

## **ARTICLE VIII - FARM RESIDENTIAL DISTRICT (FR-1)**

**Section 8.01 - PURPOSE:** The Farm Residential District (FR-1) is established for the purposes set forth in Section 5.05(A).

**Section 8.02 - PERMITTED USES:** Within the Farm Residential District the following uses, developed in accordance with all other provisions of this Resolution, shall be permitted:

- A) Single family dwellings. (Limited to one (1) single family dwelling per parcel, tract, or lot).
- B) Accessory buildings and accessory uses including private garages and an apartment for full time domestic or farm help employed on the premises or full time farm labor.
- C) Projects specifically designed for watershed protection, conservation of soil, water, or for flood control.
- D) Agricultural purposes: See Sec. 6.02.
- E) Temporary structures such as manufactured/mobile homes and temporary buildings of a non-residential character may be used incident to construction work on the premises or on adjacent public projects during construction. The user of said structure shall obtain a permit for such temporary use, which permit shall be valid for six (6) months and may be renewed not more than twice. Renewal of the permit shall be at the discretion of the Zoning Inspector on finding of reasonable progress toward completion of the permanent structure or project. The Zoning Inspector may require provisions for sanitary waste disposal, solid waste disposal, and water supply, as he/she deems necessary. The fees for such permit and renewals thereof shall be established by the Board of Township Trustees. Said temporary structure shall be removed not later than ten (10) days after expiration of said permit. No unit may be occupied for residential purposes.
- F) Limited Home Occupation: See Sec. 21.14.
- G) Conducting of casual sales of goods in what are commonly referred to as garage sales or yard sales provided that such sales shall not be conducted on more than twelve (12) days in any calendar year or for more than three (3) consecutive days.
- H) Schools and Parks: (1) public school offering general educational courses and having no rooms regularly used for housing or sleeping of students, or (2) parks, playgrounds, and play fields open to the public without fee.
- I) Religious Land Uses: churches, places of worship, places of religious assembly, religious institutions, and parsonages provided (1) there is adequate lot area to accommodate off-street parking for all patrons, (2) there is adequate area for water supply and wastewater disposal if located on-site, and (3) all aspects of public health, safety and welfare are provided for (e.g. meets building code, life safety code, electrical code, etc.).
- J) Adult Family Homes as provided for and defined in Chapter 3722 of the Ohio Revised Code.
- K) Child Day Care: Child day care provided in-home for six (6) or fewer children, provided the day care is accessory to the use of the dwelling as a residence, and further provided that such day care qualifies as a "Type B" family day care home as defined in Section 5104.01 of the Ohio Revised Code.
- L) Common Access Driveway Subdivisions

M) Wind Turbine as regulated in Section 21.19

**Section 8.03 - CONDITIONAL USES:** Within this zoning district the following uses may be permitted, subject to the conditions and restrictions imposed by the Board of Zoning Appeals pursuant to the provisions of Article XXVIII of this Resolution. Conditionally permitted uses shall be considered abandoned if said use or uses are not commenced within one (1) year from the date of Board of Zoning Appeals approval, or use is discontinued for a period in excess of two (2) years. Unless the conditional use permit specifically provides that the grant shall be permanent and shall run with the land, the sale or conveyance of the land and/or structure wherein the same is located or upon which the same is granted shall void the conditional use permit, and the subsequent owner(s) or his/her agent shall be required to reapply for a continuation and/or modification of such use(s) to the Board of Zoning Appeals. A designation by the Board of Zoning Appeals that a permit is permanent and shall run with the land does not affect the right of the authorities to revoke the permit for failure to comply with conditions imposed. No conditional use shall be implemented until a permit of compliance is issued by the Zoning Inspector.

A) Cemeteries, provided:

- 1) Internment shall not be within three hundred (300) feet of any house, unless the owner(s) of such houses give consent, or unless the entire tract acquired or appropriated is a necessary addition to or enlargement of a cemetery already in use, as further provided in Section 1721.03 of the Ohio Revised Code.
- 2) A mausoleum shall not be within three hundred (300) feet of any property line.
- 3) A Crematory or other structure shall not be within one thousand (1,000) feet of any property line.
- 4) Every cemetery company or association shall cause a plat of its grounds and of the lots laid out by it to be made and recorded or filed in the offices of the County Recorder in accordance with Section 1721.09 of the Ohio Revised Code.

