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Bloomfield Township
Logan County, Ohio

Zoning Resolution

Amendment

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Developed with the assistance of Logan-Union-Champaign Regional Planning Commission.

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PREAMBLE

A RESOLUTION OF THE TOWNSHIP OF BLOOMFIELD, LOGAN COUNTY, OHIO ENACTED IN ACCORDANCE WITH A COMPREHENSIVE PLAN AND THE PROVISION OF CHAPTER 519, OHIO REVISED CODE, DIVIDING THE TOWNSHIP INTO ZONES AND DISTRICTS, ENCOURAGING, REGULATING AND RESTRICTING THEREIN THE LOCATION, CONSTRUCTION, RECONSTRUCTION, ALTERATION AND USE OF STRUCTURES AND LAND: PROMOTING THE ORDERLY DEVELOPMENT OF RESIDENTIAL, BUSINESS, INDUSTRIAL, RECREATIONAL, AND PUBLIC AREAS PROVIDING FOR ADEQUATE LIGHT, AIR, AND CONVENIENCE OF ACCESS TO PROPERTY BY REGULATING THE USE OF LAND AND BUILDINGS AND THE BULK OF STRUCTURES IN RELATIONSHIP TO SURROUNDING PROPERTIES; LIMITING CONGESTION IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING THE COMPATIBILITY OF DIFFERENT LAND USES AND THE MOST APPROPRIATE USE OF LAND; PROVIDING FOR THE ADMINISTRATION OF THIS RESOLUTION AS PROVIDED HEREAFTER, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS IN THIS RESULTION OR ANY AMENDMENT THERETO, ALL FOR THE PURPOSE OF PROTECTING THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE; AND FOR THE REPEAL THEREOF.

THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWNSHIP OF BLOOMFIELD, LOGAN COUNTY, OHIO.

ARTICLE I TITLE, INTERPRETATION, AND ENACTMENT

Section 100 Title. This Resolution shall be known and may be cited to as the "Zoning Resolution of the Township of Bloomfield, Logan County, Ohio."

Section 101 Use of Land or Buildings for Agricultural Purposes Not Affected. It is the intent of this Resolution to be and remain in compliance with ORC 519.21 *Powers not conferred on township zoning commission by chapter.* ORC 519.21 is a statute, created and maintained by the State, which limits the authority of townships and establishes what is commonly referred to as the "agriculture exemption".

This Resolution does not affect the use of any land for agricultural purposes, or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, including buildings or structures that are used primarily for vinting and selling wine and that are located on land any part of which is used for viticulture, and no zoning certificate shall be required for any such building or structure. (Residential dwellings do require a permit however.)

There are two conditions where the agriculture exemption does not apply. 1) In any platted subdivision; and, 2) In any area consisting of fifteen or more lots approved under ORC 711.131 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 public road. When either of these two conditions exist, the requirements of this Resolution apply to:

1. Buildings or structures incident to the use of land for agricultural purposes on lots greater than one acre but not greater than five acres by: setback building lines, height, and size.

Section 110 Provisions of Resolution Declared to be the Minimum Requirements. In their interpretation and application, the provisions of this resolution shall be held to be minimum requirements, adopted for this promotion of the public health, safety, and the general welfare. Whenever the requirements of this Resolution conflict with the requirements of any other lawfully adopted rules, regulations, resolutions, or deed restrictions, the most restrictive, or that imposing the higher standards shall govern.

Section 120 Separability Clause. Should any section or provision of this Resolution be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Resolution as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 130 Replacement of Existing Resolutions, Effective Date. All existing Resolutions shall, upon adoption of this resolution, be replaced by this Resolution and this Resolution shall have full force and effect. This Resolution shall become effective from and after the date of its approval and adoption, as provided by law.

ARTICLE II DEFINITIONS

Interpretation of Terms or Words: For the purpose of this Resolution, certain terms or words used herein shall be interpreted as follows:

1. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
3. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
4. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."
5. The word "lot" includes the words "plot" or "parcel."

Where terms or words are not defined, they shall have their ordinary accepted meanings.

Accessory Use or Structure. A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

Adult Entertainment Facilities: A facility having a significant portion of its function as adult entertainment which includes the following listed categories:

1. **Adult Bookstore.** An establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting or relating to "specified sexual activities" or "specified anatomical areas" as herein defined or an establishment with a segment or section devoted to the sale or display of such material.
2. **Adult Booth.** Any area of a sexually oriented business establishment or tattoo parlor set off from the remainder of such establishment by one or more walls, other dividers, or partitions and used to show, play, or otherwise demonstrate any adult materials or to view any live performance that is distinguished or characterized by an emphasis on the exposure, depiction, or description of "specified anatomical areas" or the conduct or simulation of "specified sexual activities".
3. **Adult Material.** Any of the following whether new or used:
    a. Books, magazines, periodicals, or other printed matter, or digitally stored materials that are distinguished or characterized by an emphasis on the exposure, depiction, or description of "specified anatomical areas" or the conduct or simulation of "specified sexual activities".
    b. Films, motion pictures, video or audio cassettes, slides, computer displays, or other visual representations or recordings of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, description of "specified anatomical areas", or the conduct or simulation of "specified sexual activities".
    c. Instruments, novelties, devices, or paraphernalia that ae designed for use in connection with "specified sexual activities" or that depict or describe "specified anatomical areas".
4. **Adult Mini Motion Picture Theatre.** A facility with a capacity for less than fifty (50) persons, used for presenting material distinguished or characterized by an emphasis on

matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas", for observation by patrons therein.

5. **Adult Motion Picture Theatre.** A facility with a capacity of fifty (50) or more persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas", for observation by patrons therein.
6. **Adult Entertainment Business.** Any establishment involved in the sale, services, or products characterized by the exposure or presentation of "specified anatomical areas" or physical contact of live males or females, and which is characterized by salacious conduct appealing to prurient interest for the observation or participation in by patrons. Services or products included within the scope of adult entertainment business are photography, dancing, reading, massage, and similar functions which utilize activities as specified above.

Adult use cannabis related definitions:

a. Adult Use Cannabis. Pursuant to ORC 3780 as amended or replaced from time to time, "adult use cannabis" has the same meaning as "marihuana" as defined in ORC 3719 as amended or replaced from time to time.
b. Adult Use Cannabis Operator. Pursuant to ORC 3780 as amended or replaced from time to time, "adult use cannabis operator" means an adult use cultivator, processor, and dispensary.
c. Cannabis. Pursuant to ORC 3780 as amended or replaced from time to time, "cannabis" has the same meaning as "marihuana" as defined in ORC 3719 as amended or replaced from time to time.
d. Cultivation Facility. Pursuant to ORC 3780 as amended or replaced from time to time, "cultivation facility" means a facility where a cultivator is licensed by the State of Ohio to operate.
e. Cultivate. Pursuant to ORC 3780 as amended or replaced from time to time, "cultivate" means to grow, harvest, package, and transport adult use cannabis.
f. Cultivator. Pursuant to ORC 3780 as amended or replaced from time to time, "cultivator" means an entity or person licensed by the State of Ohio to grow, harvest, package, and transport adult use cannabis.
g. Dispensary. Pursuant to ORC 3780 as amended or replaced from time to time, "dispensary" means an entity or person licensed by the State of Ohio to sell adult use cannabis.
h. Manufacture. Pursuant to ORC 3780 as amended or replaced from time to time, "manufacture" means the process of converting harvested plant material into adult use extract by physical or chemical means for use as an ingredient in an adult use cannabis product.
i. Marihuana. Pursuant to ORC 3780 as amended or replaced from time to time, "marihuana" has the same meaning as "marihuana" as defined in ORC 3719 as amended or replaced from time to time.
j. Marijuana. Pursuant to ORC 3780 as amended or replaced from time to time, "marijuana" has the same meaning as "marihuana" as defined in ORC 3719 as amended or replaced from time to time.
k. Processor. Pursuant to ORC 3780 as amended or replaced from time to time, "processor" means an entity or person licensed by the State of Ohio to manufacture adult use cannabis products.
l. Testing Laboratory. Pursuant to ORC 3780 as amended or replaced from time to time, "testing laboratory" means an independent laboratory licensed by the State of Ohio to have

custody and use of adult use cannabis for scientific purposes and for purposes of instruction, research, or analysis.

Agriculture. Pursuant to ORC 519.01, as amended or replaced from time to time, "agriculture" includes farming; ranching; algaculture meaning the farming of algae; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; and the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

Agritourism related definitions:

1. **Agricultural Production.** Pursuant to ORC 901.80 and 929.01, as amended or replaced from time to time, "agricultural production" means commercial aquaculture, algaculture meaning the farming of algae, apiculture, animal husbandry, or poultry husbandry; the production for a commercial purpose of timber, field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, or sod; the growth of timber for a noncommercial purpose if the land on which the timber is grown is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use; or any combination of such husbandry, production, or growth; and includes the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with such husbandry, production, or growth"Agricultural production" includes conservation practices, provided that the tracts, lots, or parcels of land or portions thereof that are used for conservation practices comprise not more than twenty-five per cent of tracts, lots, or parcels of land that are otherwise devoted exclusively to agricultural use and for which an application is filed under Section 929.02 of the Revised Code.
2. **Agritourism.** Pursuant to ORC 901.80 as amended or replaced from time to time, "Agritourism" means an agriculturally related educational, entertainment, historical, cultural, or recreational activity, including you-pick operations or farm markets, conducted on a Farm that allows or invites members of the general public to observe, participate in, or enjoy that activity.
3. **Agritourism Provider.** Pursuant to ORC 901.80, as amended or replaced from time to time, "Agritourism Provider" means a person who owns, operates, provides, or sponsors an agritourism activity or an employee of such a person who engages in or provides agritourism activities whether or not for a fee.
4. **Farm.** Pursuant to ORC 901.80 as amended or replaced from time to time, "Farm" means land that is composed of tracts, lots, or parcels totaling not less than ten (10) acres devoted to agricultural production or totaling less than ten (10) acres devoted to agricultural production if the land produces an average yearly gross income of at least twenty-five hundred dollars ($2,500) from agricultural production.

Airport. Any runway, land area or other facility designed or used either publicly or privately by any person for the landing and taking-off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings, and open space.

Alterations, Structural. Any changes in the supporting members of a building such as bearing walls, columns, beams or girders.

Animal Feed Lot. Means a paved animal feeding or holding area or other lot, pen, yard, or other feeding or holding area where grass or other suitable vegetative cover is not maintained.

Apartment. A portion of a building comprising a single dwelling unit consisting of a room or suite of rooms intended, designed, or used as a permanent residence by an individual or one family.

Automotive Repair. The repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision services, painting and team cleaning of vehicles.

Automotive Service Station. That portion of property where flammable or combustible liquids or gases used as fuel are stored and dispensed from fixed equipment into fuel tanks of motor vehicles or provide electrical charging stations for electric motor vehicles. Accessory activities shall be permitted to include automotive repair, maintenance, car wash service, and food sales.

Automotive Vehicle. A vehicle which is designed and manufactured to be self-propelling or self-moving upon the public highway. More specifically, as referred to in this Resolution, it includes: automobiles, trucks, tractors and motorcycles.

Basement. A story all or partly underground but having at least one-half of its height below the average level of the adjoining ground.

Battery Energy Storage System, Small Off-Site. A principal use that is designed and built to connect into the distribution or transmission grid with a nameplate capacity less than 50 megawatts (MW). This type of system is capable of absorbing, storing, and/or discharging electrical energy from/to the grid or a power plant(s).

Bed and Breakfast Establishment. Single family dwellings that provide lodging and a morning meal to transient guests for compensation. No kitchen facilities may be provided for use by guests. The owner/operator of the bed and breakfast must live full-time on the facility's premises. Bed and breakfast facilities shall contain no more than five (5) separate guest rooms.

Building. Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattel, or property.

Building, Accessory. A subordinate building detached from, but located on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use.

Building, Height. The vertical distance measured from the established grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge for gable, hip and gambrel roofs. Where a building is located on sloping terrain, the height may be measured from the average ground level of the grade at the building wall.

Building, Principal. A building in which is conducted the main or principal use of the lot on which said building is situated.

Business, Convenience-Type Retail. Retail businesses whose market area is the neighborhood or part of the community, which provides convenience-type goods and personal services for the daily needs of the people within the residential area. Uses include, but need not be limited to, drugstores, beauty salons, barber shops, carry-outs, dry cleaning and laundry facilities, grocery stores, supermarkets, etc.

Business, Drive-in. Any business, structure or premise which is designed primarily to serve occupants of motor vehicles without the occupants having to leave the vehicle.

Business, Service. Any profit making activity which renders primarily services to the public or to other commercial or industrial enterprises, or which services and repair appliances and machines used in homes and businesses. Some retail sales may be involved in connection with the service rendered.

Business, Shopping Center. Means a grouping of retail and service uses on a single site that is developed, owned, and managed as a unit with off-street parking as an integral part of the unit.

Business, Shopping-Type Retail. A retail or service business which supplies a wide variety of comparison goods and services to consumers in a market area that includes the community or an area greater than a community. Examples of shopping-type businesses are furniture stores, automobile sales and services and clothing shops.

Campground, Commercial or Private. An area of land providing space for or containing two (2) or more recreational vehicles, camping tents, or other similar temporary recreational structures, where they may be parked or erected for a continuous period of time not exceeding sixty (60) days. Campgrounds shall include any building, structure, tent, vehicle, or enclosure, used or intended for use as part of the equipment of such campground, and providing sewer, water, electric, or other similar facilities required to permit occupancy of such recreational vehicles or camping tents. Campgrounds are considered a recreation use.

Cemetery. Land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes. Cemeteries may include any one or a combination of a burial ground for earth interments, a mausoleum for crypt entombments, a columbarium for the deposit of cremated remains, or a scattering ground for the spreading of cremated remains, if operated in connection with and within the boundaries of such cemetery.

Channel. A natural or artificial watercourse of perceptible extent with bed and banks to confine and conduct continuously or periodically flowing water.

Chassis. The steel undercarriage, supporting a framework to which a dwelling is permanently attached.

Child Day Care. Care provided for any part of the twenty-four hour day for infants, toddlers, preschool children, and school children outside of school hours by parties other than their parents or guardians, custodians or relatives by blood, marriage, or adoption, in a place or residence other than the child's own home. Places of worship during religious services are not included.

Clinic. A place used for the care, diagnosis and treatment of sick, ailing, infirm, or injured persons, and those who are in need of medical and surgical attention, but who are not provided with board or room or kept overnight on the premises.

Club. A building or portion thereof or premises owned or operated by a person for a social, literary, political, educational, fraternal or recreational purpose primarily for the exclusive use of members and their guests.

Community Facilities. Structures and uses intended to be of a cultural, educational, recreational, administrative, or service type which provides for areas of public purposes in higher density residential developments.

Conditional Use. A use permitted within a district other than a principally permitted use, requiring a conditional use permit and approval of the Board of Zoning Appeals. Conditional uses permitted in each district are listed in the Official Schedule of District Regulations.

Conditional Use Permit: A permit issued by the Zoning Inspector upon approval by the Board of Zoning Appeals to allow a use other than a principally permitted use to be established within the district.

Condominium. An ownership arrangement whereby an individual holds title to an individual unit and joint ownership in common property and/or facilities under provisions of Chapter 5311 of the Ohio Revised Code.

Construction Trailer. A temporary building or trailer used in conjunction with construction work that only may be permitted in any district during the period construction work is in progress, but such temporary facilities shall be removed upon completion of the construction work. A construction trailer shall not be used as a residential dwelling.

Data Center. An establishment engaging in the storage, management, processing, and/or transmission of digital data, and housing computer and/or network equipment, systems, servers, appliances, and other associated components related to digital data operations.

Density. A unit of measurement; the number of dwelling units per acre of land.

1. **Gross Density**. The number of dwelling units per acre of the total land to be developed.
2. **Net Density.** The number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

Detached. Not connected in any manner by walls or other structured supports.

Dwelling. Any building or structure which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants.

Dwelling Unit. Space, within a dwelling, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one family and its household employees.

Dwelling, Industrialized Unit. Pursuant to ORC 3781.06 (C) (3), "industrialized unit" means a building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site of intended use. "Industrialized unit" includes unit installs on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. "Industrialized unit" does not include a manufactured home as defined herein or a mobile home as defined herein.

Dwelling, Manufactured Home. Pursuant to ORC 3781.06(C)(4), "manufactured home" means a building unit or assembly of closed construction that is fabricated in an off site facility and constructed in conformance with the Federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the Manufactured Housing Construction and Safety Standards Act of 1974, 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable Federal construction and safety standards.

Dwelling, Manufactured Home (Permanently Sited).

a. The structure is affixed to a permanent foundation and is connected to appropriate facilities. "Permanent foundation" means permanent masonry, concrete, or a footing or foundation approved by the Ohio Department of Commerce pursuant to ORC 4781, to which a manufactured home may be affixed; and,
b. The structure, excluding any addition, has a width of at least twenty-two feet at one point, a length of at least twenty-two feet at one point, and a total living area, excluding garages, porches, or attachments, of at least eight-hundred (800) square feet; and,
c. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering; and,
d. The structure was manufactured after January 1, 1995; and,
e. The structure is not located in a manufactured home park as defined herein.

Dwelling, Mobile Home. Pursuant to ORC 4501.01 (O), "mobile home" means a building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five body feet in length or, when erected on site, is three hundred twenty or more square feet, is built on a permanent chassis, is transportable in one or more sections, and does not qualify as a manufactured home as defined herein or as an industrialized unit as defined herein.

Dwelling, Multi-Family. A dwelling consisting of two or more dwelling units including condominiums with varying arrangements of entrances and party walls.

Dwelling, Rooming House (Boarding House, Lodging House, Dormitory). A dwelling or part thereof, other than a hotel, motel or restaurant where meals and/or lodging are provided for compensation, for three or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.

Dwelling Single-Family: A dwelling (except a manufactured home not permanently sited or a mobile home) consisting of a single dwelling unit only, separated from other dwelling units by open space.

Dwelling, Tiny Home. A dwelling that is 400 square feet or less in floor area excluding lofts. A loft within a tiny home is a floor level located more than 30 inches above the main floor, open to the main floor on one or more sides with a ceiling height of less than 6 feet 8 inches and used as a living or sleeping space.

Essential Services. The erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground gas, electrical, water transmission, or distribution systems, collection, communication, supply or disposal systems or sites, including poles, wires, mains, drains, sewers, pipes traffic signals, hydrants, or other similar equipment and accessories in connection therewith which are reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

Family. One or more persons occupying a single dwelling unit and living as a single housekeeping unit.

Farm Market. A building or structure designed or used or intended to be used for the display and/or sale of produce, raised on farms owned or operated by the farm market operator.

Fence or Wall. A "fence" is a barrier used as a boundary, separation, means of protection or means of controlling access, screening, confinement, or decoration. Materials commonly used include wood, wire, iron, etc. A "wall" is a solid fence or is the solid portion of a fence. A "wall" is a barrier constructed so that the vertical surface is closed, thus preventing the passage of light, air, and vision in a horizontal plane. Materials commonly used include masonry, brick, metal, wood, etc.

Floor Area. The sum of the gross horizontal areas of each floor of the principal building, measured from the exterior walls or from the centerline of party walls, including the floor area of accessory buildings and structures.

