

Staff Report: Completed by Jeff Palmer Director of Planning & Zoning

Report Date: January 9, 2023

Hearing Date: February 6, 2023

Applicant: Ed Wade

Requested Action: Zone Change Request from Suburban Residence Zone “SR-1” to Residence Zone “R-1”.

Current Use: Single Family Dwelling, Agriculture: Livestock and Hay Production.

Attached: Location Map, Application, Survey of Parcels, Clearcreek Township 2005 Master Land Use Plan Maps: 4, 6, 10 and 11, City of Springboro Zoning Map.

Location of Request:

The parcels are identified as: 2815 Factory Road, parcel number 04-13-151-026, account 0660224 and Factory Road, parcel number 04-13-300-0471, account number 0641165. The properties are located in Section 13, Town 2, and Range 5 in Clearcreek Township. The zoning classifications are Suburban Residence Zone “SR-1”. The request is 24.9236 gross acres in size.

Applicant’s Reasons for the Application:

Applicant states: “Zone change request from Suburban Residence Zone “SR-1” to Residence Zone “R-1”. Current zoning doesn’t provide for Farm Based Tourism. Once zoning is changed, plan to apply for a conditional use permit for Farm Based Tourism.”

Zoning History:

- In 1973, the property was classified as Rural Residence Zone “R-1”.
- In 2005, the property was rezoned to Suburban Residence Zone “SR-1” to comply with update to the Master Land Use Plan.

Background for the Request:

This is a straight zoning request. A use is not required. A lot layout is not required. A net density plan is not required. Open space is not required.

In Clearcreek Township agricultural uses are permitted uses in all zoning classifications, provided the use meets the exempt classification as outlined in Section 5.08 of the Clearcreek Township Zoning Resolution:

SEC. 5.08 Nothing contained in this Code shall prohibit the use of any land for agricultural purposes or the construction or use of any building or structure incidental to such agricultural use, and no zoning certificate shall be required for any such agricultural use, building or structure.

The current zoning is Suburban Residence Zone “SR-1” which establishes the primary use of the parcel to be residential. This classification allows a minimum lot size of one half (½) acre with sanitary sewer, one (1) acre without sanitary sewer and one hundred (100) feet of frontage and width and (fifty (50) feet for cul-de-sac frontage). See Chapter 6.5 Suburban Residence Zone “SR-1” information below.

The request is to rezone the property to Residence Zone “R-1” which would allow the owner to continue the existing residential and agricultural uses and have the opportunity to apply for a larger list of conditional uses, one of which is Farm Based Tourism.

- History of Farm Based Tourism:
 - In 2008, the Township Trustees approved Resolution 3480:
 - This text amendment to the zoning resolution created the term Agritourism for the first time.
 - The intent of the update was to provide property owners actively using their property for agriculture to apply for a conditional use permit to allow non-agricultural uses to occur on the property under limited circumstances. This would allow owners an alternative revenue source that was viewed as complementary to the agricultural use.
 - The conditional use permit list for the “rural” zoning classifications were updated to accommodate this new conditional use:
 - Open Space Rural Residence Zone “OSR-1”.
 - Township Residence Zone “TR-1”.
 - Residence Zone “R-1”.
 - In 2017, the Township Trustees approved Resolution 5050:
 - The text amendment to the zoning resolution reclassified the term Agritourism to conform with the Ohio Revised Code (newly created definition).
 - Activities shall be connected with the agricultural production and /or processing.
 - The updated Agritourism uses require a site plan review by the Board of Zoning Appeals and can occur in any zoning classification.
 - The text amendment also reclassified the previous Clearcreek Township definition of Agritourism into the new term Farm Based Tourism.
 - Farm Based Tourism use remained a conditional use permit in the Open Space Rural Residence Zone “OSR-1”, Township Residence Zone “TR-1” and the Residence Zone “R-1”.
- Lot specifications:
 - The minimum lot size, lot dimensions and required setbacks are nearly identical for the Suburban Residence Zone “SR-1” and the Residence Zone “R-1”.
 - The only difference is the minimum lot size for panhandle lots:
 - The Suburban Residence Zone “SR-1” allows the minimum lot size for the panhandle to be as small as ½ acre if connected to a sanitary sewer.
 - The Residence Zone “R-1” requires the minimum lot size for the panhandle to be 1 ½ acres, for a sanitary sewer connection or a private leachfield.

