

CHAPTER 3000
ZONING ORDINANCE
Supplementary District Regulations
Enacted 9/18/2018 by Ordinance No. 22-2018

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SECTION 3001: General.

The purpose of the supplementary district regulations is to set specific conditions for various uses, classification of uses, or areas wherein problems may occur, in order to alleviate or prevent such problems, and to promote the harmonious exercise of property rights without conflict within each of the established zoning districts in the Village of Holland.

SECTION 3003: Conversion of Dwellings to More Units.

A residence may not be converted to accommodate an increased number of dwelling units unless:

1. The yard dimensions still meet the yard dimensions and setbacks required by the regulations for new structures in that district.
2. The lot area per family equals the lot area requirements for new structures in that district.

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3. The floor area per dwelling unit is not reduced to less than that which is required for new construction in that district.
4. The conversion is in compliance with all other relevant codes and ordinances.
5. The district within which the residence is located is so zoned as to allow for such an increase in dwelling units.

SECTION 3004: Parking and Storage of Recreational Vehicles.

All recreational vehicles stored or parked in any district shall be subject to the following regulations:

1. Be owned by the occupant of the property.
2. The units shall have no fixed utility connections.
3. This equipment shall not be used for living or housekeeping purposes for more than **fourteen (14)** days.
4. All recreational vehicles parked or stored outside of a properly zoned, enclosed building shall be parked behind the rear building line of the main structure.
5. Recreational vehicles shall be parked or stored no closer than **five (5)** feet to any lot line and no less than **ten (10)** feet from the main structure.
6. Recreational equipment may be stored anywhere on the premises for the purpose of loading or unloading for a period of not more than 48 hours.
7. No more than two recreational vehicles shall be stored or parked on any lot outside of a properly zoned and enclosed building. Recreational vehicles covered by tarps, tents, supportive tents, and frame tents are considered one piece if mounted on a trailer and two pieces if the equipment is disassembled from its trailer.
8. No recreational vehicles shall be stored on any B1, B2, B3, M1 or M2 zoned lot unless the business manufactures, stores, repairs, or sells recreational vehicles.

SECTION 3005: Supplementary Regulations for B-1 Zoned Districts.

The following additional regulations apply to all B-1 uses:

1. All uses and direct commercial activity except ingress, egress, and parking shall be inside a building with no outside activity or use except as may be authorized under site plan review by the Planning Commission.
2. There shall be no noise over sixty-five (65) decibels carrying beyond the lot in which a business is located except as may be authorized by Planning Commission.
3. No business shall be open between the hours of 11 PM and 6 AM except under authorization of the Planning Commission.

SECTION 3007: Temporary Buildings.

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Only temporary buildings, construction trailers, equipment, and materials used in conjunction with construction work may be permitted in any district during the time construction work is in progress, but such temporary facilities shall be removed upon completion of the construction work. Storage of such facilities or equipment beyond the completion date of the project shall require a Temporary Building Permit authorized by the Planning Commission.

SECTION 3008: Principal Building Per Lot.

No more than one principal building or structure may be constructed upon any one lot for the purposes of this ordinance.

SECTION 3009: Reduction of Area or Space.

No lot, yard, parking area, or other space shall be reduced in area or dimension if such reduction has the effect of making the lot, yard, parking area, or other spaces less than the minimum requirement as called for in this ordinance. Furthermore, any lot, yard, parking area, or other space which is already less than the required minimum shall not be reduced further. However, nothing in this section shall be interpreted to limit the power of the Planning Commission in the granting of variances under this ordinance.

SECTION 3010: Junk.

The accumulation or storage of junk, disabled or inoperative machinery or equipment, vehicles or machinery parts, rags, or any other discarded objects or debris shall be prohibited outside of an approved junk yard, in order to protect residents from the conditions conducive to the infestation and breeding of vermin, insects, and rodents. (See **H.C.O. 521.08**)

SECTION 3011: Supplemental Yard and Height Regulations.

