

Bath Township Ghent Interchange Mixed-Use Overlay (GI-O designation)

Sec. 604 GI-O Ghent Interchange Mixed Use Overlay

Sec. 604-A Purpose

The purpose of the Ghent Interchange Mixed Use Overlay (GI-O) is to ensure the highest and best use of the area while protecting area residents from denser residential and sprawling commercial development. The overlay will provide flexibility in the future development of this area while granting the township additional design regulations to ensure that future development meets the goals and objectives of the Comprehensive Plan.

Sec. 604-B Overlay Limits and Election of Regulations

The limits of the Ghent Interchange Mixed Use Overlay are illustrated in Figure 604-A below.

Ghent Interchange Mixed-Use Overlay

Bath Township


-  Ghent Interchange Mixed-Use Overlay Limits
-  Subarea 1 - Mixed Use Area Limits
-  Subarea 2 - Residential Area Limits
-  Parcel Line



Figure 604-A – Ghent Interchange Mixed Use Overlay Limits

A developer must elect to follow either the existing base zoning regulations or the GI-O District regulations for any development within the GI-O District. A developer shall not use portions of both the existing base zoning and the GI-O District regulations for developments within the GI-O District.

Sec. 604-C Subarea Limits and Allowable Uses

The limits of each subarea are illustrated within Figure 604-A: Ghent Interchange Mixed Use Overlay Map.

The GI-O District will be subdivided into two subareas:

Subarea 1 – Mixed Use Area: This subarea will allow for a mix of commercial retail, office, and/or residential uses adjacent to the I-77/Ghent Road Interchange. The limits of this subarea will begin at the intersection of the northern I-77 and eastern Ghent Road right-of-way lines and run radially 500 feet north and east as illustrated in Figure 604-A.

Subarea 2 – Residential Area: This subarea will allow residential uses only with a minimum density of 2 units per acre to a maximum of 6 units per acre. Residential uses could include detached single family homes. The limits of this subarea begin at the northern edge of Subarea 1 and continue northward to the northern edge of the GI-O District as illustrated in Figure 604-A.

Table 604-1 below details allowable uses within each subarea.

Table 604-1: Permitted Use Table			
PERMITTED USES P = Permitted Use PS = Permitted with Additional Use-Specific Standards C = Conditional Use Blank Cell = Prohibited	Ghent Interchange Mixed Use Overlay (GI-O)		Use Specific Standards
	Subarea 1	Subarea 2	
Agricultural Uses			
Agricultural uses on lots of five acres or more	Exempt pursuant to Sec. 302-A: Agricultural Use Exemption.		
Agricultural uses on lots between one and five acres	PS	PS	Sec. 503-A
Residential Uses			
Adult family homes or small residential facilities			
Adult group homes or large residential facilities			
Attached dwellings	PS		Sec. 503-C & Sec. 604-C(A)
Conventional residential subdivisions			
Open space residential subdivisions			
Permanently sited manufactured housing			

Single-family dwellings		P	
Skilled Nursing or Personal Care Facility			
Public and Institutional Uses			
Cemeteries			
Churches and places of worship			
Cultural institutions			
Educational institutions (public or private)			
Government offices and buildings			
Institutions for human medical care			
Institutions for higher education			
Parks, playgrounds, and golf courses (except miniature)			
Passive parks and open space			
Quasi-public, fraternal or service facilities			
Urgent care clinics			
Commercial and Office Uses			
Automotive service (minor) uses			
Banks and financial institutions	P		
Bed and breakfast establishments			
Commercial entertainment or recreation uses (indoors)			
Day care centers (adult or child)			
Funeral homes			
Gasoline stations (fueling only)	C		Sec. 503-S
General offices (administrative, professional, business)	P		
Hotels and motels			
Medical and dental offices	P		
Mixed use buildings	PS		Sec. 503-T
Outdoor retail sales of plant materials and garden or lawn supplies			
Personal service establishments	P		
Private recreational uses (outdoors)			
Research and development facilities			
Restaurants and taverns	PS		Sec. 503-X
Retail commercial uses	P		
Sales offices and showrooms			
Service commercial uses	P		
Sexually oriented businesses			
Theaters and assembly halls			

Veterinarian offices (no boarding)	P		
Other Uses			
Gas and oil wells			
Wireless telecommunication facilities			

(A) All individual attached residential units in Subarea 1 shall be fee-simple owned units for use by owner only. There shall be a maximum of four attached residential units in Subarea 1.

