# ARTICLE 7 – Farm Residence District (FR-1)

## Section 7.01 – PURPOSE

The Farm Residence District (FR-1) is established for the purposes set forth in Section 5.051 of this Resolution.

## Section 7.02 – PERMITTED USES

Within the Farm Residence District the following uses, developed in accordance with all other provisions of this Resolution, shall be permitted:

1. Single family dwellings (limited to one single family dwelling per parcel, lot or tract) where each lot conforms to the minimum standards of this district.
2. Accessory buildings and accessory uses including private garages and permanent dwellings for full time domestic help employed on the premises or full time farm labor.
3. Projects specifically designed for watershed protection, conservation of soil or water or for flood control.
4. Temporary structures such as mobile or manufactured homes for temporary residential use and temporary structures of a non­residential character may be used incident to construction work on the premises or on adjacent public projects or during a period while the permanent dwelling is being constructed. 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 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.
5. Limited Home Occupation as provided in Section 21.13 of this Resolution.
6. 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 six (6) days in a calendar year or more than three (3) consecutive days.
7. Schools and Parks:
8. Public or private school offering general educational courses and having no rooms regularly used for housing or sleeping of students.
9. Parks, playgrounds, and play fields open to the public without fee.
10. Religious Land Uses- Church, place of worship, place of religious assembly, religious institution, and parsonage provided:
11. There is adequate lot area to accommodate off street parking for all patrons.
12. There is adequate area for water supply and wastewater disposal if located on site.
13. All aspects of public health, safety and welfare are provided for, including but not limited to compliance with all building codes, life safety codes, electrical codes and all other applicable codes.
14. Adult Family Homes as provided for and defined in Ohio Revised Code Chapter 5119.70.
15. Child Day Care: Child Day care provided in-home for six 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 Ohio Revised Code Section 5104.01.
16. Common Access Driveway subdivision: Common Access Driveway Subdivision is a subdivision plat provided that it does not include more than three lots. In addition to the three lots, two lots contiguous to the CAD at the point of access to the public road by the Common Access Driveway (CAD) may, at the discretion of the Board of Zoning Appeals, be accessed by the CAD for access management purposes on defined roadways in the Township.
17. Planned Farm Residence Conservation Subdivisions, only as provided in Section 7.07

## Section 7.03 – 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 28 of this Resolution. Conditionally permitted uses shall be considered and declared abandoned if said use or uses are not commenced within one (1) year or are discontinued for a period in excess of two 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 or structure wherein the same is located or upon which the same is granted shall void the permit and the subsequent owner(s) or his 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 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.

1. Expanded Home Occupations as provided in Section 21.14 of this Resolution.
2. Convalescent Homes. Rest Homes or Home for Children or Aged provided that the area of the tract is adequate to provide setbacks, parking, and recreational areas prescribed by the Board of Zoning Appeals.
3. Playgrounds, Playfields, Picnic Areas and Summer Camps with adequate off street parking areas, water supply, sanitation facilities, fencing to control accessibility of children to hazardous conditions and any other improvements necessary to protect users from harm or danger.
4. Public or Private Golf Courses: County Clubs, hunt clubs, sportsmen's clubs, fishing lakes, or similar recreational uses with all buildings and club houses incident thereto including restaurants to serve members and/or users of the facility.
5. Zero lot line housing provided that the minimum lot area per unit is maintained.
6. 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:
	* 1. Signage: The owner or developer of a model home may erect one sign not exceeding forty-eight (48) square feet per side advertising said subdivision, development or tract.
		2. Lighting: All exterior lighting must be downcast 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.
		3. Parking: All model 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 six (6) per model home. The driveway of the model home may be utilized for not more than two (2) parking places.
		4. 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.
		5. 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 of the lots therein.
7. Private landing fields for aircraft for use by the owner of the property and his guests provided that no commercial activities take place on said premises.
8. Veterinary Service subject to the following conditions:
9. No building or structure used for the purpose of an animal shelter shall be located closer than four hundred (400) feet to the lot line of any residence, church, school or any institution of human care.
10. Full compliance with Delaware County General Health District regulations.
11. Suitable fencing and/or screening shall be provided as approved by the Brown Township Board of Zoning Appeals.
12. 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 the adjoining properties.
13. Minimum lot size is five (5) acres.
14. Outside runs are not within 400 feet of a residence.
15. Private School or college, with students in residence provided:
16. It occupies a lot of not less than one (1) acre per twenty- five (25) day students;
17. Adequate land area exists to meet required setbacks, water supply and sewage disposal, and off street parking;
18. Adequate area exists for indoor and outdoor recreation.
19. Additional setbacks or buffering as may be necessary to not disrupt the neighboring residential uses.
20. Cemetery, provided:
21. Internment shall not be within 300’ of a dwelling house, unless the owner of such dwelling house gives his consent, or unless the entire tract appropriated is a necessary addition to or enlargement of a cemetery already in use, as further provided in ORC 1721.03.
22. A mausoleum shall not be within three hundred feet of any property line.
23. A Crematory or other structure shall not be within one thousand (1000) feet of any property line.
24. 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 ORC 1721.09.
25. Associated Sales: 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 is not limited to, garden supplies with a nursery or greenhouse, milk products with a dairy, or imported produce with a permitted produce stand.
26. Granny flat, provided it meets the following conditions:
27. Property owner must live on site, and the granny flat must be subservient to the principle use of the property as a dwelling.
28. Maximum size: 816 square feet.
29. 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 plan shall include a landscape plan.
30. Public water and sewer must be provided or the lot must be adequately sized for, and system approved for water supply and wastewater disposal to serve both the principal residence and the granny flat.
31. Off street parking on a hard all-weather surface must be provided, two (2) spaces for the principal residence and one space for the granny flat, 9’ x 18’ per space. No one space shall block another. Garages count as parking spaces.
32. Maximum Height of the accessory structure is 24’ at the peak. A granny flat may be located on the first or second floor.
33. Maximum lot coverage by all residential structure – 25%.
34. All structures must meet the current edition of the CABO One and Two family building and the Delaware County Plumbing Code.
35. Bed and Breakfast Inns: as provided the following conditions are met.
36. No more than three bedrooms are available for overnight lodging.
37. Owner or manager must reside in the residence.
38. Adequate off street parking is provided.
39. Adequate potable water and sewage disposal must be provided.
40. Signs must comply with the Home Occupation sign requirements.
41. Maximum length of stay of lodgers- two weeks
42. Telecommunications Towers: provided that all requirements of Section 6.03 of this Resolution are met.
43. Owners or developers of a model home may erect one sign not exceeding forty-eight (48) square feet per side advertising said subdivision, development or tract.

