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ARTICLE 10

SUPPLEMENTARY DISTRICT REGULATIONS

1000 GENERAL.

The purpose of supplementary district regulations is to set specific conditions for the various uses, classifications of uses, or areas wherein problems may occur, in order to alleviate or preclude such problems, and to promote the harmonious exercise of property rights without conflict.

1001 CONVERSIONS OF DWELLINGS TO MORE THAN ONE UNIT.

A residence may not be converted to accommodate an increased number of dwelling units unless all of the following conditions are met:

1. The conversion is in compliance with all other local codes and ordinances, and any applicable State or Federal regulations;
2. The district, within which, the residence is located is so regulated as to allow such an increase in dwelling units;
3. The yard dimensions still meet the yard dimensions required by the zoning regulations for new structures in that district;
4. The lot area, per dwelling unit, equals the lot area requirements for new structures in that district;
5. The floor area, per dwelling unit, is not reduced to less than that which is required for new construction in that district;
6. The conversion is in compliance with all other relevant codes and ordinances.

1002 PRINCIPAL BUILDING PER LOT.

Unless following subdivision regulations regarding the official schedule of permitted uses and dimensional requirements, no more than one principal, building or structure may be constructed upon any one lot for the purposes of this Ordinance. Rear dwellings shall be restricted and may be considered non-conforming uses that are subject to the requirements of Article 1003 and the Subdivision Regulations.

1. Before any additional dwellings can be constructed, a legal easement must be obtained and filed with the county recorder.

1003 REDUCTION OF AREA OR SPACE.

No lot, yard, parking area, or other space shall be reduced in area or dimension if such reduction has the effect of making the lot, yard, parking area, or other

space less than the minimum required by this Ordinance. Furthermore, any lot, yard, parking area, or space which is already less than the required minimum shall not be reduced further. However, nothing in this section shall be interpreted to limit the power of the Board of Zoning Appeals in the granting of variances under this Ordinance.

1004 CONSTRUCTION IN EASEMENTS.

Easements for installation, operation, and maintenance of utilities and drainage facilities are reserved as shown on each plat when recorded or otherwise established. Within these easements, no permanent building or structure shall be placed or permitted which may damage or which may interfere with the installation, operation, and maintenance of such utilities or which may change the normal direction of flow of drainage channels within the easement. The easement area of each lot, and any improvements within it, shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or a utility is responsible.

1005 HAZARD MITIGATION PLAN.

1. Under the Disaster Mitigation Act of 2000, the United States Federal Emergency Management Agency (FEMA) requires that local jurisdiction have in place a FEMA-Approved Hazard Mitigation Action Plan as a condition of receipt of certain future Federal mitigation funding after November 1, 2004;
2. The Ashtabula County Natural Hazard Mitigation Plan was developed in accordance with regulations of the Disaster Mitigation Act of 2000 and guidance provided by the Federal Emergency Management Agency; and
3. To assist villages and cities in meeting this requirement, the Federal Emergency Management Agency has facilitated the development of a multi-jurisdictional Natural Hazard Mitigation Plan covering the member communities of Ashtabula County, including the Village of Rock Creek, Ohio:
 - A. Rock Creek Village Council adopts the Ashtabula County Natural Hazard Mitigation Plan as the official Natural Hazard Mitigation Plan for the Village of Rock Creek, Ohio. A copy of the Plan adopted shall be kept on file in the office of the Village Clerk in the Village of Rock Creek. Such plan is to be made available for reference at all times during regular office hours;
 - B. All formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its

Committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code; and

- C. That this Ordinance shall take effect and be in full force from and after the earliest date permitted by law.

1006 PARKING AND STORAGE OF VEHICLES AND TRAILERS.

Commercial vehicles, to include commercial tractors, automobiles, trucks, buses, house trailers, semi-trailers, shall not be parked or stored on any property within a residential zoning district other than in a completely enclosed building, except those commercial vehicles conveying the necessary tools, materials, and equipment is to be performed during the actual time of parking. No automotive vehicle or trailers of any type without current license plates shall be parked or stored on any residential property other than in a completely enclosed building. Boats and unoccupied recreational vehicles may be stored in the rear yard or any residentially zoned property if it has a current license, meets the requirements of this Ordinance for accessory structures, and is screened according to the requirements of this Ordinance and is owned by the dwelling occupant.