Floor Area of a Residential Building. The sum of the gross horizontal area of the several floors of a residential building, excluding basement floor areas not devoted to residential use and attached garages, but including the area of roofed porches and roofed terraces. All dimensions shall be measured between interior faces of walls.

Floor Area of a Non-Residential Building. (To be used in calculating parking requirements). The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows, fitting rooms, and similar areas.

Food Processing. The preparation, storage or processing of food products. Examples of these activities include bakeries, dairies, canneries, meat processing plants and similar activities.

Hazardous Wastes. Means those substances which, singly or in combination, pose a significant present or potential threat or hazard to human health or to the environment, and which, singly or in combination, require special handling, processing, or disposal, because they are or may be flammable, explosive, reactive, corrosive, toxic, infectious, carcinogenic, bioconcentrative, or persistent in nature, potentially lethal, or an irritant or strong sensitizer.

Home Occupation. A use which is an activity, profession, occupation, service, craft, or revenue-enhancing hobby conducted by a person on the same premises as the principal place of residence which is clearly subordinate and incidental to use of the premises for residential purposes and is conducted entirely within the dwelling unit, without any significant adverse effect upon the surrounding neighborhood.

Hospital. An institution providing health services primarily for human in-patient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central service facilities and staff offices that are an integral part of the facility.

Junk. "Junk" means old scrap copper, brass, rope, rags, trash, waste, batteries, paper, rubber, junked, dismantled, or wrecked automobiles or parts thereof, iron, steel, and other old or scrap ferrous or non-ferrous materials.

Junk Yard: "Junk Yard" means an establishment or place of business which is maintained or operated for the purpose of storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard. It shall also include scrap metal processing facilities which are located within one thousand (1,000) feet of the nearest edge of the right-of-way of a highway or street, and any site, location, or premise on which are kept two or more junk motor vehicles as defined in Section 4513.65 of the Ohio Revised Code, whether or not for a commercial purpose.

Kennel. Any lot or premise on which dogs, cats, or other household pets are boarded, bred or exchanged for monetary compensation.

Litter. Garbage, trash, waste, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, automobile parts, furniture, glass, or anything else of an unsightly or unsanitary nature thrown, dropped, discarded, placed, or deposited by a person on public property, private property, or in or on waters of the state.

Loading Space, Off-Street. Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking in computation of required off-street parking space. All off-street loading spaces shall be located totally outside of any street or alley right-of-way.

Lot. For the purposes of this Resolution a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area for one principal use together with its accessory buildings and which provides such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, and may consist of:

1. A single lot of record;
2. A portion of a lot of record;
3. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.

Lot Coverage. The ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.

Lot Frontage. The front of a lot shall be construed to be the portion nearest the street or road right-of-way line. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets or roads shall be considered frontage, and yards shall be provided as indicated under "Yard" in this section.

Lot, Minimum Area of. The area of a lot is computed exclusive of any portion of the right-of-way of any public or private street or road.

Lot Measurements. A lot shall be measured as follows:

1. **Depth.** The distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the lot. When applicable, depth is measured at the street (road) right-of-way line. No lot containing five (5) acres or less shall have an average depth which is more than three (4) times its average width.
2. **Width.** The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the street or road right-of-way line, except on cul-de-sac streets (roads) where it is measured at the setback line. (Also, see Lot Frontage.). For lots containing five (5) acres or less in area, the actual distance between the side lot lines at any point along the lot depth cannot be less than eighty (80%) percent of the required Lot Frontage. For lots containing more than five (5) acres, said lot shall comply with road frontage requirements.

Lot of Record. A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot Types. Terminology used in this Resolution with reference to corner lots, interior lots and through lots is as follows:

1. **Corner Lot.** A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five degrees.
2. **Interior Lot.** A lot with only one frontage on a street.
3. **Through Lot.** A lot other than a corner lot with frontage on more than one street or road. Through lots abutting two streets or roads may be referred to as double frontage lots.
4. **Reversed Frontage Lot.** A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

Major Thoroughfare Plan. The portion of the comprehensive plan adopted by the County indicating the general location recommended for arterial, collector and local thoroughfares within the appropriate jurisdiction.

Manufactured and/or Mobile Home Park. Any site, or tract of land under single ownership, upon which two (3) or more manufactured and/or mobile homes used for habitation are parked, either free of charge or for revenue purposes; including any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park. This definition does not include individual lots for the purposes of installation of manufactured and/or mobile homes.

Manufacturing, Heavy. Manufacturing, processing, assembling, storing, testing and similar industrial uses which are generally major operations and extensive in character; require large sites, open storage and service areas, extensive services and facilities, ready access to regional

transportation; and normally generate some nuisances such as smoke, noise, dust, glare, air pollution, odor, but not beyond the district boundary to any large extent.

Manufacturing, Light. Manufacturing or other industrial uses which are usually controlled operations; relatively clean, quiet and free of objectionable or hazardous elements such as smoke, noise, odor or dust; operate and store within enclosed structures; and generate little industrial traffic and no major nuisances.

Medical marijuana related definitions:

a) Cultivate. Pursuant to ORC 3796 as amended or replaced from time to time, "cultivate" means to grow, harvest, package, and transport medical marijuana.
b) Cultivator. Pursuant to ORC 3796 as amended or replaced from time to time, "cultivator" means an entity or person licensed by the State of Ohio to grow, harvest, package, and transport medical marijuana.
c) Dispensary. Pursuant to ORC 3796 as amended or replaced from time to time, "dispensary" means an entity or person licensed by the State of Ohio to sell medical marijuana.
d) Manufacture. Pursuant to ORC 3796 as amended or replaced from time to time, "manufacture" means the process of converting harvested plant material into marijuana extract by physical or chemical means for use as an ingredient in a medical marijuana product.
e) Marihuana. Pursuant to ORC 3796 as amended or replaced from time to time, "marihuana" has the same meaning as "marihuana" as defined in ORC 3719 as amended or replaced from time to time.
f) Marijuana. Pursuant to ORC 3796 as amended or replaced from time to time, "marijuana" has the same meaning as "marihuana" as defined in ORC 3719 as amended or replaced from time to time.
g) Medical Marijuana. Pursuant to ORC 3796 as amended or replaced from time to time, "medical marijuana" means marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose.
h) Medical Marijuana Entity. Pursuant to ORC 3796 as amended or replaced from time to time, "medical marijuana entity" means a medical marijuana cultivator, processor, dispensary, or testing laboratory licensed by the State of Ohio.
i) Processor. Pursuant to ORC 3796 as amended or replaced from time to time, "processor" means an entity or person licensed by the State of Ohio to manufacture medical marijuana products.
j) Testing Laboratory. Pursuant to ORC 3796 as amended or replaced from time to time, "testing laboratory" means an independent laboratory licensed by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis.

Mining, Commercial Quarries, Sand and Gravel Pits. Any mining, quarrying or processing of limestone, clay, sand and gravel or other mineral resources. Also referred to as mineral extraction.

Motor Vehicle Salvage Facility. Means any establishment or place of business which is maintained, used, or operated for buying or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

Non-Conformities. A building, structure, use of land, or building(s) and/or structures in combination existing at the time of enactment of this Resolution and which does not conform to the regulations of the district or zone in which it is situated.

Nursing Home. A home used for the reception and care of individuals who by reason of illness or physical or mental impairment require skilled nursing care and of individuals who require personal care services but not skilled nursing care. A nursing home is licensed to provide personal care services and skilled nursing care.

Nursery (or Greenhouse), Tree and Plant. A place where young trees or other plants are raised for transplanting and/or for sale.

Offices. Quasi-commercial uses which may often be transitional between retail business and/or manufacturing and residential uses. Office business generally accommodates such occupations as administrative, executive, professional, accounting, clerical, drafting, etc. institutional offices of a charitable, philanthropic, financial, religious, or educational nature are also included in this classification.

Open Space. An area substantially open to the sky which may be on the same lot with a building. The area may include, along with the natural environmental features, water areas, swimming pools, tennis courts, and other creational facilities that the Zoning Commission deems permissive. Streets, parking areas, structures for habitation, and the like shall not be included.

Orchards. An area of land devoted to the cultivation and sale of fruit trees and the sale of the fruit therefrom.

Parcel. An individual lot held under common ownership.

Parking Space, Off-Street. For the purpose of this Resolution, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or road or alley right-of-way.

Permanent Foundation. Means permanent masonry, concrete, or locally approved footing or foundation, to which a dwelling may be affixed.

Permitted Use. A use which is specifically authorized by these Zoning Regulations in a particular zoning district.

Personal Services. Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch and clock repair, barber shops, beauty shops and similar activities.

Planned Unit Development. An area of land in which a variety of housing types and subordinate commercial and industrial facilities are accommodated in a pre-planned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design, principles and landscaping plans.

Pond. A water impoundment made by constructing a dam or an embankment or by excavating a pit or dugout, or a combination of both. Ponds constructed by the first method are referred to as embarkment ponds, and those constructed by the second method are referred to as excavated ponds.

Printing and Publishing. Any business which is engaged in the printing and/or publishing of newspapers, magazines, brochures, business cards, screen printing, and similar activities either for profit or non-profit.

Public Service Facility. The erection, construction, alteration, operation, or maintenance of buildings, power plants, or substations, water treatment plants or pumping stations, sewage disposal plant or pumping station plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, and public or private water and sewage services. This definition excludes small off-site battery energy storage systems, principal solar energy production facilities, sanitary landfill, wind power projects, and other uses defined separately herein.

Public Uses. Public parks, schools, administrative and cultural buildings and structures, not including public land or buildings devoted solely to the storage and maintenance of equipment and materials and public service facilities.

Public Way: An alley, bridge, channel, ditch, easement, expressway, freeway, highway, land, road, sidewalk, street walk, bicycle path; or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

Quasi-public use. Churches, and other facilities of an educational, religious, spiritual, charitable, philanthropic, or non-profit nature.

Recreation, Commercial. Any business which is operated as a recreational enterprise, either publicly or privately owned, for profit. Examples include, but are not limited to: golf courses, bowling alleys, swimming pools, tourist attractions, wedding/event venues, etc.

Recreation, Non-Commercial. Any business which is operated as a recreational enterprise, either publicly or privately owned, for non-profit. Examples include, but are not limited to: fishing areas, parks, archery ranges, etc.

Recreational Vehicle. A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are: travel trailer, truck camper, and motor home.

a. **Travel Trailer/House Vehicle.** A nonself-propelled recreational vehicle that does not exceed an overall length of forty feet, exclusive of bumper and tongue or coupling. "Travel trailer" includes a tent-type fold-out camping trailer.
b. **Truck Camper.** A nonself-propelled recreational vehicle that does not have wheels for road use and is designed to be placed upon and attached to a motor vehicle. "Truck camper" does not include truck covers that consist of walls and a roof, but do not have floors and facilities enabling them to be used as a dwelling.

c. **Motor Home.** A self-propelled recreational vehicle that has no fifth wheel and is constructed with permanently installed facilities for cold storage, cooking, and consuming of food, and for sleeping.

Recreational Vehicle Park. Pursuant to ORC 3729.01(S), Recreational Vehicle Park means any tract of land used for parking five or more self-contained recreational vehicles and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the park facilities and any tract of land that is subdivided for lease or other contract of the individual lots for the express or implied purpose of placing self-contained recreational vehicles for recreation, vacation, or business purposes. "Recreational Vehicle Park" does not include any tract of land used solely for the storage or display of self-contained recreational vehicles, solely as a temporary park-camp, or solely as a manufactured home park.

Recreational Vehicle Site. A plot of ground within a recreational vehicle park intended for the accommodation of either a recreational vehicle, tent, or other individual camping unit on a temporary basis.

Refuse. Refuse shall mean combustible and noncombustible waste materials.

Residential, Very Low Density. Refers to farm housing units and isolated residential developments not requiring a major plat under the County's Subdivision Regulations. (A major plat consists of 6 or more lots).

Residential, Low Density. Land to be utilized and industrialized for single-family housing units, including public housing, not to exceed four (4) families per acre.

Residential, Medium Density. Land to be used for single- and multi-family housing units including public and industrialized housing and permanent or mobile units, not to exceed eight (8) families per acre.

Residence, Multi-Family or High Density. Land to be used for housing structures having two or more dwelling units per structure including public and industrialized housing, not to exceed sixteen (16) families per acre.

Right-of-Way. A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities, and may include special features required by the topography of treatment (such as grade separation, landscaped areas, viaducts, and bridges).

Rubbish/Trash. Combustible and noncombustible waste materials; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

Sanitary Landfill. Means a land disposal site employing a method of disposing of solid wastes on land in a manner intended to minimize environmental hazards by spreading the solid wastes in thin layers, compacting the solid wastes to the smallest practical volume, and applying and compacting cover material daily.

Screening. To provide privacy of adjoining uses, including masonry walls, solid preservatively treated wood, chain link with solid slats, or landscaped with grass and closely planted shrubs or other evergreen plants.

Seat. For purposes of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating units installed or indicated, or each twenty-four (24) lineal inches of benches, pews, or space for loose chairs.

Semitrailer/Shipping Containers. A vehicle designed or used for carrying persons or property with another and separate motor vehicle, so that in operation, a part of its own weight or that of its load, or both, rests upon and is carried by another vehicle.

Setback Line. A line established by the Zoning Resolution generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory building, or structure may be located above ground, except as may be provided in said code.

Setback Line, Front. Determined from the edge of the road right-of-way.

Sewers, Central or Group. An approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community or region.

Sewers, On-Site. A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

Sidewalk. That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic.

Sign. Any device designated to inform or attract the attention of persons not on the premises on which the sign is located.

1. Sign, On-Premises. Any sign related to a business or profession conducted, or a commodity or service sold or offered upon the premises where such sign is located.
2. Sign, Off-Premises (Billboard). Any sign unrelated to a business or profession conducted or to a commodity or service sold or offered upon the premises where such sign is located. Billboards are considered off-premise signs.
3. Sign Illuminated. Any sign illuminated by electricity, gas or other artificial light including reflection or phosphorescent light.
4. Sign, Lighting Device. Any light, string of lights, or group of lights located or arranged so as to cast illumination on a sign.
5. Sign, Ground. Means a display sign supported by uprights or braces in or upon the ground surface.
6. Sign, Marquee. Means a display sign attached to or hung from a marquee, canopy or other covered structure projecting from and supported by the building and extending beyond the building wall, building line or street lot line.
7. Sign, Outdoor Advertising Structure. See Sign, Off Premises (Billboard).

8. Sign, Pole. Means any sign which is erected on a pole or poles, which is wholly or partially independent of any building for support.
9. Sign, Portable. A sign which is designed to be easily moveable.
10. Sign, Projecting. Means a display sign which is attached directly to the building wall and which extends more than fifteen inches from the face of the wall.
11. Sign, Roof. Means a display sign which is erected, constructed and maintained above the roof of the building.
12. Sign, Temporary. Means a display sign, banner or other advertising device constructed on cloth, canvas, fabric or other light temporary material, with or without a structural frame, intended for a limited period of display, including decorative displays for holidays or public demonstrations.
13. Sign, Wall. Means a display sign which is painted on or attached directly to the building wall and which extends not more than fifteen inches from the face of the wall.

Solar energy related definitions:

a) **Accessory Solar Energy:** A solar collection system consisting of one or more roof/building mounted, ground/pole mounted, and/or other structure mounted solar collector devices and solar related equipment, and is intended to primarily reduce on-site consumption of utility power. A system is considered an accessory solar energy system only if it supplies electrical or thermal power solely for on-site use, except that when a property upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.

b) **Principal Solar Energy Production Facility:** An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy. These production facilities primarily produce electricity to be used off-site. Principal solar energy production facilities consist of one or more roof/building mounted, ground/pole mounted, and/or other structure mounted solar collector devices, solar related equipment, and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. Examples include "Small Solar Facility" and "Community Solar Facility" as defined by statute or herein.

c) **Solar Energy Equipment:** Items for the purpose of generation, transmission, and storage of electricity, including but not limited to a solar photovoltaic cell, solar panels, lines, pumps, inverter(s), batteries, mounting brackets, racking, framing and/or foundation used for or intended to be used for the collection of solar energy.

d) **Solar Photovoltaic (PV):** The technology that uses a semiconductor to convert light directly into electricity.

e) **Clear Fall Zone (Solar Energy):** An area surrounding a ground/pole mounted or other structure mounted solar energy system into which the system and/or components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing the structure's failure that shall remain unobstructed and confined within the property lines of the lot where the system is located. The purpose of the zone being that if the system should fall or otherwise become damaged, the falling structure will be confined to the lot and will not intrude onto a neighboring property.

f) **Small Solar Facility:** Pursuant to ORC 519.213 (A) (2), "Small Solar Facility" means solar panels and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than 50 MW.

g) **Community Solar:** Also known as shared solar, or solar gardens, is an energy model that allows customers to buy or lease part of a larger off-site shared solar photovoltaic (PV) system. For the purposes of this Resolution, "Community Solar" is considered to be a "Principal Solar Energy Production Facility".

Solid Wastes. Pursuant to ORC 3734.01(E) "Solid Wastes" means such unwanted residual solid or semisolid material as results from industrial, commercial, agricultural, and community operations, excluding earth or material from construction, mining, or demolition operations, or other waste materials of the type that normally would be included in demolition debris, nontoxic fly ash and bottom ash, including at least ash that results from the combustion of coal and ash that results from the combustion of coal in combination with scrap tires where scrap tires comprise not more than fifty per cent of heat input in any month, spent nontoxic foundry sand, nontoxic, nonhazardous, unwanted fired and unfired, glazed and unglazed, structural products made from shale and clay products, and slag and other substances that are not harmful or inimical to public health, and includes, but is not limited to, garbage, scrap tires, combustible and noncombustible material, street dirt, and debris. "Solid wastes" does not include any material that is an infectious waste or a hazardous waste.

Storage Facility. A building used primarily for the holding of goods and merchandise.

Storage Facility, Personal. A building or group of buildings in a controlled access compound that contains equal or varying sizes of individual compartmentalized, and controlled access stalls or lockers for the storage of residential customers' goods or wares.

Story. That part of a building between the surface of a floor and the ceiling immediately above.

Structure. Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences, and billboards.

Subdivision:

1. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two or more parcels, sites, or lots, any one of which is less than five acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the division or partition of land into parcels of more than five acres not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners where such sale or exchange does not create additional building sites, shall be exempted; or

2. The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening or extension of any street or streets, except private streets serving industrial structures; the division or allocation of land as open spaces for common use by

owners, occupants, or lease holders, or as easements for the extension and maintenance of public sewer, water, storm drainage, or other public facilities.

Supply Yards. A commercial establishment storing and offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods.

Swimming Pool. Any structure intended for swimming or recreational bathing that contains water over twenty-four (24) inches deep. This includes above-ground/on-ground pools, hot tubs, in-ground pools, residential pools, spa (portable and nonportable), and portable swimming pools.

1. Private. Exclusively used without paying an additional charge for admission by the residents and guests of a single household, a multi-family development, or a community, the members and guests of a club, or the patrons of a motel or hotel; and accessory use.
2. Community. Operated with a charge for admission; a primary use.

Swimming Pool, Barrier. A fence, wall, building wall (including the wall of an above-ground swimming pool), or a combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

Telecommunication Tower. Any structure with radio frequency transmission or reception equipment attached that is free standing or is to be connected to a building or other structure. A telecommunication tower shall meet all of the following conditions:

1. It is constructed on or after October 31, 1996;
2. It is owned or principally used by a public utility engaged in the provision of telecommunication services;
3. It is a free standing structure or is attached to another building or structure and is higher than the maximum allowable height permitted in the zoning district in which it is located.

