

DISTRICTS AND MAPS

§ 152.070 DISTRICTS ESTABLISHED.

(A) Division into districts. For the purpose of this chapter, the village is divided into nine categories of zoning districts.

(B) Designation of districts. Such nine districts are designated as follows:

Residence Districts

- R-1 One-Family Residence District
- R-2 One and Two-Family Residence District
- R-3 Multi-Family Residence District
- R-4 Planned Residential District

Nonresidence Districts

- B-1 Neighborhood Business District
- B-2 Downtown Business District
- B-3 General Business District
- M-1 Light Manufacturing District
- M-2 General Manufacturing District

Cross-reference:

District defined, see § 152.004

Statutory reference:

Basis of districts, see R.C. § 713.10

§ 152.071 MAP INCORPORATED; FILE COPY.

The several districts and boundaries thereof are adopted and established as shown on the zoning map of the village, which map, together with all notations, references, data, district boundaries, and other information shown thereon shall be and is made a part of this chapter, and which map, properly attested, shall remain on file in the office of the Village Clerk and is so designated and dated, (November 2003).

Cross-reference:

Interpretation of Map by Board, see § 162.034

Zoning map defined, see § 152.004

§ 152.072 DISTRICT BOUNDARIES.

Except where referenced on the zoning map to a street or alley line or other designated line by dimensions shown on the map, the district boundary lines follow lot lines or the center lines of streets or alleys as they existed at the time of the adoption of this chapter, but where a district line obviously does not coincide with the lot lines or such center lines, or where it is not designated by dimensions, it shall be determined by scaling.

§ 152.073 DIVIDED LOT; EXTENSION OF DISTRICT.

Where a district boundary line established in this chapter or as shown on the zoning map divides a lot which was in single ownership at the time of enactment of this chapter, the use authorized thereon and the other district requirements applying to the least restricted portion of such lot under this chapter shall be considered as extending to the entire lot, provided the more restricted portion of such lot is entirely within 25 feet of such dividing district boundary line. The use so extended shall be deemed to be conforming.

§ 152.074 INTERPRETATION WHEN BOUNDARIES UNCERTAIN.

All questions concerning the exact location of district boundary lines shall be determined by the Board according to rules and regulations which may be adopted by it.

§ 152.075 VACATED STREET OR ALLEY.

Whenever any street, alley, or other public way is vacated by official action as provided by law, the zoning district adjoining the side of such public way shall be extended automatically, depending on the side or sides to which such lands revert, to include the right-of-way thus vacated, which shall thenceforth be subject to all regulations of the extended district.

§ 152.076 PROPERTY NOT INCLUDING, ANNEXED TERRITORY.

In every case where property has not been specifically included within a district, the same is declared to be in the R-1 District. Territory annexed to or consolidated with the village subsequent to the effective date of this chapter shall, on the effective date of such annexation or consolidation, become a part of the R-1 District. Such districting shall be temporary and the Planning Commission shall recommend to Council, within a period of not to exceed six months from such date of annexation or consolidation, a final zoning map for the annexed territory.

CHANGES AND AMENDMENTS

§ 152.085 INITIATION BY COUNCIL OR PLANNING COMMISSION.

Whenever the public necessity, convenience, general welfare, or good zoning practice require, Council may by ordinance, after recommendation thereon by the Planning Commission and subject to the procedure provided in this chapter, amend, supplement, or change the regulations, district boundaries, or classifications of property now or hereafter established by this chapter, or amendments hereof. It shall be the duty of the Planning Commission to submit its recommendations regarding all applications or proposals for amendments or supplements. An amendment, supplement, reclassification, or change may be initiated by the Planning Commission on its own motion or by a verified application of one or more of the owners or lessees of property within the area proposed to be changed or affected by this chapter.

Statutory reference:

Council may amend districting or zoning, see R. C. § 713. 10
Council to hold public hearing, see R. C. § 713.12

§ 152.086 APPLICATIONS.

Applications for any change of district boundaries or classifications of property as shown on the zoning map shall be submitted to the Planning Commission, at its public office, on such form and accompanied by such data and information as may be prescribed for that purpose by the Planning Commission, so as to assure the fullest practicable presentation of facts for the permanent record. Each such application shall be verified by at least one of the owners or lessees of property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the applications. Applications for amendments initiated by the Planning Commission itself shall be accompanied by its own motion pertaining to such proposed amendment.

