ZONING RESOLUTION
OF
CHESTER TOWNSHIP
GEauga COUNTY
OHIO
AMENDED TO SEPTEMBER 29, 1956

ZONING COMMISSION
Ralph H. Schwarz, Chairman
George Painter
Howard W. Reiter
Charles Sweet
R. H. Tesreau

ZONING BOARD OF APPEALS
Allen Hull
Eugene Painter
S. A. Patterson
Ralph Shanower
Donald Stuart

ZONING INSPECTOR
William E. Bebout

TOWNSHIP TRUSTEES
Lyle Battles, Chairman
John F. Richmond, Vice Chairman
Forest Bond

A resolution providing for the zoning of the unincorporated area of Chester Township by regulating the location, size, height, and use of buildings and structures, the area and dimension of lots and yards, and the use of lands and for such purposes dividing the unincorporated area of the township into zones or districts of such number, sizes and shapes as are deemed best suited to carry out said purposes, providing a method of administration, and prescribing penalties and proceedings for the administration and enforcement of this resolution.

WHEREAS, the Board of Trustees of Chester Township deems it in the interest of the public health, safety, morals, comfort, and general welfare of said Township and its residents to establish a general plan of zoning for the unincorporated area of said township.

There is hereby created a Township Zoning Commission of five (5) members who shall be residents of the unincorporated area of the township included in area zoned. The term of each member shall be five (5) years beginning January 1st, and the terms of the members shall be so arranged that the term of one member will expire each year. Vacancies shall be filled by the board of township trustees and shall be for the unexpired term.

The Commission shall organize, adopt rules for the transaction of its business and keep a record of its action and determinations. Members of the Zoning Commission shall serve without compensation. No township trustee shall be employed by the Zoning Commission of his township.

The Township Zoning Commission shall meet quarterly.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Chester Township:

SECTION I. PURPOSE
For the purpose of promoting public health, safety, morals, comfort and general welfare; to conserve and protect property and property values; to secure the most appropriate use of land; and to facilitate adequate but economical provision of public improvements, all in accordance with a comprehensive plan, the Board of Trustees of this Township finds it necessary and advisable to regulate the location, height, bulk, number of stories and size of buildings and other structures, including tents, cabins and trailer coaches, percentages of lot areas which may be occupied, set-back building lines, sizes of yards, courts and other open spaces, the density of population, the uses of buildings and other structures, including tents, cabins and trailer coaches and the uses of land for trade, industry, residence, recreation, or other purposes and for such purposes divides the unincorporated area of the township into districts or zones.

SECTION II. DISTRICTS
For the purpose of carrying out the provisions of this resolution, the unincorporated area of the township is hereby divided into the following districts:

1. Residential, which shall be designated as "R" districts.
2. Business and commercial, which shall be designated as "B" districts.
3. Industrial and manufacturing, which shall be designated as "I" districts.

The districts as shown on the map hereto attached are hereby established and said map is made a part of this resolution. No building or premises shall be used and no building shall be erected except in conformity with the regulations prescribed herein for the district in which it is located.

SECTION III. AGRICULTURE
Land in any district may be used for agricultural purposes. No zoning certificate shall be required for the construction of buildings incident to the use for agricultural purposes of the land on which such buildings shall be located, but such buildings shall conform to the regulations contained in this resolution. For the purpose of this resolution, "agricultural" shall include pasturage.
For the purposes of this resolution, the various uses of buildings and premises shall be classified as follows:

R District (Residential)
The following uses and no other shall be deemed Class R uses and permitted in all R districts:
1. Single or two-family dwellings and buildings accessory thereto, but excluding tents, cabins and trailer coaches, except that any structure or trailer coach may be temporarily used as a residence on a lot while a dwelling is being constructed thereon, but such excluded use shall not be continued for more than two (2) years, provided that within one (1) year of the date of issue of a zoning permit the permanent dwelling be enclosed and roofed.
2. Tourist homes, rooming houses and boarding houses accepting not more than four (4) guests at any one time.
3. Church, school, college, university, children's home, public library, public museum, community center, fire station, township hall, publicly-owned park, publicly-owned playground.
4. Any person may maintain an office or may carry on a customary home occupation in the dwelling house used by him as his private residence providing such use does not involve any extension or modification of said dwelling which will alter its outward appearance, and provided such use does not involve any outward evidence of such use other than a sign as authorized in other sections of this resolution provided such occupation does not involve the selling of goods, merchandise, groceries, or commodities to the transient public, or cause undue traffic upon such premises. The above uses shall be permitted only providing such use is not noxious, dangerous or offensive by reason of odor, dust, smoke, gas, noise, fumes, flame or vibration.