Temporary Park-Camp. Pursuant to ORC 3729.01(V) "Temporary Park-Camp" means any tract of land used for a period not to exceed a total of twenty one days per calendar year for the purpose of parking five or more recreational vehicles, dependent recreational vehicles, or portable camping units, or any combination thereof, for one or more periods of time that do not exceed seven consecutive days or parts thereof.

Thoroughfare, Street or Road. The full width between property lines bounding every public way or whatever nature with a part thereof to be used for vehicular traffic and designated as follows:

1. Alley. A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.
2. Arterial Street. A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route.
3. Collector Street. A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
4. Cul-de-Sac. A local street of relatively short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround.
5. Dead-end Street. A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.
6. Local Street. A street primarily for providing access to residential or other abutting property.

7. Loop Street. A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the one-hundred-eighty (180) degree system of turns are not more than one-thousand (1,000) feet from said arterial or collector street, nor normally more than six-hundred (600) feet from each other.
8. Marginal Access Street. A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street.)

Townhouse. A dwelling unit occupying all or part of a floor or floors in a building of one or more floors or stories but not the entire building, except in those condominium projects in which one of several buildings may contain only one townhouse.

Toxic or Hazardous Material. Means any substance or mixture by physical characteristic such as flammability, corrosivity, toxicity, reactivity, or infectious characteristics as to pose, a significant or potential hazard to water supplies or human health if such substances were discharged to land or waters of the community or township.

Transient Lodgings. A building in which lodging or boarding and lodging are provided and offered to the public for compensation. As such, it is open to the public in contradistinction to a boarding house, rooming house, lodging house, or dormitory which is herein desperately defined. Examples include: hotel, motel, apartment hotel, bed-and-breakfast, and short term rental (such as Air BnB and VRBO).

Transport Terminals. Any business, structure or premise which primarily received or distributes goods.

Transportation, Director of. The Director of the Ohio Department of Transportation.

Use. The specific purposes for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

Use, Accessory or Accessory Structure. A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

Use, Permitted. A use which is specifically authorized by these Zoning Regulations in a particular zoning district.

Use, Temporary. A use that is authorized by this code to be conducted for a fixed period of time. Temporary uses are characterized by such activities as the sale of agricultural products, contractors' offices and equipment sheds, fireworks, carnivals, flea markets, and garage sales.

Variance. A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardships.

Veterinary Animal Hospital or Clinic. A place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical

attention, and may include overnight accommodations on the premises for the treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.

Vicinity Map: A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the general area in order to better location and orient the area in question.

Walkway: A public way, four (4) feet or more in width, for pedestrian use only, whether along the side of a road or not.

Wind energy related definitions:

a) Accessory Structures: Structures such as sheds, storage sheds, pool houses, unattached garages, and barns.
b) Anemometer: An instrument that measures the force and direction of the wind.
c) Clear Fall Zone: An area surrounding the wind turbine unit into which the turbine and -or turbine components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing turbine failure that shall remain unobstructed and confined within the property lines of the primary parcel where the turbine is located. The purpose of the zone being that if the turbine should fall or otherwise become damaged, the falling structure will be confined to the primary parcel.
d) Cowling: A streamlined removable cover that encloses the turbine's nacelle.
e) Decibel: A unit of relative loudness equal to ten times the common logarithm of the ratio of two readings. For sound, the decibel scale runs from zero for the least perceptible sound to 130 for sound that causes pain.
f) Nacelle: Sits atop the tower and contains the essential mechanical components of the turbine to which the rotor is attached.
g) Primary Structure. For each property, the structure that one or more persons occupy the majority of time on that property for either business or personal reasons. Primary structures include structures such as residences, commercial buildings, hospitals, and day care facilities. Primary structures exclude structures such as hunting sheds, storage sheds, pool houses, unattached garages, and barns.
h) Professional Engineer. A qualified individual who is licensed as a Professional Engineer in the State of Ohio.
i) Megawatt (MW): A unit of power, equal to one million watts.
j) Small Wind Project: Any wind project less than 5MW which includes the wind turbine generator and anemometer.
k) Wind Power Turbine Owner. The person or persons who owns the Wind Turbine structure.
l) Wind Power Turbine Tower. The support structure to which the turbine and rotor are attached.
m) Wind Power Turbine Tower Height. The distance from the rotor blade at its highest point to the top surface of the ground at the Wind Power Generating Facility (WPGF) foundation.

Wholesale and Warehouse. Business establishments that generally store and sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments or manufacturing establishments.

Yard. A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot upward; provided, however, that accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.

1. Yard, Front. A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.
2. Yard, Rear. A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.
3. Yard, Side. A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

Zoning Permit. A document issued by the zoning inspector authorizing the use of lots, structures, uses of land and structures, and the characteristics of the uses.

ARTICLE III ENFORCEMENT

Section 300 Zoning Permits Required. No building, or other structure, shall be erected, moved, added to, structurally altered, nor shall any building, structure or land be established or changed in use without a permit thereof, issued by the Zoning Inspector. Zoning permits shall be issued only in conformity with the provisions of this Resolution unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal, conditional use, or variance as provided by this Resolution.

Section 301 Contents of Application for Zoning Permit. The application for zoning permit shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire and may be revoked if work has not begun within one (1) year or substantially completed within two and one-half (2 ½) years. At a minimum, the application shall contain the following information:

1. Name, address, and telephone number of the applicant;
2. Legal description of property
3. Existing use;
4. Proposed use;
5. Zoning district;
6. Plans in duplicate drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any, and the location and dimensions of the proposed building(s) or alteration;
7. Building heights;
8. Number of off-street parking spaces or loading berths;
9. Number of dwelling units;
10. Such other matters as may be necessary to determine conformance with, and provide for the enforcement of this Resolution.

Section 302 Approval of Zoning Permit. Within thirty (30) days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this Resolution. All zoning permits shall, however, be conditional upon the commencement of work within one (1) year. One copy of the plans shall be returned to the applicant by the Zoning Inspector, after the Zoning Inspector shall have marked, such copy either as approved or disapproved and attested to same by his signature on such copy. One copy of plans, similarly marked, shall be retained by the Zoning Inspector. The Zoning Inspector shall issue a permit, to be posted in a conspicuous place on the property in question, attesting to the fact that the use or alteration is in conformance with the provisions of this Resolution.

Section 303 Submission to Director of Transportation. Before any zoning permit is issued affecting any land within three-hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certification within a radius of five-hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Zoning Inspector shall give notice, by registered mail to the Director of Transportation, that they shall not issue a zoning permit for one-hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Zoning Inspector that they shall proceed to acquire the land needed, then the Zoning Inspector shall refuse to issue the zoning permit. If the Director of Transportation notifies the Zoning Inspector that

acquisition at this time is not in the public interest or upon the expiration of the one-hundred twenty (120) day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the Zoning Inspector shall, if the application is in conformance with all provisions of this Resolution issue the zoning permit.

Section 304 Expiration of Zoning Permit. If the work described in any zoning permit has not begun within one (1) year from the date of issuance thereof, said permit shall expire; it shall be given to the persons affected. If the work described in any zoning permit has not been substantially completed within two and one-half (2 ½) years of the date of issuance thereof, said permit shall expire and be revoked by the Zoning Inspector, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new zoning permit has been obtained or extension granted. Extensions, if granted, shall be in six months increments, not to exceed one and one-half years.

Section 312 Record of Zoning Permits. The Zoning Inspector shall maintain a record of all zoning permits and copies shall be furnished upon request to any person.

Section 320 Failure to Obtain a Zoning Permit. Failure to obtain a zoning shall be a violation of this Resolution and punishable under Section 350 of this Resolution.

Section 330 Construction And Uses To Be As Provided In Applications, Plans, and Permits. Zoning permits issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use and arrangement, set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of this Resolution and punishable as provided in Section 350 of this Resolution.

Section 340 Complaints Regarding Violations. Whenever a violation of this Resolution occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Inspector. The Zoning Inspector shall record properly such complaint, immediately investigate and take action thereon as provided by this Resolution.

Section 350 Penalties for Violation. Violation of the provisions of this Resolution or failure to comply with any of its requirements, including violations of conditions and safeguards established in various sections of this Resolution shall constitute a minor misdemeanor. Any person who violates this Resolution or fails to comply with any of its requirements shall upon conviction thereof be fined not more than one-hundred (100) dollars and in addition shall pay all costs and expenses involved in the case. Such sum may be recovered in a court of jurisdiction in the County by the legal representative of the township, in the name of the township and for the use thereof. Each day such violation continues after receipt of a violation notice, shall be considered a separate offense. The owner or tenant of any building structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the Board of Township Trustees from taking such other lawful action as is necessary to prevent or remedy any violation.

Section 360 Schedule of Fees, Charges, and Expenses. The Board of Township Trustees shall by Resolution establish a schedule of fees, charges, and expenses and a collection procedure for zoning permits, amendments, appeals, variances, conditional use permits, plan approvals, and other matters pertaining to the administration and enforcement of this Resolution requiring investigation, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the office of the Township Trustees, and may be altered or amended only by the Township Trustees. Until all applicable fees, charges, and expenses have been aid in full, no action shall be taken on any application or appeal.

ARTICLE IV NON-CONFORMITIES

Section 400 Intent. Within the districts established by this Resolution or future amendments that may later be adopted there exists lots, uses of land, structures, and uses of structures and land in combination which were lawful before this Resolution was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this Resolution or future amendments. It is the intent of this Resolution to permit these non-conformities to continue until they are removed or discontinued. It is further the intent of this Resolution that non-conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

Section 410 Incompatibility of Non-Conformities. Non-conformities are declared by this Resolution to be incompatible with permitted uses in the districts in which such use is located. A non-conforming use of a structure, a non-conforming use of land, or a non-conforming use of a structure and land in combination shall not be extended or enlarged after passage of this Resolution by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be generally prohibited in the district in which such use is located.

Section 420 Avoidance of Undue Hardship. To avoid undue hardship, nothing in this Resolution shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction, was lawfully begun prior to the effective date of adoption or amendment of this Resolution and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fasted in a permanent manner. Where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or the removal shall be deemed to be actual construction, provided that the work shall be carried out diligently.

Section 430 Single Non-Conforming Lots of Record. In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at effective date of adoption or amendment of this Resolution notwithstanding limitations imposed by other provisions of this Resolution. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variances of requirements listed in Article 9 and 10 of this Resolution other than lot area or lot width shall be obtained only through action of the Board of Zoning Appeals as provided in Article V.

Section 431 Non-Conforming Lots of Record in Combination. If two or more lots or a combination of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Resolution and if all or part of the lots with no buildings do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this Resolution and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this Resolution, nor shall any division of any parcel be made which creates a lot with a width or area below the requirements stated in this Resolution.

Section 440 Non-Conforming Uses of Land. Where, at the time of adoption of this Resolution lawful uses of land exist which would not be permitted by the regulations imposed by this Resolution, the uses may be continued so long as they remain otherwise lawful, provided:

1. No such non-conforming uses shall be enlarged or increased nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Resolution.
2. No such non-conforming uses shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such uses at the effective date of adoption or amendment of this Resolution.
3. If any such non-conforming uses of land are discontinued or abandoned for more than two (2) years (except when government action impedes access to the premises), any subsequent use of such land shall conform to the regulations specified by this Resolution for the district in which such land is located.
4. No additional structure not conforming to the requirements of this Resolution shall be erected in connection with such non-conforming use of land.

Section 450 Non-Conforming Structures. Where a lawful structure exists at the effective date of adoption or amendment of this Resolution by reason of restrictions on area, lot coverage, height, yards, its location on the lot, bulk, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such non-conforming structure may be enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity;
2. Should such non-conforming structure or non-conforming portion of structure be destroyed by fire or an Act of God, it may after approval by the Board of Zoning Appeals, be reconstructed as it previously existed. All remaining debris shall be cleared away and disposed of properly within two (2) months of the time of destruction.
3. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

Section 460 Non-Conforming Uses of Structures or of Structures and Land in Combination. If a lawful use involving individual structures, or of a structure and land in combination, exists at the effective date of adoption or amendment of this Resolution that would not be allowed in the district under the terms of this Resolution, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this Resolution in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located;
2. Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Resolution; but not such use shall be extended to occupy any land outside such building;
3. If no structural alterations are made, any non-conforming use of a structure or structure and land, may upon appeal to the Board of Zoning Appeals, be changed to another non-conforming use provided that the Board of Zoning Appeals shall find that the proposed use

is equally appropriate or more appropriate to the district than the existing non-conforming use. In permitting such change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accord with other provisions of this Resolution;

4. Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the non-conforming use may not thereafter be resumed;
5. When a non-conforming use of a structure, or structure and land in combination is discontinued or abandoned for more than two (2) years (except when government action impedes access to the premises), the structure or structure and land in combination shall not thereafter be used except in conformity with the regulations of the district in which it is located;
6. Where non-conforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land except as stated in Section 450 paragraph 2.

Section 470 Repairs and Maintenance. On any non-conforming structure or portion of a structure containing a non-conforming use, work may be done on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, provided that the cubic content existing when it became non-conforming shall not be increased. Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

Section 480 Uses Under Conditional Use Provisions Not Non-Conforming Uses. Any use which is permitted as a conditional use in a district under the terms of this Resolution shall not be deemed a non-conforming use in such district, but shall without further action be considered a conforming use.

ARTICLE V ADMINISTRATION

Section 500 Office of Zoning Inspector Created. A Zoning Inspector designated by the Board of Township Trustees shall administer and enforce this Resolution. The inspector may be provided with the assistance of such other persons as the Trustees may direct.

Section 501 Duties of the Zoning Inspector. For the purpose of this Resolution, the Zoning Inspector shall have the following duties:

1. Upon finding that any of the provisions of this Resolution are being violated, they shall notify in writing the person responsible for such violation(s), ordering the action necessary to correct such violation;
2. Order discontinuance of illegal uses of land, buildings, or structures;
3. Order removal of illegal buildings or structures or illegal additions or structural alterations;
4. Order discontinuance of any illegal work being done;
5. Take any other action authorized by this Resolution to ensure compliance with or to prevent violation(s) of this Resolution. This may include the issuance of and action on zoning and certificate of occupancy permits and such similar administrative duties as are permissible under the law.

Section 510 Zoning Commission Composition. Pursuant to ORC 519.04, The Zoning Commission shall be composed of five (5) members who reside in the unincorporated area of the township, to be appointed by the Board of Township Trustees. The Board of Township Trustees may appoint two (2) alternate members to the Zoning Commission, for terms to be determined by the Board of Township Trustees. An alternate member shall take the place of an absent regular member at any meeting of the Zoning Commission, according to procedures prescribed by resolution by the Board of Township Trustees. An alternate member shall meet the same appointment criteria as a regular member. When attending a meeting on behalf of an absent member, the alternate member may vote on any matter on which the absent member is authorized to vote. The terms of the regular members shall be of such length and so arranged that the term of one (1) member will expire each year. Each regular or alternate member shall serve until the member's successor is appointed and qualified.

Section 511 Proceedings of Zoning Commission. The Commission shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this Resolution. Meetings shall be held at the call of the chairman and at such other times as the Commission may determine. All meetings shall be open to the public. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions all of which shall be a public record and be immediately filed in the office of the Commission.

Section 511 Duties of Zoning Commission. For the purposes of this Resolution the Commission hall have the following duties:

1. Initiate proposed amendments to this Resolution;
2. Review all proposed amendments to this Resolution;

Section 520 Board of Zoning Appeals Created. A Board of Zoning Appeals is hereby created, which shall consist of five (5) members to be appointed by the Board of Township Trustees each for a term of five (5) years, except that the initial appointments shall be one (1), two (2), three (3), four

(4), and five (5) year terms. Each member shall be a resident of the township. Members of the Board may be removed from office by the Trustees for cause upon written charges and after public hearing. Vacancies shall be filled by appointment by the Trustees for the unexpired term of the member affected.

Section 521 Proceedings of the Board of Zoning Appeals. The Board shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this Resolution. Meetings shall be held at the call of the chairman and at such other times as the Board may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of the Board.

Section 522 Duties of the Board of Zoning Appeals. In exercising its duties, the Board may, as long as such action is in conformity with the terms of this Resolution, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and make such order, requirement, decision, or determination as ought to be made, and to that end shall have the powers of the Zoning Inspector from whom the appeal is taken. A concurring vote of at least three (3) members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Inspector, or to decide in favor of the applicant on any matter upon which it is required to pass under this Resolution or to effect any variation in the application of this Resolution. For the purpose of this Resolution the Board has the following specific responsibilities:

1. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, interpretation, or determination made by the Zoning Inspector.
2. To authorize such variances from the terms of this Resolution as will not be contrary to the public interest, where, owing to the special conditions, a literal enforcement of this Resolution will result in unnecessary hardship, and so that the spirit of this Resolution shall be observed and substantial justice done;
3. To grant conditional use permits as specified in the Official Schedule of District Regulations and under the conditions specified in Article 9 and such additional safeguards as will uphold the intent of this Resolution.

Section 530 Duties of Zoning Inspector, Board of Zoning Appeals, Legislative Authority and Courts on Matters of Appeal. It is the intent of this Resolution that all questions of interpretation and enforcement shall be first presented to the Zoning Inspector, and that such questions shall be presented to the Board only on appeal from the decision of the Zoning Inspector, and that recourse from the decisions of the Board shall be to the courts as provided by law. It is further the intent of this Resolution that the duties of the Township Trustees in connection with this Resolution shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this section and this Resolution. Under this Resolution the Township Trustees shall have only the duties of considering and adopting or rejecting proposed amendments or the repeal of this Resolution as provided by law; and of establishing a schedule of fees and charges as stated in Section 360 of this Resolution. Nothing in this Resolution shall be interpreted to prevent any official of the Township from appealing a decision of the Board to the courts as provided in the Ohio Revised Code. Any such appeal shall be made within ten (10) days of the Board's written decision.

Section 540 Procedure and Requirements for Appeals and Variances. Appeals and variances shall conform to the procedures and requirements of Section 541-549, inclusive, of this Resolution. As specified in Section 522, the Board of Zoning Appeals has appellate jurisdiction relative to appeals and variances.

Section 541 Appeals. Appeals to the Board of Zoning Appeals concerning interpretation or administration of this Resolution may be taken by any person aggrieved or by any officer or bureau of the legislative authority of the Township affected by any decision of the Zoning Inspector. Such appeal shall be taken within twenty (20) days after the decision by filing, with the Zoning Inspector and with the Board of Zoning Appeals, a notice of appeal specifying the grounds upon which the appeal is being taken. The Zoning Inspector shall transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken.

Section 542 Stay of Proceedings. An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Inspector from whom the appeal is taken certifies to the Board of Zoning Appeals after the notice of appeal is filed with them that by reason of facts stated in the application, a stay would in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Zoning Appeals or by a court of record on application, on notice to the zoning Inspector from whom the appeal is taken on the cause shown.

Section 543 Variances. The Board of Zoning Appeals may authorize upon appeal in specific cases such variance from the terms of this Resolution as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Resolution would result in unnecessary hardship. No non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for issuance of a variance. Variances shall not be granted on the grounds of convenience or profit, but only where strict application of the provisions of this Resolution would result in unnecessary hardship.

