

ARTICLE 6 - RESIDENTIAL DISTRICTS (R-1,R-2,R-3,RHD,RS-1)

6.00 Purpose

The R-1, R-2, R-3, RHD and RS-1 Districts and their Resolutions, are created in order to ensure compatibility between the uses permitted both within each district and between those uses and the uses permitted within the other districts within this Resolution. More specific purposes of each district are defined below:

- (A) **R-1 Residential District.** The R-1 Residential District is created to provide for single-family and two-family residential uses at a density of not more than one (1) single-family detached dwelling unit per net acre, where water service and a waste water system connected to a sanitary sewer or to an Ohio Environmental Protection Agency (EPA) approved septic system are available.
- (B) **R-2 Residential District.** The R-2 Residential District is created to provide reasonable regulations for the development of single family residential uses, where water service and a waste water system connected to a sanitary sewer or to an Ohio Environmental Protection Agency (EPA) approved septic system is available, in a manner compatible with both the R-1 Residential District and the RS-1 Special Residential District. The district provides for single-family residential uses at a low density.
- (C) **R-3 Residential District.** The R-3 Residential District is created to apply to areas served by central water and waste water systems that are appropriate for a mixture of single-family and two-family at a medium-low density.
- (D) **RHD – Residential High Density District.** Planned Residential High Density development encourages efficient use of land and resources, including public services and utilities, protection of existing green space and riparian set backs. This type of development also allows for blending various housing types (i.e. multi-family, two-family and attached or detached single family units). It allows for flexibility within existing zoning guidelines and site design that remains within the traditions of the township. Each RHD development must involve no less than 45 contiguous acres, must have least two access points one of which is to be located on a state route, and must be serviced by an approved public sewer and water supply system. All utilities must be located underground. All plans, through all phases, shall be approved by the Zoning Commission.
- (E) **RS-1 Special Residential District.** The RS-1 Special Residential District is created to provide reasonable regulations for the development of those areas in which smaller than average lot sizes existed at the time of the enactment of the original Resolution. Lot sizes and other provisions contained in this Article are based upon the then-existing lot sizes in the subdivision to which the Sections are applicable and upon current health and subdivision practices. The District shall apply only to the entire area of the subdivisions known as Eaton Homes, Inc., and Eaton Estates, Inc., as shown on the Zoning Map.

6.01 Permitted and Conditionally Permitted Uses

In the R-1, R-2, R-3 RHD and RS-1 Districts, no building or land shall be used or changed in use, and no building shall be located, erected or structurally altered for any use other than those provided

below. The uses listed in table below are permitted where a “P” appears in the corresponding row within the column identifying the use district. The uses listed in the table below are conditionally permitted where a “CP” appears in the corresponding row within the column identifying the use district. These conditionally permitted uses require review by the Board of Zoning Appeals as set forth in Article 16. Any blank cell in the following table indicates that the use is not permitted.

Chart 6.01

USE	R-1	R-2	R-3	RHD	RS-1
Accessory buildings	P	P	P	P	P
Agricultural Uses	P	P	P	P	P
Cemeteries	P	CP	CP	CP	CP
Churches	CP	CP	CP	CP	CP
Day-Care Centers	CP			CP	
Golf Courses	P	P	P	P	
Greenhouses	P				
Open Space	P	P	P	P	P
Parks and Playgrounds	CP	CP	CP	CP	CP
Plant Nurseries	CP				
Private Swimming Pools	P	P	P	P	P
Public Schools	P	P	P	P	
Home- Based Business	P	P	P	P	P
Residential Occupations	P	P	P	P	P
Roadside Stands	P	P	P	P	P
Water retention and detention facilities	P	P	P	P	P
Single family detached dwellings	P	P	P	P	P
Single family attached dwellings			P	P	
Two-Family Residences	P	P	P	P	
Multiple-Family Residences			P	P	

6.02 Lot and Yard Requirements

MEASURE	R-1	R-2	R-3	RHD	RS-1
Minimum building lot area for each single-family detached dwelling or other principal structure permitted	1 acre*	1/2 acre*	9,600 square feet*	5,000 Square feet per housing unit	5,000 square feet*
Maximum percentage of lot coverage	All buildings including accessory buildings shall not cover more than thirty (30) percent of the area of the lot.		All buildings including accessory buildings shall not cover more than sixty (60) percent of the area of the lot.	All buildings including accessory buildings shall not cover more than sixty (60) percent of the area of the lot.	All buildings including accessory buildings shall not cover more than sixty (60) percent of the area of the lot.
Minimum lot frontage and lot width	125 feet	100 feet	75 feet	50 feet	75 feet
Minimum front yard depth	75 feet	75 feet	50 feet	20 feet	40 feet

MEASURE	R-1	R-2	R-3	RHD	RS-1
Minimum rear yard	30 feet	30 feet	30 feet	20 feet	15 feet
Minimum side yards	Not less than 10 feet. The sum of two side yards shall be not less than 20 feet.	Not less than 10 feet. The sum of two side yards shall be not less than 20 feet.	Not less than 10 feet, but the sum of two side yards shall not be less than 20 feet.	Not less than 10 feet, but the sum of 2 side yards shall not be less than 20 feet	Not less than 5 feet, but the sum of 2 side yards shall not be less than 10 feet
Accessory Building Setbacks	10 feet (or the height of the wall most parallel with the lot line)	10 feet (or the height of the wall most parallel with the lot line)	10 feet (or the height of the wall most parallel with the lot line)	10 feet (or height of the wall most parallel with lot line)	5 feet (or height of the wall most parallel with lot line)
*where water service and a waste water system connected to a sanitary sewer or to an Ohio Environmental Protection Agency (EPA) approved septic system is available. The Lorain County Health District may require a larger lot than the minimum lot size for the zoning district.					