1007 REQUIRED REFUSE COLLECTION AREAS.

The refuse collection areas provided by all commercial, industrial, and multifamily residential uses for the collection of trash, garbage, and other refuse shall be enclosed on three sides by a solid wall or fence of at least six (6) feet in height, unless within an enclosed building or structure. Provisions shall be made for regular and adequate vehicular access to such areas for collection purposes, as determined necessary by the Zoning Inspector/Administrator. In addition, the following requirements shall be met:

1. The storage of hazardous or toxic materials or wastes shall not be permitted without documented approval of the Ohio Environmental Protection Agency and notification to the Zoning Inspector/Administrator, the Mayor, and the Village Council;
2. Materials or wastes, which might cause fumes, dust and/or otherwise constitute a fire hazard, or which may attract rodents or insects, shall be stored only in closed containers constructed of impervious materials; and
3. Storage of refuse collection for multi-family dwellings areas in residential districts shall utilize such additional screening as required in this Ordinance.

1008 JUNK.

1. As defined in Article 2 of this ordinance, it is the accumulation or storage of junk, junk vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, rages, scrap copper, rope, trash, waste, batteries, paper, rubber, iron, steel, and other old or scrap ferrous or nonferrous materials or any other discarded objects or debris but does not describe tires, as defined in the Ohio Revised Code article 4734.01, which shall be prohibited, outside of an approved junk yard, in order to protect residents from conditions conducive to the infestation and breeding of vermin, insects, and rodents;
2. Junk Yard, as defined in section 4737.05 of the Ohio Revised Code, means an establishment or place of business that is maintained or operated for the purpose of storing, keeping, buying, or selling junk:
 - A. A junk yard includes scrap metal processing facilities that are located within one thousand feet of the nearest edge of the right of way of a highway in the interstate or primary system; and
 - B. A junk yard is only an allowable use in an industrial zone and must comply with all regulations of the industrial areas.
3. Impound Lot: While acting in accordance with local police, the county Sheriff's Department, or the Ohio State Patrol office, an impound lot within the municipal corporation may hold vehicles for up to one (1) year upon retrieving the vehicle, unless the vehicle is being held as evidence by the police, sheriff's department, or the Ohio State Patrol.
 - A. Within five days of the tow, the impound lot operator is required to send a certified letter to the last known address of the registered owner of the vehicle, as listed on the DMV files. If the impound lot has actual knowledge of the owner's current address, the letter must be sent there. The operator of the impound lot must keep the following information on file as well as send a copy to the owner of the vehicle:
 - B. Location of the vehicle;
 - C. Date, time, location from which the vehicle was removed;
 - D. Reasons for the removal of the vehicle;
 - E. Person who requested the removal of the vehicle;
 - F. Vehicle's description, including its identification number and license number; and inventory of the contents of the vehicle;
 - G. Costs and procedures to retrieve the vehicle.
4. An Impound Lot may only be an allowable use in an industrial zone and must comply with all regulations of the industrial areas; and

5. Scrap Metal Processing Facility, as defined in section 4737.05 of the Ohio Revised Code, means an establishment having facilities for processing iron, steel, or nonferrous scrap and whose principal product is scrap iron and steel or nonferrous scrap for sale for re-melting purposes:
 - A. Scrap metal processing facilities are only an allowable use in an industrial zone and must comply with all regulations of industrial areas.

