

Article 7: Accessory and Temporary Use Regulations

Section 7.01 Accessory Use Regulations

(A) PURPOSE

This section authorizes the establishment of accessory uses and structures that are incidental and customarily subordinate to principal uses. The intent of this section is to allow a broad range of accessory uses while not creating adverse impacts on surrounding lands.

(B) GENERAL PROVISIONS

(1) The structure or use shall be incidental to and customarily found in connection with a principal building or use permitted in the district in which it is located.

(2) The structure or use shall be located on the same lot as the principal use for which it serves.

(3) Unless otherwise stated in this section, a zoning certificate shall be required prior to construction or establishment of an accessory use or structure.

(4) An accessory use or structure shall not be established unless a principal use has first been established on a site in conformance with the applicable provisions of this zoning resolution.

(5) Unless permitted by the Zoning Commission or Board of Trustees as part of a Planned Development (PD) approval, accessory uses and structures shall be prohibited in any open space area that is preserved by a covenant, deed restriction, or other private agreement.

(6) Accessory structures used for agricultural purposes shall be exempt from these regulations. To be exempt, the building should be one which is necessary for, or customarily used in conjunction with, the specific agricultural use that is active on the property. Such structures include, but are not limited to, barns, greenhouses, and other buildings that are specifically designed for agricultural uses. Although such a structure may have some incidental use for other than agricultural activities, the principal use of the structure must be agricultural.

(7) Small accessory structures that do not exceed 20 square feet in gross floor area, shall be exempt from the provisions of this section.

(8) No accessory structure shall be used for the storage of equipment or materials for an off-premises business on a lot where the principal use is residential in nature.

(C) MAXIMUM NUMBER, SIZE, AND LOT COVERAGE

(1) There shall be no more than two detached accessory buildings (i.e., individual detached accessory buildings or outdoor wood furnaces) shall be permitted on a single lot in any zoning district.

(2) The total floor area of the two accessory buildings shall not exceed 900 square feet on a parcel of land one acre or less. For properties that exceed one acre, the maximum floor area of the two buildings shall not exceed 2.5 percent of the total lot area, with a maximum of 1,600 square feet.

(D) SETBACK REQUIREMENTS

Unless otherwise specified herein, the following setback requirements shall apply to accessory uses and structures:

(1) An accessory building that is attached to the principal building (including attached by a breezeway) shall be made structurally a part thereof and shall be subject to the minimum setback requirements of the applicable zoning district and/or use.

(2) A detached accessory building shall be set back a minimum of six feet from a principal building in the R-3 district and 10 feet from a principal building in the O-C, R-1, and R-2 districts.

(E) MAXIMUM HEIGHT

(1) Unless otherwise permitted for amateur radio transmitters or antenna and small wind energy systems, the maximum height of accessory uses and structures shall be as established below.

a) The height of accessory structures in the O-C, R-1, R-2, R-3, and C-1 districts shall not exceed 20 feet.

b) The maximum height of an accessory use or structure in all other districts shall be 35 feet.

(2) In no case shall an accessory use or structure exceed the height of the principal structure.

(F) PERMITTED ACCESSORY USES

Table 7.02-A lists the accessory uses and structures allowed within all zoning districts. The following is an explanation of the abbreviations and columns in Table 7.02-A.

(1) Permitted Use (P)

A “P” in a cell indicates that an accessory use or structure is permitted by-right in the respective zoning district. Permitted accessory uses and structure are subject to all other applicable regulations of this zoning resolution, including the additional standards set forth in this section.

(2) Permitted Use with Use-Specific Standards (PS)

a) A “PS” in a cell indicates that an accessory use or structure is allowed by-right in the applicable zoning district if it meets the additional standards set forth in the numerically referenced sections in the last column. Permitted uses and structures with use-specific standards are subject to all other applicable regulations of this section and zoning resolution.

b) Accessory uses and structures permitted with use-specific standards under this category are approved administratively by the zoning administrator pursuant to the zoning certificate review procedure (where required).

(3) Conditional Use (C)

A “C” in a cell indicates that, in the respective zoning district, an accessory use or structure is permitted if reviewed and approved as a conditional use pursuant to Section 3.07: Variance or Conditional Use. Conditional uses are subject to all other applicable regulations of this zoning resolution, including the additional standards set forth in this section.