In addition to all yard regulations specified in the Official Schedule of District Regulations and in other sections of this ordinance, the provisions of **Sections 3012-3021**, inclusive, shall be used for interpretation and clarification.

SECTION 3012: Setback Requirements for Corner Buildings.

On a corner lot the principal building and its accessory structures plus any man-made ponds shall be required to have the same setback distance from all street right-of-way lines as required for the front yard in the district in which such structures are located.

SECTION 3013: Visibility at Intersections.

On a corner lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a fashion as to materially impede vision between a height of **three and a half (3.5) and ten (10)** feet above the center line grades of the intersecting streets in the area bounded by the right-of-way lines of such corner lots and a line joining points along said street lines **fifty (50)** feet from the point of intersection.

SECTION 3014: Fence and Wall Restrictions in Front Yards.

No fence or wall shall be permitted in any district that materially impedes vision across the front yard above the height of **three and a half (3.5)** feet, and no hedge or other vegetation shall be permitted which materially impedes vision across such yard between the height of **three and a half (3.5)** feet and **ten (10)** feet. No chain link or wire fence shall be permitted in the front yard of any residential district. Fences shall not exceed **four (4)** feet in height in the required side yard adjacent to the main building and projected to the required front

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yard. Fences shall not exceed **seven (7)** feet in height in any other location on a lot. Fences must be maintained. Barbed, razor or concertina wire fencing is prohibited in R, B, Open Space and Special Districts. Electrified fencing (with the exception of underground invisible electric fencing for pets) is prohibited entirely in all zoning districts. For the purposes of this ordinance, a fence is not considered an accessory structure but shall require a fence permit.

SECTION 3016: Yard Requirements for Multi-Family Dwellings.

Multi-family dwellings shall be considered as **one (1)** building for the purpose of determining front, side, and rear yard requirements. The entire group as a unit shall require **one (1)** front, **one (1)** rear, and **two (2)** side yards as specified for dwellings in the appropriate district.

SECTION 3017: Side and Rear Yard Requirements for Nonresidential Uses Abutting Residential Districts.

1. Building in “B” (Business) Districts abutting a residential district must have 50 foot side yards plus a 10 foot landscaping buffer; rear yards must be 35 feet.
2. Buildings in “M” Districts abutting a residential district must have at minimum 25 foot side yards plus an additional five feet for each story of the principal building on the parcel. Rear yards abutting a residential district must be 50 feet.

SECTION 3018: Architectural Projections.

Open structures such as porches, canopies, balconies, platforms, carports, covered patios, decks, and similar architectural projections shall be considered parts of the building to which attached or adjacent to, and shall not project into the required minimum front, side or rear yard.

SECTION 3019: Exceptions to Height Regulations.

The height limitations contained in the Official Schedule of District Regulations do not apply to spires, belfries, cupolas, antennas, satellite dishes (that are two feet in diameter or less), water tanks, ventilators, chimneys, roof top solar panels that are parallel to the existing roof line, or other appurtenances usually required to be placed on the roof level and not intended for human occupancy, except where the height of such structures will constitute a hazard to the residents of the Village of Holland.

SECTION 3020: Setbacks for Accessory Structures.

Temporary and permanent accessory structures shall be located on the same lot as the principal structure and may not be placed on a lot without a principal structure. Temporary and permanent accessory structures shall be setback from the property a minimum of five (5) feet. All accessory structures shall be at least ten (10) feet from the principal building and be located in the rear yard. The accessory structure shall be no taller than eighteen (18) feet from ground level and limited to one story. A maximum of two (2) accessory structures are allowed per lot. Accessory structures over 144 square feet (12’x12’) in size in Residential districts shall be reviewed by Planning Commission for approval. Accessory structures in Business and Manufacturing Districts shall require Planning Commission review and approval. In Residential districts, open gazebos, trellises, cabanas, fences and/or similar structures shall not be considered accessory structures for purposes of this provision.

SECTION 3020.1 Rear Yard Coverage of Accessory Structures

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Accessory structure(s) combined with unenclosed parking spaces cannot exceed 50% of the rear yard in Residential districts. Accessory structures in Business and Manufacturing districts shall not exceed thirty (30) percent of the rear yard

SECTION 3021: Special Provisions for Commercial and Industrial Uses.