1009 OPERATING A JUNK YARD, IMPOUND LOT, OR SALVAGE YARD.

1. Junk yards, impound lots, or salvage yards are not permitted within the Village of Rock Creek except by a special permit approval by the Zoning Board of Appeals;
2. Location: No junk yard, impound lot, or salvage yard shall be operated within six-hundred (600) feet of any residential or commercial district;
3. No person shall operate a junk yard, impound lot, or salvage yard except with the authority of a valid junk yard, impound lot, or salvage yard license issued by the Village of Rock Creek in the name of the operator and for the specific site:
 - A. The operator shall apply to the Village of Rock Creek for such license and pay the fee prescribed therefore in the Fee Schedule, which licenses shall be issued by the Village of Rock Creek conditioned upon the operators continuous compliance with all applicable provisions of this zoning text and other village ordinances; and
 - B. Every license shall expire at the end of one year following its date of issuance and in subsequent years on the date of expiration unless sooner suspended or revoked.
4. Display of License:
 - A. The license shall be displayed in a conspicuous place within the public area of the junk yard, impound lot, or salvage yard; and
 - B. The license is not transferable.
5. Special Permit: Unless the site is a nonconforming use, a junk yard, impound lot, or salvage yard shall only be issued a license after obtaining a special permit form from the Zoning Board of Appeals.
6. Inspections:
 - A. The Zoning Inspector/Administrator shall cause any junk yard, impound lot, or salvage yard to be inspected to determine compliance with this Zoning Text or any other applicable ordinances at any time he/she deems it appropriate; and

- B. The Zoning Inspector/Administrator shall initiate the annual inspection for license renewal at a time which will provide for the operator's compliance with any orders prior to the license expiration.
7. Denial of License:
- A. If, upon inspection, it is found that the junk yard, impound lot, or salvage yard does not meet the requirements outlined in this text and other applicable village ordinances, the operator shall be informed in writing of the deficiencies and a date set for compliance and reinspection; and
 - B. If the reinspection reveals that the deficiencies have not been corrected, the license shall be denied and a reinspection fee will be required as provided in the Schedule of Fees in Article 14 of this Zoning Text.
8. Hearing on License Denial: Any person whose application for a license to operate a junk yard, impound lot, or salvage yard has been denied for any reason set forth in this chapter, may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.
9. Notice of Violation and License Suspension:
- A. Whenever, upon inspection of any junk yard, impound lot, or salvage yard, the Village Zoning Inspector/Administrator finds that conditions or practices exist which are in violation of any provision of this zoning text or any relevant ordinances, notice shall be given in writing to the operator of such junk yard, impound lot, or salvage yard that unless such conditions or practices are corrected within a three (3) month period, the operator's license will be suspended; and
 - B. At the end of such period, the Zoning Inspector/Administrator shall reinspect such junk yard, impound lot, or salvage yard and if he or she finds that such conditions or practices have not been corrected, he or she shall be given notice in writing to the operator that the operators' license has been suspended.
10. Hearing On A License Suspension; Effect of Suspension:
- A. Any person whose license to operate a junk yard, impound lot, or salvage yard which has been suspended or who has received notice from the Zoning Inspector/Administrator that his or her license is to be suspended unless existing conditions or practices at the junk yard, impound lot, or salvage yard are corrected, may request and shall be granted a hearing on the matter before the Board of Zoning Appeals;
 - B. If no petition for a hearing is filed within fifteen (15) calendar days following the day on which the license was suspended, the license shall be deemed revoked;

