



# Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

**\*\*\*This meeting will take place by remote access only. Please see page 2 of this agenda for information required to join this virtual meeting.\*\*\***

## Zoning & Subdivision Committee Thursday, August 13, 2020, 12:30 pm

- Minutes from last meeting of July 9, 2020
- 1. Review of Thomas Duff/Fed Ex Ground Facility Final Plat (Union County) – Staff Report by Brad Bodenmiller
- 2. Review of Jerome Township Parcel Amendment (Union County) – Staff Report by Brad Bodenmiller
- 3. Review of Washington Township Zoning Text Amendment (Logan County) – Staff Report by Brad Bodenmiller

### Members:

Tyler Bumbalough – City of Urbana Engineer  
Scott Coleman – Logan County Engineer  
Weston R. Dodds – City of Bellefontaine Code Enforcement  
Ashley Gaver – City of Marysville  
Charles Hall – Union County Commissioner  
Steve McCall – Champaign County Engineer  
Bill Narducci – Union County Engineer's Office  
Tammy Noble – City of Dublin Planning  
Tom Scheiderer – Jefferson & Zane Township Zoning Inspector  
Jeff Stauch – Union County Engineer  
Robert A. Yoder – North Lewisburg Administrator  
Brad Bodenmiller – LUC  
Heather Martin – LUC  
Aaron Smith – LUC

10820 St. Rt. 347, PO Box 219

East Liberty, Ohio 43319

• Phone: 937-666-3431 •

• Email: [luc-rpc@lucplanning.com](mailto:luc-rpc@lucplanning.com) • Web: [www.lucplanning.com](http://www.lucplanning.com)



## Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

Access to anyone wishing to attend this meeting  
will be remotely/virtually only using zoom.

Go to: <https://us02web.zoom.us/j/85648571109>

Meeting-ID: 856 4857 1109

Participant ID: N/A

Password: 169669

Dial by your location

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Meeting-ID: 856 4857 1109

Participant ID: N/A

Password: 169669

Find your local number

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10820 St. Rt. 347, PO Box 219

East Liberty, Ohio 43319

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## Staff Report – Thomas Duff AKA FedEx Ground Facility

<b>Applicant:</b>	<p><b>42 Columbus, LP</b> 2105 Commerce Street, Suite 342 Dallas, TX 75201 <a href="mailto:amorgan@42realestate.com">amorgan@42realestate.com</a></p> <p><b>EMH&amp;T, Inc.</b> 5500 New Albany Road Columbus, OH 43054 <a href="mailto:tcunningham@emht.com">tcunningham@emht.com</a></p>
<b>Request:</b>	Approval of Thomas Duff AKA FedEx Ground Facility – Final Plat.
<b>Location:</b>	The property fronts Industrial Parkway and is between Mitchell-Dewitt Road (north) and State Route 161 (south). It is located in Jerome Township, Union County.

<b>Staff Analysis:</b>	<p>This Final Plat involves 100.754 acres of land and proposes 1 lot for a truck transportation center.</p> <p>Acreages:</p> <ul style="list-style-type: none"><li>○ 1.742 acres of right-of-way</li><li>○ 99.012 acres in lots</li><li>○ 0.0 acres of open space</li></ul> <p>Proposed utilities:</p> <ul style="list-style-type: none"><li>○ City of Marysville water</li><li>○ City of Marysville sanitary sewer</li></ul> <p>Preliminary Plat:</p> <ul style="list-style-type: none"><li>○ The Preliminary Plat was originally approved in May 2018.</li></ul> <p>• <b>Union County Engineer's Office</b></p> <ul style="list-style-type: none"><li>○ The Engineer's Office submitted updated comments in a letter dated 08-05-20. The Engineer's Office reported the Construction Drawings are approved, but construction has not completed. Due to this, a bond or surety is required, but none has been received/approved yet. Additional comments were emailed on 03-27-20 in response to comments received from the Soil &amp; Water Conservation District.</li></ul>
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## Staff Report – Thomas Duff AKA FedEx Ground Facility

	<p>(See S&amp;W Conservation District section of this staff report.)</p> <ul style="list-style-type: none"><li>○ The Engineer's Office recommended denial due to the outstanding surety.</li></ul> <p>• <b>Union County Soil &amp; Water Conservation District</b></p> <ul style="list-style-type: none"><li>○ The Soil &amp; Water Conservation District submitted comments in an email dated 03-24-2020. Soil &amp; Water advised there is not a proper grade plan and design; this is causing flooding and the holding of water on a neighboring property. Soil &amp; Water recommended any Final Plat approval be held until the issue is resolved.</li><li>○ The Union County Engineer's Office responded the Final Plat is not tied to the construction of improvements. The Construction Drawings have been approved, but are being modified by the developer's engineer to account for the design change and addition of tile and catch basins along the southern property line of the site. (See email dated 03-27-20, 1:01 PM.)</li></ul> <p>• <b>Union County Health Department</b></p> <ul style="list-style-type: none"><li>○ No comments received as of 08-05-20. Standard comments from the Health Department are below:<ol style="list-style-type: none"><li>1. "All efforts should be made to provide a point of connection (via easements and/or service lines) to both water and sewer to any adjacent home, business, or any other facility that is serviced by a private water system (PWS) and/or sewage treatment system (SWS)."</li><li>2. Any home, business, or other structure that is currently being serviced by a private sewage treatment system (STS) and ends up being situated within 200' of a sanitary sewer easement, shall be brought to the attention of the Union County Health Department."</li><li>3. "If at any at time during development of the subdivision a private water system (PWS) (well, cistern, etc.) or sewage treatment system (STS) is found, our office shall be immediately contacted for inspection. Proper permitting must be obtained for sealing and/or abandonment of a</li></ol></li></ul>
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## Staff Report – Thomas Duff AKA FedEx Ground Facility

	<p>private water system (PWS) and sewage treatment system (STS).”</p> <ul style="list-style-type: none"><li>• <b>City of Marysville</b><ul style="list-style-type: none"><li>○ Per an email dated 03-04-20, the City wrote it had no further comments.</li></ul></li><li>• <b>Jerome Township</b><ul style="list-style-type: none"><li>○ Jerome Township submitted updated comments in a letter dated 07-01-20. A Zoning Certificate was issued for a truck terminal development at the site. The Township reported, “The improvements proposed on the plat map appear consistent with that approved development...”</li></ul></li><li>• <b>ODOT District 6</b><ul style="list-style-type: none"><li>○ No comments received as of 08-05-20.</li></ul></li><li>• <b>Union Rural Electric</b><ul style="list-style-type: none"><li>○ URE submitted comments in a letter dated 02-14-20. URE reported the proposed easement line is not correctly following the planned placement of the primary wiring. In a follow-up email from 08-07-20, URE stated it had sent an easement to the developer to sign and is willing to have the easement removed from the Plat upon receipt of the signed easement.</li></ul></li><li>• <b>LUC Regional Planning Commission</b><ol style="list-style-type: none"><li>1. A letter is required from the County Engineer verifying all required improvements have been installed and approved by the proper officials or agencies, or verifying a bond or other surety, approved by the County Commissioners and their legal counsel, has been furnished assuring installation of the required improvements (§324, 2.; §326; §330).</li></ol></li></ul>
<b>Staff Recommendations:</b>	<p>Staff recommends <b><i>DENIAL</i></b> of the Thomas Duff AKA FedEx Ground Facility Final Plat. Although the outstanding easement item could be resolved for the 08-13-20 LUC meetings, confirmation of approval of the outstanding bond or other surety (§324, 2.; §326; §330) is required before staff is comfortable recommending otherwise.</p>



Logan-Union-Champaign  
regional planning commission

**Staff Report – Thomas Duff AKA FedEx Ground Facility**

<b>Z&amp;S Committee Recommendations:</b>	
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## 42 COLUMBUS, LP

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July 21, 2020

Mr. Brad Bodenmiller  
Director - LUC Regional Planning Commission  
P.O. Box 219  
18820 State Route 347  
East Liberty, Ohio 43319  
P: (937) 666-3431  
[bradbodenmiller@lucplanning.com](mailto:bradbodenmiller@lucplanning.com)

RE: Thomas Duff AKA FedEx Ground Facility Final Plat

Dear Mr. Bodenmiller:

Please accept this letter as a request from 42 Columbus, LP to approve the Thomas Duff AKA FedEx Ground Facility Final Plat at the August 13, 2020 LUC Executive Committee meeting. A check made out to the LUC Regional Planning Commission in the amount of \$200.00 is included with this letter request to finalize the plat. 42 Columbus, LP is working on the surety and anticipates the surety's approval by the August LUC meeting, but would also request one (1) additional month tabling if the surety has not been approved by the meeting date.

EMHT, has delivered, under separate cover, 14 copies of the Thomas Duff AKA FedEx Ground Facility Final Plat to Mr. Brad Bodenmiller, Director – LUC Regional Planning Commission, at 18820 State Route 347, East Liberty, Ohio, 43319.

Please call Andrew Morgan in our office with any questions concerning this request at 214-538-9135.

Thank you,



Scott Rohrman  
Manager of the General Partner for 42 Columbus, LP

# FEDEX GROUND FACILITY

## FINAL PLAT

1  
2

Situated in the State of Ohio, County of Union, Township of Jerome, and in Virginia Military Survey Number 7058, containing 100.754 acres of land, more or less, said 100.754 acres being comprised of all of those tracts of land conveyed to **42 COLUMBUS, LP** by deeds of record in Instrument Numbers 201906260004733 and 201906260004734, Recorder's Office, Union County, Ohio.

Know all men by these presents that **42 COLUMBUS, LP**, A Texas limited partnership, by **42 A, LLC**, its General Partner, by **SCOTT ROHRMAN**, Manager, owner of the land platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its "**FEDEX GROUND FACILITY**", a subdivision containing Lot 1, and that Owner has authorized the platting of this land, does hereby accept this plat of same and dedicates to public use forever, all of Industrial Parkway and the easements shown hereon and not heretofore dedicated.

The Owners hereby grant and reserve easements in, over and under those areas designated on this Plat as "Utility Easement" for the construction, operation, maintenance and replacement, as necessary, of utility lines providing utility service in and to the Development to all present and future utility providers providing utility service to the Development. Each of the Utility Easements permit the construction, operation, maintenance and replacement, as necessary, of all public and quasi-public utilities beneath the surface of the ground, and where necessary, for the construction, operation, maintenance and replacement, as necessary, of service connections to all Lots within the Utility Easements. No permanent structure or plantings, etc. shall be permitted in the easement areas. The rights and grant of the Utility Easements shall include the right, without liability therefor, to the respective utility provider, to remove trees, lawns and landscaping that encroach into the Utility Easement which may interfere with the construction, operation, maintenance and replacement, as necessary of the utility facilities operated by the respective utility provider. The utility providers are hereby granted the limited right of access across other areas of the Platted Land in order to exercise their easement rights granted hereby, so long as the respective utility providers exercise commercially reasonable practices, and repair any damage to the Platted Land outside the Utility Easements.

The Owners hereby grant and reserve an easement for the construction and maintenance of sidewalks within those areas designated on the plat as "Sidewalk Easement". The sidewalks within the Sidewalk Easement shall be for the benefit of the public.

The Owners hereby grant and reserve an easement for storm water drainage within those areas designated on the plat as "Channel Easement" for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other storm water drainage facilities.

In Witness Whereof, **SCOTT ROHRMAN**, Manager of **42 A, LLC**, General Partner of **42 COLUMBUS, LP** has hereunto set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**Signed and Acknowledged**  
**In the presence of:** **42 COLUMBUS, LP**  
**BY: 42 A, LLC**

By \_\_\_\_\_  
**SCOTT ROHRMAN, Manager**

**STATE OF OHIO**  
**COUNTY OF FRANKLIN ss:**

Before me, a Notary Public in and for said State, personally appeared **SCOTT ROHRMAN**, Manager of **42 A, LLC**, General Partner of **42 COLUMBUS, LP** who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said **42 COLUMBUS, LP**, for the uses and purposes expressed herein.

In Witness Whereof, I have hereunto set my hand and affixed my official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My commission expires \_\_\_\_\_  
Notary Public, \_\_\_\_\_ State of Ohio

Reviewed this \_\_\_\_ day of \_\_\_\_\_, 2020  
\_\_\_\_\_  
Chairman, Jerome Township Trustees

Approved this \_\_\_\_ day of \_\_\_\_\_, 2020  
\_\_\_\_\_  
Union County Engineer

Approved this \_\_\_\_ day of \_\_\_\_\_, 2020  
\_\_\_\_\_  
Union County Health Department

Approved this \_\_\_\_ day of \_\_\_\_\_, 2020  
\_\_\_\_\_  
Logan-Union-Champaign  
Regional Planning Commission

Rights-of-way for public streets and roads herein dedicated to public use are hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020 for the County of Union, State of Ohio. Street improvements within said dedicated rights-of-way shall not be accepted for public use unless and until construction is completed and accepted as such by Union County. In addition street improvements within said dedicated rights-of-way shall not be accepted for public maintenance until the maintenance period transpires and the street improvements are accepted for public maintenance by Union County.

Approved this \_\_\_\_ day of \_\_\_\_\_, 2020  
\_\_\_\_\_  
Union County Commissioners  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

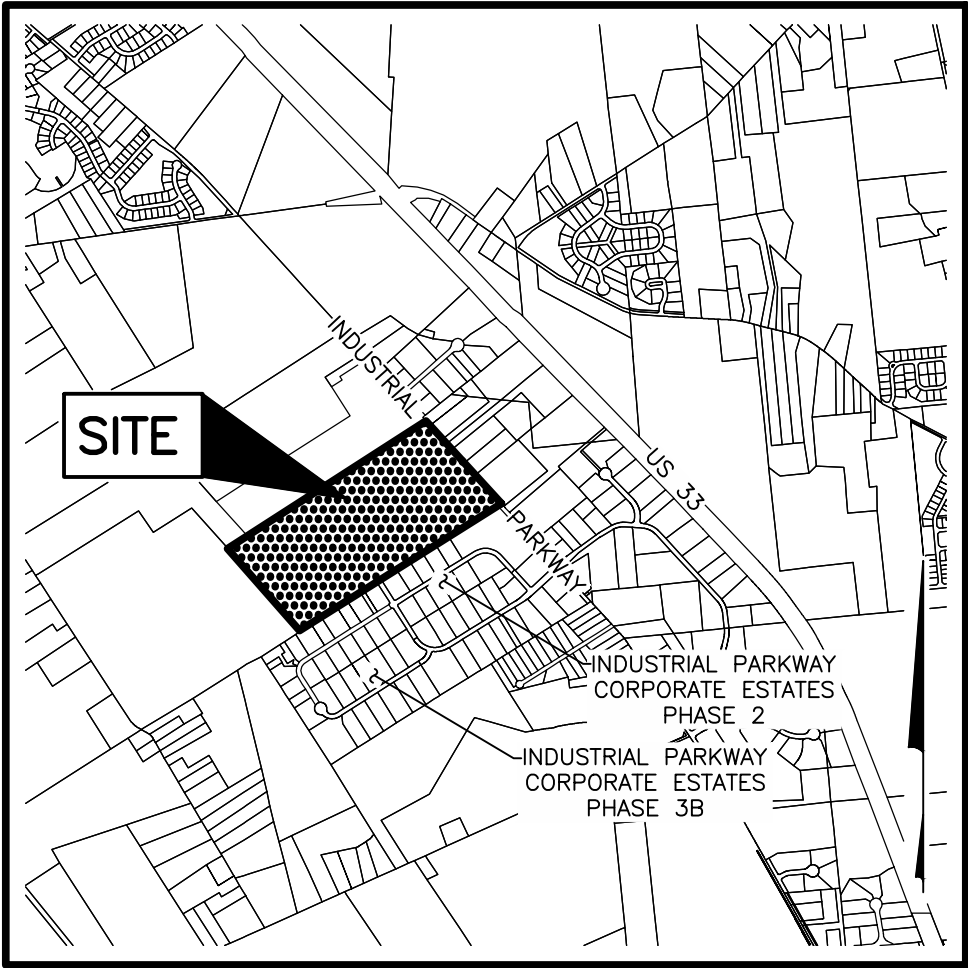
Transferred this \_\_\_\_ day of \_\_\_\_\_, 2020  
\_\_\_\_\_  
Andrea L. Weaver  
Auditor, Union County, Ohio

Filed for record this \_\_\_\_ day of \_\_\_\_\_, 2020 at \_\_\_\_\_ M. \_\_\_\_\_  
\_\_\_\_\_  
Theresa Markham  
Recorder, Union County, Ohio

Record this \_\_\_\_ day of \_\_\_\_\_, 2020 in \_\_\_\_\_

Plat Book \_\_\_\_\_ Pages \_\_\_\_\_

42 REAL ESTATE LLC  
2105 COMMERCE STREET, SUITE 342  
DALLAS, TEXAS, 75201



LOCATION MAP AND BACKGROUND DRAWING

NOT TO SCALE

### SURVEY DATA:

**BASIS OF BEARINGS:** The bearings shown hereon are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (2011). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. A bearing of South 42° 21' 59" East assigned to the centerline of Industrial Parkway is designated the basis of bearing for this plat.

**SOURCE OF DATA:** The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Union County, Ohio.

**IRON PINS:** Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes thirteen sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

**PERMANENT MARKERS:** Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins. Pins are to be set to monument the points indicated, and set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point. Said Permanent Markers were or will be placed by the established completion date or prior to the sale of each lot, whichever occurs first.

SURVEYED & PLATTED  
BY



The accompanying plat represents a subdivision of land in the Virginia Military Survey Number 7058, Union County, Jerome Township, Ohio. The tract has an area of 1.742 acres in streets and 99.012 acres in lots, making a total of 100.754 Acres.

All measurements are in feet and decimals of a foot. Monuments have been placed as indicated. All measurements on curves are chord and arc distances.

I hereby certify that the accompanying plat is a correct representation of Fedex Ground Facility as surveyed in August, 2016.

- = Iron Pin (See Survey Data)
- = MAG Nail to be set
- ◎ = Permanent Marker (See Survey Data)
- ⦿ = Stone found

By \_\_\_\_\_ Date \_\_\_\_\_  
Professional Surveyor No. 7865



# FEDEX GROUND FACILITY

STARKEY FAMILY  
ENTERPRISES LIMITED  
O.R. 158, P. 262

## FINAL PLAT

ROBERT CARL MITCHELL  
AND BETTY J. MITCHELL  
I.N. 201801300000763

N57°15'21"E

3073.66'

3022.95'

20' Building/Pavement Setback

Existing 15' Drainage Easement  
I.N. 201911270009868

N41°18'15"W

N41°18'15"W

30' Building Setback  
60' Pavement Setback

ROBERT CARL MITCHELL  
AND BETTY J. MITCHELL  
O.R. 750, P. 766

1422.93'

3/4" Iron pin found  
"Friday"

1

99.012 Ac.

20' Building/Pavement Setback

S57°47'35"W

30' Utility Easement  
See Note "F"

3054.69'

3105.49'

RESERVE "A"

INDUSTRIAL PARKWAY CORPORATE  
ESTATES, PHASE 3B  
P.B. 5, P. 229

INDUSTRIAL PARKWAY  
CORPORATE ESTATES, PHASE 2  
P.B. 5, P. 83

### UNION COUNTY STANDARD DEED RESTRICTIONS (as applicable)

- There shall be no discharge into any streams or storm water outlets of any waste materials in violation of applicable local, state or federal regulations.
- Maintenance of drainage swales shall be the responsibility of the Owners' Association. If any owner damages a swale, that owner shall be responsible for the repair. Repairs shall be made immediately. Existing drain tiles within the subdivision shall be retained in good working order or shall be re-routed so that drainage entering the tiles will continue to flow freely.
- No construction may begin or building started without the individual lot owner obtaining zoning, building, water well, sewage disposal and driveway permits. Zoning permits are obtained from the township zoning inspector. Building permits and driveway permits are obtained from the Union County Building Regulation Department. Sewage disposal and water well permits are obtained from the Union County Board of Health.
- Downspout drains shall not be connected directly to the roadway underdrains.
- For any building proposed to be built within the 100 year flood zone, the standards of the Union County Flood Damage Prevention Resolution must be met. No construction may begin or building started within a designated Flood Hazard Area prior to the issuance of a Flood Hazard Permit by the Union County Building Regulation Department.
- Grading of the storm water detention area shall not be changed.
- All construction shall meet the requirements of the township, Union County and other applicable code authorities.

**NOTE "A":** The purpose of this plat is to show certain property, rights of way, and easement boundaries as of the time of platting. At the request of zoning and planning authorities at the time of platting, this plat shows some of the limitations and requirements of the zoning code in effect on the date of filing this plat for reference only. The limitations and requirements may change from time to time and should be reviewed to determine the then current applicable use and development limitations of the zoning code as adopted by the government authority having jurisdiction. The then applicable zoning code shall control over conflicting limitations and requirements that may be shown as on this plat. This note should not be construed as creating plat or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such.

**NOTE "B" - ACREAGE BREAKDOWN:**  
Total acreage: 100.754 Ac.  
Acreage in rights-of-way: 1.742 Ac.  
Acreage in lot: 99.012 Ac.

**NOTE "C" - ACREAGE BREAKDOWN:** Fedex Ground Facility is comprised of the following Union County Parcel Numbers:

Parcel Number	Map Number	
150-0260050.000	136-00-00-076.000	3.090 Ac.
150-0260051.000	136-00-00-076.001	97.664 Ac.

**NOTE "D":** All of the land hereby being platted as Fedex Ground Facility is within Zone X, areas determined to be outside of the 0.2% chance floodplain as said zone is designated and delineated on the FEMA Flood Insurance Rate Map for the County of Union, Ohio (Unincorporated Areas), Community-Panel Number 39159C0390D with effective date of December 16, 2008.

**NOTE "E":** At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about Fedex Ground Facility or any part thereof can be acquired by a competent examination of the then current public records, including those in the Union County Recorder's Office.

Deed Restrictions of record in Instrument Number

**NOTE "F":** There is herein dedicated to the City of Marysville, Ohio, a 30 foot wide utility easement along the property's south boundary line, as depicted hereon. Said 30 foot easement shall be exclusive to the City's sewer and water utility service, except that Union Rural Electric (URE) shall be permitted to locate its lines serving the Property within the southern most 10 feet (along the property south boundary line), and shall require URE to coordinate with City of Marysville for final location/design.

### Line Type Legend

- Existing Property Line
- Existing R/W Line
- Existing R/W Centerline
- Existing Easement Line
- Proposed Subdivision Boundary Line
- Proposed Lot Line
- Proposed R/W Line
- Proposed R/W Centerline
- Proposed Easement Line

SCALE: 1" = 100'

GRAPHIC SCALE (in feet)

2  
2



**County Engineer  
Environmental Engineer  
Building Department**  
233 W. Sixth Street  
Marysville, Ohio 43040  
P 937. 645. 3018  
F 937. 645. 3161  
[www.co.union.oh.us/engineer](http://www.co.union.oh.us/engineer)

**Marysville Operations Facility**  
16400 County Home Road  
Marysville, Ohio 43040  
P 937. 645. 3017  
F 937. 645. 3111

**Richwood Outpost**  
190 Beatty Avenue  
Richwood, Ohio 43344

August 5, 2020

*Public Service with integrity*

Bradley Bodenmiller  
LUC Regional Planning Commission  
10820 St. Rt. 347, PO Box 219  
East Liberty, Ohio 43319

Re: Thomas Duff (AKA FedEx Ground Facility)  
Final Plat Review

Brad,

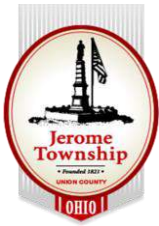
We have completed review of the above final plat, received by our office digitally on July 30, 2020. All construction drawings have been approved by our office. On site construction work has commenced but has not yet been completed. The offsite roadway improvements have not yet commenced but are scheduled to begin shortly. As such, we will require a performance bond/surety for the outstanding public roadway improvements. To date we have not received said surety but have been in discussions with the developer regarding the details of the surety and expect it to be forthcoming.