Section 544 Application and Standards for Variances. A variance from the terms of this Resolution shall not be granted by the Board of zoning Appeals unless and until a written application for a variance is submitted to the Zoning Inspector and the Board of Zoning Appeals containing:

1. Name, address, and telephone number of applicants;
2. Legal description of property;
3. Description or nature of variance requested;
4. A narrative statement demonstrating that the requested variance conforms to the following standards;
    a. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
    b. That a literal interpretation of the provisions of this Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Resolution;
    c. That special conditions and circumstances do not result from the actions of the applicant;

d. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Resolution to other lands, structures, or buildings in the same district.

A variance shall not be granted unless the Board makes specific findings of fact based directly on the particular evidence presented to it, which support conclusions that the standards and conditions imposed by subsection 4 of this section have been met by the applicant.

Section 545 Supplementary Conditions and Safeguards. In granting any appeal or variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violation of such conditions and safeguards, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this Resolution and punishable under Section 350 of this Resolution.

Section 546 Public Hearing by the Board of Zoning Appeals. The Board of Zoning Appeals shall hold a public hearing within forty (40) days after the receipt of an application for an appeal or variance from the Zoning Inspector or an applicant.

Section 547 Notice of Public Hearing. Before holding the public hearing required in Section 546, notice of such hearing shall be given at least ten (10) days before the date of said hearing, in accordance with ORC 519.15 as amended from time to time. The notice shall set forth the date, time, and location of the public hearing, and the nature of the proposed appeal or variance.

Section 548 Notice to Parties in Interest. Before holding the public hearing required in Section 546, written notice of such hearing shall be mailed by the chairman of the Board of Zoning Appeals, by first class mail, at least ten (10) days before the day of the hearing to all parties in interest. Parties of interest shall include, but not be limited to, property owners contiguous to and directly across the road (street) from the property concerned. The notice shall contain the same information as required of notices as specified in Section 547.

Section 549 Action by Board of Zoning Appeals. Within thirty (30) days after the public hearing required in Section 547, the Board of Zoning Appeals shall either approve, approve with supplementary conditions as specified in Section 545, or disapprove the request for appeal or variance. The Board of Zoning Appeals shall further make a finding that the reasons set forth in the application justify the granting of the variance that will make possible a reasonable use of the land, building, or structure. Appeals from Board decisions shall be made in the manner specified in Section 530.

Section 560 Procedure and Requirements for Approval of Conditional Use Permits. Conditional uses shall conform to the procedures and requirements of Section 561-568, inclusive of this Resolution.

Section 561 General. It is recognized that an increasing number of new kinds of uses are appearing daily, and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, design, size and method of operation, circulation, and public facilities that each specific use must be considered individually. These specific uses as they are conditionally permitted under the provisions of Article 9, shall follow the procedures and requirements set forth in Section 562 – 568, inclusive.

Section 562 Contents of Application for Conditional Use Permit. An application for a conditional use permit shall be filed with the Chairman of the Board of Zoning Appeals by at least one owner or lessee of property for which such conditional use is proposed. At a minimum the application shall contain the following information:

1. Name, address, and telephone number of the applicant;
2. Legal description of property;
3. Description of existing use;
4. Zoning District;
5. Description of proposed conditional use,
6. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards, and such other information as the Board may require to determine if the proposed conditional use meets the intent and requirements of this Resolution.
7. A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, odor and fumes on adjoining property; a discussion of the general compatibility with adjacent and other properties in the district.

Section 563 General Standards Applicable to all Conditional Uses. The Board shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

1. Is in fact a conditional use as established under the provisions of Article 9 and appears on the Official Schedule of District Regulations adopted by Section 910 for the zoning district involved;
2. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the Township's comprehensive plan and/or Zoning Resolution.
3. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
4. Will not be hazardous or disturbing to existing or future neighboring uses;
5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer; or that the persons or agencies responsibility for the establishment of the proposed use shall be able to provide adequately any such services;
6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
7. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, or odors;
8. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

Section 565 Supplementary Conditions and Safeguards. In granting any conditional use, the Board may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violations of such conditions and safeguards, when made a part of the terms under which the conditional use

is granted, shall be deemed a violation of this Resolution and punishable under Section 350 of this Resolution.

Section 566 Procedure for Hearing, Notice. Upon receipt of the application for a conditional use permit specified in Section 562 the Board shall hold a public hearing, publish notice, and give written notice all parties in interest according to the procedures specified in Section 546 through 548.

Section 567 Action by the Board of Zoning Appeals. Within thirty (30) days after the public hearing required in Section 66, the Board shall either approve, approve with supplementary conditions as specified in section 565, or disapprove the application as presented. if the application is approved or approved with modifications, the Board shall direct the zoning Inspector to issue a conditional use permit listing the specific conditions specified by the Board for approval. If the application is disapproved by the Board, the applicant may seek relief through the Court of Common Pleas. Appeals from Board decisions shall be made in the manner specified in Section 530.

Section 568 Expiration of Conditional Use Permit. A conditional use permit shall be deemed to authorize only one particular conditional use and said permit shall automatically expire if, for any reason, the conditional use shall cease for more than two (2) years. Change of ownership shall have no affect on the validity of the conditional use.

ARTICLE VI AMENDMENT

Section 600 Procedure for Amendment or District Changes. This resolution may be amended utilizing the procedures specified in ORC 519.12, as amended from time to time.

Section 601 General. Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Board of Township Trustees may by Resolution, after receipt of recommendation thereon from the Zoning Commission, and subject to procedures provided by law, amend, supplement, change or repeal the regulations, restrictions, and boundaries or classification of property.

Section 602 Initiation of Zoning Amendments. Amendments to this Resolution may be initiated in one of the following ways:

1. By adoption of a motion by the Zoning Commission;
2. By adoption of a resolution by the Township Trustees;
3. By the filing of an application by at least one (1) owner or lessee of property within the area proposed to be changed or affected by said amendment.

Section 603 Contents of Application. Applications for amendments to the Official Zoning Map adopted as part of this Resolution by Section 700 shall contain at least the following information:

1. Name, address, and telephone number of the applicant;
2. Present use;
3. Present zoning district;
4. Proposed use;
5. Proposed zoning district;
6. A vicinity map at a scale approved by the Zoning Inspector showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Inspector may require;
7. A list of all property owners and their addresses who are within, contiguous to, and directly across the road (street) from the parcel(s) proposed to be rezoned and others that may have a substantial interest in the case, except that addresses need not be included where more than ten (10) parcels are to be rezoned;
8. A fee as established by the Township Trustees, according to Section 360.

Section 604 Transmittal to Zoning Commission. Immediately after the adoption of a resolution by the Township Trustees or the filing of an application by at least one (1) owner or lessee of property, said resolution or application shall be transmitted to the Zoning Commission. The Zoning Commission shall comply with all the requirements of Chapter 519.12 of the Ohio Revised Code.

Section 605 Transmittal to Regional Planning Commission. Within five (5) days after the adoption of a motion by the Commission, transmittal of a resolution of the Board of Township Trustees, or the filing of an application by at least one (1) owner or lessee, the Zoning Commission shall transmit a copy of the proposed amendment together with the text and map pertaining to the case in question to the Regional Planning Commission. The Regional Planning Commission shall recommend approval or denial of the proposed amendment or some modification of it. Such

recommendation shall be considered at the public hearing held by the Zoning Commission on the proposed amendment.

Section 606 Submission to Director of Transportation. Before any zoning amendment is approved effecting any land within three hundred (300) feet of the centerline of a proposed new highway or highway for which changes are proposed as described in the certification to local officials by the Director of Transportation, or within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway the Commission shall give notice, by registered mail or certified mail to the Director of Transportation. The Commission may proceed as required by law, however, the Township Trustees shall not approve the amendment for one hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Trustees that he shall proceed to acquire the land needed, then the Trustees shall refuse to approve the rezoning. If the Director of Transportation notifies the Trustees that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the Trustees shall proceed as required by law.

ARTICLE VII PROVISIONS FOR OFFICIAL ZONING MAP

Section 700 Official Zoning Map. The districts established in Article 8 of this Resolution as shown on the Official Zoning Map which, together with all explanatory matter thereon, are hereby adopted as part of this Resolution.

Section 710 Identification of the Official Zoning Map. The Official Zoning Map shall be identified by the signature of the chairman of the Board of Township Trustees and attested to by the Fiscal Officer.

Section 720 Interpretation of District Boundaries. Where uncertainty exists with respect to the boundaries of any of the zoning districts as shown on the Official Zoning Map, the following rules shall apply:

1. Where district boundaries are indicated as approximately following the center lines of thoroughfares or highways, street lines, or highway right-of-way lines, such center lines, street lines, or highway right-of-way lines shall be construed to be such boundaries;
2. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be such boundaries;
3. Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or the center lines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the Official Zoning Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Zoning Map.
4. Where the boundary of a district follows a rail-road line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line; and
5. Where the boundary of a district follows a stream, lake, or other body of water, said boundary line shall be deemed to be at the limit of the jurisdiction of the Township, unless otherwise indicated.

Section 730 Replacement of the Official Zoning Map. In the event the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret, the Township Trustees may by resolution adopt a new map which shall supersede the prior map . The new map may correct drafting errors in the prior map, but no such correction shall have the effect of amending the original map or any subsequent amendment thereof. The new map shall be identified by the signature of the chairman of the Trustees, attested to by the Township Fiscal Officer, and bearing the following words: This is to certify that this Official zoning Map supersedes and replaces the Official Zoning Map adopted ___(date)___ as part of the Zoning Resolution of Bloomfield Township, Logan County, Ohio.

ARTICLE VIII ESTABLISHMENT AND PURPOSE OF DISTRICTS

Section 800 Intent. The following zoning districts are hereby established for the township. For the interpretation of this Resolution, the zoning districts have been formulated to realize the general purposes as set forth in the preamble of this Resolution. In addition, the specific purpose of each zoning district shall be as stated.

Section 810 Rural District (U-1). The purpose of the U-1 District is to provide land which is suitable or used for agriculture, conservation, very low density residential and public and quasi-public purpose. Very low density residential land use refers to farm housing units and isolated residential developments not requiring a major plat under the County's Subdivision Regulations. (A major plat consists of 6 or more lots). Some residential, commercial and industrial development may be permitted as conditional uses under Section 560. On-site water and sewer facilities are permitted, provided such facilities comply with the County Health District regulations. Specific permitted and conditional uses are listed on the Official Schedule of District Regulations.

Section 820 Low Density Residential District (R-1). The purpose of the R-1 District is to provide land for single family dwelling units not to exceed four (4) dwelling units per acre with a central sewerage system. This district shall also include land that is subdivided which requires a major plat under the County's Subdivision Regulations. (A major plat consists of 6 or more lots). Specific permitted and conditional uses are listed on the Official Schedule of District Regulations.

Section 850 Service Business District (B-1). The purpose of the B-1 District is to provide land for sales, service and repair establishments which require highway orientation or larger tracts of land not normally found in local business areas. A variety of convenience and shopping-type activities may be available in addition to service businesses. Specific permitted and conditional uses are listed on the Official Schedule of District Regulations.

Section 860 Local Business District (B-2). The purpose of the B-2 District is to provide land for retail and service businesses offering shopping and convenience-type goods and services. A variety of convenience and shopping-type activities may be available in addition to service businesses. Specific permitted and Conditional Uses are listed on the Official Schedule of District Regulations

Section 880 Light Manufacturing District (M-1). The purpose of the M-1 District is to provide land for manufacturing or industrial type facilities which are relatively clean, quiet and free of objectionable elements such as noise, odor, dust, smoke, etc.; operate mostly within enclosed structures; and do not generate as much traffic as would be found in a heavy manufacturing district. Specific permitted and conditional uses are listed on the Official Schedule of District Regulations.

Section 890 Heavy Manufacturing District (M-2). The purpose of this District is to provide land for major manufacturing, processing, storage, warehousing, mineral extraction, research and testing facilities, and similar operations. These activities may require large sites, extensive community services, have large, open storage and service areas, and generate greater industrial traffic than in the M-1 District. Specific Permitted and Conditional uses are listed on the Official Schedule of District Regulations.

ARTICLE IX DISTRICT REGULATIONS

Section 900 Compliance with Regulations. The regulations for each district set forth by this Resolution shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided; or as otherwise granted by the Board of Zoning Appeals.

1. No building, structure or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.
2. No building or other structure shall be erected or altered:
    a. To provide for greater height or bulk;
    b. To accommodate or house a greater number of families;
    c. To occupy a greater percentage of lot area;
    d. To have narrower or smaller rear yards, front yards, side yards, or other open spaces.
3. No yard or lot existing at the time of passage of this Resolution shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Resolution shall meet at least the minimum requirements set forth herein.
4. Any use not defined by this Resolution shall be prohibited. No specific use which is defined by this Resolution shall be construed as being included within the definition of any other defined use.

Section 910 Official Schedule of District Regulations Adopted. District regulations shall be as set forth in the Official Schedule of District Regulations hereby adopted and declared to be a part of this Resolution and in Article 10 of this Resolution, "Supplementary District Regulations." Regulations for Mobile Home Parks shall be those specified in Article 13.

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS		
ZONING DISTRICTS	**PERMITTED USES**	**CONDITIONAL USES**
(Symbols as used on the official zoning map)	*(Accessory uses and essential services are included)*	*(Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals)*
1	**2**	**3**
U-1 RURAL UNDEVELOPED	Agriculture; Animal Hospital; Clinic; Kennel; Non-Commercial Recreation; Public & Quasi-Public Uses; Single Family Dwelling;	Agritourism; Bed & Breakfast; Cemetery; Commercial Recreation; Home Occupation; Manufactured and/or Mobile Homes individually; Public Serve Facility; Signs & Advertising Structures;
R-1 LOW DENSITY RESIDENTIAL	Agriculture; Child Day Care; Non-commercial recreation; Public & Quasi-Public Uses; Single Family Dwelling;	Agritourism; Home Occupation; Multi-Family Dwelling; Manufactured and/or Mobile Homes individually; Nursing Home; Telecommunication Tower;
B-1 SERVICE BUSINESS	Animal Hospital; Auto Repair; Auto Sales; Service Business; Automotive Service Station; Clinic; Club; Commercial & Non-Commercial Recreation; Drive-In business; Public & Quasi-Public Uses;	Agritourism; Home Occupation; Offices; Printing & Publishing; Public Service Facility; Retail Business; Single Family Dwelling*; Signs & Advertising Structures; Transient Lodgings;
B-2 LOCAL BUSINESS	Child Day Care; Convenience-Type Retail Business; Eating & Drinking Establishments; Non-Commercial Recreation; Offices; Personal Services; Public & Quasi-Public Uses;	Agritourism; Commercial Recreation; Printing & Publishing; Service Business; Shopping-Type Retail Business;
M-1 LIGHT MANUFACTURING	Auto Repair; Light Manufacturing & Related Offices; Public Service Facility; Public & Quasi-Public Service Business; Use;	Adult Entertainment; Agritourism; Manufactured and/or Mobile Home Individually*; Motor Vehicle Salvage Facility; Printing & Publishing; Personal Storage Facilities; Single Family Dwelling*; Signs & Advertising Structures; Transport Terminals; Wholesale & Warehousing;
M-2 HEAVY MANUFACTURING	Food Processing; Heavy Manufacturing & Related Offices; Printing & Publishing; Public & Quasi-Public Use; Transport Terminals; Wholesale & Warehousing;	Agritourism; Junk Storage & Sales; Light Manufacturing & Related Offices; Mineral Extraction; Motor Vehicle Salvage Facility; Public Service Facility; Signs & Advertising Structures; Supply Yard;

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS				
	MINIMUM LOT SIZE EXCLUDING STREET (ROAD) RIGHT-OF-WAY			
	With On-Site Sewage Treatment	With Group or Central Sewage Treatment	Lot Frontage/ Width	Depth:Width Ratio
	Square feet per household		*feet*	
	5	6	7	8
U-1	87,120	87,120	150	4:1#
R-1	87,120	21,780	150 (80)	4:1#
B-1	87,120	21,780	150 (80)	4:1#
B-2	87,120	21,780	150 (80)	4:1#
M-1	108,900	43,560	150 (100)	4:1#
M-2	217,800	43,560	150 (100)	4:1#

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS											
	MAXIMUM % OF LOT TO BE OCCUPIED	**MINIMUM FLOOR AREA**	**MAXIMUM HEIGHT OF (PRINCIPAL) BUILDINGS**		**MINIMUM YARD DIMENSIONS**				**ACCESSORY BUILDINGS**		
					(feet)				**(feet)**		
			Stories	Feet	Front	Side Yards		Rear	Maximum height	Minimum Distance To	
	(Principal and accessory buildings)	*Square feet*				*One side yard*	*Sum of side yards*			*Side lot line*	*Rear lot line*
	9	**10**	**11**	**12**	**13**	**14**	**15**	**16**	**17**	**18**	**19**
U-1	35%	800	2.5	35	50	5	10	5	35	5	5
R-1	35%	800	2.5	35	35	5	10	5	35	5	5
B-1	35%	None	3	40	50	none	none	30	40	none	none
B-2	50%	None	2	30	30	none	none	30	30	none	none
M-1	40%	None	4	50	50	10	30	40	50	5	10
M-2	50%	none	4	50	80	20	50	50	50	10	20

Numbers in ( ) are measurements for lots with group or central sewage treatment.

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS				
	MINIMUM (MANDATORY) OFF-STREET PARKING SPACE	MINIMUM (MANDATORY) OFF-STREET LOADING SPACE	SIGNS PERMITTED	OTHER PROVISIONS AND REQUIREMENTS
				(Supplementary regulations, prohibitions, notes, etc.)
	20	21	22	23
U-1	See Article XI	See Article XI	See Article XII	#Lots of more than 5 acres exempt
R-1	See Article XI	See Article XI	See Article XII	#Lots of more than 5 acres exempt
B-1	See Article XI	See Article XI	See Article XII	*For residential uses, refer to R-1 Regulations; #Lots of more than 5 acres exempt
B-2	See Article XI	See Article XI	See Article XII	#Lots of more than 5 acres exempt
M-1	See Article XI	See Article XI	See Article XII	*For residential uses, refer to R-1 Regulations; #Lots of more than 5 acres exempt
M-2	See Article XI	See Article XI	See Article XII	#Lots of more than 5 acres exempt

ARTICLE X SUPPLEMENTARY DISTRICT REGULATIONS

Section 1000 General. The purpose of the supplementary district regulations is to set specific conditions for various uses, classification of uses or areas where problems may be encountered.

Section 1001 Conversion of Dwellings to More Units. A residence may be converted to accommodate an increased number of dwelling units provided.

1. The yard dimensions, including minimum lot width still meet the yard dimensions required by the zoning regulations for new structures in that district in which the dwelling is located.
2. The lot area per family equals the lot area requirements for new structures in that district;
3. The floor area per dwelling unit is not reduced to less than that which is required for new construction in that district.

Section 1002 Private Swimming Pools. No Private Swimming Pool shall be allowed in any residential district, except as an accessory use and unless it complies with the following conditions and requirements:

1. The pool is intended and is to be used solely for the enjoyment of the occupants and their guests of the principal use of the property on which it is located.
2. It may not be located, including any walks or paved areas or accessory structures adjacent thereto, closer than ten (10) feet to any property line of the property on which it is located.
3. The swimming pool or the entire property on which it is located shall be walled or fenced to prevent uncontrolled access by children from adjacent properties. Said fence or walls shall be not less than four (4) feet in height and maintained in good condition with a gate and lock.

