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RUGLES TOWNSHIP

ZONING RESOLUTIONS

QUALITY OF LIFE

THROUGH PROGRESS

ASHLAND, COUNTY

OHIO

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PREAMBLE TO RUGGLES TOWNSHIP
ZONING RESOLUTION

(Amended June 7, 1994)
(Amended April 23, 2007)

Welcome to Ruggles Township, a zoned community.

The following is a Resolution of the Township of Ruggles, Ashland County, Ohio enacted in accordance with the provisions of Chapter 519 of the Ohio Revised Code, dividing all portions of the township into zoned districts. This document shall be construed to promote orderly development of the agricultural, residential, commercial, industrial, recreational and public areas throughout the township while endeavoring, where possible within the constraints of this Resolution, to maintain and preserve the rural character of the township and the agrarian purpose from which its heritage originates.

It is the intent of the authors of this Resolution to provide for, through the Resolution, compatibility of different land uses and most appropriate use of land as befits a rural community. It is the common belief of the authors that planning and zoning together can provide for the orderly progress of Ruggles Township and the protection of its residents' property rights.

It is also the common intent of the authors of this Resolution to provide a framework which will stand the test of time, to offer to all members of our township community an opportunity to upgrade and maintain their quality of life and to present a community which welcomes, respects and encourages residents and businesses alike.

To accomplish that, this Resolution shall establish the various districts and shall regulate and/or restrict therein the location, construction, reconstruction, alteration and use of structures and land; provide for adequate light, air and the convenience of access to property by regulating the use of land and buildings and the bulk of structures in relationship to surrounding properties, and limiting congestion in the public right-of-way.

This Resolution shall also provide for the administration of this Resolution defining the powers and duties of the administrative officers as provided hereinafter, and shall prescribe penalties for violations of provisions in this Resolution or any amendments thereto and shall provide for the repeal of all or a portion of this Resolution; all for the purpose of protecting the public health, safety, comfort and general welfare, of the citizens of the township.

It is the common intent of the authors of this document – in keeping with a spirit of cooperation and encouragement of community development that any township resident may bring any matter relating to this Resolution to the attention of the administrative boards empowered herein and be guaranteed a just and fair hearing, formal or informal

as the resident wishes within the constraints of the Ohio Revised Code as it relates to such matters.

Therefore, be it resolved by the Board of Township Trustees of Ruggles Township, Ashland County, Ohio.

This resolution shall be known as the Ruggles Township Zoning Resolution and be referred to as the "Zoning Resolution," which Resolution amends and supersedes the existing Resolution of Ruggles Township.

The original version of this Zoning Resolution is dated July 27, 1988.

This resolution was amended June 7, 1994 and April 23, 2007. Both the original version and the amended versions of this Zoning Resolution, shall be kept on file in the Ruggles Township office.

SECTION 1 -- GENERAL REGULATIONS

- 100 No building or structure shall be built or altered for uses other than those permitted in the district in which the structure is located.
- 101 New land uses, other than those explicitly listed in these regulations, shall be prohibited on property in Ruggles Township.
- 102 Parapet walls, chimneys, cooling towers, elevator bulkheads, fire towers, exhaust stacks, stage towers, silos, scenery lofts and necessary mechanical accessories are exempt from the height restrictions listed in these regulations.
- 103 New lots of record shall meet all minimum size requirements for the district in which they are located.
- 104 Any addition to an existing building shall not intrude into any required yard, open space, or setback area.
- 105 Two or more lots of record, or platted lots, when contiguous and owned by the same individual or entity, may be treated as a single lot for the purpose of this resolution as long as the property in question is located in a single district.
- 106 The Ruggles Township Zoning Resolution shall serve as a supplement to existing or future Federal, State, and local laws. Whenever these regulations differ from other lawfully adopted regulations, the most restrictive or highest standard shall apply.
- 107 Any lot of record existing at the time of adoption of this Resolution and held in separate ownership different from that of adjoining parcels may be used for any purpose normally permitted in that district even though its area, width and depth are less than the requirement of that District providing the minimum setback and side yard requirements are met.
- 108 Agricultural uses, excluding related residential and agribusiness uses and those provisions specifically noted (e.g. Accessory Buildings, Sect. 504) relating to agricultural districts, are exempt from these regulations.
- 109 No sales, transfers, divisions or creation of new lots after the effective date of this Resolution are permitted which fail to meet the minimum lot size requirements as outlined in this resolution. As the result of any sale, transfer or division all involved lots or parcels, including the original or residual parcel must meet the minimum size requirements outlined in this Resolution. Transfers between adjacent property owners which consolidate properties into a single parcel larger than its parts are permitted regardless

of lot size minimums.

- 110 Disposal, processing or storage of nuclear contaminated materials is specifically forbidden in Ruggles Township regardless of the zoning district.
- 111 Disposal, processing or storage of any materials which fall into the category of hazardous or toxic waste is specifically forbidden in Ruggles Township regardless of the zoning district.
- 112 Commercial disposal, processing or storage of waste suitable for a landfill is specifically forbidden in Ruggles Township regardless of the zoning district. The creations of any sanitary waste disposal facility, including travel trailer dumping stations, must be approved by the Ruggles Township Board of Zoning Appeals and the Ashland County Department of Health and a permit received prior to construction.
- 113 Commercial or private landfills are expressly forbidden in Ruggles Township.
- 114 Manufacturing, sales, storage or distribution of fireworks or explosives shall be expressly forbidden in Ruggles Township.
- 115 Zoning Permits/Certificates are required before constructing, structurally altering or changing the use of any structure or property (subject to exceptions in Section 504 of this resolution), application shall be made to the Zoning Inspector for a preliminary zoning permit. This requirement shall not include interior remodeling if the type of use is not changed and shall not include exterior upkeep and maintenance.

If the proposed use shall require a health permit (sewage, water,) the health permit issued by the proper authorities shall be verified as a requirement for issuance of a preliminary zoning permit. The application shall also include the following information:

- 1) A plot plan drawn to scale showing the exact dimensions of the parcel of real estate to be built upon.
- 2) The location, dimensions, height and bulk of structures to be erected.
- 3) A plan showing the ingress and egress locations to any thoroughfare along with proof of State of Ohio or County of Ashland permits if required.
- 4) A floor plan showing the exact dimensions of the building to be constructed or altered, including the alterations if changes are to an existing building.

- 5) The intended use of the property and building(s)
- 6) Payment of the zoning permit fee to Ruggles Township.
- 7) The yard, open area and parking dimensions.
- 8) If the zoning permit is for a manufactured dwelling, the applicant must sign an intent to surrender the title or certificate of title to the Ashland County Auditor. Proof of this surrender must be provided prior to the issuance of a final zoning permit. Through this process of surrender it is understood that the dwelling may be taxed as a residence in the normal manner by Ashland County authorities.
- 9) Within 30 days after receipt of applications, the Zoning Inspector shall issue a preliminary zoning permit if the application complies with the requirements of this Resolution and the application is accompanied by the proper fee. The application is to be reviewed by the Ruggles Township Zoning Inspector in conjunction with the Ruggles Township Trustees ONLY to determine if the application meets all the criteria in this Resolution. However, final decision regarding the issuance of the preliminary zoning permit or final zoning permit rests solely with the Ruggles Township Zoning Inspector. Should this application not meet the aforementioned criteria, the applicant shall be notified of the application shortcomings, a permit shall be denied by the Zoning Inspector and the Board of Zoning Appeals shall be notified of the denial.
- 10) The preliminary zoning permit shall become void at the expiration of six (6) months after date of issuance unless construction is started. If no construction is started or the intended use is changed within six (6) months of the date of the preliminary permit, a new preliminary permit is required. Exterior construction, including finished exterior walls, roofs, footers, windows, etc., shall be completed within twelve (12) months of the preliminary permit issuance, unless a renewal permit is issued and fee paid. Preliminary permits may be renewed once during the construction process by the Zoning Inspector after the applicant has demonstrated that construction has been in process during the term of the initial preliminary permit. After one renewal without completion of the construction process, a new preliminary zoning permit must be obtained following the procedure outlined for issuance of an initial preliminary zoning permit.
- 11) Upon notification by the holder of a preliminary zoning permit that the project is completed, the Ruggles Township Zoning Inspector shall inspect the project to ensure that it conforms to all sections of this resolution. If the project meets with the requirements of this Resolution,

the Zoning Inspector shall issue a Final Zoning Permit. There shall be no additional fee for the Final Zoning Permit. The aforesaid notification by the permit holder may be issued verbally.

