

TITLE IV REGULATIONS APPLICABLE TO ALL DISTRICTS**CHAPTER 400 GENERAL PROVISIONS****Section 400.01 Agricultural Uses**

The following regulations apply to agricultural uses:

- A. Dogs, cats, household birds, guinea pigs, and other species of animals commonly considered a household pet, may be permitted in any residential district, provided they are not raised, bred, or boarded for business or commercial purposes.
- B. Outdoor pens and shelters for animals shall be located only in rear yards and shall conform to the minimum yard requirements of the residential district in which it is located.
- C. If the pen or shelter is not located in a residential district, then it shall conform to the following minimum yard requirements:
 - Side Yard: Twenty (20) feet
 - Rear Yard: Twenty (20) feet
- D. The pen or shelter area shall not exceed one (1) percent of the minimum lot area requirements of the district in which it is located.
- E. The maximum height of pens and shelters shall be six (6) feet.
- F. Animals other than dogs, cats, household birds, guinea pigs, and other species of animals commonly considered a household pet, may be permitted on lots with a minimum area of five (5) acres in compliance with the following:
 - 1. These animals shall be kept, sheltered, fed or watered no less than fifty (50) feet from any lot line.
 - 2. These animals shall be kept, sheltered, fed or watered no less than one hundred (100) feet from any dwelling and/or water well.
 - 3. Pastures for grazing animals shall be fenced and such fence shall be setback a minimum of 5 feet from the property line.
 - 4. The number of animals permitted for grazing shall be based upon the accepted amount of pasture required per animal unit as recommended by the Ohio State University, Cooperative Extension. Proof shall be provided that such area meets those minimum standards.
- G. Each farm shall be permitted only one roadside stand or market located on the farm property. The farm owner may sell products and produce produced on the farm provided that the roadside stand or market complies with the applicable regulations set forth in Chapter 410, Accessory Uses as well as the following:

1. Roadside stands in a front yard shall not exceed 500 square feet or 25% of the floor area of the principal building, whichever is less.
2. Location of roadside stands shall have adequate space for vehicles to park off of the road.
3. Signage shall comply with Requirements of Chapter 450.

Section 400.02 Conversion of Dwellings to More Units

A residence may not be converted to accommodate an increased number of dwelling units unless:

- A. The minimum lot area and yard requirements for the zoning district can still be met.
- B. The minimum floor area per dwelling unit meets the requirements of Section 400.06.
- C. The conversion is in compliance with all other relevant codes and regulations.

Section 400.03 Garage and Yard Sales

- A. No person(s) may conduct garage and/or yard sales of household or other goods, new or used, at any location in the Residential or Village Center Districts for more than nine (9) consecutive days or two (2) consecutive weekends.
- B. Such sales may not be held more than twice in any twelve-month period, and the time period between the last day of one sale and the first day of the next may not be less than eight weeks.
- C. Sales held by combined households will be considered one sale and the above restrictions will apply to all participants, regardless of a change of location within the Residential or Village Center Districts.

Section 400.04 General Regulation of Lots

- A. No more than one principal building shall be located on any zoning lot, unless specifically permitted in these regulations.
- B. All lots shall have frontage on a dedicated public street or an approved private street built to the standards of the Subdivision Regulations.

Section 400.05 Height Regulations for Principal Buildings

- A. The height of all buildings in the Residential and Commercial Districts shall not exceed thirty-five (35) feet. The height of all buildings in the Light Industrial District shall not exceed forty (40) feet.
- B. Exceptions to Height Regulations:

The maximum height regulations do not apply to roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building; and fire or parapet walls, skylights, spires, belfries, cupolas, antennas, flagpoles, water tanks, chimneys smokestacks or similar structures. Such structures may exceed the height limit of the district provided:

1. Such structures shall not exceed the height limits by more than fifteen (15) feet.
 2. Such structures shall not have an area greater than 25% of the roof area of the building.
 3. Such structures shall be incidental to the main use of the building.
 4. Radio, television and wireless antennas may be erected to any height and dimension, provided they do not become hazardous. Such antennas shall be the minimum size necessary to receive or transmit quality signals.
 - a. Owners of antenna structures more than 200 feet in height above ground level must notify the Federal Aviation Administration and register with the Federal Communications Commission.
 - b. Wireless Telecommunication Towers must follow the standards of Section 350. V.
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Section 400.06 Minimum Dwelling Unit Floor Area Requirements

