



**Summit County Planning Commission (SCPC)**  
Thursday, May 28, 2026 - 3:00 p.m.  
County of Summit, 470 Grant Street Building  
470 Grant Street, 2<sup>nd</sup> Floor, Akron, Ohio  
**Meeting Agenda**

- |    |  |                              |
|----|--|------------------------------|
| A. | Call to Order Document                       | <b>Chair Dennis Stoiber</b>  |
| B. | Roll Call                                    | <b>Gabriel Durrant</b>       |
| C. | Approval of the April 30, 2026, SCPC Minutes | <b>Chair Dennis Stoiber</b>  |
| D. | Business Items                               | <b>Taylor/Durrant/Mullen</b> |

**New Business**

- 1. Residential and PUD Districts – Zoning Text Amendment– Sagamore Hills Township** - The applicant has proposed amendments to Section Three: Residential District and Section Fourteen: Planned Unit Development District of the Sagamore Hills Township Zoning Resolution, which was approved by the Sagamore Hills Township Zoning Commission on Monday, April 20, 2026.
- 2. OH HB 361 – Initial Discussion** – Summit County Executive’s Office is looking for Planning Commission’s thoughts on this bill that may have a vote before summer recess.

**Old Business**

- 3. None**

E.	Report from Assistant Director	<b>Assistant Director Holly Miller</b>
F.	Comments from Public	<b>Chair Dennis Stoiber</b>
G.	Comments from Commission Members	<b>Chair Dennis Stoiber</b>
H.	Other	
	1. Legal Update	<b>Attorney Marvin Evans</b>
I.	Adjournment	<b>Chair Dennis Stoiber</b>



**ILENE  
SHAPIRO**  
COUNTY EXECUTIVE

**Summit County Planning Commission (SCPC)**

Thursday, April 30<sup>th</sup>, 2026 - 3:00 p.m.  
County of Summit, 470 Grant Street Building  
470 Grant Street, 2<sup>nd</sup> Floor, Akron, Ohio

**Meeting Agenda**

- A. Call to Order Document **Chair Dennis Stoiber**  
*Chair Dennis Stoiber called to order Thursday, April 30<sup>th</sup>, 2026 - SCPC monthly meeting at 3:00 p.m.*

*Chair Dennis Stoiber: Call the meeting of the Summit County Planning Commission to order. I hereby acknowledge that the full and complete proceedings of this public meeting are being recorded and shall be kept with the Summit County Planning Department. The recording of today's meeting or any other meeting may be requested by contacting Summit County Planning Staff.*

*If you are presenting a case, you must come to the podium and state your name and address clearly.*

*If you are a member of the public speaking for or against a case, you must come to the podium, state your name and address clearly. I will ask for public comments once the applicant and reviewing agencies have given their testimonies. You may only speak to the case at hand, and you must address any questions or comments to the commission only. Questions may not be addressed to the applicant, applicant representatives or reviewing agencies. Any emails pertaining to this case, received by Planning Staff prior to the deadline, will be read into the minutes by staff.*

*Summit County Planning Commission is an advisory body on matters of township code text or map amendments. Final decisions remain within the authority of the Township.*

*The role of this Summit County Planning Commission is to consider Subdivision Items, Zoning Map Amendments and Zoning Text Amendments only in the nine townships in Summit County. While our name says to do this for Summit County, we only perform these reviews for the nine Summit County townships and not the Summit County cities and villages who have their own staffs and process. Tonight, we will first hear from the applicant and if the township is not the applicant, then also the applicant. Tonight, we are reviewing a Zoning Text Amendment. We review proposed zoning text amendments submitted to us in townships to determine if they are understandable, clearly written and in keeping with the standards of modern zoning resolutions. Our role is to review how the language impacts the entire township. Our role is not to review how that text amendment may be applied to specific parcels. Adoption and application of a text amendment is left to the township itself through its zoning commission, board of trustees, zoning inspector and sometimes its board of zoning appeals. Our role is advisory.*

- B. Roll Call **Gabriel Durrant**

SCPC Member	Present
Bancroft, Richard	
Licate, David	X
Donofrio, John	
Jones-Capers, Halle	
Julien, Kyle	X
Reville, Rich	X
Segedy, Jason	X
Snell, Jeff	X (302 pm)
Stoiber, Dennis	X
Terry, Robert	
Whited, David	X

Reported by *Gabriel Durrant*, we have a quorum for SCPC meeting Thursday, April 30<sup>th</sup>, 2026 – SCPC monthly meeting at 3:01 p.m.

C. Approval of Thursday, February 26<sup>th</sup>, 2026, SCPC Minutes

**Chair Dennis Stoiber**

Approved by Chair Dennis Stoiber.

D. Business Items

**James J. Taylor**

**New Business**

1. **Short Term Rentals – Zoning Text Amendment – Coventry Township** – The applicant has proposed that Article 28.00 (Short Term Rentals(STR)) of the Coventry Township Zoning Resolution be revised to clarify that a portion of a residence may be rented as a STR; add the requirement of the submittal of a current fire inspection with a new or renewal application; add clarification regarding the site plan to be submitted; and increase the separation distance between STRs from 300 to 500 feet.

*Reported by James J. Taylor:*

*James Taylor: The applicant has proposed that Article 28.00 (Short Term Rentals(STR)) of the Coventry Township Zoning Resolution be revised to clarify that a portion of a residence may be rented as a STR; add the requirement of the submittal of a current fire inspection with a new or renewal application; add clarification regarding the site plan to be submitted; and increase the separation distance between STRs from 300 to 500 feet.*

*To examine STR regulations in greater detail, Staff researched similar regulations in both Bath and Copley Townships. According to the Bath Township Zoning Resolution, Article 5, Section 502-A General Use Regulations, Subsection 4 Prohibited Activities, “[t]he use of any dwelling unit as a short-term rental (not including conditionally approved traditional bed and breakfast establishments, hotels, and motels) is prohibited within all residential and business zoning districts.” In Copley Township, there are currently no regulations for STRs in the township zoning resolution.*

*In Section 28.04, Short Term Rental Standards, the distance between STRs has increased from 300 ft. to 500 ft. Given that Coventry Township is home to Portage Lakes State Park, which is a popular tourist destination and a potential location for many of the STRs within the Township, will this distance increase limit the ability of property owners near these lakes to convert their parcels into STRs, especially given that much of the development near Portage Lakes consists of high density residential lake homes/cabins? Would this negatively impact the tourist-based economy of the Portage Lakes region? In addition, will this increase in distance impact any currently registered STRs? If so, will those properties be grandfathered?*

*In addition, for Section 28.04 (C): Special Events, staff would like further clarification on the restriction of special events. For example, are special events not permitted on a STR while the only while property is being rented? Are they permitted when an STR property is owner-occupied? Are owner-occupied parcels that neighbor STRs still allowed to host special events? Do the capacity limits in Sections 28.04 (D) apply for special events occurring in owner-occupied properties neighboring STRs as well as STRs? More clarity would be appreciated.*

*Staff recommends to the Summit County Planning Commission that the proposed text amendment be recommended with due consideration of staff and agency comments.*

*Questions/Comments from the members: None.*

*Applicant: George Beckham, Coventry Township Trustee*

*Trustee George Beckham, via written statement: Background/History*

*The Short term rental code was adopted in 2019. In 2020 when I became a Trustee I started hearing that BZA Hearings for short term rentals, which were Conditionally Permitted, were basically a train wreck. Residents were not speaking on the specific site, but the concept-a business use – in a residential neighborhood. We revised the code to make the approval administrative by the Zoning Inspector. Something STR owners applauded.*

*Then we were faced with the problem of a small dead end street not wide enough for two cars to pass with 6 houses, 3 of which were short term rentals. This was creating issues, parking, noise, and consistently transient people, no real neighbors anymore. At that point and coupled with my own experience we*

*instituted the 300 foot separation between STRs. Which was originally submitted as 100 feet, but during the process was increased to 300 feet.*

*Most residents in “lake neighborhoods” are very close together because of how this area developed from seasonal cottages to full time residences. I have lived in Coventry almost 50 years, the last 20 in a waterfront house. Again on a dead end street barely wide enough for two cars to pass each other. The house on the left was a short term rental, one house across the street is a STR, the other house across the street wanted to be a STR, but was within the newly adopted 300 feet and the other house next door applied just last January unsuccessfully for a 250 foot variance from the 300 feet to be a short term rental. The neighbors, my neighbors want to know why we have STRs when some Townships outlaw them and or can we increase the 300 feet.*

*Back in 2018-19 were led to believe we had to allow STRs, Zoning cannot just say certain uses are not permitted. I doubt whether Copley or Bath has ever had their code go to Court, they simply do not have owners wanting to be short term rentals, except in one case that we all know of in Bath, its not an issue.*

#### *Staff Comments*

*The 500 feet separation will still allow STRs, granted fewer in number, but we will still have them, see map. Existing STRs will of course be grandfathered in. The idea is to restrict the number of short term rentals, but not outlaw them.*

*I argue that the Portage Lakes is a bedroom community, the statement it is a Tourist Based Economy is very debatable. The Townships funding comes from property taxes, not income tax or sales tax. If house is not a STR, someone will still live in it, it will not be empty.*

*I agree the section on Special Events leaves some questions in play, it seems very subjective, what is a special event? If there is a loud neighbor, you call the Sheriff, you cannot legislate good behavior.*

#### *Conclusion*

*I ask that you recommend approval of the increase in STR separation . (28.04)*

#### *Additional Requests*

*I would also request that you recommend limiting the capacity of a STR to 8-10 people (28.04D) Many of these homes have four or five bedrooms and in a STR people sleep anywhere. Most waterfront homes have 2 people living in them and they are senior citizens. To allow a unlimited number of people in a house for a weekend seems very unfair to fill time residents.*

*I would also request that you recommend reviewing the Special Events (28.04C). People on vacation are by definition loud and the kids are louder, by saying they cannot have parties is not going to solve a possible noise issue. Several renters on a deck laughing is not a party, but it might as well be. The problem is a loud renter group is followed by another loud group the next weekend, it’s a vicious cycle.*

#### *Closing*

*In closing, I would draw your attention to the Pre Amble of the code, specifically the words “protect the integrity of residential neighborhoods” and ask for your support.*

*Representation for the Township: See Applicant.*

*County Engineer's Office: Not Present.*

*Summit Soil and Water: Not Present.*

*Questions from the Public: None.*

*Discussion from the members:*

SCPC members discussed the following points with Coventry Township Trustee George Beckham:

1. When discussing the Section 28.04 Special Events, there was a debate regarding the definition of bedroom. This is because Section 28.04 states that the total number of people that can be allowed to stay overnight is two times the number of bedrooms in the STR. Trustee George Beckham discussed examples of STR properties that have more bedrooms than are legally allowed by County regulations. He stated this is done by splitting large bedrooms into multiple, smaller rooms or advertising mezzanine rooms as bedrooms. Vice-Chair Jeff Snell suggested that the township make the applicant list the number of bedrooms on their STR permit application, following guidelines from Summit County Public Health and/or Building Standards. There was still a great amount of uncertainty regarding the status of Section 28.04 Special Events. Trustee George Beckham indicated that the Township would be willing to review and revise Section 28.04 accordingly.
2. There was also debate regarding a SCPC Staff Comment asking if existing STR properties that are between 300 and 500 feet of another STR could be grandfathered in place. Trustee George Beckham stated that they would be grandfathered in but then stated that STR permits must be renewed yearly. Chair Dennis Stoiber and Vice-Chair Jeff Snell questioned how it could be possible for a STR to be grandfathered if they could be needed to reapply yearly? Commissioners suggested that there be a "sunsetting period" where these STRs would be able to reapply for up to a five-year period after these text amendments are adopted, then they would not longer be permitted to operate.