Sec. 604-D General Development Standards

All developments within the GI-O District shall adhere to the site development standards detailed within Table 604-2 below.

Table 604-2 Site Development Standards for GI-O Subareas							
Subarea	Lot Area (units per acres)	Minimum Lot Width At Building Setback Line (Feet)	Minimum Lot Width At Street Right Of-Way (Feet)	Maximum Impervious Surface Coverage	Front Yard (Feet)	Side And Rear Yard (Feet)	Max. Building Height (Feet) [1]
Subarea 1				75%	25	25	35
Subarea 2	2 units per acre – 6 units per acre	60	50		30	25 (Rear), 10 (side) [2]	35

[1] The maximum building height is given in feet but in no case shall a residential building exceed 2.5 stories in height. Building heights are maximum heights except as provided in Sec. 504-A(5): Height Measurement and Exceptions.

[2] All properties that directly abut the northern boundary of the GI-O District shall have a minimum 50 foot rear or side setback depending on the side of the property that abuts the northern boundary.

(1) Minimum Floor Area Requirements

The following minimum floor area requirements shall apply to all residential uses in the GI-O District:

- (A) There shall be a minimum of 2,000 square feet of floor area for any dwelling unit without a basement.
- (B) For dwelling units that have a basement, the minimum floor area shall be 1,800 square feet.
- (C) For dwelling units that have multiple levels (excluding the basement), at least one level must have a minimum floor area of 1,000 square feet.
- (D) For Subarea 1 only attached dwelling units, the minimum floor area for each dwelling unit shall be 1,500 square feet.

(2) Open Space

Open space within residential subdivisions provide for and encourage flexible and creative development techniques aimed toward providing a healthy, safe, and natural environment. The development of open space is encouraged within the Bath Township Comprehensive Plan to conserve and protect the natural environment and rural character.

- (A) Minimum Required Open Space - All residential subdivisions within Subarea 2 shall include 35 percent of the total site acreage as required open space.
- (B) All required open space shall meet the standards of Article 11: Open Space Standards.
- (C) Any land area under existing public right-of-way (Interstate 77) shall not be included within the required minimum open space calculation.

(3) Home Owners Association (HOA)

- (A) Before the construction of the first phase of any individual residential subdivision within Subarea 2, a homeowners association (HOA) shall be formed to maintain common area spaces, roadways, sidewalks, and all stormwater infrastructure within the development that has not been conveyed or dedicated to Bath Township.
- (B) The HOA may provide a common space for residents of the development to gather. The common space may include a community building, outdoor park, or community pool.

(4) Ownership

- (A) All individual lots in the residential subdivisions shall be fee-simple owned lots for use by owner only.

(5) Development Size

- (A) A proposed development in the GI-O District shall be not less than 12 acres of contiguous land. In satisfying this requirement, the development area may be bisected by a public dedicated or private street as long as all parcels within the development area are controlled or owned by a person or a group of owners acting jointly in accordance with the requirements of this chapter.

(6) Private Street Construction and Utility Construction

- (A) Any roadway built within the GI-O District shall be privately owned and maintained. All private roadways shall be constructed to meet the pavement requirements for public streets as established by Summit County Subdivision Regulations. The BZA, Bath Township Fire Department, or Bath Township Police Department may apply

additional standards or establish specific conditions to the street construction for the purposes of safety and access.

(B) All utilities shall be underground within the GI-O District.

(7) Parking Requirements

Off Street parking requirements within the GI-O District shall conform to the requirements specified within Article 12 of the Bath Township Zoning Code and the following additional requirements.