## Section 7.04 – PROHIBITED USES

Within the Farm Residence District the following uses shall be prohibited:

1. Outdoor storage of inoperable or unlicensed motor vehicles for a period exceeding seven (7) days is prohibited. Said vehicles if stored on the premises shall be enclosed within a building so as not to be visible from any adjoining property or public road.
2. No trailer of any type, no boats, no motor homes, and no equipment of any type shall be parked in front of the front building line on any parcel within this district for a period exceeding twenty four (24) hours. If a dwelling is located on said lot the building line shall be considered to be the front wall of the dwelling even if said dwelling is located behind the minimum building line established by this code or the restrictions on the plat or subdivision.
3. No motor home, mobile home or camper of any type may be occupied by a guest of the resident owner for more that fourteen (14) days in any six-month period.
4. Except for permanently sited manufactured homes no mobile home shall be placed or occupied in this district.
5. No trash, debris, unused property, discarded materials, junk vehicles, vehicle parts, rags, lumber, building materials, equipment and/or parts thereof, or any other garbage, refuse or junk shall be permitted to accumulate on any lot or portion thereof which creates an eyesore, hazard or nuisance to the neighborhood or general public.
6. Adult entertainment and adult only entertainment establishments are prohibited.
7. For the purpose of this Resolution, flag lots are prohibited.

## Section 7.05 – DEVELOPMENT STANDARDS

All lands and uses within the Farm Residence District shall be developed in strict compliance with the standards hereinafter established.

1. Minimum Lot Area: No parcel of land in this district shall be used for residential purposes which have an area of less than two (2) acres (87,120 square feet) exclusive of storm water detention basins and easements greater than thirty (30) feet wide. All other uses in this district shall have such lot area prescribed by the Section of this Article permitting the use or as prescribed by the Board of Zoning Appeals as a condition of said use.
2. Lot Frontage: Except as hereinafter set forth all lots or parcels within this zoning district shall have the following minimum lot frontage:

2 acres or fewer – 200 feet

At least 2 acres but less than 3 acres – 225 feet

At least 3 acres but less than 4 acres – 250 feet

At least 4 acres but less than 5 acres – 300 feet

5 acres or more – 350 feet

Lots or parcels having less than the above listed minimum frontages on the right-of-way line of the adjoining approved easement, road or street must have a width fifty (50) feet forward of the front building line equal to the required minimum lot frontage for the acreage of the lot or parcel.

1. 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 from the exterior wall of the structure. 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 windmill, 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 of said tract.
2. Building Dimensions (Floor Space Requirements) - Each single story dwelling hereafter erected in this district shall have a ground floor living area, exclusive of basements, open porches, and garages, of not less than one thousand two hundred (1,200) square feet. Each two story dwelling shall have a ground floor living area of not less than eight hundred (800) square feet with a total living area of not less than sixteen (1,600) square feet for the entire structure, exclusive of basements, porches, or garages. Each tri-level dwelling shall have living area of not less than fourteen hundred (1,400) square feet of area, exclusive of basements, porches, and garages.
3. Building Set Back: No building or use shall be located closer to the right-of-way line or centerline of the adjacent public or private road than permitted in Section 21.09 of this Resolution. 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 an adjoining roadway, the setback is required to conform to setback lines for principal structures on adjoining lots.
4. Side Yard Set Back: No building or structure shall be located closer than twenty-five (25) feet to any side lot line.
5. Rear Yard Requirement: No principal dwelling shall be located closer than eighty (80) feet to the rear line of any lot and no accessory building shall be located closer than fifteen (15) feet to said rear lot line.
6. Maximum Lot Coverage: On no lot or parcel in this zoning district shall buildings be constructed which cover more than twenty-five (25) percent of the lot area.
7. Parking: Off street parking shall be provided, at the time of construction of the main structure or building, with adequate provision for ingress and egress according to the standards set forth in Article 21 of this Resolution.
8. Signs: Except as permitted under the provisions of this Article for home occupations or as permitted by Article 22 of this Resolution and except as permitted by the Board of Zoning Appeals incident to Conditional Uses:
9. No signs shall be permitted in the district except “For Sale” or for Rent or Lease” signs advertising the tract on which said tract is located.
10. Such sign shall not exceed forty-eight (48) square feet per side.
11. The owner or developer may, with or without, a model home, upon the conditions and for the time period established by the Board of Zoning Appeals, erect one sign not exceeding forty-eight (48) square feet in area per side, advertising said subdivision, development or tract for sale.

K. Central Mail Boxes: The United States Postal Service requires a centralized mail delivery/collection site for subdivision developments. To address safety concerns, in creating these mail box centers developers must include:

1. Pull off areas,
2. One to two parking spaces,
3. Lighting, and
4. Signage.

## Section 7.06 – RESERVED