116 Conditional use permits/certificates:

- a. Land uses other than those permitted by this Resolution may occur in a district. A list of conditions is contained in Section 300 (District Uses) of this Resolution. A conditional use permit must be obtained from the Zoning Board of Appeals before development of any of these uses may occur.
- b. An application for a conditional use permit shall be filed with the Ruggles Township Board of Zoning Appeals by at least one owner and any current lessee of property for which conditional use is being sought. Applications shall contain all factors and conditions which the applicant wishes the board to consider or which the board deems necessary.
- c. In granting any conditional use, the Board may prescribe appropriate conditions and safeguards including time constraints and automatic expirations in conformity with this resolution. Violations of such safeguards and conditions, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this resolution and punishable under the provisions outlined in Section 8 of this Resolution. A conditional use permit may be granted with an automatic termination at which time the conditional use permit shall expire.
- d. Expiration of a conditional use permit. A conditional use permit, properly granted, shall be deemed to authorize only one particular conditional use and said permit shall automatically expire if, for any reason the conditional use shall cease for more than six (6) months. A conditional use permit shall automatically expire on any automatic termination date set forth in the conditional use permit application approved by the Board.

117 Commercial Shooting Ranges are expressly forbidden in Ruggles Township.

118 Building lots defined as "backlots" (see definitions) are prohibited in Ruggles Township.

119 Fees: Fees as established by the Ruggles Township Board of Trustees shall be paid upon the filing of a request for a variance, conditional use permit, preliminary zoning permits, or renewals thereof or other permits as provided for by this Resolution. Said fees shall be paid to the Board of Trustees and shall not be refunded.

SECTION 2 – DISTRICT

200 For the purposes of this resolution, Ruggles Township is hereby divided into five (5) Districts. They are as follows:

DISTRICT	PURPOSE
General Farm	To protect and maintain the openness and rural character of the countryside. To provide areas for rural development of various kinds where the General Farm District is appropriate.
Residential	To provide areas for residential development in areas that can support such development without creating any serious health threat.
Commercial	To provide for the establishment of areas for local business uses, including retail businesses, which tend to meet the needs of the residents of the area and the needs of tourists or travelers to the extent of need and appropriateness. This category includes manufactured home parks.
Industrial	To provide areas for the development of manufacturing and wholesale business establishments which are clean, quiet and free of hazardous or objectionable elements such as noise, dust, odor, smoke, glare, or other pollutants, generate little industrial traffic and operate entirely within enclosed structures in appropriate designated locations.
Park	Operated by State or Local Authorities for non-profit use for public recreation.

201 The location and boundaries of the various districts listed in the Resolution shall be shown on a map entitled "Ruggles Township Map 2007." A certified copy of of this map will be held on file in the office of the Ruggles Township Trustees and said map, all notations, dimensions and designations shown thereon, are hereby declared to part of this Resolution.

1. District boundaries are intended to follow street, alley, property or lot lines as they exist at the time of passage of this resolution.
2. Where district boundaries do not follow existing lot or property lines, the dimensions of these areas shall be listed on the zoning map
3. In the case of a vacation of a street, alley or other right of way, the abutting zoning classification on either side shall be automatically

extended to the centerline of said vacated property.

4. Where boundaries appears to approximately follow aforesaid lines and not more than ten(10) feet distance from such lines they shall be interpreted to be the boundary unless specifically shown otherwise on the zoning map
- 202 The zoning map or any zoning map amendment shall be prepared by authority of the Township Zoning Commission. The map or amendment shall be dated with the effective date of the Resolution
- 203 A certified print of the adopted map or map amendment shall be maintained by the office of the Ruggles Township Trustees and in the office of the Ashland Regional Planning Commission.

SECTION 3—DISTRICT USES

300 General Farm District

1 .Permitted uses—after obtaining a valid zoning permit.

- a. Agriculture
- b. Single-family dwelling
- c. Non-commercial recreational facilities
- d. Home occupation
- e. Essential services
- f. Accessory uses
- g. Public uses
- h. Semi-public uses
- i. Roadside stands
- j. Manufactured housing

2. Conditional Uses—after obtaining a valid conditional use permit

- a. Two-family dwelling
- b. Tourist home
- c. Child day care facility and nursing home
- d. Kennel
- e. Cemetery
- f. Non-commercial recreation facilities
- g. Mineral extraction, storage and processing
- h. Custom butchering
- i. Residential enterprise
- j. Planned unit development
- k. Sales and Service of Agricultural equipment.

3. Minimum lot size

- a. Minimum area: three (3) acres (130,680 sq.ft.)
- b. Minimum lot width: three hundred fifty (350) feet.
- c. Minimum front yard: one hundred (100) feet from center of road or street.
- d. Minimum rear yard: fifty (50) feet.
- e. Minimum side yard: Twenty-five (25) feet each side.
- f. Minimum lot depth: Two hundred (200) feet from center of road or street

4. Minimum/Maximum main building size

- a. Maximum building height: thirty-five (35) feet.
- b. Minimum main building size: Thirteen hundred fifty (1350) square feet not including basement(s), garage(s), porch(es), manufactured dwelling “pull

- outs” or other similar additions.
- c Two-family dwellings shall have a minimum of eleven hundred (1100) square feet of living space for each unit, not including basement(s), garage(s), porch(es) or other similar additions.

301 Residential District

1. Permitted uses – after obtaining a valid zoning permit.

- a. Agriculture
- b .Single family dwelling
- c Home occupation
- d .Essential services
- e. Accessory uses
- f. Public uses
- g .Roadside stands
- h. Manufactured housing

2 .Conditional uses – after obtaining a valid conditional use permit.

- a. Two-family dwelling
- b .Nursery (child care) and nursing home
- c. Bed and Breakfast tourist home’
- d Cemetery
- e. Semi-public uses
- f. Service facilities
- g. Multi-family dwelling not exceeding four (4) units
- h .Residential enterprise
- i .Planned Unit development

3 Minimum lot size

- a. Minimum area: three (3) acres (130,680 sq. ft.)
- b .Minimum lot width: Three hundred fifty (350) feet
- c. Minimum front yard: one hundred (100) feet from the center of road or street.
- d. Minimum rear yard: Fifty (50) feet.
- e Minimum side yard: Twenty-five (25) feet each side.
- f. Minimum lot depth: Two hundred (200) feet from the centerline of road or street.

4. Minimum/Maximum main building size

- a. Maximum building height: thirty-five (35) feet
- b .Minimum main building size: Thirteen hundred fifty (1350) square feet not including basement(s), garage(s), porch(es), manufactured dwelling

- “pull outs” and other similar additions.
- c. Two-family dwellings shall have a minimum of eleven hundred (1100) square feet of living space for each unit, not including basement(s), garage(s), porch(es), manufactured dwellings “pull outs” or other similar additions.
- d. Multi-family dwelling minimum size: Nine hundred and fifty (950) square feet per unit not including basement(s), garage(s), porch(es), or similar additions.

302 Commercial District

1. Permitted uses—after obtaining a valid zoning certificate:

- a. Agriculture
- b. Offices and banks
- c. Restaurants
- d. Essential uses
- f. Accessory uses
- g. Commercial kennels, veterinary clinics and animal hospitals
- h. Semi-public uses
- i. Vehicle and machinery repair facilities
- j. Local business

2. Conditional uses – after obtaining a valid conditional use permit

- a. Nursery (child Care) and nursing home
- b. Tourist home
- c. Mortuaries or cemeteries
- d. Service stations
- e. Service facilities
- f. Motels
- g. Commercial recreational facilities
- h. Commercial butchering
- i. Service uses
- j. Manufactured home parks
- k. Two family dwellings
- l. Multi-family dwellings not exceeding four (4) units
- m. Telecommunication Towers
- n. Sexually Oriented Business per Resolution passed 11-28-2006
- o. Junkyards, salvage or recycle centers-after meeting all state, federal and requirements and permits.

3. Minimum lot size

- a. Minimum area: three (3) acres (130,680 sq. ft.)
- b. Minimum lot width: Three hundred fifty (350) feet

- c. Minimum front yard: one hundred (100) feet from the center of the road or street
- d. Minimum rear yard: Fifty (50) feet
- e. Minimum side yard: Twenty-five (25) feet each side
- f. Minimum lot depth: two hundred (200) feet from the centerline of the road or street.

