

FORM NO. 35

(ADOPTION) (DENIAL) (ADOPTION OF MODIFICATION)  
OF THE RECOMMENDATIONS OF THE RUSSELL TOWNSHIP ZONING COMMISSION  
BY THE RUSSELL TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
O.R.C. SECTION 519.12 (H)

The Russell Township Board of Township Trustees, Geauga County, Ohio met in public  
session on the 15th day of November, 2016, at 9:00 AM.

MR. MUELLER moved the adoption of the following resolution:

WHEREAS, on the 28th day of October, 2016, the Board of Township Trustees received a recommendation from the Township Zoning Commission on a proposed amendment, identified as number 2016-7, to the Russell Township Zoning Resolution together with the (motion) (resolution) (application), (~~text~~) (map), and recommendation of the Geauga County Planning Commission relating thereto; and

WHEREAS, on the 15th day of November, 2016, the Board of Township Trustees conducted a public hearing on the proposed amendment as provided by law; therefore be it

RESOLVED, that the Russell Township Board of Township Trustees, Geauga County, Ohio this 15th day of November, 2016 hereby (adopts) (denies) (adopts the following modifications of) the recommendations of the Township Zoning Commission as attached hereto as Exhibit A and incorporated herein.

(set forth modifications if any)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(If the proposed zoning amendment is being adopted or adopted with modifications, the following should also be resolved by the Board of Township Trustees)**

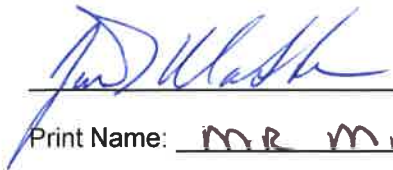
and be it further,

RESOLVED, that the Russell Township Board of Township Trustees, Geauga County, Ohio this 15th day of November, 2016 hereby adopts an amendment to the Russell Township Zoning Resolution (and Zoning Map) as set forth in the text (and map) attached hereto as Exhibits A (~~and~~) and incorporated herein.

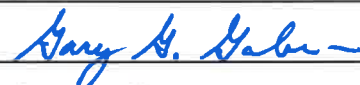
MR. GABRAM seconded the motion and the roll being called the vote of the Russell Township Board of Township Trustees was as follows:

Trustee

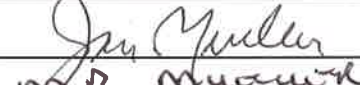
Yes or No

  
Print Name: MR MADDEN

yes

Print Name:   
MR GABORAN


yes

Print Name:   
MR MUCAWIK

yes

Adopted the 15<sup>th</sup> day of November, 20 16.

Attested to by:

  
Russell Township Fiscal Officer  
Print Name: Charles Walder

Amend the Russell Township Zoning Resolution, Section 4.6 Permitted Modifications and Exceptions Service as follows:

**4.6 Permitted Modifications and Exceptions**

- A. ~~Non-Conforming Lots: Any non-conforming lot which was under one (1) ownership at the date of the adoption of this Resolution, provided that the owner thereof owns no adjoining land, may be used as a lot for any purpose permitted in the zone, providing that such non-conforming lot meets all other requirements of this Resolution.~~ (Amended April 16, 1993 - Amendment No. 93-1)
- B. **Height:** The height limitations of this Resolution shall not apply to silos, church spires, belfries, cupolas, and domes not used for human occupancy, nor to chimneys, ventilators, skylights, water tanks, similar features, and necessary mechanical appurtenances usually carried above the roof level. Such features, however, shall be erected only to such height as is necessary to accomplish the purpose they are to serve. In no case shall signs be permitted above the maximum allowable height of the principal structure, exclusive of permitted extension.
- C. No Zoning Certificates shall be required for the following types of buildings, if used for non-commercial purposes, provided that such buildings comply with all applicable front yard, side yard, and rear yard restrictions for the use district, and further provided that such buildings do not exceed eighty (80) square feet in floor area and eight (8) feet in height:
- ... Animal shelters
  - ... Outdoor fireplaces and barbecue pits
  - ... Tool sheds
  - ... Children's play houses
  - ... Greenhouses
  - ... Gazebos
  - ... Unroofed platforms and patios
  - ... Above-ground swimming pools, not exceeding three (3) feet in height
  - ... Pump houses

Amend Section 5.2B Residential Zones as follows:

**5.2 Residential Zones**

The following regulations shall apply to each Residential zone as indicated:

- A. Use regulations applicable to all residential zones:

1. Permitted uses

- .. A single one-family dwelling per lot
- .. Agricultural uses, according to the provisions of Section 4.10
- .. Public uses, land and buildings provided that no building or facility shall be located less than one hundred (100) feet from any lot used for residential purposes and that all parking and service and storage areas be screened with fencing, hedges, or other appropriate means, from all adjacent property and streets.