§ 152.087 OWNERS NEAR AFFECTED AREA.

Any person desiring a change in the zoning classification of property shall file with the application for such change a statement giving the names and addresses of the owners of all properties lying within and within 150 feet of any part of the exterior boundaries of the premises the zoning classification of which is proposed to be changed.

§ 152.088 PLANNING COMMISSION HEARING; NOTICE.

Before submitting its recommendations on a proposed amendment or reclassification to Council, the Planning Commission shall hold at least one public hearing thereon, notice of which shall be given by one publication in a newspaper at least 30 days before the date of such hearing. The notice shall state the place and time at which the proposed amendment to this chapter, including text and maps, may be examined.

§ 152.089 RECOMMENDATION TO COUNCIL.

Following such hearing the Planning Commission may recommend that the application be granted as requested, or it may recommend a modification of the zoning amendment requested in the application, or it may recommend that the application not be granted. These recommendations shall then be certified to Council.

§ 152.090 COUNCIL HEARING; NOTICE.

After receiving from the Planning Commission the certification of the recommendations on the proposed amendment and before adoption of such amendment, Council shall hold a public hearing thereon, as required by R.C. § 713.12, at least 30 days notice of the time and place of which shall be given by one publication in a newspaper of general circulation in the village.

§ 152.091 FINAL ACTION.

(A) Following the hearing provided in § 152.090 and after reviewing the recommendations of the Planning Commission thereon, no such ordinance, measure, or regulation which violates, differs from, or departs from the plan or report submitted by the commission, board, or officer shall take effect unless passed or approved by not less than three-fourths of the membership of the legislative authority.

(B) No ordinance, measure, or regulation which is in accordance with the recommendations, plan, or report submitted by the Commission, Board, or officer shall be deemed to pass or take effect without the concurrence of at least a majority of the members elected to the legislative authority.

§ 152.092 FEES.

Each application for a zoning amendment, except those initiated by the Planning Commission, shall be accompanied by a check payable to the Village Treasurer, or a cash payment sufficient in the amount to cover the costs of publishing, posting, and mailing notices of hearings, but in no event shall it be less than \$25.

R-1 ONE-FAMILY RESIDENCE DISTRICT

§ 152. 100 PRINCIPAL PERMITTED USES.

No building, structure, or land shall be used and no building or structure shall be erected, altered, or enlarged, which is arranged, intended, or designed for other than one of the following uses, except as provided in §§ 152.190 through 152.196.

(A) Residential. One-family detached dwellings. Exception: Manufactured Mobile Homes 16 feet wide or less.

(B) Institutional and cultural. Churches and other places of worship and Sunday school buildings located not less than 20 feet from any other lot in any R District; schools and colleges for academic instruction located not less than 40 feet from any other lot in any R District, and public library, public museum, public art gallery, and similar public cultural uses located not less than 20 feet from any other lot in any R District.

(C) Recreational. Public parks, playgrounds, recreational and community center buildings and grounds, golf courses, country clubs, tennis courts, and similar recreational uses, all of a noncommercial nature, provided that any principal building used therefor shall be located not less than 40 feet from any other lot in any R District.

(D) Agricultural. Nurseries, greenhouses, and general farming, not including commercial animal farms or kennels, provided any lot or tract in such use shall be not less than five acres in area and

provided that any greenhouse heating plant or any building in which farm animals are kept shall be distant not less than 200 feet from every lot line.

(E) Essential services. As defined in § 152.060. Penalty, see § 152.999

Cross-reference:

Additional permitted and prohibited uses, see §§ 152.046 and 152.047

Performance standards, see §§ 152.285 - 152.287

Transitional uses in Residence Districts, see § 152.050

§ 152.101 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted only if specifically authorized by the Board in accordance with the provisions of §§ 152.025 through 152.036:

(A) P-R Planned Residential Development. The purpose of this section is to accommodate creative residential developments containing a variety of residential structures as regulated by §§ 152.130 through 152.135.