- C. Any petition for a hearing following receipt of a notice that the license is to be suspended, must be filed within fifteen (15) calendar days of receipt of the notice; and
 - D. Upon receipt of the notice of suspension, the operator shall immediately cease operation of the junk yard, impound lot, or salvage yard and shall display the notice of suspension along with the license at the premises.
11. Notice Of Violation And License Suspension:
- A. Whenever, upon inspection of any junk yard or impound lot, the Village Zoning Inspector/Administrator finds that conditions or practices exist which are in violation of any provision of this zoning text or any relevant ordinances, notice shall be given in writing to the operator of such junk yard or impound lot that unless such conditions or practices are corrected within a three (3) month period, the operator's license will be suspended; and
 - B. At the end of such period, the Zoning Inspector/Administrator shall reinspect such junk yard or impound lot and if he or she finds that such conditions or practices have not been corrected, he or she shall be given notice in writing to the operator that the operators' license has been suspended.
12. Hearing On A License Suspension; Effect of Suspension:
- A. Any person whose license to operate a junk yard, impound lot, or salvage yard which has been suspended or who has received notice from the Zoning Inspector/Administrator that his or her license is to be suspended unless existing conditions or practices at the junk yard, impound lot, or salvage yard are corrected, may request and shall be granted a hearing on the matter before the Board of Zoning Appeals;
 - B. If no petition for a hearing is filed within fifteen (15) calendar days following the day on which the license was suspended, the license shall be deemed revoked;
 - C. Any petition for a hearing following receipt of a notice that the license is to be suspended, must be filed within fifteen (15) calendar days of receipt of the notice; and
 - D. Upon receipt of the notice of suspension, the operator shall immediately cease operation of the junk yard, impound lot, or salvage yard and shall display the notice of suspension along with the license at the junk yard, impound lot, or salvage yard.
13. Location approval by a division of fire: The location of any junk yard, impound lot, or salvage yard and the use of any buildings in such location

shall first be approved by the fire chief, whose approval shall not be unreasonably withheld.

14. Junk Yard, as defined in section 4737.05 of the Ohio Revised Code, means an establishment or place of business that is maintained or operated for the purpose of storing, keeping, buying, or selling junk:
 - A. A junk yard includes scrap metal processing facilities that are located within one thousand feet of the nearest edge of the right of way of a highway in the interstate or primary system; and
 - B. A junk yard is only an allowable use in an industrial zone and must comply with all regulations of the industrial areas.
15. Impound Lot: While acting in accordance with local police, the county Sheriff's Department, or the Ohio State Patrol office, an impound lot within the municipal corporation may hold vehicles for up to one (1) year upon retrieving the vehicle, unless the vehicle is being held as evidence by the police, sheriff's department, or the Ohio State Patrol:
 - A. Vehicles being stored as evidence by the police, sheriff's department, or the Ohio State Patrol may only be held for as long as needed by that department plus an additional six (6) months after the date of the release; and
 - B. Within five (5) days of the tow, the impound lot operator is required to send a certified letter to the last known address of the registered owner of the vehicle, as listed on the DMV files. If the impound lot has actual knowledge of the owner's current address, the letter must be sent there. The operator of the impound lot must keep the following information on file as well as send a copy to the owner of the vehicle:
 - 1) Location of the vehicle;
 - 2) Date, time, and location from which the vehicle was removed;
 - 3) Reasons for the removal of the vehicle;
 - 4) Person/institution who requested the removal of the vehicle;
 - 5) Description of the vehicle, including identification number and license number, and an inventory of the contents; and
 - 6) Costs and procedures to retrieve the vehicle.
 - C. Impound lots are only an allowable use in an industrial zone, must comply with all regulation of industrial zones, and all other applicable ordinances.
16. Salvage Yard (Scrap Metal Processing Facility), as defined in section 7437.05 of the Ohio Revised Code, means an establishment having facilities for processing iron, steel, or nonferrous scrap and whose principal product is scrap iron and steel or nonferrous scrap for sale for

re-melting purposes. Scrap metal processing facilities are only an allowable use in an industrial zone, must comply with all regulation of industrial zones, and all other applicable ordinances.