Adjoining Zoning Classifications and Current Uses:

- North:
 - Clearcreek Township Suburban Residence Zone “SR-1” (Single Family Dwelling).
 - Clearcreek Township Residence Zone “R-1” (Single Family Dwelling).
 - City of Springboro Estate Type Residential District “R-1” (Single Family Dwelling, Subdivision Review in Process).
- East:
 - Clearcreek Township Suburban Residence Zone “SR-1” (Single Family Dwelling and Vacant Land).
 - City of Springboro Planned Unit Development – Residential “PUD-R” (Subdivision Review in Process).
- South:
 - Clearcreek Township Suburban Residence Zone “SR-1” (Single Family Dwellings).
- West:
 - City of Springboro Employment Center District “ED” (Manufacturing and Warehousing).
 - Clearcreek Township Suburban Residence Zone “SR-1” (Single Family Dwelling and Vacant Land).

2005 Master Land Use Plan Information:

- Map 4 - Identifies the property to be in the Springboro Sanitary Sewer Master Plan, 20 Year Development Scenario.
- Map 6 - Doesn't identify Factory Road. Since it is an unidentified road classification, staff would classify the road as a local road.
- Map 10 - Identifies the property to be located in Planning Area #3.
- Planning Area #3 – Springboro Buffer: Mixture of agricultural land, residential road frontage development. Sewers not present by potentially available.
- Map 11 - Identifies the future land use of the property to be Suburban Residential.
- Applicable Goals, Objectives and Policies:
 - **Related to Desired Community Character:**
 - GOAL:** Retention of appearance and feel of rural character in Clearcreek Township.
 - Objective:** Modify development regulation and approval process to assure retention of rural character.
 - POLICIES:**
 - Continue to serve as a geographical area of rural relief to the sprawl of the surrounding metropolitan areas.
 - Seek to encourage residential development types which incorporate preservation of private and public open space (conservation design subdivisions, large lot zoning classifications).
 - The history of frontage subdivisions has set a character that continues to be desirable, but access to properties needs to be guided by access management plan.

- Encourage the retention of large agricultural tracts throughout the Township (bequests, fee simple, purchase of development rights, agricultural easements). Large tracts help to distinguish the Township from adjoining jurisdictions. These tracts help to break up the view from the road right-of-way and perpetuate a sense of place that is desirable.
- Maintain rural lot size in the Township which contributes to the quality of life for property owners, neighbors as well as drivers, through an establishment or perpetuation of rural icons (homes surrounded by open space, barns, fence rows, vegetation).

GOAL: Establish a balance between development and growth management which will protect the natural environment, allow for the maximum opportunity to pursue recreational activities and the enjoyment of the benefits of an integrated open space.

Objective: Encourage and promote an open space system capable of providing the amenities of the natural environment, offering relief from urbanization.

POLICIES:

- identify actively farmed prime agricultural land. Establish system to protect it from unwanted development (bequests, fee simple, purchase of development rights, agricultural easements).
- **Related to the Man-Made Environment:**

GOAL: A pattern of land use capable of serving and meeting the social, economic and environmental needs of the residents of the Township, now and in the future.

OBJECTIVE: Encourage the prudent development of residential areas with housing types and densities to meet the needs of Township residents, ensuring that a healthy, safe and attractive environment is maintained.

POLICIES:

 - Encourage a logical pattern of residential development outside of the Urban Service Areas that is a rural density.

Zoning Information for Current and Requested Zoning Classifications:

CHAPTER 3: DEFINITIONS

SEC. 3.027 **Agriculture:** The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture and animal and poultry husbandry and accessory uses such as packing, treating, storing or selling produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.

SEC. 3.028 **Agritourism:** Agriculturally related educational, entertainment, historical, cultural or recreational activity, including you-pick operations or farm markets, conducted on a farm that allows or invites members of the general public to observe, participate in or enjoy that activity. Activities shall be connected with agricultural production and/or processing.