(B) Utility stations. Static transformer stations, booster stations, and other utility stations, when operating requirements necessitate locating in an R-1 District in order to serve the neighborhood, provided there is no yard or garage for service or storage and, provided further, that the premises on which such utility station is erected and maintained shall be appropriately landscaped, screened, fenced or protected so as to be in harmony with the general appearance and safety of the neighborhood.

(C) Recreational. Private noncommercial recreation areas and facilities not listed in § 152.100 including swimming pools, provided that no swimming pool shall be located nearer than 100 feet from any other lot in any R District.

Cross-reference:

Exceptions and modifications, see §§ 152.205 - 152.213

Nonconforming uses and buildings, see §§ 152.190 - 152.196

§ 152.102 ACCESSORY USES.

Accessory uses, buildings, or other structures customarily incidental to any aforesaid permitted or conditionally permitted uses may be established, erected, or constructed, provided that such accessory uses shall not involve the conduct of any business, trade, or industry, or any private way or walk giving access to such activity, or any billboard, sign, or poster other than hereinafter authorized, and shall not include the boarding of animals or the keeping of fowl or farm animals except in a building at least 100 feet distant from every lot line.

Accessory uses may include the following:

(A) Gardening and farm animals. Gardening, the raising of vegetables or fruits, and the keeping of domestic or farm animals exclusively for the use or personal enjoyment of residents of the premises and not for commercial purposes, provided that any heating plant and any structures in which farm animals are kept shall be located at least 100 feet from every lot line.

(B) Summer houses and servants' quarters. Summer houses and living quarters of persons employed on the premises, without kitchen facilities and not rented or otherwise used as a separate dwelling.

(C) Parking facilities. Garages, carports, or other parking spaces for the exclusive use of residents of the premises.

(D) Swimming pools. Swimming pools, exclusively for the use of the residents, provided that such pools shall not be located closer than ten feet from any property line of the property on which located, the pump and filter installations shall be located not closer than 20 feet from any property line, and that such pool or the entire property on which it is located shall be so walled or fenced as to prevent uncontrolled access by children from the street or from adjacent properties. Any residential pool with more than 3 foot of water is required to have a fence around the entire pool.

(E) Real estate and professional signs. Real estate, small announcement, and professional signs subject to the provisions of §§ 152.250 through 152.253.

Cross-reference:

- Accessory uses in Residence Districts, see § 152.052
- Billboards and signs facing Residence District prohibited, see § 152.251
- Off-street parking and loading, see §§ 152.220 - 152.232
- Truck parking in Residence Districts, see § 152.063

§ 152.103 HEIGHT REGULATIONS.

No principal structure shall exceed 2-1/2 stories or 35 feet in height, and no accessory structure shall exceed one story or 15 feet in height, except as provided in § 152.206. Penalty, see § 152.999

Cross-reference:

- Visibility across comer lots, see § 152.056

§ 152.104 LOT AREA FRONTAGE, AND YARD REQUIREMENTS.

The following minimum requirements shall be observed for single-family dwellings not included in a P-R Planned Residential Development.

- (A) Minimum lot area – 7,500 square feet.
- (B) Minimum lot frontage - 50 feet.
- (C) Minimum front yard depth - 30 feet.
- (D) Minimum lot width - 75 feet.
- (E) Minimum side yard width - ten feet with minimum sums of 25 feet in both widths.
- (F) Minimum rear yard depth - 40 feet.
- (G) Minimum floor area as follows:

DWELLING TYPE	MINIMUM FLOOR AREA
One or two bedroom	1,000 sq. ft.
Three bedrooms	1,200 sq. ft.
Four bedrooms	1,400 sq. ft.

Penalty, see § 152.999

R-2 ONE- AND TWO-FAMILY RESIDENCE DISTRICT

§ 152.110 PRINCIPAL PERMITTED USES.

- (A) General. All principal uses permitted and as regulated in the R-1 District, except as hereinafter specified.
- (B) Residential. Two-family dwellings.

(C) Hospitals, Hospitals for human care, medical clinics for human care, and sanitariums but not including those for the care of epileptics, drug addicts, the feeble-minded or insane, or for contagious diseases, provided that any hospital or sanitarium shall be at least 50 feet distant from any other lot in any R District.

(D) Group homes for mentally retarded persons.