303 Industrial District

- 1. Permitted uses – after obtaining a valid zoning certificate
 - a. Mineral extraction
- 2. Conditional uses—after obtaining a valid zoning permit
 - a. Agriculture
 - b. Accessory uses
 - c. Public Uses
 - d. Semi-Public uses
 - e. Commercial recreational facilities (excluding shooting ranges)
 - f. Saw mills
 - g. Essential services
 - h. Local Business
 - i. Service Stations
 - j. Cemeteries and mortuaries
 - k. Motels
 - l. Restaurants
 - m. Manufacture, sale and storage of building supplies
 - n. Equipment storage, repair and sales
 - o. Wholesale and warehouse facilities
 - p. Grain elevators and feed mills
 - q. Offices and Banks
 - r. Research and testing laboratories
 - s. Food processing
 - t. Oil and gas wells and on site storage
 - u. Telecommunication towers
 - v. Airports
 - w. Neighborhood commercial services
 - x. Pumping or metering stations for gas, water or petroleum products
 - y. Junkyards, salvage, recycle centers- only after meeting all federal, state, local requirements and permits.
- 3. Minimum lot size
 - a. Minimum area: three (3) acres (130,680 sq ft.)

- b. Minimum lot width: three hundred fifty (350) feet
- c. Minimum front yard: one hundred (100) feet from the centerline of the street or road.
- d. Minimum rear yard: fifty (50) feet except adjacent to residential district where one hundred (100) feet is required.
- e. Minimum side yard: twenty-five (25) feet each side except adjacent to residential district where one hundred (100) feet is required.
- f. Minimum lot depth: two hundred (200) feet from the centerline of road or street.

4. Minimum/Maximum main building size

- a. Maximum building height: forty-five (45) feet
- b. Minimum main building size: Fifteen hundred (1500) square feet not including basement(s), garage(s), porch(es), or similar additions

304 Park District

Operated by the state or local authority for non-profit use for public recreation.

SECTION 4 -- DEFINITIONS

For the purposes of this resolution, certain terms and words are described as follows:

- 400 General terms –The word “used for” include “designed for” and vice versa, words used in the present tense include the future and vice versa; words in the singular numbers include the plural number and vice versa; the word building includes the word “structure;” the word “dwelling; includes the word residence;” the word “lot;” and the word “plot;” and the word “shall” is mandatory and not directory.
- 401 Accessory use: A use of land or of a structure or a portion thereof customarily incidental and subordinate to the principal use of land or building and located on the same lot with such principal use.
- 402 Accessory building : Any building or structure which is separate from the main building, but located on the same parcel as the main building, in any zoning district. (see Section 504)
- 403 Agriculture: The use of land for farming, dairying, pasturage, agricultural, horticulture, floriculture, viticulture, animal and poultry husbandry. The packing, treating or storing produce. The above uses shall not include the commercial feeding of garbage or offal to swine or other animals.
- 404 Agribusiness: Any use of land or buildings to sell a product or service which is used primarily by farmers in the pursuit of agriculture.
- 405 Alterations, structural: Any change in the supporting members of a building such as foundation or bearing walls, columns, beams, or girders.
- 406 Automatic expiration: A time limit placed on the period of time a conditional use permit is valid by the Board of Appeals prior to issuance of the permit.
- 407 Backlot, building lot: Any building lot which is positioned so as to preclude a minimum of 350 feet (see minimum frontage in Section 300 of this resolution) of frontage from being located at the road directly in front of the building.
- 408 Board: Shall mean the Ruggles Township Zoning Board of Appeals,

- 409 Building: A structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals or chattels. When separated by division walls from the ground up without openings, each portion of such buildings shall be deemed a separate building.
- 410 Building height: The vertical distance measured from the average elevation of the finished grade along the front of the building to the highest point of the roof surface.
- 411 Building, main: A building in which is conducted the principal use of the lot on which it is located.
- 412 Business, local: An enterprise engaged in retail trade of a clearly limited nature for the convenience of surrounding residents. These may include, but are not limited to, repair shops, cleaning establishments, drug stores, beauty or barber shops, hobby shops, and businesses for the sale of food and non-alcoholic beverages for consumption either on or off the immediate premises.
- 413 Butchering, custom: A facility established to slaughter livestock owned by an individual. Said facility shall not offer meat for wholesale or retail trade. A facility of clearly limited nature for the convenience of individuals raising livestock for their own consumption.
- 414 Butchering, commercial: A facility established to slaughter livestock. Said facility may offer meat for wholesale or retail trade.
- 415 Zoning Commission or Commission shall mean the Ruggles Township Zoning Commission.
- 416 Commercial shooting range: Any area where the property is used to allow shooting for a fee or fees paid to the owner or operator whether that owner operator is an individual, an association or corporation.
- 417 Conditional use: A use of property which is outside the list of permitted uses and which is subject to approval by the Ruggles Township Board of Zoning Appeals. A conditional use may be granted by the Board when there is a specific provision for such exception made in this Resolution. A list of permitted conditional uses is contained in Section 3 (District Uses) of this resolution.
- 418 Conditional use permit: A permit granted by the Ruggles Township Board of Zoning Appeals for a conditional use of property.
- 419 Dwelling: A building, or portion thereof, designed exclusively for residential occupancy, including one-family dwellings, two-family dwellings, and vehicles or residences designed to be moved or towed on wheels, skids, or rollers, but not

including hotels, motels, boarding houses or rooming houses.

1. **Manufactured Homes:** A detached residential unit designed for transportation after fabrication on public or private thoroughfares on its own wheels or on a flatbed or other trailer and arriving at the site ready for occupancy except for minor and incidental unpacking and assembly operations. A factory built structure having at least thirteen hundred and fifty (1350) square feet, excluding porches, "pull outs" and garages, of living area and from which all wheels, tongues and axles have been removed and which is set on a permanent foundation with footers which extend downward below the frost line. Said permanent foundation must be of solid wall masonry design and shall be positioned within four (4) inches of the periphery of the dwelling. A constructed unit that is approved by the Ohio Department of Industrial Relations. Approved manufactured homes will carry a certification sticker from the State of Ohio. All manufactured homes shall meet requirements of Section 4101.2 of the Ohio Basic Building Code dealing with industrialized units for the year in which they were built. Only manufactured homes from manufactures certified as per Section 4101.2-98 may be located in Ruggles Township.
 2. **Modular Home:** An assembly of materials or products comprising all or part of a total structure which, when constructed, is self sufficient and when installed constitutes a dwelling. Such installation includes its placement. This definition includes sectional units, but not manufactured houses. A single modular home shall be considered a single-family dwelling. Modular homes must be set on a permanent foundation with footers extending downward below the front line. Said foundation must be of solid wall masonry design and shall be positioned within four (4) inches of the periphery of the dwelling.
 3. **Single-family dwelling:** A dwelling which is designed for and occupied by not more than one family.
 4. **Two-family dwelling:** A structure on a single lot of record containing a maximum of two (2) dwelling units, each of which is totally separated from the other by an unpierced wall extending from an exterior wall to exterior wall, except for a common stairwell exterior to both units.
 5. **Multi-family dwelling:** A structure on a single lot of record containing a maximum of four (4) dwelling units, each of which is totally separate from the others by an unpierced wall extending from an exterior wall to exterior wall. except for a common stairwell exterior to all dwelling units.
- 420 **Essential services:** The erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies of gas, electrical, water or communications, supply, distribution or service facilities, including poles, wires, mains, drains, pipes, signals, or hydrants including any necessary structures or

buildings reasonably required to assure the provision of adequate supplies of public utilities by the utility or branch government.

