

**CHAPTER 2900**  
**ZONING ORDINANCE**  
**District Regulations**

Enacted 9/18/2018 by Ordinance No. 22-2018

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**SECTION 2901                      Compliance with Regulations.**

The regulations for each district set by this Ordinance shall be the minimum regulations and shall apply uniformly to each class or kind of structure or land, with the following exceptions:

1.        No building, structure, or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.
  
2.        No building or other structure shall be erected or altered:
  - a.            to provide for greater height or bulk.
  - b.            to accommodate or house a greater number of families.
  - c.            to occupy a greater percentage of lot area.

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- d. To have narrower or smaller rear yards, front yards, side yards, or other open spaces than is permitted by this Ordinance, or in any other manner contrary to the provisions of this Ordinance.
3. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements set forth herein.

**SECTION 2905: Supplementary Conditions and Safeguards.**

For conditional uses not addressed within this Chapter, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with this Ordinance to ensure the health, safety and welfare of the Village of Holland.

**SECTION 2910: Official Schedule of District Regulations Adopted.**

District regulations shall be as set forth in the Official Schedule of District Regulations, **Section 2845**, and Supplementary District Regulations as set forth in Chapter 3000 of this Ordinance.

**SECTION 2932: Dangerous and Farm Animals Prohibited.**

The keeping of dangerous and farm animals within the Village is hereby prohibited.

**SECTION 2945: Private Swimming Pools.**

No permanent private swimming pool, provided it is located in the rear yard, with a diameter greater than **twelve (12)** feet or with an area of more than **one hundred (100)** square feet or with a capacity of **five hundred (500)** gallons or more, shall be allowed in any commercial or residential district, except as an accessory use and unless it complies with the following conditions and requirements:

1. The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.
2. It may not be located closer than **ten (10)** feet to any side property line and the principal structure on said property.
3. The swimming pool, or the entire property on which it is located in the case of in ground pools, shall be walled or fenced to prevent uncontrolled access by children from the street or from adjacent properties. The fence or wall shall not be less than **forty-two (42)** inches in height, and shall be maintained in good condition with a gate and lock. As an alternative to installing a separate fence or wall around an above ground pool, the wall of the pool and, if necessary, a railing built around the top of the pool wall to a height not less than **forty-two (42)** inches may be considered the enclosure for the pool. All ladders for this type of pool shall be removed or locked when the pool is not in use or is left unattended.
4. It may not be located closer than **ten (10)** feet to any public right-of-way.
5. No pool shall be erected unless a permit is secured from the Zoning Administrator.

**SECTION 2946: Portable Family Pools.**

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Portable family pools are temporary and seasonal in nature, intended for the use and enjoyment of the occupants of the principal use of the property. A portable pool may be placed in the rear or side yard in a residential district provided such portable pool is set back at least 10 feet from the rear yard or side yard lot lines. Pools must be surrounded by a minimum four foot high fence, with access gates secured with locks, unless a portable aboveground pool is at least four feet high and ladders can be removed or locked up when not in use. Portable pools are defined as above ground pools not exceeding 48” in height from ground level. Portable family pools are to be seasonal in use, generally between March and September, and must be dismantled and stored between October and April.

**SECTION 2947                      Satellite Signal Receivers (Dish Antennas).**

Satellite signal receivers or dish antennas with a diameter in excess of one (1) meter (39.97”) in Residential districts or in excess of two (2) meters (78.74”) in Business or Manufacturing districts require a permit and are subject to the following:

1. The satellite signal receiver (dish antenna) shall be located in the rear yard, at least ten (10) feet from the main building and setback from any property line a minimum of ten (10) feet;
2. Where a satellite signal receiver (dish antenna) is to be independently supported, it shall not exceed twelve (12) feet above surrounding grade level;
3. Where a satellite signal receiver (dish antenna) is to be attached to the roof of a building, the maximum height shall not exceed twelve (12) feet in height above the roof upon which it is mounted.
4. Outdated satellite signal receivers (dish antennas) that are no longer in use shall be removed within thirty (30) days of service disconnection.

In accordance with the Telecommunications Act of 1996, satellite signal receivers (dish antennas) with a diameter of one meter (39.37”) or less are exempt from these regulations.

**SECTION 2950:                      Community Swimming Pools.**

Community and club swimming pools are conditional uses in any commercial district, but shall comply with the following conditions and requirements:

1. The pool is intended solely for the enjoyment of the members and families and guests of members of the association or club under whose ownership or jurisdiction the pool is operated.
2. The pool and accessory structures, including the areas used by the swimmers, shall not be closer than **one hundred (100)** feet to any property line on which they are located, except with approval by the Planning Commission.
3. The swimming pool and all of the area used by the swimmers shall be enclosed with a wall or fence to prevent uncontrolled access by children from the street or adjacent properties. Said fence or wall shall not be less than **six (6)** feet in height, and shall be maintained in good condition with a gate and lock.
4. The pool area must be illuminated so as to make the pool visible for exterior inspection.