In order to ensure healthy living conditions, to prevent overcrowding, and to preserve neighborhood character, dwellings shall comply with the following minimum living area requirements:

Single-Family

One story:	1,000 square feet
Two stories:	1,300 square feet, with a minimum of 800 s.f. on the first floor

Two-Family, Per Unit

One story:	900 square feet
Two stories:	1,300 square feet, with a minimum of 650 s.f. on the first floor

Apartments

1 bedroom:	650 square feet
2 bedroom:	800 square feet
3 bedroom:	1,000 square feet

Section 400.07 Prohibited Uses

- A. No use shall be permitted or authorized to be established which, when conducted in compliance with the provisions of this Ordinance and any additional conditions and requirements prescribed, may be hazardous, noxious or offensive due to the emission

of odor, dust, smoke, fumes, cinders, gas, noise, vibration, electrical interference, refuse matters or water carried wastes, or which will interfere with adjacent landowners enjoyment of the use of their lands.

B. The following uses are prohibited in Mantua Village:

1. Storage, sale or manufacture of fireworks or any other explosive.
2. Dumping, storing, burying reducing, disposing or burning of garbage, refuse, scrap metal, rubbish or dead animals, except as specifically permitted in Title III.
3. Use of any vehicle as a dwelling unit.
4. Junk motor vehicles, junk yards, auto graveyards or places for the collection of scrap metal, paper, rags, glass or junk for sale, salvage or storage purposes, except as specifically permitted in Title III.
5. Uses which pollute streams or groundwater.

Section 400.08 Setback Requirements for Corner Lots

- A. On a corner lot, the street address shall determine which yard is the front yard.
- B. On a corner lot, the designated front yard shall conform to the front yard setback requirements for the district. The other yard abutting a street is a side yard and shall conform to the side yard setback requirements for the district.

Section 400.09 Temporary Facilities

- A. Temporary construction facilities for use incidental to construction work may be permitted. All temporary construction facilities shall be removed upon completion of the construction work. Such facilities shall not be used for habitation.
- B. A mobile home is permitted to provide temporary housing for those persons who have been residing in a dwelling destroyed or damaged by a fire, flood, storm, or any similar event, or condemnation by a governmental body, so as to render the dwelling uninhabitable, subject to the following conditions:
1. Such mobile home may be used for a period not to exceed one (1) year while the principal dwelling is being replaced, rebuilt or repaired.
 2. A zoning permit is required with an expiration date indicated on the permit.
 3. The mobile home shall be removed within ten (10) days after the damaged dwelling is fit for habitation or ten (10) days after the permit expires, which ever comes first.
 4. The mobile home shall have adequate health facilities available, including running water, and toilet facilities connected to a sanitary sewage system approved by the Village Engineer.
 5. All mobile homes shall have a minimum floor area of five hundred (500) square feet.

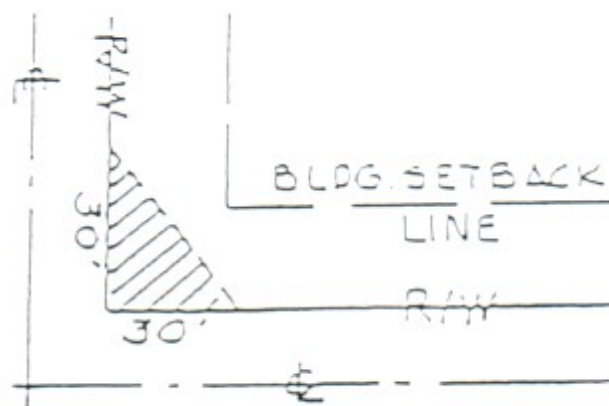
6. The location of the mobile home shall be limited to the rear of the existing dwelling being rebuilt or repaired, whenever possible.
 7. The mobile home shall meet all of the minimum yard requirements for accessory buildings in the district in which it is located, whenever possible.
- C. Other than as may be permitted under Section 440.13, Portable On-Demand Storage units ("PODS"), shipping containers, trailers and similar movable outdoor storage units shall be permitted for a maximum of thirty (30) days in all districts and shall not be converted for use as permanent storage, offices or dwelling units. The Zoning Inspector may approve extensions to this time limit upon application.