(4) Prohibited Uses (Blank Cells)

a) A blank cell indicates that the listed accessory use or structure is prohibited in the applicable zoning district.

b) The outdoor storage of junk, wood, lumber, building materials, parking of inoperative or unlicensed motor vehicles, or similar items of property shall be prohibited on all lots where the principal use is residential. Outdoor storage on all other lots shall be classified as “outdoor storage” as regulated in Table 5.03-A.

(5) Zoning Certificate Required

The “Zoning Certificate Required” column identifies if a zoning certificate is required for the applicable accessory use or structure.

(6) Yards Permitted

The “Yards Permitted” column identifies in which yards the applicable accessory use or structure is permitted. See also [Section 5.05\(A\)\(2\):Setbacks and Yards](#), for more information about specific yard locations for interior, corner, double frontage, panhandle, cul-de-sac, or curved street lots.

(7) Numerical References (Last Column)

The numbers contained in the “Use-Specific Standards” column are referenced to additional standards and requirements that apply to the use and structure type listed. Standards referenced in the “Use-Specific Standards” column apply in all zoning districts unless otherwise expressly stated and may apply to a conditionally permitted use and/or a permitted use with use-specific standards.

TABLE 7.01-A: PERMITTED ACCESSORY USE TABLE						
PERMITTED USES P = Permitted Use PS = Permitted with Additional Use-Specific Standards C = Conditional Use Blank Cell = Prohibited	RESIDENTIAL ZONING DISTRICTS	NONRESIDENTIAL ZONING DISTRICTS		ZONING CERTIFICATE REQUIRED	YARDS PERMITTED F = FRONT S = SIDE R = REAR	USE-SPECIFIC STANDARDS SEE SECTION
	O-C, R-1, R-2, AND R-3	C-1, C-2, AND C-3	O-R, I-1, AND I-2			
Accessory Retail Sales			PS	No	Inside Principal Building	Section 7.01(G)(1)
Amateur Radio Transmitter or Antennas	PS	PS	PS	Yes	R	Section 7.01(G)(2)
Automated Teller Machines (ATM)		PS	PS	Yes [1]	S or R	Section 7.01(G)(3)
Community Gardens	PS	PS	PS	Yes [1]	F, S, or R	Section 7.01(G)(4)
Detached Accessory Buildings	PS	PS	PS	Yes	S or R	Section 7.01(G)(5)
Drive-Through Facilities		PS	PS	Yes [1]	S or R	Section 7.01(G)(6)
Driveways	PS	PS	PS	No	F, S, or R	Section 11.07
Drop-Off Boxes		PS	PS	No	S or R	Section 7.01(G)(7)
Home Occupations	PS			No	Inside principal building	Section 7.01(G)(8)
Indoor Food Sales			PS	No		Section 7.01(G)(9)
Keeping of Chickens	PS			No	S or R	Section 7.01(G)(10)
Outdoor Wood Furnaces	PS			Yes	S or R	Section 7.01(G)(11)
Ponds or Lakes	PS	PS	PS	Yes	F, S, or R	Section 7.01(G)(12)
Porches or Decks	PS	PS	PS	Yes	F, S, or R	Section 7.01(G)(13)
Private or Community Swimming Pools	PS			Yes	S or R	Section 7.01(G)(14)
Roadside Stands	PS			No	F, S, or R	Section 7.01(G)(15)
Type-B day care homes (1-6 children)	P			No	Inside principal building	
Satellite Dishes	PS	PS	PS	See Section 7.01(G)(16).	F, S, or R	Section 7.01(G)(16)
Small Wind Energy Conservation Systems	PS	PS	PS	Yes	R	Section 7.01(G)(17)
Solar Panels	PS	PS	PS	See Section 7.01(G)(18).		Section 7.01(G)(18)

