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|--|-------|
| OFFICE USE ONLY | |
| REVIEWED BY: | DATE: |
| <input type="checkbox"/> APPROVED <input type="checkbox"/> APPROVED AS NOTED <input type="checkbox"/> DENIED | |

CERTIFICATE OF USE & COMPLIANCE APPLICATION (RESIDENTIAL) U&C RES | Page 2

ADDRESS OR TAX PARCEL ID: _____

A Certificate of Use & Compliance must be obtained for the subject activities. Complete the appropriate section and submit with all applicable forms, plans and fees to the Planning & Zoning Department. Additional applications may be required depending the use.

HOME OCCUPATION **Section 1104.08 I** **Fee: \$25.00**

A zoning permit is required for all persons utilizing their dwelling unit for home occupation.

Completed Zoning Permit Application (Title page & page 2) Signed Statement of Understanding (page 3)

Business Name: _____

Will there be any employees who do not reside in the same dwelling? YES NO If YES, how many? _____

| | | |
|--------------------------------|-------------------------------------|-----------------------------------|
| Home Occ. Floor area: _____ sf | Total dwelling floor area: _____ sf | 25% of total floor area: _____ sf |
|--------------------------------|-------------------------------------|-----------------------------------|

Specific description of proposed operation, service or product(s) sold:

APICULTURE (keeping of Bees) **Section 1104.07 B (5)** **Fee: \$25.00**

Apiculture is the cultivation of bees for purposes of producing honey, pollination services, queen breeding programs or other products of the hive.

Completed Zoning Permit Application (Title page & page 2) Signed Statement of Understanding (page 3)

Ohio Department of Agriculture Certificate of Registration # (to be displayed on/near hive): _____

| | | |
|-----------------------|-------------------|--|
| Number of hives _____ | Parcel Size _____ | <input type="checkbox"/> 15 ft setback for hive entrance to lot line/ public right-of-way |
|-----------------------|-------------------|--|

Accessory Structure Application attached

Fence Application attached

POULTRY/FOWL **Section 1104.07 B (7)** **Fee: \$25.00**

Poultry/fowl are any domesticated or wild, heavy-bodied, largely terrestrial bird including pheasants, turkeys, grouse, peacock, the common domestic chicken, and waterfowl such as ducks.

Completed Zoning Permit Application (Title page & page 2) Signed Statement of Understanding (page 3)

Type of poultry/fowl: _____

| | | |
|--|-------------------|--|
| Number of poultry/fowl proposed: _____ | Parcel Size _____ | <input type="checkbox"/> 5 ft setback to lot line for structures <input type="checkbox"/> 25 ft setback to adjacent dwelling for structures |
|--|-------------------|--|

Accessory Structure Application attached Non-conforming use Registration (attach description of poultry/fowl)

Fence Application attached

UNGULATES **Section 1104.07 B (8)** **Fee: \$25.00**

Ungulates are hooved mammals including horses, cows, goats, pigs and sheep.

Completed Zoning Permit Application (Title page & page 2) Signed Statement of Understanding (page 3)

Type of ungulate: _____

| | | |
|-------------------------------------|-------------------|--|
| Number of ungulates proposed: _____ | Parcel Size _____ | <input type="checkbox"/> 5 ft setback to lot line for fence <input type="checkbox"/> 25 ft setback to adjacent dwelling for fence |
|-------------------------------------|-------------------|--|

Accessory Structure Application attached Non-conforming use Registration (attach description of ungulates)

Fence Application attached

HOME OCCUPATION

BASIC ZONING RULES APPLICABLE TO HOME OCCUPATIONS

All home occupations shall meet the following standards:

- i. Use shall be conducted entirely within the dwelling unit and not in any accessory building;
- ii. Encompass no more than 25 percent of the gross floor area;
- iii. Shall be such that the average neighbor, under normal circumstances, would not be aware of its existence and therefore the external appearance of the dwelling shall not be altered to indicate a nonresidential use;
- iv. May not have more than one individual who is not an occupant of the residence;
- v. May not be outside storage related to the home occupation and only commodities considered accessory to services provided (i.e. shampoo in a beauty salon) may be sold on premises of the dwelling. No display shall be visible from the street;
- vi. Delivery of materials for the home occupation shall be limited to automobiles, light duty trucks, or vans;
- vii. Not more than two patron or business-related vehicles shall be present at any one time, and the proprietor shall provide adequate off-street parking for such vehicles. No additional off-street parking or loading facilities shall be provided beyond that traditionally used for residential uses. No additional driveways shall be established for the use of the home occupation;
- viii. A maximum of one commercial vehicle, capacity not exceeding ten thousand (10,000) pounds gross vehicle weight or twenty-five (25) feet in length, including but not limited to tractors, trailers, semi-trailers and trucks may be used or parked on the property in connection with the home occupation. The commercial vehicle shall not be parked in the street;
- ix. No advertising, signs, smoke, dust, noise, fumes, glare, vibration, electrical disturbance or outside storage of materials or equipment shall be detectable at any lot line;
- x. Shall not display advertising signs or other visual or audio devices which call attention to the business use.
- xi. Hours of operation that entails client visits or incoming deliveries is restricted to no earlier than 7:00 a.m. and no later than 10:00 p.m. This limitation shall not apply to allowed childcare home occupations.
- xii. Signs limited to one non-illuminated nameplate three square feet in area mounted flat to the front face of the dwelling.

EXAMPLES OF PERMITTED HOME OCCUPATIONS INCLUDE:

- i. Office of an accountant, architect, attorney, engineer, realtor, minister, rabbi, clergyman, or similar profession
- ii. Office of a salesman or manufacturer's representative; provided that no retail or wholesale transactions or provision of services may be personally and physically made on premises, except as otherwise expressly permitted by this chapter
- iii. Office of a salesman or manufacturer's representative; provided that no retail or wholesale transactions or provision of services may be personally and physically made on premises
- iv. Author, artist, sculptor
- v. Dressmaker, seamstress, tailor, milliner
- vi. Music/dance teacher, tutoring or similar instruction, provided that no more than three pupils may be present at any one time
- vii. Swimming lessons or water safety instruction, provided that no more than six pupils may be present at any one time.
- viii. Home craft, such as weaving, model making, etc.
- ix. Repair shop for small electrical appliances, cameras, watches, or other small items, provided that items can be carried by one person with no special equipment, and provided that no internal combustion engine repair is allowed.
- x. Food preparation such as cake decorating, catering, etc., provided that no on-premises consumption by customers is allowed, and provided that the business is in full compliance with all health regulations
- xi. Day care: registered family home in compliance with state law, with a maximum of six children at any one time
- xii. Barbershop, beauty salon, or manicure studio; provided that no more than two customers are served at any one time.

STATEMENT OF UNDERSTANDING | ACKNOWLEDGMENT & AGREEMENT:

The above does not serve as a substitute for Section 1104.08 I Accessory Uses Home Occupations of the Zoning Code and is intended solely as a guide.

I have read and understand the standards and regulations applying to home occupations as identified in Section 1104.08 I.

APPLICANT/OWNER SIGNATURE: _____

DATE: _____

APICULTURE

BASIC ZONING RULES APPLICABLE TO APICULTURE

- i. All beehives (colonies) must be kept with movable combs in good condition.
- ii. Maximum Permitted Quantity of Hives

| LOTS | MAX HIVES |
|---|---------------|
| Attached-Single Family, and Multi-Family | Not permitted |
| 1/2 acre or less | 2 hives |
| Larger than 1/2 acre to 3/4 acre | 4 hives |
| Larger than 3/4 acre to 1 acre | 6 hives |
| 1 acre but less than 5 acres | 8 hives |
| 5 acres and more | unrestricted |

- iii. No hive shall be kept closer than fifteen (15) feet to any lot line or public right of way. The entrance of any hive shall face whichever lot line or public right of way is furthest from the beehive location or the residence. Bees shall only be kept in the rear yard.
- iv. Building and structures accessory to this use, if less than 50 square feet, are not regulated, except that all these structures need to be located in the rear yard.
- v. A solid fence or dense hedge, known as a “flyway barrier,” at least six (6) feet in height shall be placed along the side of the bee hive that contains the entrance to the colony, and shall be located within five (5) feet of the hive and shall extend at least two (2) feet on either side of the hive. No such flyway barrier shall be required if all beehives are located at least twenty-five (25) feet from all property lines, for beehives that are located at least ten (10) feet above grade or for beehives with the sole opening pointed towards the residence of beekeeper.
- vi. A supply of fresh water shall be maintained in a location readily accessible to all bee colonies on the site throughout the day. This water source must be closer than any other water source not owned by the property owner.
- vii. No Africanized bees may be kept.
- viii. Must be in compliance with all State of Ohio rules and regulations for the keeping of bees. Property owners keeping bees must post a copy their certificate of registration from the Ohio Department of Agriculture on or near the hives.