No land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious, or otherwise objectionable conditions that could adversely affect the surrounding areas or adjoining premises, except that any use permitted by this ordinance may be undertaken and maintained if acceptable measures and safeguards are taken/established to reduce dangerous and objectionable conditions to acceptable limits as established by the requirements in **Sections 3022-3031**, inclusive.

SECTION 3022: Fire Hazards.

Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire-prevention equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance that is compatible with the potential danger involved.

SECTION 3023: Radioactivity or Electrical Disturbance.

No activity shall emit dangerous radioactivity, or electrical disturbance adversely affecting the operation of any equipment on adjacent lots.

SECTION 3024: Noise.

Objectionable noise levels (those exceeding 65 decibels) due to volume or frequency and as determined by the Zoning Administrator shall be referred to the local law enforcement agency. Air-raid sirens and related apparatus used solely for public purposes are exempt from this requirement.

SECTION 3025: Vibration.

No vibration shall be permitted which is physically discernible on any adjoining lot or property.

SECTION 3026: Air Pollution.

Air pollution shall be subject to the requirements and regulations established by the Director of the Ohio Environmental Protection Agency.

SECTION 3027: Glare.

No direct or reflected glare shall be permitted that is visible from any property outside a manufacturing or commercial district or from any street.

SECTION 3028: Smell.

No obnoxious odor that is detectable from adjacent lots shall be permitted.

SECTION 3029: Erosion.

No erosion, by either wind or water, shall be permitted that will carry objectionable substances onto neighboring properties.

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SECTION 3030: Water Pollution.

Water pollution shall be subject to the requirements and regulations as stipulated in Section 521.08(a) of the Holland Codified Ordinances and as established by the Director of the Ohio Environmental Protection Agency.

SECTION 3031: Enforcement Provisions.

The Zoning Administrator or Planning Commission, prior to the issuance of a zoning permit, may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerance.

SECTION 3032: Measurement Procedures.

Methods and procedures for the determination of the existence of any dangerous and objectionable elements shall conform to applicable standard measurement procedures published by the American Standards Association, Inc., New York; the Manufacturing Chemists' Association, Inc., Washington D.C.; the United States Bureau of Mines, OSHA, and the Ohio Environmental Protection Agency.

SECTION 3033: Vacant Lots.

Vacant lots shall be maintained in such a manner that weeds, grass and ground vegetation may not grow to height exceeding **eight (8)** inches. There are no uses permitted on a vacant lot, unless that lot is developed into a permitted or conditional use.

SECTION 3034: Weed Control.

Lawns shall be maintained in such a manner that weeds, grass and ground vegetation may not be allowed to grow to a height greater than **eight (8)** inches.

SECTION 3035: Semi-Trailers as Storage Facilities.

The use of semi-trailers as storage facilities or accessory buildings, except during construction, is prohibited in all zoning districts in the Village of Holland. (See **Section 3005**).

SECTION 3051: Required Trash Areas in R-3, B, and M Districts.

All commercial, industrial, and multi-family uses that provide trash and/or garbage areas shall, if not within an enclosed building or structure, be enclosed by a solid wall or solid fence of a maximum height of **seven (7)** feet in height and in no case shall the fence or wall be shorter than the container. In addition, they shall be maintained in a good condition for the purpose of securing trash within the storage area until disposal. One side may consist of a gate that is properly latched to prevent entry by children. Provisions for adequate vehicular access to and from the trash area(s) for collection of trash/garbage shall be maintained. In addition, the following requirements shall be met:

1. The storage of hazardous or toxic materials or wastes shall not be permitted without documented approval of the Ohio Environmental Protection Agency. This document must be provided to the Springfield Township Fire Department.

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2. Materials or wastes which might cause fumes or dust or otherwise constitute a fire hazard, or which may attract rodents or insects, shall be stored only in closed containers constructed of impervious materials.

(Ord. 22-2018)