(A) All off-street parking should be oriented to the side and rear of the property within Subarea 1 to the maximum extent feasible. Parking can be oriented in the front of the building as long as the parking stalls are adjacent to the building. Parking stalls not adjacent to the front of the building are prohibited. All off street parking within Subarea 1 is subject to the design standards detailed in Section 604-E.

(B) Shared parking is encouraged and permitted within Subarea 1 if the multiple uses that the shared parking will benefit can cooperatively establish and operate the facilities.

i) Shared or off-site parking shall not account for more than 60 percent of the required parking spaces in Subarea 1 as established in Sec. 1204-B: Maximum Number of Spaces.

(8) Buffering

Buffering in the GI-O District shall meet all of the standards described in Section 1006. All buffering shall be owned and maintained by the HOA.

(A) In addition, buffering along the northern edge of the GI-O District shall meet the following minimum standards.

i) Minimum buffer width shall be 50 feet. No variances will be granted to reduce the width of this buffer.

(B) Streetscape buffering in Subarea 2 along Ghent Road shall meet the following requirements.

i) The streetscape-buffer shall be provided along the full width of the lot and shall be unoccupied, except for landscape treatments such as trees, plantings, earth mounds, terraces, shrubs, permitted signs, and driveways (generally perpendicular to the right-of-way line).

ii) Minimum buffer width shall be 15 feet wide along Ghent Road, measured from the right-of-way to the property.

iii) The required streetscape buffer shall consist of maintained living vegetative material such as evergreen trees, shrubs, or earth mounding that results in 100 percent opacity, all year, to a height of six feet or more within one year of planting.

(9) Exterior Lighting

Exterior lighting standards shall comply with the following:

Shielding

- (A) All exterior lighting must be shielded and located in such a manner as to not light trespass onto the public road, streets, or adjacent/nearby properties.
- (B) All outdoor light fixtures shall be shielded to comply with the light trespass requirements except as follows:
 - i) Holiday lighting from September 15 to January 31
 - ii) Lighting that illuminates a United States or Ohio flag and the flagpole to which the flag is affixed, provided these luminaires shall be shielded as necessary so that the light source is not visible from the property line.

Light Trespass

- (A) All commercial lights, fixtures, luminaires, or other light emitting devices shall be located, aimed, and shielded to eliminate light trespass across property boundaries. In every instance, installations shall utilize additional opaque shielding as needed, to eliminate light trespass onto adjacent residential or commercial properties, except for fixtures exempted from this chapter or from shielding requirements.
- (B) Exterior lighting shall be designed and located to have the following maximum illumination levels. The levels shall be measured at the finished grade at the lot line as demonstrated by a lighting plan:
 - i) The maximum illumination at a lot line that abuts residential parcels in Subarea 2 shall be 0.3 foot-candles.
 - ii) The maximum illumination at a lot line that abuts a mixed use parcel in Subarea 1 shall be 1.0 foot-candles.

Location of Outdoor Lighting

- (A) Security Lighting consists of lighting designed to detect motion, heat, light, or sound, or to work as a part of an alarm system; and to illuminate areas that have a higher security risk. Security lighting shall not exceed an average illumination of between two and 2.5 foot-candles.
- (B) Except as required for security lighting purposes, the following limitations are imposed on the location of outdoor lighting:
 - i) Lighting around the perimeter of a site is prohibited, except where it is controlled by motion sensor which extinguishes the light no later than ten (10) minutes after activation.
 - ii) For residential sites, outdoor lighting shall only be used in the backyard within fifty (50) feet of residentially habitable buildings or along driveways and walkways.

- (C) The maximum height of a cut-off light fixture in Subarea 1 shall be 14 feet as measured from the finished grade around the light fixture. Cut-off light fixtures shall be similar in style to Figure 604-B.



Figure 604-B – Cut-off light fixture example

- (D) Street lights are prohibited in Subarea 2.