1010 OUTSIDE STORAGE AND REFUSE COLLECTION.

1. Commercial and Light Industrial Districts:
 - A. All inventory, materials, equipment, and machinery must be kept within buildings. Exceptions to the above are:
 - B. Lumber, buildings supplies, gardening supplies, and plants, and agricultural supplies commonly stored in fenced yards connected with the allowable uses;
 - C. Vehicles used in the normal day to day operation of the establishment;
 - D. Yard sales no longer than two weeks in all districts; and
 - E. Large machinery and equipment (i.e. tractors, trucks, and similar mobile equipment).
2. The refuse collection areas provided by all uses in these zones to temporarily stored trash, garbage, scrap, or there refuse shall be enclosed on three sides by a solid wall or fence of at least six (6) feet in height unless the storage area is within an enclosed building or structure. These provisions shall be made for regular and necessary inspection by the Zoning Inspector/Administrator.
 - A. All permitted uses and accessory activities shall be confide within completely enclosed buildings with the exception of off-street parking spaces, off-street loading areas, accessory fuel storage attached storage tanks, HVAC units and employee recreational facilities in addition, the temporary outdoor storage of materials, equipment or vehicles in an orderly manner is permitted in any areas other than in required front, rear, or side yard setbacks, provided such outdoor storage does not exceed fifteen (15) feet in height or occupy more than ten (10) percent of the area of the lot, and is effectively screened from residential uses, as in the case of parking areas.

1011 SUPPLEMENTAL YARD AND HEIGHT REGULATIONS.

In addition to the regulations specified in Article 9, and in other sections of this Ordinance, Sections 1010 through 1015 inclusive shall be used for clarification and interpretation.

1012 SETBACK REQUIREMENTS FOR BUILDINGS ON CORNER LOTS.

The principal building and its accessory structures located on any corner lot shall be required to have the same setback distance from all street right-of-way lines as required for the front yard in the district in which such structures are located.

1013 FENCE AND WALL RESTRICTIONS IN FRONT YARDS.

In any required front yard, no fence or wall shall be permitted which materially impedes vision across such yard above the height of two-and-one-half ($2\frac{1}{2}$) feet, and no hedge or other vegetation shall be permitted which materially impedes vision across such yard between the height of two-and-one-half ($2\frac{1}{2}$) feet and ten (10) feet.

1014 YARD REQUIREMENTS FOR MULTI-FAMILY DWELLINGS.

Multi-Family dwellings shall be considered as one (1) building for the purpose of determining front, side, and/or rear yard requirements. The entire group as a unit shall require one (1) front, one (1) rear, and two (2) side yards as specified for dwellings in the appropriate district. Each individual building shall meet all yard requirements for the appropriate districts as though it were on an individual lot.

1015 SIDE AND REAR YARD REQUIREMENTS FOR NON-RESIDENTIAL USES ABUTTING RESIDENTIAL DISTRICTS.

Non-residential buildings or uses shall not be located nor constructed closer than forty (40) feet to any lot line of a residential district, except that the minimum yard requirements may be reduced to fifty (50) percent of the requirements if acceptable landscaping or screening approved by the Zoning Inspector/Administrator is provided. Such screening shall be a masonry wall or solid fence between four (4) and eight (8) feet in height maintained in good condition and free of all advertising or other signs. Landscaping provided in lieu of such wall or fence shall consist of a strip of land not less than twenty (20) feet in width planted with an evergreen hedge or dense plantings of evergreen shrubs not less than four (4) feet in height at the time of planting. Neither type of screening shall obscure traffic visibility as required by Section 1017 of this Ordinance.

1016 EXCEPTIONS TO HEIGHT REGULATIONS.

The height limitations contained in the Official Schedule of District Regulations do not apply to spires, belfries, cupolas, television or short-wave antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human

occupancy except where the height of such structures will constitute a hazard to the safe landing and take-off of aircraft at an established airport.

1017 ARCHITECTURAL PROJECTIONS.

Open structures such as porches, canopies, balconies, platforms, carports, covered patios, and similar architectural projections shall be considered parts of the building to which attached and shall not project into the require minimum front, side or rear yard setbacks.