B District (Business and Commercial) Map
Designates depth of Commercial zones.
The following uses and no other shall be deemed Class B uses and permitted in all B districts:
1. Any use permitted in an R district shall be permitted in a B district.
2. Apartment building, rooming house, hotel, living quarters over business establishment, restaurant, lunchroom, garage.
3. Retail store or shop, repair shop, beauty parlor, funeral home, mercantile establishment, bank, office, office building, or studio.
4. Hospital or rest home other than for contagious diseases, insane, mental cases, drug or liquor addicts.
5. Lodge hall.
6. Gasoline filling and service station providing storage tanks are underground.
7. Indoor theater, bowling alley, dance hall.
8. Job printing, newspaper printing plant.
9. Coal yard, builders' supply, ice storage and sales, plumbing and heating supply.
10. Dairy.
11. Cabins and/or Motels for transient use on Mayfield Road Business Districts only and shall have a minimum floor space per living unit of 192 square feet. The above uses shall be permitted only providing such is not noxious, dangerous or offensive by reason of emission of odor, dust, smoke, gas, noise, fumes, flame or vibration.

I District (Industrial and Manufacturing)
The following uses and no other shall be deemed Class I uses and permitted in all I districts:
1. Any use permitted in an R district or a B district shall be permitted in an I district.
2. Any non-conforming use of industrial or manufacturing use, providing such use is not noxious, dangerous, or offensive by reason of emission of odor, dust, smoke, gas, noise, flame, or vibration, except uses specifically prohibited in this resolution.

SECTION V. PROHIBITED USES
The following uses shall be deemed to constitute a nuisance and shall not be permitted in any R, B, or I districts:
1. Amusement Park.
2. Commercial Aviation Field.
4. Metallic powder works.
5. Bulk storage tank, oil, gasoline or kerosene, with tanks above ground, unless enclosed and roofed.
6. Bulk storage tank, oil, gasoline or kerosene, with tanks underground, and the top of the sign is no higher than four (4) feet from the ground and provided the sign is in direct relation to the use of the premises.
7. Sign or billboard, other than those mentioned in paragraph 1 of this section, shall be deemed a structure and shall require a zoning certificate before being erected, constructed or replaced.
8. No outdoor advertising sign other than those mentioned in paragraphs 1, 1A and 1B of this section shall be placed nearer any street or road than the minimum set-back building line.
9. No outdoor advertising sign except those specifically authorized by the local government shall be exposed to view from any public highway.
10. No outdoor advertising sign shall be placed nearer any street or road than the minimum set-back building line.

SECTION VI. NON-CONFORMING USES
A. Any non-conforming use existing at the time this resolution takes effect may be continued, except that no non-conforming use changed to a more restricted use or to a conforming use at the time this resolution takes effect may be continued and may be extended or enlarged so as to extend the floor area devoted to such non-conforming use more than 10%.

B. Any building arranged, intended or designed for a non-conforming use, the construction of which has been started at the time of the passage of this resolution, but not completed may be completed and put to such non-conforming use, providing it is not extended more than 10% in area.

C. Any building or structure, existing as a non-conforming use at the time this resolution takes effect, which is destroyed by fire or the elements, may be reconstructed and restored providing the same is done within two (2) years from the date of said destruction.

D. A building or structure devoted to a non-conforming use at the time this resolution takes effect may not be altered or enlarged so as to extend the floor area devoted to such non-conforming use more than 10%.