Light Curfew

- (A) Residential Uses: All decorative lighting subject to this chapter shall be extinguished no later than midnight, except lighting at building entrances, walkways, parking areas, and driveways, and lighting activated by motion sensor which extinguishes ten (10) minutes after activation.
- (B) Commercial Uses: All lighting, including all illuminated advertising signage, shall be extinguished no later than 10:00 p.m. or close of business, whichever is later, except lighting at the building entrances and driveway egress points, and lighting activated by motion sensor which extinguishes ten (10) minutes after activation. For 24-hour businesses lighting may be reduced by 50% from 10:00 p.m. until sunrise.
- i) Lighting levels may be reduced either by turning off 50% of the fixtures or by reducing the lighting level by 50% of all fixtures, or an appropriate combination of techniques.
- (C) Parking lots: All parking lot illumination in Subarea 1 shall be reduced by 50% of full lighting levels at 10:00 p.m. or within one hour after the use for which the parking is used closes, whichever is later. 24-hour businesses may reduce lighting by 50% between 10:00 p.m. and sunrise. All parking lot illumination is subject to the following:
- i) Lighting levels may be reduced either by turning off 50% of the fixtures or by reducing the lighting level by 50% of all fixtures, or an appropriate combination of techniques.

(10) Trash Storage Containers

- (A) Trash storage containers shall be enclosed with a six-foot high wall on three sides with a closable door. The enclosure shall be similar to the main structure as to materials and color. Trash enclosures shall be screened with landscaping, located not less than six feet from any frame building and provided a concrete pad and apron adequate to support collection vehicles.
- (B) Trash collection shall be limited to the hours between 7:00 a.m. and 10:00 p.m.

(11) Noise

- (A) Noise regulations within the GI-O District shall adhere to Summit County Codified Ordinance 509.08 NOISE NUISANCE.
- (B) In Subarea 1, all HVAC units shall face Interstate 77 to limit noise nuisance to nearby residential developments.

Sec. 604-E Architectural Standards for Mixed Use and Commercial Buildings

The following Architectural Standards shall apply to all non residential buildings, additions and expansions thereof within the GI-O District.

(1) General Requirements for all Nonresidential Buildings

- (A) Buildings shall be parallel to the street they front unless an alternate orientation is consistent with existing adjacent development.
- (B) The primary entrances of buildings shall be oriented:
 - i) Towards a street along the perimeter of the development; or
 - ii) Towards streets in the interior of the development if none of the building's facades has frontage on a public street.

(2) Building Facades

- (A) Blank building walls facing streets are prohibited.
- (B) Although the front façade of a building is expected to be the focal point in terms of the level of architectural character and features, all sides of buildings that are



visible from a public roadway, an adjacent building, or other private way shall incorporate architectural detailing on all facades that is consistent with the front façade.

(3) Building Design and Mass

(A) All elevations of principal buildings shall consist of a base, a body, and a cap.



- i) The cap shall consist of at least one of the following architectural features: a cornice, parapet, awning, canopy, or eaves.
- ii) The base and cap shall be clearly distinguishable from the body through changes in color, material, pattern, profile, or texture. A cap and base shall incorporate at least two of these design elements.

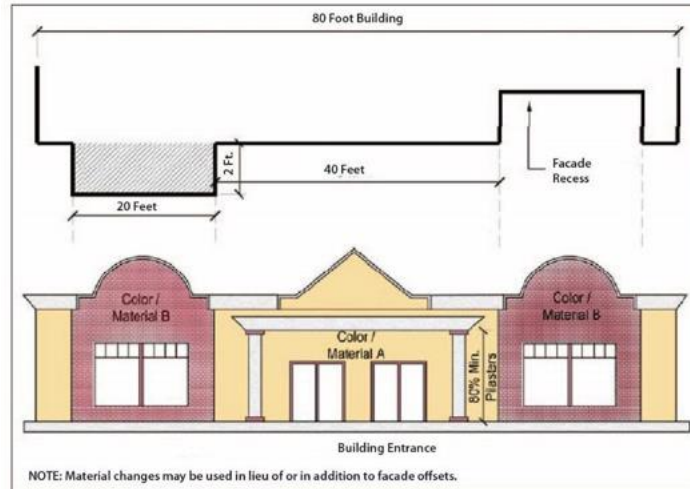
(B) Elevations for all new or modified buildings shall include design, massing, materials, shape, and scale that create a unified design on the premises that is visually compatible with the surrounding buildings.