"PODS" do not include accessory structures such as storage sheds which are designed to be permanent and which complement the principal use and buildings that are a part of the premises.

Storage units meeting the above definition which have been in place for at least ten years prior to the first effective date of this Ordinance will be permitted to remain as pre-existing nonconforming structures subject to the requirements of Chapter 420. (*Ord. 2016-63, eff. 6/15/17*)

Section 400.10 Visibility at Intersections

On every corner lot there shall be no material impairment to visibility (whether by the location of structures, including fences, landscaping or by other means) between a height of two (2) feet and a height of six (6) feet above the natural grade, within the triangle formed by the right-of-way lines of two intersecting streets, and a line drawn between two points, one on each such right-of-way line, each 30 feet from the point of intersection.



Section 400.11 Lighting

No exterior lighting used for parking lots, signage, recreational facilities, product displays, or security shall be permitted to spill over on to operators of motor vehicles, pedestrians and uses of land in the vicinity of the light source. Lighting placed in a public right of way for public safety shall meet the intent of these regulations to the maximum extent feasible.

- A. *Type*: Shielded luminaries, or luminaries with cutoff optics, and careful fixture placement shall be required to facilitate compliance with this section.
- B. *Orientation/Light Trespass*: Exterior lighting fixtures shall be oriented and shielded so that the lighting element or transparent shield does not throw rays onto neighboring properties and does not cast a glare in to any window of a residence. Light rays shall not be directed into street right of ways (except for direct safety purposes such as to illuminate intersections or signage) or upwards into the atmosphere.
- C. *Location*: Light fixtures shall not be permitted within required bufferyards.
- D. Flashing, flickering, and other distracting lighting which may distract motorists or cyclists is prohibited.
- E. *Nuisances*: Lighting which creates or becomes a public nuisance is not permitted.
- F. Accent Lighting and low voltage lighting (12 volts or less) is exempt from these requirements.
- G. *Nonconforming lighting*: All lighting fixtures approved prior to the adoption of this Code shall be treated as and regulated as legal nonconforming uses.

CHAPTER 410 ACCESSORY USES AND STRUCTURES

All accessory uses and structures shall conform to the applicable requirements of this Chapter. The provisions of this Chapter contain general regulations for Accessory Uses and Structures and additional regulations for particular Accessory Uses and Structures.

Section 410.01 General Regulations*A. Relationship to Main Structure*

Except as otherwise provided in this Chapter, no accessory use or structure shall be approved, established, or constructed before the principal use or structure is approved, established or constructed.

B. Minimum Yard Requirements for Accessory Uses and Structures

Schedule 410.01

Structure or Use	Yard Permitted	Setback from		
		Front	Lot Side	Line Rear
1. Detached accessory buildings (a)	Rear	NA	3 ft.	3 ft.
2. Driveways	Front, side, rear	NA	3 ft.	3 ft.
3. Fences, walls	Front, side, rear	2/3 <i>Setback</i>	0 ft.	0 ft.
4. Refuse storage and collection areas	Rear	NA	Setback line	Setback line
5. Roadside stands	Front	30 ft.	30 ft.	30 ft.
6. Swimming pools, community	Rear	NA	50 ft.	50 ft.
7. Swimming pools, private ¹	Rear	NA	10 ft.	10 ft.
8. Terraces, uncovered porches, platforms, decks, ornamental features that do not extend more than 2 feet above the ground	Side, rear	NA	10 ft.	10 ft.

Notes to Schedule 410.01:

- (a) Accessory buildings in the Commercial and Light Industrial District shall conform to all lot and setback requirements for principal buildings in the District in which the lot is located and shall be subject to site plan review.
- (b) Applies to those uses not on a foundation as well.