B) Borrow Pits, provided the excavation is completed within one (1) year and the contractor posts such bond as required by the Board of Township Trustees, Board of County Commissioners and/or the County Engineer to ensure compliance with the restrictions and conditions imposed to insure regrading, reseeding and general restoration of the area including haul roads. All applications or plans submitted incident thereto shall be reviewed by the Delaware County Engineer and his/her comments shall be included in the record regarding the matter. An extension of the time limit may be approved by the Board of Zoning Appeals.

C) Associated sales as accessory to and in association with an agricultural permitted use. Such associated sales to cease upon cessation of the agricultural activity. This shall include, but not limited to, garden supplies with a nursery or greenhouse, milk production with a dairy, or imported produce with a permitted produce stand.

D) Private landing fields for aircraft, ultra lights and hot air balloons for use by the owner of the property and his/her guests. Helicopter landing pad prohibited. Absolutely no commercial activities shall take place on said premises. Private landing fields shall conform to F.A.A. regulations.

E) Model Homes, the same being defined as residential-type structures used as sales offices by builders/developer and to display the builder/developer's product. The same may be furnished within, since its purpose is to display to prospective buyers the builder/developer's features (such as exterior siding treatment, roofing materials, interior trim, moldings, floor covering, etc.), in the environment of a completed home. Model homes may be staffed by the builder/developer's sales force. Model homes shall be subject to the following restrictions:

**ARTICLE VIII**  
**FARM RESIDENTIAL DISTRICT (FR-1)**

- 1) Lighting: All exterior lighting must be down lighting, so that no light shall be cast onto adjoining residential properties. All off-street parking areas must be illuminated. All exterior lighting shall be extinguished at the closing time of the model home. See Sec. 21.18 for further development standards.
  - 2) Parking: All model homes shall provide off-street paved parking for the public. Such offered off-street paved parking shall be located as directed by the Board of Zoning Appeals. The number of required parking spaces shall be six (6) per model home. The driveway of the model home may be utilized for not more than two (2) parking places.
  - 3) Screening and trash receptacles: Landscape drawing shall be required and show adequate landscaping and screening from adjoining residential lots, together with the clear marking of the boundaries of the model home lot. Trash receptacles shall be provided around the model home for use by the public.
  - 4) Termination of use: The use of model homes within a residential subdivision, or within any single phase of a multi-phase subdivision, shall terminate when building permits have been issued for ninety percent (90%) of the lots.
  - 5) Model Home Sign: Troy Township may approve one (1) model home sign provided the following conditions are met:
    - a) the sign shall not exceed 16 (sixteen) square feet per side with 32 (thirty two) square feet maximum total display area;
    - b) the overall height of the sign shall be no more than four (4) feet above grade;
    - c) the model home sign shall be located on the same lot as the model home;
    - d) the sign information must be presented at the time the final development plan is submitted and approved;
    - e) the model home sign must be removed when the model home is discontinued as a sales office.
- F) Bed and Breakfast home provided that:
- 1) Lighting: All exterior lighting must be down lighting, so that no light shall be cast onto adjoining residential properties. See Sec. 21.18 for further development standards.
  - 2) Parking: All bed & breakfast homes shall provide off-street paved parking for the public. Such off-street paved parking shall be located as directed by the Board of Zoning Appeals. The number of required parking spaces shall be eight (8). The driveway of the bed & breakfast home may be utilized for not more than two (2) parking places.
  - 3) Screening and trash receptacles: Landscape drawings shall be required and shall show adequate landscaping and screening from adjoining residential lots, together with the clear marking of the boundaries of the bed and breakfast lot. Trash receptacles shall be provided around the bed and breakfast for use by the public.