E. Whenever a non-conforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted or non-conforming use.

SECTION VII. OUTDOOR ADVERTISING
For the purpose of this resolution, outdoor advertising shall be classified as a business use and shall be permitted in all B and I districts and on all lands used for agricultural purposes, subject to the regulations contained in this resolution:
1. Signs not larger than six (6) square feet in area are permitted in any district when the use of the sign is in direct relation to the use of the premises.
1A Signs not larger than six (6) square feet in area are permitted in B and I Districts when the top of the sign is no higher than four (4) feet from the ground and provided the sign is in direct relation to the use of the premises.
2. An outdoor advertising sign or billboard, other than those mentioned in paragraph 1 of this section, shall be deemed a structure and shall require a zoning certificate before being erected, constructed or replaced.
3. No outdoor advertising sign other than those mentioned in paragraphs 1, 1A and 1B of this section shall be placed nearer any street or road than the minimum set-back building line.
4. No outdoor advertising sign except those specifically authorized by the local government shall be exposed to view from any public highway.
SECTION VIII.
PUBLIC UTILITIES AND RAILROADS
This resolution shall not apply to public utilities or railroads.

SECTION IX. MINIMUM LOT AREA PER FAMILY
1. No single family dwelling shall be erected or building altered to accommodate one family as a residence on less than one (1) acre of lot area unless such lot was designated on a recorded plat and separately owned at the time this resolution took effect and cannot practically be enlarged to conform with this requirement.
2. No two-family or multiple dwelling shall be erected in such width and each said building shall accommodate more than one (1) family on less than three fourths (%4) acre per family.
3. No apartment house or living quarters over a business establishment shall be erected or building altered to accommodate more than one (1) family for each twenty-five hundred (2500) square feet of lot area.
4. In computing lot areas, not to exceed one-half of the width of the road or street right-of-way be included if the lot owner holds title to the same.

SECTION X. MINIMUM LOT WIDTH
No building shall be erected in any district on a lot having a frontage of less than one hundred (100) feet on a public thoroughfare except as provided in Section XI of these regulations unless lot was designated on a recorded plat or separately owned at the time this resolution took effect and cannot practically be enlarged to comply with this requirement. No minimum lot width shall be required in a B or I District for uses other than dwellings except such as is necessary to comply with the requirements for yard and lot areas or parking facilities.

SECTION XI. SET-BACK BUILDING LINES
No building or structure or any portion thereof, except steps and uncovered porches less than ten (10) feet in width, shall be erected within fifteen (15) feet of the right-of-way line of any road or street. If there is no established right-of-way line for any road or street, said line shall be determined to be thirty (30) feet from the center of the road. Provided, however, that the set-back building line on Opalocka Drive and Ward Drive shall be forty (40) feet from the right-of-way line. The main building on Mayfield Road shall be one hundred (100) feet from the center line of the road.

SECTION XII. SIDE YARDS
For every building erected in an R district or for every dwelling erected in any district, there shall be a minimum side lot clearance on each side of said building of not less than fifteen (15) feet or except on Opalocka Drive where the minimum side lot clearance on each side of said building shall be not less than eight (8) feet, which space shall remain open and unoccupied by any building or structure. Attached garages or accessory buildings connected with the main building by a breezeway or other permanently constructed connection shall be construed to be part of the main building for the purposes of this section. All other accessory buildings shall be at least twenty (20) feet distant from any dwelling.

Provided, however, that an accessory building located not less than twenty (20) feet to the rear of the main building may be erected not less than five (5) feet from a side lot line, except on corner lots, provided that it will be not less than twenty (20) feet distant from any existing residence. An accessory building is a subordinate building customarily incidental to and located on the same lot with the main building.

SECTION XIII. CORNER LOTS
The set-back building line on a corner lot shall be in accordance with the provisions governing the road or street on which the building faces. If possible, the sideyard clearance on the side street should conform to the set-back line or an inside lot on said road, but in no event shall said sideyard clearance be less than twenty-five (25) feet.

SECTION XIV. REAR YARDS
The set-back building line on a rear yard shall be in accordance with the provisions governing the road or street on which the building faces. If possible, the sideyard clearance on the side street should conform to the set-back line or an inside lot on said road, but in no event shall said sideyard clearance be less than twenty-five (25) feet.

