Article 4: Residential Zoning Districts and Use Regulations

4.01: General Purpose and Intent

The districts contained in this article are created to:

A) Realize the general purpose set forth in Section 1.01 (Purpose) of this zoning resolution;
B) Provide appropriately located areas for residential development that are consistent with Township policy and with standards of public health and safety established by this resolution and any other appropriate governmental body;
C) Ensure adequate light, air, privacy and open space for each dwelling;
D) Protect residents from the harmful effects of excessive noise, population density, traffic congestion, and other significant adverse environmental effects;
E) Develop new housing where adequate public services can be provided economically; and
F) Provide high-quality residential neighborhood environments.

4.02: Specific Purpose Statements

A) Single-Family Residential District (SFR)

The Single-Family Residential District (SFR) is intended to serve as the primary single-family residential housing district in Pierce Township. This district provides for suburban density developments when developments have access to sewer while also providing for reasonable, low-density development in the rural areas of the Township.

B) Two-Family Residential District (TFR)

The Two-Family Residential District (TFR) is intended to provide for a mixture of single-family and two-family residential housing options at a suburban density consistent with the character of Pierce Township.

C) Multi-Family Residential District (MFR)

The Multi-Family Residential District (MFR) is intended to provide for multi-family dwelling residential housing types at a moderate density. Housing units in this district may include all types of attached housing including apartment buildings or complexes.

D) Transitional Residential District (TR)

The Transitional Residential District (TR) is intended to provide for a diversity of housing and lot types within Pierce Township and to create a transitional land use between adjacent municipalities and the surrounding rural character areas of Pierce Township.

E) Palestine District (P)

The Palestine District (P) is intended to protect the Palestine Street neighborhood and allow for reasonable development of residential, resort, and recreational uses.
F) Manufactured Housing District (MH)

The Manufactured Housing District (MH) is intended to provide for the placement of house mobile homes and other forms of manufactured housing as provided for over the history of Pierce Township Zoning. As of the effective date of this resolution, the “MH” District is hereby established as an obsolete zoning district which is maintained only for the protection of properties zoned as “MH” as of the effective date of the Resolution. No additional properties may be rezoned to “MH” after the effective date of this resolution.

4.03: Special Applicability Standards for the TR District

A) The TR District may only be applied to lots or parcels that lie partially or fully within 500 feet of a municipal corporation boundary.

B) If a municipal boundary changes, the boundary of the TR District shall not automatically change. The expansion of the TR District shall only occur through a zoning map amendment initiated by a property owner, the Zoning Commission, or the Board of Trustees, in accordance with Section 3.06 (Zoning Text and Map Amendments).

4.04: Permitted Uses

Table 4.04-1 sets forth the uses allowed within the residential zoning districts. The abbreviations used in the table are described as follows:

A) Permitted Uses

A “P” in a cell indicates that a use category is allowed by-right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this resolution, including, but not limited to provisions in Articles 6 (Measurements and Site Development Standards) through Article 12 (Sign Regulations).

B) Permitted Uses with Conditions

1) A “PC” in a cell indicates that a use category is allowed by-right in the respective zoning district if it meets the additional standards set forth in the numerically referenced sections. Permitted uses with conditions are subject to all other applicable regulations of this resolution, including, but not limited to provisions in Articles 6 (Measurements and Site Development Standards) through Article 12 (Sign Regulations).

2) Uses permitted with conditions under this category are approved administratively by the Zoning Inspector with the exception of conservations subdivisions which are reviewed by the Zoning Commission pursuant to 4.06 (Conservation Subdivisions).

C) Prohibited Uses

A blank and/or shaded cell indicates that a use is prohibited in the respective zoning district.

D) Numerical References

The numbers contained in the “Additional Regulations” column are references to additional standards and requirements that apply to the use type listed. Standards referenced in the “Additional Regulations” column apply in all zoning districts unless otherwise expressly stated.

E) Unlisted Uses

1) Where there is a proposed use that is not currently listed in Table 4.04-1 or Table 5.04-1 of this resolution, the BZA may review the use to determine the appropriate classification of the use based on those list of uses that exist in the applicable tables.

2) The BZA should consider the nature, operation, and function of the use in its determination of an appropriate district.
3) The BZA may find that the use is not compatible with any existing zoning district and not a permitted use under the current resolution or, as an alternative the BZA may transmit a recommendation to the Board of Trustees requesting that a new district or new provisions be adopted, through the zoning text and map amendment procedure, pursuant to Section 3.06 (Zoning Text and Map Amendments).