SEC. 3.3101 **Farm:** A parcel of five or more contiguous acres that is used for the production of agricultural products, including related structures thereon. The parcel shall be enrolled in the current agricultural use value (CAUV) system through the Warren County Auditor’s Office.

SEC. 3.3102 Farm Based Tourism: Activities conducted on a farm and offered to the public or to invited groups for the purpose of recreation, entertainment, hospitality, or unable to be classified as agritourism. The activities shall co-exist with the operation of the farm and may include the following:

1. Recreation: (fishing, wildlife study, horseback riding, sleigh/carriage/wagon rides, stargazing, hiking, community gardens).
2. Entertainment: (concerts, barn dances, haunted house, haunted hayride, miniature golf, toddler rides, play ground areas, scavenger hunts, craft fair, antique shows, art shows).
3. Hospitality services: (bed & breakfast, retreat center, assembly area, country weddings, party receptions, picnic, campfires, family reunions, catering, country store, gift shop, fair food, camping).
4. Other uses as determined appropriate by the Board of Zoning Appeals.

CHAPTER 6.5: SUBURBAN RESIDENCE ZONE "SR-1" REGULATIONS

SEC. 6.51 The regulations set forth in this chapter, or set forth elsewhere in the zoning code are the zoning regulations for Suburban Residence "SR-1".

SEC. 6.52 PERMITTED USES: A building or lot shall be used only for the following purposes:

- A. Single family dwellings.
- B. Home occupation as described in Section 5.752 (B).
- C. Community fire house as described in Section 5.752 (C).
- D. The sale of household goods, furnishings, clothing, toys, tools and books that have been used by members of the family occupying the premises may be advertised and sold on the premises, provided such sale is not held oftener than every six (6) months, for a period of three (3) days each sale; the items sold were not acquired for the sale.
- E. Publicly owned or operated properties including parks, playgrounds and community centers.
- F. Model homes as described in Section 5.752 (H).
- G. A temporary or permanent building for protection from the weather elements shall be required for animals other than for two (2) dogs, which reside on parcels less than five (5) acres. This building shall be established as an accessory, and located in the rear yard and at least eighty-five (85) feet from every property line.
- H. Accessory buildings defined as either temporary or permanent and uses customarily incidental to any permitted uses, provided the primary use or structure has been established or constructed on the same lot.
- I. Signage in accordance with Chapter 28.

SEC. 6.524 CONDITIONAL USES: The following uses require a conditional use permit (CUP) pursuant to **Section 21.01(F)** of this resolution.

- A. Schools, public and private, from nursery schools through colleges having curriculum equivalent to public school curricula.
- B. Religious institution, provided buildings shall be at least a minimum residential size.

- C. Hospital and institutions of an educational, religious, charitable or philanthropic nature, provided the site upon which such uses are located shall contain at least five (5) acres and that such buildings shall not occupy over ten percent (10%) of the total site area.
- D. Rest home, nursing home or convalescent home, provided that such buildings shall be located upon a site of five (5) acres or more and shall not occupy more than ten percent (10%) of the total site area.
- E. Telecommunication tower: in those instances where a telecommunication tower is made subject to this resolution pursuant to Section 519.211 Ohio Revised Code (ORC) and as the same may, from time to time, be amended, said telecommunication tower shall be located, erected, constructed, reconstructed, changed, altered, or enlarged in accordance with Section 21.01(F)(2) & Section 22.05 of the zoning resolution.

SEC. 6.53 HEIGHT REGULATIONS: No building shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height.

SEC. 6.54 PRINCIPAL STRUCTURE, REQUIRED YARDS FOR LOTS EXCEPT PANHANDLE LOTS:

- A. There shall be a front yard having a depth of not less than fifty (50) feet.
- B. For a lot that has frontage on more than one street, the required front yard shall be provided on all streets.
- C. Side yard: there shall be a side yard of ten (10) feet minimum on each side, except for lots with more than one (1) front yard, in which case the minimum side yard shall be ten (10) feet on the side, if any, not fronting on a street.
- D. Rear yard: there shall be a rear yard having a depth of not less than forty (40) feet, except for lots with three (3) front yards, in which case the minimum rear yard shall be ten (10) feet.