3. In addition, SCPC Staff Attorney Marvin Evans notified the Commissioners of a new Federal Court Ruling regarding STRs in the City of Rock Hill, South Carolina. The court ruled that municipalities/local governments have the right to regulate STRs in a manner that they see fit. Attorney Marvin Evans recommends that Coventry Township’s legal team review this case when continuing its review of STR regulations.
4. At several points in the discussion, Trustee George Beckham asked the Commission if they would recommend that Coventry Township completely ban STRs in a similar manner as Bath Township. Chair Dennis Stoiber reminded Trustee George Beckham that the Summit County Planning Commission is an advisory board and that it is not the role of the Commission to recommend a total elimination of STRs; it is ultimately up to the Township to decide the next steps for STR regulations. Instead, the SCPC Staff and Commissioners will provide the Township with recommendations and topics to consider when moving these text amendments forward.
5. Therefore, Vice-Chair Jeff Snell made a motion to accept the text amendments with due consideration to Staff and Commission comments.

SCPC Member	Motion	Second	Aye	Oppose	Abstain
Bancroft, Richard					
Licate, David			X		
Donofrio, John					
Jones-Capers, Halle					
Julien, Kyle		X	X		
Reville, Rich			X		
Segedy, Jason			X		
Snell, Jeff	X		X		
Stoiber, Dennis			X		
Terry, Robert					
Whited, David			X		

Motion

*Jeff Snell* made a motion to **Accept** the **New Item #1 Short Term Rentals – Zoning Text Amendment – Coventry Township** with due considerations to staff and agency comments, and it was seconded by *Kyle Julien*, all in favor, 7, oppose 0, **New Item #1 Short Term Rentals – Zoning Text Amendment – Coventry Township**, was **Accepted** with 0 abstentions.

**Old Business**

2. None

E. Report from Assistant Director

**Assistant Director Holly Miller**

Assistant Director Holly Miller announced that the Summit County Planning/GIS Division will be launching a new GIS Viewer for use to the general public. The Planning/GIS Division will be hosting live training seminars at the following dates/times/locations:

1. Tuesday, May 5, 2026 at 1 PM: Hudson City Hall, 1140 Terex Rd, Hudson, OH 44236
2. Tuesday, May 12, 2026 at 1 PM: Akron-Summit County Public Library, 60 S High Street, Akron, OH 44236
3. Tuesday, May 19, 2026 at 1 PM: Green Branch Library, 4046 Massillon Rd, Uniontown, OH 44685

A recording of these training sessions will also be available soon, via the Planning/GIS Division website and a QR Code.

F. Comments from Public

**Chair Dennis Stoiber**

Coventry Township Trustee George Beckham asked Gabriel Durrant about the status of the Planning/GIS Division’s Nearmap imagery update. Gabriel Durrant responded by stating that a new imagery flyover should be occurring in the very near term.

G. Comments from Commission Members

**Chair Dennis Stoiber**

None.

H. Other

1. Legal Update

**Attorney Marvin Evans**

None.

I. Adjournment

**Chair Dennis Stoiber**

SCPC Member	Motion	Second	Aye	Oppose	Abstain
Bancroft, Richard					
Licate, David			X		
Donofrio, John					
Jones-Capers, Halle					
Julien, Kyle	X		X		
Reville, Rich		X	X		
Segedy, Jason			X		

Snell, Jeff			X		
Stoiber, Dennis			X		
Terry, Robert					
Whited, David			X		

**Motion**

*Kyle Julien* made a motion to *adjourn* the **SCPC meeting held Thursday, April 30<sup>th</sup>, 2026** – and it was seconded by *Rich Reville*, *all in favor, 7, oppose 0*, the **SCPC meeting held Thursday, April 30<sup>th</sup>, 2026**, was *adjourned* at 3:48 p.m.

*Due to a technology malfunction, the recorder used during this meeting malfunctioned, preventing an audio recording of this meeting from being recovered. Therefore, these minutes were prepared, and represent the writer’s best recollection of the items discussed by:*

*James J. Taylor, GIS Applications Specialist*

*Department of Community and Economic Development, GIS and Planning*

*May 1, 2026 at 9:20 AM.*





1909395

KILLIAN RD

KILLIAN RD

MOUND DR

MUSKOKA DR

RAMP AVE

KINGSLEY DR

OSTEND AVE

SPROSSER AVE

WATERSIDE

RADNOR AVE

LAKOTA AVE

FALCON AVE

OAK GROVE

289, 388.4 sq ft

3, 225.5'

1906321

1905222

1901972

1909806

1903715

1908245

1910368

284, 285.4 sq ft

3, 281.8'

1910433

1909411

1902997

1903702

1906806

1908977

1908380

1905544

1901676

1901582

1906303

1909733

1904659

1908229

1909132

1908266

1908421

1907002

1901550

1902612

1902931

1903758

1907584

1901352

1900348

1904311

1910015

1909660

1903645

1907213

1909624

1907436

1905937

1910412

1906706

1901474

1906648

1904192

21

1908267

1908538

1905937

1910412

1906321

1905222

1901972

1909806

1903715

1908245

1910368

284, 285.4 sq ft

3, 281.8'

1910433

1909411

1902997

1903702

1906806

1908977

1908380

1905544

1901676

1901582

1906303

902420

1906428

1906430



**ILENE  
SHAPIRO**  
COUNTY EXECUTIVE

*Planning Commission*

Zoning Text Amendment

**Residential and PUD Districts**

Applicant: Sagamore Hills Twp. Zoning  
Commission

Location: Sagamore Hills Township

---

**Item No.:** 1  
**Meeting:** May 28, 2026  
**Proposal:** **Residential and PUD Districts**  
**Processor:** Taylor/Durrant/Mullen

---

**Proposal:** The applicant has proposed a variety of edits to Section Three: Residential District and Section Fourteen: Planned Unit Development District of the Sagamore Hills Township Zoning Resolution, which was approved by the Sagamore Hills Township Zoning Commission on Monday, April 20, 2026.

**Proposed Text:**

See Exhibit A for updates to Section Three: Residential District. Edits marked in **bold and underline**, and can be found on Page 3-6.

See Exhibit B for updates to Section Fourteen: Planned Unit Development District. Edits marked in **bold and underline** or ~~struck through~~, and can be found on Pages 14-1, 14-2, 14-13, 14-14 and 14-15.

See Exhibit C for a drawing of lots for Sections Three and Fourteen.

**Staff Comments:**

1. Section Three, Subsection 5.11 (a.) Accessory Structures: Why are canopies greater than two feet count in the accessory structure's total square footage? Traditionally, canopies are not included in the definition of a building footprint, which is used to calculate a building's total square footage. For example, In Article 16: Definitions and References of the Bath Township Zoning Resolution, a Building Footprint is defined as "[t]he area of a building measured from the exterior surface of the exterior walls at grade level." Therefore, we recommend that the township remove language stating that canopies are included in an accessory structure's total square footage.
2. Section Fourteen, Subsection 9 (a.) Accessory Structures: See Comment 1 regarding canopies.
3. Section Fourteen, Subsection 9 (b.) Accessory Structures: Does adding the word "shall" imply that there could be variances to these minimum setback requirements for accessory structures?

4. Section Fourteen, Subsection 10 (a.) Accessory Structures for Detached Single Family Dwellings:  
See Comment 1 regarding canopies.
5. Section Fourteen, Subsection 10 (b.) Accessory Structures for Detached Single Family Dwellings:  
Does adding the word “shall” imply that there could be variances to these minimum setback requirements for accessory structures?

**Recommendation:** Staff recommends to the Summit County Planning Commission that the proposed text amendment be **RECOMENDED** with due consideration of staff and agency comments.

**Sagamore Hills Township  
RESIDENTIAL DISTRICT**

This entire section reviewed and approved by Resolution 14-66 Adopted 8-11-14  
Effective 9-10-14

**Section 3.0 Residential District**

**3.1 Purpose**

The purpose of this district is to accommodate residential development that will promote the residential character of this zone.

**3.2 Uses**

Within this "R" Residential District, only the below stated uses are permitted. Any uses not referred to are prohibited.

**A. Permitted Uses**

1. **Single Family Dwelling** including home occupation.
2. **Agricultural Use** – Consistent with the requirements of the Ohio Revised Code Section 519.21, the Township regulates agricultural use in any area consisting of a platted subdivision under Section 711.05, Section 711.09, or Section 711.10 of the Ohio Revised Code, or an area consisting of fifteen (15) or more lots approved under Section 711.131 of the Ohio Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated road, as follows:
  - a. Buildings or structures incidental to the use of the land for agricultural purposes on lots of one acre or less shall not be permitted except to the extent permitted in Section 2.1, 2.2 and 2.3 below.
  - b. Buildings or structures incidental to the use of the land for agricultural purposes on lots greater than one (1) acre but not greater than five (5) acres shall comply with all setback regulations set forth in the district in which the building or structure is located including setback building lines, height and size, except to the extent otherwise specified below in Section 2.1, 2.2 and 2.
  - c. The keeping of animals in private stables on lots greater than one acre but less than five (5) acres, when at least 35% of the lots in a subdivision that is developed with at least one building, structure or improvement that is subject to real property taxation or that is

subject to tax on manufactured and mobile home under Section 4503.06 of the Ohio Revised Code shall comply with the following regulations:

- 1) The area of a lot upon which such animals are kept shall not be less than two (2) acres.
- 2) Whenever one (1) or more animals are kept outdoors on the lot, an accessory building for their shelter shall be constructed on the lot.
- 3) The area of the accessory building intended to provide shelter for one or more animals shall not exceed 1% of the lot area.
- 4) Such accessory buildings are to be in full compliance with requirements of the Zoning District.
- 5) The height of the accessory building shall not exceed the lesser of height of the primary structure on the premises or 18 feet.