<table>
<thead>
<tr>
<th>Use</th>
<th>SFR</th>
<th>TFR</th>
<th>MFR</th>
<th>TR</th>
<th>P</th>
<th>MH</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Active Park and Recreational Facilities</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>4.05 (A)</td>
</tr>
<tr>
<td>Adult Family Homes or Small Residential Facilities</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Adult Group Homes or Large Residential Facilities</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Agricultural Uses</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>4.05 (B)</td>
</tr>
<tr>
<td>Bed and Breakfast Establishments</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>4.05 (C)</td>
</tr>
<tr>
<td>Cemeteries</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>4.05 (D)</td>
</tr>
<tr>
<td>Conservation Subdivisions</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>4.05 (D)</td>
</tr>
<tr>
<td>Day Care Homes (Type-B Family)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Educational Facilities</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>4.05 (E)</td>
</tr>
<tr>
<td>Essential Services and Utilities</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Government and Public Uses</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Institutional Housing</td>
<td></td>
<td>PC</td>
<td>PC</td>
<td></td>
<td></td>
<td></td>
<td>4.05 (F)</td>
</tr>
<tr>
<td>Multi-Family Dwellings</td>
<td></td>
<td>P</td>
<td>PC</td>
<td></td>
<td></td>
<td></td>
<td>4.05 (G)</td>
</tr>
<tr>
<td>Passive Park and Recreational Facilities and Conservation Areas</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Permanently Sited Manufactured Homes</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>4.05 (H)</td>
</tr>
<tr>
<td>Private Clubs and Lodges</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>4.05 (I)</td>
</tr>
<tr>
<td>Private Recreational Facilities</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>4.05 (I)</td>
</tr>
<tr>
<td>Religious Places of Worship</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>4.05 (J)</td>
</tr>
<tr>
<td>Riding Stables</td>
<td>PC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4.05 (K)</td>
</tr>
<tr>
<td>Single-Family Dwellings</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>4.05 (B)</td>
</tr>
<tr>
<td>Telecommunication Towers</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>4.05 (L)</td>
</tr>
<tr>
<td>Two-Family Dwellings</td>
<td></td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
</tbody>
</table>

**Table 4.04-I: Residential Use Table**
4.05: Use-Specific Regulations

A) Active Parks and Recreational Areas
All structures or buildings, except fences, shall be located a minimum of 50 feet from all lot lines.

B) Agricultural Uses and Riding Stables
The following regulations shall apply to those agricultural uses and riding stables that are not exempt from review pursuant to Section 3.02 (Agricultural Exemption) of this resolution, are on lots of less than five acres in area, and meet the definition of an agricultural use or riding stable:
1) All buildings, exterior storage, refuse, or supplies shall be set back a minimum of 100 feet from all lot lines.
2) All uses shall meet the minimum site development standards of the applicable district.

C) Bed and Breakfast Establishments
1) The minimum lot area shall be 20,000 square feet.
2) Bed and breakfast operations shall only take place in single-family dwellings.
3) Bed and breakfast establishments shall only be permitted in a dwelling that is owned by the operator of the bed and breakfast establishment and where such operator resides.
4) The maximum occupancy for boarders shall be for five persons, excluding any residents or family members of the residence.
5) There shall be a minimum of two parking spaces for the owners of the property and an additional parking space for each guest room.
6) One ground-mounted sign may be permitted with a maximum sign area of four square feet and a maximum height of four feet. Signs may be illuminated from an external light source.

D) Cemeteries
1) Cemeteries shall have a minimum lot area of 20 acres.
2) All chapels, mausoleums, accessory buildings, or other buildings shall be located a minimum of 200 feet from all street rights-of-way and all lot lines in a residential zoning district.
3) Gravestones or grave markers shall meet all setbacks of the applicable zoning district.