All technical aspects of the plat have been reviewed and are acceptable as presented. Because the proper surety has not yet been received however, we recommend denial of the plat at this time. Should you have any questions or concerns, feel free to contact me at (937) 645-3165.

*Bill Narducci*

Bill Narducci, P.E.  
Assistant County Engineer  
Union County Engineer

Cc: Mary Kirk, Union County Engineer's Office (via email)



9777 Industrial Parkway  
Plain City, Ohio 43064  
614-873-4480

## Jerome Township Zoning Department

August 11, 2020

Bradley J. Bodenmiller, Director  
LUC Regional Planning Commission  
10820 St. Rt. 347  
East Liberty, Ohio 43319

Re.: Thomas Duff Property AKA FedEx Ground Facility – Final Plat

Dear Mr. Bodenmiller,

I have received your notification of application for approval of the Final Plat known as Thomas Duff Property AKA FedEx Ground Facility – Final Plat. Zoning Certificate #6950 was issued to approve a truck terminal development at the site. Given that information, and that the improvements proposed on the plat map appear consistent with that approved development, there is no zoning regulation on which I could base additional comments about the proposed Final Plat.

As per usually practice, I plan to attend the meeting of the Commission's Zoning & Subdivision Committee, and will be available to answer any additional questions at that time.

Sincerely,

**Eric Snowden**  
Zoning Inspector/Coordinator  
Jerome Township, Union County, Ohio

## Brad Bodenmiller

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**From:** Matt Zarnosky <mzarnosky@ure.com>  
**Sent:** Wednesday, August 5, 2020 3:43 PM  
**To:** Brad Bodenmiller  
**Cc:** Ron McGlone; Beau Michael  
**Subject:** Thomas Duff AKA FedEx  
**Attachments:** URE-LUC Letter Thomas Property Duff Property - Plat 02.14.2020.docx

Brad,

I am attaching the same letter that was provided on Feb 14, as that is still relevant today. The easement that is shown on page 2 that the URE primary underground facilities are in, is not correct. URE is still requesting that the Plat be updated to reflect the correct easement area for the electrical facilities that provide electric to the FedEx Facility. URE can assist the surveyor in locating the underground lines in order to correctly represent the easement area, if needed. Please let me know if you need any further details or clarification.

Thanks,

**Matt Zarnosky**  
COO / VP Engineering & Honda Affairs

**Union Rural Electric Cooperative, Inc.**  
15461 US Route 36 | Marysville, Ohio 43040  
Office: (937)642-1826  
Direct: (937)645-9246  
[mzarnosky@ure.com](mailto:mzarnosky@ure.com)  
[www.ure.com](http://www.ure.com)





15461 US Route 36 • PO Box 393 • Marysville, OH 43040-0393  
(937) 642-1826 • (800) 642-1826 • Fax (937) 644-4239  
www.ure.com

Your Touchstone Energy® Cooperative



Feb. 14 2020

Bradley Bodenmiller  
LUC Regional Planning Commission  
10820 SR 347  
East Liberty, OH 43319

RE: UREC comments for Thomas Property Duff Property – Plat

Brad,

Union Rural Electric Cooperative, Inc. has reviewed and noted comments per paper and PDF drawings, received 02/. Items with "Noted" are items URE has reference from drawings for understanding. Response not required.

I. Drawing set of 2 sheets issued Plat for Thomas Property Duff Property 2020. EMHT  
Date: 04/09/2018:

- 1) Sheet 1 of 2 – Title Sheet
  - a) Noted sheet index for listing on drawings.
- 2) Sheet 2 of 2 – Easements
  - b) Proposed easement line is not correctly following the planned placement of the primary wiring.
  - c)

Please contact me with questions or concerns.

Thanks,

Ron McGlone  
Engineering Services  
Union Rural Electric Cooperative, Inc.  
PO Box 393  
15461 US Route 36  
Marysville, Ohio 43040  
Direct: (937) 645-9263



## Staff Report – Jerome Township Zoning Amendment

<b>Jurisdiction:</b>	<b>Jerome Township Zoning Commission</b> c/o Anita Nicol 9777 Industrial Parkway Plain City, OH 43064 (614) 873-4480 x102
<b>Applicant:</b>	<b>Karlton Williamson</b> 9699 Warner Road Plain City, OH 43064 (614) 496-0659 <a href="mailto:karltonw@yahoo.com">karltonw@yahoo.com</a>
<b>Request:</b>	<p>The Zoning Commission received an application to rezone 2.94 acres. The proposal would rezone the acreage from Regional Retail District (RR) to Commerce District (COM).</p> <p>Parcel(s) involved:</p> <ul style="list-style-type: none"><li>• 150027023000</li></ul> <p>Acreage proposed rezoned:</p> <ul style="list-style-type: none"><li>• 2.94 acres</li></ul> <p>Existing use:</p> <ul style="list-style-type: none"><li>• “Office and storage for a construction company”</li></ul> <p>Proposed use:</p> <ul style="list-style-type: none"><li>• “Various uses as permitted in the COM District</li></ul>
<b>Location:</b>	<p>The parcel is in the east corner of the intersection of Industrial Parkway and Corporate Boulevard. It is approximately 1.6 miles from the US Hwy 33 and State Route 161 interchange. The parcel fronts Industrial Parkway.</p>
<b>Staff Analysis:</b>	<p>This staff report considers recommendations from the Jerome Township Comprehensive Plan (Township Plan) and Union County Comprehensive Plan (County Plan).</p> <p>Note: The parcel number on the application reads 150027023000, but the legal description identifies it as 1500270230000. This may be important for notices advertised/sent by the Township.</p>



## Staff Report – Jerome Township Zoning Amendment

### Adjacent Uses & Area Zoning.

Adjacent uses are predominantly industrial, office, and residential. There are also some recreation/service type businesses. Staff would not characterize nearby uses as Regional Retail.

Most of the adjacent lands are zoned Commerce District (COM). The nearby subdivision, Frazier Estates, is zoned Low Density Residential District (LDR). There are also small areas nearby zoned Office / Research / Medical District (ORM) and Special Recreation District (SRE).

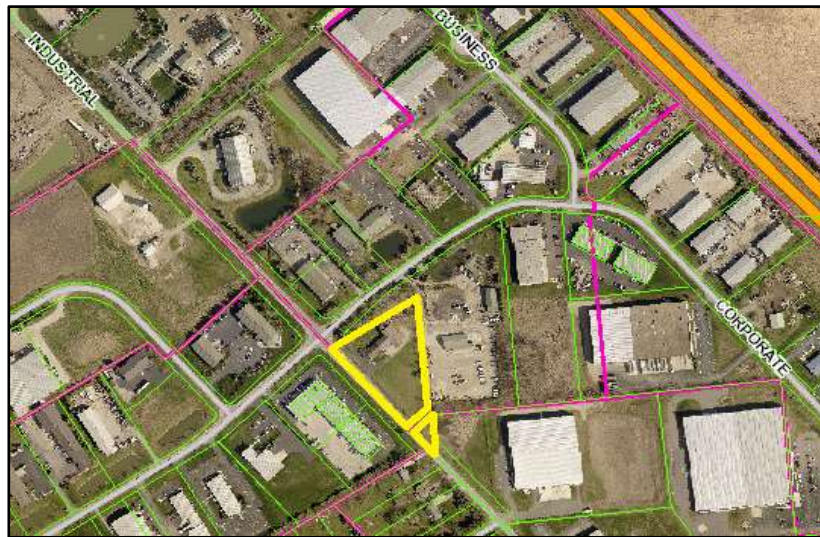


Figure 1. Aerial.



Figure 2. Jerome Township Zoning Map.



## Staff Report – Jerome Township Zoning Amendment

The purpose/intent of the COM District is to provide opportunities for business uses consisting of warehouse and distribution, flex offices, commercial services, and light industry as identified in the Flex Office / Light Industrial section of the Township Plan (ZR, 4-37).

The purpose/intent of the RR District is to provide areas for major retail sites that serve areas larger than 5 miles in radius and are located near freeways and freeway interchanges as identified in the Township Plan (ZR, 4-63).

### **Township & County Comprehensive Plans.**

The Township Plan is a guide for decision-makers considering land use changes. Flex Office / Light Industrial are areas planned for medium intensity uses consisting of warehouse/distribution, flex offices, services, and light manufacturing. These uses are found along industrial corridors and arterials where access to interchanges, well designed roads, and trucking/shipping routes are available to move goods/services (Jerome Plan, pp. 6-14).

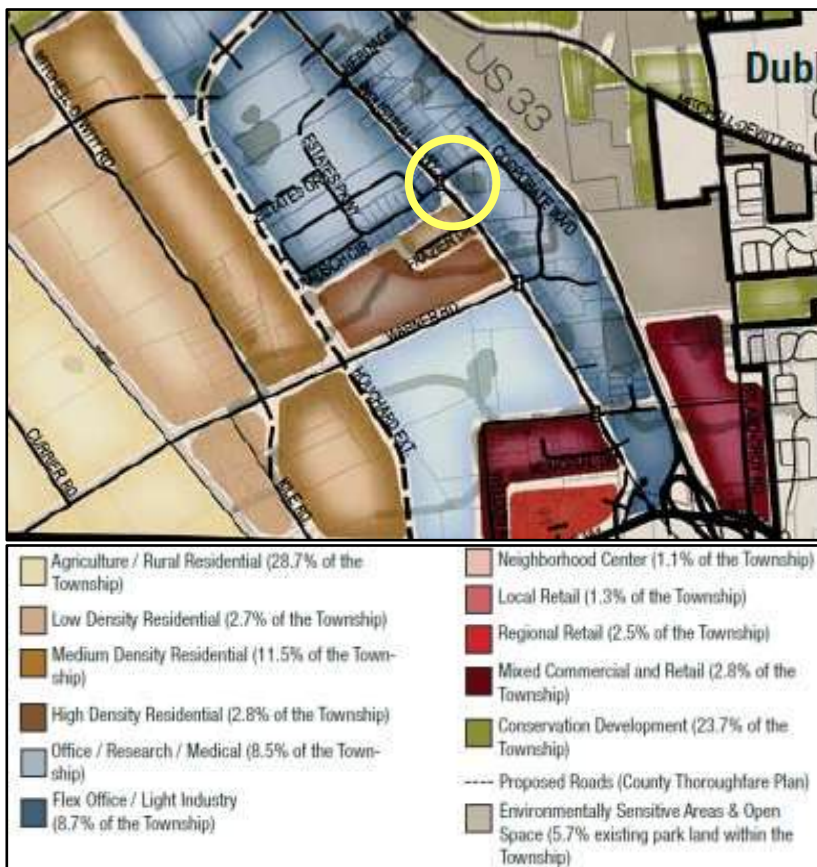


Figure 3. Jerome Township Comprehensive Land Use Plan (2008).





## Staff Report – Jerome Township Zoning Amendment

	<p>The County Plan identifies the west side of US Hwy 33 as largely agricultural outside of commercial, office, and institutional development along Industrial Parkway. Industrial Parkway is anchored by major corporations such as Scotts Miracle-Gro, Veyance Technologies, and many small businesses that drive economic growth (County Plan, pp. 72).</p> <p>The County Plan recommends low density office and industrial land along US Hwy 33, while mixed use residential, commercial, and high-density office can be integrated throughout the sub-area in a clustered, context-sensitive manner (County Plan, pp. 73).</p>
<b>Staff Recommendations:</b>	Staff recommends <b>APPROVAL</b> of the proposed rezoning to COM District based on the Jerome Township Comprehensive Plan, Jerome Township Zoning Resolution, and Union County Comprehensive Plan.
<b>Z&amp;S Committee Recommendations:</b>	



# Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

## Zoning Parcel Amendment Checklist

Date: July 17, 2020 Township: Jerome

Amendment Title: Rezoning

**Notice:** Incomplete Amendment requests will not be processed by our office. LUC Regional Planning Commission will return them to the requestor, stating the reason the amendment was not accepted.

Each Zoning Parcel Amendment change must be received in our office along with a cover letter, explaining the proposed zone change (s). All items listed below must be received **no later than 10 days** before the next scheduled LUC Regional Planning Commission Executive Board Meeting (which is the second Thursday of every month). It is recommended that a person who is able to provide further information on the amendment attend the Zoning and Subdivision Committee meeting to answer any additional questions that may arise.

Required Item:	Completed by Requestor:	Received by LUC:
Cover Letter & Checklist	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Date of Request (stated in cover letter)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Description of Zoning Parcel Amendment Change(s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Date of Public Hearing (stated in cover letter)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Township point of contact and contact information for zoning amendment (stated in cover letter)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parcel Number(s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Copy of Completed Zoning Amendment Application	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Applicant's Name and contact information	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Current Zoning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Proposed Zoning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Current Land Use	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Proposed Land Use	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Acreage	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Copy of Zoning Text associated with proposed district(s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Contiguous and adjoining Parcel Information, including Zoning District(s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Any other supporting documentation submitted by applicant	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Non-LUC Member Fee, If applicable	<input type="checkbox"/>	<u>N/A</u>

Additionally, after final adoption regarding this zoning parcel amendment, please provide LUC with a letter stating the results of the Trustees vote, along with a copy of the adopted parcel change (s).

Please see reverse side for a timeline of the Township Zoning Amendment Process, per ORC 519.12

10820 St. Rt 347, PO Box 219  
East Liberty, Ohio 43319  
• Phone: 937-666-3431 •

• Email: [luc-rpc@lucplanning.com](mailto:luc-rpc@lucplanning.com) • Web: [www.lucplanning.com](http://www.lucplanning.com)

# *Jerome Township Zoning Commission*

Anita Nicol  
Clerk

9777 Industrial Parkway  
Plain City, Ohio 43064

July 17, 2020

Office: (614) 873-4480 x102  
Fax: (614) 873-8664

Aaron Smith  
L.U.C. Planning Commission  
10820 Rt. 347  
Box 219  
East Liberty, Ohio 43319

Dear Aaron:

This letter is to inform you of a Jerome Township Rezoning Amendment:

Application: Z-473

Name of Applicant: Karlton D. Williamson

Rezoning: Approximately 2.94 Acres located at 9699 Warner Rd., Plain City,  
Ohio 43064, Parcel # 15-0027023000.

Present Zoning: RR

Proposed Zoning: COM

Public Hearing Date has been set for: August 24, 2020 at 7:00 p.m.

The Zoning Commission would like your comments regarding this rezoning before the public hearing date.

If you need further information, please feel free to contact me.

Sincerely yours,

Anita Nicol  
Zoning Clerk

Attachment



Jerome Township  
Union County, Ohio

9777 Industrial Parkway  
Plain City, Ohio 43064  
Office (614) 873-4480  
Fax (614) 873-8664

## Zoning Amendment

Application Form

Cert. # 7318

Office Use Only:	
Application #: <u>2-473</u>	Date: <u>7-16-2020</u>
Fee: \$ <u>2500.00</u>	Check #: <u>7836</u>

The undersigned owner(s) of the following legally described property hereby request the consideration of change in zoning district classification as specified below:

### A. Applicant Information:

Name of Applicant: Karlton D. Williamson

Mailing Address: 9699 Warner Rd., Plain City, OH 43064

Phone: Home (614)496-0659 Business \_\_\_\_\_ Email: karltonw@yahoo.com

### B. Location Information:

Description See Attached Legal Description

Subdivision Name: \_\_\_\_\_

Address: 8026 Industrial Pkwy Rd., Plain City, OH 43064

Parcel Number(s): 150027023000

Township: Jerome

Range: \_\_\_\_\_

Block: \_\_\_\_\_

Lot Size: \_\_\_\_\_

Acres 2.94

(If not located in a subdivision attach a legal description)

N S E W side of Industrial Pkwy, approximately  
300 feet, N S E W, from intersection of

Industrial Pkwy + Corporate Blvd.

Nearest major intersection Industrial Pkwy + Warner Rd.

Existing Use Office and storage for a construction company

Present Zoning District RR

Proposed Use Lease Various uses as permitted in COM Dist.

Proposed Zoning District COM





Jerome Township  
Union County, Ohio

9777 Industrial Parkway  
Plain City, Ohio 43064  
Office (614) 873-4480  
Fax (614) 873-8664

## Zoning Amendment Application Form

Office Use Only:	
Application #: _____	Date: _____
Fee: \$ _____	Check #: _____

Supporting information: Attach the following items to the application:

1. A vicinity map showing property lines, streets, and existing and proposed zoning.
- ☒ 2. A list of all property owners and their mailing addresses within, contiguous to, and directly across the street from the proposed rezoning.
3. A statement of how the proposed rezoning relates to it to the Comprehensive Plan.
4. The proposed amendment to the zoning map or text in ordinance (resolution) form, approved as to form by the City (Village, County, Township) Legal Advisor.
5. Fee as established according to Section 360.

Applicants or their official representative (attorneys, power of attorneys, etc.) must be present for rezoning hearings, Conditional Use Permit hearings or for Variance hearings to provide appropriate knowledge and/or pertinent answers to questions before an application may be passed on.

Date 7/16/2020 Applicant Signature Karlton D. Williamson  
Karlton D. Williamson

FOR OFFICIAL USE ONLY  
(Planning Commission)

\_\_\_\_\_ Planning (Zoning Commission)  
Date Filed \_\_\_\_\_ Date of Notice in Newspaper \_\_\_\_\_  
Date of Notice mailed to Adjacent Property Owners \_\_\_\_\_  
Date of Public Hearing \_\_\_\_\_ Fee Paid \$ \_\_\_\_\_  
Recommendation of Planning (Zoning) Commission: Approval \_\_\_\_\_  
Denial \_\_\_\_\_  
Reason for Recommendation \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Planning (Zoning Commission)

Date \_\_\_\_\_ Chairman \_\_\_\_\_



Jerome Township  
Union County, Ohio

9777 Industrial Parkway  
Plain City, Ohio 43064  
Office (614) 873-4480  
Fax (614) 873-8664

## Zoning Amendment Application Form

Office Use Only:	
Application #: _____	Date: _____
Fee: \$ _____	Check #: _____

Date of Recommendation Received \_\_\_\_\_

Date of Notice in Newspaper \_\_\_\_\_

Date of Public Hearing \_\_\_\_\_

Action by Legislative Authority: Approval \_\_\_\_\_ Denial \_\_\_\_\_

If denied, reason for denial \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date \_\_\_\_\_ Clerk Signature \_\_\_\_\_

Note: Three copies of this form and supporting information must be filed with the Jerome Township Planning (Zoning) Commission.



Jerome Township  
Union County, Ohio

9777 Industrial Parkway  
Plain City, Ohio 43064  
Office (614) 873-4480  
Fax (614) 873-8664

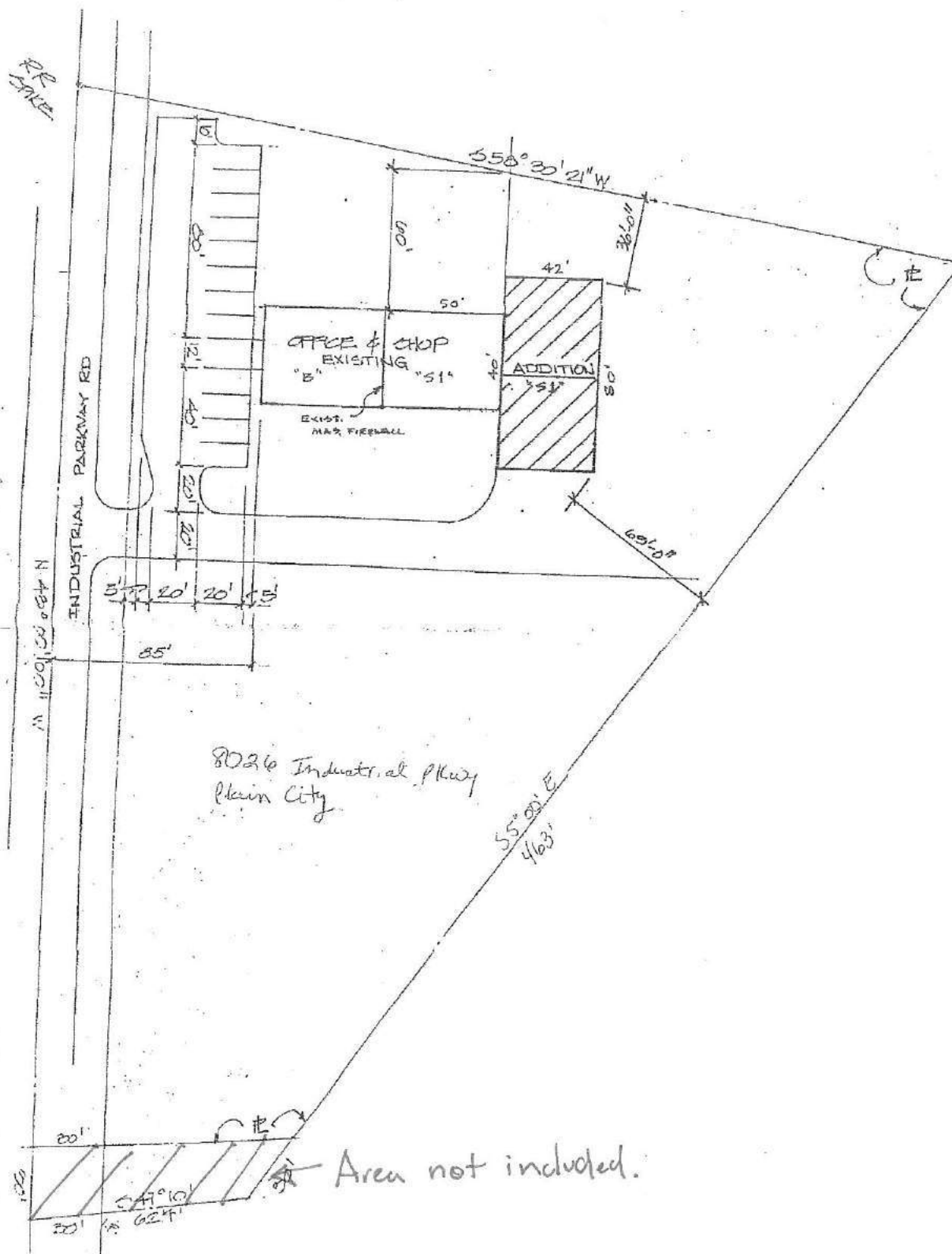
## Zoning Amendment Application Form

Office Use Only:	
Application #: _____	Date: _____
Fee: \$ _____	Check #: _____

### Adjoining Property Owners Names and Mailing Addresses

* Corporate Boulevard Real Estate Investors	* Surge Investments LLC
7017 Americana Pkwy	P O Box 21431
Reynoldsburg, OH 43068	Columbus, OH 43221
* Vincent Reality PC LLC	* GCS Properties LLC
1839 Woodland Hall Dr.	8205 Estate Pkwy LLC
Delaware, OH 43015	Plain City, OH 43064
* Corporate Estate LLC	* 8355 Rausch LLC
5600 Blazer Pkwy 110	6724 Perimeter Loop Rd.
Dublin, OH 43017	Dublin, OH 43014
* RGA	
6665 Lakeside CRC W	
Worthington, OH 43080	
* Charissa Miller	
8300 Amity Pike	
Plain City, OH 43064	
* Clear Blue Horizon LLC	
8205 Estate Pkwy Unit D	
Plain city, OH 43064	

List checked against map and approved by Zoning Inspector





July 16, 2020

Jerome Township, Union Co.  
9777 Industrial Pkwy Rd.  
Industrial Pkwy Rd.  
Plain City, OH

Re: Zoning Change  
8026 Industrial Pkwy Rd.  
Plain City, OH 43064

To Whom It May Concern,

I am requesting a change in my current zoning from RR to COM. Years ago this property was zoned RR. Under todays zoning laws COM, Commerce District is more compatible with the Comprehensive Plan which indicates Flex Office/Light Industry Use, not retail. With Williamson Builders moving out and the building becoming available for lease space, it would make it easier for the new perspective tenants. Should you have questions concerning this matter, please do not hesitate to contact me at (614) 496-0659 or karltonw@yahoo.com

Best Regards,

A handwritten signature in cursive script that reads "Karlton Williamson". The ink is dark and the signature is fluid.

