

ARTICLE XVII - SUPPLEMENTARY DISTRICT REGULATIONS

1700 – PURPOSE

The purpose of supplementary district regulations is to set specific conditions for various uses, classification of uses or areas where problems are frequently encountered.

1701 – FRONTAGE ON STREET

Every dwelling hereafter constructed shall have full lot frontage upon a dedicated, improved street.

1702 – FIRE ESCAPES AND OPEN STAIRWAYS

Nothing contained in this ordinance shall prevent the projection of an open fire escape or stairway into a rear, side or front yard for a distance not to exceed eight (8) feet.

1703 – HEIGHT EXCEPTIONS

Nothing in this ordinance shall be interpreted to limit or restrict the height of a church spire, radio or wireless tower, belfry, clock tower, scenery lift or similar structure.

1704 – PARKING AND STORAGE OF CERTAIN VEHICLES AND STORAGE OF FURNITURE AND MISCELLANEOUS ITEMS

No abandoned, wrecked, unused, or dismantled automobile, truck, jeep, van, recreational vehicle (motor home), trailer, farm equipment, or aircraft shall be permitted to be stored in an exposed manner in any yard area in any agricultural, residential, or business district.

None of the following shall be permitted to be discarded, deposited, or stored in an exposed manner in any yard area, or on any open porch, in any agricultural, residential, or business district: garbage, trash, waste, rubbish, ashes, cans, bags, boxes, pallets, automobile or truck parts, chassis, quarter panels, tires, tire rims, appliances, furniture, glass, scrap metal, barrels, plastic, or anything else of an unsightly or unsanitary nature. No motor vehicle shall be parked or stored in the grass/lawn of any yard area (front, side or rear), and must be parked or stored on a hard surface or gravel driveway in any residential or business district.

An unused motor vehicle shall not be advertised "for sale" and placed on property located in a Residence R-1, R-2, R-3, R-4 or Business B-1 District for a period longer than fourteen (14) days.

1705 – CONVERSION OF DWELLINGS TO MORE UNITS

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

1. The yard dimensions meet the yard requirements as required by the zoning regulations for new structures in that district;
2. The lot area per family equals the lot area requirements for new structures in that district;
3. The floor area per dwelling unit is not reduced to less than that which is required for new construction in that district.

1706 – TEMPORARY BUILDINGS

Temporary buildings, construction trailers, equipment and materials used in conjunction with construction work only, may be permitted in any district during the period construction work is in progress, but such temporary facilities shall be removed upon completion of the construction work.

1707 – TRAILERS AND HOUSE TRAILERS

No individual trailers, mobile homes, or vehicles designed for mobile living shall be occupied for dwelling purposes, except in a Mobile Home Park District.

Recreational vehicles, boats and trailers shall be permitted to be parked/stored in a residential district as follows:

1. In the yard area of the side yard, with no portion of the unit to be closer to the side yard property line than ten (10) feet;
2. In the driveway only in the front yard, with the unit parked perpendicular to the street and setback a minimum of twenty-five (25) feet from the street front property line;
3. In the case of a corner lot, with the unit parked perpendicular to the street and setback a minimum of twenty-five (25) feet from the side street property line;
4. In the yard area of the rear yard, with the unit parked a minimum of fifteen (15) feet from a rear or side yard property line.

EXCEPTION - A temporary Occupancy Permit may be issued for a maximum period of three (3) months by the Township Zoning Inspector to allow the occupancy of a mobile home on property where the dwelling has been damaged by fire or similar disaster, and is being repaired for occupancy.

1708-A – COMMERCIAL VEHICLES

1. One (1) commercial vehicle with a gross vehicle weight (GVW) not to exceed 11,000 pounds shall be permitted to be parked or stored in any Residence R-1, R-2, R-3, R-4 or Business B-1 District;
2. None of the following described commercial vehicles shall be permitted to be parked or stored in any Residence R-1, R-2, R-3, R-4 or Business B-1 District, except if completely stored within a private garage;

- a) A truck with a gross vehicle weight (GVW) of more than 11,000 pounds;
- b) A tractor and/or trailer used for freight purposes;
- c) A bus or motorcoach.

1708-B – HEAVY EQUIPMENT

In a residential district, the parking or storage of heavy equipment used for business purposes is prohibited.