TABLE 7.01-A: PERMITTED ACCESSORY USE TABLE

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	O-C, R-1, R-2, AND R-3	C-1, C-2, AND C-3	O-R, I-1, AND I-2			
Stand-Alone Basketball Hoops	PS	PS	PS	No	F, S, or R	Section 7.01(G)(19)
Tennis Courts or Other Game Courts	PS	PS	PS	No	R	Section 7.01(G)(20)
Tree Houses, Play Sets, or Trampoline	P			No	R	
Unenclosed Patios	PS	PS	PS	No	S or R	Section 7.01(G)(21)
Other Accessory Uses	C	PS	PS	See Section 7.01(G)(22)		

NOTES:

[1] ATMs and drive-through facilities shall be permitted in the stated zoning district when they are accessory and attached to the building containing the principal use. The zoning certificate approval may be part of the zoning certificate application for the principal use.

[2] Satellite dishes should be located in the side or rear yard to the maximum extent feasible. However, these regulations shall not prohibit the location of a satellite dish in the front yard.

(G) USE-SPECIFIC STANDARDS

(1) Accessory Retail Sales

Principal uses in the applicable zoning district may include some retail sales provided:

- a) The floor area dedicated to retail sales is less than 10% of the total building floor area;
- b) The retail sales take place in the principal building; and
- c) The retail sales are related to the services rendered, products stored, or products produced as part of the principal use.

(2) Amateur Radio Transmitters or Antennas

Noncommercial amateur radio antenna structures for use by licensed amateur radio operators shall be authorized for use by licensed amateur radio operators in all districts, provided that:

- a) The height of the structure does not exceed the lesser of the width or depth of the property as determined by a line bisecting such structure and measured from one side of the property line to the other, or from the front property line to the rear at the shortest distance there between. However, such height shall not exceed 100 feet or be restricted to less than 60 feet.
- b) The setback for the central vertical portion of the antenna structure shall be a minimum of 10 feet from all property lines for structures up to 45 feet in height and shall increase by one foot for every three feet of increased height. All rigid radiating elements of the antenna structure shall be set back a minimum of 10 feet from all property lines.
- c) The construction shall be of such type as may be required by the American National Standards Institute (ANSI), the Electronics Industry Association (EIA), and Summit County to form a safe and durable structure.

(3) Automated Teller Machines (ATM)

ATMs may be permitted provided they meet the following standards:

- a) The use of the ATM shall be subject to the applicable standards of drive-through facilities (See [Section 7.01\(G\)\(6\): Drive-Through Facilities.](#)); and

- b) All canopies over the ATM shall be considered a part of the principal structure and shall meet all the same setback requirements of the principal structure in the applicable zoning district.

(4) Community Gardens

- a) As stated in [Section 3.02\(A\): Agricultural Use Exemption](#), gardens located on an individual lot that are for the use of the property owner or occupant, shall be permitted in all yards and without a zoning certificate.
- b) Community gardens may be allowed as an accessory use when associated with public or institutional principal use (e.g., religious institution or educational facility).
- c) The owner of the property shall have an established set of operating rules addressing the governance structure of the garden; hours of operation; maintenance and security requirements and responsibilities; and distribution of garden plots.
- d) The name and telephone number of the owner and any person designated as the person in-charge of garden coordination along with a copy of the operating rules shall be kept on file with the zoning administrator.
- e) The site shall be designed and maintained so that water and fertilizer will not drain onto adjacent properties.
- f) There shall be no retail sales on site, except for produce grown on the site.
- g) No building or structures shall be permitted on the site unless the community garden is accessory to a use (See [Section 7.01: Accessory Use Regulations](#).) in which case, the buildings and structures shall be considered as accessory to the principal use of the lot.
- h) Benches, bike racks, raised/accessible planting beds, picnic tables, seasonal farm stands, garden art, rain barrel systems, and children's play areas may be permitted.
- i) Fences and walls shall be subject to the provisions of [Article 9: Fencing, Walls, and Hedges](#).

(5) Detached Accessory Buildings

All detached accessory buildings shall be set back a minimum of 10 feet from the side and rear lot lines.