SEC. 6.545 ACCESSORY STRUCTURE, REQUIRED YARDS FOR LOTS EXCEPT PANHANDLE LOTS:

- A. Front yard shall conform to 6.54 (A) and 6.54 (B).
- B. Side yard shall conform to 6.54 (C).
- C. Rear yard shall be a minimum of ten (10) feet.

SEC. 6.55 INTENSITY OF USE: Every lot or tract, except a panhandle, lot shall have a minimum continuous frontage and width of not less than one hundred (100) feet at any point, except on a cul-de-sac, in which case it shall have a minimum continuous frontage and width at any point of at least fifty (50) feet, and a minimum width of one hundred (100) feet at the minimum building setback line and:

- A. Lots or parcels proposed as building sites that are connected to a central sanitary sewage system approved by the Warren County Sanitary Engineer And The Ohio Environmental Protection Agency shall contain not less than one half (1/2) acre exclusive of: any road or street right-of-way as shown on the Warren County, Ohio, Official Thoroughfare Plan, waterways, wetlands, one hundred (100) year flood plain, drainage easements other than the required side and rear lot line drainage easements required in the Warren County Subdivision Regulations for a plat, high pressure gas pipeline easements and railroad easements.
- B. Lots or parcels proposed as building sites that are not connected to a central sanitary sewage system and are otherwise approved by the Warren County Combined Health

District And/Or The Ohio Environmental Protection Agency for individual onsite wastewater disposal system shall contain not less than one (1) acre exclusive of: any road or street right-of-way as shown on the Warren County, Ohio, Official Thoroughfare Plan, waterways, wetlands, one hundred (100) year flood plain, drainage easements other than the required side and rear lot line drainage easements required in the Warren County Subdivision Regulations for a plat, high pressure gas pipeline easements, and railroad easements.

- C. The maximum lot depth to width ratio shall be 5:1. This requirement applies to lots less than five acres in size. Panhandle lots regardless of size are exempt.

ADVISORY NOTE: For the residential lots utilizing on-site sewage disposal systems, lots larger than the zoning code minimum of one (1) acre may be required by the Warren County Combined Health District contingent on the suitability of soils present on the lot.

SEC. 6.56 MINIMUM SIZE: The minimum size of any single family dwelling, exclusive of porches, garages and breezeways, shall be one thousand two hundred fifty (1250) square feet of floor space.

SEC. 6.57 PANHANDLE LOTS ARE PERMITTED SUBJECT TO THE FOLLOWING REGULATIONS:

- A. Panhandle lots shall not be "stacked" one behind the other relative to a street or road.
- B. The panhandle portion of the lots shall have a minimum frontage and continuous width of twenty (20) feet and a maximum frontage and width of forty (40) feet.
- C. The panhandle portion of the lots shall have a maximum length of five hundred (500) feet.
- D. The body of the lot shall have a minimum area that meets the minimum lot size established in Section 6.55 (A) or 6.55 (B) and is exclusive of the panhandle portion of the lot.
- E. The body shall have a minimum width of one hundred twenty-five (125) feet and a minimum depth of two hundred (200) feet.
- F. All structures shall be built only within the body of the panhandle lot.
- G. The principal structure shall have a minimum front yard of fifty (50) feet, rear yard of fifty (50) feet and a side yard of twenty (20) feet minimum each side.
- H. Any accessory structure shall have a minimum front yard of fifty (50) feet, rear yard of twenty (20) feet and a side yard of twenty (20) feet minimum each side.

CHAPTER 5.75: RESIDENCE ZONE "R-1" REGULATIONS

SEC. 5.751 The regulations set forth in this chapter, or set forth elsewhere in the Zoning Code are the zoning regulations for Residence "R-1".