E) Educational Facilities
1) All buildings, activity areas, and parking areas shall be located a minimum of 50 feet from all lot lines when located within or adjacent to a residential zoning district.
2) Educational facilities shall meet the buffer requirements of uses within the appropriate zoning district.
3) No part of a parking area shall be closer than five feet to the side and rear lot line unless it is adjacent to a residential district where it shall be set back 50 feet from the property line adjacent to the residential district. All setback areas shall be landscaped with grass and planting areas and shall be well maintained.
4) Education facilities that include boarding facilities, dormitories, or other facilities for the housing of students shall be prohibited in residential districts.
Article 4: Residential Zoning Districts and Use Regulations
4.05: Use-Specific Regulations

F) Institutional Housing
1) No part of a parking area shall be closer than five feet to the side and rear lot line unless it is adjacent to a residential district where it shall be set back 50 feet from the property line adjacent to the residential district. All setback areas shall be landscaped with grass and planting areas and shall be well maintained.
2) The minimum lot size shall be two acres;
3) The total area of the footprint of all buildings shall not occupy more than 20 percent of the total area of the lot;
4) The maximum density shall be 10 patient rooms to an acre; and
5) All buildings shall be set back from all required yard lines an additional distance of two feet for each foot of building height.
6) All units shall be rented or sold to the elderly, the handicapped, or the disabled in order to qualify as institutional housing. Mixed development, such as a retirement village with some independent living, shall be built under the multi-family dwelling regulations or as part of a planned development.

G) Multi-Family Dwellings
Multi-family dwellings may be permitted in the TR District provided they meet the following regulations:
1) The dwelling units are attached by a common wall.
2) Each unit shall have a separate exterior entrance.
3) There shall be a maximum of four units per structure.
4) No part of a parking area shall be closer than five feet to the side and rear lot line unless it is adjacent to a residential district where it shall be set back 50 feet from the property line adjacent to the residential district.

H) Permanently Sited Manufactured Homes
Permanently sited manufactured homes shall be permitted where they meet the following provisions:
1) They meet the definition of a permanently sited manufactured home; and
2) They comply with all zoning requirements of a single-family dwelling in the applicable zoning district.
3) Travel trailers, park trailers, and mobile homes, as defined in Section 4501.01 of the ORC, and that do not qualify as a permanently sited manufactured home shall be prohibited.

I) Private Clubs and Lodges
Private clubs and lodges may only be permitted when part of an overall residential subdivision or development and where the use is related to, and available to the residents of the subdivision or development.

J) Private Recreational Facilities
Private recreational facilities may only be permitted when part of an overall residential subdivision or development and where the use is related to, and available to the residents of the subdivision or development.

K) Religious Places of Worship
1) All buildings, activity areas, and parking areas shall be located a minimum of 50 feet from all lot lines when located within or adjacent to a residential zoning district.
2) Religious places of worship shall meet the buffer requirements of uses within the appropriate zoning district.

3) No part of a parking area shall be closer than five feet to the side and rear lot line unless it is adjacent to a residential district where it shall be set back 50 feet from the property line adjacent to the residential district.

L) Telecommunications Towers

1) Any person who plans to construct a telecommunications tower in a residential zoning district shall provide both of the following by certified mail:

   (a) Written notice to each owner of property, as shown on the County auditor’s current tax list, whose land is contiguous to or directly across a street or roadway from the property on which the tower is proposed to be constructed, stating all of the following in clear and concise language:

      (i) The person’s intent to construct the tower;

      (ii) A description of the property sufficient to identify the proposed location; and

      (iii) The property owner has a maximum of 15 days after the date of the mailing to give written notice to the Board of Trustees requesting that the Board of Zoning Appeals review the telecommunications tower pursuant to the authority granted by Sections 519.02 to 519.25 of the Ohio Revised Code as they apply to the proposed location of the tower.

   (b) If the notice to a property owner is returned unclaimed or refused, the person shall mail the notice by regular mail. The failure of delivery of the notice does not invalidate the notice.

   (c) Written notice to the Board of Trustees of the information specified in Paragraph (a) above. The notice to the Board of Trustees also shall include verification that the person has complied with the notification requirements of this section.

2) Responses to Notification

   (a) If the Board of Trustees receives notice from a property owner in response to Subsection (1) above, within the time specified in that division, or if a member of the Board of Trustees makes an objection to the proposed location of the telecommunications tower within 15 days after the date of mailing of the notice sent under Subsection (1) above, the Board of Trustees shall request that the Township Fiscal Officer send the person proposing to construct the tower written notice that the tower is subject to the power conferred by and in accordance with Ohio Revised Code. The notice shall be sent no later than five days after the earlier of the date the Board first receives such a notice from a property owner or the date upon which a member of the Board of Trustees makes an objection. Upon the date of mailing of the notice to the person, Sections 519.02 to 519.25 of the Revised Code shall apply to the tower.