SECTION XV. REAR HOUSES
No dwelling or apartment house shall be erected or altered or unless the same shall have access to a public street and, if located in the rear of another building and has no immediate street frontage, then a permanent easement for access shall be provided over an unoccupied strip of land at least twenty (20) feet in width and such reserved strip may not form a part of any lot width or lot yard or area required by this resolution, and, if more than one dwelling is located in the rear of another building and has no immediate street frontage, then said easement for access shall be not less than forty (40) feet in width and such said rear house shall be subject to the same requirements for frontage on the easement for access and other requirements for lot and yard areas as though said dwelling was located on a public street. Said easements shall be executed with the requirements provided by law for deeds and shall be filed with the Recorder in this county for record.

SECTION XVI.
MAXIMUM HEIGHT OF BUILDINGS
No building shall be erected in any B or I district to a height in excess of two and one-half (2½) stories or in excess of thirty-five (35) feet, measured from the natural grade at the building line to the highest point on the roof, except that these provisions shall not apply to the height of a church steeple, clock or other mechanical apparatuses which space shall remain open and unoccupied by any building or structure.

SECTION XVII.
MINIMUM SIZE OF DWELLING
A single family single story dwelling shall have a ground floor area of not less than six hundred (600) square feet, exclusive of porches, garages, breezeways or terraces.

A single family dwelling with living floor space on the second floor accessible by a built-in stairway shall have a ground floor area of not less than six hundred (600) square feet, exclusive of porches, garages, breezeways or terraces.

Multiple dwellings or apartment houses shall have not less than six hundred square feet per family unit of floor space designed and used for living quarters exclusive of basements, porches, garages, breezeways or terraces.

SECTION XVII-A. MINIMUM SIZE OF BUSINESS-COMMERCIAL BUILDINGS
Every Business-Commercial Building shall have a minimum ground floor area of one thousand (1000) square feet exclusive of loading docks or garages.

SECTION XVII-B. MINIMUM SIZE OF INDUSTRIAL BUILDINGS
Every Industrial Building shall have a minimum ground floor area of fifteen hundred (1500) square feet exclusive of loading docks or garages.

SECTION XVIII. PARKING FACILITIES
1. All dwellings and apartment houses shall provide parking space off the road or street and outside of the public right-of-way, together with means of ingress and egress thereto, for not less than one motor vehicle per dwelling unit or apartment. Not less than two hundred (200) square feet of area shall be deemed necessary for each vehicle.

2. All Class B uses shall provide parking space off the road or street, outside of the public right-of-way, not less than one hundred (100) square feet of area of the first floor of said establishment which it serves.

3. Every theatre, auditorium, stadium, arena, building or grounds used for the assembling of persons for circuses, shows, exhibitions, contests, concerts, lectures, entertainment and similar activities shall provide off the street or road in front of the building or grounds, a motor operable parking space of not less than thirty (30) square feet per paid admission, with the exception of those circuses or shows requiring any motor operable parking space in the rear of the building or grounds.
SECTION XII. ZONING CERTIFICATE

The Township Zoning Inspector is hereby created. The Township Clerk or any other person appointed by the Township Trustees shall serve as the Township Zoning Inspector and shall receive as compensation the fees to be determined by the Township Trustees. He shall keep records of all applications for zoning certificates and the action taken thereon.

Before constructing, changing the use of, or altering any building, including accessory buildings, or changing the use of any premises, application shall be made to the Township Zoning Inspector for a zoning certificate. The application shall indicate the exact location and dimensions, height of the building and the proposed use. Within ten (10) days after receipt of the application, the Zoning Inspector shall issue a zoning certificate if the application is accompanied by the proper fee.

The following fees shall be paid to the Township Zoning Inspector prior to the issuance of a Zoning certificate. Such fees are for the purpose of defraying the cost of inspection, certification, enforcement and maintaining necessary records.

Minimum Fee $3.00.
Building containing 600 to 800 square feet of floor space as defined in these regulations—fee $5.00.
Building containing 801 to 1000 square feet of floor space as defined in these regulations—fee $10.00.
Building containing more than 1000 square feet of floor space as defined in these regulations—fee $15.00.
Commercial or Industrial Building containing more than 1500 square feet floor space the fee shall be $15.00 plus $1.00 for each additional 100 square feet of floor space.