(6) Drive-Through Facilities

The following standards shall apply to businesses that contain a drive-through facility, regardless if the drive-through is part of another use (e.g., restaurant or financial institution) or if it is a stand-alone use (e.g., automatic teller machine).

a) General Standards

- (i) Drive-through facilities are prohibited in the C-1 District.
- (ii) Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall be set back a minimum of 300 feet from any residential dwelling unit.
- (iii) No service shall be rendered, deliveries made, or sales conducted within the required front yard; customers served in vehicles shall be parked to the sides and/or rear of the principal structure.
- (iv) All drive-through areas, including but not limited to menu boards, stacking lanes, trash receptacles, loudspeakers, drive up windows, and other objects associated with the drive-through area shall be located in the side or rear yard of a property to the maximum extent feasible, and shall not cross, interfere with, or impede any public right-of-way.

- (v) A fence or screen between four and six feet in height shall be constructed along any property line abutting a residential district.

b) Stacking Space and Lane Requirements

See [Section 11.06: Stacking Space Requirements for Drive-Through Facilities](#).

c) Menu Board Signs

- (i) One menu board sign for each stacking lane shall be allowed provided it does not exceed 35 square feet in sign area. Any additional attachments such as pictures or photographs of food and other items shall be included within the maximum signage area.
- (ii) Menu board signage shall not be included in the total calculated allowed signage for a property under [Article 13: Signs](#).
- (iii) No menu board sign shall exceed seven feet in height measured from the grade of the adjacent driving surface to the top of the sign.
- (iv) All menu board signs shall be internally illuminated.
- (v) Menu boards shall be reviewed and approved as part of the zoning certificate for the drive-through establishment or, when a menu board is to be added, as part of a separate zoning certificate application.

(7) Drop-Off Boxes

- a) The drop-off box shall be screened on a minimum on three sides to a height that fully screens the use unless otherwise required in this zoning resolution;
- b) Screening shall be accomplished by the use of hedges, wall, or decorative fence that provides full opacity screening.

(8) Home Occupations

a) Purpose

The purpose of this section is to set forth regulations that control the establishment and operation of home occupations. The intent is to control the nonresidential use of a residential dwelling unit so that the nonresidential use is limited to an accessory use, and does not in any manner whatsoever disrupt or alter the residential character of the neighborhood in which it is located. Compliance with these regulations should result in all home occupations being located and conducted so that their existence is not detectable in any manner from the outside of the dwelling unit.

b) Standards for Home Occupations

- (i) A person whose principal employment is outside of the home but who temporarily works out of a home office shall not be considered as operating a home occupation subject to these standards.
- (ii) The home occupation, including the storage of equipment, supplies, or any apparatus related to the use, shall be conducted entirely within the dwelling unit and no use of any accessory structure or yard space shall be permitted except that storage of equipment and supplies may be conducted in a garage to the extent that at all times the number of vehicles for which the garage was designed to accommodate shall be able to be parked in such garage.

- (iii) Such use shall be clearly incidental and secondary to the use of the dwelling unit for dwelling purposes.
- (iv) Such use shall be conducted only by persons residing in the dwelling unit except that one additional employee may work in the dwelling unit that is not a resident.
- (v) There shall be no display, nor stock in trade, nor commodities sold except those that are produced on the premises and in no case shall retail sales be permitted.
- (vi) The use shall not involve more than 25% of the floor area of the dwelling unit.
- (vii) There shall not be any change in the outside appearance of the building or premises, or other visible exterior change related to the home occupation.
- (viii) No sign, other than one non-illuminated nameplate, two square feet in area and mounted flat on the front face of the dwelling or on a driveway lamppost, shall be erected or maintained on the premises.
- (ix) No more than one home occupation shall be permitted within any single dwelling unit.
- (x) No building or structure shall be used to operate a business, store equipment, or supplies used for a business, or serve as a location where multiple employees meet or park prior to going to work off-site.
- (xi) No equipment or process shall be permitted or used in such home occupation that creates a nuisance by reason of noise, odor, dust, vibration, fumes, smoke, electrical interference or other causes, or which is found unsafe by the County Board of Health. No equipment or process shall be used that creates visual or audible interference in any radio or television receiver off the premises, or causes fluctuations in line voltage off the premises.
- (xii) No traffic shall be generated by such home occupation in greater volume than is normally expected for the residential neighborhood.
- (xiii) In no instance is an auto repair business, shop, or use permitted in any residential zoning district.