Karlton Williamson

TRANSFERRED

OCT 20 2015

ANDREA WEAVER, AUDITOR  
This conveyance has been examined and the Grantor  
complied with Section 313.202 of the Revised Code

FEE \$

EXEMPT

1.00 *July*



201510290008912 10/29/2015

Pages: 2 P: 528.00 11:40 AM

Teresa Markham T20150005640

Union County Recorder DOC: DEED

### GENERAL WARRANTY DEED

Karlton D. Williamson, married, of Union County, for valuable consideration paid, GRANT(S), with general warranty covenants, to Karlton D. Williamson and Wanda M. Williamson, husband and wife, for their joint lives, remainder to the survivor of them, whose tax mailing address is: 9699 Warner Road, Plain City, Ohio 43064, the following **REAL PROPERTY**: Situated in the County of Union in the State of Ohio and in the Township of Jerome:

Tract One: Being a part of Survey No. 7073, and bounded and described as set forth on Exhibit A.  
Prior Deed Reference: Instrument #201403210001820, Union County, Ohio Recorder's Office  
Parcel Number: 15-0038013-0000  
Map Number: 146-02-01-016.000  
Property Address: 8684 Frazier Road, Plain City, Ohio 43064

Tract Two: Being part of Survey No. 7073, containing three (3) acres, more or less, as set forth on Exhibit A.  
Prior Deed Reference: Instrument #201407150004707 and Instrument #201403210001821,  
Union County, Ohio Recorder's Office  
Parcel Number: 15-0027023-0000  
Property Address: 8026 Industrial Parkway, Plain City, Ohio 43064

Subject to liens, encumbrances, or conditions of record excepted in the purchase contract; and taxes and assessments accruing after the date hereof.

Grantor(s), and spouse (if married), Wanda M. Williamson release(s) all rights of dower therein.

EXECUTED BY GRANTORS this 22<sup>nd</sup> day of June, 2015.

Karlton D. Williamson  
Karlton D. Williamson

Wanda M. Williamson  
Wanda M. Williamson

STATE OF OHIO, COUNTY OF Delaware, SS.

Be It remembered, that on this 22<sup>nd</sup> day of June, 2015, before me, the Subscriber, a Notary Public in and for said state, personally came, the GRANTOR(S) **Karlton D. Williamson and Wanda M. Williamson** who acknowledged the signing of this DEED and that the signing was each Grantor's voluntary act and deed for the uses and purposes therein mentioned.

In testimony whereof, I have hereunto subscribed my name and affixed my seal on this day and year aforesaid.



JASON D. GOLDSMITH  
Notary Public, State of Ohio  
My Comm. Expires Dec. 09, 2019

Jason Goldsmith  
Notary

This instrument was prepared by: Attorney Richard E. Flax, London, Ohio

## EXHIBIT A

## TRACT ONE:

Being a part of Survey No. 7073, and bounded and described as follows:

Being Tract No. 4 in the Frazier Estates No. 2 Subdivision in Jerome Township as described and delineated in Union County Plat Book No. 3, page 161, Union County Recorder's Office.

Also known as 8684 Frazier Road, Plain City, OH 43064

Parcel Number: 15-0038013-0000

Map Number: 146-02-01-016.000

## TRACT TWO:

Situated in the State of Ohio, County of Union, and in the Township of Jerome, and being described as follows:

Being part of Survey No. 7073, containing three (3) acres, more or less, and being the north east corner of a tract of land of two hundred acres of said Survey formerly owned by John Wagner, said three acres are the same that the heirs of John G. Bandle conveyed to Henry Wester and Susan A. Wester, his wife, dated September 24, 1903, and by said Henry Wester and wife, conveyed to Llewellyn McKittrick by deed dated April 7, 1906.

---

Page No: 10027023.M00  
Property No: 10027023.M00

9519 83199754 Degree

# Site Legal Description

## EXHIBIT "A"

Situated in the State of Ohio, County of Union, and in the Township of Jerome, and being described as follows:

Being part of Survey No. 7073, containing three (3) acres, more or less, and being the north east corner of a tract of land of two hundred acres of said Survey formerly owned by John Wagner, said three acres are the same that the heirs of John G. Bandle conveyed to Henry Wester and Susan A. Wester, his wife, dated September 24, 1903, and by said Henry Wester and wife, conveyed to Llewellyn McKittrick by deed dated April 7, 1906.

### ***EXCEPTING THE FOLLOWING:***

Being part of Survey No. 7073, and bounded and described as follows:

Commencing at the northeasterly corner of the three (3) acres tract described in Union County Deed Record Volume 106, Page 552, point being in the easterly line of said Survey No. 7073; thence with said Survey line South 5 00' East 463 feet to a concrete corner post, the true point of beginning; thence continuing South 5 00' East 30 feet to an iron pin at the southwesterly corner of Maybelle K. King and Ada Bess Williams 60.50 acre tract; thence South 47 10' West (passing over an iron pin at 62.4 feet) 92.4 feet to a point in the center of State Route No. 33; thence with the centerline of said Road North 40 22' West 30 feet to the point of beginning.

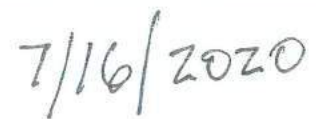
Containing 0.063 of an acre, more or less, but subject to the legal road right of way.

Parcel No.: 15-0027023-0000

Map No.: 146-00-00-043.000

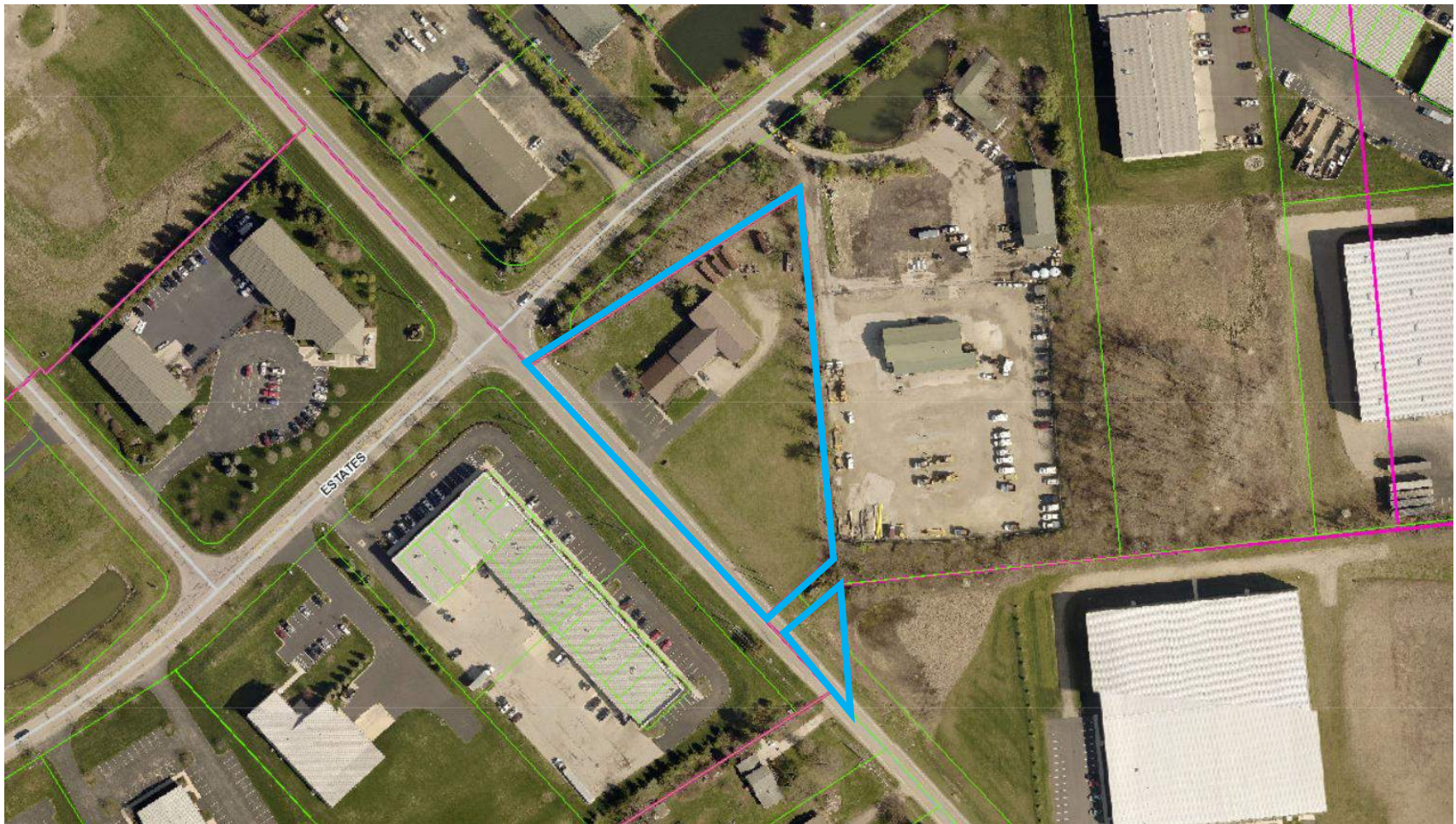
Address: 8026 Industrial Parkway, Plain City, OH 43064





Scale: 1" = 300'

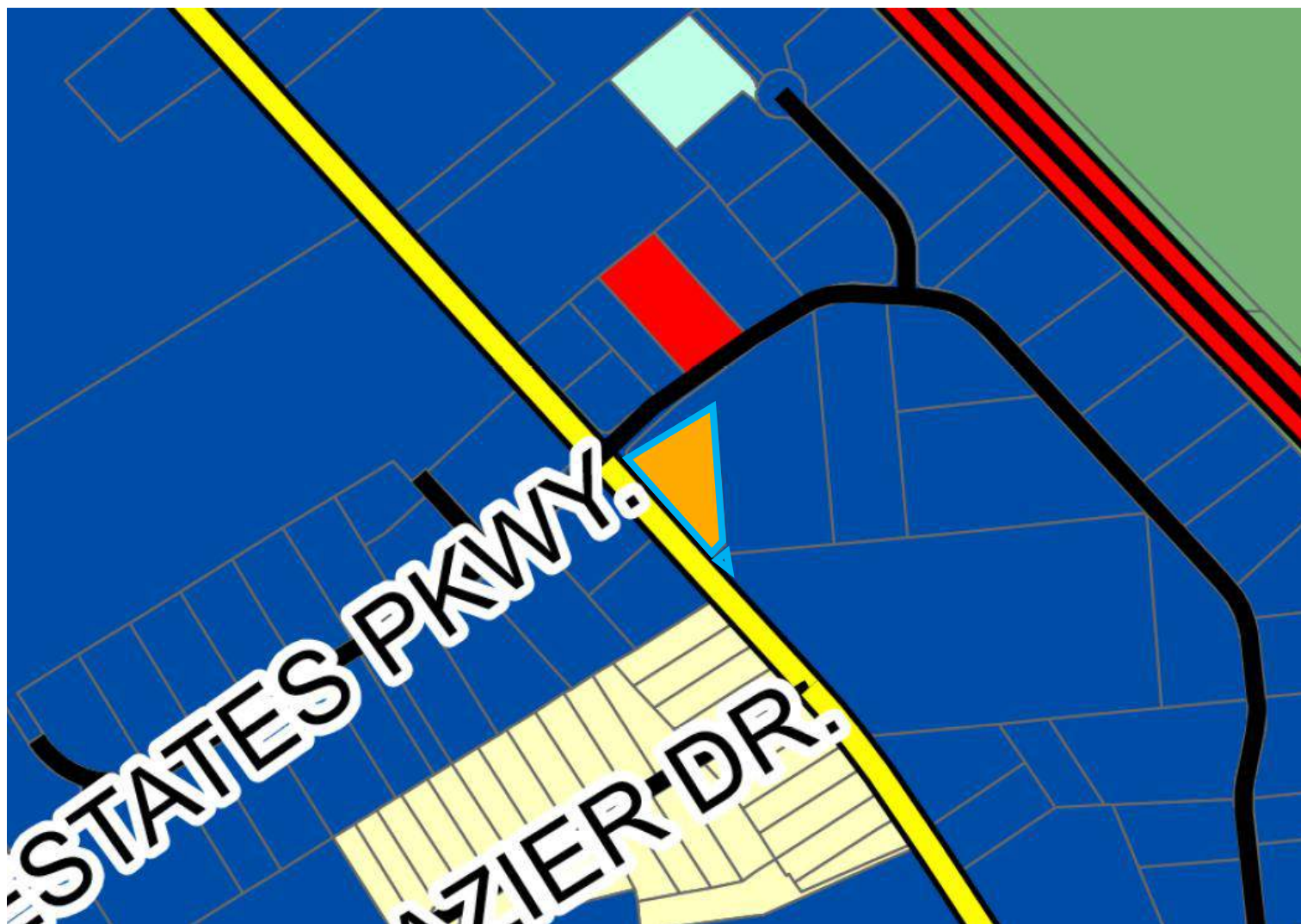




8026 Industrial Parkway

Application # Z-273





8026 Industrial Parkway

Application # Z-273

## 445 Commerce District (COM)

The purpose and intent of the Commerce District is to provide opportunities for business uses consisting of warehouse and distribution, flex offices, commercial services, and light industry as identified in the Flex Office / Light Industrial section of the Jerome Township Comprehensive Plan and to provide standards for the development of such uses that protect the value of adjacent properties and promote the desired character of the area as defined by the Jerome Township Comprehensive plan. This district supersedes the B-15 Wholesale and Heavy Retail District, M-1 Manufacturing District, and M-2 Heavy Manufacturing District in existence prior to the enactment of this resolution.

The uses permitted in this district are appropriate for industrial corridors and major and minor arterials where access to interchanges, well designed roads and trucking or shipping routes are available to move goods and services. Manufacturing and industrial uses in this area will be smaller, more specialized operations which are not intrusive by way of noise, dust, odor, vibration or present a danger to surrounding uses. Commerce District uses are more intense land uses that provide employment opportunities and economic development and should be buffered from residential uses.

### 445.01 Permitted Uses

Within the COM District the following uses, developed in accordance with all other provisions of this Resolution, shall be permitted provided that the building, aggregate of buildings, additions or alterations of buildings do not exceed a combined 50,000 square feet of a lot covered by buildings. All buildings or combination of buildings as previously mentioned equal to or exceeding 50,000 square feet maximum may be permitted as Conditional Uses in the COM District by the Board of Zoning Appeals in accordance with the requirements of Section 240 of this Resolution and subject to the development standards for such uses as established herein:

1. 236 – Construction of buildings
2. 238 – All Specialty Trade Contractors with the exception of:
  - a) 23811 - Poured Concrete Foundation and Structure Contractors
  - b) 23812 - Structural Steel and Precast Concrete Contractors
  - c) 23891 - Site Preparation Contractors
3. 323 – Printing and Related Support Activities
4. 327215 - Glass Product Manufacturing made of purchased glass
5. 33243 - Metal Can, Box, and Other Metal Container (Light Gauge) Manufacturing
6. 3325 – Hardware Manufacturing
7. 3326 – Spring and Wire product Manufacturing

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135

8. 3327 – Machine Shops; Turned Product; and Screw, Nut and Bolt Manufacturing.
9. 3329 - Other Fabricated Metal Product Manufacturing with the exception of:
  - a) 332992 Small Arms Ammunition Manufacturing
  - b) 332993 Ammunition (except Small Arms) Manufacturing
  - c) 332994 – Small Arms, Ordnance, and Ordnance Accessories Manufacturing
10. 334 – Computer and Electronic Product Manufacturing
11. 335 – Electrical Equipment, Appliance, and Component Manufacturing with the exception of:
  - a) 33591 – Battery Manufacturing
12. 3363 – Motor Vehicle Parts Manufacturing
13. 3364 - Aerospace Product and Parts Manufacturing.
14. 336991 - Motorcycle, Bicycle, and Parts Manufacturing.
15. 339 – Miscellaneous Manufacturing
16. 4232 - Furniture and Home Furnishing Merchant Wholesalers
17. 4234 – Professional and Commercial Equipment and Supplies Merchant Wholesalers
18. 4236 – Electrical and Electronic Goods Merchant Wholesalers
19. 4237 – Hardware, and Plumbing and Heating Equipment and Supplies Merchant Wholesalers
20. 42384 – Industrial Supplies Merchant Wholesalers
21. 42385 - Service Establishment Equipment and Supplies Merchant Wholesalers
22. 42386 - Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers
23. 4239 - Miscellaneous Durable Goods Merchant Wholesalers
24. 424 – Merchant Wholesalers, Non-Durable Goods, all with the exception of the following non-permitted uses:
  - a) 42452 – Livestock Merchant Wholesalers
  - b) 4247 – Petroleum and Petroleum Products Merchant Wholesalers
25. 425 – Wholesale Electronic Markets and Agents and Brokers
26. 4413 – Automotive Parts and Accessories Stores
27. 4542 - Vending Machine Operators
28. 484 – Truck Transportation
29. 485 – Transit and Ground Passenger Transportation
30. 487 - Scenic and Sightseeing Transportation
31. 491 – Postal Service
32. 492 – Couriers and Messengers
33. 493 – Warehousing and Storage with the exception of the following uses which are prohibited within the commerce District:
  - a) 493190 Automobile dead storage
  - b) 493190 Bulk petroleum storage
34. 511 – Publishing Industries

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135



35. 512 - Motion Picture and Sound Recording Industries with the exception of:
  - a) 51213 - Motion Picture and Video Exhibition
36. 515 - Broadcasting (except Internet)
37. 517 – Telecommunications
38. 518 – Data Processing, Hosting, and related services
39. 519 – Other Information Services
40. 52 – Finance and Insurance
41. 531 – Real Estate with the exception of:
  - a) 53113 - Lessors of Mini-warehouses and Self-Storage Units
42. 532 – Rental and Leasing Services with the exception of:
  - a) 5321 - Automotive Equipment Rental and Leasing
  - b) 5323 – General Rental Centers
  - c) 5324 - Commercial and Industrial Machinery and Equipment Rental and Leasing
43. 533 - Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)
44. 54 - Professional, Scientific, and Technical Services
45. 55 - Management of Companies and Enterprises
46. 561 - Administrative and Support Services with the exception of:
  - a) 56173 – Landscaping Services
47. 611 – Educational Services
48. 621 - Ambulatory Health Care Services
49. 622 – Hospitals
50. 624 – Social Assistance with the exception of:
  - a) 62422 – Community Housing Services
  - b) 6244 – Child Day Care Services
51. 711 - Performing Arts, Spectator Sports, and Related Industries with the exception of:
  - a) 711212 – Racetracks
52. 712 - Museums, Historical Sites, and Similar Institutions with the exception of:
  - a) 71213 - Zoos and Botanical Gardens
  - b) 71219 - Nature Parks and Other Similar Institutions
53. 7223 – Special Food Services
54. 811 – Repair and Maintenance
55. 81221 – Funeral Homes and Funeral Services
56. 81233 – Linen and Uniform Supply
57. 8129 Other Personal Services with the exception of:
  - a) 81291 – Pet Care (except Veterinary) Services
58. 81292 – Photofinishing
59. 81293 – Parking Lots and Garages

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135

- 60. 81299 – All Other Personal Services
- 61. 813 – Religious, Grant making, Civic, Professional, and similar organizations
- 62. 92 – Public Administration

## 445.02 Conditional Uses

The following uses may be permitted as Conditional Uses in the COM District by the Board of Zoning Appeals in accordance with the requirements of Section 240 of this Resolution and subject to the development standards for such uses as established herein:

- 1. 237 – Heavy and Civil Engineering Construction
- 2. 23811 - Poured Concrete Foundation and Structure Contractors
- 3. 23812 - Structural Steel and Precast Concrete Contractors
- 4. 23891 - Site Preparation Contractors
- 5. 311 – Food Manufacturing less with the exception of:
  - a) 3116 – Animal Slaughtering and Processing
  - b) 3117 - Seafood Product Preparation and Packaging
  - c) 311811 – Retail Bakeries
- 6. 3121 – Beverage manufacturing
- 7. 313 – Textile Mills
- 8. 314 – Textile Product Mills
- 9. 315 – Apparel Manufacturing
- 10. 3162 – Footwear Manufacturing
- 11. 321911 – Wood Window and Door Manufacturing
- 12. 321918 – Other millwork (including flooring)
- 13. 3222 – Converted Paper Product Manufacturing
- 14. 3254 - Pharmaceutical and Medicine Manufacturing
- 15. 3261 – Plastics Product Manufacturing
- 16. 3271 - Clay Product and Refractory Manufacturing
- 17. 3272 - Glass and Glass Product Manufacturing
- 18. 32733 – Concrete Pipe, Brick, and Block Manufacturing
- 19. 3274 – Lime and Gypsum Product Manufacturing
- 20. 3279 – Other Nonmetallic Mineral Product Manufacturing
- 21. 3312 – Steel Product Manufacturing from Purchased Steel
- 22. 3321– Forging and Stamping
- 23. 3322 – Cutlery and Hand tool Manufacturing
- 24. 3323 – Architectural and Structural Metals Manufacturing
- 25. 3328 – Coating, Engraving, Heat Treating, and Allied Activities
- 26. 332994 – Small Arms, Ordnance, and Ordnance Accessories  
Manufacturing except that no live fire and no explosive material are permitted.

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135

27. 333 – Machinery Manufacturing
28. 33621 - Motor Vehicle Body and Trailer Manufacturing
29. 3363 – Motor Vehicle Parts Manufacturing
30. 3364 - Aerospace Product and Parts Manufacturing
31. 336991 – Motorcycle, bicycle and parts manufacturing
32. 337 – Furniture and Related Product Manufacturing
33. 42311 - Automobile and Other Motor Vehicle Merchant Wholesalers
34. 42313 - Motor Vehicle Supplies and New Parts Merchant Wholesalers
35. 42313 - Tire and Tube Merchant Wholesalers
36. 4233 – Lumber and Other Construction Materials Merchant Wholesalers
37. 42351 - Metal Service Centers and Other Metal Merchant Wholesalers
38. 42381 - Construction and Mining (except Oil Well) Machinery and Equipment Merchant Wholesalers
39. 42382 - Farm and Garden Machinery and Equipment Merchant Wholesalers
40. 4411 - Automobile Dealers
41. 4412 - Other Motor Vehicle Dealers
42. 44419 - Other Building Material Dealers
43. 4442 - Lawn and Garden Equipment and Supplies Stores
44. 44512 - Convenience Stores
45. 447 - Gasoline Stations, Except for 44719 and 447190 Marine Service Stations and Truck Stops. (Amended June 20, 2016)
46. 4541 - Electronic Shopping and Mail-Order Houses
47. 484 – Truck Transportation over 25,000 square feet
48. 485 – Transit and Ground Passenger Transportation
49. 4884 - Support Activities for Road Transportation except for Motor Vehicle Towing with On-Site storage or impounding of motor vehicles.
50. 4885 - Freight Transportation Arrangement
51. 4889 - Other Support Activities for Transportation
52. 53113 – Lessors of Mini-Warehouses and Self Storage Units
53. 5321 - Automotive Equipment Rental and Leasing
54. 5323 – General Rental Centers
55. 5324 - Commercial and Industrial Machinery and Equipment Rental and Leasing
56. 56173 – Landscaping Services
57. 6244 – Child Day Care Services
58. 71394 - Fitness and Recreational Sports Centers
59. 71395 - Bowling Centers
60. 71399 - All Other Amusement and Recreation Industries
61. 72111 - Hotels (except Casino Hotels) and Motels

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135



- 62. 7225 - Restaurants and Other Eating Places
- 63. 81291 Pet Care (except Veterinary) Services (with the exception of outdoor kennels)

## 445.03 Lot Size and Yard Setback Standards

The following lot size, frontage requirements, and yard setback standards shall apply to all lots within the COM District:

### 1. Minimum Lot Size

The minimum lot size for parcels within the COM District shall be as follows:

- a) Lots having access to centralized sewer and water services shall be a minimum of 3/4 acre.
- b) For lots using on-site water and sewer the minimum lot size shall be a minimum of 1 and 1/2 acres, or as required by the Union County Health Department for the proposed use.
- c) All lots within the COM District shall be adequate in size to allow for the development of the lot in accordance with the applicable development standards of this Resolution and all other state and local requirements.

