

**FORT MEIGS COMMERCE PARK - PLAT 3
DEVELOPMENT STANDARDS CHECKLIST
8-3-98**

Project Name: _____
Proposed Use: _____
Date Plan Submitted: _____
Date of Review: _____
Applicant: _____

	Tenants/User type
	Name of development
	Building material color sample(s)
	Building materials type/samples
	Are building materials acceptable?
	Plan based on boundary survey prepared by registered surveyor
	Legal description on site
	Plan scale 50' or less to the inch
	Northpoint
	Site acreage
	Property lines/dimensions illustrated
	Parking areas/spaces illustrated
	Adequate number parking spaces provided
	Parking aisles and spaces meet minimum dimensional requirements
	Drainage plan and calculations received and acceptable
	Building meets setback requirements

	Location and dimension of existing and proposed utilities on and adjacent the site illustrated
	Building size (sq.ft.)
	Extent of curbs/paving illustrated
	Landscape plan submitted
	Landscape plan acceptable
	Location and screening of overhead doors/loading areas/outdoor storage areas/proposed public access
	Building elevations
	Signage
	Existing or proposed easements illustrated (type, extent, nature noted)
	Access ways
	Trash collection system/dumpster locations
	Exterior lighting

REQUIREMENT OF NOTE:

1. Setbacks

- Front yard 60'
- Side yards 15'
- Rear yards 40'

Rear yard is determined to be the yard opposite the narrowest frontage.

2. A maximum of two entrances are permitted from Commerce Drive

3. Parking areas shall be located no closer than 25' from the adjacent right-of-way line.

4. All parking areas must comply with Chapter 1282 of the Perrysburg Planning & Zoning Code.

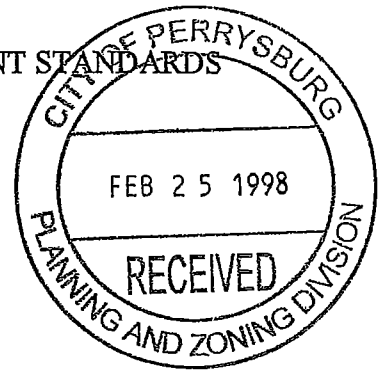
5. Written approval of plans must be provided by the ARC prior to the issuance of a zoning permit.

Date of approval (in writing) from ARC _____

DECLARATION OF RESTRICTIONS/SITE DEVELOPMENT STANDARDS

FOR

(name of business park)



KNOW ALL MEN BY THESE PRESENTS, that Whereas Vista Development Inc., an Ohio Corporation, sometimes referred to hereinafter as "Developer" is the owner in fee simple of the real property described as "a parcel of land being part of Outlots 238 & 239 and also being part of Lot 1 in K & I Industrial Park, all being located in the City of Perrysburg, Wood County, Ohio", and

WHEREAS, the Developer desires to establish for their own benefit and for the benefit of all future owners or occupants of all or any part of (name of business park) restrictions as to the manner of use, improvements of and enjoyment of the above described real property in (name of business park) and to further establish certain easements and rights, in, over and to real property comprising of (name of business park).

WHEREAS, the Developer desires to amend the Declaration of Restrictions, which shall also constitute the site development standards for purposes of Section 1260.01(f), Section 1262.08 and Chapter 1276 of the Perrysburg Municipal Code relating to planned business park, the development standards for development adopted pursuant to the City of Perrysburg Ordinance 158-92, 159-92 and 180.92.

NOW, THEREFORE, in consideration of the premises and in consideration of the enhancement and the value thereof, and to afford the Developer and owners of the real property ample protection for occupancy thereof and for the purposes of which the same are designated, and to provide a general plan for the development of said property designed to make the same more attractive for the intended purposes, the Developer and owner hereby declare and stipulate that each lot in (name of business park) shall hereafter be conveyed by them, subject to the restrictions hereinafter set forth.

Set forth below are the standards for development for (name of business park), which has been zoned Planned Business Park (PBP) district. These standards and those established in Chapter 1276 of the planning and zoning code shall apply to all development within this business park.