c) The following are examples of permitted home occupations:

- (i) Clerical and other similar business services;
- (ii) Instruction in music, dance or other type of teaching with a maximum number of two students at a time;
- (iii) The office of a professional accountant, attorney, broker, consultant, insurance agent, realtor, architect, engineer, sales representative, and similar office oriented occupations;
- (iv) Artists, sculptors, photographers, and other providers of home crafts;
- (v) Barber shop/beauty salon with a maximum of one chair;
- (vi) A licensed massage therapist who provides massage therapy for a maximum of one client at any given time; or
- (vii) Any similar use as determined by the zoning administrator.

(9) Indoor Food Sales

Indoor food sales occurring as an accessory use shall comply with the following standards:

- a) The square footage used by the accessory use, including preparation, sales, and storage, but not including dining, shall not exceed 20% of the total floor area of the principal use.
- b) Entrance to the food sales area shall be via the principal use it serves and shall not have dedicated off-street parking areas or signage.

(10) Keeping of Chickens

The keeping of up to four chickens is permitted on lots with a minimum lot area of one half acre provided that:

- a) The principal use is a single-family dwelling;
- b) No person shall keep any rooster;
- c) No person shall slaughter any chickens for commercial sales;
- d) The chickens shall be provided with a covered enclosure for protection from the elements;
- e) Chickens must always be confined within a fenced area of the yard at all times per [Section 5.04\(A\)\(4\)](#) and
- f) All enclosures and fenced areas designed to house the chickens shall be subject to Summit County's animal nuisance regulations.

(11) Outdoor Wood Furnaces

Outdoor wood furnaces shall only be permitted as an accessory use on lots with a minimum lot area of five acres.

a) Setbacks

Outdoor wood furnaces shall be set back:

- (i) A minimum of 100 feet from all lot lines;
- (ii) A minimum of 200 feet from the boundaries of all recorded subdivisions with lots less than five acres in size; and
- (iii) A minimum of 200 feet from all residential dwellings not located on the property where the outdoor wood furnace will be situated.

b) Permitted and Prohibited Fuels

- (i) Fuel burned in any new or existing outdoor wood furnace shall be only natural, untreated wood, wood pellets, corn products, biomass pellets, or other listed fuels specifically permitted by the manufacturer's instructions such as fuel oil, natural gas, or propane backup.
- (ii) The following fuels are strictly prohibited in new or existing outdoor wood furnaces:
 - A.** Wood that has been painted, varnished or coated with similar material and/or has been pressure-treated with preservatives and contains resins or glues as in plywood or other composite wood products.
 - B.** Rubbish or garbage, including but not limited to food wastes, food packaging, or food wraps.
 - C.** Any plastic materials, including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.
 - D.** Rubber, including tires or other synthetic rubber-like products.

- E. Any other items not specifically allowed by the manufacturer or this section.

c) Nonconforming Use

Outdoor wood furnaces that were installed prior to the effective date of this amendment shall be permitted to continue. However, if the existing outdoor wood furnace does not meet the standards of this section, the outdoor wood furnace shall be considered a nonconforming use subject to the nonconforming use provisions of this zoning resolution (See [Article 14: Nonconformities](#)).

(12) Ponds or Lakes

All public or private ponds and lakes containing over one and one-half feet of water depth shall be considered structures and shall require a zoning certificate prior to installation to determine compliance with the requirements of this Section.

- a) A zoning certificate is not required for a private pond or lake located on land used for agricultural purposes that is exempt from the regulations of this zoning resolution (See [Section 3.02\(A\): Agricultural Use Exemption](#)).
- b) The high water mark on all sides of the pond or lake shall conform to all required setback lines established for the district in which it is located.
- c) Where embankments are utilized, the toe of the slope for said embankment shall be a minimum of 10 feet from any property line and/or 60 feet from the road right-of-way line.
- d) Ponds or lakes shall be at least 25 feet from the principal building.
- e) A zoning certificate shall be obtained prior to construction of a pond or lake. The applicant shall submit to the Zoning Administrator a copy of the proposed pond or lake plans and documentation that such pond or lake plan has been reviewed and stamped as approved by the Summit County Soil and Water Conservation District.