### 2. Minimum Lot Frontage

The minimum frontage for all lots in the COM District shall be determined based upon the functional classification of the roadway upon which the property fronts. Functional roadway classifications shall be those determined by the Union County Engineer. All driveway locations and driveway spacing shall meet the current requirements of the Union County Engineer at the time of construction. The following minimum requirements shall apply:

**Fig. 445.03 Lot Frontage Requirements for the COM District**

Road / Street Classification	Minimum Lot Frontage	
	Lots without SDA	Lots with SDA
Loop or cul-de-sac	150 feet	150 feet
Local Road	200 feet	150 feet
Minor Collector Road	300 feet	200 feet
Major Collector Road	400 feet	250 feet
Minor Arterial Road	600 feet	250 feet
Major Arterial Road	No Access	No Access
* Lots having a Shared Driveway Access (SDA) with an adjacent lot(s) shall be permitted to have a reduced Lot Frontage as shown in the above table.		

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135

### 3. Maximum Lot Coverage

The total ground area occupied by all buildings and structures shall not exceed a maximum of 45% of the total area of the lot.

### 4. Front Yard Setbacks

All Front Yard Setbacks, as defined in Section 300, shall be determined based upon the functional classification of the public roadway upon which the property fronts and shall be measured from the right of way of said public road. The functional roadway classification shall be those determined by the Union County Engineer. The minimum front yard setbacks for the

**Fig. 445.031 Front Setback Requirements for the COM District**

Road / Street Classification	Minimum Front Setbacks For:	
	Principal Buildings / Structures	Parking and Circulation
Cul-De-Sac or Loop	40 feet	20 feet
Local Road	50 feet	20 feet
Minor Collector Road	50 feet	20 feet
Major Collector Road	60 feet	30 feet
Minor Arterial Road	70 feet	40 feet
Major Arterial Road	n/a	n/a

COM District shall be as follows:

### 5. Side yard Setbacks

The side yard setbacks in the COM District shall be as follows:

- a) When any lot in the COM District adjoins any lot less than 5 acres in size zoned in any residential district the minimum side yard setbacks shall be:
  - (i) 20 feet for all parking and pavement areas.
  - (ii) 40 feet for any outdoor storage or loading and delivery areas.
  - (iii) 40 feet for all buildings and structures.
- b) When any lot in the COM District adjoins any lot in any non-residential district the minimum side yard setbacks shall be:
  - (i) 10 feet for all parking and pavement areas.
  - (ii) 20 feet for any outdoor storage or loading and delivery areas.
  - (iii) 20 feet for all buildings and structures.

### 6. Rear Yard Setbacks

The minimum rear yard setbacks in the COM District shall be as follows:

- a) When the rear lot line of any lot in the COM District adjoins any lot less than 5 acres in size zoned in any residential district the minimum rear yard setbacks shall be as follows:

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135

- (i) 60 feet for all buildings and structures, loading and delivery, and outdoor storage areas.
- (ii) 40 feet for all parking and vehicular circulation areas.
- b) When the rear lot line of any lot in the COM District adjoins any lot in any non-residential district the minimum rear yard setbacks shall be as follows:
  - (i) 30 feet for all buildings and structures, loading and delivery, and outdoor storage areas.
  - (ii) 20 feet for all parking and vehicular circulation areas.

## 7. Side and Rear Yard Requirements for Non-Residential Uses Abutting Residential Districts

Where a non-residential use abuts any lot line of a residential district the minimum side and rear yard requirements for buildings, loading and delivery areas, and outdoor storage areas may be reduced, at the discretion of the Zoning Inspector, by a maximum of 50% of the total requirement provided that additional landscaping and screening is installed by the owner. Such landscaping shall be designed to completely screen the proposed use from view within a period of 5 years and shall be maintained in good condition for the life of the non-residential use.

### 445.04 Building and Development Standards

The following standards shall apply to the development of all permitted uses and structures, accessory uses and structures, and approved conditional uses and structures within the COM District:

#### 1. Building construction

All uses within the COM District shall be housed in permanent structures constructed on solid foundations meeting all applicable requirements for the construction of such structures within the State of Ohio and Union County. Buildings shall be constructed of conventional building materials of a quality equal to or better than buildings in the immediately surrounding area. The use of tents, inflatable buildings, fabric buildings and other such structures for permanent uses shall be prohibited.

#### 2. Temporary Structures

Temporary non-residential structures, such as construction trailers, may be used incidental to construction work on the premises, on adjacent public projects, or during the period while a permanent structure is being constructed. The user of said structure shall obtain a permit for such temporary use from the Township Zoning Inspector, which permit shall be valid for a period of 12 months. Such permit may be renewed by the Zoning Inspector upon a determination of reasonable progress toward the completion of the permanent structure or project. Said temporary structure shall be removed within 10 days of the earlier of; the completion of the construction project, the

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135



issuance of an occupancy permit, or the expiration of the temporary use permit.

### 3. Building Height

The maximum height of all structures in the COM District shall be 45 feet, measured as defined in Section 300 of this Resolution.

### 4. Building Design and Orientation on the Lot

The following standards apply to the construction of all buildings within the COM District:

- a) Main Entries – All buildings within the COM District shall be designed and located on the lot so that the main entrance to the building is visible from the street on which the lot fronts. The main entrance to each building shall be clearly delineated from the rest of the building through the use of architectural projections, a change in building materials, awnings, canopies or other such architectural treatments.
- b) Loading Docks and Loading areas – Loading Docks and loading areas shall not be permitted on the sides of the building that fronts the street. Buildings shall be designed and located on the lot so that Loading Docks and loading areas are at the side or rear of the building.
- c) Blank Walls not permitted – For all buildings in the COM District, blank, featureless exterior walls having a length greater than 2 times the height of the wall shall not be permitted. Buildings shall be designed to break up long expanses of exterior wall through the use of windows, doors, architectural projections, changes in materials, landscaping, or a combination of the above.
- d) Building materials – Buildings in the COM District shall be designed and constructed using similar exterior materials on all four sides of the building (except as noted in 445.04 (4)(a) above).
- e) Rooftop Mechanical Equipment - To minimize the visual impact on adjacent uses and roadways, rooftop mechanical equipment shall be screened from view on all sides through the use of parapet walls, mansard roofs or special enclosures designed to be harmonious with the building. Simple fence enclosures are not permitted on building roofs for any purpose. To avoid the appearance of multiple roof top screens, mechanical units shall be congregated in one location as permissible within the design of an efficient mechanical system. The following exceptions apply to the screening of rooftop mechanical equipment:
  - (i) Wind turbines and solar panels specifically designed for rooftop use may be excluded from the screening requirements provided the owner can demonstrate that the screening of the proposed equipment will interfere

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with the intended operation or efficiency of the equipment.

## 445.05 Standards for Outdoor Storage Areas

The outdoor storage of materials, equipment and merchandise in the COM District shall meet the following standards:

### 1. Location

Areas used for the outdoor storage of materials, equipment, and merchandise shall not encroach into any required front, side or rear building setback for the COM District. Outdoor storage and the required perimeter screening shall not be permitted to extend closer to the right-of-way, or both rights-of-ways in the case of corner lots, than the front 1/3 of the side of the primary building perpendicular to the right of way as shown in Appendix 2.

### 2. Maximum Lot Area

The maximum lot area devoted to the outdoor storage of materials, equipment and merchandise for all uses shall not exceed 35% of the size of the lot on which the use is located.

### 3. Height

Materials, equipment and merchandise being stored outdoors shall not exceed a maximum height of 14' from the existing grade to the top of the materials being stored. For the purposes of this definition existing grade shall be defined as the general grade of the lot or area where the materials are being stored and shall not be construed to permit a total of 14' or storage from the top of a mound, ramp or other structure within that lot or area.

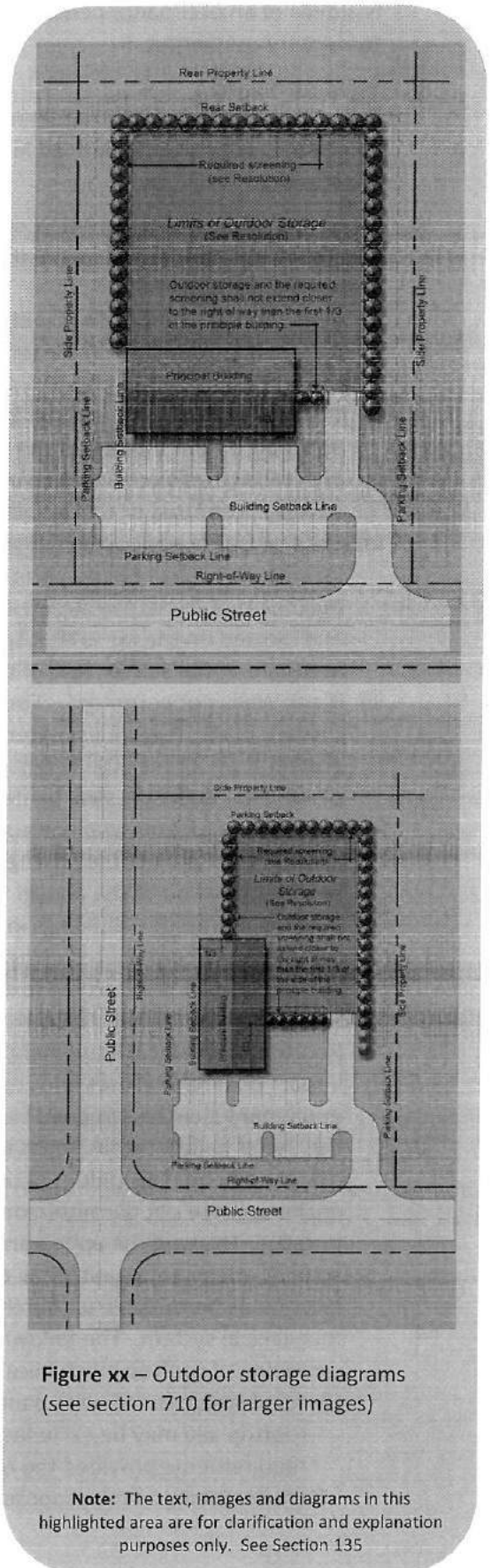
### 4. Materials

The outdoor storage of hazardous, dangerous, flammable or chemical materials or any other materials or equipment that could present a hazard to the health, safety and welfare of the public or provide an attractive nuisance shall be stored according to the following:

- Such materials shall be stored in a secure location within a lockable area.
- Chemicals being stored outdoors shall be in approved containers in good condition and shall meet all applicable requirements of OSHA, OEPA and all other governmental authorities having jurisdiction over such materials.

### 5. Screening and Buffering

Areas used for the outdoor storage of materials, equipment, and merchandise shall be screened from view in accordance with the following standards:



- a) Perimeter Screening— Outdoor storage areas shall be entirely screened from view on all sides through the use of the following:
  - (i) A combination of a continuous minimum 3 foot high earthen mound and completely opaque masonry walls, in accordance with section 625 of this Resolution and deciduous shade trees planted at a maximum of 40' on center similar to buffer type 'A' shown in Appendix 1. Said walls shall be a minimum of 7 feet in height and not exceed 12 feet in height, as measured from the top of mound to the top of wall.
  - (ii) A combination of a continuous minimum 3 foot high earthen mound and a continuous planting of evergreen trees and deciduous shade trees planted on top of the mound and staggered or spaced to achieve 100% screening of the outdoor storage within 5 years of the time of planting similar to buffer type 'B' shown in Appendix 1. Evergreen trees shall be a minimum of 6 feet in height at the time of planting.

#### 445.06 Outdoor Loading, Delivery and Service Areas

Outdoor loading, delivery, and service areas shall be permitted within the COM District in accordance with the following standards:

##### 1. Size Standards

The following size standards shall apply to all outdoor loading, delivery, and service areas within the COM District:

- a) Loading, Delivery and Service Areas for Warehousing and Distribution uses - For warehousing and distribution uses only, the size of areas dedicated to loading docks, truck circulation, and the loading and delivery of goods and materials shall not exceed 35 percent of the total lot area.
- b) Loading, Delivery and Service areas for all other uses – For all other uses the size of areas dedicated to the loading and delivery of goods and materials and service uses such as dumpsters and compactors shall not exceed 10% of the total lot area.

##### 2. Screening

All outdoor loading, delivery, and service areas shall be screened from view in accordance with the following standards:

- a) Buffering from adjacent COM District uses –Service areas and loading docks shall be buffered from adjacent uses in the COM District by the use of evergreen trees or shrubbery of a type and variety normally achieving a minimum of 5 feet in height within 3 years of planting and deciduous shade trees planted at a minimum 40' on center. Trees or shrubbery shall be planted in such a way as to achieve a minimum of 75 percent screening of the area being screened similar to

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135



buffer type 'F' in Appendix 1. Walls may be used for the purposes of buffering adjacent COM District uses provided that such walls and fences meet the requirements of section 625.

- b) Screening from residential uses, Industrial Parkway, State Route 42, and State Route 33 – Any side of any service areas, and loading docks that are visible to adjacent residential lots or uses, Industrial Parkway, and/or State Route 33 shall be entirely screened from view through the use of one or more of the following:
  - (i) Completely opaque walls, in accordance with section 625 of this Resolution, to a height necessary for screening the proposed use but not less than 6 feet and not exceeding 12 feet in height similar to buffer type 'A' in Appendix 1.
  - (ii) Loading docks may be screened from view by an extension of building walls provided that the wall is constructed of materials similar to and harmonious with the design of the principal structure.
  - (iii) A combination of a minimum 3 foot high mound and a continuous planting of evergreen trees, a minimum of 6 feet in height at the time of planting. Evergreen trees shall be planted on top of the mound and staggered or spaced to achieve 100% screening of the area within 5 years of planting similar to buffer type 'B' in appendix 1.
- c) Screening of Dumpsters, Storage Tanks, and Mechanical Equipment – within the COM District all dumpsters, trash receptacles, storage and fuel tanks, generators, heating and cooling equipment, and other building mechanical equipment shall be screened from view on all sides by the proposed structure and / or free standing walls or fences. Free standing walls or fences shall be at a minimum height necessary to screen the proposed use and shall meet the requirements of section 625.
- d) Maintenance of materials - All planting and landscape materials used for the purpose of screening shall be maintained in good condition in accordance with Section 620 of this Resolution.

## 445.07 Off-Street Parking

Off street parking for all uses in the COM District shall be provided at the time of construction of the main structure or building with adequate provisions for ingress and egress. All parking spaces and vehicular circulation areas shall meet the requirements of Section 610 and the following standards:

### 1. Number of Parking Spaces Required

All uses in the COM District shall provide a minimum number of off-street parking spaces in accordance with the type of use as defined in Section 610

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135

## 2. Parking Lot Landscaping

All uses in the COM District shall provide parking lot landscaping in accordance with Section 610 and the following standards:

- a) Parking Lot Trees - The owner or developer of the proposed use shall install a minimum of 1 Shade Tree per every 10 dedicated parking spaces. Shade trees shall be installed in the center of the required landscape islands to avoid damage. Shade Trees shall be of a species and variety that is typically known for urban tolerance, does not fruit heavily, and shall be a minimum of two inches in caliper at the time of installation.

## 445.08 Landscaping

All uses within the COM District shall be landscaped in accordance with Section 620 of this Resolution.

## 445.09 Signage

Signs identifying or advertising uses within the COM District shall be in strict compliance with Section 615 of this Resolution and with the standards as follows:

### 1. Number and Type of Signs Permitted in the COM District

All uses within the COM District shall be permitted to have one ground mounted monument sign or one wall sign. Uses on lots having frontage on more than one public right of way, provided that at least 250 feet of frontage exists along each rights of way, shall be entitled one ground sign or one wall sign along each right of way unless otherwise prohibited below. Multi-tenant buildings are permitted one wall or canopy sign per tenant.

### 2. Monument Signs

All monument signs within the COM District shall comply with the requirements of Section 615 and the following standards:

- a) Height – Monument signs in the COM District shall not exceed a total of 8 feet in height including the sign, sign base or support columns.
- b) Location – Monument signs in the COM District shall be set back at least 15 feet from any right of way or lot line and shall be installed in a location that will not impede the view of traffic from driveways or intersections. When two monument signs are permitted on a corner lot each sign shall be installed on a separate road frontage. There shall be no less than 200 feet between the two signs and no less than 50 feet between any one sign and the intersection of the rights of ways.
- c) Display Area – The total display area of all signage surfaces for a single sided sign shall not exceed 32 square feet and the display area for double sided signs shall not exceed 64 square feet, as defined by Section 615 of this Resolution.

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135

- d) Landscaped Area – Each monument sign shall be surrounded by landscaping around the base of the sign totaling a minimum of 50 square feet. Landscaped areas shall be comprised of a variety of plant materials such as annual or perennial flowers, ground covers, and shrubs.

### 3. Wall signs

All wall signs within the COM District shall comply with the requirements of Section 615 and the following standards:

- a) Installation – Wall signs shall be installed and mounted in accordance with Section 615.
- b) Display area – The sign(s) surface(s) of a sign(s) placed flat against the building wall shall not exceed 65% of the length of the side of the building to which the sign(s) is/are attached. The total area of the sign shall not exceed 10 percent of the total area of the wall to which the sign is to be attached up to a total sign area of 125 square feet. In no case shall a wall sign in the COM District exceed 125 square feet.
- c) Location – Wall signs shall be located on or along the wall of the building which faces the street or parking lot and shall not project above the roof line or the cap of parapets of such building whichever is higher. When a building on a corner lot is permitted to have two wall signs, each sign shall be mounted on a separate building frontage and shall be a minimum of 30 feet apart.
- d) Multi-tenant buildings – Multi-tenant buildings are permitted to have one wall sign per tenant mounted above the entry to the space occupied by the tenant and not exceeding 30 square feet of display area per tenant. For all wall signs in a multi-tenant building there shall be uniformity in height between the signs for each tenant and all signs shall be installed at the same height along the face of the building.

### 445.10 Lighting

All exterior lighting within the COM District shall strictly adhere to the requirements of Section 630 and the following standards:

#### 1. Maximum Height Requirements

The total height of exterior light fixtures used for parking lot and site lighting within the COM District shall not exceed a maximum height of 30' established from the average finished grade of the area intended to be illuminated surrounding the light fixture.

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135



## 445.11 Existing Structures, Existing Uses, Existing Outdoor Storage and Other Existing Conditions

### 1. Existing Structures and Other Existing Conditions

- a) Where a lawful structure exists at the effective date of this amendment (Dated April 20, 2015) that does not comply with the requirements of this Resolution because of restrictions such as minimum lot size, minimum lot frontage, front yard setback, side yard setbacks, rear yard setback, height, building design, screening (except for the screening requirements of subsection 3 of this Section), buffering, landscaping, signage and lighting or other requirements related to the structure and other existing conditions, that structure and other existing conditions may be continued as a conforming existing structure as long as it meets the requirements of this Section.
- b) Existing Structures may be extended, enlarged, altered, remodeled or modernized upon finding of the Township Zoning Officer that all of the following conditions are met:
  - (i) That the existing structure meets all height, area, and/or parking and loading provisions that were applicable immediately prior to the rezoning of the property on which it is located and that the new construction meet all the development standards for the Commerce District.
  - (ii) That the enlargement or extension is limited to the same parcel on which the existing structure(s) is located and is owned by the same owner. The enlargement or extension may not exceed 50% of the ground floor area of the existing structure at the time of the adoption of the Resolution.
  - (iii) That the improvement does not interfere with the use of other properties in the vicinity.
- c) Any existing structure that does not have the minimum number of parking or loading areas required by this Resolution, and which thereafter provides additional parking and/or loading spaces in conjunction with an improvement as permitted under the Resolution, shall be required to meet the minimum number of parking spaces or loading areas as required by the Commerce District.
- d) Reconstruction or Movement
  - (i) Should less than 60% of the value of an existing structure exclusive of foundation be destroyed by an act of God, or other action outside the control of the owner/lessee, that existing structure may be reconstructed as it existed prior to the action causing its destruction. The value of the structure shall be based upon its fair market value as defined herein, which may be determined by the Union

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County Auditors valuation, or an appraisal prepared by a licensed appraiser, on the date the destruction occurred.

- (ii) Any permitted reconstruction shall be started within 12 months of destruction and be continued until completed or the applicant shall comply with the applicable use and development standards of this Resolution.
- (iii) Should the property/building owner or lessee demolish more than 50% of the gross square footage of an existing structure, then all of the improvements on the property must be constructed and/or brought into conformance with the requirements of this Resolution.

## 2. Existing Uses

The long range implementation of this Resolution requires sensitive treatment of existing uses currently located in the Commerce District and previously located in the M-1 & M-2 Districts. Those businesses/uses represent significant investments in the Township. It is the intent of this section to permit existing uses to continue and to be considered conforming or non-conforming to this Resolution, even if the use is not otherwise permitted in this District, provided that the following requirements are met:

- a) A property that is in use immediately prior to the rezoning caused by this Resolution shall continue to be allowed as permitted on the property in addition to the permitted uses applicable in this district, provided that the use has been operated in an Existing Structure on the property within 24 months prior to the effective date of this Resolution. Such uses shall be known as an "Existing Use." A property with a valid Conditional Use permit issued prior to the effective date of this Resolution shall remain a legal Conditional Use provided that the use continues to meet all of the terms and conditions required with the issuance of the Conditional Use Permit.
- b) In addition to the provisions of paragraph (a), above, any permitted use may be extended throughout any building or parts of a building which were manifestly arranged or designed for that use at the time of adoption or amendment of this Resolution, but the use shall not be extended to occupy any land outside the building except as permitted under the Existing Structures section 1(b) above. Conditional Uses, existing at the effective date of this Resolution, may only be extended in compliance with the terms and conditions outlined in the Conditional Use Permit.
- c) Abandonment of an Existing Use
  - (i) If an Existing Use is abandoned for any reason for a period of more than 24 months, any subsequent use shall conform to the requirements of this Resolution. With

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135

## 460 Regional Retail District (RR)

The purpose and intent of the Regional Retail District is to provide areas for major retail sites that serve areas larger than 5 miles in radius and are located near freeways and freeway interchanges as identified in the Jerome Township Comprehensive Plan. Regional retail uses are characterized by large retail uses having 75,000 square feet or more in floor area, and associated smaller retailers, and require high visibility and accommodation of high traffic volumes. This district supersedes the B-14 Heavy Retail district in existence prior to the enactment of this resolution.

### 460.01 Permitted Uses

Within the RR District the following uses, developed in accordance with all other provisions of this Resolution, shall be permitted:

1. 4411 Automobile Dealers
2. 4413 Automotive Parts, Accessories, and Tire Stores
3. 442 Furniture and Home Furnishings Stores
4. 443 Electronics and Appliance Stores
5. 4441 Building Material and Supplies Dealers
6. 4451 Grocery Stores
7. 4452 Specialty Food Stores
8. 4453 Beer, Wine, and Liquor Stores
9. 4461 Health and Personal Care Stores
10. 447 - Gasoline Stations, Except for 44719 and 447190 Marine Service Stations and Truck Stops. (Amended June 20, 2016)
11. 448 Clothing and Clothing Accessories Stores
12. 451 Sporting Goods, Hobby, Book, and Music Stores
13. 452 General Merchandise Stores
14. 4531 Florists
15. 4532 Office Supplies, Stationery, and Gift Stores
16. 4533 Used Merchandise Stores
17. 4539 Other Miscellaneous Store Retailers except for the following uses which are prohibited in the regional retail District:
  - a) 45393 Manufactured (Mobile) Home Dealers
  - b) 453998 All Other Miscellaneous Store Retailers (except Tobacco Stores)
18. 491 Postal Service
19. 5221 Depository Credit Intermediation (commercial banks and credit unions)
20. 53222 Formal Wear and Costume Rental
21. 53223 Video Tape and Disc Rental
22. 713940 Fitness centers
23. 72111 Hotels (except casino hotels) including convention hotels
24. 7224 Drinking Places
25. 722511 Full-Service Restaurants
26. 722513 Limited-Service Eating Places

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135



27. 8121 Personal Care Services with the exception of the following uses which are prohibited in the Regional Retail District:
  - a) 812199 Baths, steam or Turkish
  - b) 812199 Massage parlors
  - c) 812199 Steam baths
  - d) 812199 Tattoo parlors
  - e) 812199 Turkish bathhouses
28. 81292 Photofinishing
29. 813110 Church or other places of religious worship
30. Drive Thru Windows

## 460.02 Conditional Uses

The following uses may be permitted as Conditional Uses in the RR District by the Board of Zoning Appeals in accordance with the requirements of Section 240 of this Resolution and subject to the development standards for such uses as established herein:

1. 811192 Car Washes
2. 811191 Automotive Oil Change and Lubrication Shops
3. 811111 General Automotive Repair
4. Outside display of products for sale, not including boats, recreational vehicles, farm equipment, mobile or manufactured homes, or storage buildings.