   (b) If the Board of Trustees receives no notice under Subsection (1) above, within the time prescribed by that division or no Board member has an objection as provided under Subsection (1) above, within the time prescribed by that division, the tower shall be permitted as-of-right pursuant to the applicable sections of this resolution.

3) The Zoning Inspector shall review the application for a telecommunications tower pursuant to Subsection (4) below if it is requested by a notified property owner or the Board of Trustees in accordance with the above subsections.
4) The Zoning Inspector shall approve a telecommunications tower if they find that the applicant has satisfied all of the following standards:

(a) The applicant shall provide proof, in a form satisfactory to the Township, that the proposal has been reviewed and/or approved by all agencies and governmental entities with jurisdiction, if required, including, but not limited to, the Ohio Department of Transportation, the Federal Aviation Administration (FAA), the Federal Communication Commission (FCC), or the successors to their respective functions.

(b) The applicant shall demonstrate by clear and convincing evidence that the tower antenna cannot be located on any other communication tower, building, or structure, in the geographic area to be served, and that all reasonable means have been undertaken to avoid any undue negative impact caused by the clustering of towers within an area, and the antenna must be placed where it is proposed in order to satisfy its necessary function in the company's grid system. The evidence shall include the relationship of the proposed telecommunication tower to the applicant's overall grid, and should include the following:

(i) Structural engineering evidence that an existing telecommunication tower lacks the structural capability to support an additional antenna array;

(ii) Engineering evidence that the frequency of the existing antenna array will interfere with the applicant's frequency; and

(iii) Engineering evidence that the addition of an antenna to an existing tower will exceed FCC RF emissions criteria.

(c) Monopole installations are required. It is required that any building construction to service a telecommunications tower be designed in an architecturally compatible manner to adjacent buildings. It is further required that the tower itself and any support equipment located on the ground shall be painted or have a finish in earth tones to reduce visual impact.

(d) In the case of the construction of new facilities by the applicant and/or owner, the applicant and/or owner shall agree to construct the telecommunication tower to accommodate additional antenna arrays and shall make the tower available to other cellular and/or wireless communication companies; telephone, radio and television companies; and the local police, fire, and emergency medical services departments.

(e) The applicant and/or owner agrees that if they is required by the federal authorities to light the proposed tower that they will do so in the least obtrusive manner. Least obtrusive manner of lighting means that the tower will be painted with an alternating orange and white paint scheme and lighted with a red light. No strobe light will be permitted.

(f) For reasons of aesthetics and public safety, such facilities shall be effectively screened on each side. A security barrier six feet in height shall enclose the facility. The use of razor or barbed wire shall be prohibited. In addition to the security barrier, a tight screen of hardy evergreen shrubbery, with a minimum height of six feet, shall be provided outside the perimeter of the barrier. Spaces between any screening device and adjacent property lines shall include, but not be limited to grass, hardy shrubs, evergreen ground cover, etc. All screening devices and landscape materials shall be maintained in good condition.
(g) The applicant and/or owner shall post a performance bond in an amount set by the Zoning Inspector to provide for the removal of the facilities after ceasing of operations.

(h) The applicant and/or owner shall, within thirty 30 days of ceasing operation at the site of the telecommunication tower, notify the Zoning Inspector of such cessation of use. Facilities shall be removed within 12 months of ceasing operations.

(i) Resale or renting of facilities is permissible only to other telecommunication systems subject to obtaining a zoning permit from the Zoning Inspector.

(j) The applicant and/or property owner shall annually file, on or before January 1 of each year, a declaration with the Pierce Township Zoning Inspector as to the current ownership and operation of every facility located within the Township.

4.06: Accessory Uses and Structures in Residential Districts

A) Purpose

This section authorizes the establishment of accessory uses that are incidental and customarily subordinate to principal uses in the residential districts.

B) General Accessory Use and Structure Standards

Accessory uses or structures shall be permitted provided:

1) The building or use is incidental to and customarily found in connection with a principal building or use permitted in the district in which is located;

2) It is subordinate to and serves the principal building or use;

3) It is subordinate in size, area, extent, and purpose to the principal building or use;

4) It is located on the same lot as the principal use for which it serves;

5) An owner applies for and receives a zoning permit.

6) Unless permitted by the Zoning Commission and/or Trustees in a PUD or conservation subdivision approval, accessory uses and structures shall be prohibited in any open space area that is preserved by covenant including, but not limited to, open spaces in any planned unit development or conservation subdivision;

7) Accessory uses and structures shall be set back a minimum of five feet from all lot lines unless otherwise stated in this section.