SEC. 5.752 PERMITTED USES: A building or lot shall be used only for the following purposes:

- A. Single family dwellings

- B.** Home occupation, subject to the following conditions in addition to any other applicable standards of use of the applicable zoning district not otherwise permitted herein:
1. Telework or telecommute-based activity shall not be considered as the operation of a home occupation subject to these standards.
 2. Home occupations shall be clearly incidental and subordinate to the principal residential use of the property.
 3. The use is compatible with other uses, maintains and preserves the character of the neighborhood and does not create a nuisance or detract from the residential function and tranquility.
 4. The home occupation shall be conducted within the dwelling.
 5. No commercial display of materials, merchandise, or goods shall be allowed to be stored outside of the primary residence.
 6. The external appearance and/or use of the structure(s) or lot in which the home occupation is conducted shall not be altered to indicate the presence of the home occupation.
 7. No expansion of existing off-street parking shall be permitted. Furthermore, no additional parking burden, due to the home occupation, shall be created.
 8. The use does not produce offensive noise, vibration, smoke, dust, odors, lighting, electrical interference, radioactive emission, environmental pollution, or other nuisances.
 9. Mechanical and electrical equipment used shall be only that normally used or found in a single-family dwelling; and, when performance rated shall be limited to normally domestic ratings rather than commercial or industrial.
 10. Not more than one person, who is not a resident of the premises, may participate in the home occupation as an employee or volunteer.
 11. The home occupation shall not serve as a location where multiple employees routinely meet or park prior to going to work off-site. Vehicle and equipment parking shall comply with Section 5.15 of the Clearcreek Township Zoning Resolution.
 12. Products from internet based home occupations may be stored temporarily as inventory on the premises, during the normal course of said activity, inside the primary residence.
 13. Delivery of materials necessary for a home occupation shall be limited to automobiles, light duty trucks (e.g. typical Fedex or UPS home delivery vans and trucks) or vans. Deliveries by heavy trucks shall be limited to two times per week.
 14. Traffic generated by a home occupation shall not exceed the average daily volume normally expected for a residence in a residentially zoned neighborhood, which for the purpose of this section, equals up to ten (10) round trips per day.
 15. Certain uses by their very nature, have a pronounced tendency to increase in intensity beyond the limits permitted for home

occupations, thereby impairing the reasonable use and value of surrounding residential properties. Therefore, the following are prohibited uses or activities as home occupations:

- a. Adult entertainment or sexually oriented business.
- b. Ambulance service.
- c. Day care (excludes plan “a” as defined in the Ohio Revised Code).
- d. Health salon, gym or aerobic exercise studio.
- e. Machine shop.
- f. Medical and dental clinics and hospitals.
- g. Motor vehicle towing, storage, and/or salvage business.
- h. Nursing homes.
- i. On-site, store front retail as a primary use.
- j. Parking on, or dispatching from the site, any vehicle used in conjunction with the home occupation not complying with Section 5.15 of the Clearcreek Township Zoning Resolution.
- k. Printing shop.
- l. Restaurants or any other eating and/or drinking establishment.
- m. Tourist home, bed & breakfast, motel, hotel, inn.
- n. Trucking, hauling, moving, tow truck service, hearse service, limousine, and cab service.
- o. Undertaking and funeral parlor.
- p. Uses that require explosives or highly combustible or toxic materials.
- q. Uses that require fire safety inspections, precautions or permits or other regulatory inspections or permits involving public health and safety.
- r. Vehicle: sale, service, repair, body work, painting, detailing, upholstery and/or washing.
- s. Veterinarian with boarding and/or surgical services, or
- t. Uses similar to the above listed use which would, at the discretion of the zoning inspector, result in nuisance factors as defined by this section. In those instances when the zoning inspector denies an application, or if the zoning inspector is uncertain of the appropriateness of a proposed home occupation, the matter may be appealed to the Board of Zoning Appeals (BZA) for interpretation.

C. Community fire house, provided.

1. Front yard, side yard and rear yard requirements for zone are met.
2. Main building shall be at least minimum residential size.
3. Enough area is set aside for future parking spaces, for a minimum of forty (40) cars, with a parking space provided at any given time for each member of the fire company. If an assembly hall is included in the building, additional parking spaces shall be provided in accordance with **Chapter 16, Zoning Code**.