6.03 Alteration of Yard Area.

No structure or residential building shall hereafter be erected or structurally altered to create either less than the required minimum building lot area, yard dimensions, or percentage of lot coverage indicated in this Article.

6.04 Existing Lot Splits.

Any lot split prior to May of 1989, containing a minimum 100 feet of road frontage, having its own permanent parcel number and health permit, shall be considered a buildable lot in Eaton Township. All current setback requirements shall apply.

6.05 Corner Lots in the RS-1 District.

On corner lots, in a platted subdivision, where there are two (2) sub-lot lines abutting streets, the shorter abutting sub-lot line shall be considered the front sub-lot line and the longer abutting sub-lot line shall be considered a side street line for the purpose of this provision. On such corner lots, no building shall be located nearer than ten (10) feet from any side street line except that on the sub-lots numbered 61, 112, 114, 238, 240, 285, 295, 351, and 458 (within "Eaton Estates") the building setback line shall be a line parallel to and forty (40) feet distant from all abutting rights-of-way.

6.06 Maximum Building Height – Principal and Accessory Buildings

R-1	R-2	R-3	RHD	RS-1
2.5 stories or 35 feet in height except as otherwise provided in this	2.5 stories or 35 feet in height except as otherwise provided in this	2.5 stories or 35 feet in height except as otherwise provided in this	2.5 stories or 35 feet in height except as otherwise provided in this	2.5 stories or 35 feet in height except as otherwise provided in this

R-1	R-2	R-3	RHD	RS-1
Resolution.	Resolution.	Resolution.	Resolution.	Resolution.

6.07 Required Minimum Floor Area

R-1	R-2	R-3	RHD	RS-1
Single-family detached dwelling - 1,200 square feet of floor area.	Single-family detached dwelling - 1,200 square feet of floor area.	Single-family detached dwelling - 1,200 square feet of floor area.	Single-family detached dwelling - 1,200 square feet of floor area.	Single-family detached dwelling - 650 square feet of floor area.
Two-family dwelling – 1,200 square feet of floor area (each unit)	Two-family dwelling – 1,200 square feet of floor area (each unit)	Two-family dwelling – 1,200 square feet of floor area (each unit) Multiple-family dwellings – <u>Efficiency Suites</u> -600 square feet. <u>One-Bedroom Unit</u> - 750 square feet. <u>Two-Bedroom Unit</u> - 900 square feet. <u>Three-Bedroom Unit</u> - 1,200 square feet. <u>Four Bedroom Unit</u> - 1,500 square feet.	Two-family dwelling – 1,200 square feet of floor area (each unit) Multiple-family dwellings – <u>Efficiency Suites</u> -600 square feet. <u>One-Bedroom Unit</u> - 750 square feet. <u>Two-Bedroom Unit</u> - 900 square feet. <u>Three-Bedroom Unit</u> - 1,200 square feet. <u>Four Bedroom Unit</u> - 1,500 square feet.	

6.08 Permitted Signs

The provisions of Article 11 shall apply in Districts R-1, R-2, R-3, RHD and RS-1.

6.09 Street Parking and Loading

The provisions of Article 12 shall apply in Districts R-1, R-2, R-3, RHD and RS-1.

6.10 Driveways

- (A) No driveway or access road shall be constructed less than five (5) feet from the side lot line in all districts.
- (B) A driveway shall be a minimum of ten (10) feet in width for its entire length from the roadway to the dwelling unit or to the garage, whichever is furthest from the road. Under the driveway, at its entry, there shall be a culvert of design, specifications and materials acceptable to the governing authority, made of any material acceptable to the Lorain County Engineers.
- (C) Adequate space shall be maintained for the turning around of emergency vehicles if the driveway has curves or extends more than one hundred fifty feet (150') from the edge of the road.

- (D) Plantings and/or natural vegetative growth shall be maintained by occupant or owner so as to permit an unobstructed view within fifteen (15) feet of the road right-of-way.

6.11 Fencing

Fences, gates, and walls in the R-1, R-2, R-3 and RS-1 Districts are subject to the following limitations.