- 2.1 This Section confers no power on the Township Zoning Commission, Board of Township Trustees, or Board of Zoning Appeals to regulate agriculture and agricultural buildings and structures on lots greater than five (5) acres regardless of the district in which the lot is located.

This Section confers no power on the Township Zoning Commission, Board of Trustees, or Board of Zoning Appeals to regulate agricultural buildings and structure for use of any land for a farm market where 50% or more 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 except the following shall apply:

- a. each farm shall be permitted only one roadside stand or market located on the farm property;
- b. the area of the roadside stand shall not exceed 200 square feet;
- c. the maximum height of the roadside stand shall be no greater than 10 feet;
- d. the roadside stand shall be located a minimum of 30 feet from any side lot line or street right-of-way;
- e. signs advertising the roadside stand shall comply with the regulations set forth in this Resolution;
- f. adequate parking shall be provided in such a way as to not create a public safety hazard with no more than three (3) spaces; the roadside stand shall be removed at the conclusion of the farm's seasonal sales and stored in an enclosed building or placed in the rear yard.

- 2.2 This Section confers no power on the Township Zoning Commission, Board of Trustees, or Board of Zoning Appeals to regulate biodiesel production, biomass energy production, or electric or heat energy production if the land on which the production facility is located qualifies as land devoted exclusively to agricultural use under O.R.C. 5713.30 to 5713.37 for real property tax purposes.
- 2.3 This Section confers no power on the Township Zoning Commission, Board of Trustees, or Board of Zoning Appeals to regulate biologically derived methane gas production if the land on which the production facility is located qualifies as land devoted exclusively to agricultural use under O.R.C. Sections 5713.30 to 5713.37 for real property tax purposes and if the facility producing the biologically derived methane gas does not produce more than seventeen million sixty thousand seven hundred ten British thermal units, five megawatts, or both.
3. **Accessory Buildings and Structures** incidental to the principal use which do not include any activity conducted as business except that one temporary roadside stand offering for sale only agricultural products which are produced on the premises is permitted. Such stand shall not be erected closer than thirty (30) feet from the road right-of-way nor closer than thirty (30) feet from any lot line.
4. **Signs** as regulated by Section 15.0 hereof.
5. **Cluster Development.** The purpose of a Cluster Development is to permit Residential Development to take a more compact form in order to preserve and maintain existing open areas. The cluster development regulations are designed to fulfill the following objectives:
  - a. Preserve open space in amounts that are greater than that achievable with more conventional subdivision design in order to meet recreational, scenic and public service needs.
  - b. Reduce the lot area, yard and setback requirements of the base zoning district to permit the grouping or clustering of dwelling units.
  - c. Preserve significant natural features and generally undisturbed land.
  - d. Encourage the investment of savings realized from reduced infrastructure costs into the development of architectural features and/or site amenities that establish a residential community of sustained desirability.

5.1 A Cluster Development shall be subject to the following specific regulations:

- a. Only single family detached dwellings shall be permitted.
- b. Area regulations:
  - 1. The minimum gross development area shall be fifteen (15) acres.
  - 2. A minimum of forty (40%) percent of gross development area shall remain as undeveloped open space and shall be preserved in its undisturbed state.

5.2 The open space shall be subject to the following conditions:

- a. A preliminary plan shall be submitted to the Zoning Commission for discussion of open space prior to the submission of a detailed residential development plan. In designing open space, consideration shall be given to providing the least number of finite open spaces, with each open space consisting of the largest acreage possible
- b. Land in streets, sidewalks, utility rights-of-way, storm drainage areas and land used for recreational purposes shall not be included in open space to offset a reduction in lot area calculations.
- c. Use of open space shall be limited to conservation and similar purposes and left in perpetuation in an undisturbed state.
- d. A legal plan, contract, covenants and restrictions for the perpetuation, maintenance and function of all of the open space shall be established. The covenants and restrictions shall name the Township as a full beneficiary of all covenants and restrictions upon the open space and shall provide that no changes shall be permitted to the open space without unanimous consent and approval of the Township Trustees. The documents shall be reviewed and approved by the Township and recorded in the County Fiscal Office by the applicant prior to the time of transfer of the first property sold.

- 5.3 The Residential Cluster Development Plan must include a detailed plan, established by the owner or developer, for the conveyance of all open space land to one or more non-profit corporations, formed for the purpose of maintaining such open spaces for the use of the property owners thereof. Membership in such non-profit corporations must be open to all owners of property and residents within an area of the Residential Cluster Development District.
- 5.4 Overall density shall be one (1) dwelling unit per gross development acre. For example: on a 20 acre gross development area, 20 dwellings can be built on no more than twelve (12) acres of land.
- 5.5 Single-Family Detached Dwellings shall be at least thirty-five (35) feet from any new street right-of-way line and one hundred (100) feet from the centerline of any existing street right-of-way. (Amended 11-14-22 Res. 22-45 Effective 12-24-22)
- 5.6 A Single-Family Detached Dwelling shall be no closer than twenty (20) feet to another Single-Family Detached Dwelling. A Single-Family Detached Dwelling shall be no closer than fifty (50) feet from an existing non-cluster residentially zoned property. The ten (10) feet from the rear lot line of a Single-Family Detached Dwelling lot shall have no structures other than a fence. There is no minimum lot size requirement. (Amended 11-14-22 Res. 22-45 Effective 12-24-22)
- 5.7 The maximum height of a structure shall be thirty five (35) feet.
- 5.8 Streets shall be dedicated.
- 5.9 All Residential District regulations not superseded by those set out above shall also apply to cluster developments.
- 5.10 Signage for Cluster Zoning Developments:
- One (1) sign (double faced or winged) with a maximum size of twenty (20) square feet and a maximum height of five (5) feet above the finished grade, or two (2) signs, which are single faced with a maximum size of twenty (20) square feet and a maximum height of five (5) feet above the finished grade per sign face, shall be allowed at the entrance of a Cluster Zoning Development in a Residentially zoned area (excluding the P.U.D.), which has a minimum acreage of thirty (30) acres. All signs shall be located fifteen feet (15 ft.) from the established right-of-way.
- 5.11 Accessory Structures
- a. One (1) accessory structure not to exceed: (i) twelve (12) feet in

height, and (ii) one and one-half percent (1.5%) of the area of the lot upon which the accessory structure is to be placed. In no case shall the aggregate area of the accessory structure exceed one-hundred ninety-five (195) square feet in area. **Roof overhangs, canopies, and extensions greater than 2 feet are counted in the accessory structure's total square footage.**

- b. The accessory structure shall be in the rear lot, be a minimum of (10) feet from the rear lot lines, a minimum of ten (10) feet from the side lot line, and confined completely within the sight line of the rear lot as defined by the front and rear corners of the widest section of the residence (**see attached drawing**). (Amended Effective 1-6-21)
- c. An accessory structure shall be constructed at the average grade at its location. However, an accessory structure that is a gazebo or pergola shall be permitted to be constructed upon a deck or patio connected to the primary residential structure if the floor of such deck or patio does not exceed the level of the first floor of the primary residential structure. No sheds shall be constructed upon a deck or patio. (Amended Effective 1-6-21)

6. **Parking and loading regulated as follows:**

- a. Minimum of two (2) off-street parking spaces must be provided for each dwelling unit.

**B. Conditionally Permitted Uses**

The Board of Zoning Appeals shall have authority to make exceptions as specifically described below to grant conditional zoning certificates for the use of land, building or other structures as special exceptions to this Resolution, and will ensure that all requirements of conditional use are met before a conditional zoning certificate is issued.

- 1. **Public, private and parochial schools** subject to approval of site plans including location of buildings, parking areas, lighting, signs, sewer and water facilities and as follows:
  - a. **Structures and activity areas** including loading and facilities (other than off-street parking) shall be located at least one hundred (100) feet from any property line and center line of any dedicated highway.
  - b. **All points of ingress and egress** shall be located at least two hundred (200) feet from all major road intersections and at least one hundred (100) feet from all local or other minor street intersections. All state and county highways shall be considered

major streets.

- c. **Lighting** shall not create a nuisance and shall in no way impair safe movement of traffic on any street or highway. No light shall shine directly on adjacent property. No strings of open light bulbs shall be permitted. No lighting structures shall exceed fifteen (15) feet in height. Exposed light bulbs except for those used in holiday decoration shall be prohibited.
- d. **All structures** shall be located so as to have access to a dedicated street.
- e. **Minimum lot size** shall comply with Ohio Revised Code and/or Standards of Dept. of Education, and/or a minimum of ten (10) contiguous acres.

2. **Churches and other buildings** for the purpose of religious worship and training, subject to approval of site plans and as follows:

- a. **Structures and activity areas** including loading and facilities (other than off-street parking) shall be located at least one hundred (100) feet from any property line and center line of any dedicated highway.
- b. **All points of ingress and egress** shall be located at least two hundred (200) feet from all major road intersections and at least one hundred (100) feet from all local or minor street intersections. All state and county highway shall be considered major streets.
- c. **Lighting** shall not create a nuisance and shall in no way impair safe movement of traffic on any street or highway. No light shall shine directly on adjacent property. No strings of open light bulbs shall be permitted. No lighting structure shall exceed fifteen (15) feet in height. Exposed light bulbs except for those used in holiday decoration shall be prohibited.
- d. **All structures** shall be located so as to have access to a dedicated street.
- e. **Locations** should be adjacent to parks or other non-residential uses

such as schools or shopping centers where use can be made of joint parking facilities.