Cross-reference:

Additional permitted and prohibited uses, see §§ 152.046 and 152.047

Performance standards, see §§ 152.285 - 152.287

Transitional uses in Residence Districts, see § 152.050

§ 152.111 CONDITIONALLY PERMITTED USES.

(A) General. All conditionally permitted uses as regulated in the R-1 District, except as hereunder specified.

(B) Residential.

(1) Dwelling groups comprised of buildings containing not more than four families in any one building, subject to the requirements of this chapter and the provisions of §§ 152.270 through 152.277.

(2) Dwellings for any number of families located on a lot adjoining and within 100 feet of a less restricted district or on a lot abutting primary or secondary thoroughfares, as defined in § 152.004, provided all height, area and yard requirements for a four-family dwelling in an R-2 District are met.

(C) Hospitals. Any hospital for human care, provided that buildings which are used for the treatment of contagious diseases, the care of epileptics, drug addicts, the feeble-minded, or insane shall be at least 100 feet distant from any other lot in any R District.

Cross-reference:

Exceptions and modifications, see §§ 152.205 - 152.213

Nonconforming uses and buildings, see §§ 152.190 - 152.196

§ 152.112 ACCESSORY USES.

(A) General. Accessory uses or structures permitted and as regulated in the R-1 District, except that the raising or keeping of farm animals shall not be permitted on any lands used or platted for residential purposes.

(B) Professional offices. The office or studio in the residence of a physician, dentist, artist, lawyer, engineer, teacher, architect, or other member of a recognized profession, but not including beauty parlors, barber shops, and schools of any kind with organized classes or similar activity, provided that not more than one-half of the floor area of one floor of the dwelling is devoted to such accessory use, that not more than one person not a resident on the premises is employed, that no such use shall require structural alterations or involve construction features not customary in dwellings, and that the entrance to such office or studio shall be from within the dwelling. An unlighted name plate only, of not over one square foot in area and attached flat against the building, shall be permitted.

(C) Home occupations. Customary home occupations, such as handicraft, dressmaking, millinery, laundry, preserving, and home cooking, provided that such occupation shall be conducted exclusively by resident occupants, that not more than one-quarter of the area of one floor of such residence shall be used for such purpose, that no structural alterations or constructions involving features not customarily found in dwellings are required, and that the entrance to the space devoted to such use shall be from the dwelling. An unlighted sign only, of not over one square foot in area and attached flat against the building, shall be permitted.

(D) Roomers. The keeping of not more than three roomers or boarders by a resident family. Penalty, see § 152.999

Cross-reference:

- Accessory uses in Residence Districts, see § 152.052
- Billboards and signs facing Residence Districts prohibited, see § 152.251
- Off-street parking and loading, see §§ 152.220 - 152.232
- Truck parking in Residence Districts, see § 152.063

§ 152.113 HEIGHT REGULATIONS.

Same as specified in the R-1 District.

Cross-reference:

Visibility across corner lots, see § 152.056

§ 152.114 LOT AREA, FRONTAGE, AND YARD REQUIREMENTS.

The following minimum, requirements shall be observed, except as otherwise provided herein:

	LOT AREA (SQ. FT.)	LOT FRONTAGE (FT.)	LOT AREA PER FAMILY (SQ. FT.)	FRONT YARD DEPTH (FT.)	SIDE YARD WIDTHS		REAR YARD DEPTHS (FT.)
					Least Width (FT.)	Sum of widths (FT.)	
One-family dwellings 1-1/2 stories	7,500	50	6,000	20	6	15	35
2 and 2-1/2 stories	7,500	50	6,000	20	8	20	35
Two-Family dwellings 1 and 1-1/2 stories	7,500	50	3,000	20	8	20	40
2 and 2-1/2 stories	7,500	50	3,000	20	10	25	40
Four-Family dwellings 2 and dwelling groups	12,000	60	3,000	20	10	25	40
Group Homes	15,000	100		20	20	40	20
Hospitals (§ 152.111 C)	2 acres	150		30	12	30	40
Hospitals (§ 152.111 C)	5 acres	300		Buildings for treatment of contagious diseases, epileptics, drug addicts, the feeble-minded, or insane, 100 feet from the lot line. Other buildings, same as general hospitals.			