(4) Ornamentation

(A) All visible elevations shall include decorative features such as cornices, pilasters, and friezes. Building recesses and protrusions are strongly encouraged on larger buildings to break long uninterrupted building walls.



- (B) Front façades 60 feet wide or wider shall incorporate wall offsets of at least two feet in depth (projections or recesses) a minimum of every 40 feet. Each required offset shall have a minimum width of 20 feet.



- (C) Offset Alternatives The following alternatives can be used in place of the required front façade offsets as shown above:

- i) Façade color changes following the same dimensional standards as the offset requirements;
- ii) Pilasters having a minimum depth of one foot, a minimum width of one foot, and a minimum height of 80 percent of the façade's height; and/or
- iii) Roofline changes when coupled with correspondingly aligned façade material changes.

(5) Roofs

(A) Roof Styles

- i) The height of any pitched roof shall not exceed one-half of the overall building height.

(B) Roof Line Changes

- i) Roofline changes shall include changes in roof planes or changes in the top of a parapet wall, such as extending the top of pilasters above the top of the parapet wall.
- ii) When roofline changes are included on a façade that incorporates wall offsets or material or color changes, roof line changes shall be vertically aligned with the corresponding wall offset or material or color changes.



(C) Flat Roofs

- i) When flat roofs are used, parapet walls with three-dimensional cornice treatments shall conceal them.
- ii) The cornice shall include a perpendicular projection a minimum of eight inches from the parapet façade plane.
- iii) Thin parapets that are less than four feet in depth shall not extend more than two feet above the roof unless necessary to conceal mechanical equipment.

(D) Asymmetric or Dynamic Roofs

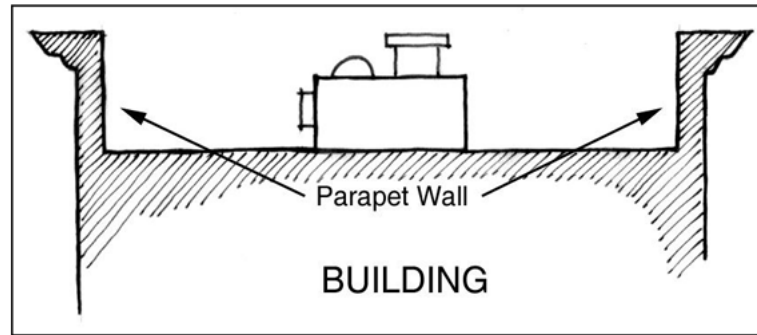
- i) Asymmetric or dynamic roof forms allude to motion, provide variety and flexibility in nonresidential building design, and allow for unique buildings. Asymmetric or dynamic roof forms shall be permitted on nonresidential buildings as an alternative to flat roofs. See figure below, for an example of a building with a dynamic roof form.



(E) Roof Mounted Mechanical Equipment

- i) Building walls, parapets, and/or roof systems shall be designed to conceal all roof-mounted mechanical equipment from view from adjacent properties and public rights-of-way. Such equipment shall also be screened from view

from any properties that may see the building from above (e.g., if adjacent properties are along higher elevations).



(6) Customer Entrances

(A) For all non-residential buildings customer entrances shall be provided in accordance with this subsection.

(B) Required Entrances

- i) Each side of a building facing a public street shall include at least one customer entrance, except that no building shall be required to provide entrances on more than two sides of the structure that face public streets.

(C) Entrance Design

1. Buildings shall have clearly defined, highly visible customer entrances that include no less than three of the following design features.
 - ii) Canopies/porticos above the entrance;
 - iii) Roof overhangs above the entrance;
 - iv) Entry recesses/projections;
 - v) Arcades that are physically integrated with the entrance;
 - vi) Raised corniced parapets above the entrance;
 - vii) Gabled roof forms or arches above the entrance;
 - viii) Outdoor plaza adjacent to the entrance having seating and a minimum depth of 20 feet;
 - ix) Display windows that are directly adjacent to the entrance;
 - x) Architectural details, such as tile work and moldings, that are integrated into the building structure and design and are above and/or directly adjacent to the entrance; or
 - xi) Integral planters or wing walls that incorporate landscaped areas or seating areas side of a building facing a public street shall include at least one customer entrance.