- 421 Family: One or more persons occupying a single family dwelling as a single housekeeping unit under a common housekeeping management plan based on a single internally structured relationship providing organization and stability.
- 422 Final zoning permit: A zoning permit which is issued after completion of construction, alteration or changes in the use of any structure or property in Ruggles Township. There is no term limit on a final zoning permit.
- 423 Floor space square footage of a building excluding porches, manufactured dwelling "pull outs," garages, decks, basements and other similar additions.
- 424 Flood Plan Regional: That land inundated by the 100 year flood (regional flood).
- 425 Flood Protection Elevation: The elevation to which uses regulated by this resolution are required to be elevated or flood proof.
- 426 Flood, regional: Large floods which have previously or which may be expected to occur on a particular stream because of local physical characteristics.
- 427 Home occupation: A home occupation is a business conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. The home occupation shall not create undue amounts of traffic, noise or nuisances for neighboring property owners. Home occupations include, but are not limited to the following: real estate office, barber shop, beauty shop, doctor offices, leather shops, crafts, or repair shops for small appliances. Specifically excluded from the home occupation category are the following: heavy equipment and truck repair, except for a maximum of two (2) pieces of equipment or trucks owned and operated by the property owner as his primary occupation. (See Supplemental regulation 506 in this resolution).
- 428 Kennels, commercial: Any land used to house more than three (3) dogs for commercial purposes including breeding dogs for sale. A kennel license obtained by the operator shall automatically deem the kennel to be a commercial kennel which must adhere to the commercial kennel regulations in this resolution..
- 429 Junk yard or recycling center: An area where waste scrap metal, paper ,two (2) or more unlicensed motor vehicles or other motor vehicles or parts thereof, or similar materials are bought, sold, exchanged, stored, packed, or handled, including building wrecking yards, and including uses taking place entirely within an enclosed building.

- 430 Lot: A parcel of land of sufficient size to meet minimum zoning requirements and to provide such yards and other open spaces as herein required. Such lots shall have frontage on improved streets or roads and may include:
- a. A single lot of record
 - b. A portion of a lot of record
 - c. A combination of complete lots of record, of complete lots on record and portions of lots of record.
1. Corner lot: A lot located at the intersection of two (2) or more streets. A lot abutting on a current street or streets shall be considered a corner lot if straight lines drawn from the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.
 2. Interior lot: a lot other than a corner lot.
 3. Reversed corner lot: A corner lot the side street line of which is substantially a continuation of the front line of the lot to its rear.
 4. Through lot: An interior lot having frontage on two or more streets, but not qualifying as a corner lot.
- 431 Lot area: The total area within the lot lines of a piece of property.
- 432 Lot depth: the distance between the front and rear lot lines measured along the median between the two (2) side lot lines.
- 433 Lot lines: The lines bounding a lot as defined herein.
- 434 Lot width: The horizontal distance between the side lot lines measured at right angles to the lot depth at the building setback line.
- 435 Neighborhood commercial: Land used for construction or use by a commercial enterprise to provide domestic goods or services to those residents in the immediate area such as grocery stores, appliance services, etc.
- 436 Nonconforming building: A building or a portion thereof lawfully existing at the time of adoption of this resolution and which does not conform with the regulations of the district in which it is now located.
- 437 Nonconforming use: A use which lawfully occupied a building or land at the time of adoption of this resolution and which does not conform with the regulations of the district in which it is located.
- 438 Person: An individual, partnership, association, firm, syndicate, company, trust, corporation, department, bureau or agency, or any other entity recognized by law as the subject of rights and duties.
- 439 Planned unit development: A contiguous area of land in which a variety of housing types and clusters are accommodated in a pre-planned environment

under more flexible standards such as lot sizes and setbacks, than those that normally apply under these Regulations.

- 440 Preliminary zoning permit: A permit issued after application for a Zoning Permit to allow the permit holder to construct, alter or change the use of structures or property in Ruggles Township. The term of a Preliminary Zoning Permit is limited by this resolution and is considered temporary pending issuance of a Final Zoning Permit.
- 441 Professional services: The use of offices and related spaces for such services as, but not limited to, medical practitioners, veterinarians, lawyers, architects, dentist, engineers, etc.
- 442 Public use: Public parks, schools and adjunctive administrative uses, cultural uses and service buildings devoted solely to the storage and maintenance of equipment and material.
- 443 Recreational Facilities:
1. Commercial recreational facilities: Recreational facilities established for profit such as but not limited to, commercial golf courses, swimming pools, ice skating and race tracks.
 2. Noncommercial recreational facilities: Private and semi-private recreational facilities which are not operated for commercial gain, such as but not limited to, country clubs, riding clubs, private golf courses, game preserves, or community swimming pools. Noncommercial recreational facilities may be leased to outside groups or organizations provided the fees for such purposes is limited to incidental and custodial expenses.
- 444 Residential enterprise: A home occupation that employs individuals who are not residents of the dwelling. (See Section 507)
- 445 Rezoning: An amendment to, or a change in the Zoning Resolution, rezoning can take three (3) forms:
1. A comprehensive revision or modification of the zoning resolution text, and/or map.
 2. A change in the zone requirements.
 3. A change in the zoning map.
- 446 Roadside stands: Small structures (maximum of one hundred (100) square feet) for the sale of agricultural and plant nursery products, a minimum of fifty (50) per cent of the produce shall be raised on the premises. Parking off the highway must be provided.
- 447 Service uses: An enterprise engaged in the business of providing support for the convenience of individuals or other businesses. These may include but be not limited to the following uses: plumbers, electricians, heating contractors, printers,

landscapers, and product distributors.

- 448 Setback line: A line established by this zoning resolution on a lot, of specified distance and drawn parallel to the lot line to restrict the intrusions of building onto a lot line and providing free movement of air and adequate amounts of light
- 449 Semi-public use: Churches and other places of worship, Sunday Schools, Parochial Schools, colleges, hospitals, and other institutions of an educational, religious, charitable or philanthropic nature.
- 450 Structure: Anything constructed or erected with a fixed location on the ground Among other things, structures include signs, towers, poles and similar constructions.
- 451 Surrender of title: An act initiated by an applicant for a zoning permit for a manufactured dwelling in which the applicant surrenders the title or certificate of title to the manufactured dwelling to the Ashland County Auditor. The act of surrender permits Ashland County authorities to tax the dwelling as real property.
- 452 Variance: A variance is a relaxation of requirements where such variance will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of this Resolution would result in unnecessary and undue hardship.
- 453 Yard: An open space at grade between a building and the adjoining lot line unoccupied and unobstructed by any portion of a structure from the ground upwards, except as otherwise provided therein.
- 454 Yard, front: A yard extending across the full width of the lot between the nearest front main building and the front lot line; the depth of the required front yard shall be measured from the nearest point of the front lot line.
- 455 Yard, rear: A yard extending across the full width of the lot between the nearest rear main building and the rear lot line. The depth of the required rear yard shall be measured from the nearest point of the rear lot line, or to the center of an alley if one is present.
- 456 Yard, side: A yard between a main building and the side lot lines extending from the front yard, or from the front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line towards the nearest point of the main building.
- 457 Zoning Districts: Shall mean the Zoning Districts and land uses therein as established by the Zoning Resolution of Ruggles Township.

458 Garage sales: Any sale held for the purpose of selling, trading or otherwise disposing of household furnishings, personal goods or other tangible properties of a resident. Garage sales may not be conducted for more than three (3) consecutive days or for no more than a total of twelve (12) days in any one calendar year.

SECTION 5—SUPPLEMENTAL REGULATIONS

- 500 Temporary structures: Temporary structures for human habitation may be permitted during construction or reconstruction of a residence. Such temporary structure shall be used only after approval by the Ashland County Health Department of the sewage system and water supply. A preliminary zoning permit for the location of said temporary structure shall be required. The term of the permit shall be no longer than six (6) months. One renewal of the six (6) month permit shall be allowed. All temporary structures shall be inspected after six (6) months prior to issuance of a renewal permit to determine if construction on the project is progressing. In no case shall a temporary structure be used for more than one year. Temporary structures shall include basement dwellings and require a permit separate from Preliminary Zoning Permit or Final Zoning Permit issued to the builder/owner of the project.
- 501 Deteriorated or Abandoned Structures: Deteriorated or abandoned structures such dwellings, barns, silos, sheds, oil storage tanks or other structures inn a similar condition which create potential health hazards or nuisances shall be demolished and removed. Any of the above structures, destroyed by fire or other causes, must be demolished and the debris removed before a Preliminary Zoning Permit may be issued, or within ninety (90) days after a notice of violation has been issued by the Zoning Inspector, whichever comes first.
- 502 Junk; scrap metal, paper, two (2) or more abandoned or unlicensed vehicles, household appliances, farm equipment or other similar articles that are not in operating condition or licensed as required by State Law or are creating a health or safety hazard or nuisance shall be removed from the view of the public and placed in an enclosed structure.
- 503 Mineral extraction, storage and processing:
1. Mineral extraction and related activities shall occur where permitted by these regulations and only after a valid Zoning Certificate has been obtained.
 2. Mineral extraction and related activities shall occur no closer than five hundred (500) feet from any structure intended for human occupancy.
 3. The operator of any facility used for mineral extraction shall submit to the Zoning Inspector a map showing the areas to be mined and identifying adjacent property owners, roads, natural features and any additional information deemed necessary by the Zoning Inspector.
 4. The operator of any facility used for mineral extraction shall submit to the Zoning Inspector a plan outlining how the area shall be reclaimed. The plan shall include the anticipated future use of the property, the final topography indicated by contour lines of intervals of not more than five (5) feet, the type trees and shrubs, and number per acre, type and quality of grass to be spread

location of roads, location of proposed drainage courses, plus any information deemed necessary by the Zoning Inspector.

