

**CHAPTER 320
General Provisions**

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Sec. 320.1 GENERAL REGULATION OF LOTS.

- A. Dwelling Units Per Lot. There shall be not more than one dwelling unit on a lot except as otherwise permitted in this zoning resolution. (Effective June 22, 2006)
- B. Required Street Frontage. All lots shall front on a dedicated public street or an approved private street, except as otherwise permitted for planned residential developments. The required street frontage shall also apply to lots created as part of a minor subdivision.
- C. Required Yard and Open Space Maintained. The required yards surrounding an existing principal building, which have 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.
- D. Lot Requirements 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 is 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.

Sec. 320.2 NUISANCES PROHIBITED.

No use shall be permitted or authorized to be established which, when conducted in compliance with the provisions of this Resolution and any additional conditions and requirements prescribed, may be hazardous, noxious, or offensive due to the emission of odor, dust, smoke, fumes, cinders, gas, noise, vibration, electrical interference, refuse matters and water carried wastes, or which will interfere with adjacent landowners enjoyment of the use of their lands.

Sec. 320.3 USE REGULATIONS – PROHIBITED USES.

Any use not specifically listed as either a permitted principal or conditional use shall be a prohibited use in the zoning districts and shall only be permitted upon amendment of this Resolution and/or the Zoning Map, as provided in ORC 519.12, or upon the granting of a variance. (Restated 01/12/17)

Sec. 320.4 ACCESS TO THE DISTRICTS PROHIBITED.

Driveways shall not be established from a road in a residential development to land in a nonresidential district or from a road in a nonresidential development to land in a residential district (Effective June 22, 2006).

Sec. 320.5 TEMPORARY CONSTRUCTION FACILITIES.

Temporary construction facilities for use incidental to construction work may be erected in any zoning district herein established; however, such facilities shall be removed upon completion or abandonment of the construction work. A temporary permit shall be obtained prior to the erection of a temporary construction facility, in compliance with the application requirements set forth in the Sec. 710.10. Such permits shall be valid for a one (1) year period, after which time it may be renewed. Temporary construction facilities shall not be used for habitation.

Sec. 320.6 SEWER AND WATER FACILITIES. (Revised 9/10/09)

- A. In the absence of a public water supply, no dwelling shall be constructed unless reasonable provision is made for an adequate, dependable, pure water supply from a drilled well, cistern, dug well, or spring, in accordance with the Private Water System Rule, Ohio Administrative Code, Chapter 3701-28 and the Medina County Health Department.
- B. In the absence of a sanitary sewer, sewerage shall be disposed of in a manner that prevents nuisance and contamination of the water supply, and is discharged through a watertight sewer into a septic tank in accordance with the Medina County Sanitary Code, Household Sewage Disposal Rules, Chapter 3 of the Medina County Health Department. Such sanitary provisions shall be made prior to human occupancy of the premises.

Sec. 320.7 FIRE PROTECTION, LIGHTING, AND UTILITIES.

Any residential development requiring a street conforming to the Medina County Subdivision Regulations shall be equipped at all times and comply with the following:

- A. Adequate fire hydrants or dry hydrants shall be provided as determined by the Medina City Fire Department, which serves that area.
- B. Adequate artificial lighting of streets that meet the standards established by the public utility and the Township as to number, candlepower, location, and type of support.
- C. All utility lines shall be placed underground. Utility easements at least 10 feet in width to accommodate the underground utility lines shall be provided on all front yards and along certain side lot lines where necessary.

Sec. 320.8 FILING OF DEED COVENANTS AND RESTRICTIONS.

Every developer shall be required to file with the Township Zoning Office a certified copy of all original Deed Covenants and Restrictions relating to the subdivision, after such Deed Covenants and Restrictions are filed with the Medina County Recorder's Office and any amendments thereto subsequent to the passage and filing of such amendments with the Medina County Recorder's Office. The Deed Covenants and Restrictions shall specifically include this requirement for the filing of the original and all amendments with the Township Zoning Office.

Sec. 320.9 HOMEOWNERS' ASSOCIATION TURNOVER FROM THE DEVELOPER TO THE HOMEOWNERS.

At least sixty (60) days prior to the developer turning over the homeowners' association to the homeowners, the township must be notified in writing. Such documentation shall include contact information of officers of the homeowners' association. (Effective June 22, 2006)

Sec. 320.10 SCHEDULE OF FEES.

The Township Board of Trustees shall by Resolution establish a schedule of fees, charges and expenses for zoning certificates, development plan review, conditional use permits, similar use determination, appeals, variances, amendments, and other procedures and services pertaining to the administration and enforcement of the Montville Township Zoning Resolution. In determining the fee amounts, the Trustees shall consider the recommendations of the Zoning Inspector with respect to actual administrative costs, both direct and indirect, and including the cost of review by professional consultants and related investigations, inspections, legal advertising, and postage. The schedule of fees shall be available from the Zoning Department and may be altered or amended only by the Trustees. Until all such appropriate fees, charges, and expenses have been paid in full, no action shall be taken on any application, appeal, or administrative procedure. Fees shall be nonrefundable, except as otherwise noted.

Sec. 320.11 ADDITIONAL NON-REFUNDABLE FEES

- A. In the event it is necessary to draw upon legal, engineering, planning or other expert testimony, consultation, or documentation, all expenses shall be borne by the applicant. (Effective June 22, 2006)
- B. When a court reporter is deemed necessary for meetings or public hearings, all expenses shall be borne by the applicant. (Effective June 22, 2006)