- 4) No more than three bedrooms are available for overnight lodging.
  - 5) Owner or manager must reside in the residence.
  - 6) Adequate potable water and sewage disposal must be provided.
  - 7) Signs must comply with the Home Occupation sign requirements.
  - 8) Maximum length of stay of lodgers is two (2) consecutive weeks.
- G) One (1) occupied manufactured home to be occupied by full time farm labor only and provided said manufactured home is installed in compliance with rules and regulations established by the Delaware County Health Department. Not more than one (1) manufactured home shall be located on any farm within this township. Permanent farm labor housing may be provided on the same premises as the resident farmer, provided that all local building codes are complied with, all utilities are provided and perimeter setback of twenty-five (25) feet from all property lines is met.
- H) Expanded Home Occupation: See Sec. 21.15.
- I) Veterinary Service subject to the following conditions:
- 1) No building or structure used for the purpose of an animal shelter shall be located closer than four hundred (400) feet from the lot line of any residence, church, school or any institution of human care.
  - 2) Full compliance with Delaware General Health District regulations.
  - 3) Suitable fencing and/or screening shall be provided as approved by the Troy Township Board of Zoning Appeals.
  - 4) Such use can be safely conducted in a manner designed not to cause any interference with the right of quiet enjoyment by the residents of adjoining properties.
  - 5) Minimum lot size is five (5) acres.
  - 6) Outside runs are not within four hundred (400) feet of a residence.
- J) Granny flat, provided it meets the following conditions:
- 1) Property owner must live on site, and the granny flat must be subservient to the principal use of the property as a dwelling.
  - 2) Maximum size: 816 square feet.
  - 3) Must maintain a single-family residential appearance that blends with the principal structure and the neighborhood. An architectural rendering and floor plan must be provided to and approved by the Board of Zoning Appeals. Said plans shall include a landscape plan.
  - 4) Public water and sewer must be provided, or the lot must be adequately sized for, and systems approved for water supply and wastewater disposal to serve both the principal residence and the granny flat.

**ARTICLE VIII**  
**FARM RESIDENTIAL DISTRICT (FR-1)**

- 5) Off-street parking on a hard all-weather surface must be provided, two (2) spaces for the principal residence and one (1) additional space for the granny flat, nine (9) feet by eighteen (18) feet per space. No one space shall block another. Garages count as parking spaces.
  - 6) Maximum height of the accessory structure is twenty-four (24) feet at the peak. A granny flat may be located on the first and second floor.
  - 7) Maximum lot coverage by all residential structures is twenty-five (25) percent.
  - 8) All structures must meet the applicable state and local building and plumbing codes.
- K) Telecommunication towers provided all requirements of Section 21.16 are met.

**Section 8.04 - PROHIBITED USES:**

- A) Uses not specifically authorized by the express terms of this article of the Zoning Resolution shall be prohibited.
- B) Outdoor storage of inoperable, unlicensed, or unused motor vehicles, including trailers detached from semi-tractors, for a period exceeding seven (7) days is prohibited. Said vehicles stored on the premises shall be enclosed within a building so as not to be visible from any public road.
- C) No motor home, camper of any type may be occupied by a guest of the resident owner for more than fourteen (14) days in a six (6) month period and only one (1) motor home or camper is permitted at any time.
- D) No trash, debris, unused property, or discarded materials shall be permitted to accumulate on any lot or portion thereof, which creates an eyesore, health risk, hazard, or nuisance to the neighborhood or general public.
- E) Except for permanently sited manufactured homes or as provided in Section 8.03(G), no manufactured or mobile home shall be placed or occupied in this district.

**Section 8.05 - DEVELOPMENT STANDARDS:** All lands and uses within the Farm Residential District shall be developed in strict compliance with standards hereinafter established:

- A) Minimum Lot Area – Two (2) acres (87,120 square feet) exclusive of easements, road right-of-way, and sixty (60) foot access strips within flag lots.
- B) Lot Frontage - Except as hereinafter set forth all lots or parcels within this zoning district shall have the following minimum frontage on a dedicated, improved public or private street, or an approved common access driveway:

2 acres but less than 3 acres - 150 feet  
3 acres but less than 4 acres - 175 feet  
4 acres but less than 5 acres - 225 feet  
5 acres or larger – 300 feet

Lots or parcels having less than the above listed minimum frontages on the right-of-way line of the adjoining approved road or common access driveway shall have a lot width of seventy five (75) feet forward of the

front building line which is equal to or greater than that minimum lot frontage requirement. In no case shall the parcel or lot frontage at the road right-of-way line or common access driveway easement be less than sixty (60) feet (flag lot) and the width of sixty (60) feet shall not be decreased at any point forward of the front building line. If an irregularly shaped lot (e.g. pie shaped) located on a curve or cul-de-sac widens to the minimum lot width within seventy-five (75) feet of the nearest right-of-way line of the adjoining roadway or common access driveway, the setback is required to conform to setback lines for principal structures on adjoining lots.