5. In most cases a performance bond payable to the County Commissioners shall be filed by the operator. This bond shall be held to guarantee satisfactory compliance by the operator with the requirements of these Regulations. The rate per acre of property to be mined shall be fixed to equal the expected costs of reclamation. Said bond shall be released by the County Commissioners upon written certification of a compliance with these Regulations and satisfactory completion of the restoration plan.
6. These regulations do not apply to oil and gas wells.

504 Accessory Buildings:

1. A zoning permit shall be required for accessory buildings greater than 10 feet x 12 feet in any district.
2. Accessory buildings shall be located in the side or rear yard.
3. Accessory buildings shall be no closed than ten(10) feet from any property line.
4. Accessory buildings shall not occupy more than ten(10) percent of the required yard.
5. Mobile homes, manufactured dwellings, truck bodies, semi-trailers, vans, buses, train cars, and other similar vehicles shall not be utilized as accessory buildings in any district in Ruggles Township.
6. Accessory buildings greater than 10 feet by 12 feet must be placed on a permanent foundation with footers extending downward below the frost line. Said foundations shall be constructed to be positioned within four (4) inches of the periphery of the building. Accessory buildings of pole or clear span steel construction are exempt from Section 504. Item 6 of this regulation.

505 Yard Requirements:

1. Interior lots having frontage on two streets shall only be required to provide the required front yard on one street.
2. In the case of corner lots used for residential purposes, the required front yard shall be provided for along the right of way that the residence fronts on.
3. In situations where forty (40%) percent or more of the frontage on the same side of a street between two (2) intersecting streets is developed with new structures, new buildings shall be erected no closer or farther from the right-of-way than the average distance as established by existing buildings.

506 Home Occupations:

1. Home occupations may occur only in the owners dwelling.
2. The home occupation shall be a use clearly incidental to the use of the dwelling as a residence.
3. Only residents of the dwelling may be employed by, or work for, the Home Occupation.
4. Home occupations include, but are not limited to: Beauty shops, Seamstresses, Leather working, shops for the repair of small appliances or motors, or craft

supplies and training.

507 Residential Enterprise

1. A maximum of two (2) nonresidents of the dwelling may be employed by, or work for, the owner.
2. The residential enterprise shall be a use that is clearly incidental to the use of the dwelling as a residence.
3. The enterprise may occur in the dwelling, garage or accessory building of the owner providing the enterprise does not exceed a maximum of 1500 square feet.
4. Residential enterprises are permitted only after the owners obtain a valid Conditional Use Permit for the activity.
5. Truck and heavy equipment repair is specifically excluded from residential enterprises.
6. The structure used as a residential enterprise shall be subject to an inspection by the zoning inspector every six (6) months to ensure compliance with these regulations.

508 Correction Period

All zoning violations shall be corrected within thirty (30) days – or a stipulated period established by the Ruggles Township Zoning Inspector – of receipt of a written notice of said violation by the owner of the property. Any violation not corrected in this period of time shall be acted upon by provision contained in the Ohio Revised Code and the Ruggles Township Zoning Resolution.

509 Planned Unit Development

1. All planned unit developments shall be subjected to the following rules, requirements, criteria and standards.
2. The requirements needed to obtain a Conditional Use Permit shall be followed.
3. Planned unit development shall only be permitted in Districts identified for such uses in these regulations.
4. All applicable State and Local Regulations shall be followed during the planning, design, construction and occupation of a planned unit development.
5. The Board of Zoning Appeals shall consider the following points when making their decision:
 - a. Different type of living environments are available by offering a variety of housing and building types and by permitting an increased density of housing units per acre through a reduction in lot dimensions, yard dimensions, setbacks, and area requirements.
 - b. A well thought out pattern of open space and recreation areas convenient to accessory uses and dwellings is included.
 - c. A development pattern that preserves the natural topography geological features and vegetation without disrupting natural drainage features.
 - d. A more efficient use of land is achieved resulting in savings through

shorter streets and utility lines.

- e. A development pattern consistent with the land use, density, transportation facilities and community facilities objectives.
- f. The Planned Unit Development does not adversely affect the neighboring land use.

511 Public Nuisances and Hazards

No land, building or use shall be used or occupied so as to be a nuisance or hazard to adjoining property owners or adversely affect neighboring areas. All noxious or hazardous substances shall be stored, transported or used and disposed of in such a way so as to not be a hazard to adjoining property owners and uses. Adequate precautions shall be taken to ensure the safety of adjoining property owners.

512 Flood Hazard Areas

Structures and land uses located in the Regional Flood Plain shall be subject to the following requirements:

1. Construction of any permanent structure in a flood hazard area is prohibited by this resolution.
2. The zoning classification of the property shall apply to areas in the flood plain.
3. Only those uses listed for that zoning district shall occur in the flood hazard Area.
4. Permitted Uses:
 - a. General Farm District: Agriculture uses all (except residences and related permanent structures) residential uses, lawns, gardens and recreational areas.
 - b. Residential Districts: Agriculture uses, all (except residences and related permanent structures) residential uses, lawns, gardens, and recreational areas.
 - c. Commercial District: Agriculture uses, all (except residences and related permanent structures) residential uses, lawns, gardens and recreational areas. Commercial uses such as loading, parking or storage areas for items not subject to flood damage or easily moved.
 - d. Industrial District: Agriculture uses, all Commercial uses such as loading parking, or storage areas. Industrial uses, parking or loading areas, storage areas for items not subject to flood damage or easily moved.
5. Utility facilities such as dams, power plants, flowage areas, transmission lines, pipelines, water monitoring devices or dikes or earthen structures are also permitted.
6. Temporary structures located in the regional flood plain shall not be used for human habitation.
7. Hazardous or toxic substances shall not be stored in flood prone areas.

513 Signs

1. All signs located in Ruggles Township shall follow the requirements of

these regulations.

- 2. The following signs shall be permitted in any district. No permit shall be required; however, setback dimensions as contained in the Resolution's Section 513-3-b and 513-3-c must be complied with:
 - a. Real Estate rental or sale signs of less than six (6) square feet per side.
 - b. Signs advertising Home Occupations or Residential Enterprises of not more than six (6) square feet.
 - c. Signs listing the name and address of occupants of a structure not exceeding four (4) square feet per side.
 - d. Signs or bulletin boards related to places of worship, public buildings or social clubs or societies not exceeding forty (40) square feet,
 - e. Entrance, exit or directional signs.
 - f. Temporary signs advertising special events or the construction of building completion of the advertised activity.
 - g. Political signs not exceeding four (4) square feet, these signs must be removed within two (2) weeks of the election.
 - h. Signs erected by governmental agencies.
 - i. Signs advertising roadside stands not exceeding six (6) square feet.

- 3. Zoning Certificates shall be required for the following types of signs:
 - a. Outdoor advertising signs not located on the premises of the establishment advertised.
 - b. Signs shall be set back from the edge of the right-of-way as required by the following table:

SIZE	SETBACK
less than or equal to 10 sq. ft	10 feet
11 to 30 square feet	20 feet
31 to 50 square feet	30 feet
51 square feet or greater	50 feet

- c. Signs shall be separated from each other a minimum of ten (10) times the average size of the signs: Signs shall be not less than one hundred (100) feet apart.
 - d. Signs shall be located more than one hundred (100) feet from a residential structure.
 - e. No sign shall be greater than one hundred (100) square feet in total surface per side.
 - f. Signs on the premises of commercial or industrial uses: the edge of of such signs shall not be closer than fifteen (15) feet to the right-of-way.
- 4. The following types of signs are prohibited:
 - a. Signs attached to or painted on trees, rocks or natural features.
 - b. Flashing or illuminated signs that distract drivers.
 - c. Signs that reassemble devices erected under governmental authority.
 - d. Signs located in dedicated right-of-way.
 - e. Signs deemed to be unsafe or a public hazard.