## 460.03 Lot Size and Yard Setback Standards

The following lot size, frontage requirements, and yard setback standards shall apply to all lots within the RR District:

### 1. Minimum Lot Size

All lots and outparcels within the RR District shall be a minimum of 1 acre in size, or such larger size as necessary to allow for the development of the lot in accordance with the applicable development standards of this Resolution and all other state and local requirements.

### 2. Maximum square footage

Within the RR District there shall be no maximum building square footage.

### 3. Minimum Lot Frontage

The minimum lot frontage for all lots in the RR District shall be determined based upon the functional classification of the roadway upon which the property fronts. Functional roadway classifications shall be those determined by the Union County Engineer. All driveway locations and driveway spacing shall meet the current requirements of the Union County Engineer at the time of construction. The following minimum lot frontages shall apply:

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135

**Fig. 460.03 Lot Frontage Requirements for the RR District**

Road / Street Classification	Minimum Lot Frontage	
	Lots without SDA.*	Lots with SDA
Local Road	200 feet	150 feet
Minor Collector Road	300 feet	200 feet
Major Collector Road	400 feet	250 feet
Minor Arterial Road	600 feet	250 feet
Major Arterial Road	No Access	No Access

\* Lots sharing a Shared Driveway Access (SDA) with an adjacent lot(s) shall be permitted to have a reduced Lot Frontage as shown in the above table.

- a) **Outparcels** – where three or more outparcels share a Shared Driveway Access, or where outparcels are accessed from a larger retail center and not the public right of way, the minimum lot frontage of the outparcels may be reduced as shown in Figure 460.03.

#### 4. Front Yard Setbacks

All Front Yard Setbacks, as defined in Section 300, shall be determined based upon the functional classification of the public roadway upon which the property fronts and shall be measured from the right of way of said dedicated Public Road. The functional roadway classification shall be as determined by the Union County Engineer. The minimum front yard setbacks for the RR District shall be as follows:

**Fig. 460.031 Front Setback Requirements for the RR District**

Road / Street Classification	Minimum Front Setbacks For:	
	Principal Buildings / Structures	Parking and Circulation
Local Road	50 feet	20 feet
Minor Collector Road	50 feet	20 feet
Major Collector Road	60 feet	30 feet
Minor Arterial Road	60 feet	30 feet
Major Arterial Road	n/a	n/a

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135

## 5. Side yard Setbacks

The side yard setbacks in the RR District shall be as follows:

- a) When any lot in the RR District adjoins any lot less than 5 acres in size zoned in any residential district, or where the side lot line exists within 250 feet of any residential structure, the minimum side yard setbacks shall be:
  - (i) 20 feet for all parking and vehicular circulation areas.
  - (ii) 40 feet for any loading, delivery, and service areas.
  - (iii) 40 feet for all buildings and structures.
- b) For all other lots in the RR District the side yard setbacks shall be:
  - (i) 10 feet for all parking and vehicular circulation areas. In the case of shared parking the setbacks may be reduced to 0 feet see Section 610.
  - (ii) 20 feet for any loading, delivery, and service areas.
  - (iii) 20 feet for all buildings and structures.

## 6. Rear Yard Setbacks

The minimum rear yard setbacks in the RR District shall be as follows:

- a) When any lot in the RR District adjoins any lot less than 5 acres in size zoned in any residential district, or where the rear lot line exists within 250 feet of any residential structure, the minimum rear yard setbacks shall be:
  - (i) 20 feet for all parking and vehicular circulation areas.
  - (ii) 40 feet for all loading, delivery and service areas.
  - (iii) 60 feet for all structures.
- b) For all other lots in the RR District the rear yard setbacks shall be:
  - (i) 10 feet for all parking and vehicular circulation areas.
  - (ii) 20 feet for all loading, delivery and service areas.
  - (iii) 30 feet for all structures.

## 7. Side and Rear Yard Requirements for Non-Residential Uses Abutting Residential Districts

Where a non-residential use abuts any lot line of a residential district the minimum side and rear yard requirements for buildings, loading and delivery areas, and outdoor storage areas may be reduced, at the discretion of the Zoning Inspector, by a maximum of 50% of the total requirement provided that additional landscaping and screening is installed by the owner. Such landscaping shall be designed to completely screen the proposed use from view within a period of 5 years and shall be maintained in good condition for the life of the non-residential use.

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135



## 460.04 Building and Development Standards

The following building and development standards shall apply to all uses and lots in the RR District:

### 1. Building construction

All uses within the RR District shall be housed in permanent structures constructed on solid foundations meeting all applicable regulations for the construction of such structures within the State of Ohio and Union County. Buildings shall be constructed and clad with conventional building materials of a quality equal to or better than buildings in the surrounding area. The use of tents, inflatable buildings, fabric buildings and other such structures for permanent use shall be prohibited.

### 2. Temporary Structures

Temporary non-residential structures, such as construction trailers, may be used incidental to construction work on the premises, on adjacent public projects, or during the period while a permanent structure is being constructed. The user of said structure shall obtain a permit for such temporary use from the Township Zoning Inspector, which permit shall be valid for a period of 6 months. Such permit may be renewed by the Zoning Inspector upon a determination of reasonable progress toward the completion of the permanent structure or project. Said temporary structure shall be removed within 10 days of the earlier of; the completion of the construction project, the issuance of an occupancy permit, or the expiration of the temporary use permit.

### 3. Building Height

The maximum height of all structures in the LR District shall be 40 feet, measured as defined in Section 300 of this Resolution.

### 4. Building design and orientation on the Lot

The following standards apply to the construction of all buildings within the RR District:

- a) Large retail buildings – Large expanses of flat, featureless, exterior wall shall not be permitted on any front or side building elevation on large retail buildings within the RR District. Large retail buildings shall be designed so that, at a minimum, front and side exterior walls are varied through the use of windows, changes in building mass, changes in building materials, or a combination of the above.
- a) Outparcels and small retail buildings – The exterior of all outparcel buildings and free-standing small retail buildings within the RR District shall be designed and constructed with similar materials and level of architectural detail on all sides of the building.
- b) Loading Docks and Loading areas – Loading Docks and loading areas shall not be permitted on the front of any

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135

building or on the side of any building which faces a public right of way.

### 460.05 Loading, Delivery and Service Areas

Loading, delivery and service areas within the RR District shall meet the following standards:

#### 1. Screening

All loading, delivery, and service areas in the RR District shall be screened from view in accordance with the following standards:

- a) Screening from Non-Residential Uses – Service and delivery areas, overhead doors, and loading docks shall be screened from view of adjacent non-residential uses by a combination of a 2' mound and a continuous planting of evergreen trees similar to buffer type 'C' in Appendix 1. Evergreen trees shall be a minimum of 6 feet tall at time of planting and shall be planted in such a way as to provide a minimum of 75 percent opacity screen between the service areas and/or loading docks and the adjacent use at the time of planting. Walls and fences may be used for the purposes of screening service areas and/or loading docks similar to buffer type 'A' in Appendix 1 and shall meet the requirements of section 625. Walls and screens shall not contain any advertising.
- b) Screening from Adjacent Residential Uses, State Route 33, State Route 42 and Industrial Parkway – In the RR District all sides of any service areas and/or loading docks that are visible to adjacent residential uses, State Route 33, State Route 42 or Industrial Parkway shall be entirely screened from view through the use of the following:
  - (i) A combination of a 3' high mound and completely opaque walls or fences, in accordance with section 625 of this Resolution, to a height necessary for screening the proposed use but not less than 6 feet and not exceeding 10 feet in height similar to buffer type 'A' in Appendix 1.
  - (ii) Loading docks may be screened from view by an extension of building walls provided that the wall is constructed of materials similar to and harmonious with the design of the principal structure.
  - (iii) A combination of a minimum 3' high mound and a continuous planting of evergreen trees, a minimum of 6 feet in height at the time of planting. Evergreen trees shall be planted on top of the mound and staggered or spaced to achieve 100% screening of the area within 5 years of planting similar to buffer type 'B' in Appendix 1.
- c) Screening of Dumpsters, Storage Tanks, and Mechanical Equipment – within the RR District all dumpsters, compactors, trash receptacles, storage and fuel tanks, generators, heating and cooling equipment, and all other similar building service and mechanical equipment shall be

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135

screened from view on all sides by the proposed structure and/or free standing walls or fences. Free standing walls or fences shall be at a minimum height necessary to screen the proposed use, shall be constructed of materials harmonious to the building, and shall meet the requirements of section 625.

- d) Maintenance of Materials - All planting and landscape materials used for the purpose of screening shall be maintained in good condition in accordance with Section 620 of this Resolution.

## 460.06 Off-Street Parking

Off street parking for all uses in the RR District shall be provided at the time of construction of the main structure or buildings with adequate provisions for ingress and egress. All parking spaces and vehicular circulation areas shall meet the requirements of Section 610 and the following standards:

### 1. Number of Parking Spaces Required

All uses in the RR District shall provide a minimum number of off-street parking spaces in accordance with the type of use as defined in Section 610.

### 2. Joint or Common Parking

In the RR District outparcels, tenants, and adjacent commercial uses within a retail development are permitted to share a common parking area provided that cross access easements and shared parking agreements are in place. Where such easements and agreements are in place between uses, the parking and pavement setback between those uses may be reduced to 0 feet to accommodate the joint parking use as defined in Section 610.

### 3. Parking Lot Landscaping

All uses in the RR District shall provide parking lot landscaping in accordance with Section 610 and the following standards:

- a) Parking Lot Trees - The owner or developer of the proposed use shall install a minimum of 1 shade tree per every 10 parking spaces. Shade trees shall be installed in the center of the required landscape islands to avoid damage. Shade trees shall be of a species and variety that is typically known for urban tolerance, does not fruit heavily and shall be a minimum of two inches in caliper at the time of installation. To increase visibility of multi-tenant "strip" retail the owner or developer may provide 1 shade tree per 20 parking spaces provided that the remaining landscape islands are landscaped with shrubs at a minimum.

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135



### 460.07 Landscaping

All uses within the RR District shall be landscaped in accordance with section 620 of this Resolution.

### 460.08 Signage

Signs identifying or advertising uses within the RR District shall be in strict compliance with Section 615 of this Resolution and with the standards as follows:

#### 1. Number and Type of Signs Permitted in the RR District

For all uses and lots within the RR District the total amount of signage permitted shall be as follows:

Single Uses on Individual Lots – All uses within the RR District shall be permitted to have one ground mounted monument sign or one building mounted wall sign. Uses on lots having frontage on more than one public right of way, provided that at least 250 feet of frontage exists along each rights of way, shall be entitled one ground sign or one wall sign along each right of way unless otherwise prohibited below.

- a) Multi-tenant Retail Developments – Retail developments in the RR District having more than one retail tenant shall be permitted one joint identification monument sign advertising the name of the development and one building mounted sign per each retail tenant. Outparcels in such a development shall be permitted one ground mounted monument sign or one building mounted sign.
- b) Gasoline Stations – Gasoline Stations in the RR District may display signs in addition to the signs allotted for single uses or for outparcels. Such additional signage shall be limited to the following:
  - (i) Price and Grade information – Monument signs for Gasoline Stations may be permitted to display gasoline price and grade information in changeable copy. The total area dedicated to the display of price and grade information may not exceed 50 percent of the total sign area allowed for a Gasoline Station. Price and grade information may be displayed electronically provided such electronic information does not flash, move, rotate, change color, or change copy more than four times per day to update the price of fuel.

#### 2. Monument Signs and Joint Identification Signs

All monument signs within the RR District shall comply with the requirements of Section 615 and the following requirements:

- a) Construction - Monument signs and Joint Identification signs shall be permanently installed on a solid base constructed of durable natural materials or between two posts or columns constructed of durable natural materials.
- b) Location – Monument signs and Joint Identification Signs shall be set back at least 15 feet from any right of way or lot

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135



line and shall be installed in a location that will not impede the view of traffic from driveways or intersections. When two monument signs are permitted, in the case of a corner lot, each sign shall be installed on a separate road frontage. There shall be no less than 200 feet between the two signs, as measured along the right-of-way and no less than 50 feet between any one sign and the intersection of the two rights of ways.

c) Height and Area – The height and area of all monument signs in the RR District shall be as follows:

(i) Outparcels – Monument signs for retail and restaurant outparcels in the RR District shall not exceed 5 feet in height and 20 square feet of display area per side as defined in Section 615.

(ii) Single uses – Monument signs for single retail uses on single lots in the RR District shall not exceed 5 feet in height and 25 square feet of display area per side as defined in Section 615.

(iii) Joint Identification signs – Monument signs advertising a multi-tenant retail development in the RR District may include the names of only 4 principal tenants in addition to the name of the retail center or development. Joint Identification Signs shall not be permitted along the US 33 frontage. In addition Joint Identification Signs shall meet the following size requirements:

a Retail centers larger than 300,000 square feet in floor area – Joint Identification signs shall not exceed 18 feet in height and 100 square feet of display area for all sides.

b Retail centers larger than 150,000 square feet but not more than 300,000 square feet in floor area – Joint Identification signs shall not exceed 15 feet in height and 75 square feet of display area for all sides.

c Retail centers larger than 50,000 square feet but not more than 150,000 square feet in floor area – Joint Identification signs shall not exceed 10 feet in height and 64 square feet of display area for all sides.

d Retail centers 50,000 square feet or less in floor area – Joint Identification Signs shall not exceed 6 feet in height and 40 square feet of display area for all sides.

(iv) Gasoline Stations – monument signs for Gasoline Stations in the RR District shall not exceed 8 feet in height and 64 square feet of display area for all sides.

d) Landscaped area – Each monument sign shall be surrounded by landscaping around the base of the sign totaling a minimum of 50 square feet. Landscaped areas shall be comprised of a variety of plant materials such as annual or perennial flowers, ground covers, and shrubs.

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135

### 3. Wall signs

All wall signs in the RR District shall meet the following requirements:

- a) Installation – Wall signs shall be installed and mounted in accordance with Section 615.
- b) Construction – Wall signs may be constructed of individual letters attached to the building or constructed as a solid sign or sign cabinet.
- c) Display area – The sign(s) surface(s) of a sign(s) placed flat against the building wall shall not exceed 65% of the length of the side of the building or of the storefront to which the sign(s) is/are attached and shall meet the following requirements:
  - (i) For single buildings on individual lots, and for retail tenants larger than 30,000 square feet in floor area in a multi-tenant retail structure, the total area of the sign shall not exceed 10 percent of the total area of the wall to which the sign is being attached up to a total of 125 square feet in display area as defined in Section 615.
  - (ii) For retail tenants less than 30,000 square feet in floor area in a multi-tenant building the total area of the sign shall not exceed 60 square feet in display area as defined in Section 615. For all wall signs in a multi-tenant building there shall be uniformity in height between the signs for each tenant and all signs shall be installed at the same height along the face of the building.
- d) Location – Wall signs shall be located on or along the wall of the building which faces the street or parking lot and shall not project above the eaves of a sloped roof or the parapets of a flat roof. When a building on a corner lot is permitted to have two wall signs, each sign shall be mounted on a separate building frontage and shall be a minimum of 30 feet apart.

### 460.09 Lighting

All exterior lighting within the RR District shall strictly adhere to the requirements of Section 630 and the following standards:

#### 1. Maximum Height Requirements

The total height of exterior light fixtures used for parking lot and site lighting within the RR District shall not exceed a maximum height of 32 feet established from the average finished grade of the area intended to be illuminated surrounding the light fixture.

**Note:** The text, images and diagrams in this highlighted area are for clarification and explanation purposes only. See Section 135



## Staff Report – Washington Township Zoning Amendment

<b>Jurisdiction:</b>	<b>Washington Township Zoning Commission</b> c/o Gary Bias <a href="mailto:washtwpzoning@gmail.com">washtwpzoning@gmail.com</a> (937) 539-1879
<b>Request:</b>	<p>Review of Washington Township Zoning Resolution text amendment, initiated by the Zoning Commission.</p> <p>The amendment amends:</p> <ol style="list-style-type: none"><li>1. Official Schedule of District Regulations; U-1, R-1, R-2; Conditional Uses/PUD Uses and Other Provisions and Requirements</li><li>2. Minor change to Article II Establishment of Districts</li><li>3. Section 555 Fences, Walls and Hedges</li><li>4. Section 569 Recreational Vehicles</li><li>5. Article VII Manufactured And/Or Mobile Home Parks &amp; Manufactured And/Or Mobile Homes Individually</li><li>6. Section 1003 Zoning Certificates Required</li><li>7. Section 1011 Issuance of Zoning Permit for Projects Requiring Site Plan Review</li><li>8. Section 1018 Conditional Uses</li><li>9. Article XII Definitions</li></ol>
<b>Location:</b>	Washington Township is in Logan County.

<b>Staff Analysis:</b>	<p>This analysis breaks-down the proposal and provides a recommendation. Most of the changes proposed update legacy definitions associated with mobile homes. The other sections impacted are unrelated to mobile homes.</p> <p><b>1. Schedule of District Regulations; U-1, R-1, R-2; Conditional/PUD Uses + Other Provisions and Requirements (Amend)</b></p> <ul style="list-style-type: none"><li>○ “Mobile home park” is listed as a conditional use in the U-1 and R-2 districts. It is also listed as a PUD option in the R-1 District.</li><li>○ The proposal changes the use from “mobile home park” to “manufactured or mobile home park”.</li><li>○ In the section labeled “Other Provisions and Requirements”, the proposed change makes clear manufactured dwellings (not permanently sited) are only permitted in a park or as a PUD.</li></ul>
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## Staff Report – Washington Township Zoning Amendment

- Staff recommends, in the U-1 District, adding “dwelling” after “medium-density residence (single family and multi-family **dwelling** residential...”.
- Staff recommends, in the R-2 District, making a slight change to the “Other Provisions and Requirements” subsection. The word “unless” occurs twice. The recommendation is to remove the extra word.

### 2. Section 555 Fences, Walls, and Hedges

- The proposed change limits fences, walls, and hedges to the side and rear yard, or along the edge of any yard. The maximum height of a fence is also limited to 4’ in all but the R-1, R-2, and M-2 districts.
- Staff recommends the Township take another look at the wording of this language. For example, a literal reading would prohibit a hedge row in front yards, unless along it is located along the edge of the yard.
- Staff recommends the Township take another look at the fence height limitation, as it may cause practicality issues. For example, dogs and swimming pools are often located in the rear yard. Larger dogs might jump a 4’ tall fence. Some swimmers in the U-1 District may want more privacy than a 4’ tall fence might provide.

### 3. Section 569 Recreational Vehicles

- Changes to this section better-utilize existing definitions.
- Staff recommends changing “Recreation vehicles” to “Recreational vehicles” in the first sentence. Staff also recommends changing (B) to (5) and changing the word “parking” to “storing”. These changes should help prevent a property owner from parking (and living) in a recreational vehicle.

### 4. Article VII Manufactured and/or Mobile Home Parks & Manufactured and/or Mobile Homes Individually (Amend)

- Changes to this section include renumbering of sections and adding “(not permanently sited)” after each occurrence of “manufactured homes”.

### 5. Section 1003 Zoning Certificates Required (Amend)

- There is a provision in this section allowing for the Zoning Inspector to double the cost of a permit for structures placed prior to obtaining a zoning permit.





## Staff Report – Washington Township Zoning Amendment

	<ul style="list-style-type: none"><li>○ Staff recommends striking this because it is unclear if ORC provides townships with this authority.</li></ul> <p><b>6. Section 1018 Conditional Uses (Amend)</b></p> <ul style="list-style-type: none"><li>○ The existing code requires notice of public hearings posted on the property where a conditional use is proposed. The proposed change strikes this requirement. Notice is still required to be posted at the Township Hall and in one other public place.</li><li>○ The ORC has additional notice requirements: A minimum of ten days' notice in writing to parties in interest and notice by publication in a newspaper of general circulation. These appear to be missing.</li><li>○ Staff recommends addition of the ORC notice requirements for BZA public hearings. Staff will provide a copy of language used by other LUC communities with LUC's recommendation letter.</li></ul> <p><b>7. Article XII Definitions (Amend)</b></p> <ul style="list-style-type: none"><li>○ The proposed text amends dwelling definitions. For the most part, the definitions mirror language from the Ohio Revised Code and eliminate legacy definitions associated with mobile homes.</li></ul> <p><b>8. Additional Staff Comments</b></p> <ul style="list-style-type: none"><li>○ Staff recommends removing the green highlighted text on the cover page. It reads, "Questions for ZCB, not part of zoning text".</li><li>○ Staff recommends updating the page numbers in the index.</li></ul> <p><b>Prosecutor's Office</b> A copy of this proposal was forwarded to the County Prosecutor's Office for consideration and comment. The comments from that Office should be reviewed and included in any recommendation.</p>
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<b>Staff Recommendations:</b>	Staff recommends <b>APPROVAL WITH MODIFICATIONS</b> , as noted in the staff report, of the proposed zoning amendment.  The Township should consider the opinion of the Prosecutor's Office when it is available.
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Logan-Union-Champaign  
regional planning commission

**Staff Report – Washington Township Zoning Amendment**

<b>Z&amp;S Committee Recommendations:</b>	
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## Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

### Zoning Text Amendment Checklist

Date: 7-31-20

Township: WASHINGTON

Amendment Title: WASHINGTON TWP. ZONING RESOLUTION CHANGES 2020

**Notice:** Incomplete Amendment requests **will not** be processed by our office. LUC Regional Planning Commission will return them to the requestor, stating the reason the amendment was not accepted.

Each Zoning Text Amendment change must be received in our office along with a cover letter, explaining the proposed zoning text change (s). All items listed below must be received **no later than 10 days** before the next scheduled LUC Regional Planning Commission Executive Board Meeting (second Thursday of every month). It is recommended that a person who is able to provide further information on the amendment attend the Zoning and Subdivision Committee meeting to answer any additional questions that may arise.

Required Item:	Completed by Requestor:	Received by LUC:
Cover Letter & Checklist	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date of Request (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Description of Zoning Text Amendment Change (s)	<input type="checkbox"/>	<input type="checkbox"/>
Date of Public Hearing (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Township Point of Contact and contact information for zoning amendment (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Attachment of Zoning Text Amendment with changes highlighted or bolded	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of current zoning regulation, or section to be modified for comparison	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Non-LUC Member Fee, If applicable	<input type="checkbox"/>	<input type="checkbox"/>

Additionally, after final adoption regarding this zoning text amendment, please provide LUC with a letter stating the results of the Trustees vote, along with a copy of the adopted language.

Please see reverse side for a timeline of the Township Zoning Amendment Process, per ORC 519.12

10820 St Rt 347, PO Box 219

East Liberty, Ohio 43319

• Phone: 937-666-3431 •

• Email: [luc-rpc@lucplanning.com](mailto:luc-rpc@lucplanning.com) • Web: [www.lucplanning.com](http://www.lucplanning.com)

Date of Request: August 3, 2020  
Logan-Union-Champaign Regional Planning Commission  
C/o Aaron Smith  
PO Box 219  
East Liberty, OH 43319  
[aaronsmith@lucplanning.com](mailto:aaronsmith@lucplanning.com)

**RE: Zoning Text Amendment Application, Washington Township, Logan County**

Dear LUC Regional Planning Commission Committee Members:

The Washington Township Zoning Commission met on Monday, August 3, 2020. During the meeting, amendments to the Zoning Resolution were initiated by motion of the Zoning Commission. The amendments propose alterations to the text of the Zoning Resolution.