A zoning certificate shall be null and void if within six months of the date of issue no appreciable start of construction has been made.

SECTION XXI. BOARD OF ZONING APPEALS

There is hereby created a Board of Zoning Appeals of five (5) members, who shall be residents of the unincorporated area of the township included in the area zoned. The terms of each member shall be for (5) years beginning January 1st, except that the terms of the original members shall be of such length and so arranged that the term of one member will expire each year. Each member shall serve until his successor is appointed and qualified. Vacancies shall be filled by the Board of Township Trustees for the respective unexpired term. The members of the Board of Zoning Appeals shall serve without compensation.

The Township Board of Zoning Appeals shall have the following powers:

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by any administrative official in the enforcement of the zoning laws or of this resolution or any amendments thereto.

2. To abate nuisances, upon appeal, in specific cases, such variance from the terms of this zoning resolution as will not be contrary to the public interest, where owing to special conditions of the soil or other natural conditions, the literal enforcement of the provisions of this resolution or any amendments thereto will result in unnecessary hardship, and so that the spirit of the resolution shall be preserved and a substantially equivalent public use of the property ensured.

SECTION XXII. AMENDMENTS

Amendments or supplements to the zoning resolution may be initiated by the passage of a resolution therefor by the board of township trustees or by the filing of an application therefor by one or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment or supplement with the township zoning commission. The board of township trustees shall upon the passage of such resolution certify it to the township zoning commission.

Upon the certification of such resolution or the filing of such application the township zoning commission shall set a date for a public hearing thereon and it shall be held within thirty-five days from the date of the certification of such resolution or the date of the filing of such application. Notice of such hearing shall be given by publication in one or more newspapers of general circulation in the township at least thirty days before the date of such hearing.

Within ten days after the certification of such resolution or the filing of such application the township zoning commission shall transmit a copy thereof with text and map pertaining thereto to the county or regional planning commission, if there is such a commission.

The county or regional planning commission shall recommend the approval or denial of the proposed amendment or supplement or the approval of some modification thereof and shall, within twenty-five days after the reception of such resolution or application, submit such recommendation to the township zoning commission. Such recommendation shall be considered at the public hearing held by the township zoning commission on such proposed amendment or supplement.

The township zoning commission shall, after such hearing, recommend the approval or denial of the proposed amendment or supplement, or the approval of some modification thereof and submit such recommendation together with such
general election at which a governor was elected, governor in such area at the last preceding
issue of the vote has been requested shall be put
the next primary or general election.
requesting the board of county commissioners to

percent of the total vote cast for all candidates for
supplement equal to not less than eight per
area of the township or part thereof included in
of qualified voters residing in the unincorporated
governor in such area at the last preceding
certification by the board of elections that the
the township zoning commission the unanimous
shall take immediate effect.
amendment has been approved by the voters it

SECTION XXI. ENFORCEMENT
A. It shall be unlawful to construct, recon-

struction, enlarge, change, maintain or use any
building or to use any land in viola-
tion of any regulation or any provision of this
resolution or any amendment thereto. Any
person, firm or corporation violating this
resolution or any regulation, provision or
amendment thereto shall be deemed guil-
ty of a misdemeanor and upon conviction
shall be fined not more than One
Dollars ($100.00). Each day and
every day during which such illegal erec-
tion, construction, reconstruction, enlarg-
ment, change, maintenance or use con-
tracts may be deemed a separate offense.
B. In case any building is or is proposed to
be located, erected, constructed, recon-
strued, enlarged, changed, maintained or
used or any land is or is proposed to be used
in violation of law or of this resolution or any
amendment thereto, the Board of
Township Trustees, the prosecuting

Attorney of the county, the Township
Zoning Inspector or any adjacent or neigh-
boring property owner who would be
especially damaged by such violation, in
addition to other remedies provided by law,
may institute injunction, mandamus, abate-
ment, or any other appropriate action,
actions, proceeding or proceedings to
prevent, enjoin, abate or remove such unlawful
location, erection, construction, reconstruc-
tion, enlargement, change, maintenance
use or use.