R-3 MULTI-FAMILY RESIDENCE DISTRICT

§ 152.120 PRINCIPAL PERMITTED USES.

(A) General. All principal uses permitted and as regulated in the R-1 and R-2 Districts, except as hereinafter specified.

(B) Residential. Multi-family dwellings for any number of families or housekeeping units.

(C) Apartment hotels. Apartment hotels, lodging houses, or boarding houses for any number of guests, but not primarily for transients, including incidental accessory services, such as restaurant and newsstands, when conducted and entered from within the building, provided there is no exterior display or advertising, except for an indirectly illuminated announcement sign not exceeding six square feet in area, which, if not attached to the building, shall be distant at least ten feet from all street lines.

(D) Clinics. Clinics for human care, homes for the aged, or sanitariums, but not including those for the care of epileptics, drug addicts, the feeble-minded or insane, or for contagious diseases.

(E) Group homes for mentally retarded persons.

Cross-reference:

Additional permitted and prohibited uses, see §§ 152.046 and § 152.047

Performance standards; see §§ 152.285 - 152.287

Transitional uses in Residence Districts, see § 152.050

§ 152.121 CONDITIONALLY PERMITTED USES.

(A) General. All conditionally permitted uses as regulated in the R-2 District except as hereinafter specified.

(B) Motels, motor hotels, and tourist homes. On premises only that front on a street officially designated as a state or federal highway, and subject to the provisions of §§ 152.240 through 152.245.

(C) Clubs. Private clubs, fraternities, lodges, and meeting places for other similar organizations, not including those that are customarily conducted as a gainful business, provided all buildings in which such organizations or activities are housed shall be located at least 20 feet from any other lot in any R District.

(D) Community development projects. Subject to the requirements of this chapter and the provisions of §§ 152.270 through 152.277

Cross-reference:

Exceptions and modifications, see §§ 152.205 - 152.213

Nonconforming uses and buildings, see §§ 152.190 - 152.196

§ 152.122 ACCESSORY USES.

Any accessory use or structure permitted and as regulated in the R-2 District, and any accessory use or structure customarily incident or accessory to a principal permitted use or conditionally permitted use in the R-3 District.

Cross-reference:

Accessory uses in Residence Districts, see § 152.052

Billboards and signs facing Residence Districts prohibited, see § 152.251

Off-street parking and loading, see §§ 152.220 - 152-232

Truck parking in Residence Districts, see § 152.063

§ 152.123 HEIGHT REGULATIONS.

No principal structure shall exceed three stories or 40 feet in height, and no accessory structure shall exceed two stories or 25 feet in height, except as provided in § 152.206.

Penalty, see § 152.999

Cross-reference:

Visibility across corner lots, see § 152.056

§ 152.124 LOT AREA, FRONTAGE, AND YARD REQUIREMENTS.

The following minimum requirements shall be observed, except as otherwise provided herein:

	LOT AREA (SQ. FT.)	LOT FRONTAGE (FT.)	LOT AREA PER FAMILY (SQ. FT.)	FRONT YARD DEPTH (SQ. FT.)	Side Yard Widths		REAR YARD DEPTHS (FT.)
					Least Width (FT.)	Sum of Widths (FT.)	
One-and-two family dwellings	Same as R-2						
Two-family dwellings							
1 and 1 ½ stories	6000	60	2000	20	8	16	40
2 and 2 ½ stories	6000	60	2000	20	10	20	40
3 stories	6000	60	2000	20	12	25	45
Group homes	6000	60		20	10	20	40
Community development projects, three acres minimum.	2000						

R-4 PLANNED RESIDENTIAL DISTRICT

§ 152.130 PURPOSE.

It is the intent of this chapter to recognize and accommodate in a unified project creative and imaginative planned residential developments that provides flexibility in housing types while retaining the best interests of the village. In order to accomplish this purpose, it is the intention in establishing these regulations:

- (A) To permit, in a planned residential development, a variety of dwelling types including single family detached, clustered, and attached; townhouse and garden apartment types, but not exceeding six dwelling units per structure or an overall density of six dwelling units per acre;
- (B) To permit the flexible spacing of lots and buildings in order to encourage the separation of pedestrian and vehicular circulation, the conservation of the natural amenities of the landscape, and the creation of functional and interesting residential areas; and
- (C) To permit the economical distribution and use of such facilities as sanitary sewer, central water supply, and public and private streets.

