

**ARTICLE IV**  
**REGULATIONS APPLICABLE TO ALL DISTRICTS**

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**Chapter 410**

**Supplementary District Regulations**

410.01	General regulation of lots.	410.06	Visibility at intersections.
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**SECTION 410.01 GENERAL REGULATION OF LOTS.**

- A. Required Street Frontage. All lots created as a result of lot splits or subdivisions shall have frontage on a dedicated street in the amount required for the zoning district within which such lots are located.
- B. Required Yard and Open Space Maintained. The required yards surrounding an existing principal building, which has been counted or calculated as part of a side yard, rear yard, front yard, or other open space required by this Resolution shall not, by reason of change in ownership or otherwise, be counted or calculated to satisfy the yard or other open space requirement for any other principal building.
- C. Required Lot Area To Be Maintained. A parcel of land may be subdivided into two or more parcels provided all lots resulting from such division conform to the lot area and width requirements of the district in which such land is located. A nonconforming lot of record that owned separately from adjoining lots on the effective date of this Resolution or an amendment adopted thereafter which affected its conformity shall not be reduced in any manner that would increase its nonconforming situation.

**SECTION 410.02 ACCESS TO OTHER DISTRICTS PROHIBITED.**

Driveways shall not be established from a road in a residential district to land in a non-residential district.

**SECTION 410.03 FIRE ESCAPES AND OPEN STAIRWAYS.**

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

**SECTION 410.04 HEIGHT EXEMPTIONS.**

The following features are exempt from the district height limitations and do not require conditional use approval to exceed the height regulations provided:

- A. Chimneys that do not exceed the height limit by more than six (6) feet;
- B. Church spires, elevator shafts, and similar structural appendages not intended as places of occupancy or storage.
- C. Heating and air conditioning equipment, solar collectors, and similar equipment, fixtures, and devices provided that these features are set back from the edge of the roof a minimum distance of one foot for every foot by which such features extend above the roof surface of the principal building to which they are attached and not more than one-quarter of the total roof area is consumed by such features.

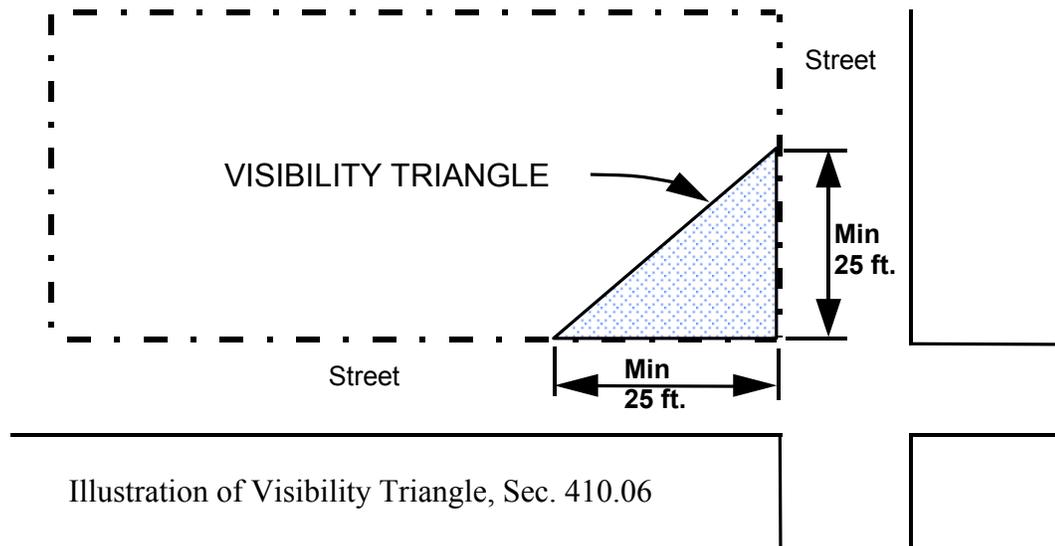
**SECTION 410.05 PARKING AND STORAGE OF CERTAIN VEHICLES AND STORAGE OF FURNITURE AND MISCELLANEOUS ITEMS.**

No abandoned, wrecked, unused, or dismantled automobile, truck, jeep, van, trailer, farm equipment, or aircraft shall be permitted to be stored in an exposed manner in any yard area in any agriculture, residential, business, or industrial district. None of the following shall be permitted to be discarded, deposited, or stored in any exposed manner in any yard area in any agriculture, residential, business, or industrial district: garbage, trash, waste, rubbish, ashes, cans, boxes, pallets, automobile or truck parts, tires, furniture, glass, or anything else of an unsightly or unsanitary nature.

**SECTION 410.06 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 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 25 feet from the point of intersection of such right-of-way lines.

See illustration of the “visibility triangle” below.



#### **SECTION 410.07 CONVERSION OF DWELLING TO MORE UNITS.**

The conversion of a dwelling to accommodate a greater number of dwelling units may be accomplished only when the conversion complies, in all respects, with the requirements governing new construction for the district in which the conversion is located and shall comply with the following:

- A. Conversions shall be permitted only within a district in which a new building for a similar occupancy would be allowed under this Zoning Resolution;
- B. Yard dimensions shall comply with front, rear and side yard requirements as required for new structures;
- C. Lot area per family shall be equal to or greater than the lot area requirements for new structures;
- D. Floor area per dwelling unit shall not be reduced to less than that which is required for new construction;
- E. Off-street parking shall comply with district regulations.

