

SECTION 15

RESIDENTIAL R-1

Amended October 3, 1994, Effective November 3, 1994

Revised effective November 16, 1995, Revised effective 12/1/04, Revised effective 7/06/06,
Revised effective 7/18/07, Revised effective 9/03/09, Revised effective 5/12/10

15.01 PURPOSE: In accordance with the Comprehensive Plan, the Residential zone is intended to provide for agricultural, residential and undeveloped open space land uses while considering the unique physical and environmental characteristics of the area. Efforts to preserve and enhance riparian corridors, wetlands, mature wood lots, agricultural activities and scenic corridors during future growth are encouraged.

15.02 PERMITTED USES: The following uses and no other shall be deemed Residential, R-1, uses and permitted in all R-1 districts:

1. Single-family dwelling for residential purpose and buildings accessory thereto, but excluding the use of tents, cabins, cottages and trailer coaches (recreational vehicle) for residential purposes except as hereinafter permitted.
2. Community center, fire station, township hall, township or church cemetery and public parks.

15.03 CONDITIONALLY PERMITTED USES: The following uses shall be permitted upon issuance of a Conditional Use Permit in accordance with Section 14 of this resolution.

1. School, university, public library, public museum, public and private golf courses, and private parks.
2. Church, hospital, and nursing home, provided that such church, hospital, and nursing home shall have a lot area of not less than five (5) acres and a frontage not less than five hundred (500) feet.
3. Residential care facilities for the developmental disabled, residential care facilities, nursing homes, and home for the aging in accordance with ORC 3721.01 (A).
4. Child day care facilities.
5. Assisted living home.
6. Cable television and telecommunication tower with a Conditional Use Permit as specified in Section 14 and 24 of this resolution.
7. Bed and breakfast residences.
8. Mining or surface extraction of gravel or other earth material in accordance with ORC 519.141.

SECTION 15

RESIDENTIAL R-1

15.04 ACCESSORY USES: The following accessory uses, clearly incidental and secondary to the primary use of the land in an R-1 district shall be limited to the following:

- 1. Home occupations:** Any person may maintain an office or carry on a customary home occupation in a dwelling used as a private residence, provided such use fully complies with the following requirements:
 - A.** The occupation or activity is carried on by a member(s) of the immediate family living in that dwelling.
 - B.** The use of the dwelling or accessory building for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants. Not more than twenty-five percent (25%) of the floor area of the dwelling unit shall be used for any purpose in the home occupation including the accessory building. Extensions or modifications of said dwelling to accommodate a home occupation is permitted provided the subsequent use remains within the twenty-five percent (25%) floor area usage requirement.
 - C.** No change shall be made in the character of the building or premises and no visible evidence of the conduct of such home occupation shall be permitted. One (1) sign, as specified in Section 23 of this Resolution, shall be permitted.
 - D.** No equipment or process shall be used in a home occupation which creates noise, vibrations, glare, fumes, odors or electrical interference which is offensive or detectable to the normal sense of a person off the lot. In the case of electrical interference, no equipment or process shall be used which visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.
 - E.** Home occupations shall include the sale of services or goods produced in the dwelling including but not limited to: dressmaking and alterations, preserving, home cooking, physicians, dentists, architects, attorneys at law, insurance sales, child care, beauty parlors, barber shops, or others as may comply with this section as determined by the Zoning Board of Appeals.
 - F.** A Zoning Certificate shall be required for all lawful home occupations as provided in Section 13 of this Resolution. The application for such Zoning Certificate for a home occupation shall be filed with the Zoning Inspector prior to the commencement of said occupation. Any home occupation in existence at the time of the effective date of this Section shall secure a Zoning Certificate within one-hundred twenty (120) days of the effective date of this Section.
- 2. Swimming pools:** As provided for in Section 19 of this Zoning Resolution.

SECTION 15

RESIDENTIAL R-1

3. **Roadside stands:** any person may maintain a roadside stand consisting of removable structures used solely for the display and sale of products in accordance with ORC 519.21 (C) provided such stands are at least twenty-five (25) feet back from the traveled portion of the road and provided that adequate facilities are maintained in conjunction therewith for off the road parking of customer vehicles.
4. **Storage** of household equipment, tools, and vehicles for use as private transportation. Storage of more than five (5) vehicles shall be in an approved accessory use building.
5. **The storage** of not more than two (2) licensed recreational vehicles, as defined in Section 4501.01Q of the Ohio Revised Code, shall be behind the building setback line.
6. **Small Wind Farm** as defined by ORC 519.213 and Section 33 of LeRoy Township Zoning Resolutions. (Revised effective 5/12/10)
7. **Solar Panel or Arrays** as defined in Section 33. (Revised effective 5/12/10)