1018 VISIBILITY AT INTERSECTIONS.

On a corner lot, at the intersection of two (2) streets in any district, nothing shall be installed, erected, placed, planted, or allowed to grow in such a manner as to impede vision materially between a height of two-and-one-half ($2\frac{1}{2}$) feet and ten (10) feet above the center line grades of the intersecting streets in the area bounded by the right-of-way lines of such corner lot and a line joining points along said street lines fifty (50) feet from the point of intersection. On a corner lot at the intersection of two alleys, or at the intersection of an alleys, or at the intersection of an alley and a street within any district, nothing shall be installed, erected, placed, planted, or allowed to grow in such a manner as to impede vision materially between a height of two-and-one-half ($2\frac{1}{2}$) feet and ten (10) feet above the center line grades of the intersecting alleys, or of the intersecting alley and street, in the area bounded by the right of way lines of such corner lot and a line joining points along said alley lines, or alley and street lines, twenty-five (25) feet from the point of intersection.

1019 OBJECTIONABLE, NOXIOUS, DANGEROUS USES, PRACTICES, AND/OR CONDITONS.

No land or building in any district shall be occupied or used in any manner which creates or contributes to the existence of conditions which are dangerous, injurious, harmful, noxious, or objectionable, or which may otherwise adversely affect surrounding areas or adjoining premises, except that any use permitted by this Ordinance may be undertaken or maintained if acceptable measures and safeguards to reduce any dangerous or objectionable conditions to acceptable limits, as established in this Section, are properly exercised. Specifically, the occupation or use of any land or building in any district shall be in violation of this Ordinance if one or more of the following conditions is found to exist at any time:

1. The use or storage of flammable or explosive materials is not adequately protected by fire-fighting and fire-protection equipment or by such safety devices as are normally required for such activities;

2. Activities involving the use and storage of flammable and explosive materials are not removed from adjacent facilities or activities to a distance compatible with the potential danger involved;
3. Radioactivity or air pollution is present in violation of the regulations of the Ohio Environmental Protection Agency;
4. Hazardous wastes are present in violation of the regulations of the Ohio Environmental Protection Agency;
5. Objectionable noise as determined by the zoning Inspector/Administrator due to volume, frequency or beat is present;
6. Vibration discernible by the Zoning Inspector/Administrator without instruments is present on an adjoining lot or property;
7. Direct or reflected glare is present which is visible from any street or from any property not within a manufacturing district;
8. Erosion caused by wind or water is carrying objectionable substances onto any adjacent lot or property;
9. Water pollution or contamination is present in violation of the regulation of the Ohio Environmental Protection Agency.

1020 ASSURANCE REQUIREMENTS AND PLANS.

Prior to the issuance of a zoning permit, the Zoning Inspector/Administrator may require the submission of written assurances and plans indicating the manner in which dangerous and objectionable aspects or elements of processes or operations entailed in certain uses or occupations are to be eliminated or reduced to acceptable limits and tolerances.

1021 ENFORCEMENT PROVISIONS.

Any occupancy, use, conditions, or circumstances existing in violation of Sections 1018 and 1019 of this Ordinance shall constitute a violation of this Ordinance and be subject to the enforcement procedures contained in sections 1515 to 1518 of this Ordinance.

1022 TEMPORARY USES.

The following regulations are necessary to govern certain uses which are of a non-permanent nature. For such uses requiring temporary zoning permits, at least seven (7) days before the instigation of such use an application for a zoning permit shall be made to the Zoning Inspector/Administrator, which shall contain a graphic description of the property to be used, a description of the proposed use, and a site plan, with sufficient information to determine the yard, setback, parking, and sanitary facility requirements for the proposed temporary use.

The following uses are deemed to be temporary uses and shall be subject to the specified regulations and time limits which follow, as well as the regulation of any district in which they are located:

1. Real estate sales offices, which shall contain no living quarters for a period of one year, except that two (2) six (6) month extensions may be granted if conditions warrant. Such offices shall be removed upon the completion of the sales of the lots therein, or upon the expiration of the zoning permit, whichever occurs first;
2. Temporary buildings, offices, and equipment and storage facilities required in conjunction with construction activities may be permitted within any district for a period of one year, except that two (2), six (6) month extensions may be granted if construction is substantially underway. Such uses shall be removed immediately upon completion of the construction, or upon expiration of the zoning permit, whichever occurs first;
3. Temporary sales and services may be permitted within parking areas within any commercial district. A zoning permit valid for a period not to exceed four (4) consecutive days shall only be issued three (3) times within any twelve-month period to any individual or organization. The application for the temporary zoning permit shall be accompanied by written permission of the property owners, and shall be prominently displayed at the site. The Zoning Inspector/Administrator shall not issue a permit for such temporary use if he determines that it encroaches upon more than twenty-five (25) percent of the require parking area;
4. Temporary retail sales and services, such as sales of plants, flowers, arts and crafts, farm produce, or any similar items on lots other than parking lots, including any lot on which an existing business is in operation or on which a business is vacated, may be permitted for any for-profit individuals or organizations in any commercial district. A zoning permit valid for a period not to exceed two (2) consecutive days shall only be issued three (3) separate times for any particular lot within any twelve (12) month period, and not more than one (1) permit may be issued at the same time for any lot. The applicant must submit a current vendor's license or transient vendor's license, and a written statement form the property owner giving his permission for such use. This section shall not be interpreted to prohibit any such use in any case where a valid deed restriction specifically authorizes such use. In all cases, the zoning permit shall be prominently displayed at the site;
5. Garage sales, which for the purpose of this section shall include yard sales, barn sales, and similar activities, may be permitted within any district in

which dwellings are permitted, so long as the provisions of this Ordinance pertaining to signs and parking are observed; and

6. Auctions conducted by licensed auctioneers by permit only. The provision of this Ordinance pertaining to signs and parking must be observed along with any other rules governing auctions by the State of Ohio.

1023 SCREENING.

Screening or buffering, in compliance with the provisions of this Section, shall be provided for any permitted or conditionally permitted, nonresidential, uses which abut any residential district, in addition to setback and yard requirements provided elsewhere in the Ordinance. Applicants for a zoning permit may request a variance from yard or setback requirements in conjunction with a plan for screening, which the Board of Zoning Appeals may consider by weighing the relationship of the proposed screening plan and the required dimensional variance with respect to their joint impact upon neighboring properties. Such requested variance for a conditionally permitted use shall be incorporated in the conditional use procedure specified in Article 6 of this Ordinance. The following provisions shall apply with respect to screening:

1. Screening shall be provided for one or more of the following purposes:
 - A. A visual barrier to partially or completely obstruct the view of structures or activities;
 - B. An acoustic screen to aid in absorbing or deflecting noise; and
 - C. A physical barrier to contain debris and litter;
2. Screening may consist of one of the following, or a combination of two (2) or more, as determined by the Zoning Inspector/Administrator or Board of Zoning Appeals, in the event of an appeal, variance, or conditional use:
 - A. A solid masonry wall;
 - B. A solidly constructed decorative fence;
 - C. A louvered fence;
 - D. A dense vegetative planting; and
 - E. A landscaped mounding;
3. Height of screening shall be in accordance with the following:
 - A. Visual screening walls, fences, plantings, or mounds shall be minimum of five-and-one-half ($5\frac{1}{2}$) feet high in order to accomplish the desired screening effect, except in Plantings shall be a minimum of four (4) feet in height at the time of planting; and
 - B. A dense vegetative planting with a minimum height of four (4) feet at planting and a mature height of at least five-and-one-half ($5\frac{1}{2}$) feet or greater, or a solidly constructed decorative fence, shall be

permanently maintained along the mutual boundary of an accessory parking area and adjacent land zoned for residential uses, except for the portion of such boundary located within a required front yard.

4. Screening for purposes of absorbing or deflecting noise shall have a depth of at least fifteen (15) feet of dense planting or a solid masonry wall in combination with decorative plantings. The height shall be adequate to absorb noise as determined by the Zoning Inspector/Administrator in relation to the nature of the use;
5. Whenever required, screening is adjacent to parking areas or driveways, such screening shall be protected by bumper blocks, posts, or curbing to avoid damage by vehicles; and
6. All screening shall be trimmed, maintained in good condition, and free of advertising or other signs, except for directional signs and other signs for the efficient flow of vehicles.