5. When the regulations conflict with applicable state requirements, said

state requirements shall apply and no permit will be issued for any sign failing to meet State of Ohio specifications.

514 Nonconforming Building and Uses

- 1 Any lawful uses of buildings or land existing at the time of the adoption of this Resolution may continue, even though such use does not conform to the district requirements.
2. A nonconforming structure or land use may be enlarged a maximum of twenty (20) percent of the original floor or ground area provided that all requirements concerning setback lot area are met. Enlargements of greater than twenty(20) percent of the floor space of a nonconforming building or structure are permitted only if the building or structure meets or exceeds all standards applicable to new dwellings or structures set forth in this Resolution. After enlargements greater than twenty (20) percent shall be rescinded.
3. Whenever a building or land use becomes nonconforming through an amendment to this Resolution or to the Zoning Map, such use may continue.
4. Any nonconforming use that is discontinued for a period of one (1) year shall not again be started except in total conformation with these Regulations.
5. Any structure under construction at the time of adoption of these Regulations designed for a conforming use may be used for its intended purpose. However, failure to complete the construction under permit within a twelve (12) month period shall render the permit invalid and said structure shall be removed from the premises or brought into compliance with this Resolution.
6. A nonconforming building or structure damaged by fire, explosion, act of nature or a public enemy to the extent that up to fifty (50) percent of the structure must be replaced, may be restored to the same use within twelve (12) months provided all reconstructed portions of the structure conform to the requirements of these Regulations.
7. A nonconforming building or structure damaged by fire, explosion, act of nature or a public enemy to the extent that more than fifty (50) percent of the structure must be replaced, may be reconstructed by meeting all standards applicable to new dwellings or structures set forth in this Resolution. Upon determination of the extent of required reconstruction as being in excess of fifty (50) percent said nonconforming use shall be rescinded.
8. Replacement of a nonconforming building or structure is permitted only if the new building or structure meets all standards applicable to new dwellings or structures set forth in this resolution. Upon replacement of the building or structure said non conforming use shall be rescinded.

515 Conditional Uses

1. Under special conditions, land uses other than those specifically permitted by this Resolution may occur in a district. A list of these uses is located under Section 3 of this Resolution. A special permit must be obtained from the Zoning Board of Appeals before the development of any land use identified in this resolution as a "Conditional Use."
2. All proposed "Conditional Uses" are subject to the following general standards:
 - a. The uses will be harmonious with and in accordance with the general objectives, or with any specific objectives of the Township Zoning Resolution.
 - b. All structures and uses will be designated, constructed, operated and maintained so as to be harmonious, safe and appropriate in appearance and use with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
 - c. The purposed use will not be hazardous or disturbing to existing or future neighboring uses.
 - d. The proposed use will be served adequately by essential public services (fire, police, highways, sewers, water, schools,) or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately and such service.
 - e. That the proposed use will not create excessive additional public costs or responsibilities for services and will not be detrimental to the community.
 - f. The proposed use will not involve activities, processes, materials, or equipment detrimental to persons, property or the general welfare of the community because of excessive noise, smoke, odors, traffic, glare, or fumes.
 - g. Adequate access to the use shall be provided that does not interfere with surrounding uses or disrupt current traffic patterns.
 - h. The proposed use will not result in the destruction, loss or damage of natural, scenic or historic features of major importance.
3. When making its review of the proposed used the Board of Zoning Appeals shall review the proposal on the basis of the above factors and any other criteria deemed pertinent by them. Such review shall follow the requirements established in Section 7 of this Resolution.

516 Custom Butchering:

Custom Butchering as defined, shall be permitted in those districts identified in these regulations. A facility used for custom butchering shall be located no closed than two hundred (200) feet to the residence of an adjacent property owner. No wholesale or retail trade shall be associated with the facility. The Ashland County Board of Health, shall certify the adequacy of sanitary measures to dispose of animal waste and byproducts before the facility is occupied.

Provisions for pasturage or long term care of animals to be slaughtered shall be prohibited.

517 Swimming Pools

1. For the purposes of this resolution, swimming pools shall be defined as all inground pools.
2. Before constructing or installing a swimming pool, a valid zoning certificate shall be obtained from the zoning inspector.
3. All swimming pools shall be surrounded by a chain link, or solid wood fence at least forty-eight (48) inches high.
4. All gates shall be securely locked from the inside.
5. No swimming pool shall be located closer than twenty-five (25) feet from any property line.

518 Kennels

An accessory use of home occupation when more than three (3) dogs are maintained on the premises. Any resident who purchases a kennel license from Ashland County shall be deemed as maintaining a kennel. A kennel can also be an accessory use of a veterinary clinic. Said accessory use shall be clearly incidental to the main use of the facility as a clinic. Measures shall be taken to keep noise levels at a minimum so as not disturb neighboring property owners.

519 Manufactured Home Parks

1. Manufactured Home Parks are permitted in those districts specified in Section 3 of this Resolution. All manufactured home parks shall meet the following conditions and criteria:
 - a. The applicant presents plans, specifications, designs criteria and other data for the proposed park in a form suitable for making the determination herein required by the Board of Zoning Appeals and other pertinent information they may require in each individual application.
 - b. Such plan, at a scale approved by the Board of Zoning Appeals shall show the location and dimensions of streets and other roadways and lots.
 - c. All manufactured home parks shall meet current state or local regulations governing their placement and occupancy.
2. Standards for Manufactured Home Parks:
 - a. Size of site: minimum of ten (10) acres.
 - b. Density: Maximum of four (4) manufactured houses per gross acre.
 - c. Minimum number of sites: A minimum of twenty-five (25) at first occupancy.
 - d. Width: Minimum width of the development shall be three hundred (300) feet.
 - e. Depth: Maximum depth of the development shall not exceed five (5) times the width.
 - f. Buffering: The other boundaries of the park shall contain a buffer zone composed of a green strip of not less than fifty (50) feet in the front and

- twenty-five (25) feet on both sides and to the rear.
- g. Access: Shall be provided into the park with a minimum right of way of sixty (60) feet in width with a minimum of thirty (30) feet to be a paved roadway.
 - h. Roads: Marginal access roads may be required if deemed necessary by the Board of Zoning Appeals. These streets shall have a minimum right-of-way of sixty (60) feet and a pavement width of thirty (30) feet.
 - i. Walkways: Shall be provided with a minimum width of three (3) feet and shall be paved.
 - j. Recreation and open space: A minimum of seven(7) percent of the gross land area of the development shall be reserved for recreation and open space uses, excluding any yard requirements.
3. Standards for Lots:
- a. Lots shall follow the minimum standards required in the current Subdivision Regulations for Ashland County.
 - b. Setbacks: A minimum side yard setback of fifteen (15) feet shall be maintained and a minimum of twenty-five (25) feet shall be maintained as front yard and rear yard setbacks.
 - c. Parking: A minimum of four hundred (400) square feet of off street parking per space or lot, for two (2) cars shall be provided and paved.
 - d. Walkways: Each lot or space shall have a paved walkway of a minimum of three (3) feet in width leading to the main entrance from the walkway along the right of way.
 - e. Skirting: Each manufactured home shall be completely skirted, entirely closing the bottom, within thirty (30) days of its placement. The term "skirting" shall mean the use of any rigid weatherproof material designed and installed in such a manner as to provide a solid or visual barrier between the underside of a mobile home and the pad.
 - f. Pad: Each lot or space shall be provided with a stable base or foundation on which to place the manufactured home and acceptable to the Board of Zoning Appeals.
 - g. Lot Numbering: Each manufactured home space or lot shall be numbered for identification purposes.
 - h. Tie-downs: Each manufactured home shall employ the use of tie downs to support it in high winds. Tie down anchors are to be furnished at the time of construction which are acceptable to the Board of Zoning Appeals.
 - i. All manufactured home size standards will comply with the minimum living space standards contained in Section 519 of this resolution.