(7) Exterior Building Materials and Colors

(A) Exterior Building Materials

- i) Buildings and other structures shall use the following exterior materials for a minimum of sixty percent (60%) of each building facade: Brick, stone,

cultured stone, natural or simulated wood, and shake. The remaining forty percent (40%) of each building facade may utilize the following materials: traditionally applied stucco, metal and cement siding products.

1. For the purpose of determining the sixty percent (60%) exterior material requirements, all glass located on any building wall facade shall be removed from the calculation to determine the sixty percent (60%) required primary materials. For example, if a building wall face features glass equal to 1,000 square feet out of a total wall face area of 10,000 square feet, sixty percent (60%) of the remaining 9,000 square feet of wall area shall utilize those permitted primary exterior materials.
2. Applicant must show the specific percentages of each exterior material proposed on the submitted plans.
 - ii) Natural wood clapboard, wood shingles, and wood board and batten may be used as a building trim detail.
 - iii) The following exterior building materials are prohibited: vinyl or aluminum siding, plywood, and corrugated metal panels.
 - iv) Brick used in building additions must be similar in color, size and texture of brick and mortar joint detail to the surrounding structures. Brick on any existing or proposed building shall not be painted unless the building has been previously painted prior to the effective date of this design standard.
 - v) Slate, copper, wood or standing seam metal roofs are preferred; however, asphalt or fiberglass shingles may be used as well. Flat or shallow pitched roofs are permitted only when ornamented with shaped parapets or cornice treatments.
 - vi) Exterior building materials having natural durable, low maintenance surfaces such as natural and cultured stone, brick, tile, pre-cast concrete, curtainwall, glass and metal should be used. Materials with non-integral finishes are discouraged.

(B) Exterior Building Colors

- i) Exterior building colors should be used as a unifying theme compatible with the architectural style, natural site setting and surrounding buildings.
- ii) Exterior brick products used in new building construction shall be in the red and brown color ranges.
- iii) All exterior building colors proposed outside of the color ranges specified above shall be reviewed and approved by the Appearance Review Commission.

Sec. 604-F Architectural Standards for Residential Buildings

The following Architectural Standards shall apply to all residential buildings, additions and expansions thereof within the GI-O District.

(1) Details

- (A) The use of architecture detailing is strongly encouraged to provide scale and interest to the building. Examples of detailing include stone foundations, masonry window trim and surrounds, frieze boards, decorative cornices, quoins, shutters, columns, balusters, and other similar items.

(2) Building Materials

- (A) Traditional or natural materials shall include, brick, stone or engineered stone, wood or engineered wood, or metal. The balance of the buildings front and side elevations (end units) shall include materials consistent with those with a minimum of 40% traditional or natural materials. Stucco and EIFS shall be used in moderation.
- i) Brick shall be in a traditional masonry pattern, in standard sizes. Brick may have the appearance of painted or “washed” if in context with the architectural theme being portrayed.
 - ii) Stone shall be of natural or simulated materials with a smooth or natural finish. Spilt face stone is acceptable in limited situations. Stone should be laid in a random ashlar pattern.
 - iii) Siding should be of traditional profiles such as 4”-8” horizontal and/or vertical beveled. Siding shall be wood or simulated;
 - 1. Vinyl should be a minimum 46mm thickness.
 - iv) Glass openings shall be a minimum of 15% of the entire wall.
 - 1. The exception is in the case for side wall facing adjacent patios.
 - v) There shall be no empty, blank, un-articulated building walls, including the side elevations.
 - vi) No concrete block or concrete poured basement walls shall be exposed above grade. Simulated aggregate base walls are acceptable.