- f. **Minimum lots size** shall be ten (10) contiguous acres.
3. **Public utilities** right-of-way and pertinent structure subject to restrictions listed below:
- a. **Structures and activity areas** including loading and facilities (other than off-street parking) shall be located at least one hundred (100) feet from any property line and the center line of any dedicated highway.
  - b. **Site locations** shall be preferred that offer natural or man-made barriers to lessen the effect of intrusion into a residential area.
4. **Governmentally** owned and operated parks and playgrounds including golf courses (except miniature) subject to approval of site plans and the following:
- a. **Structures and activity areas** including loading and facilities other than off-street parking shall be located at least one hundred (100) feet from any property line and the center line of any dedicated highway.
  - b. **Loud speakers** which cause a hazard or annoyance shall be prohibited.
  - c. **All points of ingress and egress** shall be located at least two hundred (200) feet from all major road intersections and at least one hundred (100) feet from all local or minor street intersections. All state and county highways shall be considered major streets.
  - d. **Lighting** shall not create a nuisance and shall in no way impair safe movement of traffic on any street or highway. No light shall shine directly on adjacent property. No strings of open light bulbs shall be permitted. No lighting structure shall exceed fifteen (15) feet in height. Exposed light bulbs except for those used in holiday decoration shall be prohibited.
5. **Temporary buildings** for use incidental to construction

work and as follows:

- a. **Any temporary structures** must be indicated on the site plan, and their use must be discontinued and removed at a time to be set by the Zoning Inspector. Under no circumstances shall any temporary building be used as a dwelling.
6. **Recreational** uses that are non-profit residentially owned and/or operated facilities or governmentally owned and/or operated facilities shall be limited to swimming pools, golf courses, tennis courts, horse riding trails and picnic pavilions. These facilities are subject to the restrictions listed below:
- a. **Loud speakers** which cause a hazard or annoyance shall be prohibited.
  - b. **All points of ingress and egress** shall be located at least two hundred (200) feet from all major road intersections and at least one hundred (100) feet from all local or minor street intersections. All state and county highways shall be considered major streets.
  - c. **Lighting** shall not create a nuisance and shall in no way impair the safe movement of traffic on any street or highway. No light shall shine directly on adjacent property. No strings of open light bulbs shall be permitted. No lighting structure shall exceed fifteen (15) feet in height. Exposed light bulbs except for those used in holiday decoration shall be prohibited.
  - d. **Installations** shall be maintained in a neat, orderly condition so as to prevent injury to any single property, any individual or to the community in general.
  - e. **Structures and activity areas** - (other than off-street parking) shall be located at least two hundred (200) feet from any property line.
7. **Home occupations** - Such uses shall be permitted subject to the following conditions:
- a. Such uses shall be conducted entirely within the dwelling unit and

no use of any accessory building shall be permitted.

- b. Such use shall be clearly incidental and secondary to the use of the dwelling for living purposes.
  - c. Such use shall be conducted only by persons residing in the dwelling unit.
  - d. There shall be no externally visible display of stock and trade.
  - e. Commodities sold shall be only those which are produced on premises.
  - f. Use shall not occupy more than fifteen percent (15%) of the total living area of a dwelling unit, maximum not to exceed four hundred (400) square feet.
  - g. Such use shall not create a nuisance by reason of noise, odor, dust, vibration, fumes, smoke, electrical interference, vehicular traffic, or other causes.
  - h. Off-street parking and traffic visibility shall be provided.
8. **Professional offices** shall occupy no more than fifteen (15%) percent or four hundred (400) square feet of the total living area of a dwelling unit.
9. **Parking lots** - Any parking area containing more than five (5) vehicles in a residential district must receive approval from the Board of Zoning Appeals.
10. **Bed and Breakfasts** shall comply with the following requirements:
- a. A conditional use permit shall expire once the applicant ceases to occupy the premises. The Bed and Breakfast Inn shall be owner managed, the resident manager having at least 50% ownership interest.
  - b. Its operation shall take place within the principal structure.
  - c. Its operation must conform within all the Health and Fire

requirements of the O.R.C. Each guest room shall be provided with a smoke detector. Yearly inspections by the local Fire Department or Fire Prevention Officer shall be required.

- d. No more than one (1) such establishment shall be permitted within a four hundred (400) yard radius.
- e. Off street parking shall be provided at a minimum rate of one (1) per guest room and two (2) additional. Thus, for five (5) guest rooms, a total of seven (7) parking spaces shall be provided.
- f. Signs: As regulated by the Sign Regulations Section of this Resolution B (4) as applied to home occupations.
- g. The sale or display for sale of merchandise or other commodities is prohibited, except for agricultural products produced on the premises.
- h. Any infraction of the above shall result in the revocation of the permit to operate a Bed and Breakfast Inn.

11. An **Outdoor Recycling Collection Bin** for the explicit purpose of paper and/or cardboard collection for recycling is conditionally permitted at public, private, and parochial schools, churches or governmentally owned property, subject to the following conditions: (Amended Effective 6-9-15)

- a. Permit. The property owner where the bin is located shall annually file for a permit with the Zoning Inspector. No collection bin may be used for advertising. (Amended Effective 6-9-15)
- b. Placement. The bin may only be located at the side yard or rear yard of the residential property so as not to interfere with parking and must not be within any required lot setbacks. No bin shall be closer than 200 feet to a residence. Each bin shall be clearly visible and in a well-lighted area located so as not to interfere with pedestrian and/or vehicular circulation or to create a traffic hazard. (Amended Effective 6-9-15)
- c. Maintenance. The property owner shall be responsible for the maintenance of the bin and the surrounding area. Each bin shall be enclosed by use of receiving doors. Each bin shall be regularly emptied so as not to overflow. No storage or drop-off of donations

external to the collection bin shall be permitted. The property owner must respond to maintenance complaints within 24 hours of receiving notice. If a bin is damaged or vandalized it shall be repaired or replaced within five (5) days or else be removed from the property.  
(Amended Effective 6-9-15)

- d. Collection bins for all recyclables can be used on property of the Township of Sagamore Hills at the discretion of the Township Trustees. (Amended Effective 6-9-15)

### 3.3 Areas, yard and height regulations

#### A. Center Line of the Road

The center line of the road right-of-way shall be the starting point for all residential land area measurements in Sagamore Hills Township except for cul-de-sacs.

##### 1. Cul-de-sac

The starting point for all residential land area measurements on a cul-de-sac shall be one-half (1/2) of the circle.

#### B. Minimum Lot Area

One (1) acre (43,560 sq. ft.).

#### C. Minimum Lot Width at Building Line

One hundred (100) feet.

#### D. Minimum Lot Width at Street

One hundred (100) feet except sixty (60) feet on the cul-de-sac turn around and 130 ft. on corner lots.

#### E. Minimum Front Yard Depth

One hundred (100) feet from any dedicated highway center line.

If there is no established street right-of-way, said line shall be deemed to be one hundred (100) feet from the center of the road.

#### F. Corner Lots

Minimum setback to be fifty (50) feet from side street center line and one hundred (100) feet from main street center line.

**G. Minimum Side Yard Width**

No building or structure shall be erected or placed nearer than ten (10) feet to the side lot line.

**H. Rear Yards**

No main building or structure shall be erected or placed nearer than fifty (50) feet from the rear lot line, and no accessory building shall be erected or placed nearer than ten (10) feet to any rear lot line.

**I. Maximum Height of Structures**

Thirty-five (35) feet.

**J. Front Yard**

No building shall be erected between the front line of the main building and the roadway.

**K. Driveway**

Each private dwelling shall be served by a private driveway from the public right of way to the main building. The entire driveway shall be maintained wholly within the front yard width. A private driveway may serve only one single family dwelling.

**3.4 Size of Dwelling**

**A. Single Floor**

Each family dwelling of one (1) story shall have a minimum of one thousand one hundred (1100) square feet of living area.

**B. Multiple Floor**

Each family dwelling of more than one (1) level shall have a minimum of seven hundred fifty (750) square feet on the first level and a total living area of not less than fifteen hundred (1500) square feet exclusive of the basement level, breezeways, garages, and similar accessory structures. A level is defined as any variation of more than fifteen (15) inches between floors.

**3.5 Accessory Buildings/Structures** (Amended 2-10-25 Res. 25-07 Effective 3-11-25)

A. The height of an accessory building shall not exceed the lesser of the main dwelling or eighteen (18) feet.

B. The accessory building can only be located on a lot with an

existing principal structure.

- C. All accessory buildings / structures should be located in the rear of the property, that is behind the front building line of the primary structure. Corner lots shall follow 2 lines, (1) from the front building line of the primary building and (2) the side building line which faces the secondary street.
- D. At no time shall an accessory building / structure have square footage, of the footprint, larger than the primary building living space.
- E. Any roof overhangs, lean-to's, canopies or extensions, greater than 2 feet (measured from the wall perimeter of the building itself) shall have the square footage below the overhang included in the square footage of the entire building, whether it is enclosed with walls, supports or not.
- F. Setbacks from the property lines for Accessory building / Structures shall be 10 feet from the rear parcel line, and 10 feet from the left and right parcel lines.
- G. An enclosed Accessory Building / Structure may not be closer than ten (10) feet to the primary building. This setback shall not apply to open air structures such as pergola, gazebo and outdoor kitchens.
- H. The foundation (square footage) of the Accessory Building / Structure shall have an area of the lesser of:
  - 1. Parcels of  $\frac{3}{4}$  of an acre (32,670 square feet) or less, shall allow a building /structure of up to 450 square feet.
  - 2. Parcels between  $\frac{3}{4}$  of an acre up to and including 2 acres (32,671 square feet and 87,119 square feet), shall allow a building/structure of up to 1200 square feet.
  - 3. Parcels which are greater than 2 acres (87,120 square feet) shall allow a building/structure of up to 1,400 square feet.
- I. Two (2) structures are allowed per parcel, with a sum total of both buildings/structures, not to exceed the size guidelines per parcel size (H).

### 3.6 Garages

An attached garage shall be required for all residential construction, and should be erected at time of construction of the dwelling. All new garage constructions and/or modifications

thereto shall be done with a minimum of four hundred (400) square feet and a maximum of One Thousand Two Hundred (1,200) square feet. Such garage shall have separate exit other than through the overhead door. (Amended 11-14-22 Res. 22-45 Effective 12-14-22)

### 3.7 **Parking Facilities**

Off street parking must be provided for all motor vehicles for each single family dwelling. Front line of main building shall apply to parking and/or storage of trailers including campers and utility type as well as boats or other mobile units. Only one (1) commercial vehicle of not more than one (1) ton rated capacity may be kept, parked, stored or housed at/or on any lot. All recreational vehicles kept on property must be owned by residents of the dwelling. None of the above mentioned vehicles may be used as a dwelling.

### 3.8 **Fencing**

#### A. **Location**

Fencing shall be at least one foot within the owner's lot line. If a footer is required, no portion of said footer shall extend within one (1) foot of the property line. Living fences shall be located so that future growth shall not extend over the lot line.

#### B. **Height**

Non-living front yard fencing shall not exceed forty-eight (48) inches above the finished grade. All other locations of non-living fencing shall not exceed six (6) feet above the finished grade. Living fences within the highway right-of-way shall not exceed a height of thirty-six (36) inches.

#### C. **Appearance**

The side of the fence facing adjacent property shall be the smooth finished side and all horizontal, diagonal or supporting members shall be on the owner's side of the fence. The fence shall be harmonious and appropriate in appearance with the existing character of the immediate area in which it is to be located.

#### D. **Safety**

No sharp wire or points shall project from the top, either side, and or bottom of any fence.

**3.9 Snow fencing**

A snow fence or fence of similar type may be erected or placed in any yard during the period from November to April for the sole purpose of preventing the drifting of snow on highways, driveways, or sidewalks, but such fencing shall not be used at any time as a permanent fence or enclosure.

**3.10 Nuisance prohibited**

No use shall be permitted or authorized to be established which when conducted in compliance with the provisions of this Resolution, and any additional conditions and requirements prescribed, is or may become hazardous, noxious, or offensive due to emission of odor, dust, smoke, fumes, cinders, gas, noise, vibration, electrical interference, refuse matter, water carried wastes, or which will interfere with adjacent landowners' enjoyment of the use of their lands.