C. Maximum Floor Area of Accessory Buildings and Structures

The area of all accessory buildings and structures on residential lots or in residential districts, including terraces, decks and patios, shall not exceed 30% of the area of the rear yard, or the ground floor area of the dwelling including the attached garage, whichever is less.

D. Architectural Projections

- 1. Closed structures, such as porches, carports, covered patios, and similar architectural projections, and balconies, shall be considered parts of the building to which they are attached, and shall not project into the required front, side or rear yards.
- 2. Skylights, sills, belt-courses, cornices, chimneys, and ornamental features attached to the principal building may project a maximum of 12 inches into a required yard.

E. Additional Regulations for Accessory Buildings

- 1. Accessory buildings that are detached from the principal building shall comply with the setback requirements of Schedule 410.01 and shall be located a minimum of fifteen (15) feet from the principal building. Detached accessory buildings on non-

¹ Includes decks around pools and platforms.

- conforming lots of record shall be located a minimum of ten (10) feet from the principal building.
2. Accessory buildings that are attached to the principal building shall comply with the setback requirements for principal buildings set forth in the zoning district regulations.
 3. The height of accessory buildings may not exceed fifteen (15) feet in residential districts or on residential lots, unless specifically permitted in this Chapter. This height limitation may be exceeded if the pitch and design of the roof of the accessory building is the same as the roof of the principal dwelling.
 4. The height of accessory buildings may not exceed twenty-five (25) feet in the Commercial and Light Industrial Districts.
 5. No accessory buildings shall contain living quarters in the R-1 and I Zoning Districts. (Ord. 2007-22, eff. 09/20/07)
 6. In the R-2 and V-C Zoning Districts living quarters in accessory buildings are permitted as a Conditional use. (Ord. 2007-22, eff. 09/20/07)
 7. A habitable living space shall consist of sleeping quarters, living/dining area, food preparation area, and a toilet plus shower or bath. Minimum dwelling unit floor area requirements shall comply with **Sect. 400.06** (Apartments) of this Code. Utility service shall comply with all codes and regulations. (Ord. 2007-22, eff. 09/20/07)
 8. The height of accessory buildings with living quarters in the R-2 and V-C Zoning Districts may not exceed 24 ft. (Ord. 2007-22, eff. 09/20/07)
 9. The maximum number of structures on building lots located in the R-2 and V-C Zoning Districts shall consist of the principal living structure, an accessory use structure with or without living quarters, and one additional non-vehicular storage structure, which shall not contain living quarters. (Ord. 2007-22, eff. 09/20/07)
 10. An accessory building with living quarters must meet the minimum lot and yard requirements contained in **Schedule 305.03, Rows 5 & 6**. (Ord. 2007-22, eff. 09/20/07)

Section 410.02 Fences, Walls and Hedges

Fences, walls and hedges shall comply with the following regulations.

- A. *Front Yards:* In a front yard, fences, walls and hedges, shall not exceed four (4) feet in height above the natural grade, except as restricted in Section 400.10 for visibility at intersections.
- B. *Side and Rear Yards:* In the side or rear yard, a fence, wall or hedge shall not exceed six (6) feet in height above the natural grade except for: 1) Informal plantings which may exceed six (6) feet in height and 2) In Industrial, Village Center and Commercial Districts in which such fences, walls or hedges may extend up to 8 feet in height above the natural grade.
- C. *Construction, Maintenance and Repair:*
 1. No fence or wall shall be maintained or erected if it is constructed with any material that is likely to inflict bodily harm should a person or animal come in contact with the

fence or wall. Materials covered by this prohibition include sharp or ragged metal spikes or spears.

2. No barbed wire or barbed wire fences shall be erected within the Village.
3. Chain link fences shall be permitted provided that, if visible from the street, they are 100% screened by evergreen vegetation and are constructed of a dark, neutral-colored, non-reflective material.
4. All fences and walls shall be erected so that their finished side faces out, and the unfinished side faces the property of the person who has caused said fence or wall to be erected.
5. All fences, walls, hedges and landscape screening shall be maintained in, structurally sound repair, and in neat, clean and attractive condition.