(3) Roof

- (A) Materials:
- i) Natural or simulated slate or tile, wood shakes, dimensional shingles, standing seam metal, and copper are acceptable materials.
 - ii) Nature colors are acceptable.
 - iii) Any roof materials or colors not described above shall require the review and approval of the Appearance Review Commission.
- (B) Sloped roofs are required on all homes.
- (C) Pitched roofs shall have a minimum 8” roof overhang, and be appropriate for the style of the house.
- (D) Sloping roofs shall have a minimum pitch of 5/12.
- (E) The use of eaves, rakes, cornice lines, etc. are strongly encouraged to add visual interest.
- (F) Solar panels must be located in the side or rear of the home, and not visible from any street.

(4) Openings

- (A) All windows and doors are required to have a 4 inch minimum trim.
- (B) Wood, aluminum clad, and vinyl are acceptable.
- (C) Glass should be clear. Windows only on garage doors or into bathrooms may be clear, frosted, tinted, or stained glass.
- (D) Skylights are permitted only when appropriately screened from street views.
- (E) Cupolas, dormers, lanterns, belvederes or window bays are permitted, provided they are consistent with the architecture style.
- (F) Shutters shall be used judiciously.
 - i) Exterior shutters shall be painted or prefinished and may be a solid paneled or louvered.
- (G) Front doors shall be of a style appropriate of the architectural style of the house.

(5) Garages

- (A) Garages may be front or side facing. Side facing garages are preferred.
 - i) For single-family houses that are not attached to any other building, front loading garages should have a minimum 2 foot setback behind the main body of the house. In the event of a three-car front loaded garage, the third bay of the garage must be additional 2 feet setback behind the main body of the garage.
 - ii) Side loaded garages may extend up to 11 feet beyond the main body of the house.
- (B) Garage doors may be natural or synthetic materials with natural appearance.
- (C) Front facing garages shall have architectural detailing aimed at reducing their visual mass and scale.
- (D) All garages shall be electric vehicle ready, with conduit constructed to accommodate future electric vehicle charging if desired.

(6) Fencing

- (A) Intent: While fencing are often necessary to buffer between properties, they can create a visually-monotonous presence. These standards provide that fencing is visually-appealing, complement the design of the building, and provide visual interest.
 - i) Fencing shall only be allowed in the backyard of residential properties
 - ii) The maximum heights of a fence shall be 6 feet.
 - iii) Fences shall be decorative in nature and be constructed of either solid wood, stacked spilt rail, post and rail style, vinyl, metal or a composite materials. Chain linked fences are prohibited.
 - iv) Foundations for fences are prohibited.
 - v) Fences shall be decorative in nature on both sides of the fence.
 - vi) No two fences shall abut each other along a property line (meaning that if a fence exists along a property line a second fence cannot be erected along the same property line on the adjacent parcel).

(7) Residential driveways

(A) In Subarea 2 driveway pavement widths shall not be more than 2 feet wider than the garage door opening.

(8) Dwelling Unit Styles

(A) Residential dwelling units in the GI-O District shall have a variety of front elevation styles so that dwelling units adjacent or across the street from each other within a development are not stylistically similar.

(9) Accessory Structures

(A) The following accessory structures are prohibited for residential dwellings within the GI-O District.

- i) Freestanding or pole mounted solar panels;
- ii) Sheds;
- iii) Inground or above ground pools; and
- iv) Wooden, composite, or vinyl decks.

(B) Patios made of stone, brick pavers, stamped concrete, or concrete are permitted with the following requirements.

- i) The patio shall be constructed in the backyard, behind the residential dwelling unit and not be visible from the street.
- ii) The patio shall not exceed 800 square feet in surface area.

(C) Detached open-air structures (e.g. pergolas) are permitted with the following requirements.

- i) The detached open-air structure shall be constructed in the backyard, behind the residential dwelling unit and not be visible from the street.
- ii) The structure shall be constructed within 15 feet of the residential dwelling unit.
- iii) The structure shall not have a dedicated HVAC system added to the structure and be temporarily or permanently enclosed in any way.