**3.11 Exterior Lighting**

The purpose of this exterior lighting section is to regulate outdoor lighting in order to reduce or prevent light pollution and to minimize lighting impacts on surrounding properties. This means to the extent reasonably possible, the promotion of safety and security, the reduction or prevention of glare and light trespass, and the conservation of energy.

Lighting shall not create a nuisance and shall in no way impair the safe movement of traffic on any street or highway. No light shall shine directly on adjacent property.

No lighting structure shall exceed fifteen (15) feet in height unless it is attached to a building, but shall not exceed the height of the building.

The poles or standards for elevated lights shall be no higher than fifteen (15) feet from finished grade to top of light standards and shall be set back at least twenty (20) feet from the public right-of-way, subject to rear and side line regulations, and the lights shaded so as not to interfere with the vision of persons on the highway or neighboring premises.

Exterior lighting shall be installed in a manner to deflect from adjacent residential developments. All exterior lighting for residential and nonresidential use shall be located, screened, or shielded so adjacent lots located in residential districts or recorded subdivisions are not directly illuminated. Shielding may also be required for high intensity light fixtures to prevent glare to adjacent uses, public rights-of-ways, and drives. Perimeter lighting must be at least one (1) foot off of the property line when adjoining residential districts or recorded subdivisions and shall be shielded fixtures to prevent light trespass

onto adjacent properties. No exterior lighting shall be of such an intensity or color distortion as to cause glare or to impair the vision of drivers, pedestrians or adjacent properties. Shields and/or filters are required for light fixtures with high intensity and glare potential.

**3.12 Amendments**

Pursuant to Section 519.12 of the Ohio Revised Code, amendments or supplements to this Zoning Resolution may be made in the same manner and for the same purpose provided for the adoption of this Zoning Resolution, and as further provided therein. When an amendment to this Resolution changing the zoning of any area becomes effective, it shall be the duty of the Zoning Commission of the Township of Sagamore Hills, Ohio to cause such change to be entered on the Zone Map.

**3.13 Invalidity of a part**

Should any section or provision of this Zoning Resolution or amendment there to be held to be invalid by a Court of competent jurisdiction, such decisions shall not effect the validity of the remainder of this Zoning Resolution or amendments thereto.

**3.14 Sewage disposal**

Utilities shall be provided as specified in the Utilities Section of this Resolution.

**3.15 Water utility facilities**

Utilities shall be provided as specified in the Utilities Section of this Resolution.

**3.16 Structural damage**

If more than fifty percent (50%) of the structure is damaged for any reason, then the owner or his agent shall obtain a Zoning Permit to repair said damage and commence constructions within one (1) year from said damage; otherwise, structure must be completely razed to ground level.

**3.17 Garage sales**

Shall be subject to the following regulations:

- A. All garage sales must be registered at the Township office.
- B. No more than two (2) sales at the same address per calendar year.

- C. Sale duration of three (3) consecutive days or less.
- D. Five (5) signs per sale, one at the place of the sale and the other four (4) at the sales operator's choice, provided they are not covering public signs or are placed on utility structures. Signs must be unlit and not exceeding two (2) square feet in area and shall be removed after the termination of the sale.
- E. Neighbors shall not be disturbed by excessive noise, light and traffic congestion.
- F. The sale of fireworks, hazardous material, firearms and ammunition as defined by the O.R.C. is prohibited.

### 3.18 **Swimming pools**

No swimming pool shall be allowed in any R-district except as an accessory use and unless it complies with the following conditions and requirements:

- A. The pool is intended and is to be used solely for the enjoyment of the occupant and guests of the principal user of the property on which it is located.
- B. In-ground swimming pools containing a depth of eighteen (18) inches or more of water shall be considered as structures and require a zoning permit per Section 12-Zoning Certificate Regulations. The construction, plumbing and electrical requirements, inspections, and other safety facilities shall comply with all applicable county and state codes.
- C. The pool shall be located in the back yard and shall be set back at least ten (10) feet from the side and rear lot lines. This setback shall be measured from the outer edge of the pool.
- D. All swimming pools shall be secured so as to prevent uncontrolled access.
  1. All above-ground pools having vertical surfaces of at least four (4) feet in height shall be required to have fences and gates only where access may be had to the pool. Doors and gates shall be equipped with suitable locking devices to prevent unauthorized intrusion.
  2. All in-ground pools shall be secured by a fence which meets the corresponding following requirements:

- a. Fence requirements: In-ground pools shall be secured by a fence not less than four (4) feet and not more than six (6) feet in height. Fences shall be constructed so as to have no openings, holes, or gaps larger than three (3) inches in any dimension except for doors or gates. An accessory building may be used in or as part of such enclosure. Doors and gates shall be equipped with suitable locking devices to prevent unauthorized intrusion.

**Sagamore Hills Township  
PLANNED UNIT DEVELOPMENT DISTRICT**

This entire section reviewed and approved by Resolution 16-31 Adopted 7-11-16  
Effective 8-10-16

**Section 14.0 Planned Unit Development District - Defined:**

**A Planned Unit Development District** is a pre-planned community within the Township of Sagamore Hills containing various types of housing and commercial enterprises as are permitted within Chapter 14 of the Zoning Resolution of Sagamore Hills Township constructed substantially according to a pre-determined and approved plan, providing for the clustering of residential housing to preserve open space for scenic beauty and recreation for the use of all residents within the Planned Unit Development District.

As used in Chapter 14, the terms set forth below are defined as indicated:

**Area** - an area within a Planned Unit Development District is a major subdivision of the District for the use shown on the General Plan and includes that land which is privately owned as a site for one or more privately owned buildings as well as the land within the boundaries of such area devoted to open space.

**Apartment Buildings** - shall mean and include buildings

- (a) Which are constructed for occupancy by four or more family units;
- (b) In which the dwelling units may be rented or may be sold as condominium units pursuant to the laws of the State of Ohio governing condominiums, or
- (c) Which are designated as apartment units on the P.U.D. General Plan.

**Attached Single Family Dwelling** – “Attached Single Family Dwelling shall mean and include single family dwelling units, not exceeding eight (8) which are physically attached one to another by common or adjoining walls, which are individually owned or may be rented, ~~or sold as condominiums~~, and which are designated as attached single family units on the P.U.D. General Plan and may be owned as an Association or as Condominiums”

**Bedroom** - shall be any room that meets all of the following requirements:

- (a) Close accessibility off a common hallway to a full bathroom having a bath tub or stall shower,
- (b) Contains at least eighty (80) sq. ft. of floor space,
- (c) Has accessibility off a hallway by a door space, and
- (d) Has one or more windows having a combined area of at least ten percent (10%) of the floor area of the room, and a minimum opening width of

twenty (20) inches.

**Building** - the term building includes any structure but does not include roadways, paved walkways or similar improved surfaces.

**Building Front** - the side of a building closest to the nearest street or roadway.

**Building Site** - the parcel or parcels of land within a Planned Unit Development District which are to be privately owned and may be occupied by one or more buildings or structures for the uses permitted within the District. Open space shall not be considered a building site.

**Detached Single Family Dwelling** - shall mean and include any dwelling unit which is not physically attached to any other dwelling unit.

**Detached Single Family Cluster House Condominiums – “Detached Single Family Cluster Home Association Units,” defined as:** “shall mean and include any single family dwelling unit which is not physically attached to any other dwelling unit which is part of a group of ~~condominiums~~ **units owned as an Association or as Condominiums.**”

**Gross Acreage** - the entire land area within the Planned Unit Development District.

**Net Acreage** - the gross acreage less the land area devoted to Commercial District uses.

**Open Space** - the land within the Planned Unit Development District which is to be transferred to one or more non-profit corporations for the recreational use of the residents within any area or within the entire Planned Unit Development District.

**Recreation** - shall include parks, playgrounds, athletic fields, swimming pools, golf courses, tennis courts and other similar uses, including buildings or structures incidental thereto, but none of which uses shall be permitted for the profit of private interests.

#### 14.1 **Purposes**

It is desirable that a zoning district be established which will permit the application of modern planning techniques in the development of residential areas providing a variety of housing types, with suitable commercial and recreational uses being developed within such residential areas.

The clustering of houses and multi-family dwelling units, as defined in this Chapter of the Zoning Resolution, is to ensure that large areas of land can be left open for more flexible recreational use by all inhabitants within an area, and to ensure the preservation of large areas of natural scenic beauty. This resolution does not adversely affect the health, safety and welfare of the community and the citizens thereof when such open spaces can be preserved for the use of all the residents within an area or within the entire Planned Unit Development District.

#### **A. Permitted Uses**

In a Planned Unit Development District the following uses shall be permitted in the specific area on the General Plan as approved pursuant to Ohio Revised Code Sec. 519.12.

1. Detached single family dwellings.
2. Attached single family dwellings.
3. Detached single family cluster house condominiums.
4. Apartment buildings.
5. Commercial uses permitted are the same as those under Sec. 5.2 (A), Permitted Uses of the Commercial District Zoning.
6. Any recreational use, not for profit or private interests.

#### **B. Conditionally Permitted Uses**

The following conditional uses shall be permitted in a Planned Unit Development District pursuant to the General Plan upon approval of the Conditional Use certificate by the Board of Zoning Appeals.

1. Public and parochial schools.
2. Churches.
3. Temporary buildings.
4. Buildings necessary or incidental to recreational use.
5. Professional offices.
6. Quasi-public institution, organization or meeting facilities for non-profit use such as those developed and used by the YMCA-YWCA, Boy Scouts, or various fraternal or community service groups.
  - a. All activities, programs and other events shall be adequately and properly supervised so as to prevent any hazard, disturbance or nuisance to surrounding properties, residents, or to the community.

### **14.2 General Standards**

In determining whether or not to establish a Planned Unit Development District within an area of the Township, and in reviewing any plans for the development of such a district, the Zoning Commission of the Township and the Trustees shall take into consideration the effect the district and its development will have upon properties in the surrounding vicinity, population density, open spaces, traffic problems and their relation to public safety, the availability and provision for essential services, particularly water and sewage disposal, the need for adequate open space to provide light and air and recreational facilities, population trends, topography, unique scenic features of the particular parcel under consideration, and the health, safety and welfare of the community and the citizens thereof in the Township and surrounding metropolitan areas.

### 14.3 General Requirements

**A Planned Unit Development District** shall contain at least seven hundred and fifty (750) acres of land. All land within the district shall be contiguous and shall not be divided into parts by any:

- (a) state, county or federal highways, or
- (b) areas of land not included within the District, or
- (c) railroad rights-of-way.