SECTION 6 ZONING COMMISSION

600 Membership

1. The Zoning Commission, hereafter called the Commission, shall be appointed by the Board of Township Trustees of Ruggles Township and shall consist of five (5) members (none of whom shall be concurrently appointed as a member of the Board of Zoning Appeals) who are residents of the unincorporated area of the Township.
2. Of the five (5) members of the Commission, one (1) shall serve until the first Monday of the second January following the appointment; one (1) until the first Monday of the third January thereafter; one (1) until the first Monday of fourth January thereafter; one (1) until the first Monday of the fifth January thereafter and one (1) until the first Monday of the sixth January thereafter. Their successors shall be appointed on the expiration of their respective terms to serve five (5) years. Each member shall serve until his or her successors is appointed and qualified. Members may be appointed to fill their own or another vacancy. The Board of Trustees may remove any member for cause, after a public hearing, in accordance with the provisions of Section 519.04 of the Ohio Revised Code. Vacancies shall be filled for the unexpired term of any member whose position become vacant.

601 Rules of the Commission

1. The Commission shall be majority vote of its members, elect a chairman, a vice- chairman and a secretary, who shall occupy such offices until their successors are duly elected at the next annual meeting of the Commission which shall be held during the month of January each year.
2. Meetings of the Commission shall be at the call of the chairman or the Ruggles Township Fiscal Officer and at such times as the Commission may determine. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, and of which members' absence or failure to vote, and shall keep records of every official action, every rule or regulation, every amendment or repeal thereof, and every order, requirement, decision or determination of the Commission and shall be filed in the office of the Commission or Ruggles Township Fiscal Officer and shall be a public record.
3. If any member of the Commission is absent for four (4) consecutive meetings, he may be considered, at the option of the chairman, to have resigned and the chairman may request to the Board of Trustees to appoint a replacement.

4. The Zoning Commission shall require a quorum of three (3) members at all of its meetings and the concurring vote of three (3) members shall be required to affect the decision of the Commission.

602 Changes and Amendments

1. Authority:
 - a. All provisions of current state laws pertaining to township zoning shall be complied with. Whenever the public necessity, convenience, general welfare or good zoning practice requires, the Board of Trustees may, by resolution, after report thereon by the Commission and subject to the procedure in this Section complied with. Whenever the public necessity, convenience, general welfare or good zoning practice requires, the Board of Trustees may, by resolution, after report thereon by the Commission and subject to procedure in this Section and/or the current Ohio law, amend, supplement, or change the resolution, district boundaries or classification of property, now or hereafter established by the resolution and current official zoning map.
 - b. It is the intent of this Resolution to discourage all forms of zoning that result in small portions of the same platted property zoned differently.
2. Initiation: Amendments or supplements to the zoning resolution may be initiated as follows:
 - a. By motion of the Ruggles Township Zoning Commission
 - b. By passage of a Resolution therefore by the Board of Township Trustees, and a certification of the same by the Commission:
 - c. By the filing of an application by one (1) or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment or supplement with the Ruggles Township Zoning Commission.
3. Applications: Applications initiated by private owners or lessees for any change of district boundaries or reclassification of districts as shown on the official zoning map shall be filed with the Commission upon forms approved by the Commission and accompanied by such data and information prescribed for the purpose of the Commission.
4. Fee: A fee established by the Board of Ruggles Township Trustees shall be paid to the township upon the filing of each application for change of district classification, except actions initiated by the Board of Ruggles Township Trustees or the Ruggles Township Zoning Commission. Said fees shall be paid to the Zoning Inspector.
5. Transmittal to the Ashland County Regional Planning Commission within five (5) days after the adoption of such application, the Commission shall transmit a copy thereof, together with text map to the Ashland County

- Regional Planning Commission. The Regional Planning Commission shall recommend the approval or denial of the proposed amendment or supplement, or the approval of some modification thereof, and shall submit such recommendation to the Commission. Such recommendation shall be considered at the public hearing held by the Commission.
6. Hearing and notice by the Zoning Commission: Upon the adoption of such motion or the certification of such Resolution, or the filing of such application, the Ruggles Township Zoning Commission shall hold a public hearing thereon. The Commission shall set a date for the public hearing not less than twenty (20) nor more than forty (40) days from the date of the certification of such resolution, or the date of adoption of such hearing shall be as follows:
 - a. A notice shall be published in one (1) or more newspapers of general circulation in the Township at least fifteen (15) days before the date of such hearing.
 - b. If the proposed amendment or supplement intends to rezone or redistrict ten (10) or fewer parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Commission, by first class mail requiring a signed receipt by the receiver, at least twenty (20) days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from such area proposed to be rezone or redistricted to the addresses of such owners appearing on the Ashland County Auditor's current tax list or the Ashland County Treasurer's mailing list. The failure to deliver such notice shall not invalidate any such amendment or supplement. The published and mailed notices shall set forth the time and place of the public hearing, the nature and extent of the proposed amendment or supplement, and a statement that after the conclusion of such hearing the matter will be referred for further determination to the Ruggles Board of Township Trustees.
 7. Records: The Ruggles Township Zoning Commission shall keep minutes of its proceedings showing the vote of each members upon each question and shall keep records of its examinations and upon other official action, all of which shall be filed in the office of the Board of Township Trustees and shall be a public record.
 8. Decision by the Ruggles Township Zoning Commission and submittal to the Board of Township Trustees: The Commission shall study the proposed changes in the terms of public necessity, convenience, general welfare and good zoning proactive. The commission shall, within thirty (30) days after such hearing, recommend the approval or denial of the proposed amendment or supplement or the approval or some modification thereof, and submit such recommendation of the Ashland County Regional Planning Commission to the Ruggles Township Board of Trustees.
 9. Hearing and Notice by the Board of Township Trustees: The Ruggles Board of

Township Trustees, upon receipt of such recommendation from the Zoning Commission, shall hold a public hearing thereon. The Board of Township trustees shall set a time for the public hearing on the proposed amendment or supplement not more than thirty (30) days from the date of the receipt of such recommendation from the Commission. Notice of such public hearing shall be given by the Board of Township Trustees by one (1) publication in one (1) or more newspapers of general circulation in the township at least fifteen (15) days before the date of such hearing and shall include a summary of the proposed amendment or supplement.

10. Action by the Board of Township Trustees: Within twenty (20) days after such public hearing, the Board of Township Trustees shall vote on the recommendation of the Ruggles Township Zoning Commission. The unanimous vote of the Board of Township Trustees shall be required to override or modify the recommendations of the Ruggles Township Zoning Commission.
11. Effect and Referendum: Such amendment or supplement adopted by the Ruggles Board of Township Trustees shall become effective in thirty (30) days after the adoption unless within thirty (30) days after the adoption of the amendment or supplement there is presented to the Board of Township Trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the Township, or part thereof, included in the zoning plan, equal to and not less than ten (10) percent of the total vote cast for all candidates for governor in such areas at the last general election at which a governor was elected, requesting the Board of Township Trustees to submit the amendment or supplement to the electors of such area for approval or rejection at the next primary or general election.
12. No amendment or supplement for which such referendum vote has been requested shall be put into effect unless a majority of the vote cast on the issue is in favor of the amendment or supplement. Upon certification by the Ashland County Board of Elections that the amendment or supplement has been approved by the voters it shall take effect immediately. Aggrieved parties may appeal decisions to the Ashland County Court of Common Pleas.

SECTION 7 – BOARD OF ZONING APPEALS

700 Membership

1. The Ruggles Township Board of Zoning Appeals, hereinafter called the Appeals Board, shall be appointed by the Ruggles Township Board of Trustees and shall consist of five (5) members (none of whom shall be concurrently appointed as a member of the Ruggles Township Zoning Commission) who are resident of the unincorporated area of the township.
2. The members of the Appeals Board shall serve the same length of terms, and appointments should be staggered in the same manner as provided for Ruggles Township Zoning Commission in Section 6. The Board of Township Trustees may remove a member for cause, after public hearing in accordance with the provision of Section 519.04 of the Ohio Revised Code. Vacancies shall be filled for the unexpired terms of any member whose place becomes vacant.

701 Rules of the Appeals Board

1. The appeals Board shall be majority vote of its members elect a chairman, vice-chairman and secretary who shall occupy such offices until their successors are duly elected at the next annual meeting of the Appeals Board, which shall be held during the month of January each year.
2. If any member of the Appeals Board is absent for four (4) consecutive meetings, he may be considered, at the option of the chairman, to have resigned, and the chairman may request the Board of Township Trustees to appoint a replacement.
3. All meeting of the Appeals Board shall be open to the public.
4. The Appeals Board shall keep minutes of all meetings showing the proceedings, the vote of each member upon each question, or if absent or failing to vote, indicating such fact and shall keep records of its examinations and other official actions all of which shall be immediately filed in the office of the Township Trustees and shall be a public record.
5. The Appeals Board shall require a quorum of three (3) members at all meetings and the concurring vote of three (3) members shall be required to affect any decisions by the Appeals Board.