No two (2) lots or parcels having less than the above listed minimum frontages on the road right-of-way line shall be located adjacent each other at the road right-of-way.

Lots or parcels not meeting the minimum frontage requirements in Section 8.05(B) (e.g. narrow frontage and flag lots) must be separated by a lot meeting the required frontage minimum (conforming lot) at the road right-of-way or common access driveway easement.

All lots shall have a frontage line, two (2) side parcel lines and a rear parcel line. The rear parcel line may not decrease in width from the frontage line by more than ten percent (10%) and may never decrease in size from the minimum frontage widths. The only exception to this shall be if the rear or side parcel line follows a natural terrain feature (e.g. ravine, creek), road or railroad.

- C) Building Height Limits - No building in this district shall exceed thirty-five (35) feet in height measured from the finished grade established not closer than fifteen (15) feet to the exterior wall of the structure. Agricultural barns, silos, grain handling conveyors, church spires, domes, flag poles, and elevator shafts are exempted from any height regulation and may be erected to any safe height. No windmills, aerial, antenna or tower shall be constructed to a height greater than the distance from the center of the base thereof to the nearest property line or road right-of-way of said tract. See Sec. 21.02.
- D) Building Dimensions (Living Area Requirements) - Each single family dwelling hereafter erected in this district shall have a ground floor living area of not less than nine hundred and fifty (950) square feet. All such living areas shall be exclusive of basements, porches, breezeways and garages.
- E) Building Set Back - No building or use shall be located closer to the center line of the adjacent public or private road or common access driveway than permitted in Section 21.09. If an irregularly shaped lot (e.g. pie shaped) located on a curve or cul-de-sac widens to the minimum lot within seventy-five (75) feet of the nearest right-of-way line of adjoining roadway, the setback is required to conform with setback lines for principal structures on adjoining lots.
- F) Side Yard Set Back - No building or structures, swimming pools or ponds shall be located closer than twenty-five (25) feet to any side lot line.
- G) Rear Yard Requirements - No principal dwelling shall be located closer than fifty (50) feet to the rear line of any lot and no accessory building, deck, patio or other accouterments shall be located closer than twenty five (25) feet to said rear lot line.
- H) Maximum Lot Coverage - On no lot or parcel in this zoning district shall structures and paving be constructed which cover more than fifty (50%) percent of the lot area. Structures shall cover no more than twenty-five (25%) percent of the lot or parcel area.
- I) Parking - Off street parking shall be provided at the time of construction of the main structure or building, with adequate provisions for ingress and egress according to the standards set forth in Articles XXI of this Resolution.

**ARTICLE VIII**  
**FARM RESIDENTIAL DISTRICT (FR-1)**

- J) Signs - Except as provided under the provisions of this article for Home Occupations or as controlled by Article XXII of this Resolution (political signs are excluded) as permitted by the Board of Zoning Appeals incident to Conditional Uses, no signs shall be permitted in this district except for one (1) "For Sale" or "For Rent or Lease" per tract per road frontage on which said sign is located. All signs shall be non-illuminated and shall not exceed four (4) square feet of advertising area on each side. The owner or developer of a subdivision of similar area may, upon the conditions and for the time period established by the Board of Zoning Appeals, erect one (1) sign not exceeding forty-eight (48) square feet of advertising area per side advertising said subdivision, development or tract for sale.
- I) Exterior Lighting Standards - All exterior lighting shall be controlled by the provisions of Article XXI.
- J) Landscaping - All yards, front, side and rear shall be landscaped and all organized open space; or non-residential use areas shall be landscaped.
- K) Driveways- All driveways shall be constructed in accordance with the provisions of Section 21.10 of this Resolution.
- L) Drainage - No excavation or construction of any primary dwelling or accessory building shall adversely affect the natural drainage or sub-surface drainage of any lot, parcel or adjoining lot or parcel. Any sub-surface drainage that is disturbed, broken or in any way altered must be repaired or rerouted to continue any and all drainage prior to excavation, construction of any primary dwelling or accessory building. NO EXISTING SUB-SURFACE TILES MAY BE CAPPED. See Sections 21.05, 21.06, 21.07 and 21.08 and County Engineers Drainage Standards.