(13) Porches or Decks

- a) Porches or decks that are enclosed (with screening or other materials), have a roof, that are physically attached to the principal structure, or that extend more than three feet above the average grade shall meet the setback requirements for principal buildings in the applicable zoning district. See [Section 5.05: Area, Setback, and Other Site Development Standards](#).
- b) All other porches may extend into required setbacks in accordance with [Section 5.05: Area, Setback, and Other Site Development Standards](#).

(14) Private or Community Swimming Pools

- a) All outdoor swimming pools shall be set back 10 feet from the required side lot line and rear lot line.
- b) The swimming pool, or the entire property on which it is located, shall be walled or fenced to prevent uncontrolled access by children from the street or from adjacent properties. Said fence or wall shall not be less than four feet in height and maintained in good condition with a gate and lock.
- c) Such fence shall be constructed so as to have no openings, holes, or gaps larger than three inches in any dimension, except for doors or gates. An accessory building may be used in or as part of such enclosure.
- d) Above-ground pools that have a vertical surface of at least four feet in height shall be required to have fences and gates only where access is made to the pool.

- e) Any pool for the use of occupants of multi-family dwellings containing over three apartments or those that are accessory to a nonresidential use shall meet the structural and sanitary requirements of the Ohio Department of Health.
- f) The pool shall be intended and used solely for the enjoyment of the occupants of the principal use of the property on which it is located.
- g) Outdoor community pools shall be set back a minimum of 50 feet from interior lots within the development and 150 feet from any lot outside of the development as measured from the edge of the water.
- h) The construction, plumbing and electrical requirements, inspections, and other safety facilities shall comply with all applicable county or state codes.

(15) Roadside Stands

- a) A roadside stand shall only be permitted where 50% or more of the gross income received from the stand is derived from produce raised on farms owned or operated by the market operator in a normal crop year;
- b) The roadside stand shall be located on the same property as where the produce is raised;
- c) The structure shall not exceed 800 square feet;
- d) The structure and any related parking areas shall be set back 60 feet from all lot lines; and
- e) That one ground mounted sign may be permitted provided it does not exceed 12 square feet in sign area, six feet in height, and only external illumination is used.

(16) Satellite Dishes

- a) Satellite dishes that are one meter in diameter or less shall be subject to the following standards:
 - (i) To the maximum extent feasible, such dishes should be located to the side or rear of a structure. However, the township shall not have the authority to prevent the location of these smaller satellite dishes in the front yard.
 - (ii) Such dishes shall not require a zoning certificate.
- b) Satellite dishes that exceed one meter in diameter shall be subject to the following standards:
 - (i) Satellite dishes may be erected or installed on the ground of any property.
 - (ii) Roof mounting of dishes is only permitted in the O-R, I-1, and I-2 districts.
 - (iii) Ground mounted satellite dishes shall be set back a minimum five feet from all lot lines.
 - (iv) Satellite dishes shall be prohibited in the front yards of any property on which it is located.
 - (v) Installation of a these satellite dishes shall require a zoning certificate.
 - (vi) The maximum height of the satellite dish shall be 15 feet as measured from the average grade.
 - (vii) The maximum diameter of the satellite dish shall be 12 feet.

(17) Small Wind Energy Systems

- a) Small wind energy systems that are attached to a roof or structure are permitted provided that the measurement from the average grade to the tip of the blade of the system does not exceed the maximum height of buildings permitted in the applicable zoning district. In no case shall a roof-mounted wind energy system be large enough to exceed a height of more than 12 feet above the roof in any zoning district.

- b) Stand-alone small wind energy systems may be permitted on lots with a minimum lot area of one acre. The pole or supporting structure shall be set back a distance equal to 110% of the total height from:
 - (i) Any public right-of-way, unless written permission is granted with the governmental agency with jurisdiction over the right-of-way;
 - (ii) Any overheard utility lines; and
 - (iii) All lot lines.
- c) The maximum height shall be 125 feet in a residential area, 150 feet in a commercial area, and 200 feet in an industrial area measured from the average grade to the highest point on the blade.
- d) All small wind energy systems shall comply with all applicable sections of the State of Ohio Building Code.
- e) No more than one wind turbine shall be permitted on a residential lot.