Section 410.03 Garages and Parking Structures

A. Garages, Multiple-Family and Apartment

The multi-family or apartment garage shall not exceed twenty-five (25) feet in height.

B. Garages, Single-Family and Two-Family Residential

Only one (1) garage structure shall be provided on any lot used for a single-family or two-family dwelling.

C. Parking Structures

1. Above grade multi-level parking structures shall be designed to reflect the architectural character and quality of the principal building and shall require approval of the Planning Commission.
2. Parking structures shall not exceed twenty-five (25) feet in height.

Section 410.04 Home Occupations

Home occupations are regulated in order to ensure that their effects are not inappropriate to their location in residential districts.

- A. The home occupation shall be clearly incidental and secondary in importance to the use of the dwelling unit for dwelling purposes.
- B. The entrepreneur of every home occupation shall reside in the dwelling unit in which the business operates. The business activity shall not employ any persons who do not reside in the dwelling unit.
- C. All business activities of the home occupation shall be conducted entirely within a completely enclosed dwelling unit. Use of the garage or other building or structure

accessory to the principal building on the lot of the dwelling unit for any home occupation is expressly prohibited.

- D. The total interior floor area used for the home occupation shall not exceed twenty (20) percent of the total interior floor area of the dwelling.
- E. No outdoor display or storage of materials, goods, supplies or equipment shall be allowed.
- F. There shall be no advertising, displays or other indications of a home occupation in the yard, on the exterior of the dwelling unit or visible from the exterior of the dwelling unit, with the exception of the placement of one (1) sign that complies with all of the requirements of Chapter 450.
- G. There shall be no alteration of the residential appearance of the premises, including no separate or exclusive business entrance(s).
- H. The activity should not generate any noise, vibrations, smoke, dust, odors, heat, glare, or interference with radio or television transmission in the area that would exceed that normally produced by a dwelling unit in a residential zoning district.
- I. No toxic, explosive, flammable, radioactive or otherwise hazardous materials, nor any excessive waste materials whatsoever shall be used, sold, or stored on the site. However, such materials common to ordinary household use are permitted, provided the quantity of such materials does not exceed that found in ordinary household use.
- J. The entrepreneur of the home occupation shall provide adequate off-street parking for not more than two (2) vehicles in addition to those vehicles belonging to the residents of the dwelling.

Section 410.05 Outdoor Sales and Display

Outdoor sales and display of merchandise necessary, but incidental to the operation of the principal use is permitted only in the Village Center District and shall comply with the following:

- A. The area of a lot devoted to outdoor sales or display shall not exceed twenty-five (25) percent of the square feet in floor area, leased or owned by the merchant, of the building(s) on the lot.
- B. Areas devoted to the sales or display of merchandise shall not be located in areas intended for traffic circulation or pedestrian use, except on Main Street where outside sales and display shall not extend more than five (5) feet in front of the building.
- C. Snack stands, food vendors and vending machines operating and/or located outside of an enclosed building shall be prohibited.

Section 410.06 Outdoor Storage of Materials and Equipment

The outdoor storage of materials and equipment including the outdoor storage of goods and supplies necessary, but incidental to the operation of the principal use is permitted only in the Commercial and Light Industrial District.

- A. General storage of materials shall include the storage of goods, materials, products or waste materials in containers associated with the principal use. The storage of radioactive, toxic or otherwise hazardous materials shall not be permitted.
- B. Outdoor storage areas shall be located in the rear yard only and shall comply with the principal building setbacks established for the district in which the principal use is located. They shall not occupy or interfere with the use of the required parking spaces and aisles.
- C. Outdoor storage areas shall occupy an area less than 50% of the existing building coverage.
- D. All storage areas shall be enclosed with a solid wall or fence on all sides, including solid gates, or in an enclosed structure. The wall or fence shall have a height tall enough to conceal all materials therein from the view of any observer standing at grade level at a public street or at an abutting residential district line. However, in no case shall the height of the fence or wall be less than six feet.
- E. All materials shall be stored in such a fashion as to be accessible to fire-fighting equipment at all times.
- F. The bulk storage of sand, gravel, salt or other similar materials shall not be permitted unless the material is effectively prevented from spreading.
- G. No signs shall be permitted in conjunction with outdoor storage.