#### **SECTION 410.08 TEMPORARY FACILITIES.**

Prior to the erection of a temporary structure or facility, the Zoning Inspector shall issue a temporary permit. Temporary facilities shall be permitted in compliance with the following and may include, but are not limited to the following uses.

- A. Temporary Construction Facilities. Temporary construction facilities for use incidental to construction work may be erected in any zoning district herein established and shall comply with the following:

1. All temporary construction facilities including storage of construction materials shall be entirely located on the site where the construction work is taking place, except as otherwise permitted in subsection 6. below.
  2. A temporary zoning permit shall be issued for a period of one year and may be extended if active construction is taking place.
  3. Temporary construction facilities shall be removed upon completion or abandonment of the construction work.
  4. Such facilities shall not include processing facilities.
  5. Such facilities shall not be used for habitation.
  6. Off-site temporary construction facilities shall be permitted only for a bona fide highway construction project authorized by the Ohio Department of Transportation or the Mahoning County Engineer, when in compliance with the following:
    - a) Such facilities shall be located as near as practicable to the highway undergoing construction and shall be approved by the Zoning Inspector.
    - b) Truck routes shall be established for movement in and out of the site in such a way that it will minimize the wear on public streets.
    - c) The operation of the off-site temporary construction facility shall not be hazardous, noxious, or offensive due to the emission of odor, dust, smoke, cinders, gas fumes, noise, vibration, refuse matters, or water carried wastes.
- B. Temporary Real Estate Facilities. Temporary real estate offices located in the tract being offered for sale may be erected in any zoning districts herein established, however, such facilities shall be removed upon completion or abandonment of the sales service. Such facilities shall not be for habitation.
- C. Mobile Home as Temporary Housing. A mobile home is permitted to be used as temporary housing for members of a family who have been residing in a dwelling that has been destroyed or damaged by a fire, flood, storm, or any similar Act of God, or condemnation by a governmental body, so as to render the dwelling uninhabitable, subject to the following conditions:
1. A mobile home may be used as temporary housing only when authorized by a zoning permit issued by the Zoning Inspector. The permit shall expire six (6) months after the date of issuance, except that the Zoning Inspector may renew such permit for one additional period not to exceed three months if the Zoning Inspector determines that a good faith effort is being made to complete the reconstruction, repair, renovation, or restoration of the destroyed or damaged

dwelling in a timely manner and that such renewal is reasonably necessary to enable such building to be made habitable.

2. 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, whichever comes first.
3. The mobile home shall have the adequate health facilities available, including running water, and toilet facilities inside the mobile home connected to a sanitary sewage system approved by the Mahoning County Board of Health or the Sanitary Engineer.
4. The mobile home shall be placed on the same lot with the existing dwelling being rebuilt or repaired and shall be located behind such dwelling, whenever possible, so that the existing dwelling screens the view of the mobile home.

#### **SECTION 410.09 TEMPORARY SALES AND SPECIAL EVENTS.**

Incidental, temporary, or seasonal sales shall be permitted in association with a residential, commercial or institutional use in compliance with the following:

- A. Garage or Yard Sales. Garaged or yard sales shall be permitted in any dwelling district. Any household may conduct within a single calendar year a maximum of two (2) sales each sale shall not exceed a three (3) consecutive days. One additional sale may be conducted in the event there is a need to conduct a moving or estate sale.
- B. Sales Conducted by Public, Non-profit or Charitable Organizations. The Zoning Inspector may authorize a public, non-profit or charitable organization to conduct a sales event, fund-raiser, or festival provided that:
  1. Such event shall be limited in time to no more than three (3) days;
  2. No more than two (2) separate events for any particular lot shall be conducted within a single calendar year;
  3. All activities are conducted on the lot;
  4. Sufficient parking areas are provided.
- C. Temporary Retail Sales. Temporary outdoor retail sales, including but not limited to sales of plants, flower, Christmas trees, crafts, farm produce or inventory reduction or liquidation sales may be permitted in any commercial district in compliance with the following regulations:
  1. No more than two (2) separate events for any particular lot shall be conducted within a single calendar year.

2. The Zoning Inspector shall review and act on an application for a temporary zoning permit for temporary outdoor retail sale events that are limited in duration to three (3) days or less.
  3. The Board of Zoning Appeals shall review and act on an application, including a development plan, for a temporary zoning permit for any temporary outdoor retail sales with a duration of more than three (3) days but not longer than forty-five (45) days, according to the conditional use procedures.
- D. Activities on Public Property. A temporary outdoor special event may be conducted on publicly owned property, provided that the application for event includes written consent from the property owner authorizing the operator of the temporary outdoor special event to conduct such event on the property as proposed. Whenever a temporary outdoor special event is proposed to be conducted in a public street right-of-way, the applicant shall submit written authorization from the Zoning Inspector to utilize the public right-of-way.
- E. Signs. Any signs employed to promote temporary sales shall comply with Chapter 430.

#### **SECTION 410.10 HEAVY EQUIPMENT.**

The parking or storage of heavy equipment is prohibited in any Residential (A-SER, R-1, or R-2) or Business District, except as may otherwise be permitted in Section 410.08A for temporary construction projects.

#### **SECTION 410.11 HAZARDOUS MATERIALS AND WASTE.**

- A. The disposal of liquid waste, "salt water", brine, or liquid borne waste, nuclear and/or radio-active materials, chemicals, or any other objectionable material of a polluting nature into any producing, dry, abandoned, plugged, sealed, or drilled gas or oil well, or mine shaft, by any method above or below ground, will not be permitted in any district in the Township.
- B. The transportation of nuclear and/or radioactive materials through the Township is prohibited.