702 Powers and duties of the Appeals Board

1. Appeals: To hear and decide appeals where it is alleged there is an error in any

interpretation, order, requirement, decision or determination made by an administrative official in the enforcement of the provision of this Resolution

2. Variances: Upon appeal in specific cases, where, by reason of exceptional narrowness, shallowness or shape or exceptional topographical conditions or other extraordinary situations or conditions of a lot, the strict application of the terms of this Zoning Resolution would result in peculiar and practical difficulties or unnecessary hardship upon the owner, the Ruggles Township Zoning Board of Appeals may grant a variance provided it will not substantially impair or change the intent of the Zoning Resolution. The following test shall be applied by the Board in determining unnecessary hardship:
 - a. The applicant's hardship cannot be one of economics alone: for hardship the required USE must remove all profitable USE from the land.
 - b. The hardship must result from the requirements of this resolution and not from the applicant's own actions.
 - c. Real hardship must be shown ; It is not sufficient to allege that the granting of a variance will not have any harmful effect on the surrounding area.
 - d. The variance must not be contrary to the public interest even if hardship is shown.
 - e. The variance must not alter the essential character of the area.

No variance shall be granted unless the Appeals Board finds that ALL of the following conditions exist:

- a. The special circumstances or conditions applying to the building or land in question are unique to such lot or property and do not apply generally to other land or buildings in the vicinity.
- b. The granting of the application is necessary for the preservation and enjoyment of a substantial property right and not merely as a convenience to the applicant.
- c. The authorization of the variance will not impair an adequate supply of light and air to the adjacent property or unreasonably increase the congestion in public street, or increase the danger of fire or imperil the public safety or unreasonably diminish or impair established property values within the surrounding areas or in any way impair the health, safety, convenience or general welfare of the inhabitants of Ruggles Township.

3. Conditional Use Zoning Certificates: To grant a Conditional Use Zoning Certificate for the use of land, buildings or other structures if such certificate for specified uses are provided in the Ruggles Zoning Resolution (see Districts Conditional Uses).

All proposed conditional uses are subject to the general standards listed in Section 5 paragraph 514, parts 1, 2 and 3 of this resolution. Procedures for obtaining conditional use permit are contained in Section 117 of this Resolution.

703 Procedures

1. Meetings of the Appeals Board shall be at the call of the chairman and at such other times as the Appeals Board may determine, The chairman, or in his absence, the acting chairman, may administer oaths, and the Appeals Board meetings shall be open to the public. The Appeals Board shall keep minutes of its proceedings showing the vote of each member upon each question, and of each member's absence or failure to vote, and shall keep records of every official action, every rule or regulation, decision or determination of the Appeals Board, all of which shall be filed in the office of the Board of Township Trustees and shall be a public record.
2. Appeals and Variances: Appeals and Appeals for Variances to the Ruggles Township Board of Zoning Appeals may be made by any person aggrieved or by any officer of Ruggles Township. Appeals and Appeals for Variances may only be filed after denial by the Ruggles Township Zoning Inspector for a preliminary zoning permit or a final zoning permit in the particular case being argued by appellant. Such appeal shall be made within twenty (20) days after filing with the Township Fiscal Officer, a notice of such appeal, specifying the grounds for the appeal on forms approved by the Appeals Board. A fee established by the Ruggles Township Board of Trustees shall be paid to the Township Fiscal Officer upon the filing of each appeal. The Township Fiscal Officer shall transmit to the Appeals Board all the papers constituting the record upon which the action appealed from was taken.
3. Public Hearing and Decision: The Ruggles Township Board of Zoning Appeals shall fix a reasonable time for the public hearing for the appeal, give at least ten (10) days notice in writing to the parties of interest, give notice of such public hearing by one (1) publication in one (1) or more newspapers of general circulation in the Township and at least ten (10) days before the date of such hearing and decide the appeal within a reasonable time after it is submitted. Upon the hearing, any person may appeal in person or by attorney. Every decision of the Appeals Board

shall be based upon a finding and facts shall be reduced to writing and preserved among records.

4. Refusal of the Appeal: The refusal of an applicant's request by the Appeals Board can only be appealed to the Ashland County Court of Common Pleas.

SECTION 8 ADMINISTRATION

800 Zoning Inspector

The Ruggles Township Board of Trustees shall appoint a Ruggles Township Zoning Inspector, and fix his compensation. It shall be the duty of the Zoning Inspector to :

1. Enforce the provision of this resolution;
2. Issue permits as provided in this Resolution, and to keep record of all permits issued or refused with a notation of any special conditions involved.
3. File and safely keep copies of all plan submitted, and the same shall form a part of the records in his/her office.
4. Maintain a certified copy of the text of this resolution and of the Ruggles Township Zoning Map.
5. Keep records of all violations or complaints.
6. Make such records available for the use of the Ruggles Township Board of Trustees, The Ruggles Township Zoning Commission, the Ruggles Township Board of Zoning Appeals and to the public.

801 Zoning Certificates

1. Requirements: No person shall locate, erect, construct, reconstruct, enlarge or structurally alter a non-farm building, accessory building or structure within Ruggles Township without obtaining a Preliminary Zoning Certificate. No Zoning Certificate shall be issued unless the plan for the proposed building or structure fully comply with these Zoning Regulations. Construction shall start within six (6) months from the date of issue of the Preliminary Zoning Permit or the Preliminary Zoning Certificate shall null and void. Construction shall be completed within one year from the date of issue or the permit will become null and void. New permits for the same project may be issued at any time. A one-time renewal is allowed for a Preliminary Zoning Certificate providing the procedure mentioned earlier in this resolution is followed.
2. A final zoning permit is issued at no additional fee after construction is completed within the time limits of the Preliminary Zoning Certificate.
3. Applications: Preliminary Zoning Certificates shall be secured from the Ruggles Township Zoning Inspector prior to construction, erection or exterior alteration of any building. Application for Preliminary Zoning Certificates shall be made in writing by the owner or by his authorized agent and shall include all items listed in Section 1 Paragraph 115 of this

Resolution. The required fee as established by the Ruggles Township Board of Trustees shall accompany each application for a Preliminary Zoning Certificate. Zoning Certificates are not transferable.

4. Fees: The Ruggles Township Board of Trustees may adopt a system of Zoning Certificates, establish and collect reasonable fees thereof, and amend such fees, or adopt new fees, from time to time when deemed necessary.

802 Enforcement and Penalties:

1. Enforcement: This Resolution shall be enforce by the Ruggles Township Zoning Inspector or such enforcement officer as may be designated by him/her.
2. Revocation of Zoning Certificates: Any Zoning Certificate issued upon a false statement shall be null and void. Whenever the fact of such false statement shall be established to the satisfaction of the Ruggles Township Board of Trustees, the Zoning Certificate shall be revoked by notice in writing to be delivered to the holder of the void certificate upon the premises. Any person who shall proceed thereafter with such work or use without having obtained a new Zoning Certificate, in accordance with the Resolution, shall be deemed guilty of violation thereof.
3. Violation: In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used, or any land is, or proposed to be, used in violation of this Resolution, The Ruggles Township Board of Trustees, The Ashland County Prosecuting Attorney, The Ruggles Township Zoning Inspector, or any neighboring property owner who would be damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or any other appropriate action or proceeding to prevent, enjoin abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance of use.
4. Fine: Any person, firm or corporation violating any provision of this Resolution shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than one hundred (\$100dollars each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use of continues may be deemed a separate offense.

803 Interpretation, Purpose and Conflict

In interpreting and applying the provision of this Resolution, they shall be held to the minimum requirements for the promotion of the health, safety, comfort,

convenience and general welfare of the community. Where this Resolution imposes a greater restriction upon the use of buildings or land, or upon height of buildings, or requires larger open space than those that are imposed or required by other provisions, this Resolution shall control

804 Validity

If any section, paragraph, subdivision, clause, sentence or provision of this Resolution shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not impair, invalidate or nullify the remainder of this Resolution. The effect shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which judgment or decree shall be rendered.

805 When Effective

This Resolution, as amended, shall be in full force and effect from and after its passage by the Ruggles Township Board of Trustees as provided by the Ohio Revised Code (Section 519.11 and 519.12).

HURON COUNTY

HURON COUNTY