- (A) Height of fences, gates and walls in the front yard: No more than 42 inches from existing grade.
- (B) Height of fences, gates and walls along corner side yards: No more than 6 feet. The fence may extend from the minimum front yard setback along the minimum side yard setback.
- (C) Height of fences, gates and walls along side yards: No more than 6 feet.
- (D) Height of fences, gates and walls along rear yards: No more than 6 feet.
- (E) All fences, gates and walls shall be entirely within the lot lines or flush to the lot lines.
- (F) Neither barbed-wire fencing nor electric fencing is permitted for other than for livestock deterrence. All barbed wire and electric fences must be a minimum of twenty (20) feet from any adjacent dwelling or other inhabited structure.
- (G) Chain-link and wire-mesh fencing are not permitted in front or corner side yards in the R-2, R-3, districts, in multifamily housing or in Cluster Subdivision Overlays.
- (H) The finished or smooth-finished side of the fence must face neighboring properties or a right-of-way. All structural members must be on the interior side of the fence, facing away from neighboring properties or any right-of-way.
- (I) Fence posts and structural supports must extend at least 36 inches into the ground.
- (J) All fences and property on both sides of a fence must be maintained in a good condition.
- (K) Fence material may be solid or open and may be constructed of masonry, metal, wood or any other material securely fastened to the ground in accordance to Ohio Basic Construction Code. A hedge or other natural plant species which has been planted to form a continuous barrier to prevent passage or for protection shall be considered a fence.

6.12 Development Standards for Multi-Family Housing

Multi-family housing projects are subject to site plan review procedures described in Article 14. In addition, a Residential High Density Developers Agreement (RHDDA) may be required to address all associated conditions of approval imposed by the Zoning Commission. Such a document shall be in a form approved by the Township Attorney. The RHDDA shall be executed prior to commencement of construction. In addition, all multi-family housing developments shall meet the following specific minimum development standards:

- (A) **Minimum Livable Open Space.** A minimum of forty-five (45) percent of the gross land area shall be livable open space for the use and enjoyment of the residents of the project. Livable open space is the minimum required non-vehicular open space unobstructed to the sky, generally in lawn area (including required yard areas that are left as lawn areas) or paved areas for recreation. The minimum recreation space performance standard listed for this District shall be included as a part of the livable open space. No parking areas, loading areas or access drives may be included as part of the livable open space to be provided on the lot. Where paved areas are provided adjacent to parking areas, the paved areas must be distinguished from the parking areas by a curb and appropriate pavement striping.
- (B) **Minimum Recreation Space.** A minimum of ten (10) percent of the gross land area shall be usable recreation space. The recreation space shall be counted as a part of the required

livable open space. Recreation areas shall be located a minimum distance of twenty (20) feet from all principal buildings and twenty (20) feet from all driveways, roadways, and parking areas. The recreation space may include open space for both passive and active recreation. Passive recreation facilities may include but are not limited to common sitting areas in the form of sun decks or garden areas. Active recreation areas may include but are not limited to swimming pools, tennis courts, shuffleboard courts, play fields, playgrounds, or tot lots.

- (C) **Distance between Buildings on the Same Lot.** No point of any principal building shall be closer in horizontal distance to any other principal building than the height of the point above the natural grade.
- (D) **Required Inner Court Dimensions:** The least dimensions of an inner court shall be not less than forty (40) feet. An open and unobstructed passageway shall be provided at the grade level of each inner court. Such passage way shall have a cross-section area and sufficient headroom to permit the passage of fire-fighting equipment and shall be continuous from the inner court to a yard or an unobstructed open area between buildings.
- (E) **Required Outer Court Dimensions:** The width of any outer court shall be not less than the average height of the walls forming said court. The depth of an outer court formed by walls on three (3) sides shall be not greater than one and one-half (1 1/2) times the width.
- (F) **Walkways:** In order to provide a safe pedestrian facility separate from roadways and parking areas, walkways with a minimum width of four (4) feet shall be provided. These walkways shall extend parallel to any internal roadways or parking area on the side closest to any adjacent principal buildings. Where two principal buildings flank a private road, driveway or parking area, one (1) walkway must be provided, except that two (2) walkways must be provided where the walkways are separated by a distance of sixty-six (66) feet or more.

6.13 Density

Maximum density in RHD is eight.seven (8.7) dwellings per acre.

6.14 Submittal of Preliminary Architectural Drawings, Proposals and Site Plans for RHD

An overall proposal of the intended used for the property shall be submitted for review.

The preliminary drawings for each type of structure shall be submitted for the purpose of portraying conceptually the intended uses within the development. The submittal shall contain the height of the structures, number of units, number of square feet and elevations.

All architectural drawings must be prepared by a licensed registered architect. Such drawings must be affixed with the seal of said architect, licensed in the State of Ohio, indicating that the design of buildings or structures meets the State Building Code Standards.

The Zoning Board may have suggestions or recommendation to the petitioner during the review process.

6.15 Construction and Use To Be Provided In Application

Zoning permits issued on the basis of applications and plans including site development plans and architectural drawings and plans approved by the Zoning Commission and the building inspector of the State, or other applicable agencies as designated by the Zoning Commission, authorize only the use and arrangement set forth in such approved plans and applications and amendments or construction at variance with that authorized shall be deemed a violation of this Resolution and punishable as provided herein.