1. APPROVAL PLANS

A. Architectural Review Committee (ARC):

There is hereby established, an Architectural Review Committee which shall have the responsibility of reviewing all development plans against the development standards contained herein and is granted full authority to approve said plans in writing should they be found to comply with all the requirements of the development standards. The ARC shall consist of three (3) members composed of the City of Perrysburg Planning and Zoning Administrator, an Architect to be appointed by the City of Perrysburg, and one (1) officer of Vista Development Inc., being Bruce M. Kearns, or his successor or assigns. All requirements stated in Section 1276.04 of the Perrysburg Planning and Zoning Code shall apply. The costs and expenses of the Architect shall be paid for by the Developer and owner or property owners association upon formation.

B. Submission of Development Plans:

No building, structure, wall, fence, hedge, landscape feature, sign, parking lot or other structure or improvement of any kind shall be installed, erected, placed, assembled, altered or maintained on any lot until and unless the proposed use and the plans and specifications for the same, showing the nature, shape, size, color, architectural design, materials, location and landscaping, paving plans, curbing and storm drainage have been submitted in writing to the ARC and the ARC has approved in writing such plans and specifications as conforming to the development standards and all applicable zoning requirements, including Chapter 1276 of the Planning and Zoning Code as are applicable to PBP or Planned Business Park zoning.

Site development plans shall include, without limitations, site plans showing proposed land contouring or grades, where requested for the purposes of development, adequate information as to the amount of impervious surface and the impact upon surface drainage, building locations, parking areas with parking stalls indicated, landscaping, loading areas, access ways, other paved areas, including planting areas, elevations of structure and improvements if any, utilities and signage. Development plans shall also describe in detail the types of construction, colors and materials to be used on site.

Likewise, alterations and/or additions to any building or other structures or improvements on the lots must have previous approval of the development plans in writing by the ARC

as complying with the development standards and the requirements of the PBP Zoning District, and shall thereafter be built and constructed in accordance with said approved plans.

Development plans shall be submitted in writing over the signatures of the owner of the building site or the owner's agent. The plans shall be based on a boundary and topographical survey prepared by a registered surveyor and shall conform to and contain all of the items listed in the following requirements:

- (a) Proposed name of the development;
- (b) Legal description of the site;
- (c) Scale of 50 feet or less to the inch;
- (d) Northpoint;
- (e) Site acreage;
- (f) Property line definition and dimensions of the perimeter of the site;
- (g) Grades and elevations of property and the improvements to be placed thereon and impact of development on adjacent land areas of the site to be developed;
- (h) Existing and proposed surface drainage ways and surface sheet flow patterns;
- (i) Existing easements on the site with notations as to their type, extent and nature;
- (j) The location and dimensions of existing and proposed utilities on and adjacent to the site, including the nearest sanitary sewer, with manhole invert elevations;
- (k) General layout of the site indicating and illustrating property liens, minimum lot areas, minimum building set backs and yards, location and extent of major off-street parking areas, etc.;
- (l) All proposed structures shall be located, showing square footage, tenant or user types, if known, expected entrance ways and service or loading areas;
- (m) Proposed landscape treatment designed by a registered landscape architect;
- (n) Common open areas;

- (o) Proposed utility patterns and provisions, including sanitary sewers, waste disposal systems, storm sewers, trash collection systems, location of exterior lighting, and water supply including relevant easements;
- (p) Provisions for accommodating surface drainage run off;
- (q) Proposed architectural design criteria;
- (r) Signage design;
- (s) Limits of curbing; and
- (t) Exterior lighting with photo metrics.

C. Basis for Plan Approval:

Approval shall be based, among other things, on the adequacy of building site dimensions, integration and impact of the exterior design on existing neighboring structures, effect of location and use of improvements on neighboring buildings, operations and uses; relation of topography grade and finished ground elevation of the building site being improved to that of the neighboring buildings located and constructed on adjacent property, proper facing of main elevation with respect to nearby streets; and conformity of the plans and specifications to the purpose and general plan and intent of these development standards as set forth herein, and all applicable zoning regulations. The ARC shall not arbitrarily or unreasonably withhold its approval of such plans and specifications.

D. Time Frame for Approval:

Within ten (10) business days after a complete submission of plans and specification to a designated representative of the ARC, the members of the ARC shall convene in person or proxy to review the plans and specifications as submitted and shall approve or disapprove the plans and specifications, or in the alternative, may adjourn any meeting for an additional meeting in accordance for the submission of additional information or revised plans and specifications as may be requested by the ARC. The ARC shall have the right by majority vote to approve plans and specifications on a conditional basis with the conditions to be specifically set forth. The ARC shall be authorized to meet without a formal meeting, which shall include meetings by telephone conference, or by such other means as they may adopt.