Statutory reference:

Zoning applies to housing projects, see R. C. § 3735.44

§152.131 PERMITTED USES.

- (A) Single-family detached dwellings.
- (B) Single-family attached dwellings, where no more than five dwellings are contained in any one grouping of attached or contiguous structures.

(C) Townhouse dwellings, where no more than six dwellings are contained in any one building, and not to exceed 40% of the total number of dwelling units allowed in the overall project.

(D) Garden apartment dwelling where no more than two-stories are involved or six dwellings are contained in any one building, and not to exceed 20% of the total number of dwelling units allowed in the overall project.

§ 152.132 AREA YARD, AND HEIGHT REGULATIONS.

(A) Minimum area for development. A R-4 Planned Residential District shall contain a minimum of five acres. The acreage shall be contiguous in that it shall not be divided into segments by any limited access highway or any tract of land (other than roads, rights-of-way for pipelines, or electric transmission lines) not owned by the developer of the R-4 development.

(B) Maximum overall density of residential development of the total project area. Six dwelling units per acre. The density of the cumulative total of all phases of a development, having been given final development plat approval, shall never exceed the maximum permissible density for the planned residential development as a whole.

(C) Minimum lot area for single-family units on individual lots. Single-family, 10,000 square feet.

(D) Minimum yard requirements for single-family units on individual lots:

(1) Front yard depth - 30 feet.

(2) Rear yard depth - 40 feet.

(3) Side yard width - ten feet with sum of 25 feet for both widths.

(4) Minimum lot frontage. All lots shall have a minimum frontage on a public thoroughfare of 50 feet.

(E) Minimum lot area and yard requirements for single-family attached dwellings:

(1) 7,260 square feet per dwelling unit.

(2) Front yard depth - 30 feet.

(3) Rear yard depth - 40 feet.

(4) Side yard width - ten feet adjacent to the non-attached sides of dwellings, zero feet between attached dwellings.

(5) Minimum lot frontage. Dwellings on individual lots shall have a frontage of 50 feet and dwellings grouped on a common parcel shall have a parcel frontage of 50 feet on a public thoroughfare or on a private street built to village paving materials standards and the provisions of Ch. 155, Appendices A, B, and C and the private street to be owned and maintained through duly recorded condominium ownership provisions.

(F) Minimum yard requirements for townhouse and garden apartment structures:

(1) Front, side, or rear yard depths for buildings adjacent to, fronting on, or backing on a public thoroughfare - 40 feet.

(2) All detached residential buildings shall be separated from one another by a minimum distance of 25 feet.

Planning and Zoning

(3) All residential buildings shall be set back from any planned residential development boundary a distance not less than 40 feet.

(4) All residential buildings, accessory buildings, and service buildings shall be set back from all major driveways and other primary vehicular access ways a distance not less than 20 feet.

(5) Minimum parcel frontage. All townhouse and garden apartment buildings shall be located on parcels having a minimum of 50 feet frontage on a public thoroughfare or on a private street built to village paving material standards and the provision of Ch. 155, Appendices A, B, and C and the private street to be owned and maintained through duly recorded condominium provisions.

(G) Minimum floor areas for dwelling units permitted in the R-4 Residential Development are as follows:

(1) Single-family dwellings:

One or two bedrooms	1,000 square feet
Three bedrooms	1,200 square feet
Four or more bedrooms	1,400 square feet

(2) All townhouse and garden apartments as follows:

One and two bedrooms	800 square feet
Three bedrooms	1,000 square feet
Four bedrooms	1,200 square feet

§ 152.133 SITE DEVELOPMENT, PARKING, OPEN SPACE, AND OTHER REQUIREMENTS.

(A) Development layout. When a proposed R-4 Planned Residential District abuts existing lots containing single-family dwellings, proposed structures of the R-4 Development abutting those lots shall be restricted to single-family detached dwellings. Dwelling units shall be grouped or clustered to break up the development arrangement, maximize privacy, collect and maximize the common open space, and promote the individual character and coordinated layout of each lot, cluster, and groupings. Streets and cul-de-sacs shall be laid out to utilize natural contours and discourage through and high speed traffic.