SECTION XXII. INTERPRETATION
In interpretation and application, the provisions
of this resolution shall be held to the minimum
requirements adopted for the promotion of pub-
health, safety, morals, comfort and general
welfare.

Nothing herein shall repeal, abrogate, annul
or in any way impair or interfere with any pro-
vision of law or any rules or regulations, other
than zoning regulations, adopted or issued pur-
suant to law relating to the construction and use
of buildings or premises.

Where this Resolution imposes a greater
restriction upon the use of buildings or premise-
so with, abrogate or annul any easement,
covenants, deed restrictions or agreements
between parties which impose restrictions gree-
those imposed by this

SECTION XXIV. VALIDITY
Each section, sub-section, provision, require-
ment, regulation or restriction established by this
resolution or any amendment thereto, is here-
declared to be independent, and the holding
any part to be unconstitutional, invalid or in-
effective for any cause shall not affect nor render
invalid the resolution or amendments thereto
whole or any other part thereof, except that
particular part so declared to be invalid.

DESCRIPTION AND DEPTH OF
BUSINESS AND INDUSTRIAL ZONES
As recorded on Chester Township’s
Map dated March 4, 1948
(1) MAYFIELD ROAD ROUTE 322
(SCOTLAND AREA)
The Business Zone on Mayfield Road include
all property on the south side of Mayfield Ro-

duced to 500 ft. from the center line of Mayfield Road, with a
center line of Mayfield Road, except the J. & L. Arp Property
owned by Guy Mansfield to a depth of 500 ft
south from the center line of Mayfield Roa
except A. Hill, Contrell, Shonower, Knaud,
George Painter, H. Reinold and J. Inkster pro-
erties where the depth of the business zone
the south property lines of these parcels.

(2) CHILLICOTHE (ROUTE 306) & MAY-
FIELD (ROUTE 322) INTERSECTIO
The North side of Mayfield Road from the
west to the east side of Caves Road to a depth of 500 ft.
from the center line of Mayfield Road, except the J. & L. Arp Prop-
where the north line of the Arp Property is the
depth of the Business Zone. The south side of
Mayfield Road from the west line of the Luc
Hall Property east to the west line of Property
owned by Guy Mansfield to a depth of 500 ft
south from the center line of Mayfield Roa
except A. Hill, Contrell, Shonower, Knaud,
George Painter, H. Reinold and J. Inkster pro-
properties where the depth of the business zone
the south property lines of these parcels.

(3) CHILLICOTHE ROAD (ROUTE 306)
The west side of Chillicothe Road from the
south line of the A. Hill Property north to the
line of the Isaac Wink Property a depth of
feet.
The east side of Chillicothe Road from the
south line of the Lena Cottrell Property north to
Mayfield Road to a depth of 500 ft.

(4) MULBERRY ROAD and ROUTE 306
The east side of Chillicothe Road from the
south line of Milan Jacobs Property south to the
north line of the Mattie Battles Property to a
depth of 500 ft., except to east line of Butler
Property on the north and east line of F. Bette
Property on the south. The west side from the
south line of Milan Jacobs Property south to the
south line of L. F. Whitem Property to a
depth of 500 ft.

INDUSTRIAL ZONE
Schonfeld Property (Chesterland Realty) be-
going 700 ft. north of Wilson Mills Road, 1122
ft. deep on the north and south lines of the property and 191 ft.
wide on the east and west

The rezoning of 9.93 acres from Residential to
Industrial, north of Wilson Mills Road bounded on the south by
Field on the east.

The rezoning of 9.93 acres from Residential to
Industrial, north of Wilson Mills Road bounded on the south by
Field on the east.

The rezoning of 9.93 acres from Residential to
Industrial, north of Wilson Mills Road bounded on the south by
Field on the east.
MAP SHOWING DIVISION OF RESIDENTIAL, BUSINESS-COMMERCIAL AND INDUSTRIAL DISTRICTS IN CHESTER TOWNSHIP

FOR AN ACCURATE DESCRIPTION OF B & I DISTRICTS, REFER TO "DESCRIPTION AND DEPTH OF BUSINESS AND INDUSTRIAL ZONES" ON PAGE 10.