2. YARD REQUIREMENTS/BUILDING PLACEMENT/SITE DESIGN

A. Building Lines and Construction Requirements:

The front yard set back of any structure shall be sixty (60) feet from the edge of the public right-of-way providing access to the property, except as otherwise specifically provided for in the plat plan, and no structure of a permanent nature shall be constructed within fifteen (15) feet of any side yard line. No structure shall be erected within forty (40) feet of the rear lot line. The front yard are also the sixty (60) feet building line.

B. Parking Areas and Access Drives:

There shall be no more than two (2) entrances to the property from the public right-of-way and there shall be no parking of automobiles or motor vehicles of any kind on parking lots or associated maneuvering lanes within twenty-five (25) feet from the front edge of the public right-of-way, and no parking is to be permitted on the public roadways. The area between the property lines and building lines is to be used for landscaped areas, lawns, walks or off-street parking. All parking areas shall be paved and all entrance radii shall be curbed.

No overnight parking is permitted.

Adequate off-street parking shall be provided by each owner and tenant for customers, visitors, and employees. The locations, number and size of parking spaces shall be subject to approval by the ARC and shall comply with Chapter 1282 of the City of Perrysburg Planning and Zoning Code unless specifically stated otherwise in these standards of development.

All off-street parking and access drives and loading areas shall be paved and properly graded to assure proper storm water drainage.

C. Outside Storage:

Outside storage is not allowed.

D. Overhead Doors:

Overhead doors shall not be visible from the street.

E. Debris and Rubbish:

All rubbish and debris, combustible and non-combustible, and all garbage shall be stored and maintained in containers, entirely enclosed within small structures as approved in writing by the ARC. All dumpster screens to be brick to match the building with wood gates. Said containers shall be screened from sight with plantings and fencing from view from the right-of-way.

F. Exterior Lighting:

All exterior lighting must be arranged or shielded as to avoid excessive or non-essential glare reflections onto any portion of any adjacent street onto the path of oncoming vehicles or onto any adjacent parcel. The placement of exterior lighting shall be approved in writing by the ARC.

G. Miscellaneous:

All paving, curbs and dedicated roadways shall comply with standards of the Planning and Zoning Code of the City of Perrysburg, as may be applicable to a Planned Business Park (PBP).

3. NOXIOUS AND OFFENSIVE USES AND MAINTENANCE OF PROPERTY

There shall not be erected nor maintained by any owner, lessee or occupant upon the lots in the property any use, which are deemed by the ARC to be noxious or offensive uses to the owner of adjacent property, and the developer, owner, lessee or occupant of any property shall be obligated to maintain the property and any improvements in good condition and the ARC is authorized to enforce this obligation.

4. LANDSCAPING

A landscape plan prepared by a registered Landscape Architect, shall be submitted to and approved in writing by the ARC prior to the start of construction on any lot. No fence, wall, mass planting or any landscape feature shall be erected or installed without prior approval of the ARC. These and exterior attachments must be approved in the same manner as buildings or other improvements.

Such landscaping plans shall include information regarding the types of trees, hedges and shrubs and information regarding customary landscape treatment from the entire site, including fences, walls and screening. All landscaping and planting must be irrigated.

The area between the property lines and building lines is to be used for landscaped areas, lawns, walks or off-street parking. It shall be the responsibility of the owner of a building site to landscape and maintain the area between the lot liens of said owner's building site.

All lots shall be provided with moundings and/or plantings along the side and rear property lines and the perimeter of parking areas as may be reasonably required and shall be of sufficient height so as to provide shielding of the view of parking areas.

Where trees and/or shrubs are used for such screening purposes, such landscape material shall be located no closer than three (3) feet to any property line.

All landscaping shall be undertaken and completed in accordance with such approved plan and said plan may not be altered, amended, or reviewed without submitting a revised landscaping plan for prior written approval by the ARC.

All approved landscaping to be provided on any building site shall be completed within six (6) months from the date of occupancy of the building site. No time extensions shall be granted by the ARC unless an emergency is declared.

5. USE OF LOTS

All future owners of lots in said subdivision shall use said lots for lawful purposes only and shall comply with all applicable zoning, building and health regulations in the construction of improvements on said lots and use of said premises.