(B) Off-street parking. There shall be provided outside the public right-of-way and off the primary access drives an average of three parking spaces per dwelling unit for the total development.

(C) Streets and driveways. All streets and drives, whether public or private, shall be designed and constructed to or greater than the standards of construction for infrastructure items, details, and specifications for the village of West Lafayette.

(D) Open space. At least 4% of the total acres in a proposed development permitted by this chapter shall be devoted to open space, recreational facilities exclusive of parking areas.

(E) Sanitary sewer and water facilities shall be provided at the time of development.

(F) Topography, natural features. Site Planning shall be designed to take advantage of the topography of the land in order to utilize the natural contours, and to minimize destruction of water courses, natural vegetation, trees, and topsoil. The natural features and other distinctive characteristics of the site shall be integrated into the plan to create variations in the arrangements of buildings, open spaces, and site features.

(G) Compliance with other applicable sections of village's codes and ordinances. In addition to complying with the requirements of this chapter, the applicant applying for a R-4 Planned Residential District zoning shall comply with the appropriate provisions of (Chapter 155) and this chapter not in conflict with the specifications contained in this chapter.

§ 152.134 PLAN FOR DEVELOPMENT OF LAND; APPROVAL PROCEDURE.

(A) General plan approval. At the time of the application to the Village Planning Commission for rezoning to R-4, a general plan for the development of the land shall have been filed with the Planning Commission by the owners of the land involved. The general plan shall show the following:

- (1) The boundaries of the development.
- (2) A tabular summary of the total acreage of the proposed development, the maximum allowable number of dwelling units by type, area and acreage, and the number of acres proposed for recreational/ open space development.
- (3) The proposed street system, parking areas, access areas, access drives, and general pedestrian circulation system for the proposed development.
- (4) The proposed locations of all areas for single-family and multi-family dwellings, such as attached cluster, townhouse, and garden, and all accessory and other uses, such as recreational service buildings.
- (5) The general plan for proposed sewer and water facilities. (Refer to village manual)
- (6) The proposed reservations for recreational areas, including parks and playgrounds, open spaces, and other community facilities, with a statement of the proposed methods to be employed to preserve and maintain recreational areas and open space.

(B) Final approval of uses in a planned residential district. Before such uses may be begun as are provided for by this chapter, the owner shall file a final development plat for any specific area within the project, or the overall project, with the Planning Commission, together with a letter of application for such approval. Such final development plat shall show the following:

- (1) The area to be developed and the area to be devoted to open spaces for the use of all residents of the area with accurate acreage, courses, and distances, as determined by a licensed surveyor who shall sign such plan and certify to accuracy thereof.
- (2) The location of all buildings, descriptive data as to the type of buildings, the number of dwelling units in each separate residential type, and the number of bedrooms for each apartment (multifamily dwellings) building.
- (3) A detailed plan setting forth the manner and means whereby all open space, properties held in common, rental properties, and private properties, including all facilities of the storm water management and sedimentation control systems, shall be properly maintained. Such plan shall be in the form of a homeowners association or some such similar instrument.
- (4) Approved plans for sanitary sewer and water supply facilities.

(C) Conditions for final approval of uses. The Planning Commission shall give the final approval of uses only on finding that the following conditions are met:

- (1) No applicable, general, or specific requirements of the village zoning and subdivision regulations, as existing at the time of general plan approval, is violated by the final development plat.

(2) The final development plat is substantially in accordance with the general plan which had been previously filed with and approved by the Village Planning Commission as the basis for establishing a R-4 Planned Residence District.

(3) The density of dwelling units in any area does not exceed that shown on the general plan and that the overall density of the development has not been exceeded with respect to the total figure shown on the general plan.

(4) The area reserved for open space and recreation in the sum of all areas for which final development plat approval has been given or is requested shall never be less than 4% of the cumulative acreage of all areas for which final development plat approval has been given or is requested.

§ 152.135 RESIDENTIAL SPECIFICATIONS

(A) Building setback, ownerships, and specifications.

(1) For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CONDOMINIUM ASSOCIATION. Involves mandatory membership and support.