This provision does not apply to the existence of Township roads or private streets, electrical transmission pipes (underground or any other type), all or in part held in fee or by easement, and therefore shall not be considered in determining whether an area is contiguous.

In a Planned Unit Development District, the overall density of dwelling units shall not exceed five (5) dwelling units per net acre of the District. In computing the overall density, residential, recreational, street areas and open space of the District shall be used for the calculation excluding all areas which are intended for commercial activity and other non-open space areas such as utility easements, etc. In area use, not less than ten percent (10%) shall be detached single family units; not less than thirty percent (30%) of the units shall be either attached single family units or detached cluster house condominiums or combination of both; not more than ten percent (10%) of the units shall be apartments. The following schedule shall be used to determine the minimum land area requirements for Residential use, where at least forty percent (40%) of the minimum land area requirement shall be set aside for and preserved as open space with the remainder being the property subplot of the unit(s) to wit:

- (a) Detached Single family dwelling units 21,780 square feet per unit, plus 14,520 sq. ft. for open space requirements.

- (b) Attached Single family dwelling units 15,000 square feet per unit, plus 10,000 sq. ft. for open space requirements.
- (c) Apartment units containing:
  - One Bedroom - 5,000 sq. ft. of land area, plus 3,333 sq. ft. for open space requirements.
  - Two Bedroom - 8,000 sq. ft. of land area, plus 5,333 sq. ft. for open space requirements.
  - Three Bedroom - 12,000 sq. ft. of land area, plus 8,000 sq. ft. for open space requirements.

No more than three (3) bedroom apartments are permitted.
- (d) Detached Single family cluster house units, 15,000 square feet per unit, plus 10,000 sq. ft. for open space requirements. For example, to build a “detached Single family cluster house unit” would require 25,000 square feet of property at least forty percent (40%) of which shall be open space (25,000 x 40% = 10,000 sq. ft.) and the remainder being the subplot (25,000 x 60% = 15,000 sq. ft.) If the entire sixty percent (60%) is not used for the subplot the additional area shall be added to the open space and not used for another purpose.

In computing the overall density, residential, recreational, street areas and open space of the District shall be used for the calculation. Areas which are intended for commercial activity and other non-open space areas such as utility easements, etc. shall be excluded.

In a Planned Unit Development District, at least forty percent (40%) of the land constituting the District shall be preserved as open space on which no buildings or structures, other than buildings or structures for recreational uses, shall be constructed. Parking lots, utility easements, road rights-of-way and non-buildable areas including riparian setbacks and wetlands, are not to be included in open spaces. The General Plan shall include descriptive data as to the methods to be employed to preserve and maintain such space.

#### 14.4 **Establishment of a Planned Unit Development District**

##### A. **Provisional Approval**

###### **General Plan**

At the time of the establishment of a Planned Unit Development District a

General Plan for the development of the District shall have been filed by the owner or owners of the land with the Trustees of the Township of Sagamore Hills pursuant to the procedure established in Section 519.12 of the Ohio Revised Code. The General Plan (which may be set forth on one or more maps or in one or more instruments) shall have been signed by all owners of property within the District, shall have been drawn to scale, shall have been prepared by an architect or engineer authorized to practice in the State of Ohio, and shall show the following:

1. The boundaries of the district;
2. The topography of the district;
3. The proposed street system for the district;
4. The area or areas of the district to be used for detached single family dwellings, apartment buildings, and commercial building;
5. The area or areas of the district to be preserved as open space which shall not be less than forty percent (40%) of the net acreage of the district;
6. Descriptive data as to the methods to be employed to preserve and maintain such space;
7. The areas into which such district is to be divided for different uses; for the use proposed for each area; the number of housing units by type and number of bedroom per unit of each class of housing proposed in any given area; the location and size of school sites proposed;
8. The total population density for the district in number of housing units;
9. The acreage of the district;
10. The location of the proposed parking lots within the district;
11. Descriptive data concerning the sewer and water facilities within the District, identifying the entity whether public or private to whom such facilities are to be dedicated or transferred;
12. The location and acreage of the commercial uses proposed within

the district.

Upon approval of the General Plan pursuant to Section 519.12 of the Ohio Revised Code, the land shall be rezoned for use as a Planned Unit Development District, subject to the further qualifications, requirements and provisions of Divisions B and C of Section 14.4 of the Sagamore Hills Zoning Resolution set forth below.

**B. Use of Land Pending Final Approval**

Upon a provisional approval of the rezoning of the land pursuant to the procedure established in Section 519.12 of the Ohio Revised Code, and prior to final approval of any area within the Planned Unit Development District, such land may be used only for single family detached residences as permitted in Residential Districts, pursuant to the Regulation in Chapter 3 and elsewhere in the Zoning Resolution of Sagamore Hills Township.

**C. Final Approval of Use in a Planned Unit Development District**

Before such uses as were authorized by the provisional approval of a Planned Unit Development District may be made, the owner must file a Final Development Plan for any specific area within the District with the Zoning Commission together with a letter of application for such approval. Such Final Development Plan must show the following:

1. The area to be developed and the area to be devoted to open space for the use of all residents of the area with the accurate acreage, courses, and distances, as determined by a licensed engineer or surveyor who shall sign such plan and certify to accuracy thereof.
2. The location of all buildings, descriptive data as to the type of buildings, the number of dwelling units in each separate type, bedrooms per unit of apartment (multi-family dwelling) buildings, the number and type of all retail establishments and the number and type of all retail establishments.
3. A title guarantee, prepared by a reputable title company, showing the legal description of the land which has been set aside for open space, and showing appropriate restrictions limiting the use of such land to recreation and open space in perpetuity; and granting owners and residents of the area to be developed a right and easement of use in such open space.

4. A detailed plan setting forth the manner, means and proposed time of transfer of the land reserved for open space to a non-profit entity and the rights of use of such open space by all residents of the area.

#### 14.5 **Conditions for Approval of Final Development Plan**

##### **A. Conditions**

1. No applicable, general or specific requirement is violated by the Final Development Plan.
2. The Final Development Plan accurately sets forth the area to be developed and the area to be set forth as well as the acreage of the area to be set aside as open space for the use of all residents of the area.
3. The Final Development plan is substantially in accordance with the Zoning Commission and Board of Township Trustees and approved provisionally pursuant to the procedure established in Section 519.12 of the Ohio Revised Code.
4. The density of dwelling units in any area does not exceed that shown on the General Plan, and the overall density of the District has not been exceeded with respect to the total figure shown on the General Plan.

##### **B. Approval**

No building or other structure shall be constructed within a Planned Unit Development District until the zoning inspector has issued a certificate approving such plan upon finding that

1. The Final Development Plan is substantially in accordance with the General Plan and there has been no change in such plan so as to violate the General Standards and General Requirements of this Chapter.
2. The Final Development plan meets all specific requirements set forth in Section 14.6 of the Zoning Resolution and all conditions for approval have been met.

**C. Actual development within a Planned Unit Development District may be**

done in geographical segments. Each segment shall be referred to as an area. Final Development Plans for the entire District need not be filed before construction is commenced in any area, but such a plan shall be filed and approved for an entire area shown on the General Plan before any construction in any area and before any property is offered for sale. Before any property is offered for sale the following conditions shall be met:

1. The developer should coordinate with the Summit County Planning Commission for Planning Commission review of the PUD to be sure that the proposed development is in compliance with the County Subdivision Regulations.
2. All roads within that area or necessary to connect the area to an existing public street or highway and all storm sewers shall have been constructed, or adequate bond assuring the construction of such roads and storm sewers shall have been filed with the County of Summit.
3. All sanitary sewers, and any related sewage disposal plant or plants (approved by Summit County) shall have been constructed, or adequate bond assuring the construction of such sewers and disposal plant or plants shall have been filed with the County of Summit.
4. Underground electric and water lines shall have been constructed or adequate bond assuring the construction of such facilities shall have been filed with the County of Summit, or appropriate agency.
5. The District Community Center Recreation Building and a swimming pool shall have been constructed or adequate bond assuring the construction of such facilities shall have been filed with the fiscal officer of Sagamore Hills Township.

The Township Zoning Inspector shall issue a Zoning Certificate for each building or structure upon payment of the appropriate fee under the fee schedule of this Resolution and the filing of an application for the certificate showing that the building or structure to be constructed is in accordance with the requirements of the Final Development Plan approved by the Zoning Commission.

#### **14.6 Specific Requirements within a Planned Unit Development District**

##### **A. Utilities**

Utilities shall be provided as specified in Chapter 13.

**Underground Electric Wiring System** plans and specifications must be approved by the utilities serving this area.

## **B. Open Space**

At least forty percent (40%) of the net acreage of the land within any residential area of a Planned Unit Development District shall be preserved as open space for use by the residents of the particular area or residents of the entire District for the following collective uses:

1. Recreation
2. Privacy between buildings
3. Buffer strips
4. Preservation of scenic beauty

All open space land shown on a Final Development Plan must contain legally enforceable reservations and restrictions which shall insure the preservation of such land for recreational and similar use in perpetuity and absolutely prohibit private development of such open space land except for the above collective uses of the owners and residents. Commercial recreation uses in the open space land are prohibited.

The Final Development Plan shall include a detailed plan, established by the owner or developer, for the conveyance of all open space land to one or more non-profit corporations, formed for the purpose of maintaining such open spaces for the use of membership thereof. Membership in such non-profit corporations shall be open to all owners of property and residents within an area of the Planned Unit Development District or within the District.

The owner or developer shall have no greater ownership or control in such open space than the property owners or residents within the District after the title to such land is transferred as provided below.

Legal title to the open spaces in any particular area shall be transferred to such non-profit corporations when at least fifty-one percent (51%) of the number of dwelling units in any particular area have been occupied.

The owner or developer of a Planned Unit Development District must maintain such open spaces and pay all taxes thereon until such time as legal title to the same has been transferred to a non-profit corporation.

## **C. Yard and Related Requirements**

In a Planned Unit Development District, the following yard and related requirements shall be observed, to wit:

1. **Lot Area**

See 14.3 of this section

2. **Setback Building Line**

- a. Detached single family cluster house condominiums, attached single family dwelling units, and apartment units:

No building shall be constructed closer than thirty (30) feet to the right-of-way of a dedicated road or a road planned for dedication.

- b. Detached single family dwelling units. No building shall be constructed closer than fifty (50) feet to the right-of-way of a dedicated road or a road planned for dedication.

- c. Commercial buildings:

No building shall be constructed closer than one hundred (100) feet from the right-of-way of a dedicated road or a road proposed for dedication.

3. **Front Lot Line**

The minimum width requirements for detached single family dwelling units shall be seventy (70) feet, except lots having frontage on a cul-de-sac which shall be at least thirty-five (35) feet.

4. **Rear Lot Line**

Within a PUD no building or structure shall be erected any closer than thirty (30) feet to the rear lot line.