(18) Solar Panels

- a) Roof-mounted solar panels that are visible from a public right-of-way shall be flush-mounted to the roof or may be elevated on one side of the panel to a distance that does not exceed five feet as measured from the roof surface to the top of the panel.
- b) Roof-mounted solar panels that are not visible from a public right-of-way shall not be elevated from the roof surface more than two feet.
- c) Roof-mounted solar panels shall not count toward the maximum number of accessory structures permitted on the property and shall not require a zoning certificate.
- d) Freestanding solar panels shall be limited to a maximum height of 19 feet and shall be located in the side or rear yard. Such freestanding solar panels shall require a zoning certificate.

(19) Stand-Alone Basketball Hoops

Basketball hoops shall not be located in any right-of-way.

(20) Tennis Courts or Other Game Courts

- a) Tennis courts or other game courts shall be set back 10 feet from all lot lines.
- b) Any lighting of the game court shall be turned off during the hours between 10:00 p.m. and 7:00 a.m.
- c) No lighting shall be established so as to shine directly into an adjacent residential dwelling.

(21) Unenclosed Patios

All unenclosed patios may extend into required setbacks in accordance with [Section 5.05: Area, Setback, and Other Site Development Standards](#).

(22) Other Accessory Uses

- a) Other accessory uses in a residential zoning district shall be subject to a conditional use review (See [Section 3.07: Variance or Conditional Use](#)).
- b) Other accessory uses in a nonresidential zoning district may be permitted by the zoning administrator if they are customarily found in conjunction with and required for the full utilization and economic viability of the principal business use. The zoning administrator shall have the authority to determine that a proposed accessory use (not otherwise defined in [Table 7.01-A](#)) shall be subject to conditional use review (See [Section 3.07: Variance or Conditional Use](#)).

Section 7.02 Temporary Uses and Structures

(A) PURPOSE

This section allows for the establishment of certain temporary uses and structures of limited duration, provided that such uses or structures do not negatively affect adjacent properties, and provided that such uses or events are discontinued upon the expiration of a set time period. Temporary uses and structures shall not involve the construction or alteration of any permanent building or structure.

(B) PERMITTED TEMPORARY USES AND STRUCTURES

Table 7.02-A summarizes allowed temporary uses and structures and any general or specific standards that apply. Temporary uses or structures not listed in the table are prohibited.

TABLE 7.02-A: TEMPORARY USES AND STRUCTURES			
TEMPORARY USE OR STRUCTURE	ALLOWABLE DURATION (PER SITE)	ZONING CERTIFICATE REQUIRED	ADDITIONAL REQUIREMENTS
Construction Dumpsters	Until issuance of an certificate of occupancy	No	Section 7.02(C)(2)
Construction Trailers	Until issuance of an certificate of occupancy	Yes	Section 7.02(C)(3)
Gravel Surface Parking Lots	Until issuance of an certificate of occupancy	No	
Real Estate Sales/Model Homes	Until 80% occupancy of the phase or subdivision is reached	Yes	Section 7.02(C)(4)
Seasonal Agricultural Sales	120 days per calendar year	Yes	Section 7.02(C)(5)
Temporary Special Events	See Section 7.02(C)(6).	Yes	Section 7.02(C)(6)
Temporary Storage in a Portable Container	30 days per site	No	Section 7.02(C)(7)
Temporary Structures for Public or Institutional Uses	3 years	Yes	Section 7.02(C)(8)

(C) TEMPORARY USE AND STRUCTURE STANDARDS

(1) General Standards

- a) All temporary uses or structures shall be reviewed in accordance with this section and all other applicable sections of this zoning resolution.
- b) All temporary uses or structures shall:
 - (i) Not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare;
 - (ii) Be compatible with the principal uses taking place on the site;

- (iii) Not have substantial adverse effects or noise impacts on nearby residential neighborhoods;
- (iv) Not include permanent alterations to the site;
- (v) Not maintain temporary signs associated with the use or structure after the activity ends;
- (vi) Not violate the applicable conditions of approval that apply to a site or use on the site;
- (vii) Not interfere with the normal operations of any permanent use located on the property; and
- (viii) Contain sufficient land area to allow the temporary use, structure, or special event to occur, as well as adequate land to accommodate the parking and traffic movement.