- D. The sale of household goods, furnishings, clothing, toys, tools and books that have been used by members of the family occupying the premises may be advertised and sold on the premises, provided such sale is not held oftener than every six (6) months, for a period of three (3) days each sale; the items sold were not acquired for the sale.
- E. Publicly owned or operated properties including parks, playgrounds and community centers.
- F. Public forests and nature reserves including the usual buildings therefore.
- G. Private forests and nature reserves, including the usual buildings therefore where parking spaces are limited to ten (10) vehicles.
- H. Model homes: 1. Shall exist within a subdivision. 2. Shall be located along the primary ingress and egress to the subdivision. 3. Shall be declared to the Clearcreek Township Zoning Department prior to the use being established. 4. Shall be eliminated after ninety (90) percent of the parcels within that subdivision are under construction.
- I. A temporary or permanent building for protection from the weather elements shall be required for animals other than for two (2) dogs, which reside on parcels less than five (5) acres. This building shall be established as an accessory, and located in the rear yard and at least eighty-five (85) feet from every property line.
- J. Roadside Farm Market, offering for sale agricultural products of which at least fifty percent (50%) of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year. Ample off-street or off-road parking space shall be provided to take care of all vehicles visiting the roadside farm market. Parking spaces are limited to ten (10) vehicles. See Chapter 16 and 28.
- K. Accessory buildings defined as either temporary or permanent and uses customarily incidental to any permitted uses, provided the primary use or structure has been established or constructed on the same lot.
- L. Signage in accordance with Chapter 28.

SEC. 5.7524 CONDITIONAL USES: The following uses require a conditional use permit (CUP) pursuant to **Section 21.01(F)** of this Resolution.

- A. Schools, public and private, from nursery schools through colleges having curriculum equivalent to public school curricula.
- B. Religious institution, provided buildings shall be at least a minimum residential size.
- C. Hospital and institutions of an educational, religious, charitable or philanthropic nature, provided the site upon which such uses are located shall contain at least five

(5) acres and that such buildings shall not occupy over ten percent (10%) of the total site area.

- D. Rest home, nursing home or convalescent home, provided that such buildings shall be located upon a site of five (5) acres or more and shall not occupy more than ten percent (10%) of the total site area.
- E. Cemeteries, provided that any cemetery shall contain an area of twenty (20) acres or more.
- F. Telecommunication tower: In those instances where a telecommunication tower is made subject to this resolution pursuant to section 519.211 Ohio Revised Code (ORC) and as the same may, from time to time, be amended, said telecommunication tower shall be located, erected, constructed, reconstructed, changed, altered, or enlarged in accordance with Section 21.01(F)(2) & Section 22.05 of the zoning resolution.
- G. Farm Based Tourism
- H. Clubs, including country clubs, swimming and tennis clubs, provided that any structures, except fences, shall be at least fifty (50) feet from property lines, and any parking areas necessary to the operation shall be at least two hundred (200) feet from any adjoining residential zone; the setback from street or streets shall be the same as for residences.
- I. Recreation area, not for profit, private or charitable, provided a minimum of thirty (30) acres is used and fenced on all sides.
- J. Private forests and nature reserves, including the usual buildings therefore with parking spaces for more than ten (10) vehicles.
- K. Signage in accordance with Chapter 28.

SEC. 5.753 HEIGHT REGULATIONS: No building shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height.

SEC. 5.754 PRINCIPAL STRUCTURE, REQUIRED YARDS FOR LOTS EXCEPT PANHANDLE LOTS:

- A. There shall be front yard having a depth of not less than fifty (50) feet, provided, however, no front yard depth shall be required to exceed the average of the minimum depths of the existing front yards on the lots adjacent on each side, if each of such lots are within the same block and within one hundred (100) feet of a the building under consideration. If an average can not be mathematically determined based upon the above process, then the zoning inspector shall expand the area under review. The expanded area shall include the front yard setbacks of the building(s) across the street and within one hundred (100) feet of the building under consideration.
- B. For a lot that has frontage on more than one street, the required front yard shall be provided on all streets.
- C. Side yard: There shall be a side yard of ten (10) feet minimum on each side, except for lots with more than one (1) front yard, in which case the

minimum side yard shall be ten (10) feet on the side, if any, not fronting on a street.