STATEMENT OF UNDERSTANDING | ACKNOWLEDGMENT & AGREEMENT:

The above does not serve as a substitute for Section 1104.07 B (5) Urban Agriculture Use, Apiculture of the Zoning Code and is intended solely as a guide.

I have read and understand the standards and regulations applying to apiculture as identified in Section 1104.07 B (5).

APPLICANT/OWNER SIGNATURE: _____

DATE: _____

POULTRY AND FOWL

BASIC ZONING RULES APPLICABLE TO POULTRY AND FOWL

- i. Poultry and fowl, with the exception of roosters may be kept on a lot or parcel of land in a residential district for the sole purpose of producing eggs. Slaughtering on site is prohibited.
- ii. Roosters are prohibited.
- iii. There are limitations to the number of poultry/fowl permitted by lot size.

| LOT SIZE | MAX POULTRY/FOWL |
|--------------------|---------------------------|
| Less than 1/4 acre | No poultry/fowl permitted |
| Min. 1/4—1 acre | Max 8 birds |
| More than 1 acre | Max 12 birds |

- iv. Poultry and fowl shall be confined within a secure outdoor enclosed area that is covered, ventilated and predator-resistant. Poultry and fowl are not permitted to roam outside the enclosed area.

| Enclosed Area: <i>Any structure over 50 sf requires a Zoning Certificate</i> | |
|---|---|
| Floor area* | Min 2 sf/bird |
| Location | Rear Yard |
| Setback | 25 ft from any dwelling on adjacent lot 5 ft from any side and rear lot line |
| * if poultry/fowl not allowed to roam within enclosed area outside of the coop, coop floor area shall be min. 6 sf/bird | |

- v. If the keeping of any poultry and/or fowl existed prior to November 1, 2021 and continues to be kept, maintained or boarded within the City property or whose conditions do not comply with the minimum requirements of this section may be deemed a non-conforming use and must be registered with the City of Tallmadge Planning & Zoning Department.

STATEMENT OF UNDERSTANDING | ACKNOWLEDGMENT & AGREEMENT:

The above does not serve as a substitute for Section 1104.07 B (7) Urban Agriculture Use, Poultry and Fowl of the Zoning Code and is intended solely as a guide.

I have read and understand the standards and regulations applying to poultry/fowl as identified in Section 1104.07 B (7).

APPLICANT/OWNER SIGNATURE: _____

DATE: _____

UNGULATES

BASIC ZONING RULES APPLICABLE TO POULTRY AND FOWL

- i. Ungulates whose anticipated adult weight is equal or greater 200 lbs are limited to a principally permitted agricultural use and are prohibited in any district where agricultural use is not principally permitted.
- ii. Ungulates whose anticipated adult weigh is less than 200 lbs may be kept on a lot or parcel of land in a residential district but are limited by lot size.

| LOT SIZE | MAX UNGULATES |
|-------------|-----------------|
| Min 1 acre | Max 2 ungulates |
| Min 5 acres | Max 5 ungulates |

- iii. Ungulates shall be confined within a secure outdoor enclosed area and are not permitted to roam outside of this area.

| Enclosed Area: <i>Any structure over 50 sf requires a Zoning Certificate</i> | |
|---|---|
| Location | Rear Yard |
| Setback for fenced enclosure | 50 ft from any dwelling on adjacent lot 5 ft from any side and rear lot line |

- vi. If the keeping of any ungulate existed prior to November 1, 2021 and continues to be kept, maintained or boarded within the City property or whose conditions do not comply with the minimum requirements of this section may be deemed a non-conforming use and must be registered with the City of Tallmadge Planning & Zoning Department.

STATEMENT OF UNDERSTANDING | ACKNOWLEDGMENT & AGREEMENT:

The above does not serve as a substitute for Section 1104.07 B (8) Urban Agriculture Use, Ungulates of the Zoning Code and is intended solely as a guide.

I have read and understand the standards and regulations applying to ungulates as identified in Section 1104.07 B (8).

APPLICANT/OWNER SIGNATURE: _____

DATE: _____