**Description of Zoning Text Amendments,**

The proposal amends/ establishes:

1. Adding “manufactured or” to the Conditional Uses sections for U-1 (pg. 9), R-1 (pg. 11), & R-2 (pg. 13),
2. Adding “not permanently sited & manufactured or” to the Other Provisions and Requirements sections for U-1 (pg. 10)
3. Adding “not permanently sited & except as a planned unit development” to the Other Provisions and Requirements sections for R-1 (pg. 12)
4. Adding “not permanently sited, in the R-2 District, & or manufactured” to the Other Provisions and Requirements sections for R-2 (pg. 14)
5. Adding “not permanently sited” in Section 220 (pg. 24)
6. Adding “manufactured or” in Section 230 (pg. 24)
7. Revised the wording for Section 555 - Fences, Walls, and Hedges as shown on page 37
8. Revised the wording for Section 569 – Recreational Vehicles as shown on page 47
9. Revised the title and wording in Article VII – Mobile Homes and Mobile Home Parks as shown on pages 50, 51, 52 and 53
10. Strike the words “the zoning inspection shall double the cost of the permit” in section 1003 on page 63
11. Leave the wording as is in Sections 1004, 1005, 1006, 1007, & 1008 but will only use if a request is made from a resident of the township as per the trustees.
12. Adding “manufactured or” in Section 1011 (pg. 65)
13. Strike the words “on the property for which the conditional use is sought” in section 1018, item 2 on page 66
14. Revised some wording in Article XII – Definitions for: Dwelling & Dwelling Mobile Homes (pg. 74); Dwelling, Manufactured Home, Dwelling, Manufactured Home (Permanently Sited) & Dwelling, Industrialized Unit; (pg. 75); Dwelling, Single family (pg. 77 & 78)
15. Adding “manufactured or” in front of Mobile Home Park & adding” This definition does not include individual lots for the purpose of installation of manufactured or mobile homes.” (pg. 81)

Included with this cover letter, you will find a copy of the existing Zoning Resolution and proposed alterations. Please refer to the attachments for future information.

**Public Hearing.**

The Zoning Commission will hold a public Hearing concerning the proposed amendments at 6 PM on Monday August 24, 2020 at the Washington Township Building at 7464 County Road 91, Lewistown, Ohio 43333.

**Point of Contact.**

Please consider me the Township’s point of contact for this matter. My contact information is below:



Gary L. Bias

Washington Township Zoning Inspector

Township cell: (937) 539-1879

Email: [washtwpzoning@gmail.com](mailto:washtwpzoning@gmail.com)

Attachments:

1. Checklist
2. Existing Township Zoning Resolution
3. Proposed changes

W A S H I N G T O N   T O W N S H I P ,  
L O G A N   C O U N T Y  
Z O N I N G   R E S O L U T I O N

Prepared for:  
Washington Township, Logan County, Ohio  
By:  
The Washington Township Zoning Commission

With the assistance of:  
Logan-Union-Champaign (LUC) Regional Planning Commission

Last Updated October 8, 2018  
Designates Approved Changes (Will eventually be red text)

Proposed changes 2020

~~Delete~~

Add

Questions for ZCB, not part of zoning text

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Official Schedule of District Regulations  
Washington Township, Logan County, Ohio

Zoning District

U-1 Rural Undeveloped District

Permitted Uses (Accessory uses and essential services are included)

Agriculture; very low-density residence (farm housing units and isolated single family dwelling residential developments not requiring a plat under the County subdivision regulations); veterinary animal hospital or clinic, kennel; public use; quasi-public use.

Conditional Uses (Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals)

Public service facility; low-density residence (single family dwelling residential development not to exceed four dwelling units per acre); medium-density residence (single family and multi-family residential development not to exceed eight dwelling units per acre); home occupation; commercial recreation; service business; mineral extraction; light and heavy manufacturing; signs and advertising structures; **manufactured or** mobile home park; storage facility.

Planned Unit Development (Permitted upon approval by the Zoning Commission and issuance of certificate by the Board of Appeals)

Residential; commercial; industrial; public and quasi-public uses.  
(Individually or in combination)

Minimum Lot Size (Square feet per dwelling)

With on-site sewage treatment: 2 acres

With group or central sewage treatment: 10,800

Road Frontage Width (feet): 300'

Maximum Percentage of Lot Coverage (Principal and Accessory Buildings)

50 %

Minimum Floor Area (Square feet)

1,000 Square Feet

Maximum Height of Principal Buildings

Stories – 2 ½; 40 Feet

Minimum Yard Dimensions/Setbacks Measured from Survey Pins (feet)

Front – 100' ; One side yard – 20'; Sum of side yards – 50' ; Rear – 50'

Accessory Buildings

Maximum height (feet) – 25'; minimum distance to side lot line – 20';

Minimum distance to rear lot line – 20'; minimum distance to front lot line – 100'.

School bus shelters would be an exception to this front line distance and they must be at least 20' from the lot line.

Minimum (mandatory) Off-street Parking Space (two for each unit) One-family housing unit

Minimum (mandatory) Off-street Loading Space

None

Zoning District

U-1 Rural Undeveloped District

Signs Permitted

Yes, under Article VIII

Other Provisions and Requirements (Supplementary regulations, prohibitions, notes, etc.)

Dwelling conversion: permitted as per Section 522.

Mobile housing units and semi-trailers shall not be permitted or used as storage units.

"Dwelling, manufactured (not permanently sited) or mobile homes" are not permitted in the U-1 District unless they are in a manufactured or mobile home park.

Official Schedule of District Regulations  
Washington Township, Logan County, Ohio

Zoning District

R-1 Low-density Residential District

Permitted Uses (Accessory uses and essential services are included)

Single-family dwelling; public use; quasi-public use.

Conditional Uses (Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals)

Non-commercial recreation; home occupation; storage facility.

Planned Unit Development (Permitted upon approval by the Zoning Commission and issuance of certificate by the Board of Appeals)

Residential; **manufactured or** mobile home park; public and quasi-public uses.  
(Individually or in combination)

Minimum Lot Size (Square feet per dwelling)

With on-site sewage treatment: 40,000

With group or central sewage treatment: 10,800

Road Frontage Width (feet): 80'

Maximum Percentage of Lot Coverage (Principal and Accessory Buildings)

50%

Minimum Floor Area (Square feet)

1,500 Square Feet

Maximum Height of Principal Buildings

Stories – 2; Feet – 35

Minimum Yard Dimensions/Setbacks Measured from Survey Pins (feet)

Front – 35'; One side yard – 8'; Sum of Side Yards – 20'; Rear – 40'



Accessory Buildings

Maximum height (feet) – 20'; minimum distance to side lot line – 10'; minimum distance to rear lot line – 10'; minimum distance to front lot line – 35'.

School bus shelters would be an exception to this front line distance and they must be at least 20' from the lot line.

Minimum (mandatory) Off-street parking Space (two for each unit)

One-family housing unit

Minimum (mandatory) Off-street loading Space

None

Signs Permitted

Yes, under Article VIII

Zoning District

R-1 Low-density Residential District

Other Provisions and Requirements (Supplementary regulations, prohibitions, notes, etc.)

Dwelling conversion: permitted as per Section 522.

Mobile housing units and semi-trailers shall not be permitted or used as storage units.

"Dwelling, manufactured (not permanently sited) or mobile homes" are not permitted in the R-1 District except as a planned unit development.

Agriculture is prohibited to the extent permitted by ORC 519.21.

Official Schedule of District Regulations  
Washington Township, Logan County, Ohio

Zoning District

R-2 Medium-density Residential District

Permitted Uses (Accessory uses and essential services are included)

Single-family dwelling; public use; quasi-public use.

Conditional Uses (Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals)

**Manufactured or** mobile home park; dwelling, multi-family; non-commercial recreation; home occupation; storage facility.

Planned Unit Development (Permitted upon approval by the Zoning Commission and issuance of certificate by the Board of Appeals)

Residential; commercial; public and quasi-public uses.  
(Individually or in combination)

Minimum Lot Size (Square feet per dwelling)

With on-site sewage treatment: Prohibited

With group or central sewage treatment: 5,400

Road Frontage Width (feet): 60'

Maximum Percentage of Lot Coverage (Principal and Accessory Buildings)

50%

Minimum Floor Area (Square feet)

1000 Square Feet

Maximum Height of Principal Buildings

Stories – 2; Feet – 35

Minimum Yard Dimensions/Setbacks Measured from Survey Pins (feet)

Front – 15'; One side yard – 4'; Sum of Side Yards – 10'; Rear – 15'

Accessory Buildings

Maximum height (feet) – 20'; minimum distance to side lot line – 4'; minimum distance to rear lot line – 5'; minimum distance to front lot line – 15'

School bus shelters would be an exception to this front line distance and they must be at least 20' from the lot line.

Minimum (mandatory) Off-street parking Space (two per unit)

One-half housing unit in multi-family structure.

Minimum (mandatory) Off-street loading Space

None

Zoning District

R-2 Medium-density Residential District

Signs Permitted

Yes, under Article VIII

Other Provisions and Requirements (Supplementary regulations, prohibitions, notes, etc.)

Dwelling conversion: permitted as per Section 522.

Mobile housing units and semi-trailers shall not be permitted or used as storage units.

"Dwelling, manufactured (not permanently sited) or mobile homes" are not permitted unless in the R-2 District unless they are in a manufactured or mobile home park.

Agriculture is prohibited to the extent permitted by ORC 519.21.

Official Schedule of District Regulations  
Washington Township, Logan County, Ohio

Zoning District

B-1 Service Business District

Permitted Uses (Accessory uses and essential services are included)

Service business; drive-in business; eating and drinking establishments; commercial recreation; Veterinary animal hospital or (clinic, kennel); transient lodgings; single family dwelling (See Section 250 for Zoning Regulations); public use; quasi-public use.

Conditional Uses (Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals)

Retail business; offices; wholesale and warehousing; food processing; printing and publishing; transport terminals; signs and advertising structures; public service facility; storage facility.

Planned Unit Development (Permitted upon approval by the Zoning Commission and issuance of certificate by the Board of Appeals)

Commercial; industrial; residential; public and quasi-public uses.  
(Individually or in combination)

Minimum Lot Size (Square feet per structure)

With on-site sewage treatment: Prohibited

With group or central sewage treatment: 15,000

Road Frontage Width (feet): 100'

Maximum Percentage of Lot Coverage (Principal and Accessory Buildings)

50%

Minimum Floor Area (Square feet)

200 square feet

Maximum Height of Principal Buildings

Stories – 2; 35-Feet

Minimum Yard Dimensions/Setbacks Measured from Survey Pins (feet)

Front – 50'; Sum of Side Yards – 4'; Rear – 30'

Accessory Buildings

Maximum height (feet) – 20'; minimum distance to side lot line – 4'; minimum distance to rear lot line – 4', minimum distance to front lot line – 50'

Minimum (mandatory) Off-street parking Space (one for each unit)

200 sq. ft. of retail or service floor area.

Minimum (mandatory) Off-street loading Space

5,000 sq. ft. of floor area

Zoning District

B-1 Service Business District

Signs Permitted

Yes, under Article VIII

Other Provisions and Requirements (Supplementary regulations, prohibitions, notes, etc.)

Non-residential use cannot be conducted any closer than 40' from any residential district, except that the minimum yard requirements may be reduced to seventy (75) percent of the requirement if acceptable landscaping or screening approved by the Zoning Inspector is provided.

Agriculture is prohibited to the extent permitted by ORC 519.21.



Official Schedule of District Regulations  
Washington Township, Logan County, Ohio

Zoning District

B-2 Local Business District

Permitted Uses (Accessory uses and essential services are included)

Convenience-type retail business; personal services; offices; public use; quasi-public use.

Conditional Uses (Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals)

Shopping-type retail business; service stations; service business eating and drinking establishments; commercial recreation; public service facility; storage facility.

Planned Unit Development (Permitted upon approval by the Zoning Commission and issuance of certificate by the Board of Appeals)

Residential; commercial; public and quasi-public uses.  
(Individually or in combination)

Minimum Lot Size (Square feet per structure)

With on-site sewage treatment: Prohibited

With group or central sewage treatment: None

Road Frontage Width (feet): None

Maximum Percentage of Lot Coverage (Principal and Accessory Buildings)

50%

Minimum Floor Area (Square feet)

200 square feet

Maximum Height of Principal Buildings

Stories – 2; 35 Feet

Minimum Yard Dimensions/Setbacks Measured from Survey Pins (feet)

Front – 30'; One side yard – none; Sum of Side Yards – none; Rear – 30'

Accessory Buildings

Maximum height (feet) – 15'; minimum distance to side lot line – none; minimum distance to rear lot line – none. minimum distance to front lot line – 30'

Minimum (mandatory) Off-street parking Space (one for each unit)

200 sq. ft. of retail or service floor area.

Minimum (mandatory) Off-street loading Space

5,000 sq. ft. of floor area

Zoning District

B-2 Local Business District

Signs Permitted

Yes, under Article VIII

Other Provisions and Requirements (Supplementary regulations, prohibitions, notes, etc.)

Non-residential use cannot be conducted any closer than 40' from any residential district, except that the minimum yard requirements may be reduced to seventy (75) percent of the requirement if acceptable landscaping or screening approved by the Zoning Inspector is provided.

Agriculture is prohibited to the extent permitted by ORC 519.21.

Official Schedule of District Regulations  
Washington Township, Logan County, Ohio

Zoning District

M-1 Light Manufacturing District

Permitted Uses (Accessory uses and essential services are included)

Agriculture; light manufacturing and related offices; public use; quasi-public use.

Conditional Uses (Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals)

Wholesale and warehousing; printing and publishing; storage facilities; transport terminals; signs and advertising structures; public service facility.

Planned Unit Development (Permitted upon approval by the Zoning Commission and issuance of certificate by the Board of Appeals)

Commercial; industrial; public and quasi-public uses.  
(Individually or in combination)

Minimum Lot Size (Square feet per structure)

With on-site sewage treatment: Prohibited

With group or central sewage treatment: 15,000

Road Frontage Width (feet): 100'

Maximum Percentage of Lot Coverage (Principal and Accessory Buildings)

50%

Minimum Floor Area (Square feet)

200 square feet

Maximum Height of Principal Buildings

Stories – 4; 50 Feet

Minimum Yard Dimensions/Setbacks Measured from Survey Pins (feet)

Front – 50'; One side yard – 10'; Sum of Side Yards – 30'; Rear – 40'

Accessory Buildings

Maximum height (feet) – 25'; minimum distance to side lot line – 5'; minimum distance to rear lot line – 10'. minimum distance to front lot line – 50'

Minimum (mandatory) Off-street parking Space (one for each unit)

Two (2) employees on the maximum work shift.

Minimum (mandatory) Off-street loading Space

5,000 sq. ft. of floor area.

Zoning District

M-1 Light Manufacturing District

Signs Permitted

Yes, under Article VIII

Other Provisions and Requirements (Supplementary regulations, prohibitions, notes, etc.)

Objectionable uses in noise, odor, and hours of operation prohibited.

Official Schedule of District Regulations  
Washington Township, Logan County, Ohio

Zoning District

M-2 Heavy Manufacturing District

Permitted Uses (Accessory uses and essential services are included)

Agriculture; heavy manufacturing and related offices; wholesale and warehousing; printing and publishing; transport terminals; public use; quasi-public use.

Conditional Uses (Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals)

Light manufacturing and related offices; signs and advertising structures; extractive industry; junk yard and sales; public service facility.

Planned Unit Development (Permitted upon approval by the Zoning Commission and issuance of certificate by the Board of Appeals)

Commercial; industrial; public and quasi-public uses.  
(Individually or in combination)

Minimum Lot Size (Square feet per structure)

With on-site sewage treatment: 200,000

With group or central sewage treatment: 40,000

Road Frontage Width (feet): 150'

Maximum Percentage of Lot Coverage (Principal and Accessory Buildings)

50%

Minimum Floor Area (Square feet)

200 square feet

Maximum Height of Principal Buildings

Stories - 4; Feet - 50'

Minimum Yard Dimensions/Setbacks Measured from Survey Pins (feet)

Front - 80'; One side yard - 20'; Sum of Side Yards - 50'; Rear - 50'



Accessory Buildings

Maximum height (feet) – 25'; minimum distance to side lot line – 10'; minimum distance to rear lot line – 20'. minimum distance to front lot line – 80'

Minimum (mandatory) Off-street parking Space (one for each unit)

Two (2) employees on the maximum work shift.

Minimum (mandatory) Off-street loading Space

5,000 sq. ft. of floor area.

Zoning District

M-2 Heavy Manufacturing District

Signs Permitted

Yes, under Article VIII

Other Provisions and Requirements (Supplementary regulations, prohibitions, notes, etc.)

Extractive use cannot be conducted any closer than 500' from any residential district.

This is to certify this is the official schedule of District Regulations referred to in Section 410 and Article IV (4) of the Zoning Resolution of Washington Township, Logan County, Ohio.

## WASHINGTON TOWNSHIP ZONING RESOLUTION

A RESOLUTION OF THE TOWNSHIP OF WASHINGTON, OHIO, ENACTED IN ACCORDANCE WITH A COMPREHENSIVE PLAN AND THE PROVISIONS OF CHAPTER 519, OHIO REVISED CODE, AND FOR THE PURPOSE OF PROTECTING THE PUBLIC HEALTH, SAFETY, COMFORT, CONVENIENCE AND GENERAL WELFARE; DIVIDING THE UNINCORPORATED PORTION OF THE TOWNSHIP, INTO ZONES AND DISTRICTS, ENCOURAGING, REGULATING AND RESTRICTING THEREIN THE LOCATION, CONSTRUCTION, RECONSTRUCTION, ALTERATION AND USE OF STRUCTURES AND LAND; PROMOTING ORDERLY DEVELOPMENT OF THE 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 RIGHT-OF-WAYS; PROVIDING THE COMPATIBILITY OF DIFFERENT LAND USES AND THE MOST APPROPRIATE USE OF LAND; PROVIDING FOR THE ADMINISTRATION OF THIS RESOLUTION AND DEFINING THE POWERS AND DUTIES OF THE ADMINISTERING OFFICERS AS PROVIDED HEREINAFTER AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS IN THIS RESOLUTION OR ANY AMENDMENT THERETO; AND FOR THE REPEAL BE IT ORDAINED BY THE BOARD OF WASHINGTON TOWNSHIP TRUSTEES. LOGAN COUNTY, OHIO; THEREFORE BE IT HEREBY RESOLVED BY THE BOARD OF TRUSTEES OF WASHINGTON TOWNSHIP, LOGAN COUNTY, STATE OF OHIO:

### ARTICLE I

#### TITLE OF RESOLUTION

##### Section 100 Title.

This Resolution shall be known and may be cited and referred to as the "Zoning Resolution of the Township of Washington."

## ARTICLE II ESTABLISHMENT OF DISTRICTS

### Section 200 District Types.

The township is hereby divided into seven districts as follows: Rural District, Low Density Residential District, Medium Density Residential District, Service Business District, Local Business District, Light Manufacturing District, and Heavy Manufacturing District.

### Section 210 Rural District ( U - 1 ).

The intention of the rural district is to provide land which is suitable or used for agriculture, conservation, very low density residence and public and quasi-public purpose. Very low density residential land use refers to farm housing unit and isolated residential developments not requiring a plat under the County subdivision regulations. It is further the attempt of the rural district to discourage the scattering of residential subdivisions and commercial and industrial development. Some residential, commercial, and industrial development may be permitted as conditional uses under Section 601 and as planned unit development under Article VI. On-site water and sewer facilities are permitted provided such facilities comply with the County and State health regulations.

### Section 220 Low Density Residential District ( R - 1 ).

The purpose of the low density residential district is to provide land for single family housing units not to exceed four families per acre. Manufactured homes (not permanently sited), mobile homes, and multi-family housing units are permitted only under the planned unit development approach. Commercial and industrial development is prohibited. Group or central water and sewer facilities are required if more than one residence is planned on less than 40,000 square feet. (See Official Schedule of District Regulations.)

### Section 230 Medium Density Residential District (R - 2).

The purpose of the medium density residential district is to provide land for single- and multi-family housing units not to exceed eight families per acre. Manufactured or mobile home parks are permitted under Section 410 and in accordance with Article VII. Commercial development is prohibited unless introduced under the planned unit development approach. Group or central water and sewer facilities are required.

### Section 250 Service Business District ( B - 1 ).

The purpose of the service business district is to provide land for sales, service and repair establishments which require highway orientation or large tracts of land not normally available in central and local business districts; do not contribute to the design of a unified business center; depend on drive-in business; and require a location along or near major thoroughfares and intersections. General retail and office businesses are permitted as a conditional use. Residential, commercial, and industrial development may be introduced under the planned unit development approach. Group or central water and sewer facilities are required. All Single Family Dwellings in this B-1 District must meet R-2, Medium-Density Residential District Regulations.

### Section 260 Local Business District ( B - 2 ).

The purpose of the local business district is to provide land for small retail and personal service establishments offering convenience-type goods and services for the daily needs of the people in the immediate neighborhood or area. Residential and other commercial development are prohibited unless introduced under the planned unit development approach. Group or central water and sewer facilities are required.

Section 280 Light Manufacturing District ( M - 1 ).

The purpose of the light manufacturing district is to provide land for manufacturing or industrial establishments which are clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke or glaze; operate within enclosed structures; and generate little industrial traffic. Heavy manufacturing or industrial development is prohibited. Commercial development is prohibited unless introduced under the planned unit development approach. Group or central water and sewer facilities are required.

Section 290 Heavy Manufacturing District ( M - 2 ).

The purpose of the heavy manufacturing district is to provide land for major manufacturing processing, storage, warehousing, research, and testing establishments which require large sites, extensive community services and facilities, ready access to regional transportation; have large open storage and service areas; generate heavy traffic; and create no nuisance discernible beyond the district. Extractive manufacturing use is permitted as a conditional use if the operation does not create a hazard or nuisance which adversely affects the health, safety, and general well-being of the community and other manufacturing establishments in the district. Residential development is prohibited. Light manufacturing or industrial uses are permitted as conditional uses. Commercial and industrial development may be introduced under the Planned Unit Development (PUD) approach. Central water and sewer facilities are required.

### ARTICLE III PROVISION FOR OFFICIAL ZONING MAP

#### Section 300 Official Zoning Map.

The districts established in Section 200 of this Resolution are shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be part of this Resolution.

#### Section 310 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 attested by the Township Clerk, under the following words: "This is to certify that these are the Official Zoning Map referred to in Section 300 of the Zoning Resolution of the Township of Washington, Logan County, Ohio," together with the date of the adoption of this Resolution.

#### Section 320 Recording Changes in the Official Zoning Map.

If in accordance with the provisions of this Resolution and Chapter 519 of the Ohio Revised Code changes are made in district boundaries or other matters portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the Board of Township Trustees with a 2/3 vote with an entry on the Official Zoning Map indicating the Resolution number, if any, and the date of adoption.

#### Section 330 Replacement of the Official Zoning Map.

In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the Board of Township Trustees may, by Resolution, adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have effect of amending the original Official Zoning Map or any subsequent amendment thereof. The new Official Zoning Map shall be identified by the signature of the Chairman of the Board of Trustees, attested by the Township clerk, under the following words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted as part of the Zoning Resolution of the Township of Washington, Logan County, Ohio."

#### Section 340 Preserving Records.

Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map and/or significant parts thereof remaining shall be preserved, together with all available records pertaining to its adoption or amendment.

#### Section 350 Interpretation of District Boundaries.

Where uncertainty exists with respect to the boundaries of any of the zoning districts as shown on the zoning map, the following rules shall apply:

1. Where district boundaries are indicated as approximately following the center lines of streets or highways, street lines, or highway right-of-way lines, such center lines, street lines, or highway right-of-way lines shall be construed as such boundaries;



2. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed as said 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 there from as indicated on the Zoning Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Official Zoning Map.
4. Where the boundary of a district follows a railroad line such boundary shall be deemed to be located in the middle of the main tracks of said railroad line.
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.