- D. Rear yard: There shall be a rear yard having a depth of not less than forty (40) feet, except for lots with three (3) front yards, in which case the minimum rear yard shall be ten (10) feet.

SEC. 5.7545 ACCESSORY STRUCTURE, REQUIRED YARDS FOR LOTS EXCEPT PANHANDLE LOTS:

- A. Front yard shall conform to 5.754 (A) and 5.754 (B).
- B. Side yard shall conform to 5.754 (C).
- C. Rear yard shall be a minimum of ten (10) feet.

SEC. 5.755 INTENSITY OF USE: Every lot or tract, except a panhandle lot, shall have a minimum continuous frontage and width of not less than one hundred (100) feet at any point, except on a cul-de-sac, in which case it shall have a minimum continuous frontage and width at any point of at least fifty (50) feet, and a minimum width of one hundred (100) feet at the minimum building setback line and:

- A. Lots or parcels proposed as building sites that are connected to a central sanitary sewage system approved by the Warren County Sanitary Engineer and the Ohio Environmental Protection Agency shall contain not less than one half (1/2) acre exclusive of: any road or street right-of-way as shown on the Warren County, Ohio, Official Thoroughfare Plan, waterways, wetlands, one hundred (100) year flood plain, drainage easements other than the required side and rear lot line drainage easements required in the Warren County Subdivision Regulations for a plat, high pressure gas pipeline easements and railroad easements.
- B. Lots or parcels proposed as building sites that are not connected to a central sanitary sewage system and are otherwise approved by the Warren County Combined Health District and/or the Ohio Environmental Protection Agency for individual onsite wastewater disposal system shall contain not less than one (1) acre exclusive of: any road or street right-of-way as shown on the Warren County, Ohio, Official Thoroughfare Plan, waterways, wetlands, one hundred (100) year flood plain, drainage easements other than the required side and rear lot line drainage easements required in the Warren County Subdivision Regulations for a plat, high pressure gas pipeline easements, and railroad easements.
- C. If a preliminary plat was approved with more restrictive zoning regulations than those in place at the time of the final plat submittal, the least restrictive regulations will be applied at the time of zoning review.
- D. The maximum lot depth to width ratio shall be 5:1. This requirement applies to lots less than five acres in size. Panhandle lots regardless of size are exempt.
ADVISORY NOTE: For the residential lots utilizing on-site sewage disposal systems, lots larger than the Zoning Code minimum of one (1) acre may be required by the Warren County Combined Health District contingent on the suitability of soils present on the lot.

SEC. 5.756 MINIMUM SIZE: The minimum size of any single family dwelling, exclusive of porches, garages and breezeways, shall be one thousand two hundred fifty (1250) square feet of floor space.

- SEC. 5.757 PANHANDLE LOTS** are permitted subject to the following regulations:
- A.** Panhandle lots shall not be "stacked" one behind the other relative to a street or road.
 - B.** The panhandle portion of the lots shall have a minimum frontage and continuous width of twenty (20) feet and a maximum frontage and width of forty (40) feet.
 - C.** The panhandle portion of the lots shall have a maximum length of five hundred (500) feet.
 - D.** The body of the lot shall have a minimum area of one and one-half (1 1/2) acre exclusive of the panhandle portion of the lot, any road or street right-of-way as shown on the Warren County, Ohio, Official Thoroughfare Plan, waterways, wetlands, one hundred (100) year flood plain, drainage easements, high pressure gas pipeline easements and railroad easements.
 - E.** The body of the lot shall have a minimum width of one hundred twenty five (125) feet and a minimum depth of two hundred (200) feet.
 - F.** All structures shall be built within the body of the panhandle lot.
 - G.** The principal structure shall have a minimum front yard of fifty (50) feet, rear yard of fifty (50) feet and a side yard of twenty (20) feet minimum each side.
 - H.** Any accessory structure shall have a minimum front yard of fifty (50) feet, rear yard of twenty (20) feet and a side yard of twenty (20) feet minimum each side.