Section 410.07 Parking and Storage of Vehicles*A. General Requirements*

- 1. No stored or parked vehicle shall be used as a dwelling, office or other business structure, or for the storage of any material, and shall have no connections to any electric, telephone, water, sewer, gas or fuel source.
- 2. The repair and rebuilding of a motor vehicle or trailer is permitted on a residential property, but only if conducted within an enclosed building.

B. Commercial Vehicles

- 1. The outdoor storage of fleet commercial vehicles and trucks, 19,000-26,000 pounds,

shall only permitted in the Commercial and Light Industrial District and for a period of 96 hours, not including holidays, without being stored within a completely enclosed building.

2. The outdoor storage of commercial vehicles and trucks, on residential property shall be limited to one such truck per owner. Any additional commercial vehicles or trucks shall be enclosed in a garage.

C. Inoperable Motor Vehicles

The outdoor storage of a motor vehicle or trailer that is not in operating condition or that is not in compliance with all registration and licensing laws and not displaying proper tags and validation stickers shall be permitted for a period not to exceed 72 hours. Such motor vehicle or trailer may be stored in an enclosed garage or building for an unlimited period of time.

D. Recreational Vehicles and Equipment

1. The storage of recreational vehicles or trailers is a permitted accessory use on a residential property. Such vehicles may be stored only behind the front setback line and shall be adequately screened from view from adjacent properties.
2. Not more than one (1) of the following may be stored or parked outdoors in a residential district or on a residential property: a recreational vehicle, a boat (including its trailer; if the boat is mounted thereon); or two (2) snowmobiles, motorcycles, jet skis, or all-terrain vehicles (ATV's) if both are mounted on one (1) trailer.

Section 410.08 Refuse Storage and Waste Disposal Facilities

All refuse storage and waste disposal facilities shall be located in the rear yard only and shall be within an enclosed building or structure or enclosed on all sides by an opaque fence or wall having a minimum height of six (6) feet. Fenced/walled refuse storage or waste areas must have secured access on one side for removal of said waste. All such facilities/structures shall be kept neat and in good repair. Single and two family uses are exempt from this requirement, but may not store refuse containers in the front yard.

Section 410.09 Roomers and Boarders

Rental to roomers is permitted within a single-family or two-family dwelling, provided that such room is an integral part of the dwelling unit in which it is located and contains no separate facilities that could be used for cooking or food preparation. Single-family units may be permitted to rent to two (2) roomers per unit. Two-family dwellings may be permitted to rent to one (1) roomer per unit.

Section 410.10 Swimming Pools, Commercial/Community

Commercial and community swimming pools shall comply with the following regulations.

- A. The pool shall be intended solely for the enjoyment of the members and families and guests of the members of the association or club under whose ownership or jurisdiction the pool is operated.
- B. The pool and any structures accessory thereto shall comply with the setback requirements in Schedule 410.01.
- C. The pool and all of the area used by the bathers shall be completely enclosed by a fence or a wall of at least six (6) feet in height with a self-latching gate.
- D. Doors and gates shall be equipped with suitable locking devices to prevent unauthorized intrusion.

Section 410.11 Swimming Pools, Private

Private swimming pools shall comply with the following regulations:

- A. The pool shall be intended solely for the enjoyment of the occupants of the principal use of the property on which it is located and their invited guests.
- B. The pool and any structures accessory thereto shall comply with the setback requirements in Schedule 410.01.
- C. The pool and any structures accessory thereto shall be completely enclosed by a fence or wall of at least four (4) feet in height with a self-latching gate.
- D. The fence shall be constructed so as to have no openings, holes or gaps larger than three (3) inches in any dimension, except for doors and gates. An accessory building may be used in or as part of such enclosure.
- E. Doors and gates shall be equipped with suitable locking devices to prevent unauthorized intrusion.
- F. Above ground pools having vertical surfaces of at least four (4) feet in height above natural grade shall be required to have fences and gates where access may be had to the pool.