C) Yard Locations for Accessory Uses

Table 4.06-1 establishes the yards within which a specific type of accessory use or structure may be located as it relates to a panhandle lot, corner lot, or a standard interior lot (See Section 6.01 (Lot Measurements and Requirements) for illustrations of rear yards on panhandle and corner lots.). The following establishes where accessory uses or structures that are permitted in the rear yard may be located in double frontage or triple frontage lots.

1) For double frontage lots, accessory uses that are restricted to the rear yard may be located in the front yard setback (See Section 6.01 (F)) located on the rear side of the principal building. However, accessory uses in this yard shall be set back a minimum of 20 feet from any right-of-way or public easement along the street. See Figure 4-1.
2) For triple frontage lots, accessory uses that are restricted to the rear yard may be located in the side yard or in the in front yard (See Section 6.01 (F)) located on the rear side of the principal building. If the building or structure is oriented in such a way that the rear of the structure is parallel with a lot line rather than a street, the accessory uses may be located in the front yard located on one side of the building or structure. However, accessory uses in this yard shall be set back a minimum of 20 feet from any right-of-way or public easement along the road. See Figure 4-1.

![Figure 4-1](image)

*Figure 4-1: Illustration of where accessory uses or structures that are only permitted in the rear yard may be located on double frontage or triple frontage lots.*

D) Table of Allowed Accessory Uses

Table 4.06-1 lists the accessory uses and structures allowed within the residential zoning districts. The following is an explanation of the abbreviations and columns used in Table 4.06-1 and Table 5.05-1.

1) Permitted Uses

A “P” in a cell indicates that an accessory use or structure is permitted by-right in the respective zoning district. Permitted accessory uses and structures are subject to all other applicable regulations of this resolution, including the use-specific standards set forth in this section.

2) Permitted with Conditions

A “PC” in a cell indicates that, in the respective zoning district, an accessory use or structure is permitted if it meets the required conditions as established in the “Additional Regulations” column. Accessory uses or structures that are permitted with conditions are also subject to all other applicable regulations of this resolution, including the use-specific standards set forth in this section.

3) Prohibited Uses

A blank or shaded cell indicates that the listed accessory building or use is prohibited in the respective zoning district.
4) Zoning Permit Required
The “Zoning Permit Required” column identifies if a zoning permit is required for the applicable accessory use or structure.

5) Yard Permitted
The “Yards Permitted” column identifies what yards the applicable accessory use or structure is permitted in unless otherwise exempted. See also Section 4.06 (D) regarding yard locations for accessory uses.

6) Additional Regulations
Regardless of whether an accessory use or structure is permitted by-right or permitted with conditions, there may be additional regulations that are applicable to the use. The existence of these use-specific standards is noted through a cross-reference in the last column of Table 4.06-1.

7) Unlisted Uses
Where a proposed accessory use or structure is not listed, the Zoning Commission may review the proposed accessory use or structure in accordance with Section 4.04 (E) (Unlisted Uses).