6. BUILDING DESIGN AND MATERIALS

A. Architectural Design and Exterior Elevations:

The building construction and design shall be used to create a structure with four suitably attractive sides of good quality, rather than to place all emphasis on the front elevation of the building. Exterior elevation views of each elevation shall be submitted for review and approval by the ARC for each proposed building. Accessory buildings and enclosures, whether attached or detached from the main structure, shall be of similar compatible design and materials used for the main structure.

B. Building Materials, Colors, and Building Design:

All exterior building materials and colors must be approved by the ARC and are to be compatible with neighboring properties. The primary exterior material shall be brick in 'earth tone' colors. Thin brick products are not permitted. Other materials that may be permitted are wood, "Fypon", or synthetic plaster used as trim, natural stone or slate, architectural concrete block as accent material, architectural asphalt shingles, wood shingles, or similar materials as the ARC may approve. Vinyl or aluminum siding and/or trim are strictly prohibited.

All roof appendages such as plumbing stacks and fans shall be painted to match the roof.

All HVAC equipment, satellite dishes and similar items must be screened whether roof or ground mounted.

The use of roof vents is not permitted; ridge vents, mechanical vents or architectural louvers are required.

All utility devices, i.e. transformers, telephone cabinets and meters shall be screened with landscaping.

C. Proposed Building Use

All future owners of lots in said subdivision shall use said lots for lawful purposes, only and shall comply with all applicable zoning, building and health regulations I the construction of improvements on said lots and use of said premises.

All production, assembly, processing and storage shall occur within enclosed buildings. The projected number of employees associated with the building site shall be presented to the ARC with the development plan submission.

7. SIGNAGE

Plans and specifications for the construction, installation or alteration of all outdoor signs must be submitted in the form of two drawings or blueprints for approval by the ARC.

A. Specifications shall include:

1. Dimensions and height.

2. Materials of construction.
3. Category, type, style and placement/location.
4. Copy, logos, symbols, special designs, colors and letters styles.
5. Means of illumination, if any.

B. Signage Categories:

1. Primary signage consists of company identification and multiunit complex identification.
2. Informational signage includes door/entry signage, regulations such as "no parking" and directional signs such as "deliveries in rear".

C. Signage Types:

1. Freestanding. Horizontal signage, that is, longer in its horizontal dimension than its vertical dimension, not connected to or part of any building or structure.
2. Mounted. Signage permanently affixed to a building structure.
3. Multiunit. Mounted or freestanding identification signage of several tenants, or various directions/information of one sign.

D. Office Site Freestanding Signage Restrictions:

PRIMARY SIGNAGE:

1. Size of signage.
 - a. Horizontal signs with a total square footage not to exceed 60 sq. ft. per side surface.
 - (1) Signs to be placed parallel to street.
 - b. Maximum height not to exceed eight (8) feet high, to be measured from the top of the curb at the intersection nearest sign placement.
 - (1) Placing signage on top of mounding is not permitted.
 - (2) Decorative mounding around the signage is permitted and encouraged.
2. Materials of construction shall be in harmony with or match the materials used on the building itself.

- a. Signs shall be made of solid materials of a permanent nature, and acceptable to the ARC.
 - b. No exposed structural members are permitted.
 - c. Structure must be an integral part of the sign.
 - d. Components of the signage shall not be exposed or visible.
3. Illumination Requirements.
- a. External illumination only, is permitted.
 - (1) External illumination shall be placed so as to not cause glare to pedestrians or vehicles.
 - (2) Constant white lighting, is permitted as a source of illumination.
 - (3) All electrical service must be underground.
 - (4) Any exposed light source must be concealed by landscaping.
4. The street number must appear on the sign and be readable from the street.
5. Signage Regulations (quick reference guide):
- (a) 60 sq.ft. maximum area per side
 - (b) 8 ft. maximum height.
 - (c) Permanent construction materials only.
 - (d) No exposed structural members or fasteners.
 - (e) Integral structure as part of display.
 - (f) No internal illumination.
 - (g) Only constant, external white lighting.
 - (h) Only underground electrical service.
 - (i) Street number required.

INFORMATIONAL SIGNAGE:

- 1. The preceding restrictions for primary signage shall apply to information signage.
- 2. Signage regulations (quick reference guide):
 - a. 6 sq.ft. maximum area per side
 - b. 4 ft. maximum height
 - c. No signage mounted on windows or other glass.