2. Accessory uses

- .. Home occupations, provided such uses shall occupy not more than thirty (30) percent of the total floor area of the dwelling, and no persons not resident within the dwelling shall be employed in such use. In no case shall such occupations include the commercial manufacture, storage, display and sale of merchandise within the dwelling nor within any accessory building, nor anywhere on the property, nor in any way alter the exterior appearance of the building from that of a dwelling, except for a sign as provided in this Resolution.
- .. Private garages
- .. Private swimming pools, subject to the provisions of Section 4.8
- .. Other uses customarily incidental to permitted principal uses on the property or lot
- .. Farm produce stands may be operated for the sale of farm products produced and processed on the premises, provided that such stands shall be situated not less than twenty (20) feet from the front lot line and that parking areas be provided sufficient for the safe parking of at least three (3) automobiles or for one (1) automobile for every one hundred (100) square feet of area encompassed by the stand, whichever is greatest. All signs shall conform to regulations set forth in Section 4.11 of this Resolution.

3. Conditional uses

- .. Planned residential developments
- .. Parochial or private schools, philanthropic, and charitable institutions and organizations
- .. Churches
- .. Private or commercial and recreational areas and facilities
- .. Restricted research and administrative office campuses
- .. Billboards on any land used for agricultural purposes

4. Maximum Heights of Buildings - The maximum height of any building, including appurtenant or accessory structures such as towers, turrets, poles or

antennas shall not exceed three (3) stories or measure more than thirty six (36) feet above grade, whichever is less.

5. No commercial vehicle exceeding five thousand five hundred (5500) pounds, net vehicle weight, nor exceeding twenty (20) feet in length nor eight (8) feet in height shall be parked on residential property. No construction equipment over 6,000 pounds net weight, 20 feet in length nor 8 feet in height shall be parked on residential property unless actively engaged in performing work on the property. (Amended October 18, 1996 - Amendment No. 96-4)

B. Dimensions which apply to lot size and building placement in residential zones:

	Pre-Existing Lots of Record Under 3 acres in R-3 or R-5 Zone****	R-3 Zone	R-5 Zone
Minimum Lot Area*	60,000 sq. ft.	130,680 sq. ft 3 acres	217,800 sq. ft 5 acres
Minimum Lot Dimensions			
Width Depth frontage**	150 ft. 200 ft. 100 ft.	250 ft. 225 ft. 250 ft.	300 ft. 275 ft. 300 ft.
Minimum Yard Dimensions			
front depth rear depth side width***	70 ft. 25 ft. 30 ft.	100 ft. 75 ft. 50 ft.	125 ft. 100 ft. 50 ft.
Maximum Lot Coverage	10% of lot area for lots under 3 acres	10% of lot area for lots of 3 acres or greater	10% of lot area for lots of 3 acres or greater

\* Except for conditional uses approved in accordance with Section 6.

\*\* Cul-de-sac lots in accordance with Section 4.5.

\*\* On a corner lot the frontage along each street shall meet the minimum frontage requirement for that lot. (Amended May 15, 1998 - Amendment No. 98-1)

\*\*\*The side yard on the street side of a corner lot shall be the same as the front yard required for that street, and subject to the same restrictions as the front yard.

\*\*\*\*Chagrin Heights Subdivision: The minimum lot area, width, depth, and frontage shall be as shown on the plats of record. The minimum front yard depth shall be 35 ft., the minimum rear yard depth shall be 25 ft., and the minimum side yard depth shall be 10 ft. The maximum lot coverage shall be 35%.

On pre-existing lots under three acres, public buildings are permitted provided that no building or facility shall be located less than one hundred (100) feet from any lot used for residential purposes and that all parking and service and storage areas be screened with fencing, hedges, or other appropriate means, from all adjacent property and streets.

Amend Section 7.5 Nonconforming Lots of Record as follows:

### **7.5 Nonconforming Lots of Record**

- A. In any district in which single-family dwellings are permitted, a single-family dwelling or an accessory building may be constructed, erected, reconstructed, enlarged, or altered on a lot of record, which is held in single and separate ownership, and which is nonconforming to the regulations for such district. (Amended June 20, 1984 - Amendment No. 29)
- ~~B. In any district in which single family dwellings are permitted, a single family dwelling or an accessory building may not be constructed, erected, reconstructed, enlarged, or altered on a lot or lots of record which are held in contiguous single ownership, and which are nonconforming to the regulations for such district, unless and until said lot or lots of record are re-subdivided to conform to the regulations for such district. (Amended June 20, 1984 - Amendment No. 29)~~
- ~~C. No lot or lots of record which are held in contiguous single ownership and which are nonconforming to the regulations for such district shall be sold, assigned, or transferred until such lot or lots of record are re-subdivided to conform to the regulations for such district. (Amended June 20, 1984 - Amendment No. 29)~~