15.05 ACCESSORY BUILDINGS:

1. Accessory buildings shall not be constructed on vacant lots.
2. Accessory buildings shall be limited to buildings that house accessory uses clearly incidental and secondary to the main use of the land and buildings and shall include, but not be limited to:
 - A. Private garages.
 - B. Storage barns and sheds.
 - C. Equipment storage where the actual work is not performed at the building site, but all materials and equipment are stored on the premises in an accessory building. A Conditional Use Permit shall be required, as specified in Section 14 of this Zoning Resolution, for such an accessory use to be permitted.
3. In no event shall an accessory building be used as living quarters or for any use in violation of this Zoning Resolution.
4. The total square footage of all accessory buildings on any lot of two (2) acres or less or any lot in a platted subdivision shall not exceed two thousand (2,000) square feet in any combination. A maximum of two (2) accessory buildings per lot of two (2) acres or less is permitted.
5. All accessory buildings shall be a minimum of twenty (20) feet from any main

SECTION 15

RESIDENTIAL R-1

building or existing residence. Minimum side yard clearance shall be twenty (20) feet, except on corner lots where the side line clearance on the side of the lot abutting the side street shall be no less than fifty (50) feet from the road right-of-way sideline of the road or eighty (80) feet from the traveled portion of the road, whichever is greater.

Attached garages or accessory buildings connected with the main building by a breezeway or other permanently constructed connection shall be construed to be part of the main building for the purpose of this Section.

Provided, however that on lots lawfully with one hundred (100) feet frontage or less, the minimum side yard clearance on each side shall be fifteen (15) feet.

1. Personal Property Sales

- A.** The number of personal property sales allowed per residence per calendar year, which use shall not constitute a commercial use, is three (3).
- B.** Each such personal property sale shall not last more than five (5) consecutive days.
- C.** All personal property sale signs must be removed immediately after the sale and shall be subject to Section 23.01.11.

SECTION 15 RESIDENTIAL R-1

15.06 DEVELOPMENT STANDARDS:

Table 15.1	R-1	R-2
Development Standards	Residential	Rural Residential
Lot Requirements		
Minimum Lot Size (1)	1.5 acre	3 acre
Minimum Lot Frontage/lot width	150'	200'
Cul-de-sac bulb lot frontage (2)	75'	75'
Rear or flag lot (2)	60'	60'
Minimum front yard setback/depth (3)	50'	100'
Minimum side yard setback (each side) (4)	20'	20'
Minimum rear yard	20'	20'
Building Specifications		
Height (5)	35'	35'
Minimum Square footage (6)		
Single floor dwelling	1,400 sq. ft.	1,400 sq. ft.
Two floor dwelling	1,600 sq. ft.	1,600 sq. ft.
Notes		
<p>(1) For flag or rear lots, the lot area computation shall include all property from the point the minimum lot width specified is met. Land located in the "flag pole" portion of the lot shall not be included in the computation.</p> <p>(2) Lot shall have minimum lot width at building setback as required</p> <p>(3) Front building setback line on a corner lot shall be in accordance with the provisions governing the road or street on which the building faces. Setback measured from the road right-of-way line.</p> <p>(4) On corner lots, side yard clearance shall be no less than fifty (50) feet from the right-of-way sideline of the road or eighty (80) feet from the center of the traveled portion of the road, whichever is greater.</p> <p>(5) Does not apply to the height of a church spire, belfry, clock tower, wireless tower, chimney, silo, barn, water tank, elevator bulk head, stage tower, scenery loft or other mechanical appurtenances when erected upon and as an integral part of such building.</p>		

SECTION 15 RESIDENTIAL R-1

(6) Minimum square footage of dwelling unit does not include basement, porches, garages, breezeways, terraces or attics.

15.07 LOTS ESTABLISHED PRIOR TO ZONING: - See section 8.7

1. On lots lawfully platted with one hundred (100) feet frontage or less (excluding flag lots) the minimum side yard clearance of the dwelling shall be fifteen (15) feet.
2. On lots lawfully platted with development standards below the minimum set forth in Section 15.06, the minimum front yard setback may be reduced proportionately based on the depth of such parcel in relation to a lot of minimum size under the requirements of this resolution. In no such instance shall the front yard setback be less than fifty (50) feet.

15.08 SITE CONSIDERATIONS:

1. Environmental variables include soil type, riparian corridors, and steep slopes shall be given due consideration during the planning, construction, reconstruction or modification of structures or land improvements.
2. Conformance to Section 31, Natural Resource Protection.
3. New ingress and egress points onto public right-of-ways are subject to review by the Ohio Department of Transportation (ODOT), Leroy Township or Lake County Engineer, where applicable.

15.09 FUTURE SPACE HOLDER

15.10 SCREENING AND LANDSCAPING: - See Section 26

15.11 PARKING: - See Section 25