5. **Side Yard**

No building or structure may be placed or erected nearer than ten (10) feet to the side lot line. In apartments, no building may be constructed closer to another building than thirty (30) feet. In detached single family cluster house condominiums, no building

may be constructed closer than twenty (20) feet to another building.

6. **PUD Boundary Setback**

No building or structure shall be erected or placed nearer than one hundred (100) feet to any PUD perimeter boundary line. (Amended 11-14-22 Res. 22-45 effective 12-14-22)

7. **Height of Buildings**

No building or structure shall be higher than thirty-five (35) ft. as determined by the distance from the average finished grade of the building to the highest point of the building.

8. **Size of Dwelling Units**

- a. One floor **single family homes** shall have a minimum of one thousand one hundred (1,100) square feet of living area. Multiple floor single family homes shall have a minimum of seven hundred fifty (750) square feet of first floor living area (exclusive of basements and garages) and shall have a total living area of not less than one thousand five hundred (1,500) square feet.
- b. One floor **detached single family condominiums** shall have a minimum of one thousand one hundred (1,100) square feet of living area. Multiple floor detached condominium dwelling units shall have a minimum of seven hundred fifty (750) square feet of first floor living area (exclusive of basements and garages) and shall have a total living area of one thousand five hundred (1,500) square feet.
- c. One floor **attached single family dwelling units** shall have a minimum of nine hundred (900) square feet of living area. Multiple floor attached dwelling units shall have a minimum of five hundred (500) square feet of first floor living area (exclusive of basements, breezeways, garages and similar accessory structures) and shall have a total minimum living area of one thousand one hundred (1,100) square feet.
- d. **Apartment units** shall not have less than six hundred (600) square feet for an efficiency one bedroom apartment, seven

hundred (700) square feet for a two bedroom apartment and nine hundred (900) square feet for a three bedroom apartment. No more than three bedroom apartments are permitted.

9. **Accessory Structures ~~Excluding Sheds~~**

- a. ~~A free standing single family home, or a condominium or cluster home with an exclusive use area or limited common use area that the owner controls,~~ **An Attached Single Family Dwelling or a Detached Single Family Cluster Home** shall be permitted to have one (1) accessory structure not to exceed twelve (12) feet in height and not to exceed one-hundred **sixty-eight (168)** ~~seventy five (175)~~ square feet in area. **Roof overhangs, canopies, and extensions greater than 2 feet are counted in the accessory structure's total square footage.**
- b. The accessory structure shall be in the rear lot, **shall** be constructed completely upon, and attached to, a patio or deck, **shall** be a minimum of (10) feet from the rear lot line, a minimum of ten (10) feet from the side lot line, and confined completely within the sight lines of the rear lot as defined by the front and rear corners of the widest section of the residence (see attached drawing). (Amended Effective 12-9-20)
- c. No more than forty (40) percent of any single wall (base to start of the roof) of any **accessory** structure **permitted under this 14.6 (c)(9)** shall be a solid surface. This ~~could~~ **may** be a fence, solid wall or partially open screening. Screening for insects shall be allowed over any wall but shall be translucent (no canvas or other solid covering). (Amended Effective 12-9-20)
- d. An accessory structure shall be constructed at the average grade at its location. However, an accessory structure shall be permitted to be constructed upon a deck or patio connected to the primary residential structure if the floor of such deck or patio does not exceed the level of the first floor of the primary residential structure. (Amended Effective 12-9-20)
- e. No walls shall be enclosed within the **accessory** structure, except that in a gazebo or pergola a single bench of no more than two (2) feet in height from the base shall be allowed to be fully enclosed if it is completely under the roof of the gazebo or pergola.

- f. Pervious or impervious roofs are permitted.  
(Amended Effective 12-9-20)

**10. Accessory Structures for Detached Single Family Dwellings**

- a. A Detached Single Family Dwelling with an exclusive-use area or limited common use area that the owner controls, shall be permitted to have one (1) accessory structure not to exceed twelve (12) feet in height and not to exceed one hundred sixty-eight (168) square feet in area (the same size limit as 14.6 (c)(9)(a). Roof overhangs, canopies, and extensions greater than 2 feet are counted in the accessory structure's total square footage.
- b. The accessory structure shall be in the rear lot, shall be constructed completely upon, and attached to, a patio or deck, shall be a minimum of (10) feet from the rear lot line, a minimum of ten (10) feet from the side lot line, and confined completely within the sight lines of the rear lot as defined by the front and rear corners of the widest section of the residence (see attached drawing).
- c. Except as provided in 14.6(c)(10)(g), no more than forty (40) percent of any single wall (base to start of the roof) of any accessory structure shall be a solid surface. This may be a fence, solid wall, or partially open screening. Screening for insects shall be allowed over any wall but shall be translucent (no canvas or other solid covering).
- d. An accessory structure shall be constructed at the average grade at its location. However, an accessory structure shall be permitted to be constructed upon a deck or patio connected to the primary residential structure if the floor of such deck or patio does not exceed the level of the first floor of the primary residential structure.
- e. Except as provided in 14.6 (c)(10)(g), no walls shall be enclosed within the accessory structure, except that in a gazebo or pergola a single bench of no more than two (2) feet in height from the base shall be allowed to be fully enclosed if it is completely under the roof of the gazebo or pergola.
- f. Pervious or impervious roofs are permitted.

**g. In lieu of the open-air accessory structure authorized by 14.6 (c)(1)(a) to (f) the owner of a Detached Single Family Dwelling may construct the permitted accessory structure as a fully enclosed shed, provided that: (i) the shed complies with the size, height, location, and setback requirements of 14.6 (c)(10)(a), (b), (d), and (f); (ii) the shed is not located upon a deck, and (iii) only the one accessory structure is permitted per dwelling under the 14.6 (c)(10), whether constructed as an open-air structure under (a) to (f) or as an enclosed shed under this subsection (g). The 40 percent solid-wall limitation of 14.6 (c)(10)(c) and the no enclosed walls limitation of 14.6 (c)(10)(e) shall not apply to a shed constructed under this subsection (g).**

## **11. Multi-Family Dwelling Units**

Eight (8) or fewer dwelling units may be attached one to another by common or adjoining walls and shall be regarded as constituting a single building (but not as a single dwelling unit).

### **D. Bedroom Limitations**

The ratio of bedrooms per unit in any apartment building area shall not exceed two (2) bedrooms per dwelling unit. For the purposes of this section, a den, library, family room, studio, or any similar room shall not be considered a bedroom unless it meets all of the requirements of a bedroom as defined under Section 14.0 hereof.

### **E. Garages**

Garage spaces shall be provided for each dwelling unit in accordance with the following schedule:

1. Detached single family dwellings;  
two (2) spaces, with maximum of seven hundred fifty (750) square feet.
2. Attached single family dwellings;  
two (2) spaces, with maximum of seven hundred fifty (750) square feet.

3. Detached single family cluster house condominiums;  
two (2) spaces with a maximum of seven hundred fifty (750) square feet.
4. Apartments - Garage space required shall be allocated as follows:  
One (1) bedroom - one garage space  
Two (2) and three (3) bedrooms - two (2) spaces  
Maximum of seven hundred fifty (750) square feet for each two (2) spaces.

**F. Off Street Parking Requirements**

All automobile parking lots shall be screened from adjoining streets by the planting of shrubbery or the construction of a decorative fence.

Parking lots between the road and the buildings shall be permitted in the most convenient location. No parking lot shall be closer than five (5) feet from the right-of-way line of a dedicated street.

In addition to the garage spaces required for each dwelling unit under Section 14.6 Paragraph E, the following off-street parking spaces (not including garage apron which shall equal two (2) parking spaces) shall be provided for all persons or uses within the Planned Unit Development District in accordance with the following schedule:

1. Detached single family dwellings:  
zero (0) spaces.
2. Attached single family dwellings:  
one (1) space per dwelling unit.
3. Apartment buildings:  
one (1) space per dwelling unit in the building.
4. Commercial buildings:  
must meet the requirements of Sec. 5.9 and 5.10 of Commercial Zoning.
5. Community facilities:  
one (1) space per one hundred (100) square feet of gross building space.
6. Detached single family cluster house condominiums:

one (1) space per dwelling unit.

7. A developer may seek to defer the construction of a maximum of one half ( $\frac{1}{2}$ ) parking space per unit required under this section, for attached single family dwellings (2.) (Section 14.6-F) and detached single family cluster house condominiums (6.) (Section 14.6-F), plus apartment buildings (3.) (Section 14.6-F.). If a developer elects to defer the construction of such parking space(s), the developer shall be required to:
  - a. Request such deferment in writing affirmatively certifying compliance with the provisions of this Section and the reason(s) for such request.
  - b. Provide all required parking space on the final development plan for the area, clearly indicating the “deferred parking space” at the time of approval of the final development plan for the area.
  - c. Specifically provide the shareholders and/or owners within such area with the ability, by simple majority vote, to require the developer to construct such additional parking spaces within one (1) year after the occupancy of the last unit within that area if such parking spaces are necessary as determined by such owners, shareholders.

#### G. Streets

1. **All Dedicated Streets** shall be paved, curbed and constructed entirely of concrete. All dedicated streets shall be a minimum of twenty seven (27) feet in pavement width and shall meet all of the requirements and full approval of Summit County and the Sagamore Hills Township Engineer.
2. **All Private Streets** shall be undedicated. All private streets shall be paved, curbed and constructed entirely of concrete or asphalt. All private streets shall be a minimum of twenty two (22) feet in pavement width and shall meet all the requirements of and full approval of the Sagamore Hills Township Engineer and fire department serving Sagamore Hills Township. Any single lane section of a private street shall be a minimum of sixteen (16) feet in pavement width and meet all other requirements of this paragraph.

3. **All Dead End Streets** shall have a cul-de-sac with a minimum radius of forty two point five (42.5) feet and included in such area shall be a landscaped center island with a minimum radius of fifteen (15) feet, and which shall also be approved by the Summit County Engineer and any engineer that may be retained by the Township.

#### 14.7 **Amendments to the General Plan**

In the development of a Planned Unit Development District, it is recognized that flexibility is desirable, and that from time to time amendments to the General Plan may be appropriate. Accordingly, if at any time an owner or owners of property within a Planned Unit Development District shall determine that an amendment to the General Plan is appropriate, such owner may file an application for an amendment with the Zoning Commission and the Trustees.

Such application shall include a description of the amendment requested, a statement of the reasons for such amendment, and a Final Development Plan of the area in which the amendment is requested.

If the amendment is approved by the Zoning Commission, the Final Development Plan submitted with the application shall be the Final Development Plan and the Zoning Commission shall be authorized to issue its approval of the Final Development Plan as amended if all other conditions and requirements have been met for buildings and structures to be constructed in accordance with such Final Development Plan as amended. Once the Zoning Commission has issued its approval of the amended final development plan, the final plat must be resubmitted to the Summit County Planning Commission in order to amend the final development plan.

