions at a minimum:

- 1712.01 The Zoning Inspector may place a limit on the number of stock after consultation with the Delaware County Soil and Water Conservation District and the Delaware County Health Department. The limit shall be based upon the ratio of total acreage to the grazing requirements of horses, the method of feeding, and upon the method and frequency of waste disposal. As a general guide one horse for every two and one-half (2 ½) acres may be permitted.
- 1712.02 The owner or operator shall construct and maintain adequate fencing to contain the stock within the premises.
- 1712.03 The owner or operator shall utilize every reasonable means to minimize the number of insects, rodents or other vermin which may naturally be propagated as a result of operating the facility.
- 1712.04 Animal wastes shall be handled in such a manner as to eliminate or minimize the detection of offensive odors by surrounding property owners.

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- 1712.05 The areas around Buildings and in horse grooming and exercise areas shall be graded so that water does not stand in pools. The owner or operator shall employ every reasonable means of reducing the encroachment of dust upon surrounding properties.
- 1712.06 The location of all Structures shall be subject to approval by the Zoning Inspector and shall adhere to the required front, rear and side yard Setbacks of the zoning District. Buildings or stables shall be located a minimum of five hundred (500) feet from any existing Dwelling and a minimum of two hundred (200) feet from any Side or Rear Lot Line.

**Section 1713: Exotic Animals**

- 1713.01 The following restriction applies to all districts.
- 1713.02 No person shall own, harbor, keep, breed, sell or import any exotic animals or reptiles. The term "exotic animal or reptiles" shall mean wild animals/reptiles not indigenous to Ohio.
- 1713.03 Exemptions to Section 1713.01 and special provisions include:
- A) Exotic animals purchased or adopted and housed on the subject property prior to the adoption of this Zoning Resolution, provided a bill of sale or notarized statement which verifies the sale date is provided and that the exotic animal(s) is confined in a house, Building, or other enclosure in such a way that human contact, other than with the owner(s), cannot occur;
  - B) Wild animals held for exhibit or use by research institutions and other government agencies having legal authority to possess wild animals, publicly supported zoos, circuses, or extensions thereof; and
  - C) Any animal, which is commonly sold by a bona fide commercial pet shop.