---

**TABLE 4.06-1: ACCESSORY USES AND STRUCTURE PERMITTED IN RESIDENTIAL DISTRICTS**

<table>
<thead>
<tr>
<th>Uses</th>
<th>P = Permitted</th>
<th>PC = Permitted with Conditions</th>
<th>SFR, TFR, TR</th>
<th>P</th>
<th>Zoning Permit Required</th>
<th>F = Front</th>
<th>S = Side</th>
<th>R = Rear</th>
<th>Yards Permitted</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amateur Radio Towers</td>
<td>PC</td>
<td>PC</td>
<td></td>
<td></td>
<td>Yes</td>
<td>S or R</td>
<td></td>
<td></td>
<td></td>
<td>4.06 (F)(1)</td>
</tr>
<tr>
<td>Basketball Hoops</td>
<td>PC</td>
<td>PC</td>
<td></td>
<td></td>
<td>No</td>
<td>S, or R</td>
<td></td>
<td></td>
<td></td>
<td>4.06 (F)(2)</td>
</tr>
<tr>
<td>Detached Accessory Garages or Other Buildings</td>
<td>P</td>
<td>P</td>
<td></td>
<td>P</td>
<td>Yes</td>
<td>R</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Detached Carports</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td>Yes</td>
<td>R</td>
<td></td>
<td></td>
<td></td>
<td>4.06 (F)(3)</td>
</tr>
<tr>
<td>Fences and Walls</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td>Yes</td>
<td>F, S, or R</td>
<td></td>
<td></td>
<td></td>
<td>4.06 (F)(4)</td>
</tr>
<tr>
<td>Home Occupations</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td>No</td>
<td>See Section 4.06 (F)(5)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Keeping of Chickens or Rabbits</td>
<td>PC</td>
<td></td>
<td></td>
<td></td>
<td>Yes</td>
<td>R</td>
<td></td>
<td></td>
<td></td>
<td>4.06 (F)(6)</td>
</tr>
<tr>
<td>Outdoor Wood Boilers</td>
<td>PC</td>
<td></td>
<td></td>
<td></td>
<td>Yes</td>
<td>S or R</td>
<td></td>
<td></td>
<td></td>
<td>4.06 (F)(7)</td>
</tr>
<tr>
<td>Porches or Decks</td>
<td>PC</td>
<td>PC</td>
<td></td>
<td></td>
<td>Yes</td>
<td>F, S, or R</td>
<td></td>
<td></td>
<td></td>
<td>4.06 (F)(8)</td>
</tr>
<tr>
<td>Ramps (disabled access)</td>
<td>P</td>
<td>P</td>
<td></td>
<td>P</td>
<td>No</td>
<td>F, S, or R</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roadside Stands</td>
<td>PC</td>
<td></td>
<td></td>
<td></td>
<td>Yes</td>
<td>F, S, or R</td>
<td></td>
<td></td>
<td></td>
<td>4.06 (F)(9)</td>
</tr>
<tr>
<td>Satellite Dishes</td>
<td>PC</td>
<td>PC</td>
<td></td>
<td></td>
<td>No</td>
<td>S or R</td>
<td></td>
<td></td>
<td></td>
<td>4.06 (F)(10)</td>
</tr>
<tr>
<td>Small Wind Energy Systems</td>
<td>PC</td>
<td></td>
<td></td>
<td></td>
<td>Yes</td>
<td>R</td>
<td></td>
<td></td>
<td></td>
<td>4.06 (F)(11)</td>
</tr>
<tr>
<td>Solar Panels</td>
<td>PC</td>
<td>PC</td>
<td></td>
<td></td>
<td>No</td>
<td>See Section 4.06 (F)(12)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Swimming Pools</td>
<td>PC</td>
<td>PC</td>
<td></td>
<td></td>
<td>Yes</td>
<td>R</td>
<td></td>
<td></td>
<td></td>
<td>4.06 (F)(13)</td>
</tr>
<tr>
<td>Swing or Gym Sets, Tree Houses</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td>No</td>
<td>R</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**TABLE 4.06-1: ACCESSORY USES AND STRUCTURE PERMITTED IN RESIDENTIAL DISTRICTS**

<table>
<thead>
<tr>
<th>Uses</th>
<th>SFR, TFR, TR</th>
<th>P</th>
<th>MFR</th>
<th>Zoning Permit Required</th>
<th>Yards Permitted</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tennis Courts or Other Ball Courts</td>
<td>PC</td>
<td>PC</td>
<td></td>
<td>Yes</td>
<td>R</td>
<td>4.06 (F)(14)</td>
</tr>
<tr>
<td>Unenclosed Patios</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>No</td>
<td>R</td>
<td></td>
</tr>
</tbody>
</table>

**E) Maximum Lot Coverage, Number, and Height**

1) Unless otherwise stated in the use-specific standards, Table 4.06-2 establishes the maximum lot coverage (footprint) and height of accessory structures.

2) In no case shall an accessory structure exceed the height of the principal structure.

**TABLE 4.06-2: MAXIMUM SIZE AND HEIGHT OF ACCESSORY STRUCTURES**

<table>
<thead>
<tr>
<th>Lot Area</th>
<th>Maximum Lot Coverage by Detached Accessory Garages</th>
<th>Maximum Lot Coverage by Other Detached Accessory Structures</th>
<th>Maximum Height of All Accessory Structures</th>
</tr>
</thead>
<tbody>
<tr>
<td>20,000 sq ft or less</td>
<td>528 square feet</td>
<td>200 square feet</td>
<td>18 feet</td>
</tr>
<tr>
<td>20,001 to one acre</td>
<td>864 square feet</td>
<td>200 square feet</td>
<td>18 feet</td>
</tr>
<tr>
<td>Greater than one acre but less than two acres</td>
<td>1,000 square feet</td>
<td>300 square feet</td>
<td>35 feet</td>
</tr>
<tr>
<td>Greater than two acres but less than five acres</td>
<td>1,200 square feet</td>
<td>500 square feet</td>
<td>35 feet</td>
</tr>
<tr>
<td>Greater than five acres</td>
<td>1,500 square feet</td>
<td>500 square feet</td>
<td>35 feet</td>
</tr>
</tbody>
</table>