Section 1003 Community or Club Swimming Pools. Community and club swimming pools are permitted as commercial or non-commercial recreation in accordance with the Official Schedule of District Regulations, and shall comply with the following conditions and requirements:

1. The pool is intended solely for the enjoyment of the members and families and guests of members of the association or club under whose ownership or jurisdiction the pool is operated;
2. The pool and accessory structures thereto, including the areas used by the bathers, shall not be closer than fifty (50) feet to any property line;
3. The swimming pool and all of the area used by the bathers shall be walled or fenced to prevent uncontrolled access by children from the thoroughfare or adjacent properties. Said fence or wall shall not be less than five (5) feet in height and maintained in good condition.

Section 1004 Temporary Buildings. Temporary buildings, construction trailers, equipment and materials used in conjunction with construction work only may be permitted in any district during the period construction work is in progress, but such temporary facilities shall be removed within ninety (90) days of completion of the construction work. Storage of such facilities or equipment beyond the completion date of the project shall require a zoning permit authorized by the zoning inspector.

Section 1005 Parking and Storage of Certain Vehicles. The following provisions and requirements shall pertain to the parking and storage of certain vehicles:

1. The parking or storage, within any district, of automotive vehicles without current license plates, for a period of more than thirty (30) days shall be prohibited unless such vehicle is stored in an enclosed garage or other accessory building;
2. The parking or storage, within any district, of a disabled automotive vehicle for a period of more than thirty (120) days shall be prohibited unless such vehicle is stored in an enclosed garage or other accessory building.
3. The parking or storage, within any district, of a junked, dismantled or wrecked automotive vehicle or parts thereof which is in public view of any highway for a period of more than thirty (120) days shall be prohibited, unless proof can be provided to the Zoning Inspector that the owner is actively working to bring the vehicle into operable condition.

For purposes of this section, a junked, dismantled or wrecked automotive vehicle shall be one which is damaged, or no longer serviceable, to the extent that it is inoperable or is unsafe to operate upon the public highways.

This section shall not apply to properly licensed junk yards and motor vehicles salvage facilities which are regulated by appropriate sections of the Ohio Revised Code.

Section 1006 Open Storage and Display of Material and Equipment. The open storage and display of material and equipment incident to permitted or conditional uses in business and manufacturing districts shall be permitted provided the area used for open storage and display shall be effectively screened from all adjoining properties in any residential district by means of walls, fences, or plantings. Walls or fences shall be a minimum of four (4) feet in height without advertising thereon. In lieu of such wall or fence a strip of land not less than ten (10) feet in width, planted and maintained with an evergreen hedge or dense planting of evergreen shrubs not less than four (4) feet in height at the time of planting may be substituted.

Section 1007 Mobile Trailers. Tractor trailers, box cars, shipping containers, or other similar type trailers, containers, or structures may be used as an accessory structure or building provided that such mobile trailers are placed on a gravel pad or other durable surface and must be located in the side or rear yards of the lot.

Section 1010 Supplemental Yard and Height Regulations. In addition to all yard regulations specified in the Official Schedule of District Regulations and in other sections of this Resolution, the provisions of Sections 1011 – 1017, inclusive shall be used for interpretation and clarification.

Section 1011 Setback Requirements for Corner Buildings. On a corner lot the principal building and its accessory structures shall be required to have the same setback distance from all street right-of-way lines as required for the front yard in the district in which such structures are located.

Section 1012 Visibility at Intersections. On a corner lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two and one-half (2 ½) and ten (10) feet above the center lien grades of the intersecting streets or roads in the area bounded by the right-of-way lines of such corner lots and a line joining points along said street or road lines fifty (50) feet from the point of intersection.

Section 1013 Fences, Walls, and Hedges. Fences, walls, and hedges are permitted in all districts, subject to the following conditions:

1. Location
    a. Fences shall be permitted in any yard. Subject to other requirements in the Zoning Resolution, a fence is not prohibited by this section from being placed on a property line.
    b. Walls shall be permitted in any yard including property lines. Subject to other requirements in the Zoning Resolution, a wall is not prohibited by this section from being placed on a property line.
    c. If no structure exists on residential property, no fence or wall may project past the front building line of the average of the adjacent properties or the minimum front yard setback, whichever is greater.
    d. No fence or wall shall encroach upon the right-of-way.
2. Height.
    a. Fences shall not exceed four (4) feet in the front yard or six (6) feet in height for other yards for residential uses.
    b. Fences shall not exceed eight (8) feet in height for non-residential uses.
    c. Walls shall not exceed four (4) feet in the front yard or six (6) feet in height for other yards for residential uses.
    d. Walls shall not exceed six (6) feet in height for non-residential uses.
3. Sight Distance Requirements.
    a. No fence or wall shall violate the sight distance requirements found in Section 1012 Visibility at Intersections.
4. Zoning Permit.
    a. Unless otherwise stated in this Resolution, a zoning permit is required for the erection or installation of a fence or wall.

Section 1014 Yard Requirements for Multi-Family Dwellings. Multi-family dwellings shall be considered as one (1) building for the purpose of determining front, side and rear yard requirements. The entire group as a unit shall require one (1) front, one (1) rear and two (2) side yards as specified for dwellings in the appropriate district. Each individual building shall meet all yard requirements for the appropriate district as though it were on an individual lot.

Section 1015 Side and Rear Yard Requirements for Non-Residential Uses Abutting Residential Districts. Non-residential buildings or uses shall not be located in or conducted closer than (40) feet to any lot line of a residential structure, except that the minimum yard requirements may be reduced to fifty (50) percent of the requirement if acceptable landscaping or screening approved by the Zoning Inspector is provided. Such screening shall be masonry or solid fence between four (4) and eight (8) feet in height maintained in good condition and free of all advertising and other signs. Landscaping provided in lieu of such wall or fence shall consist of a strip of land not less than twenty (20) feet in width planted with an evergreen hedge or dense planting of evergreen shrubs not less than four (4) feet in height at the time of planting. Either type of screening shall not obscure traffic visibility within fifty (50) feet of an intersection.

Section 1016 Architectural Projections. Open structures such as porches, canopies, balconies, platforms, carports, covered patios and similar architectural projections shall be considered parts of the building to which attached and shall not project into the required minimum front, side or rear yard.

Section 1017 Exceptions to Height Regulations. The height limitations contained in the Official Schedule of District Regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys or other appurtenances usually required to be placed above the roof level and not intended for human occupancy except where the height of such structures will constitute a hazard.

Section 1018 Erection of More than One Principal Structure on a Lot. In any district, more than one structure housing a permitted or permissible principal use may be erected on a single lot, provided that yard and other requirements of this Resolution shall be met for each structure as though it were on an individual lot. Accessory buildings such as a garage may be located in the rear or side yard, provided that yard and other requirements of this Resolution are met.

Section 1019 Front Setback for Lots of Record in the R-1 and B-2 Districts. The front setback for new structures on lots of record may be the same as the nearest adjoining principal structure in the R-1 and B-2 Districts.

Section 1020 Special Provisions for Commercial and Industrial Uses. No commercial or industrial uses as designated on the Official Schedule of District Regulations and defined herein nor any land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious or otherwise objectionable conditions which could adversely affect the surrounding areas or adjoining premises, except that any use permitted by this Resolution may be undertaken and maintained if acceptable measures and safeguards to reduce dangerous and objectionable conditions to acceptable limits are taken. Specifically, the commercial or industrial use shall be in violation of this Resolution if one or more of the following conditions is found to exist at any time:

1. The use or storage of flammable or explosive materials is not adequately protected by fire-fighting and fire-protection equipment or by such safety devices as are normally required for such activities;
2. Activities involving the use and storage of flammable and explosive materials are not removed from adjacent facilities or activities to a distance compatible with the potential danger involved;
3. Radioactivity or air pollution is present in violation of the regulations of the Ohio Environmental Protection Agency;
4. Hazardous wastes are present in violation of the regulations of the Ohio Environmental Protection Agency;
5. Objectionable noise as determined by the Zoning Inspector due to volume, frequency, or beat is present.
6. Vibration discernable by the Zoning Inspector without instruments is present on any adjoining lot or property.
7. Direct or reflected glare is present which is visible from any street or from any property not within a manufacturing district.
8. Erosion caused by wind or water is carrying objectionable substances onto any adjacent lot or property;
9. Water pollution or contamination is present in violation of the regulation of the Ohio Environmental Protection Agency.

The Board of Zoning Appeals may establish limits of these conditions as part of the variance or conditional use process.

Section 1030 Mining, Mineral, Sand and Gravel Extraction; Storage and Processing. The extraction, storage and processing of minerals shall be conducted in accordance with the requirements of Sections 1030 through 1037 inclusive.

Section 1031 Distance from Residential Areas. Mineral extraction, storage or processing shall not be conducted closer than 500 feet from any residential district, nor closer than 500 feet from any structure used for human occupancy in any other district.

Section 1032 Filing of Location Map. The operator shall file with the Zoning Inspector a location map which clearly shows areas to be mined and the location of adjacent properties, roads and natural features.

Section 1033 Information on Operation. The operator shall submit information on the anticipated depth of excavations and on depth and probably effect on the existing water table as coordinated with the Ohio Division of Water.

Section 1034 Restoration of Mined Area. The operator may be required to file with the Board of Zoning Appeals a detailed plan for the restoration of the area to be mined which shall include the anticipated future use of the restored land.

Section 1035 Performance Bond. The operator may be required to file with the Board of Township Trustees a bond, or other surety, payable to the township and conditioned on the faithful performance of all requirements contained in the approved restoration plan. The bond or other surety shall be released upon written certification of the zoning inspector that the restoration is complete and in compliance with the restoration plan.

Section 1036 Enforcement Provisions. The zoning inspector, prior to the issuance of a zoning permit, may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerances. The area being mined or that has been mined shall be posted with "No Trespassing" signs to discourage human injury to the general public.

Section 1037 Measurement Procedures. Methods and procedures for the determination of the existence of any dangerous and objectionable elements shall conform to applicable standard measurement procedures published by the American Standards Association, Inc., New York; the Manufacturing Chemists' Association, Inc., Washington, D.C.; the United States Bureau of Mines and the Ohio Environmental Protection Agency.

Section 1040 Roadside Produce Stands. A building for the sale of home-grown produce may be located not less than twenty-five feet from the highway right-of-way if it is a portable building. If portable, it shall be removed from its roadside location during the season that it is not in use as a roadside produce stand. A permanent structure for such use may be constructed, but shall be located not less than fifty feet from the highway right-of-way line. Parking shall be provided off the highway right-of-way.

Section 1041 Agritourism. In the interest of protecting the public health and safety, an Agritourism use shall satisfy the conditions in this Section. Capitalized terms not defined in this Section shall have the respective meanings given to them in Article II Definitions of this Zoning Resolution or in the Ohio

Revised Code.

In addition to the procedure and requirement for approval of conditional use permits, as stated in Section 560, the Board of Zoning Appeals shall direct the Zoning Inspector to issue a conditional use permit if the applicant establishes l the following conditions have been met by a preponderance of the evidence presented in the application for conditional use permit and at the public hearing:

1. The Agritourism use will be on a "Farm".
2. Each proposed Agritourism Use is an agriculturally related educational, entertainment, historical, cultural, and/or recreational activity (including you-pick operations or farm markets) conducted on a Farm that allows or invites members of the general public to observe, participate in, or enjoy the activity. A narrative statement regarding this shall be provided by the applicant and it shall replace and substitute any narrative statement otherwise required as part of an application for conditional use permits.
3. A site plan of the proposed Agritourism site showing the following, when applicable:
    a. The floor areas, heights, and setbacks of all structures, including buildings, used primarily for Agritourism; and,
    b. The size and setbacks of all parking areas, including loading spaces, used primarily for Agritourism; and,
    c. Provisions for egress and ingress.
4. These criteria shall replace and substitute any site plan otherwise required as part of an application for conditional use permits.
5. The size and setback for any structure used primarily for Agritourism shall conform to the requirements of the zoning district in which the Agritourism Use will be located and/or any size and/or setback requirements, if any, specified in this Section.
6. Off-street parking in accordance with setback and size requirements (only) in Article XI Off-Street Parking and Loading Requirements shall be provided.
    a. Additionally, off-street parking of a size adequate to meet peak time demand shall be provided in a manner that does not cause nuisance or conflict with adjoining properties. Estimates of traffic generation shall be submitted. In no instance shall parking be permitted within yard setback areas or within 20 feet of the road right-of-way.
    b. The Board of Zoning Appeals may not require any parking area to be improved in any manner, including requirements governing drainage, parking area base, parking area paving, or any other improvement.
7. Safe and adequate ingress and egress shall be maintained at all times.
8. The Board of Zoning Appeals may not prescribe conditions and/or safeguards not otherwise stated in this Section.

Within forty-five (45) days after the date the public hearing was first opened, or a later date the applicant agrees to in writing, the board of zoning appeals shall conclude and adjourn the hearing. The board shall decide the appeal within twenty (20) days after the conclusion and adjournment of the hearing. Appeals from board decisions shall be made in a manner specified in Section 530.

<u>Section 1050 Home Occupation.</u> It is the purpose of this Resolution to promote the public health, safety, and welfare through the regulation of home occupations. It is further the intent of these Sections to allow limited non-residential uses in residential structures which are compatible with the residential character of their surroundings.

No Home Occupation shall be located in a zoning district where such use is not explicitly listed as a permitted or conditionally permitted use. A home occupation shall be a permitted only if it complies with the following requirements:

1. The owner or lessee of the premises must reside in the dwelling unit used for the home occupation. The lessee shall have the owner's permission to conduct such home occupation.
2. Not more than two (2) workers exclusive of the owners and family members living on the premises shall be employed in a home occupation at any one time.
3. All activities conducted on site shall be conducted entirely within the dwelling unit, and the use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants.
4. Not more than thirty (30) percent or six hundred (600) square feet of the gross floor area, whichever is less, of any dwelling unit shall be used for a home occupation.
5. Home occupations shall be permitted in any accessory building within any district provided that the gross floor area does not exceed thirty (30) percent or six-hundred (600).
6. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home.
7. All signs shall comply with Article XII Signs of this Zoning Resolution.
8. There shall be no sale on the premises of commodities other than those incidental to the home occupation.
9. No additional parking places proposed in conjunction with the home occupation shall be located in the required front setback.
10. Equipment or processes shall not be used in such Home Occupations that creates noise, dust, vibrations, glare, fumes, odors, or visual, audible, or electrical interference detectable off the lot or beyond the lot line.

There shall be no increased burden placed upon existing Township public services provided to the residence as a result of a Home Occupation.

<u>Section 1060 Small Wind Projects (Less than 5MW).</u>

I. Wind Projects of 5MW or more shall be required to submit an application with the Ohio Power Siting Board (OPSB) at the Public Utilities Commission of Ohio (PUCO) and are required to meet OPSB regulations. Small Wind Projects less than 5MW and used solely for Agriculture will be exempt from these zoning regulations as an Agricultural Use. Any proposed construction, erection, or siting of a small wind project less that 5MW including the wind turbine generator or anemometer or any parts thereof shall be permitted only as an accessory use in any district if the following conditions are met:
    A. The maximum height of any turbine shall be 125 ft. For purposes of this Resolution, maximum height shall be considered the total height of the turbine system including the tower, and the maximum vertical height of the turbine's blades. Maximum height therefore shall be calculated by measuring the length of a prop at maximum vertical rotation to the base of the tower.
    B. Setbacks: the following shall apply in regards to setbacks.
        1. Any turbine erected on a parcel of land shall be setback 1.1 times the height of the tower, or established "clear fall zone", from all road right-of-way lines and neighboring property lines. A turbine shall be erected and placed in such a manner that if it were to fall, whatever direction the fall occurs would be contained solely on the property where the turbine is located at.

C. Maintenance

1. Wind turbines must be maintained in good working order. The owner shall within 30 days of permanently ceasing operation of a wind turbine, provide written notice of abandonment to the Zoning Inspector. An unused wind turbine or small wind project may stand no longer than 12 months following abandonment. All costs associated with the demolition of the wind turbine and associated equipment shall be borne by the owner. A wind turbine is considered abandoned when it ceases transmission of electricity for 30 consecutive days. Wind turbines that become inoperable for more than 12 months must be removed by the owner within thirty (30) days of issuance of zoning violation. Removal includes removal of all apparatuses, supports, and or other hardware associated with the existing wind turbine.

D. Decibel Levels

1. Decibel levels shall not exceed those provided by the manufacturer as requested in II Permits, 2., e.

E. Wiring and electrical apparatuses:

1. All wires and electrical apparatuses associated with the operation of a wind turbine unit shall be located underground and meet all applicable local, state, and federal codes including the County Building Regulations and Residential Building Code of Ohio.

F. Warning Signs:

1. Appropriate warning signs to address voltage shall be posted (where and meeting sign requirements).

G. Building Permits:

1. All Small Wind Projects and parts thereof shall obtain all applicable Building Permits from the State of Ohio and County Building Regulations where required.

II. Permits

A. A permit shall be required before construction can commence on an individual wind turbine project.

B. As part of the permit process, the applicant shall inquire with the County Building Regulations as to whether or not additional height restrictions are applicable due to the unit's location in relation to any local airports.

C. Applicant shall then provide the Township Zoning Inspector with the following items and or information when applying for a permit:

1. Location of all public and private airports in relation to the location of the wind turbine.
2. An report that shows:
    a. The total size and height of the unit
    b. If applicable, the total size and depth of the unit's foundation structure, as well as soil and bedrock data.
    c. A list and or depiction of all safety measures that will be on the unit including anti-climb devices, grounding devices, and lightning protection, braking systems, guy wiring & anchors.
    d. Data specifying the kilowatt size and generating capacity in kilowatts of the particular unit.
    e. The maximum decibel level of the particular unit. This information shall be obtained from the manufacturer of the turbine unit.

f. Hazardous materials containment and disposal plan.

3. A site drawing showing the location of the unit in relation to existing structures on the property, roads and other public right-of-ways, and neighboring property lines.
4. Evidence of established setbacks of 1.1 times the height of the wind turbine and "clear fall zone."
5. A maintenance schedule as well as a dismantling plan that outlines how the unit will be dismantled shall be required as part of the permit.

Section 1061 Small Solar Energy Systems (Less than 50 MW).

A. Accessory Solar Energy Systems

It is the purpose of this regulation to promote the safe, effective, and efficient use of accessory solar energy systems installed to reduce the on-site consumption of utility-supplied electricity. An accessory solar energy system shall be considered a permitted accessory use in any district provided all requirements and regulations as set forth below are met.

No person shall cause, allow or maintain the use of an accessory solar energy system without first having obtained a zoning permit from the zoning inspector.