#### 14.8 **Additions to a Planned Unit Development District**

Any area of land adjoining a Planned Unit Development District may be added to a Planned Unit Development District by amendment of the “Zoning Districts Map of Sagamore Hills Township, Ohio” and the rezoning of such land pursuant to the provisions of Section 519.12 of the Ohio Revised Code, as from time to time amended or supplemented and pursuant to provisions set forth in Section 14.4 of this Chapter 14 of the Zoning Resolution. All of the requirements of this section of the Zoning Resolution, shall be applicable for the inclusion of such additional land within the Planned Unit Development District.

#### 14.9 **Subdivision of Land within a Planned Unit Development District**

A copy of the General Plan and each Final Development Plan shall be filed with

the Board of Township Trustees, forwarded by the Township to the Summit County Planning Commission for their review prior to the approval of any subdivision of land within a Planned Unit Development District.

No land within a Planned Unit Development District shall be subdivided so as to conflict with the Final Development Plan of any area within a Planned Unit Development District or so as to conflict with any applicable provisions of the Sagamore Hills Township Zoning Resolution including specifically Chapter 17, thereof. Once the Zoning Commission has issued its approval of the amended final development plan, the final plat must be resubmitted to the Summit County Planning Commission in order to amend the final development plan.

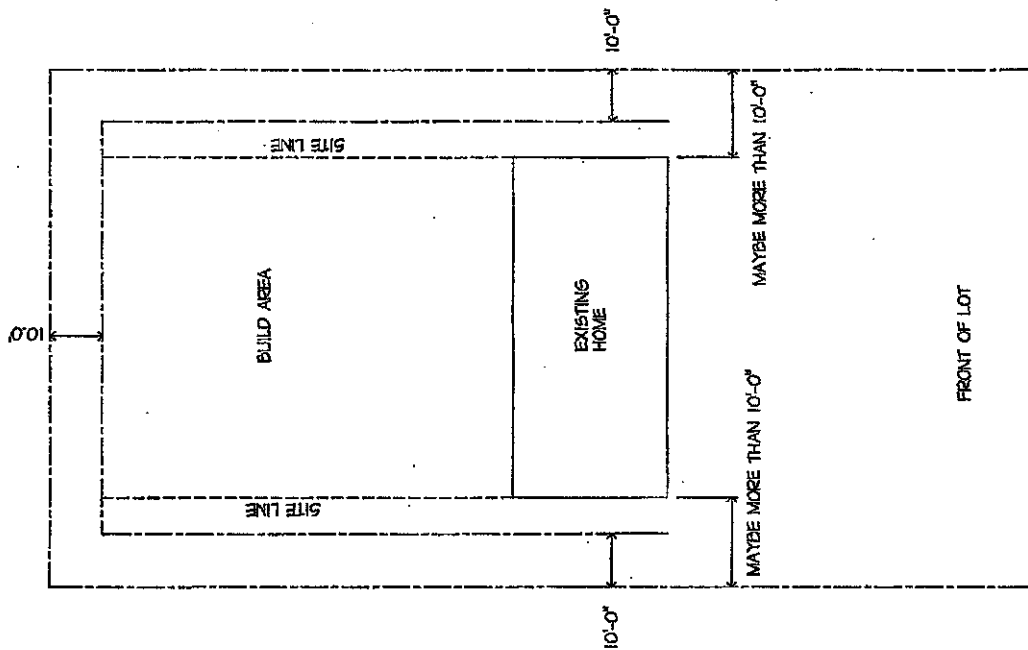
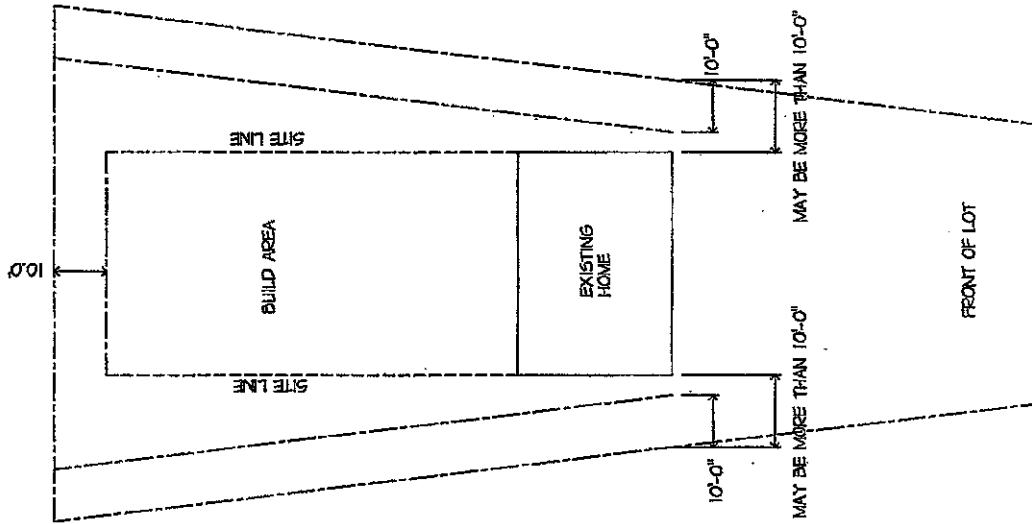
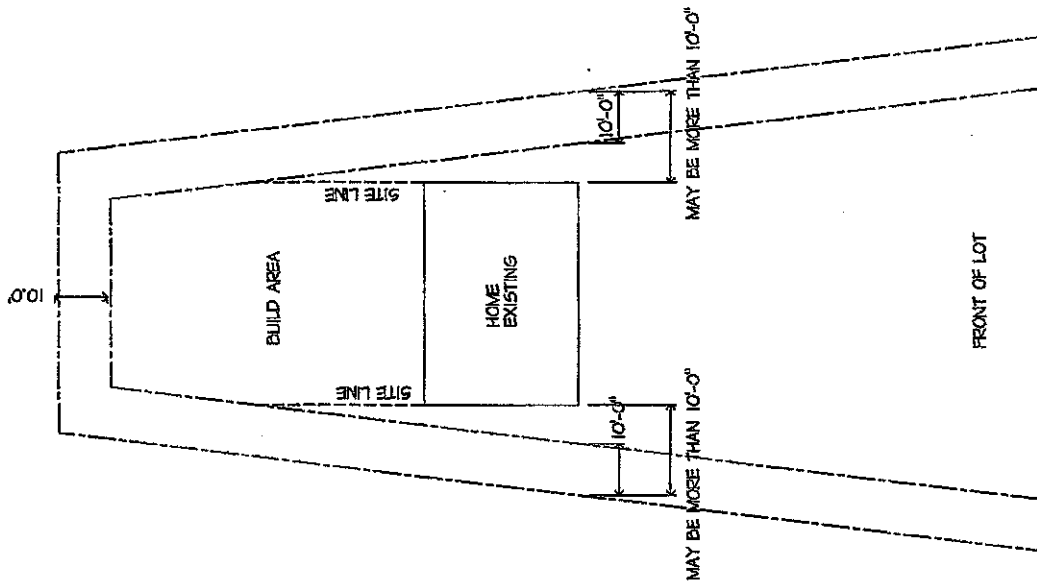
#### **14.10 Building Plans of Future Construction**

All building plans of future construction shall be submitted to the Zoning Commission for review and approval. The General Plan shall be submitted for review to the Summit County Soil and Water Conservation District for their recommendations before the plan is submitted for final approval to the Zoning Commission.

#### **14.11 Private Restrictive Covenants**

There may be private restrictive covenants in Planned Unit Developments which should be reviewed with the appropriate Architectural Review Board of said developments.

Exhibit C





**ILENE SHAPIRO**  
COUNTY EXECUTIVE

Summit County Planning Commission  
Department of Community and Economic Development  
470 Grant Street, Akron, OH 44311

**ZONING TEXT OR MAP AMENDMENT FORM**

Select Type of Application: X Zoning Text Amendment \_\_\_\_\_ Zoning Map Amendment

**APPLICANT INFORMATION**

Applicant: SAGAMORE HILLS TOWNSHIP

Address: 11551 VAUSEY VIEW ROAD SAGAMORE HILLS  
OH 44067

Township Name: SAGAMORE HILLS

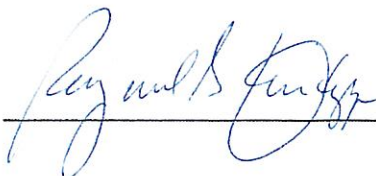
Phone: 3304670900 Email: Zoninginspector@mysagamorehills.com

**DESCRIPTION OF AMENDMENT**

Please describe in detail the zoning text or map amendment. If more space is needed, please feel free to attach additional pages, along with any maps, graphs or other supporting documents to this form.

TEXT AMENDMENT TO CORRECT/UNIFY  
ACCESSORY BUILDING LANGUAGE IN TWO  
ZONING DISTRICTS

CH 3 RESIDENTIAL (CLUSTER)  
CH 14 PLANNED UNIT DEVELOPMENT DISTRICT

Applicant's or Authorized Representative's Signature: 

Date: 4-23-26

SUMMIT COUNTY PLANNING COMMISSION

Application for SAGAMORE HILLS TOWNSHIP  
Applicant Name SAGAMORE HILLS TOWNSHIP

CONSENT TO VIRTUAL MEETING  
R.C. 121.221(B)(4)

IF THE ABOVE REFERENCED APPLICATION REQUIRES A HEARING[S] BEFORE THE COMMISSION:

I consent to have up to two members of the Summit County Planning Commission (the "Commission") attend by virtual means (i.e. video conference) any hearings on my application. I understand that the two Commission members attending virtually may be counted to establish a quorum for the Commission's meeting and may vote on my application while attending virtually. I also understand that, except for the two members that may attend virtually, the Commission meeting will otherwise be an in-person meeting and that I and any witnesses or public participants are required to attend in-person in order to address the Commission regarding my application. The Commission will comply with R.C. 121.221 and the Commission's virtual meeting rules.

Applicant Signature Raymond S Fantozzi  
Raymond S Fantozzi  
Print Name:

I do not consent to have any members of the Summit County Planning Commission (the "Commission") attend by virtual means (i.e. video conference) any hearings on my application. I understand that by not consenting to a virtual meeting, if those Commission members attending in-person do not establish a quorum, my application may be delayed until the Commission establishes a quorum of in-person members. However, if an in-person quorum is present, but there are members attending virtually for other matters on the Commission's agenda, the Commission may proceed to consider my application, but those members attending virtually will not participate or vote on my application.

Applicant Signature \_\_\_\_\_  
Print Name: \_\_\_\_\_