## ARTICLE IV DISTRICT REGULATIONS

### Section 400 Compliance with Regulations.

The regulations set by this Resolution within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided:

1. No building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter 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 hereafter be erected or altered:
  - a. To exceed the height or bulk;
  - b. To accommodate or house a greater number of families;
  - c. To occupy a greater percentage of lot area; or
  - d. To have narrower or smaller rear yards, front yards, side yards or other open spaces than herein required; or in any other manner contrary to the provisions of this Resolution.
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 established by this Resolution.

### Section 410 Schedule of District Regulations Adopted.

District regulations shall be as set forth in the Official Schedule of District Regulations hereby adopted by reference and declared to be a part of this Resolution, and in Article V of this Resolution, entitled, "Supplementary District Regulations."

### Section 420 Identification of the Schedule of District Regulations.

The Official Schedule of District Regulations shall be identified by the signature of the Chairman of the Board of Township Trustees, attested by the Township Clerk, under the following words: "This is to certify that this is the Official Schedule of District Regulations referred to in Section 410 and Article IV of the Zoning Resolution of the Township of Washington, Logan County, Ohio", together with the date of the adoption or amendment of this Resolution.

## ARTICLE V SUPPLEMENTARY DISTRICT REGULATIONS

### Section 500 Permitted Conditional Uses.

Conditional uses shall conform to all requirements of this Resolution, including additional standards as set forth in Sections 501 to 504, inclusive, before being permitted in their respective districts. All conditional uses are hereby declared to possess characteristics of such unique and special forms that each specific use shall be considered as an individual case.

### Section 501 Required Plan.

A plan for the proposed development of a site for a permitted conditional use shall be submitted with an application for a conditional use permit, and such plan shall show the location of all current and planned buildings, parking areas, traffic access and circulation drives, open spaces, landscaping, and any other pertinent information that may be necessary to determine if the proposed conditional use meets the requirements of this Resolution.

### Section 502 Expiration.

A conditional use permit shall be deemed to authorize only one particular conditional use and shall expire if the conditional use shall cease for more than six months for any reason or unless otherwise specified by the Zoning Appeals Board.

### Section 503 Existing Violations.

No permit shall be issued for a conditional use for a property where there is an existing violation of this Resolution.

### Section 504 Standards Applicable to ALL Conditional Uses.

The location and size of the use, the nature and intensity of the operations involved, the size of the site in relation to it, and the location of the site with respect to the existing and future streets giving access to it, shall be such that it will be in harmony with the orderly development of the district, and the location, nature of height of buildings, walls, and fences will not discourage the appropriate development and use of adjacent land and buildings or impair its value thereof. In addition, operations in connection with any conditional use shall not be more objectionable to nearby properties by reason of noise, fumes, vibration, or flashing light, than would be the operation of any permitted use.

### Section 510 Off-Street Parking Requirements.

Off-street automobile parking spaces shall be provided for every land use on any lot or any time any building or structure is erected, enlarged or increased in capacity in accordance with the following requirements:

1. Each off-street parking space shall have an area of not less than three hundred (300) square feet including access drives and aisles.
2. Each off-street parking space shall have an adequate vehicular access to a street or alley.

3. Whenever the number of off-street parking spaces required is determined from the floor area of a specified use, it shall mean the gross floor area of such use.
4. Fractional numbers shall be increased to the next whole number.
5. The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature.
6. Whenever a building or use constructed or established after the effective date of this Resolution is changed or enlarged in floor area, numbers of employees, number of housing units, seating capacity, or otherwise, to create a need for an increase of ten percent (10%) or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. Whenever a building or use existing prior to the effective date of this Resolution is enlarged to the extent of fifty percent (50%) or more in floor area or in the area used, said building or use shall then and thereafter comply with the parking requirements set forth herein.

Section 511 Number of Parking Spaces Required.

The number of off-street parking spaces required shall be provided and satisfactorily maintained by the owner of the property as follows:

<u>TYPE OF USE</u>	<u>PARKING SPACES REQUIRED</u> <u>(one unit for each)</u>
• Single family or two-family dwelling	Housing unit.
• Multi-family housing unit	One-half housing unit
• Hotel, motel, lodging house or dormitory	Living or sleeping room
• Private club or lodge	Five (5) members
• Church or temple	Five seats in main auditorium
• Grade school	Five seats in auditorium
• College or high school	Teacher, employee and five students
• Library, museum or art gallery	300 sq. ft. of floor area
• Hospital, clinic, nursing home	Employee and bed or similar institution
• Theater, sports arena, auditorium, stadium or gymnasium other than school	Five seats
• Bowling alley	Bowling seat
• Mortuary or funeral home	Fifty square feet of floor area in slumber rooms, parlors or individual funeral service rooms
• Retail or business service establishment	Two (2) employees; 200 sq. ft. of floor area

- Offices, personal or professional Services; restaurants, nightclubs, Dance halls, assembly or exhibition without fixed seats 200 sq. ft. of floor area
  - Wholesale or warehousing 300 sq. ft. of floor area
  - Manufacturing or industrial establishment, research or testing laboratory, or bottling plant Two employees on the maximum shift
-



Section 512 Screening and Landscaping.

Off-street parking areas for more than ten (10) vehicles shall be effectively screened on each side which adjoins or faces premises situated in any residential district by a fence or wall of acceptable design. Such fence or wall shall be not less than four (4) feet or more than six (6) feet in height and shall be maintained in good condition. The space between such fence or wall and the lot line of the adjoining premises in any residential district shall be landscaped with grass, hardy shrubs or evergreen ground cover and maintained in good condition. In lieu of such wall or fence a strip of land not less than ten (10) feet in width, and planted and maintained with an evergreen hedge or dense planting of evergreen shrubs not less than four (4) feet in height may be substituted.

Section 513 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 housing unit, school, hospital or other institution for human care located on an adjoining lot, unless separated by an acceptably designed screen. If on the same lot with a one-family residence the parking area shall not be located within the front yard required for such building. In no case shall any part of a parking area be closer than four (4) feet to any established street or alley right-of-way.

Section 514 Joint Use.

Two (2) or more nonresidential 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 Commission, shall be filed with the application for a Zoning Certificate.

Section 515 Other Locations.

Parking spaces may be located on a lot other than that containing the principal use provided it is within three hundred (300) feet of the principal use. Lots farther than three hundred (300) feet from the principal use may be approved by the Board of Zoning Appeals provided a written agreement, approved by the Zoning Commission, shall be filed with the application for a Zoning Certificate.

Section 516 Surfacing.

Any off-street parking area for more than ten (10) vehicles shall be graded for proper drainage and surfaced with acceptable impervious material to provide a durable and dustless surface.

Section 517 Lighting.

Any lighting used to illuminate any off-street parking area shall be so arranged as to reflect the light away from adjoining premises in any residential district.

Section 518 Disabled Vehicles.

The parking of a disabled vehicle within a residential or commercial district 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.

Section 519 Off-Street Loading Requirements.

In any district, in connection with every building or part thereof hereafter erected and having a gross floor area of five thousand (5,000) square feet or less, which is to be occupied by manufacturing, storage, warehouse, retail, wholesale, hotel, hospital, mortuary, dry cleaning or other uses similarly requiring the receipt or distribution by vehicle of material or merchandise, there shall be provided and maintained, on the same lot with such building, at

least one (1) off-street loading space, plus one (1) additional such loading space for each additional ten thousand (10,000) square feet, or major fraction thereof, of gross floor area, provided, however, that in the case of ground floor area exceeding one hundred thousand (100,000) square feet, not more than eleven ( 1 1 ) additional loading spaces shall be required, all in accordance with the following requirements:

1. Each loading space shall be not less than 12 feet in width, 15 feet in height and 50 feet in length for tandem trailers, or 30 feet for two axle trucks.
2. Subject to the limitations of Section 501 of this Resolution such space may occupy all or any part of any required yard space.

#### Section 520 Special Provisions for Residential Uses.

The regulations applicable to residential uses shall be supplemented by the provisions of Sections 521 to 522, inclusive.

#### Section 521 Determining Minimum Floor Area for Housing Units.

The minimum floor area per family in housing units shall include only area used for living quarters. Utility rooms, garages, carports, porches, laundry areas, enclosed decks, and basements shall be excluded.

#### Section 522 Conversion of Dwellings to More Units.

In U-I, R-1 and R-2 districts a residence may be converted to accommodate an increased number of dwelling units provided:

1. The yard dimensions still meet the yard dimensions required by the Zoning Regulations for new structures in that district;
2. The lot area per family shall equal the lot area requirements for new structures in that district;
3. The number of square feet of living area per family unit is not reduced to less than that which is required for new construction in that district.

#### Section 523 Private Swimming Pools.

A private swimming pool, not including farm ponds, shall be any pool, lake or open tank not located within a completely enclosed building and containing or normally capable of containing water to a depth at any point greater than one and one-half ( 1 1 | 2 ) feet. No such swimming pool, exclusive of portable swimming pools with a diameter less than twelve (12) feet or with an area of less than one hundred (100) square feet, shall be allowed in any commercial or 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 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; and
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 the street or from adjacent properties. Said fence or wall shall

be not less than four (4) and not more than six (6) feet in height and maintained in good condition with a gate and lock.

Section 524 Community or Club Swimming Pools.

A community or club swimming pool constructed by an association of property owners, or by a private club, for use and enjoyment by members of the association or club and their families. Community and club swimming pools are permitted in all districts but 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 of the property on which it is located; and
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 street or adjacent properties. The said fence or wall shall not be less than six (6) feet in height and maintained in good condition with a gate and lock.

Section 525 Setback Requirements for Corner Buildings.

On a corner lot the main building and its accessory structures shall be required to set back the same distance from all street right-of-way lines as required for the front set back in the district in which such structures are located.

Section 530 Special Provisions for Commercial and Industrial Uses.

No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable element or condition so as to adversely affect the surrounding area or adjoining premises provided that any use permitted by this Resolution may be undertaken and maintained if acceptable measures and safeguards are employed to limit dangerous and objectionable elements to acceptable limits as established by the performance requirements in Sections 531 to 540, inclusive.

Section 531 Fire Hazards.

Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire-suppression equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance, which is compatible with the potential danger involved and shall comply with all local, state, and federal regulations.

Section 532 Radioactivity or Electrical Disturbance.

No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.

Section 533 Noise.

Noise which is objectionable due to volume, frequency or beat shall be muffled or otherwise controlled. Air-raid sirens and related apparatus used solely for public purposes are exempt from this requirement. (Except as provided for under Sections 542 to 546.)

Section 534 Vibration.

No vibration shall be permitted which is discernible without instruments on any adjoining lot or property.

Section 535 Smoke.

Smoke shall not be emitted with a density greater than No. 1 on the Ringleman Chart as issued by the U. S. Bureau of Mines except for blow-off periods of ten minutes duration of one per hour when a density of not more than No. 2 is permitted.

Section 536 Odors.

No malodorous gas or matter shall be permitted which is offensive or as to produce a public nuisance or hazard on any adjoining lot or property.

Section 537 Air Pollution.

No pollution of air by fly-ash, dust, vapors or other substances shall be permitted which is harmful to health, animals, vegetation or other property, or which can cause excessive soiling. In the case of an area within an M-2 Heavy Manufacturing District, in lieu of the foregoing standards, no emissions shall be permitted except in compliance with applicable federal and state environmental protection, health, safety or other applicable federal or state governmental laws and regulations.

Section 538 Glare.

No direct or reflected glare shall be permitted which is visible from any property outside an industrial district or from any public street, road, or highway.

Section 539 Erosion.

No erosion, by either wind or water, shall be permitted which will carry objectionable substance onto neighboring properties.

Section 540 Water Pollution.

Pollution of water shall be subject to the requirements and regulations established by the Ohio Water Pollution Control Board. In the case of an area within an M-2 Heavy Manufacturing District, in lieu of the foregoing standards, the discharge of water pollutants shall not be permitted except in compliance with applicable federal and state environmental protection, health, safety or other applicable federal or state governmental laws and regulations.

Section 541 Mineral, Clay, Sand and Gravel Extraction, Storage and Processing.

The extraction, storage and processing of minerals shall be conducted in accordance with the requirements of Sections 542 to 546, inclusive.

Section 542 Distance from Residential Areas.

Mineral extraction, storage or processing shall not be conducted closer than 500 feet from any residential district, nor closer than 200 feet from any structure used for human occupancy in any other district.

Section 543 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 544 Information on Operation.

The operator shall submit information on the anticipated depth of excavations and on depth and probable effect on the existing water table as coordinated with the Ohio Division of Water.

Section 545 Restoration of Mined Area.

The operator shall 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, the proposed final topography indicated by contour lines of no greater interval than five feet, the type and number per acre of trees or shrubs to be planted; and the location of future roads, drives, drainage course, or other improvements, contemplated.

Section 546 Performance Bond.

The operator shall file with the Board of Township Trustees a bond, payable to the Township and conditioned on the faithful performance of all requirements contained in the approved restoration plan. The rate, per acre of property to be mined, of the required bond shall be fixed by Resolution of the Board of Township Trustees. The bond shall be released upon written certification of the zoning inspector that the restoration is complete and in compliance with the restoration plan.

Section 547 Enforcement Provision.

The Zoning Inspector or Board of Zoning Appeals, prior to the issuance of a zoning certificate, 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.

Section 548 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, N. Y., the Manufacturing Chemists' Association, Inc., Washington D. C., and the United States Bureau of Mines.

Section 550 Supplementary District Regulations.

Supplementary regulations apply to several districts or a set of districts and are set forth in Sections 551 to 560, inclusive.

Section 551 Side and Rear Yard Requirements for Nonresidential Uses Abutting Residential Districts. Nonresidential buildings or uses shall not be located nor conducted closer than forty (40) feet to any lot line of a residential district, except that the minimum yard requirement may be reduced to 50 percent of the requirement if acceptable landscaping or screening approved by the Board of Zoning Appeals is provided. Such screening shall be a masonry or solid fence between four (4) and eight (8) feet in height maintained in good condition and free of all advertising or 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 a evergreen hedge or dense planting of evergreen shrubbery not less than four feet in height at the time of planting. Either type of screening shall not obscure traffic visibility within twenty (20) feet of an intersection.

Section 552 Exceptions to Height Regulation.

The height limitation contained in the Official Schedule of District Regulations, Section 410, 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.

#### Section 553 Architectural Projections.

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

#### Section 554 Visibility at Intersections in Residential Districts.

On a corner lot in any residential district nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of two and a half and ten feet above the center line grades of the intersection streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines fifty (50) feet from the point of intersection.

#### Section 555 Fences, Walls and Hedges.

Notwithstanding other provisions of this Resolution, fences, walls and hedges may be permitted only in the any side and rear yard, or along the edge of any yard. Corner barriers are prohibited. provided that no fence, wall or hedge along the sides or front edge of any yard extending between the building line and the road right of way shall be over four (4) feet in height, except that in the case of an area within an M-2 Heavy Manufacturing District, no Fences, walls and or hedges within or along the edge of any yard area shall be no taller than (4) four over five feet in height, Any fence in a Residential District that exceeds seventy two (72) inches in height shall be required to have a variance. in any district with the following exceptions:

1. No wall or solid fence may not be extended into the front yard. M-2 Heavy Manufacturing District: fences, walls and hedges shall not exceed eight (8) in height
2. Corner barriers are prohibited. R-1 Low-Density Residential District & R-2 Medium-Density Residential District: fences, walls, and hedges shall not be over six (6) feet in height.

#### Section 556 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 yard, provided that yard and other requirements of this Resolution are met.

All accessory buildings must meet setback requirements of the associated zoning district and, therefore, shall require a permit (agricultural use exempted from this provision). This requirement applies regardless whether a foundation is included in the construction of the utility building.

#### Section 560 Adult Entertainment.

General Conditions for Adult Entertainment facilities Use.



Adult Entertainment Facilities are conditionally permitted within the B-1 Business 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, R-1 and R-2.
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 B-1 Business District.

#### Section 565 Telecommunication Towers.

Pursuant to the Telecommunications Act of 1996 and the ORC Section 519.211, and the Washington Township Trustees being duly notified of a person's intent to construct a Telecommunication Tower in areas zoned "R-1" Districts; public utilities or other functionally equivalent providers may site a telecommunications tower as a conditional use provided the following conditions are met:

1. The applicant must provide proof that the proposal to construct a tower or attach equipment to an existing structure has been approved by all other agencies and governmental entities with jurisdiction (i.e. Federal Communication Commission, Federal Aviation Administration, Ohio Department of Transportation, and Ohio Building Basic Code).
2. The applicant shall provide proof of notification to contiguous or directly across the street property owners as required by ORC Section 519.211.
3. The applicant must demonstrate at the time of application that no technically suitable and feasible sites are available in a nonresidential district. There shall be an explanation of why a tower at this proposed site is technically necessary.
4. Co-location. Applicant shall provide a signed statement indicating that the applicant agrees to allow for the potential co-location of other users on the same tower to the extent possible. All co-located and multiple-use telecommunication facilities shall be designed to promote facility and site sharing.
5. Setbacks from all platted residential uses and residential districts. All new towers shall be setback from the closest subdivision boundary line for all platted residential subdivisions, and for all non-platted residential districts from the closest residence, a distance of 900 feet with the exception of the B-2 zoning district where such setback shall be 200 feet.
6. Setbacks from all streets and private and public road right of ways. All new towers shall be setback from all road right of ways public and private, a distance of 900 feet.
7. Setbacks from all other uses allowable in the zoning district. All new towers shall be setback from any building that is not associated with or accessory to the telecommunications tower facility a distance of 900 feet.
8. Any and all base station equipment, accessory structures, buildings, etc. used in conjunction with the tower shall be screened with fencing, masonry, shrubbery or other screening materials.
9. The applicant shall notify the Zoning Inspector within 30 Days of ceasing operations at the site and shall remove all structures within 120 days of ceasing operations.
10. No advertising or illumination other than that required by law may be located on the structure or on the required screening.
11. An inspection report prepared by a qualified engineer licensed by the State of Ohio shall be submitted to the Zoning Office every five (5) years which details the structural integrity of all towers and support structures on the property. The results of such inspections shall be provided to the Logan County Building Regulations Department and Washington Township Zoning Inspector. Based upon results of an inspection, the Township Trustees may require repair or removal of a communication tower. Any and all necessary repairs to the tower and/or support structures shall be

made within a seven (7) day period or the tower and/or structures shall be removed. The tower owner (applicant) is responsible to cover the cost of all inspections, repair, and/or removal.

12. The unstaffed storage building and/or unit that houses transmitting equipment is considered an accessory use and/or structure. Setbacks for accessory uses/structures will comply with distances in the zoned district of the tower location. These facilities may not include offices, long-term vehicle storage, other outdoor storage, or broadcast studios except for emergency purposes, or other uses that are needed to send or receive transmissions.
13. A six (6) foot safety fence with a locked gate surrounding the tower is required. If high voltage is necessary, signs must be posted every twenty (20) feet along the fence saying, "Danger - High Voltage." The operator must also post "NO Trespassing" signs.

#### Section 566 Performance Bond

1. For each telecommunication tower, the owner or operator shall provide to the Township, a surety bond or a bank letter of credit, to assure the Township that the terms and conditions of Section 565 are performed and complied with, including necessary repairs, including repairs to public highways and roads and the costs and expenses of removal in the event of abandonment.
2. The Washington Township Board of Trustees may draw upon the performance bond to recover any costs, damages, or expenses incurred by the Township, which arise out of the violations of Section 565 or the abandonment or discontinuance of the use of a tower.

#### Section 567 - Small Wind Projects less than 5MW

1. 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 than 5MW including the wind turbine generator or anemometer or any parts thereof shall be a Permitted Use in all Washington Township Zoning Districts the U 1, B, and M Districts if the following conditions are met (both as Permitted and Conditional Use):
  - 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 Farms and parts thereof shall obtain all applicable Building Permits from the State of Ohio and County Building Regulations where required.

## 2. 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.

B. 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 engineering 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 an 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.

These definitions would go in Article XII after "Sign" and listed under "Small Wind Projects less than 5MW":

Accessory Structures: Structures such as sheds, storage sheds, pool houses, unattached garages, and barns.

Anemometer: An instrument that measures the force and direction of the wind.

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.

Cowling: A streamlined removable cover that encloses the turbine's nacelle.

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.

Nacelle: Sits atop the tower and contains the essential mechanical components of the turbine to which the rotor is attached.

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.



Professional Engineer. A qualified individual who is licensed as a Professional Engineer in the State of Ohio.

Megawatt (MW): A unit of power, equal to one million watts.

Small Wind Project: Any wind project less than 5MW which includes the wind turbine generator and anemometer.

Wind Power Turbine Owner. The person or persons who owns the Wind Turbine structure.

Wind Power Turbine Tower. The support structure to which the turbine and rotor are attached.

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.

#### Section 568 - Private Driveway Installation

Private driveways installed on county or township roads will be the responsibility of the Logan County Engineer's office.

#### Section 569 - Recreational Vehicles

~~Campers (travel-trailers,~~ Recreation vehicles) shall be parked in an approved campground, **Recreational Vehicle Park, Recreational Vehicle Site** or on an approved service business, with the exception that not more than one (1) camper may be located on a residential or undeveloped lot subject to the following:

(1) Campers that are temporarily occupied, in accordance with this Section, shall be located in a side or rear yard and may not be located within required setbacks for the district.

(2) It is not to be occupied for dwelling purposes for more than thirty (30) days within any one calendar year.

(3) It is not hooked up to a water system, septic system or other utilities.

(4) Any sewage generated shall be disposed of in accordance with all applicable local, state and federal regulations.

~~(B)~~ Nothing shall prohibit a property owner from parking his/her ~~camper, travel-trailer or~~ recreation vehicle on his/her property.

#### Section 570 - Demolition

A zoning permit is required for demolition. Material from demolition operations are those items affixed to the structure being demolished, such as brick, concrete, stone, glass, wallboard, framing and finishing lumber, roofing materials, plumbing, plumbing fixtures, wiring, insulation material and other similar materials and/or waste. Where a structure is removed or destroyed, all debris shall be cleared and removed from the premises with sixty (60) days after the zoning permit is issued. Precautions shall be taken to ensure no debris is scattered on neighboring properties. All holes or depressions in the ground must be filled to grade level with soil and planted with grass seed. Monitoring of the site will be done to ensure compliance with this section. Zoning Violations shall be issued for any person found not to be in compliance with this section.

## ARTICLE VI

### PLANNED UNIT DEVELOPMENT

#### Section 600 Purpose of Planned Unit Development.

Planned development of land may be permitted in any district to encourage and provide a means for effectuating a more desirable physical development pattern than would be possible through the strict application of the density and dimensional requirements of this Resolution.

#### Section 601 Permitted Uses.

Only those uses permitted or conditionally permitted in each district or interpreted to be included under Sections 200 to 290, inclusive, the Official Schedule of District Regulations, Section 410, of this Resolution may be proposed for development under the planned development approach. Compatible residential, commercial, industrial, public and quasi-public uses may be combined, provided that the proposed location of the commercial or industrial uses will not adversely affect or disregard adjacent property, public health, safety, morals and general welfare, and provided further that in a residential-commercial-industrial or residential-commercial development the amount of land devoted to commercial and/or industrial usage shall not exceed 50 percent of the total land area of the development. A variety of housing and building types are encouraged by permitting an increased number of families per acre and by allowing reductions in lot dimensions, yards, building setbacks, and area requirements.

#### Section 602 General Requirements.

The gross area of the tract to be developed under the planned unit development approach shall comprise not less than 10 acres. The minimum lot size shall not be less than 70 percent of the lot area per family or use required in the district in which it would otherwise be located. A minimum of 10 percent of the land developed in a planned unit development project shall be reserved for open space and similar uses. Lot widths and required yards may be reduced to 80 percent of the requirement of this Resolution.

#### Section 603 Disposition of Open Space.

The amount of open space reserved under a planned unit development shall be held in corporate ownership by the owners of the project area building sites for the use of each owner who buys property within the development.