All accessory solar energy systems shall meet the following requirements:

1. An accessory solar energy system is permitted in all zoning districts as an accessory to a principal use.
2. An accessory solar energy system shall not be used for the generation of power for the sale or donation of energy to other users, although this provision shall not be interpreted to prohibit the sale or donation of excess power generated from time to time to the local utility company or the sale or donation of power as part of a net metering or similar arrangement. Net metering or similar arrangements are those where electricity produced by the accessory solar energy system displaces electricity that would otherwise be purchased from an electric utility or supplier for the lot where the accessory system is located. Net metering or similar arrangements shall be incidental and secondary to the production for on-site use.
3. Accessory solar energy systems with a generation output of five hundred (500) watts or less, or a combination of accessory solar energy systems with an aggregate generation output of five hundred (500) watts or less, shall not require a permit and shall be exempt from the requirements of this section, provided that the system is independent and disconnected from the electrical service(s) supplied to the lot on which the accessory solar energy system is located.
4. Roof/Building mounted accessory solar energy systems:
    a. Shall not extend beyond the perimeter (or edge of roof) of the building on which it is located.
    b. May be mounted to a principal or accessory building.
    c. The height of the solar energy system and building to which it is mounted may not exceed the ridgeline of the roof for hip, gable, and gambrel roofs.
5. Ground/Pole mounted accessory solar energy systems:
    a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
    b. Shall be permitted in the rear or side yard only.
    c. Shall be erected within an established clear fall zone.

d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (20) feet from the nearest property line, whichever is greater.

6. Other structure mounted accessory solar energy systems:
   a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
   b. Shall be permitted in the rear or side yard only.
   c. Shall be erected within an established clear fall zone.
   d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (20) feet from the nearest property line, whichever is greater.
7. Accessory solar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent street right of ways.
8. Accessory solar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within six (6) months from the date they are no longer producing electricity, become damaged, discontinued or broken. Any earth disturbance as a result of the removal of the accessory solar energy system shall be graded and reseeded within thirty (30) days of removal.
9. In addition to the site plan required for any zoning permit or conditional use permit, the following shall also be submitted at the time of application and shall include:
   a. Height of the proposed solar energy system(s) at maximum tilt.
   b. Evidence of established setbacks of 1.1 times the height of any ground/pole mounted or other structure mounted solar energy system and "clear fall zone".
   c. Proof of notice to the electric utility company, Soil and Water Conservation District (for drainage impact purposes), and County Health Department/District (for on-site sewage treatment impacts) regarding the proposal.

<u>B. Principal Solar Energy Production Facilities</u>
No Principal Solar Energy Production Facility shall be located in a zoning district where such facilities are not explicitly listed as a permitted or conditionally permitted use.

It is not the purpose of this regulation to regulate a major utility facility as defined by the Ohio Power Siting Board (50 MW or greater).

<u>Section 1065 Telecommunication Towers.</u> Public utilities or other functionally equivalent telecommunications providers may site a tower in any zoning district except those expressly zoned for residential use. The local zoning authority shall apply to a particular tower, only upon provision of a written notice of objection to that particular tower.

A.) Towers Proposed within Areas Zoned for Residential Use - Towers may be regulated in areas zoned for residential use upon receipt of an objection.

1.) Notice - Notice shall comply with ORC 519.211 (B)(3). *(Any person who plans to construct a tower in an area subject to zoning shall provide by CERTIFIED MAIL: written notice to each property owner whose land is contiguous to or directly across a street from the property on which the tower is proposed to be located. Notice must include intent of the person to construct the tower, a description of the property, and a notice that no later than fifteen days after the date of*

mailing of the notice, any such property owner may give written notice to the trustees that the zoning regulations be applied.)

2.) Procedure if Objections Are Filed: Upon the receipt of an objection by the Trustees, the Trustees shall request that the fiscal officer shall notify the applicant within 5 days that the zoning regulations apply.

3.) Procedure if No Objections Are Filed - Telecommunications towers shall be permitted as a use exempt from any local zoning authority in residential zoned areas if no objections are timely filed as provided.

B.) Local Zoning Authority - If objections are filed for a proposed tower in a district zoned for residential use then the tower shall only be permitted as a conditional use by the Board of Zoning Appeals, provided that all of the following conditions of this section are met.

1.) Conditional Use - Application and Requirements – An application for conditional use shall be filed with the Board of Zoning Appeals. The application shall include:

a.) A locator map which shall contain the following:

i.) The location of all the applicant's existing facilities within (1) mile of the proposed tower.

ii.) The general location of planned future facilities within (1) mile of the proposed tower.

iii.) For each location of the existing facilities within (1) mile of the proposed tower, list the type and size, the type of equipment, the space available for additional equipment a site plan depicting any parcels on which any existing or proposed tower is/will be.

b.) A site plan:

i.) the location, type and size of existing and proposed towers;

ii.) existing and proposed buildings and structures, drives, circulation and parking;

iii.) landscape screening plan and related design standards;

iv.) land uses, structures and zoning district, adjacent uses, structures and zoning districts;

v.) setbacks from property lines and dwellings within 600 feet of the proposed tower;

vi.) legal description of the lot on which the tower is to be sited;

viii.) any other information necessary to assess compliance with this section; and

ix.) any illumination required by the FAA or FCC.

c.). A written certification from a Professional Engineer stipulating:

i.) that the tower's design is structurally sound and in compliance with all codes;

ii.) that the equipment on the tower and at the site complies with all current FCC regulations;

iii.) that the tower will accommodate co-location of additional antennas for future use, with a statement as to the number of antennas capable of being accommodated or an explanation as to why the tower will not be constructed to accommodate co-location; and

iv.) height and fall zone drawing.

2.) Conditional Use Procedure by Board of Zoning appeals on Receipt of Application - Consistent with the zoning code, the BZA shall provide notice of,

conduct a public hearing and render a decision on the conditional use requested in the application.

3.) General Requirements for all Telecommunications Towers in Residential Zones

i.) The applicant or tower provider shall demonstrate that the proposed tower location in a residential area is essential to service the applicant's service area and that there are no alternative sites in commercial, industrial or exclusively agricultural areas. If another tower or tall structure is technically suitable, the applicant must show that a reasonable request to co-locate was made and that such request was rejected. "Tall structures" shall include smoke stacks, water towers, electric transmission towers, existing antenna support structures or other telecommunications towers, utility buildings and structures over 48 feet in height.

ii.) Maintenance: Towers and related structures must be maintained in good working order.

iii.) The owner/operator shall remove a tower within one hundred eighty (180) days after the tower's use is discontinued. Any earth disturbance as a result of removal of the tower shall be graded and reseeded within thirty (30) days of removal.

4.) Development Standards for all Telecommunications Towers in Residential Districts.

a.) No telecommunications tower shall be permitted to be located in any platted subdivision approved under Sections 711.05, 711.09 or 711.10 of the Ohio Revised Code, or in any 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 public road, when at least thirty-five percent (35%) of the lots within such subdivision or area are developed with at least one (1) dwelling unit.

b.) The maximum height of a tower proposed for one (1) antenna facility for use by a single telecommunications provider shall be 100 feet. The maximum height of a tower proposed for multiple antenna facilities for shared use by multiple telecommunications providers shall be as follows:

i.) Towers proposed for and designed to support the co-location of a total of two antenna facilities – 115 feet;

ii.) Towers proposed for and designed to support the co-location of a total of three antenna facilities – 130 feet; and

iii.) Towers proposed for and designed to support the co-location of four or more antenna facilities – 145 feet.

c.) Clear Fall Zone: Tower height shall be the distance measured from the base of the tower, at grade, to the highest point on the tower, including any antenna. Grade shall be determined as the elevation of the natural or existing topography of the ground level prior to construction of the tower.

i.) The tower base shall not be placed closer than the height of the tower plus forty feet from a unit on a lot contiguous to or directly across the street from the tower's lot.

ii.) A tower base shall be located no closer to any lot line than the distance equal to the height of the proposed tower. Any stabilization structures or guide wires shall be located no closer to any lot line than 50 feet.

iii.) The tower base shall be located no closer to a street right-of-way.

d.) Ancillary Requirements:

i.) Reasonable and safe access and circulation shall be provided to the tower.

ii.) Security fencing shall be provided to prevent uncontrolled access to the tower site.

iii.) The tower and related screening shall, to the extent practicable, be designed to be aesthetically and architecturally compatible with the surrounding environment.

iv.) The tower shall be of a monopole design.

v.) No advertising is permitted anywhere on the tower.

vi.) Where located on property not owned by the operator, the applicant shall present documentation that the owner of the property has approved the application

vii.) The applicant shall submit a signed statement indicating that he/she agrees to allow for the potential co-location of other antenna facilities to the extent possible.

viii.) An antenna may be attached to a nonresidential building permitted in the district as long as it meets the other requirements within this code.

ix.) Any structures for equipment shelter shall be shown on the site plan and be architecturally compatible with the surrounding area.

Towers on Township Property - With the prior consent of the township trustees obtained through resolution, a tower may be sited on township owned property not zoned for residential use.

With the prior consent of the township trustees obtained through resolution, a tower may be located on Township owned property zoned for residential use after obtaining a conditional use permit.

Section 1070 Adult Entertainment. Adult Entertainment Facilities are conditionally permitted within the M-1 Manufacturing District only, and subject to conditions set forth in the Zoning Resolution Section 560 and paragraphs 1-9 hereafter set forth.

1. No adult entertainment facility shall be established within one thousand (1,000) feet of any areas zoned for residential use.
2. No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of any school, library, or teaching facility, whether public or private, governmental or commercial which school, library, or teaching facility is attended by persons under eighteen (18) years of age.
3. No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of any park or recreational facility attended by persons under eighteen (18) years of age.
4. No adult entertainment facility shall be established within a radius of two thousand (2,000) feet of any other adult entertainment facility.

5. No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of established church, synagogue, or permanently established place of religious services which is attended by persons under eighteen (18) years of age.
6. No advertisements, displays, or other promotional materials shall be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other areas public or semi-public.
7. All building openings, entries, windows, etc. for adult uses shall be located, covered, or serviced in such a manner as to prevent a view into the interior from any public or semi-public area, sidewalk, or street. For new construction, the building shall be oriented so as to minimize any possibility of viewing the interior from public or semi-public areas.
8. No screens, loudspeakers, or sound equipment shall be used for adult motion picture theatres (enclosed or drive-in) that can be seen or discerned by the public from public or semi-public areas.
9. Off-street parking shall be provided in accordance with the standards for permitted use within M-1 Manufacturing District.

Section 1071 General Conditions for Medical Marijuana Entities. In the interest of protecting the public health, safety, and general welfare, this section establishes zoning regulations for State-authorized medical marijuana cultivators, processors, and dispensaries within the unincorporated area of the township.

1. Not an Agricultural Use. The cultivation, manufacture, and/or sale of medical marijuana shall not be considered an "agricultural" use pursuant to ORC 519.21 (D).
2. Zoning Districts. No medical marijuana entity including a cultivator, processor, and/or dispensary shall be located in a zoning district where the use is not explicitly listed as a permitted or conditionally permitted use. No medical marijuana cultivation, manufacture, and/or sale by a medical marijuana entity shall occur in a zoning district where the use is not explicitly listed as a permitted or conditionally permitted use. Furthermore, no cultivator, processor, and/or dispensary shall operate as a home occupation.
3. Mobile Building Prohibited. No medical marijuana cultivator, processor, or dispensary shall be located within a mobile building.

Section 1072 General Conditions for Adult Use Cannabis Operators.
In the interest of protecting the public health, safety, and general welfare, this section establishes zoning regulations for State-authorized adult use cannabis cultivators, processors, and dispensaries within the unincorporated area of the township.

1. Not an Agricultural Use. The cultivation, manufacture, and/or sale of adult use cannabis shall not be considered an "agricultural" use.
2. Zoning Districts. No adult use cannabis operator including a cultivator, processor, and/or dispensary shall be located in a zoning district where the use is not explicitly listed as a permitted or conditionally permitted use. No adult use cannabis cultivation, manufacture, and/or sale by an adult use cannabis operator shall occur in a zoning district where the use is not explicitly listed as a permitted or conditionally permitted use. Furthermore, no cultivator, processor, and/or dispensary shall operate as a home occupation.
3. Mobile Building Prohibited. No adult use cannabis cultivator, processor, or dispensary shall be located within a mobile building.

ARTICLE XI OFF-STREET PARKING AND LOADING REQUIREMENTS

Section 1100 General Requirements.

1. No building or structure shall be erected, substantially altered, or its use changed unless permanently maintained off-street parking and/or loading spaces have been provided in accordance with the provisions of this Resolution.
2. The provisions of this Article, except where there is a change of use, shall not apply to any existing building or structure.
3. Whenever a building or structure constructed after the effective date of this Resolution is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise to create a need for an increase in the number of existing parking spaces, additional parking spaces shall be provided on the basis of the enlargement or change. Whenever a building or structure existing prior to the effective date of this Resolution is enlarged to the extent of fifty (50) percent or more in floor area, number of employees, number of housing units, seating capacity or otherwise, said building or structure shall then and thereafter comply with the full parking requirements set forth herein.

Section 1110 Parking Space Dimensions. A parking space shall have minimum rectangular dimensions of not less than nine (9) feet in width and nineteen (19) feet in length for ninety (90) degree parking, nine (9) feet in width and twenty-three (23) feet in length for parallel parking, ten (10) feet in width and nineteen (19) feet in length for sixty (60) degree parking, and twelve (12) feet in width and nineteen (10) feet in length for forty-five (45) degree parking. All dimensions shall be exclusive of driveways, aisles and other circulation areas. The number of required off-street parking spaces is established in Section 1130 of this Resolution.

Section 1111 Loading Space Requirements and Dimensions. A loading space shall have minimum dimensions of not less than twelve (12) feet in width, fifty (50) feet in length, exclusive of driveways, aisles and other circulation areas and a height of clearance of not less than fifteen (15) feet. One off-street loading space shall be provided and maintained on the same lot requiring delivery of goods and having a modified gross floor area of up to five thousand (5,000) square feet. One loading space shall be provided for each additional ten thousand (10,000) square feet or fraction thereof of ground floor area. When a reason for loading demand is unusually low, then the loading space provisions cited above may be reduced proportionately by the Board of Zoning Appeals (BZA) upon an appeal from a decision of the Zoning Inspector.

Section 1112 Paving. The required number of parking and loading spaces as set forth in Section 1111 and 1130, together with driveways, aisles, and other circulation areas, shall be improved with such material to provide a durable and dust-free surface.

Section 1114 Maintenance. The owner of property used for parking and/or loading shall maintain such area in good condition without holes and free of all dust, trash, and other debris.

Section 1115 Lighting. Any parking area for a use other than a single-family or two-family dwelling, which is intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property.

Section 1116 Location of Parking Spaces. The following regulations shall govern the location of off-street parking spaces and areas:

1. Parking spaces for all detached residential uses shall be located on the same lot as the use which they are intended to serve;
2. Parking spaces for commercial, industrial or institutional uses shall be located not more than seven hundred (700) feet from the principal use;
3. Parking spaces for any apartments, or similar residential uses shall be located not more than three hundred (300) feet from the principal use.

Section 1117 Screening and/or Landscaping. Whenever a parking area for a use other than a single-family or two-family dwelling is located in or adjacent to a residential district, it shall be effectively screened on all sides which adjoin or face any property used for residential purposes, by an acceptable designed fence, or planting screen. Such fence or planting screen shall be not less than four (4) feet nor more than six (6) feet in height and shall be maintained in good condition. The space between such fence, wall, or planting screen and the lot line of the adjoining premises in any residential district shall be landscaped and maintained in good condition. In the event that terrain or other natural features are such that erection of such fence or planting screen will not serve the intended purpose, then no such fence or planning screen and landscaping shall be required.

Section 1118 Required Trash Areas. All commercial, industrial, and multi-family residential uses that provide trash and/or garbage collection areas shall be enclosed on at least three sides by a solid wall or fence of at least four (4) feet in height if such area is not within an enclosed building or structure. Provisions for adequate vehicular access to and from such areas for collection of trash and/or garbage shall be required.

Section 1120 Minimum Distance and Setbacks. No part of any parking area for more than ten (10) vehicles shall be closer than twenty (20) feet to any dwelling unit if located on an adjoining lot, unless separated by an acceptably designed screen. In no case shall any part of a parking area be closer than four (4) feet to any established road right-of-way.

Section 1121 Joint Use. Two (2) or more non-residential uses may jointly provide and use parking spaces when their hours of operation do not normally overlap, provided that a written agreement approved by the Zoning Inspector shall be filed with the application for a zoning permit.

Section 1122 Wheel Blocks. Whenever a parking lot extends to a property line, wheel blocks or other suitable devices shall be installed to prevent any part of a parked vehicle from extending beyond the property line.

Section 1123 Width of Driveway Aisle. Driveways serving individual parking spaces shall be not less than twenty-five (25) feet wide for ninety (90) degree parking, twelve (12) feet wide for parallel parking, seventeen and one-half (17 ½) feet for sixty (60) degree parking and thirteen (13) feet for forty-five (45) degree parking.

Section 1124 Access. Parking areas shall conform to the access management standards of the County Engineer and Ohio Department of Transportation.

Section 1126 Striping. All parking areas with a capacity over twelve (12) vehicles shall be striped with double lines (six (6) inches both sides of center) between stalls to facilitate the movement into and out of the parking stalls.

Section 1130 Parking Space Requirements. For the purpose of this Resolution, the following parking space requirements shall apply:

TYPE OF USE	PARKING SPACES REQUIRED
Single family or two family dwellings	Two for each unit
Apartments, or multi-family dwellings	Two for each unit
Mobile homes	Two for each unit
Outdoor swimming pools, public or community or club	One for each 5 persons capacity plus one for each 4 seats or one for each 30 sq. ft. floor area used for seating purposes whichever is greater
Retail establishments	One for each 250 sq. ft. of floor area
Offices, public or professional, administrative or service buildings	One for each 400 sq. ft. of floor area
All other types of businesses or commercial uses permitted in any district	One for each 300 sq. ft. of floor area
Churches	One for each 5 seats
All types of manufacturing, storage and wholesale uses	One for every 2 employees on the largest shift for which the building is designed

Section 1131 General Interpretations. In the interpretation of this Article, the following rules shall govern.

1. Parking spaces for other permitted or conditional uses not listed in this Article shall be determined by the Board upon an appeal from a decision of the Zoning Inspector.
2. Fractional numbers shall be increased to the next whole number.
3. When a reason for parking demand is unusually low, then the parking space provisions cited above may be reduced proportionately by the Board of Zoning Appeals (BZA) upon an appeal from a decision of the Zoning Inspector.

ARTICLE XII SIGNS

Section 1200 Intent. The purpose of this Article is to promote and protect the public health, welfare and safety by regulating existing and proposed outdoor advertising, outdoor advertising signs and outdoor signs of all types. It is intended to protect property values, create a more attractive economic business climate, enhance and to protect the physical appearance of the community, and preserve the scenic and natural beauty of designated areas. It is further intended to reduce sign or advertising distraction and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by sights overhanging or projecting over public rights-of-way, provide more open space, and curb the deterioration of the natural environment and enhance community development.

Section 1201 Governmental Signs Excluded. For the purpose of this Resolution "sign" does not include signs erected and maintained pursuant to and in discharge of any governmental function, or required by law, ordinance or governmental regulation.

Section 1202 General Requirements for all Signs and Districts. The regulations contained in this section shall apply to all signs and all use districts.