3) There shall be no more than two of the following accessory structures on any single lot.
   (a) Detached accessory garages;
   (b) Other detached accessory buildings other than garages;
   (c) Carports;
   (d) Outdoor wood boilers.

**F) Use-Specific Standards**

1) Amateur Radio Towers

All amateur radio towers that do not fall under the definition of a wireless telecommunication tower and which exceeds the allowable height of structures in a residential zoning district shall be limited to a maximum height equal to 10 feet more than the maximum height for permitted residential structures in the applicable district.
2) Basketball Hoops
   Basketball hoops shall be set back 15 feet from any street right-of-way.

3) Detached Carports
   (a) Detached carports shall be located over a paved surface.
   (b) Detached carports require a permit from the Clermont County Building Department.
   (c) Detached carports shall be set back a minimum of 15 feet from all lot lines.
   (d) Detached carports shall not exceed 15 feet in height.

4) Fences and Walls
   (a) Fences and walls shall not exceed six feet in height in any rear or side yard.
   (b) Fences may be permitted in the front yard under the following provisions:
      (i) Walls are prohibited with the exception of retaining walls that do not extend past grade level.
      (ii) Fences and walls shall not exceed four feet in height.
      (iii) Fences shall have sufficient transparency to provide visibility into and out of the yard.
   (c) No fence or wall shall be erected on that portion of a lot within 30 feet of the intersection of two or more streets.
   (d) If a fence or wall is finished on only one side, the finished side shall face out toward the adjacent properties. This shall mean that all structural and support components of the fence or wall shall be facing the interior of the lot where the fence or lot is located.

5) Home Occupations
   The purpose of the home occupation provisions is to allow for home occupations that are compatible with the neighborhood in which they are located. In all residential and agricultural zones, home occupations, in compliance with the following regulations, are permitted as accessory uses, and no special use permit shall be required in order to establish and maintain such uses:
   (a) A home occupation shall be conducted within a dwelling and shall be clearly incidental to the use of the structure as a dwelling.
   (b) A home occupation shall be compatible with the neighborhood in which it is located.
   (c) There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling.
   (d) There shall be no display of products visible in any manner from outside of the dwelling.
   (e) No other than residents of the dwelling shall be employed in the conduct of a home occupation.
   (f) There shall be no change in the outside appearance of the dwelling or premises or any visible evidence of the conduct of a home occupation.
   (g) The use shall not generate excessive additional pedestrian or vehicular traffic.
(h) The use shall not require additional off-street parking spaces for clients or customers of the home occupation.

(i) No home occupation shall cause an increase in the use of any one or more public utilities (water, sewer, electricity, and trash collection) so that the combined total use for dwelling and home occupation purposes exceeds the average for residences in the neighborhood.

(j) The home occupation shall not involve the use of commercial vehicles for delivery of materials to or from the premises, other than one vehicle not to exceed three-quarter (3/4) ton.

(k) No motor power other than electrically operated motors shall be used in connection with a home occupation. Home occupations shall not involve the use of electric motors of more than one horsepower.

(l) No equipment or process shall be used in a home occupation which creates noise, vibration, glare, fumes, or odor detectable to the normal senses of all adjacent property owners.

(m) No equipment or process shall be used which creates visual or audible electrical interference in any radio or television received off the premises or causes fluctuations in line voltage off the premises.

(n) Not display any external evidence of an occupation outside the structure except as permitted in the residential district.

(o) Not involve the use or storage of tractor trailers, semi-trucks, or heavy equipment such as construction equipment used in a business.

6) Keeping of Chickens or Rabbits

The keeping of up to four chickens or rabbits is permitted on any size lot provided that:

(a) The principal use is a single-family dwelling;

(b) No person shall keep any rooster;

(c) No person shall slaughter any chickens for commercial sales;

(d) The chickens shall be provided with a covered enclosure for protection from the elements;

(e) Chickens must always be confined within a fenced area of the yard at all times; and

(f) No covered enclosure or fenced area shall be located closer than 25 feet to any residential structure on an adjacent lot or shall comply with the setbacks of the applicable zoning district, whichever is greater.