1709 – SWIMMING POOLS - COMMUNITY OR CLUB SWIMMING POOLS

Community or club swimming pools shall comply with the following regulations:

1. The pool and the area used by bathers shall be no closer than fifty (50) feet to any property line;
2. The swimming pool and all of the area used by the bathers shall be walled or fenced to prevent uncontrolled access by children. Said fence or wall shall be no less than five (5) feet in height and maintained in good condition.

1710 – TRASH CONTAINERS

In all Business and Industrial Districts and for multi-dwelling units, dumpsters, whether permanent or portable, shall be placed a minimum of five (5) feet from property lines, and shall be placed within an acceptable opaque enclosure consisting of three (3) walls no less than five (5) feet in height. If said dumpster is detached from a building, the open side shall face the interior of the property or contain an opaque gate.

In all business and industrial districts and for multi-dwelling complexes, dumpsters shall be placed within the open space between the rear wall of the building and the rear line of the lot or a minimum of 10 feet behind the front building setback line. Trash dumpsters of sufficient size must be provided for each use it serves. All garbage and trash must be contained inside the dumpster and not inside the enclosure. This standard shall also apply to any recycling bins or containers.

Dumpster placement may be approved as part of a specific site plan by the Board of Appeals when reviewing conditional use requests.

No commercial trash container or dumpster shall be permitted in any Residence R-1 or Residence R-2 District, except for a temporary period of time during the rehabilitation/construction of a dwelling.

1711 – HOME OCCUPATIONS

Home occupations, as an accessory use, shall be permitted in residential districts under the following conditions and requirements;

1. The accessory use shall be such as the office or studio of a musician, lawyer, architect, teacher, real estate agent, insurance agent, clerical, accountant, broker, consultant, engineer, architect, sales representative, clock repair, computer programming, computer repair, barber shop/beauty shop/nail/manicuring salons with a maximum of one chair, caterers with no on-site catering, workshops for a seamstress, tailor, dressmaker, gunsmith, and artisan.
2. The following home occupations shall require approval of a conditional use permit: photographer, State of Ohio licensed massage therapist, dog grooming, and personal trainer.
3. Home occupation uses not expressly permitted or conditionally permitted are determined to be prohibited.
4. The use shall be conducted solely by a person residing on the premises. No employees are permitted under the home occupation criteria. The home occupations shall be conducted wholly within the dwelling unless otherwise approved by the Board of Appeals.
5. Shall be a personal service with no sale of merchandise and there shall be no change in the appearance of the structure and/or property which would alter or detract from the residential characteristics of the neighborhood.
6. If the accessory use involves teaching or instructions, it is restricted to private instruction with a maximum number of two (2) students at a time. Classes with more than two (2) students are not permitted.
7. There shall be no commercial display visible from the street except a small professional name plate or announcement sign having a maximum area of two (2) square feet.
8. Off-street parking shall be provided for all vehicles.
9. The storage of equipment, supplies, materials, files, and the like, shall be stored completely within the residence or accessory buildings.

1712 – HAZARDOUS WASTE DUMPING

No manufacturing, assembling, dumping, storage or treatment of any hazardous or toxic waste or of any nuclear product or the processing of any materials which are volatile, corrosive, reactive or hazardous to the environment or a public health nuisance shall be permitted in the Township.

1713 – MINIMUM OFF-STREET PARKING REQUIREMENTS

In Business B-1, Business B-2, Business B-3, Industrial I-1, and Industrial I-2 Districts, the following minimum off-street parking requirements shall be effective. If a business is not specifically covered by the following requirements, then the general parking requirements set forth for Business B-1 District (Section 1004); Business B-2 District (Section 1105); Business B-3 District (Section 1205); Industrial I-1 District (Section 1302); Industrial I-1 District (Section 1402) shall be followed:

1. Automobile or Machinery Sales and Service Garages - 1 space for each 100 sq. ft. floor area;
2. Barber shops and beauty shops - 2 spaces per barber and/or beautician;
3. Bowling Alley - 5 spaces each alley;
4. Churches/Temples - 1 space each 4 seats;
5. Community Center, Commercial recreation or amusement place (structures) - 1 space each 100 sq. ft. floor area;
6. Funeral Home/Mortuaries - 1 space each 100 sq. ft. floor area;
7. Furniture/Appliance Stores, Hardware Store, Machinery or equipment sales and service - 1 space each 100 sq. ft. floor area;
8. Hospitals, Sanitarium, Convalescent Home, Nursing Home - 1 space each 2 patients, plus 1 space each employee;
9. Hotels/Motels, Boarding and Lodging Houses - 1 space each sleeping room;
10. Manufacturing plants, Industrial establishment, Research or Testing Laboratories and Bottling plants - 1 space each 2 employees on maximum work shift;
11. Restaurants, Bars and Night Clubs - 1 space each 50 sq. ft. floor area;
12. Stadiums, Sports Arenas, Auditoriums, Theaters, Assembly Halls – other than schools - 1 space each 2 seats.