1. Any illuminated sign or lighting device shall employ only light emitting a light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights. In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination therefrom to be directed or beamed upon a public street, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance;
2. No sign shall employ any parts or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention. Subsections (1) and (2) of this section shall not apply to any sign performing a public service function indicating time, temperature, stock market quotations or similar services;
3. All wiring, fittings, and materials used in the construction, connection, and operation of electrically illuminated signs shall be in accordance with the provisions of the National Electric Code or the local electric code in effect.
4. No projecting sign shall be erected or maintained from the front or face of a building a distance of more than two (2) feet, including those projecting from the face of any theater, hotel, or motel marquee;
5. No sign shall be placed on the roof of any building except those signs whose supporting structure is screened so the sign appears to be a continuation of the face of the building;
6. No portable or temporary sign shall be placed on the front or face of a building or on any premises, except as provided in Section 1220 herein;
7. No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners, or other similar moving devices. Such devices, as well as strings of lights, shall not be used for the purpose of advertising or attracting attention when not part of a sign;
8. No sign erected or maintained in the window of a building, visible from any public or private street or highway, shall occupy more than twenty (20) per cent of the window surface;
9. No sign of any classification shall be installed, erected, or attached in any form, shape, or manner to a fire escape or any door or window giving access to any fire escape;
10. All signs hung and erected shall be plainly marked with the name of the person, firm, or corporation responsible for maintaining the sign;

11. Should any sign be or become unsafe or be in danger of falling, the owner thereof or the person maintaining the same, shall upon receipt of written notice from the Zoning Inspector proceed at once to put such sign in a safe and secure condition or remove the sign;
12. No sign shall be placed in any public right-of way except publicly-owned signs, such as traffic control signs and directional signs. Signs directing and guiding traffic and parking on private property but bearing no advertising matter shall be permitted on any property;
13. No building wall shall be used for display of advertising except that pertaining to the use carried on within such building.
14. All signs shall be so designed and supported as to carry the weight of the sign, and shall comply with the local building code in effect;
15. All signs shall be secured in such a manner as to prevent significant movement due to wind;
16. No advertising signs shall be attached to or supported by a tree, utility pole, trash receptacle, bench, vending machine, or public shelter;
17. No sign shall be attached in such a manner that it may interfere with any required ventilation openings;
18. No sign shall be located on a vacant lot, except for the purpose of advertising the lot for sale or lease, or for such purpose as the notification of present danger or the prohibition of trespassing;
19. No sign shall be located nearer than eight (8) feet vertically or four (4) feet horizontally from any overhead electrical wires, conductors, or guy wires;
20. No vehicle or trailer may be parked on a business premises or a lot for the purpose of advertising a business, product, service, event, object, location, organization, or the like.

Section 1203 Measurement of Sign Area. The surface area of a sign shall be computed as including the entire area within a regular geometric form or combinations of regular, geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not being advertising matter shall not be included in computation of surface area.

Section 1204 Permit Required.

1. No person shall locate or maintain any sign, or cause a sign to be located or maintained, unless all provisions of this Article have been met. To assure compliance with these regulations, a sign permit issued pursuant to this Resolution shall be required for each sign unless specifically exempted in this Article.
2. A sign initially approved for which a permit has been issued shall not be modified, altered or replaced, nor shall design elements of any building or lot upon which such sign is maintained be modified, altered or replaced if any such design element constituted a basis for approval of such sign unless a new or amended permit is obtained consistent with these regulations.
3. The repainting, changing of parts and preventive maintenance of signs shall not be deemed alterations requiring a sign permit.

Section 1210 Signs Permitted in all Districts not Requiring a Permit.

1. Signs advertising the sale, lease or rental of the premises upon which the sign is located, shall not exceed twelve (12) square feet in area, except in all residential districts where the area of the sign shall not be more than eight (8) square feet.
2. Professional name plates not to exceed two (2) feet by three (3) feet in area;

3. Signs denoting the name and address of the occupants of the premises, not to exceed four (4) square feet in area.

Section 1211 Signs Permitted in any District Requiring a Permit.

1. Signs or bulletin boards customarily incidental to places of worship; libraries. museums, social clubs, or societies, which signs or bulletin board shall not exceed fifteen (15) square feet in area and which shall be located on the premises of such institution;
2. Any sign advertising a commercial enterprise, including real estate developers or subdividers in a district zoned rural or residential shall not exceed twelve (12) square feet in area and shall advertise only the names of the owners, trade names, products sold and/or the business or activity conducted on the premises where such sign is located.

Section 1212 Signs Permitted in Business and Manufacturing Districts Requiring a Permit.
The regulations set forth in this section shall apply to signs in the business and manufacturing districts and such shall require a permit.

1. In a business or manufacturing district, each business shall be permitted one flat or wall on-premises sign. Project of wall signs shall not exceed two feet measured from the face of the main building. The area of all permanent on-premises signs for any single business enterprise may have an area equivalent to one and one-half (1 ½) square feet of sign area for each lineal foot of building width, or part of a building, occupied by such enterprise but shall not exceed a maximum area of one hundred (100) square feet.
2. In a business or manufacturing district, two off-premises signs with a total area not exceeding six hundred (600) square feet may be permitted at a single location. No single off-premises sign shall exceed one thousand two hundred (1200) square feet, nor shall off-premises signs visible to approaching traffic have a m1n1mum spacing of less than two hundred (200) feet. Off-premises signs shall conform to all applicable yard and height regulations for the appropriate zoning district, except that such signs intended to be viewed from an elevated highway shall be not more than twenty (20) feet above the level of the roadway at its nearest point. Off-premises wall signs shall have all structural and supporting members concealed from view.

Section 1220 Temporary Signs. Temporary signs not exceeding fifty (50) square feet in area, announcing special public or institutional events, the erection of a building, the architect, the builders, or contractors may be erected for a period of sixty (60) days plus the construction period. Such temporary signs shall conform to the general requirements listed in Section 1202, the setback requirement in Sections 1240 – 1243 and, in addition, such other standards deemed necessary to accomplish the intent as stated in Section 1200.

Section 1221 Free Standing Signs. Free-standing on-premises signs not over thirty (30) feet in height, having a maximum total sign area of one hundred (100) square feet per display area and located not closer than fifteen (15) feet to any adjoining lot line may be placed to serve a business or group of business establishments. There shall be only one free standing sign for each building, regardless of the number of businesses conducted in said building.

Section 1222 Wall Signs Pertaining to Non-Conforming Uses. On-premises wall signs pertaining to a non-conforming use shall be permitted on the same premises of such use, provided the area of such sign does not exceed twelve (12) square feet.

Section 1240 Sign Setback Requirements. Except as modified in Sections 1241-1244, on-premises signs where permitted shall be set back from the established right-of-way line of any thoroughfare at least ten (10) feet. No off-premises sign shall be erected in front of the required setback line for the appropriate zoning district.

Section 1241 Increased Setback. For every square foot by which any on-premises sign exceeds fifty (50) square feet, the setback shall be increased by one-half (1/2) foot but need not exceed one hundred (100) feet.

Section 1242 Setbacks for Off-Premise Signs. If a setback line is not established for the appropriate zoning district, off-premise signs shall be set back a minimum of twenty (20) feet from the right-of-way line.

Section 1243 Setbacks for Public and Quasipublic Signs. Real estate signs and bulletin boards for a church, school or any other public, religious, or educational institution may be erected not less than ten (10) feet from the established right-of-way line of any street or highway provided such sign or bulletin board does not obstruct traffic visibility at street or highway intersections.

Section 1244 Special Yard Provisions. On-premises signs where permitted shall be erected or placed in conformity with the side and rear yard requirements of the district in which located, except that in any residential district, on-premises signs shall not be erected or placed within twelve (12) feet of a side or rear lot line. If the requirement for a single side yard in the appropriate zoning district is more than twelve (12) feet, the latter shall apply.

Section 1250 Limitation. For the purposes of this Resolution, outdoor advertising off-premises signs shall be classified as a business use and be permitted in all districts zoned for business, manufacturing, or lands used for agricultural purposes. In addition, regulation of signs along primary highways shall conform to the requirements of the Ohio Revised Code, Chapter 5516 and the regulations adopted pursuant thereto.

Section 1260 Maintenance. All signs shall be maintained in safe and sound structural condition at all times and shall be presentable. The Zoning Inspector instruct that any off-premises advertising signs or structure found to be unsafe or structurally unsound be removed within thirty (30) days of issuing a notification. The Zoning Administrator shall instruct that any on-premises sign which is determined to be unsafe or structurally unsound be removed within ten (10) days of issuance of notification.

Section 1270 Violations. In case any sign shall be installed, erected, constructed, or maintained in violation of any of the terms of this Resolution, the Zoning Inspector shall notify in writing the owner or lessee thereof to alter such sign so as to comply with this Resolution. Failure to comply shall be deemed a violation and shall be punishable under Section 350 of this Resolution.

ARTICLE XIV MANUFACTURED AND/OR MOBILE HOME PARKS & MANUFACTURED AND/OR MOBILE HOMES INDIVIDUALLY

Section 1400 Intent. It is the intent of this Article to regulate the location of manufactured and/or mobile homes in residential subdivisions and to encourage, stabilize and protect the development of well-planned manufactured and/or mobile home parks.

Section 1410 Manufactured and/or Mobile Home Parks. No manufactured and/or mobile home park shall be located in a zoning district where such facilities are not explicitly listed as a permitted or conditional use.

Section 1420 Manufactured Homes (Not Permanently Sited) and/or Mobile Homes Individually. The following requirements shall apply to mobile home dwellings that are placed upon an individual lot in any district where conditionally permitted.

1. Individual mobile homes shall have, using accepted industry measurement standards, a minimum area of eight hundred (800) square feet of floor area.
2. The mobile home's tongue, axle and wheels shall be removed and the home shall be placed upon a permanent concrete foundation which meets the approval of the County Auditor, and which includes at least two tie-down rings.
3. Will be designed, constructed, skirted, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.

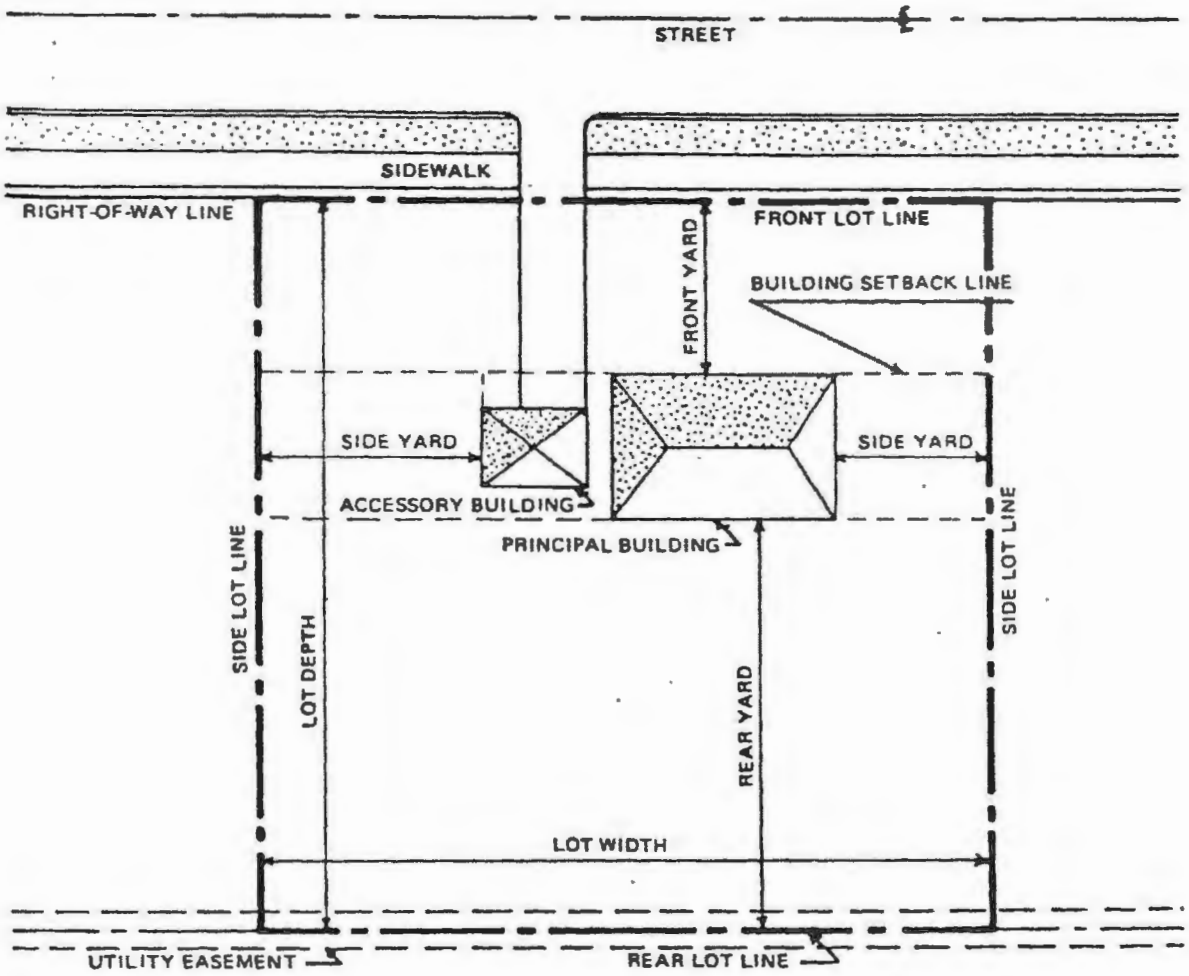
This Resolution is hereby adopted on this 20th day of July, 2026.

Chair, Board of Trustees

Member, Board of Trustees

Member, Board of Trustees

Attest: Fiscal Officer, Board of Trustees

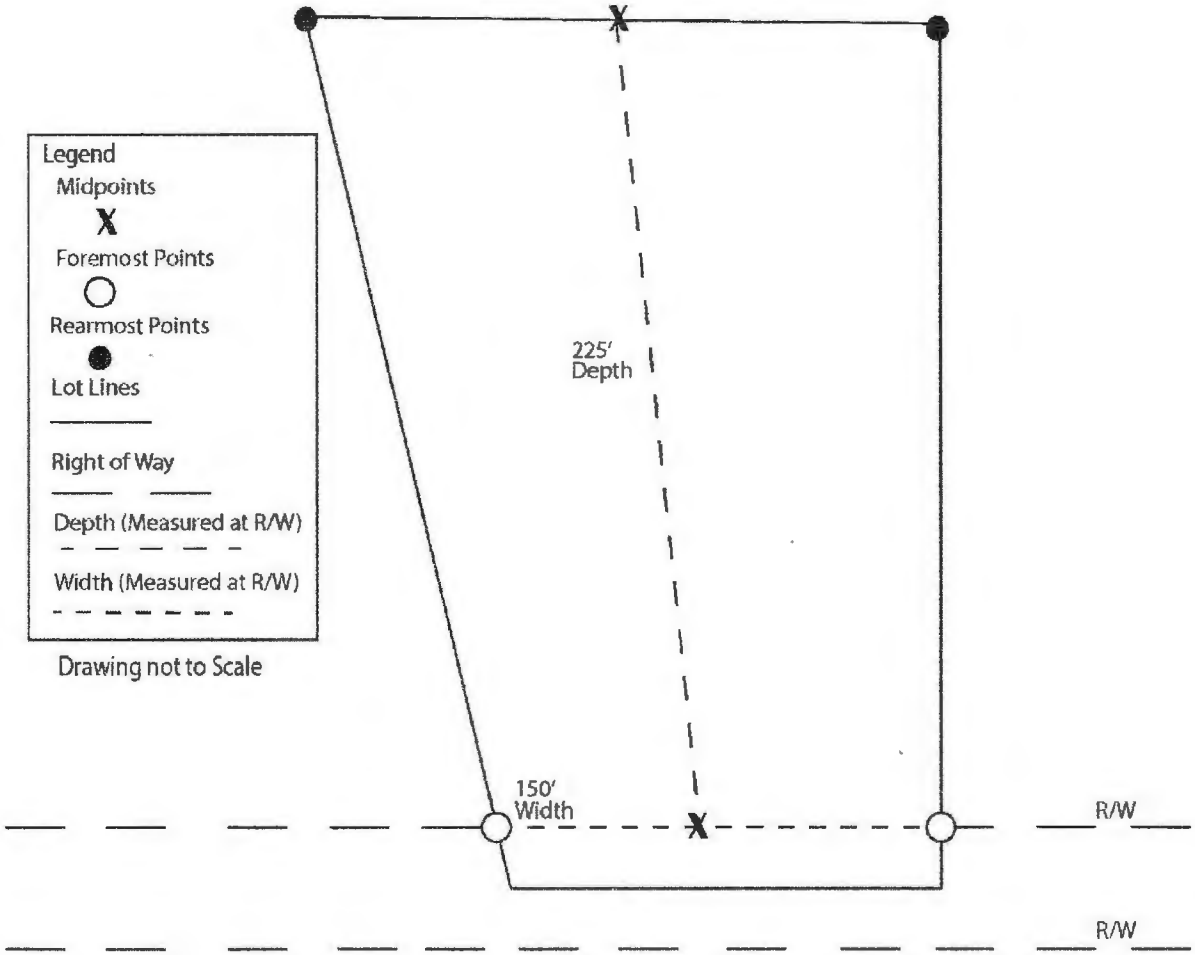


LOT AREA= TOTAL HORIZONTAL AREA

LOT COVERAGE= PER CENT OF LOT OCCUPIED BY BUILDING

LOT TERMS

Width = 150'
Depth = 225'
150' of Width x 4 = 600'
Max Depth Allowed = 600'



Depth to Width Ratio Calculation
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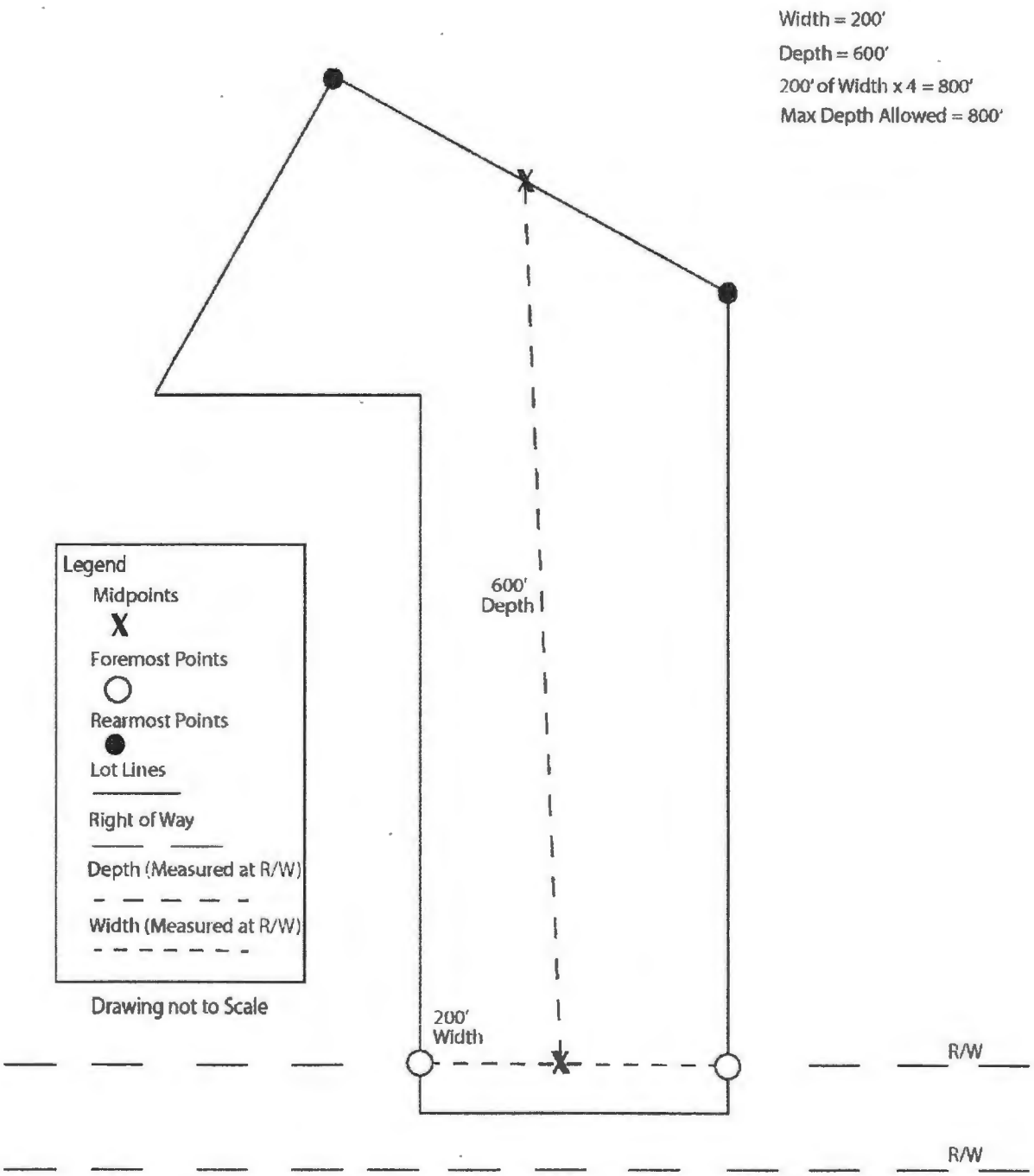