8. UTILITIES, SERVICES AND EASEMENTS

Developer reserves the exclusive right to grant consent with the consent of the City of Perrysburg, where applicable, for the construction, operation and maintenance of electric light, telephone lines and conduits, for water, gas, sewer and pipes, and conduits or such other public utilities facilities, together with the necessary or proper incidents and appurtenances in, through,

under and/or upon any and all highways, now existing or hereafter established, upon which any lot or portion thereof of said premises may now or hereafter front or abut. All utility services to the lots shall be installed underground.

Developer reserves a perpetual easement in, through, under and/or over those portions of the rear and sides of each lot, as shown on the plat of *(name of business park)* designated at utility right-of-way. Developer reserves the right to change, relocate or abandon such easements or rights-of-way as may be necessary in the development of the property, for the construction, operation and maintenance of electric lights, telephone lines and conduits and water, gas and sewer lines, and conduits or any other public utility facilities and storm drainage and retention ponds, together with the necessary or proper incidents or appurtenances; and no building or any part thereof shall be erected or maintained upon any part of the property in *(name of business park)*, over or upon which easements for the installation and maintenance of public utilities and storm sewers will be or have been granted.

9. SUB-DIVIDING LOTS

No lot shall be sub-divided or split without the prior written consent of the ARC. Lots shall be created using the "Approval Without Plat" procedure specified in Chapter 1224 of the Planning and Zoning Code of the City of Perrysburg, excluding Section 1224.001 (a) (1), which shall not apply.

10. REMEDIES UPON VIOLATION

Each Grantee of Developer, by the acceptance of a deed of conveyance, accepts the real property subject to all restrictions, conditions, covenants, reservations, easements, and the jurisdiction, rights and powers of Developer, created or reserved by this Declaration or by plat or deed restrictions heretofore recorded, and all easements, rights, benefits and privileges of every character hereby granted, created, reserved or declared and all impositions and obligations hereby imposed shall run with the land and bind every and subsequent owner or occupant as though the provisions of this Declaration were recited and stipulated at length in each and every deed of conveyance. The violation of any restriction or condition, or the breach of any covenant or provision herein contained shall give the Developer the right; (a) to enter upon the land upon which, or as to which, such violation or breach exists, and to summarily abate and remove, at the expense of the owner of said lot or lots, any structure, thing, or condition that may exist thereon

contrary to the intent and meaning of the provisions hereof and Developer shall not thereby be deemed guilty of any manner of trespass; or (b) the continuance of any breach may be enjoined, abated, or remedied by appropriate legal proceedings either at law or in equity, by the Developer. The Developer further grants to the ARC the power and authority to enforce the restrictions set forth hereinabove in the event the Developer or Property Owners Association shall fail to enforce or comply with said restrictions.

11. A.R.C. LIABILITY

Neither the ARC nor Declarant or their respective successors or assigns shall be liable in damages to anyone submitting plans to them for approval, or to any owner or land affected by this Declaration, by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve any such plans and specifications. Every person who submits plans to the ARC for approval agrees, by submission of such plans and specifications, and every owner or tenant of any of such building site agrees, by acquiring title thereto, or an interest therein, that he will not bring any action or suit against the ARC or Declarant to recover any such damages.

12. SUBORDINATION TO MORTGAGES

All restrictions, covenants, conditions, agreements and other provisions herein contained shall be deemed subject to and subordinate to all mortgages or deed of trust in the nature of a mortgage now or hereafter executed, encumbering any of the real property herein described, and none of said restrictions, covenants, conditions, agreements, or other provisions shall supersede or in any way reduce the security or affect the validity of any such mortgage or deed of trust in the nature of a mortgage. It is distinctly understood and agreed, however, that if any portion of said property is acquired in lieu of foreclosure or is sold under foreclosure of any mortgage or under any judicial sale, any purchaser at such sale, his heirs, successors, or assigns, shall hold any and all property so purchased or acquired subject to all of the restrictions, covenants, conditions, agreements and other provisions of this Declaration of Restrictions.

13. FAILURE TO ENFORCE NOT A WAIVER

No restrictions imposed hereby shall be abrogated or waived by any failure to enforce the provisions hereof, no matter how many violations or breaches may occur, or their duration.