HOMEOWNERS ASSOCIATION. Involves voluntary membership and member support.

(2) Single-family detached. A separate single-family dwelling on its own, legally described, lot.

<i>Individual Lot</i>	<i>Rental</i>
10,000 sq. ft.	Yes - same specifications as lots.
30 ft. Front yard	
40 ft. Rear yard	
10 ft. Side yard	

Condominium

Yes - limited lot; common lands.

(3) Single-family attached. Independent dwellings with separate identities, entrances, and services, but with contiguous or attached structural elements, these dwellings may be located on separate lots or grouped on commonly owned and maintained acreage. For purposes of flexibility, variety, and identity, no more than five dwellings shall be in an attached or contiguous grouping.

<i>Individual Lot</i>	<i>Rental</i>
7,260 sq. ft.	Yes - same specifications as lots.
30 ft. Front yard	
40 ft. Rear yard	
0 ft. Inter. Side yard	
10 ft. Ext. Side yard	
50 ft. Frontage	

Condominiums

Yes - limited lot; common lands.

(B) Open space, recreation, and public sites.

(1) (a) Open space. Land not occupied by buildings, parking lots, or other structures and set aside for the preservation, provision, and maintenance of the natural environment, such as unusual, interesting, or significant areas of vegetation, wildlife, habitat, natural panoramas, unusual land forms, water bodies and water courses, wetlands and floodplains, and other natural amenities.

(b) Alternatives for ownership and maintenance as features of a development:

PUBLIC	PRIVATE INDIVIDUAL	HOME OWNERS ASSOCIATION	CONDOMINIUM ASSOCIATION
Yes, if part of the village's designated open space areas	Yes, if permanently tied to development	Yes, with conditions	Yes, with conditions

(2) (a) Recreation areas. Open space developed for or intended to be developed for recreational activities requiring land areas outside of buildings and other structures, including such facilities as play fields, ball fields, golf courses, hiking and riding trails, and picnic areas.

(b) Alternatives for ownership and maintenance as features of a development:

PUBLIC	PRIVATE INDIVIDUAL	HOME OWNERS ASSOCIATION	CONDOMINIUM ASSOCIATION
Yes, if part of the village's designated open space areas	Yes, if permanently tied to development	Yes, with conditions	Yes, with conditions

(3) Town house. Independent dwelling with separate identities and entrances but structurally connected or having common walls or roofs, all dwellings have direct access to the outside at grade, and no dwellings are located one over the other. Townhouse buildings may include up to six dwellings and may be located on acreage which is either under single ownership or commonly owned and maintained.

Individual Lot	Rental
No	Maximum six units/ac. 30 ft. Front yard 40 ft. Rear yard 10 ft. Ext. Side yard 20 ft. Bldg. Sep. 50 ft. Frontage

Condominium
Same as rental

(4) Garden apartment. A multi-family structure containing four self-contained dwellings, which may be located one over the other and which may have common building entrances, stairway, and other common services and facilities. Garden apartment buildings may have two floors above grade.

Individual Lot Rental

No
 Maximum six units/ac.
 40 ft. Front yard
 20 ft. Rear yard
 10 ft. Side yard
 20 ft. Bldg.
 50 ft. Frontage

Condominium

Same as rental

- (5) (a) Recreation facilities. Buildings, equipment, and other structures developed for recreational activities, including tennis, basketball, volleyball, and other types of court facilities, swimming pools, play equipment, party and meeting rooms and buildings, and landscaping, flower beds, and other aesthetic features.

(b) Alternatives for ownership and maintenance as features of a development:

PUBLIC	PRIVATE INDIVIDUAL	HOME OWNERS ASSOCIATION	CONDOMINIUM ASSOCIATION
Yes	No	No	Yes- with conditions

- (6) (a) Public facility sites. Land designated for future facility or land containing facilities such as water and sewerage pump stations, storm water systems and detention basins, school and fire station sites, and sites for other publicly owned or operated facilities and services.

(b) Alternatives for ownership and maintenance as features of a development:

PUBLIC	PRIVATE INDIVIDUAL	HOME OWNERS ASSOCIATION	CONDOMINIUM ASSOCIATION
Yes	No	No	Yes- with conditions