(2) Construction Dumpsters

Temporary trash receptacles or dumpsters shall be located outside public rights-of-way and shall comply with the following standards:

- a) Be located to the side or the rear of the site, to the maximum extent feasible;
- b) Be located as far as possible from existing residential dwellings;
- c) Not be located within a floodplain or otherwise obstruct drainage flow; and
- d) Not be placed within five feet of a fire hydrant or within a required landscaping area that has already been constructed.

(3) Construction Trailers

Construction trailers may be permitted on a construction site provided that the trailer is:

- a) Located on the same site or in the same development as the related construction;
- b) Not located within a required open space set-aside or landscaping area; and
- c) Associated with development subject to valid building and zoning certificates.

(4) Real Estate Sales Office/Model Home

One temporary real estate sales office or model home per builder or developer shall be permitted in a section or phase of a new residential or nonresidential development, provided that the use:

- a) Is located on a lot approved as part of the subject development;
- b) Is operated by a developer or builder active in the same phase or section where the use is located; and
- c) Is removed or the model home is converted into a permanent residential use once 80% occupancy in the section or phase of the development is reached. For the purposes of these standards, occupancy shall include both the physical occupancy of buildings by the resident or tenant or sale of a completed building to a private party beyond the builder or developer.

(5) Seasonal Agricultural Sales

Seasonal agricultural sales, including the sale of such items as Christmas trees, pumpkins, seasonal produce, and similar agricultural products, may be permitted in accordance with the following standards:

a) Location

- (i) The property contains an area not actively used that will support the proposed temporary sale of products without encroaching into or creating a negative impact on existing vegetated areas, open space, landscaping, traffic movements, or parking space availability.
- (ii) The sale of goods shall not occur within the public right-of-way, or within 200 feet of a dwelling.

b) Range of Goods Limited

The range of goods or products available for sale shall be limited to non-processed products obtained primarily through farming or agricultural activities, including, but not necessarily limited to: pumpkins; grains and seed crops; fruits of all kinds; vegetables; nursery, floral, ornamental, and greenhouse products; trees and forest products, including Christmas trees, and firewood; bees and beekeeping products; seafood; and dairy products.

c) Hours of Operation

The hours of operation of the seasonal sale of agricultural products shall be from 7:30 A.M. to 10:00 P.M., or the same hours of operation as a principal use on the same lot, whichever is more restrictive.

(6) Temporary Special Events

- a) A temporary zoning certificate for temporary special events such as festivals, circuses, concerts, tents, and similar uses shall be valid for no more than two weeks provided:
 - (i) The applicant receives other applicable permits from the Summit County Building Department and the Springfield Township Fire Department.
 - (ii) The plans receive approval by the Summit County Sheriff's Office for the purposes of protecting the public safety.
- b) Temporary tents for outdoor sales may be permitted for a 14-day period once every 90 days.

(7) Temporary Storage in a Portable Shipping Container

Temporary storage in a portable shipping container shall be allowed to serve a permitted use provided it is placed on a paved surface and is, to the maximum extent feasible, located in the side or rear yards.

(8) Temporary Structures for Public or Institutional Uses

Temporary structures serving public or institutional uses shall comply with the following standards:

a) Location

- (i) The use shall be located to the side or rear of the principal structure(s) and at least five feet from any other structure.
- (ii) The use shall not be permitted within required off-street parking, required open space areas, or required landscaping areas.

b) Standards

- (i) Under skirting or other materials shall be used to prevent unauthorized access underneath the structure.

- (ii) Parking shall be provided for the temporary structure in conformance with [Article 11: Parking, Loading, and Mobility](#).

c) **Approval and Duration**

This use is permitted if approved by the zoning administrator, and may remain on the site for no more than three years. This period may be renewed for two additional years, for good cause shown, upon approval of a written request, submitted to the zoning administrator at least 30 days prior to the expiration of the zoning certificate. In no event, however, shall such extensions allow the temporary structure to remain on the site for more than five years.