

CHAPTER 1136  
ER-1 Estate Residential Districts

1136.03 PERMITTED USES.

In a single-family dwelling zoning district designated as ER-1, no dwellings or land shall be used or changed in use, and no building shall be hereinafter located, erected or structurally altered, unless otherwise provided for in this Zoning Ordinance, except as follows:

- (a) Detached, one-family dwelling; or
- (b) Customary accessory uses and buildings provided such uses and buildings are incidental to the principal use and do not include any activity commonly conducted as a business. Any accessory building shall be located on the same lot as the principal building.  
(Ord. 44-89. Passed 5-2-89.)

1136.04 CONDITIONAL USES.

(a) In a single-family dwelling district designated as ER-1, the following uses shall be permitted upon approval by the Planning Commission:

- (1) ~~Churches or other similar places of worship provided buildings and structures related to such use occupy a single lot;~~
- (2) Parks, playgrounds and play fields open to the public without fee or recreation areas operated by membership organizations for the benefit of their membership and not for a profit;
- (3) ~~Elementary and secondary schools, public or private, offering general educational courses and having no rooms intended or used for housing or sleeping of students provided all buildings and structures related to such use occupy a single lot;~~
- ~~(4) Private school or college with students in residence provided such facility occupies a lot of not less than ten acres and the student population density is limited to a maximum of fifteen students per acre;~~
- ~~(5) Kindergarten, pre-school or child care as an accessory use of a dwelling or a principal use of the lot provided such facility meets or exceeds all licensing requirements of the State of Ohio. An improved outdoor play area providing a minimum of 200 square feet of play area per child enclosed with appropriate fencing complying with provisions of Chapter 1171 shall be provided and maintained. Such play area shall be arranged in accordance with provisions of this District for accessory uses;~~
- (62) Customarily agricultural operations, including the sale of produce raised on the premises provided no storage of manure or other odor or dust producing substance is permitted. The harboring or housing of farm animals shall not be permitted within 200 feet of any property line;
- (73) Operation of a farm market for sale of agricultural products in association with an agricultural conditional use provided at least fifty percent (50%) of gross income from the farm market is derived from produce raised on a farm owned and/or operated by the market operator in a normal crop year;

- (84) Facilities for the storage, sorting or preliminary processing of agricultural products produced or grown on the premises provided such operations are not in conflict with provisions of Chapter 1159 and facilities for such storage, sorting or processing are not located within 200 feet of any property line;
- (95) Stables or other facilities for the care or boarding of animals provided any building or structure which is related to such use is not located within 200 feet of any property line except for open fencing;
- ~~(10) Private clubs operated on a membership only basis for social or recreational activities;~~
- (116) Veterinarian offices and related animal care facilities;
- ~~(12) Other customary accessory uses and buildings, provided such uses and buildings are incidental to the principal building use and do not include any activity commonly conducted as a business. Any accessory building shall be located on the same lot with the principal building;~~
- (137) Kennels, excluding those required by State licensed DVMs in the practice of animal medicine and those required by the City in the administration of local, County and State code enforcement. The term "kennel" as used herein means the keeping of five or more animals who are at least three months of age for pleasure, profit, breeding or exhibiting.

(b) All other uses not specifically mentioned in this section and herein are prohibited.

(c) Variance to any of the compliance requirements for a conditional use shall require approval by Council with an affirmative recommendation from the Planning Commission. (Ord. 167-93. Passed 7-20-93.)