1714 – CASUAL SALES (GARAGE SALES) IN RESIDENTIAL DISTRICTS

The sale of specific or miscellaneous goods or materials on a lawn, driveway, or within an attached or detached private garage shall be deemed a casual sale. On any property zoned as a residential district, such sales are limited to a maximum of two (2), three (3) day sales within any calendar year. Signs advertising such a sale shall be restricted and placed on the subject residential property only. Such signs shall not exceed four (4) square feet. Signs shall not be placed on public right-of-way or on utility poles.

1715 – DONATION BOXES

Donation drop-off boxes shall be permitted only in accordance with the following standards and procedures:

1. Donation drop-off boxes shall not be allowed in any agricultural, residential or Business B-1 zoning districts, except on properties where a conditional use permit exists for a place of religious worship or assembly.
2. Donation drop-off boxes are permitted only on properties that contain a primary permitted use.
3. Donation drop-off boxes are subject to the issuance of a Zoning Permit and upon receipt of written authorization by the property owner or legal representative. A scaled site plan depicting placement will be required for the permit review process.
4. Donation drop-off boxes shall not obstruct pedestrian or vehicular circulation, nor be located in public rights-of-way, landscape areas, drive aisles, required parking spaces, fire lanes, loading zones, buffers or any other location that may cause hazardous conditions, constitute a threat to the public safety, or create a condition detrimental to surrounding land uses. Donation drop-off boxes shall be setback from the edge of road paving a minimum of 60 feet.
5. Each donation drop-off box shall have a firmly closing lid and shall have a capacity no greater than six cubic yards. No donation drop-off box shall exceed eight feet in height.
6. Donation drop-off boxes may be constructed of painted metal, rubber, wood, or plastic and shall be properly maintained in a safe and good condition.
7. Donation drop-off boxes shall be clearly marked to identify the specific items and materials requested to be left for donation, the name of the operator or owners of the donation container, the entity responsible for maintenance of the drop-off box and removal of materials and trash from the immediate area, and a telephone number where the owner, operator or agent of the owner or operator may be reached at any time. The box shall display a notice stating that no items or materials shall be left outside of the donation drop-off box as well as a notice that shall read "Not for refuse disposal. Liquids are prohibited. Do not use for garbage, candy wrappers, soft drink bottles, etc."
8. No commercial advertising will be permitted on donation drop off boxes box except for its specific use as stated in Paragraph 7;

9. Occupation of parking spaces by donation drop-off boxes shall not reduce the number of available parking spaces below the minimum number required for the site.
10. All donated items must be collected and stored in the donation drop-off box. Donated items or materials shall not be left outside of donation drop-off boxes and the area around each box shall be maintained by the owner or operator, or the property owner, free of litter and any other undesirable materials.

1716 – AMATEUR RADIO ANTENNAS

Towers used to support amateur radio antenna shall not exceed 70 feet in height.

A tower shall be set back a minimum of one foot from each lot line for every one foot in height. All guy wires, if applicable, shall be set back a minimum of ten feet from all lot lines.

Any tower and related structures shall be installed in accordance with the instructions furnished by the manufacturer of the tower model. An antenna mounted on a tower may be modified and changed at any time so long as the published allowable load on the tower is not exceeded and the structure of the tower remains in accordance with the manufacturer's specifications.

1717 – PLAYSETS, TREEHOUSES, BATTING CAGES, AND TRAMPOLINES

Playsets, treehouses, batting cages, and trampolines shall be permitted in any rear yard, without a zoning certificate provided that the use is 200 square feet or less. Any use that has a larger footprint or that is an enclosed structure shall be regulated as a detached accessory building.

1718 – TEMPORARY SPECIAL EVENTS

A zoning certificate for temporary special events such as festivals, circuses, concerts, tents, and similar uses shall be valid for no more than 4 consecutive days provided the applicant receives other applicable permits from the Mahoning County Building Department, Mahoning County Health Department, the Austintown Township Police Department, and Austintown Township Fire Department. No more than two special events shall be permitted on any single lot or plaza per calendar year.