**SECTION 2951:                      Large Scale Commercial.**

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Large scale commercial uses must meet the following requirements:

1. Parking areas and other facilities comprising a shopping center or superstore shall be laid out and developed as a unit or series of units in suitable locations to serve residential communities.
2. Minimum tract of land **two (2)** acres or more in area.
3. Any entity in this district is subject to architectural standards of the surrounding area and landscaping standards set by the Planning Commission.
4. Applicants must submit a site plan, traffic study, market study, and other components required by the Planning Commission.
5. For small shopping center proposals, generally those under **ten (10)** acres, the Planning Commission may grant a waiver for the submittal of the market and traffic studies.

**SECTION 2952: Large Trash Dumpsters and Receptacles.**

Trash dumpsters and receptacles of **two (2)** cubic yards or larger are prohibited in R-1 and R-2 districts unless they are completely concealed from view in a properly zoned structure. Temporary **ten (10)** day use of dumpsters may be permitted during construction.

**SECTION 2953: Special Review Requirements for B-2 Districts.**

Sites containing **two (2)** acres or more shall be reviewed under Section 2951.

**SECTION 2957: Adult Entertainment Facilities.**

All adult entertainment facilities shall be **fifteen hundred (1500)** feet from the nearest church, school, library, day care, and residential neighborhood. In addition, all adult entertainment facilities shall be at least **fifteen hundred (1500)** feet apart from another adult entertainment facility.

**SECTION 2960: Sand, Gravel and Mineral Extraction, Storage and Processing.**

An approved conditional use permit shall be required for all quarrying and mining operations and shall be required for the expansion or substantial change of operation of such use. A permit will be issued only after the Zoning Administrator has been notified by the Planning Commission that the following conditions have been met:

1. There shall be filed with the Zoning Administrator a location map which clearly shows areas to be mined and the location of adjacent properties, roads, and natural features.
2. Such uses shall not be conducted closer than **five hundred (500)** feet from any residential district, nor closer than **two hundred (200)** feet from any structure used for human habitation in any other district.
3. Information shall be submitted on the anticipated depth of excavations and on depth and probable effect on the existing water table and coordinated with the Ohio Division of Water of the Ohio Department of Natural Resources.

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4. All uses which are not conducted within an enclosed building shall confine all operations on the property to the hours set at the discretion of the Planning Commission.
5. All equipment and machinery shall be operated and maintained in such a manner as to minimize dust, noise, and vibration. Access roads shall be maintained in dust-free condition by surfacing or other treatment as may be specified by the Planning Commission.
6. All private access roads leading off any public street or highway onto property used for mining and quarrying shall be paved, with asphalt or concrete surfacing not less than three inches in thickness, for the first **fifty (50)** feet of the access road.
7. There shall be filed with the Planning Commission a detailed plan for the restoration of the area to be mined, which shall include the anticipated future use of the restored land, the proposed final topography indicated by contour lines of no greater interval than five feet, the type and number per acre of trees or shrubs or grass to be planted, and the location of future roads, drives, drainage courses, or other improvements contemplated.
8. All excavation shall be made either to a water producing depth, such depth to be not less than **five (5)** feet below the low water mark, or shall be graded or backfilled with non-noxious, non-flammable and non-combustible solids, to ensure that:
  - a. the excavated area shall not collect and retain stagnant water, or
  - b. the surface of the excavated area which is not permanently submerged is graded or backfilled so as to reduce the peaks and depressions thereof, in order to produce a gently running surface that will minimize erosion due to rainfall and which will be in conformity to the adjoining land area. The banks of all excavations not backfilled shall be sloped at a ratio of **three (3)** feet horizontal to **one (1)** foot vertical and said banks shall be seeded.
9. There shall be filed with the Planning Commission a bond, payable to the Village and conditioned on the faithful performance of all requirements contained in the approved restoration plan. The rate of the required bond shall be fixed by Village Council. The bond shall be released upon written certification of the Zoning Administrator and the appropriate state authorities that the restoration is complete and in compliance with the restoration plan.
10. Prior to the start of any quarrying or mining operations, the outer boundaries of the entire property shall be continuously enclosed by a **six (6)** foot high fence. Where adjacent to a public street or residentially zoned area, required fencing shall be a view-obstructing fence, wall or landscaped berm.
11. The outer boundaries of all property used for quarrying and mining operations shall be posted with signs carrying the message "**Danger: Quarry Zone**" in letters not less than four inches in height. These signs shall be posted not more than **five hundred (500)** feet apart, with signs placed at each change in direction of the boundary lines of the property and displayed in such manner as to give reasonable notice to passers-by of the message contained thereon.
12. A forty-eight hour notice must be given to all the residents and business owners within a quarter mile of the blasting area. In addition, a forty-eight hour notice must be given to the Village government.