7) Outdoor Wood Boilers

(a) Outdoor wood boilers shall only be permitted as an accessory use on lots with a minimum lot area of five acres.

(b) Outdoor wood boilers shall be set back:

(i) A minimum of 100 feet from all lot lines,

(ii) A minimum of 500 feet from the boundaries of all recorded subdivisions with lots less than five acres in size, and

(iii) A minimum of 500 feet from all residential dwellings not located on the property where the outdoor wood boiler will be situated.
(c) Fuel burned in any new or existing outdoor wood boiler shall be only natural untreated wood, wood pellets, corn products, biomass pellets, or other listed fuels specifically permitted by the manufacturer’s instructions such as fuel oil, natural gas, or propane backup.

(d) The following fuels are strictly prohibited in new or existing outdoor wood boilers:
   (i) Wood that has been painted, varnished or coated with similar material and/or has been pressure-treated with preservatives and contains resins or glues as in plywood or other composite wood products.
   (ii) Rubbish or garbage, including but not limited to food wastes, food packaging, or food wraps.
   (iii) Any plastic materials, including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.
   (iv) Rubber, including tires or other synthetic rubber-like products.
   (v) Any other items not specifically allowed by the manufacturer or this section.

(e) Outdoor wood boilers that were installed prior to the effective date of this resolution shall be permitted to continue. However, if the existing outdoor wood boiler does not meet the standards of this section, the outdoor wood boiler shall be considered a nonconforming use subject to the nonconforming use provisions of the Pierce Township Zoning Resolution.

8) Porches or Decks

Porches or decks shall meet the minimum yard setback requirements as established in the applicable zoning district unless otherwise allowed below:

(a) Porches or decks that do not have roofs and are less than 30 inches in height above grade may be constructed within the established setback requirements provided it maintains a minimum setback of seven feet from all lot lines.

(b) Porches or decks that do not have roofs and are 30 inches or more in height above grade shall meet the minimum side yard setbacks in the applicable zoning district and shall be set back a minimum of 15 feet from the rear lot line.

9) Roadside Stands

Roadside stands where 50 percent or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year. Such stands shall meet the following regulations:

(a) Stands shall be set back 10 feet from the right-of-way;

(b) The maximum floor area of such stands shall be 500 square feet; and

(c) The stand may include a temporary sign with a commercial message that has a maximum sign area of 12 square feet, a maximum height of six feet. The sign shall be removed on days when the market is not in operation.

10) Satellite Dishes

Satellite dishes that are smaller than one meter in any dimension shall be permitted in any yard.
11) Small Wind Energy Systems
   (a) Small wind energy systems (turbines) shall require a lot with a minimum lot area of
   five acres. The use shall be set back a minimum of 100 feet from any adjacent
   property line.
   (b) The maximum height shall be 35 feet to the highest point on the blade.

12) Solar Panels
   Solar panels are permitted when attached to the roof of a principal or accessory building.

13) Swimming Pools
   The following regulations apply to privately owned swimming pools that are either above
   ground or in-ground and that are capable of holding water with a depth of 18 inches or
   more.
   (a) Swimming pools shall be set back a minimum of 15 feet from lot lines and all road
   rights-of-way.
   (b) Setback requirements shall be measured to the outside wall of an above ground
   pool or to the water for in-ground pools.
   (c) Any swimming pool, or any permitted area of the property on which it is located,
   shall be surrounded by a wall or fence with a minimum height of four feet to
   prevent uncontrolled access from the street or adjacent properties.
   (d) The fence shall be maintained in good condition with a latching gate and lock.
   (e) For above ground pools, the sidewall of the pool may serve as the safety wall
   provided the sidewall of the pool is at least four feet high, the access to the pool is
   lockable or as otherwise approved by the Clermont County Building Department,
   as measured from the grade at the base of the wall.
   (f) Farm ponds shall be exempt from these regulations.
   (g) A permit from the Clermont County General Health District shall be required.

14) Tennis Courts or Other Ball Courts
   (a) Tennis courts or other ball court shall not be illuminated unless the lighting is
   directed at the court and is turned off by 10:00 PM.
   (b) All tennis courts and other ball courts shall be set back a minimum of 15 feet from
   all lot lines.