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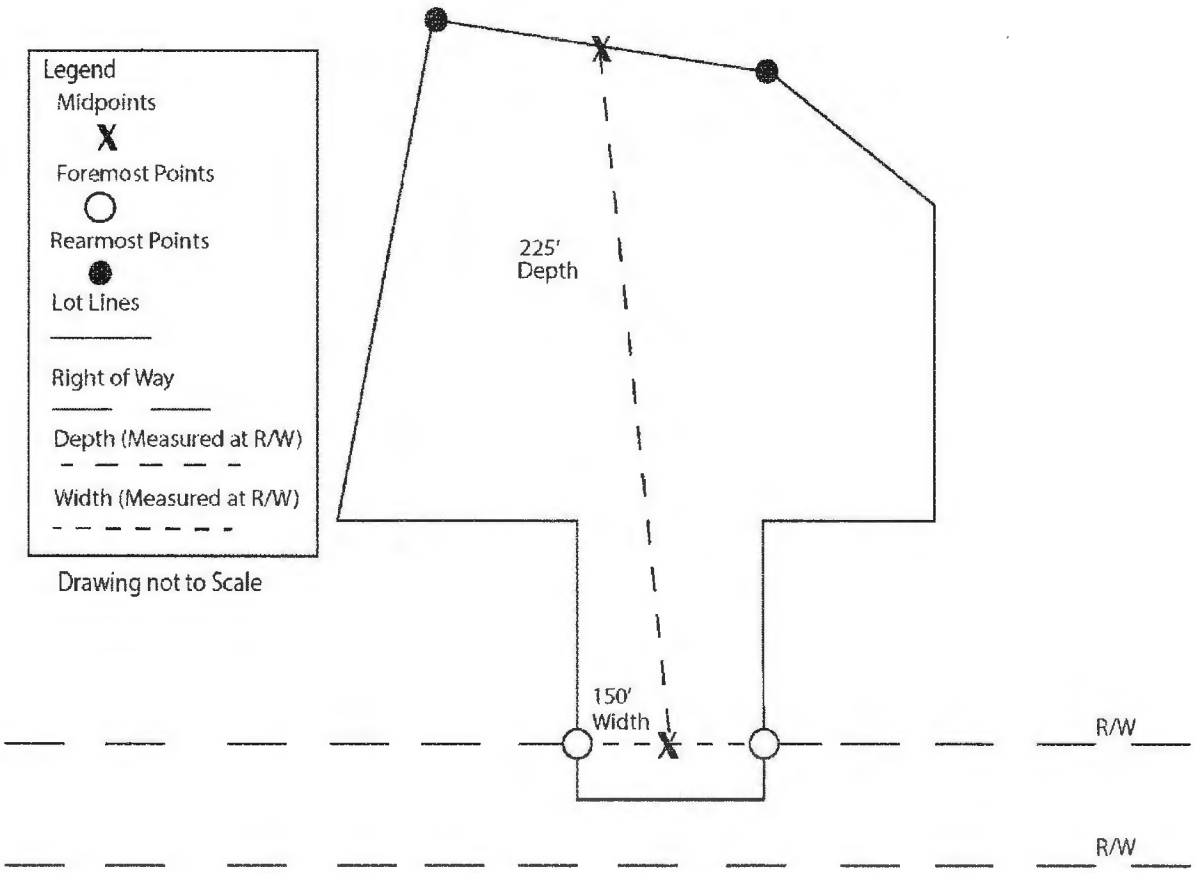

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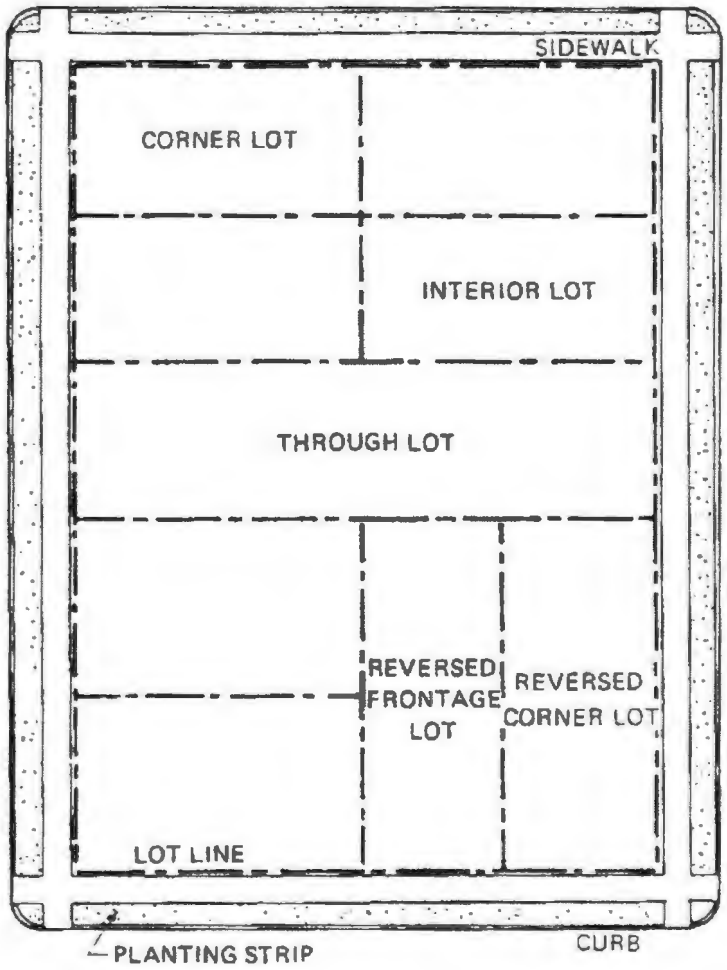
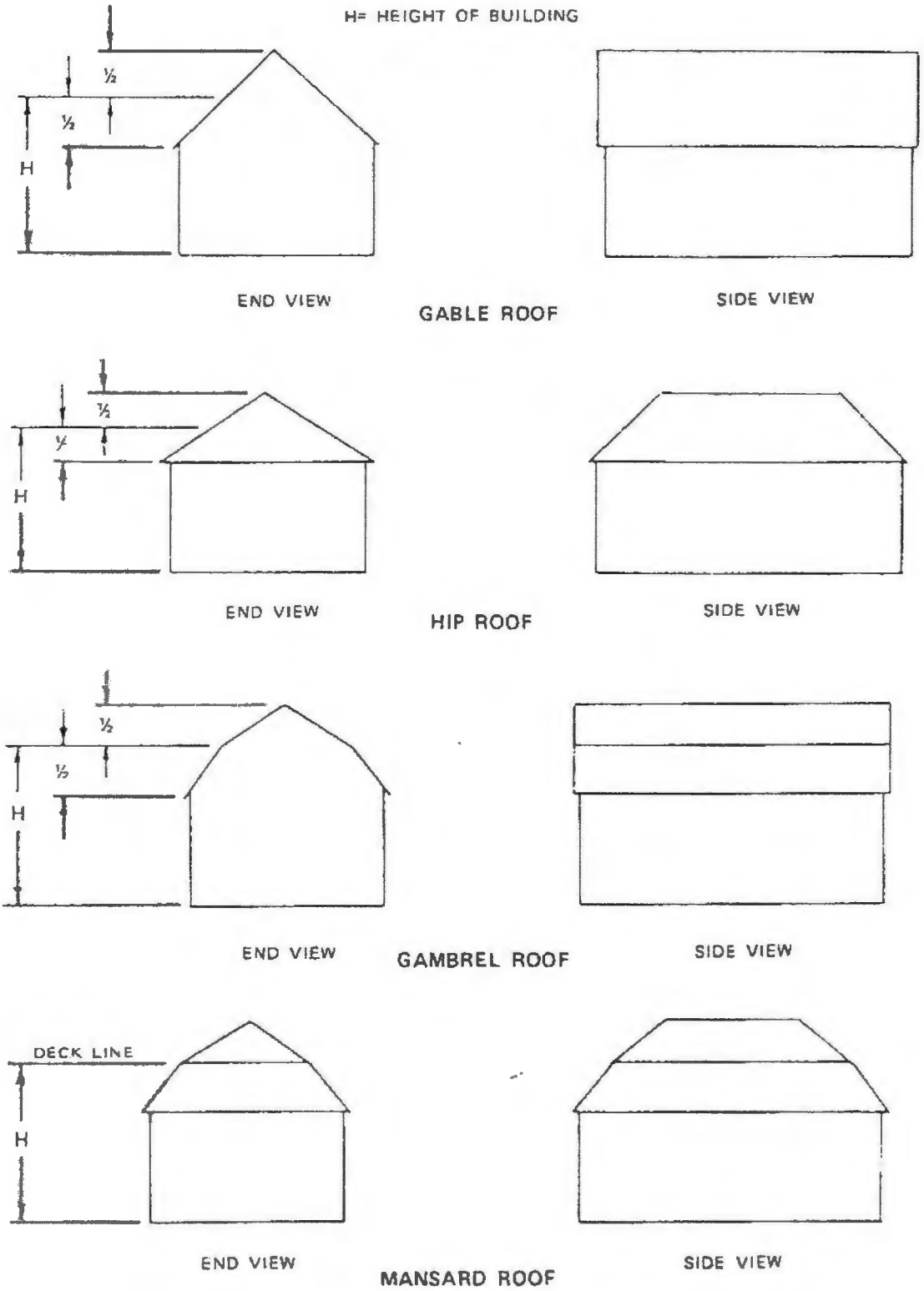
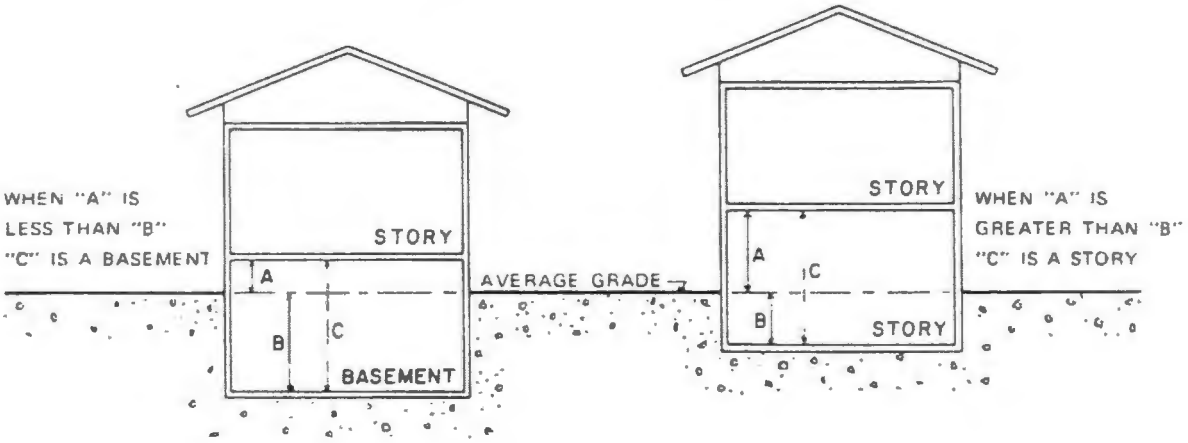


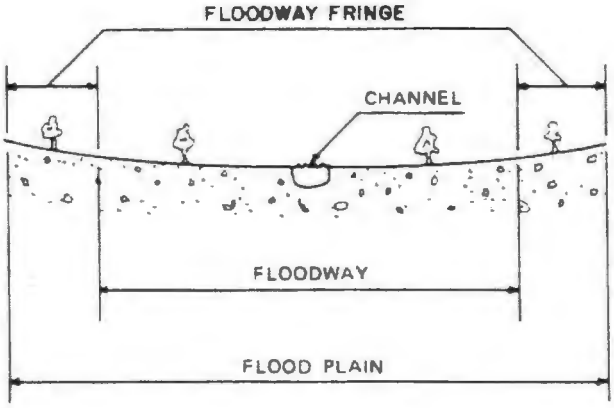
TYPES OF LOTS



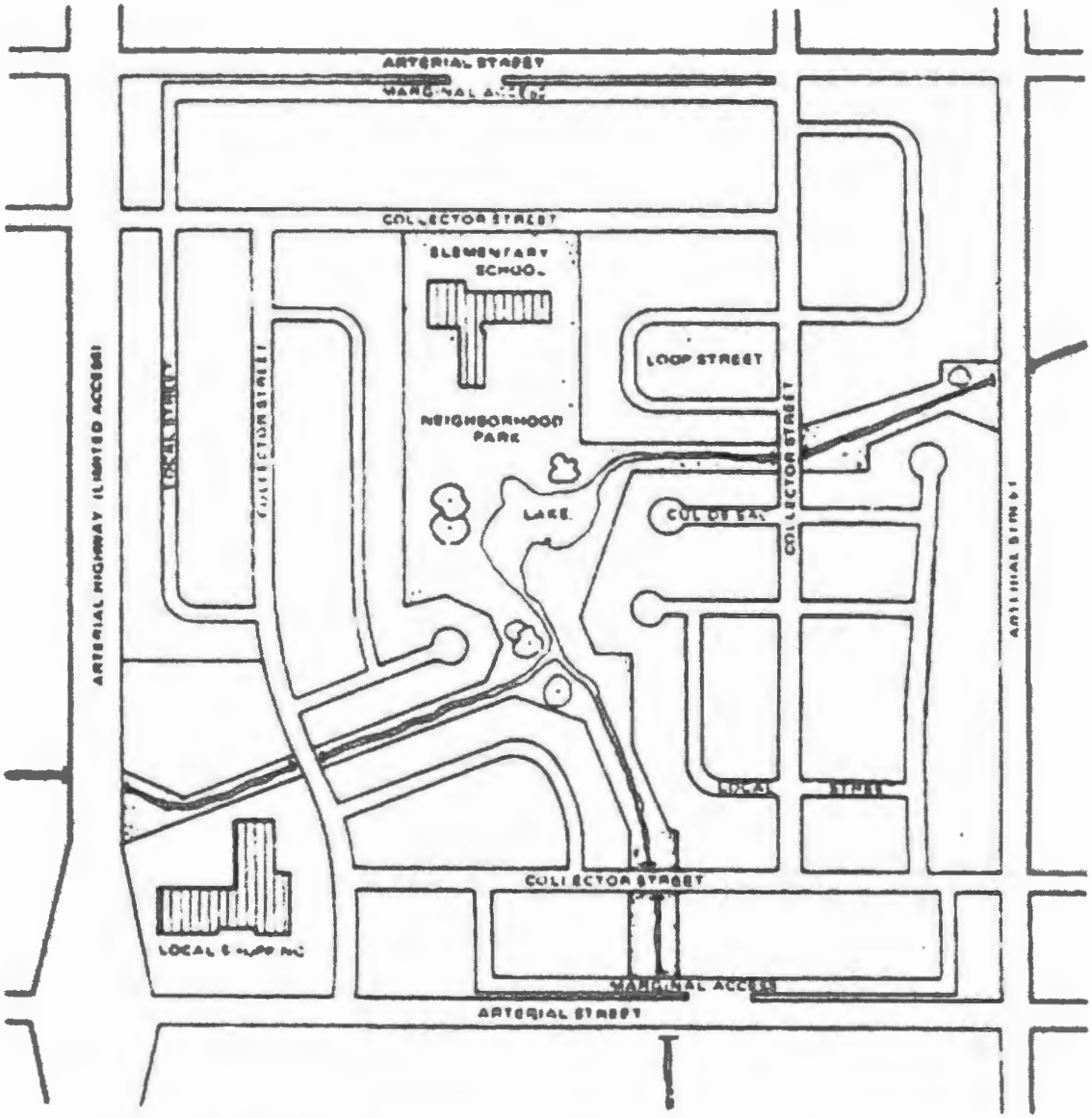
ROOF TYPES AND BUILDING HEIGHT



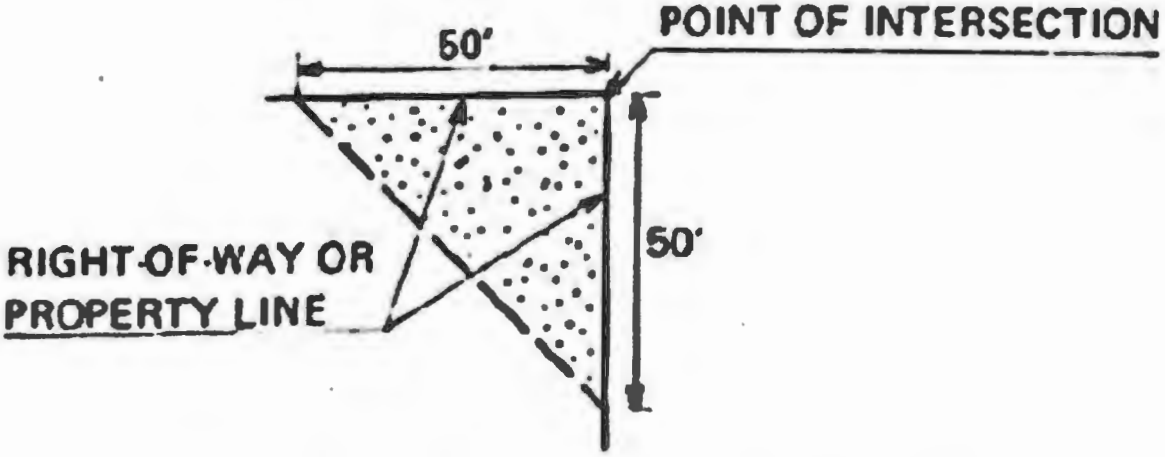
BASEMENT & STORY



FLOOD PLAIN TERMS



CLASSIFICATION OF THE THOROUGHFARE SYSTEM



VISIBILITY AT INTERSECTIONS