**SECTION 2961: Public Service Facility, Public and Quasi-Public Uses.**

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1. All permanent buildings shall be constructed and designed so as to conform with setback and building design of the existing uses in the district.
2. Screening and plantings, maintained in good condition, shall buffer all structures and storage areas that are adjacent to residential uses.

**SECTION 2962: Church.**

1. The lot area shall be adequate to accommodate the required off-street parking requirements of the church.
2. The church building shall be setback from any adjacent residential property line a minimum of **fifty (50)** feet.
3. Parking shall not be permitted within **twenty (20)** feet from a side lot line and **fifteen (15)** feet from the rear property line.
4. A cemetery shall not be a permitted use in conjunction with the church.
5. All outside lighting shall be directed so that no direct or reflected light or glare shines on adjacent property.
6. No outdoor activities shall be conducted after 10 PM, unless a time extension is granted by the Planning Commission.

**SECTION 2963: Cemetery.**

1. The site shall have direct access to a road that the Planning Commission determines is adequate to serve the size of the facility proposed.
2. Cemeteries shall be located on sites containing not less than **twenty-five (25)** acres.
3. No buildings, including but not limited to mausoleums and maintenance buildings, shall be located within **fifty (50)** feet of any property line.
4. All graves or burial lots shall be set back not less than **fifteen (15)** feet from any property line.

**SECTION 2965: Animal Clinics.**

1. No outdoor pens and exercise runs shall be located on the premises.
2. Sanitation practices shall be adequate to ensure that objectionable odors shall not be noticeable on and off the lot also taking into consideration wind conditions.
3. The applicant shall submit a written statement showing the methods and practices he/she will use to reduce the noise level in the design of the building and the management or rotation of animals in outdoor exercise runs.
4. No dead animals shall be buried on the premises, and incineration of dead animals shall not create odors or smoke. Incinerated remains shall be disposed or buried at an off-premises location and in accordance with Ohio Revised Code.

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**SECTION 2966: Funeral Home.**

1. The buildings shall be designed to be compatible with the architectural style and character of the residential neighborhood that it is located.
2. The applicant shall submit a parking and traffic circulation plan to the Planning Commission for approval. The design, location, and surface of the parking areas and vehicular approaches shall be subject to approval by the Planning Commission so as to reduce congestion, promote safety, and reduce the impact on the residential character of the neighborhood. The plan shall provide for the separation of incoming and outgoing vehicles during high volume periods and shall provide a safe drop off point for visitors that will not impede pedestrian and traffic circulation patterns.
3. No cremation on-site.

**SECTION 2970: Ponds.**

Exclusive of detention ponds that are used for stormwater management, Section 2970 covers recreational and aesthetic ponds. These ponds are conditional uses in all districts. Ponds can only be located on lots that are 3 acres or larger. The following requirements must be satisfied before a conditional use permit is issued:

1. Ponds must be setback at least **twenty-five (25)** feet from side property lines.
2. Ponds must be setback at least **twenty-five (25)** feet from the road right-of-way.
3. The pond shall not alter the natural drainage of the land and shall conform to current Lucas County Soil & Conservation specifications and guidelines.
4. The soil excavated from the pond shall be contoured and landscaped to be in harmony with the existing terrain and no soil shall be removed from the property.
5. The creation of the pond shall not obstruct the line of sight from adjacent properties.
6. A man-made pond shall have a minimum depth of **ten (10)** feet.
7. Ponds shall not occupy more than 30% of the square footage of the lot.

**SECTION 2971: Restaurants.**

1. All outside lighting shall be installed so that no direct light or reflected light or glare is directed onto adjacent property.
2. Restaurants must have valid Lucas County Health Department Licenses and applicable Ohio Liquor Control Operating Licenses if serving alcoholic beverages.
3. Outdoor seating at restaurants may be permitted upon review and approval of the Planning Commission.
4. Bars are allowed as an accessory use if the bar and associated service and preparation area does not exceed thirty percent of the gross floor area of the entire unit of operation.

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**SECTION 2972: Garage, Service Station.**

1. Site plan must be approved by the Planning Commission.
2. A minimum **twenty (20)** foot side yard setback shall be maintained.
3. No exterior storage of junk or storing or parking of crashed or disabled vehicles is permitted on the site.
4. Curb openings and driveways shall be a minimum of **twenty (20)** feet in width and a minimum **twenty (20)** feet from an adjacent property.
5. No pumps shall be located within **fifty (50)** feet of any R district.
6. No outside sale or display of goods, unless approval is granted by the Planning Commission.
7. A **six (6)** foot high screen fence shall be provided on all lot lines adjoining an R District.

**SECTION 2972.1 Garage, Repair.**

Any building, premises, and land in which or upon which a business, service, or industry involving the maintenance, servicing, repair, or painting of vehicles is conducted or rendered. The replacement of motors, engine overhauls, and structural modifications are permitted; however, the sale of vehicular fuels and alcohol beverages is not permitted under the jurisdiction of a repair garage.

**SECTION 2972.2 Garage, Body Shop.**

Any building, premises, and/or land in which a business, service, or industry involving fender/body repair or painting of vehicles is conducted. The sale of vehicular fuels and alcohol beverages is not permitted.

**SECTION 2973: Condominiums and Townhouses.**

1. Shall have separate utilities and chimney.
2. Shall have at least **six (6)** hour common firewall.
3. All outside lighting shall be directed so that no direct or reflected light or glare should be present.

**SECTION 2974: Nursing Homes, Adult/Child Type B Day Care.**

1. Shall have all applicable licenses that are required by the State of Ohio.
2. Outside lighting shall be installed so that no direct or reflected light or glare is directed on adjacent property.
3. The building(s) shall be designed to be compatible with the architectural character of the residential neighborhood that it is in.
4. Play areas for Day Care facilities shall be enclosed by a fence of at least **four (4)** feet in height.

**SECTION 2975: Bars and Taverns.**



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1. All outside lighting shall be installed so that no direct or reflected light or glare is directed towards adjacent property.
2. All operations shall cease at time determined by State of Ohio law.
3. Parking areas shall be kept clean and free of debris.
4. No outdoor seating or alcohol service is permitted on the premises unless approved by the Planning Commission.
5. All operations shall have applicable Lucas County Health Department permits and licenses and Ohio Liquor Control Operating permits/licenses.

**SECTION 2976: Hospital.**

1. Hospital must be located on a major road.
2. All site plans must receive approval by the Planning Commission.

**SECTION 2977: Convenience Business.**

1. All outside lighting shall be installed so that no direct or reflected light or glare is directed on adjacent property.
2. Must be located on a major road, unless approval is given by the Planning Commission for any other location.
3. No outside sale or display of goods, unless approval is granted by the Planning Commission.

**SECTION 2981: Lot Coverage- All Districts.**

1. No more than 40% of the gross site area shall be devoted to coverage by buildings, structures, driveway pavement, parking areas or other impervious materials in a residential district.
2. No more than 85% of the gross site area shall be devoted to coverage by buildings, structures, driveway, parking areas, or other impervious materials in "B" business districts.
3. No more than 90% of the gross site area shall be devoted to coverage by buildings, structures, driveways, parking areas or other impervious materials in "M" manufacturing districts.

**SECTION 2983: Reasonable Accommodations Request for Persons with Disabilities.**

This section provides a procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the Rehabilitation Act, the Americans with Disabilities Act, the Federal Fair Housing Amendments Act and the Ohio Fair Housing Act (the Acts) in the application of the Village of Holland's building codes, zoning laws and other land use regulations, policies and procedures.

A request for reasonable accommodations may be made to the Village by any person with a disability, as defined in the Acts, or by an entity or person acting on behalf of a person or persons with disabilities, or handicaps, when that person believes that it is necessary for there to be relief from the provisions of a Village

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building code, zoning law, or other land use regulation, policy or practice and when such requested accommodations are necessary to give people with disabilities equal housing opportunities.

A request for reasonable accommodation may include a modification or exception to rules, standards and practices when such modification or exception is necessary to give people with disabilities equal housing opportunities. Requests for reasonable accommodation shall be made to the Village Zoning Administrator on a form provided by the Village. All requests shall be considered without regard to the form or format of the request.

**SECTION 2985:           Internet Sweepstakes Café**

1.       Internet sweepstakes cafes shall only be located within a B3 Large Scale Commercial District with approval from the Plan Commission and Village Council.
2.       Plan Commission and Village Council shall follow the requirements of Section 2366 Public Hearings in reviewing the application.
3.       No internet sweepstakes café may operate between the hours of 11 p.m. and 9 a.m.
4.       Applicants for an internet sweepstakes café shall submit a detailed description of the operation, including the names and contact information for property owners (if in leased space), business owners, federal tax identification number, parking plan, number of terminals, types of activities conducted in the business, anticipated number of participants, and procedure for reporting individual winnings to the Village of Holland tax department. Written documentation from property owners (if in leased space) indicating that the applicant has been authorized to request approval for operation of an internet sweepstakes café shall also be submitted.

(Ord. 22-2018)