#### Section 604 Residential Lot Location.

Every property subdivided under the planned unit development shall be designed to abut upon open space or similar areas. A clustering of dwellings is encouraged. In areas where town houses are used there shall be no more than five town house units in any contiguous group. A variety of building setbacks, color, and building materials for contiguous town house units is encouraged.

#### Section 605 Diversification of Lot Sizes.

A diversification of lot sizes may be permitted within a district without additional dedication or creation of open space, provided the overall density of the project area is not increased and provided further the net residential area per family is not reduced below the minimum requirements of Section 602.

Section 606 Reduction of Planned Unit Development Area.

The minimum tract size to be developed under the planned unit development may be reduced 50 percent where the proposed development is to contain only residential, commercial, or industrial developments, not a mixture of uses.

Section 607 Height Requirements.

For each foot of building height over the maximum height regulations specified in the Official Schedule of District Regulations, Section 410, the distance between such building and the side and rear property lines of the planned unit development project area shall be increased by one foot in addition to the side and rear yard required in the district, provided that this additional setback shall not be considered part of the side and rear yards.

Section 608 Commercial Planned Unit Development Requirements.

Planned unit development of related commercial establishments is encouraged by varying the setback and area requirements. Open space gained through the varying of setback and area requirements is to be used for the development of open plazas, pedestrian malls, tot lots, and other public spaces and uses with adequate arrangement, design and planting.

Section 609 Commercial Projects, Side Yards and Rear Yards.

Side yards of thirty (30) feet and a rear yard of forty (40) feet shall be required if the project is to be located adjacent to any residential district or planned residential unit development.

Section 610 Arrangement of Commercial Uses.

The location and arrangement of structures, parking, access drives, outdoor lighting, signs and other uses and developments in the planned commercial unit development shall be compatible with the existing and future land use plan. Off-street parking, loading, and service areas shall be provided in accordance with Sections 510 to 519, inclusive. However, off-street parking and loading areas shall not be permitted within fifteen (15) feet of a residential district. All areas designated for future expansion or not intended for immediate improvement or development shall be landscaped or otherwise maintained in a neat and orderly manner.

Section 611 Industrial Planned Unit Development Requirements.

Planned unit development of industrial establishments is encouraged by varying the setback and other requirements, if it can be shown that the development results in a more efficient and desirable use of space.

Section 612 Industrial Project.

Project side yards of forty (40) feet and a rear yard of fifty (50) feet shall be required if the project is located adjacent to any residential district or planned residential unit development.

Section 613 Arrangement of Industrial Uses.

The location and arrangement of structures, parking, access drives, outdoor lighting, signs, storage areas, and other uses and developments in the planned industrial unit development shall be compatible with the existing and future land use plan. Off-street parking, loading, and service areas shall be provided in accordance with Sections 510 to 519, inclusive.

Section 614 Procedure to Secure Approval of Planned Unit Development.

The procedure in Sections 615 to 621, inclusive, shall be met before approval to develop land under the planned unit development is granted by the Zoning Commission and the Board of Zoning Appeals.

Section 615 Preliminary Development Plan.

Three copies of a preliminary development plan shall be submitted to the Zoning Commission for an approval in principle of the land uses proposed and their interrelationship. Approval in principle shall not be construed to endorse precise location of uses, configuration of parcels or engineering feasibility. Any preliminary development plan and text shall be prepared and endorsed by a qualified urban planner and shall include the following information presented in a general, schematic fashion:

1. Proposed location and size of the planned development;
2. Proposed land uses, population densities and building intensities;
3. Proposed parks, playgrounds, school sites and other open spaces;
4. Relation to existing and future land use in surrounding area;
5. Proposed provision of water, sanitary sewers, and surface drainage;
6. Proposed traffic circulation pattern indicating both public and private streets and access points to public rights-of-way;
7. A market analysis of proposed commercial uses, if the property is not zoned for commercial purposes at the time of submittal of the preliminary development plan;
8. Proposed schedule of site development; and
9. Evidence that the applicant has sufficient control over the land to carry out the proposed development plan within five years.

Section 616 Preliminary Development Plan Review.

The Zoning Commission shall review the preliminary development plan to determine if it is consistent with the intent and purpose of this Resolution; whether the proposed development advances the general welfare of the community and neighborhood; and whether the benefits, combination of various land uses and the interrelationship with the land uses in the surrounding area justify the deviation from standard district regulations. The Zoning Commission's approval in principle of the preliminary development plan shall be necessary before an applicant may submit a detailed development plan.

Section 617 Detailed Development Plan.

The detailed development plan shall be submitted in five copies and shall contain the following documents and supporting evidence, prepared and endorsed by a qualified professional team and which shall include an urban planner, licensed architect, registered land surveyor, registered civil engineer and registered landscape architect:

1. A survey of the proposed development site, showing the dimensions and bearings of the property lines, area in acres, topography, existing features of the development site, including specimen trees, structures, streets, easements, utility lines and land use;

2. A detailed development plan, which shall be in conformance with the approved preliminary plan, showing, as appropriate, all the information required on the preliminary development plan; the approximate location and size of lots; the approximate location and proposed density of dwelling units; nonresidential building intensity; and land use considered suitable for adjacent properties;
3. A schedule for the development of units to be constructed in progression and a description of the design principles for buildings and streetscapes; tabulation of the number of acres in the proposed project for various uses, the number of housing units proposed by type; estimated residential population by type of housing; estimated nonresidential population; proposed retail sales area and economic justification; anticipated timing for each unit; and standards for height, open space, building intensity, parking areas, population density and public improvements proposed for each unit of development whenever the applicant proposes an exception from standard zoning district or other regulations governing development;
4. Engineering feasibility studies and plans showing, as necessary, water, sewer and other utility installations; waste disposal facilities; surface drainage; street improvements; and nature and extent of earth work required for site preparation and development;
5. Site plan, showing building(s), various functional use areas, circulation and their relationship;
6. Preliminary building plans, including floor plans and exterior elevations;
7. Landscaping plans; and
8. Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, the improvements thereon, including those areas which are to be commonly owned and maintained.

#### Section 618 Basis of Approval.

The Zoning Commission may recommend that the Board of Zoning Appeals after a public hearing, approve the detailed development plan, provided the Zoning Commission finds that the facts submitted with the application and presented, at the hearings establish that:

1. The proposed development can be completed within five (5) years of the date of approval;
2. Each individual unit of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that such objective will be attained; the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under standard district regulations;

3. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the planned development;
4. Any proposed commercial development can be justified economically at the locations proposed to provide for adequate commercial facilities of the types proposed;
5. Any exception from standard district requirements is warranted by the design and amenities incorporated in the detailed development plans, in accord with the planned unit development and the adopted policy of the Zoning-Commission and the Board of Township Trustees;
6. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development;
7. The planned unit development is in general conformance with the comprehensive plan of the Township; and
8. The existing and proposed utility services are adequate for the population densities and non-residential uses proposed.

#### Section 619 Action of the Zoning Commission and Board of Zoning Appeals.

The Zoning Commission shall deny the detailed development plan if from the facts presented the Zoning Commission is unable to make the necessary findings. The Zoning Commission shall certify to the Board of Zoning Appeals the approval, approval with specific amendments or disapproval of the detailed development plan within 30 days of the date of submission of said plan. If the Board of Zoning Appeals finds that the proposed planned unit development is consistent with the intent and purpose of this Resolution after a public hearing, it may authorize the zoning inspector to issue a zoning certificate permitting the planned unit development.

#### Section 620 Approval Period.

The zoning certificate for a Planned Unit Development shall be for a period of five years to allow the preparation and recording of the required subdivision plat and the development of the project. If no development has occurred to effectuate the plan within five years after approval is granted, the approval shall be voided and the land shall revert to the district regulations in which it is located. An extension of the time limit or modification of the approved development plan may be approved if the Zoning Commission and the Board of Zoning Appeals find that such extension or modification is not in conflict with the public interest. Partial completion/development of the PUD shall result in the remaining undeveloped land reverting to the district regulations in which it is located.

#### Section 621 Other Requirements.

Underground utilities, including telephone and electric systems, are required within the limits of all planned unit developments. Appurtenances to these systems which can be effectively screened may be exempt from this requirement if the Zoning Commission finds that such exemption will not violate the intent or character of the proposed planned unit development.



ARTICLE VII  
MANUFACTURED AND/OR MOBILE HOME PARKS &  
MANUFACTURED AND/OR MOBILE HOMES INDIVIDUALLY  
~~MOBILE HOMES AND MOBILE HOME PARKS~~

Section 700 Intent

It is the intent of this Article to regulate the location of, and to encourage, stabilize and protect the development of well-planned manufactured (not permanently sited) and/or mobile homes parks if one is proposed.

Section ~~700~~ 710 Location of Manufactured (Not Permanently Sited) or Mobile Homes Individually.

Individual Manufactured (not permanently sited) or Mobile Homes are permitted only in Manufactured (not permanently sited) or Mobile Home Parks and as permitted by the Official Schedule of District Regulations.

Section ~~700-a~~ 712 Additional Requirements Applicable to Manufactured (not permanently site) or Mobile Homes.

- 1) Two or more contiguous lots may be considered as one lot for the purposes of this resolution;
- 2) Provisions for sewage disposal must be made before a permit can be issued;
- 3) Setbacks shall be those already established for the area by precedent; a minimum setback from the street right-of-way line of 15 feet for 40 x 80 foot lots on allotments platted previous to June 8, 1972. Rear lot line setbacks shall not be less than 15 feet for those lots. Side yard setbacks shall be in accord with the requirements set down in the Schedule of District Regulations incorporated into Section 412. Skirting must be installed within 90 days after the mobile is set on the lot; (Ref. Section 706-13)
- 4) Structure must have a minimum Of 3:12 roof pitch, conventional siding and a minimum 6 inch eave overhang, including appropriate rain gutters.
- 5) Each Manufactured (not permanently sited) or Mobile Home Site shall be developed with a manufactured (not permanently sited) or mobile home stand and which may, at the option of the owner, be any of the following:
  - a. Standard footer and foundation – footer depth to 32 inches or more from completed grade line.
  - b. A poured concrete pad consistent with the size of the mobile home. The dimension of which shall not be less than the perimeter of the mobile home and not less than 5 inches thick, over a suitable coarse gravel underlayment of not less than 6 inches of gravel. The concrete shall be above the grade of the surrounding area to permit drainage of the pad.

- 6) Each mobile home stand shall be provided with at least four (4) tie-downs points to secure the mobile home to the stand.
- 7) Manufactured (not permanently sited) or Mobile homes must have a solid foundation consisting of footer or poured masonry walls built to Logan County building requirements.

Section ~~701~~ 720 Location of Manufactured (not permanently sited) or Mobile Home Parks.  
A manufactured (not permanently sited) or mobile home park shall be permitted only as a conditional use in the U-1 and R-2 Districts. Manufactured (not permanently sited) or Mobile home parks may be conditionally permitted in any district under planned unit development, provided a planned unit development in that district permits residential uses.

Section ~~703~~ 722 Density.  
The maximum density shall not exceed six (6) manufactured (not permanently sited) or mobile homes per gross acre, and the minimum lot size shall not be less than 4,000 square feet.

Section ~~704~~ 724 Park Width and Depth.  
The park shall have a minimum frontage of two hundred and fifty (250) feet. The ratio of width to depth shall not exceed one to five (1:5).

Section ~~705~~ 726 Park Side and Rear Yards.  
A side yard on each side of the park and a rear yard of thirty (30) feet or more shall be provided around the edge of the manufactured (not permanently sited) or mobile home park. Such yards shall not be occupied by or counted as part of an individual manufactured (not permanently sited) or mobile home site.

Section ~~706~~ 728 Park Improvements.  
The location and size of manufactured (not permanently sited) or mobile home sites and structures within the manufactured (not permanently sited) or mobile home park shall be in accordance with the following provisions:

1. Each manufactured (not permanently sited) or mobile home site shall have a clearly defined minimum area of four thousand (4,000) square feet, with a minimum lot width of forty (40) feet, and a minimum depth of one hundred (100) feet. The minimum width of corner lots, however, shall be fifty (50) feet;
  - a) Each manufactured (not permanently sited) or mobile home placed within the mobile home park or in any district on a single lot shall have a minimum of one thousand (1000) square feet of floor space.
2. There shall be a minimum clearance of twenty (20) feet between the individual manufactured (not permanently sited) or mobile homes or trailers;
3. All manufactured (not permanently sited) or mobile home parks shall meet the County street requirements and specifications currently in effect;

4. Walkways not less than three feet wide, which may abut street pavement, shall be provided from the manufactured (not permanently sited) or mobile home sites to the service buildings. Such walkways shall be constructed of concrete having a minimum thickness of four (4) inches and lighted at night by not less than three-tenths (3/10) foot candle of artificial light;
5. Each manufactured (not permanently sited) or mobile home site shall be developed with a manufactured (not permanently sited) or mobile home stand of not less than ten (10) feet by fifty (50) feet and such manufactured (not permanently sited) or mobile home stand shall be not less than ten (10) feet from the manufactured (not permanently sited) or mobile home site boundary. The manufactured (not permanently sited) or mobile home stand shall be constructed of a minimum of six (6) inches of concrete and provide two tie-down rings;
6. Each manufactured (not permanently sited) or mobile home site shall be provided with a water outlet connected to an approved water supply and a connection to an approved sewer system;
7. Electricity, electrical outlets, and wiring shall be according to the current provisions of the National Electric Code published by the National Fire Protection Association;
8. The park shall provide service buildings, complying with all applicable building regulations, to house laundry facilities and supplemental toilet facilities.
9. The park shall be located on a well drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water;
10. A safe, usable recreation area shall be conveniently located in each manufactured (not permanently sited) or mobile home park, the size of which shall be determined at one thousand (1000) square feet per household or manufactured (not permanently sited) or mobile home;
11. No manufactured (not permanently sited) or mobile home site shall be located closer to any street right-of-way line than thirty (30) feet measured horizontally from the right-of-way line to the lot line of the manufactured (not permanently sited) or mobile home site.
12. All telephone, electrical and other distribution lines shall be installed in underground conduits. No overhead lines shall be permitted. All underground utilities, sanitary sewers and drainage structures installed in streets or access roads shall be constructed prior to the surfacing of such roads;
13. Each manufactured (not permanently sited) or mobile home in any district or trailers within a mobile home park shall be skirted, entirely enclosing the bottom section with a permanent type material, using materials generally accepted in such situations and acceptable to the zoning inspector within ninety (90) days after its placement;
14. The storage and collection of garbage and refuse within each manufactured (not permanently sited) or mobile home park shall be

conducted so as to create no health hazards, rodent harborage, insect breeding areas, fire hazards, or air pollution. All garbage shall be stored in fly-tight, rodent-proof containers and shall be collected at least once weekly.

15. A permanent masonry, concrete, or a footing or foundation approved by the manufacturing homes commission pursuant to ORC 4781.

Section ~~707~~ 730 Temporary Manufactured (not permanently sited) or Mobile Homes. In the case of building or remodeling sites or an undue hardship such as illness that requires care or fire of home, an owner/parcel may temporarily (up to 6 months) reside/hold a manufactured (not permanently sited) or mobile home on said parcel upon issuance of a conditional use permit from the Board of Zoning Appeals.

## Article VIII

### SIGNS AND ADVERTISING

#### Section 800 Sign Defined and Regulated.

Any device or display designated to inform or attract the attention of persons not on the premises on which the sign is located. No sign or advertising structure of any classification shall be permitted in any district except as provided in Sections 801 to 838, inclusive.

#### Section 801 Outdoor Advertising Structures Defined.

Any outdoor display for the purpose of advertisement, notice or announcement located apart from the premises or product referred to in the display.

#### Section 802 Measurement of 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 803 General Provisions.

Permits for all signs and outdoor advertising structures shall be granted by the zoning inspector in accordance with the requirements set forth in Sections 804 to 838, inclusive, except that no permit shall be required for any sign containing less than six ( 6 ) square feet of advertising area or advertising the sale, rent or lease of the premises on which the sign is located.

#### Section 804 Location and Area of Advertising Signs.

Signs not exceeding twelve (12) square feet in area and advertising the sale, rental or lease of the premises on which the sign is located shall be permitted on any property, except that the maximum size of such a sign in any residential district shall not exceed six ( 6 ) square feet.

#### Section 805 Area of Announcement and Professional Signs.

Announcement or professional signs for home occupations and professional activities where permitted shall not exceed four (4) square feet in area in the residential district and not more than six (6) square feet in other districts.

Section 806 Signs for Public or Quasi public Purposes.

Bulletin boards and signs for a church, school, community, or other public or quasi-public institutional building shall be permitted, provided the area of such bulletin board or sign shall not exceed fifteen (15) square feet.

Section 807 Wall Signs.

Wall signs pertaining to a nonconforming use shall be permitted on the same premises of such use, provided the area of such sign does not exceed fifteen (15) square feet.

Section 808 Use of Building Walls for Signs.

No building wall shall be used for display of advertising except that pertaining to the use carried on within such building.

Section 809 Temporary Signs.

Temporary signs not exceeding in the aggregate fifty (50) square feet announcing special public or institutional events or the erection of a building, the architect, the builders, contractors, etc., may be erected for a period of sixty (60) days plus the construction period.

Section 810 Signs and Public Right-of-Way.

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.

Section 811 Government Flags and Insignia.

Flags and insignia of any government except when displayed in connection with commercial promotion shall be permitted on any property.

Section 812 Signs Required by Governmental Bodies.

Legal notices, identification, informational or directional signs erected or required by governmental bodies shall be permitted on any property.

Section 813 Electrically Illuminated Signs.

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 and applicable local electric codes in effect.

Section 814 Marking of Signs.

All signs hereafter installed or erected shall be plainly marked with the name of the person, firm, or corporation installing or erecting such sign.

Section 815 Attachment of Signs.

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.

Section 816 Inspection of Electrical Signs.

No electrical sign of any description shall hereafter be erected without having first been inspected on the ground and approved by the Zoning Inspector or his authorized agent. It shall be the duty of the erector of such sign to notify the zoning inspector when such sign is ready for aforesaid ground inspection.

Section 817 Maintenance of Signs.

Should any sign be or become insecure or in danger of falling or otherwise unsafe, 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.

Section 818 Signs Installed in Violation of Requirements.

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.



Section 819 Signs in Commercial and Industrial Districts.

Except as provided in the following sentence in a commercial or industrial district, each business shall be permitted one flat or wall sign. In the case of an area within an M-2 Heavy Manufacturing District, each business shall be permitted two flat or wall signs. Projection of wall signs shall not exceed two (2) feet as measured from the face of the main building.

Section 820 Area of Permanent Advertising Signs.

The area of all permanent advertising signs for any single business enterprise shall be limited according to the width of the building or part of building occupied by such enterprise. For the purposes of this section, width shall be measured along the building face nearest and parallel to the street line. In the case of a corner lot, either frontage may be used in determining maximum area of the sign.

Section 821 Free Standing Signs.

Except as provided in the following sentence, free-standing 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 ten (10) feet to any street right-of-way line and not closer than thirty (30) feet to any adjoining lot line, may be erected to serve a group of business establishments, and there shall be only one free-standing sign for each building, regardless of the number of businesses conducted in said building. In the case of an area within an M-2 Heavy Manufacturing District, there shall be permitted two (2) free-standing signs not over five (5) feet in height nor twenty (20) feet in length, each having a maximum total sign area of one hundred (100) square feet per display area and located not closer than ten (10) feet to any street right-of-way line and not closer than thirty (30) feet to any adjoining lot line. The setback requirement contained herein for signs in the M-2 Heavy Manufacturing District shall apply in lieu of any other setback requirements for signs contained in this Resolution.

Section 822 Attachments to Wall Signs.

Every wall sign projecting out from the face of the building shall be securely attached to the building wall structure, or suitable metal posts located within the lot lines by iron or metal anchors, bolts, supports, chains, stranded cables or steel rods. No such sign shall project into the street right-of-way or be supported from a street, road or sidewalk.

Section 823 Pole Signs.

Pole signs of symbolical design shall be permitted for business establishments, provided no part of such sign shall project into the right-of-way of any street or highway; the maximum area of any face of such sign shall not exceed thirty (30) square feet; and the pole support of the sign shall not be less than fifty (50) feet from any lot in any residential district.

Section 824 Area of Business Advertising Signs.

The area of all permanent advertising signs for any single business enterprise may have an area equivalent to one and one-half square feet of sign area for each lineal foot of width of a building, or part of a building occupied by such enterprise, but shall not exceed a maximum area of one hundred (100) square feet.

Section 825 Roof Signs.

No sign shall be placed on the roof of any building.

Section 826 Political Signs.

No political sign shall be posted in any place or in any manner that is destructive of public property upon posting or removal. All candidates for public office, their campaign committees, or other persons responsible for the posting on public property of campaign material shall remove such material within two (2) weeks following Election Day.

Section 827 Sign Setback Requirements.

Except as provided in this Resolution signs and outdoor advertising structures where permitted shall be set back from the established right-of-way line of any street or highway at least as far as the required front yard depth for a principal use in such district except for the modifications in Sections 828 to 831, inclusive.

Section 828 Increased Setbacks.

For every square foot by which such sign or outdoor advertising structure exceeds fifty (50) square feet, the setback shall be increased by one-half (1.5) foot but need not exceed one hundred (100) feet.

Section 829 Setbacks at the Intersection of Highways.

At the intersection of any state, federal or major local highway with a major or collector street, the setback of any sign or outdoor advertising structure shall not be less than fifty (50) feet from the established right-of-way of each highway or street.

Section 830 Setbacks for Public and Quasi-public Signs.

Real estate signs and bulletin boards for a church, school or any other public or quasi-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 831 Special Yard Provisions.

Signs and advertising structures where permitted shall be erected or placed in conformity with the side and rear yard requirements of the district in which located except no sign or advertising structure shall be erected or placed closer than within fifty (50) feet to a side or rear lot line in any residential district.

Section 832 Illumination.

All signs and advertising structures except as hereinafter modified may be illuminated internally or by reflected light provided the source of light is not directly visible and is so arranged as to reflect away from the adjoining premises and provided that such illumination shall not be so placed as to cause confusion or a hazard to traffic or conflict with traffic control signs or lights.

Section 833 Subdivision Signs.

Upon application to the zoning inspector, a permit may be issued as a conditional use in accordance with this Resolution allowing a land-sales sign, provided that the sign shall not be illuminated; the sign shall advertise the sale or development of a recorded lot subdivision; the sign shall be erected only upon the property for sale or being developed and shall be set back from the street right-of-way at least one (1) foot for each square foot of sign area; the sign shall not be in excess of thirty (30) square feet; not more than one such sign shall be placed along single road frontage of any property in single and separate ownership, provided that not more than two (2) such signs may be permitted in any single

development; and a permit for the erection, construction or maintenance of said sign shall expire within one (1) year.

Section 834 Sign Permits Required.

A separate permit shall be required for the erection of signs regulated in this Resolution, except that no permit shall be required for temporary real estate signs with an area of twelve (12) square feet or less, for the sale or lease of property and for small announcement signs with an area of less than four (4) square feet. Announcement signs shall be removed by the person or persons responsible for posting same within thirty (30) days after erection.

Section 835 Drawings and Specifications.

Clear drawings and specifications shall be made of the proposed sign indicating the location, nature, and quality of material, full dimensions in figures, supports, manner of erecting, manner of fastening the sign to the structure, number and the weight of the sign. Such plans to be made on blank forms furnished by the Zoning Inspector, signed by the owner or tenant of property for which sign is to be used and by the erecting contractor.

Section 836 Signs Interfering With Traffic Control or Movement Prohibited.

No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles a traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic; or which hides from view or interferes with the effectiveness of any traffic control device or any railroad sign or signal; and no person shall place or maintain, nor shall any public authority permit upon any highway, any traffic sign or signal bearing thereon any commercial advertising. This section does not prohibit the erection upon private property adjacent to highways of signs giving useful directional information of a type that cannot be mistaken for traffic control devices. Every such prohibited sign, signal, marking, or device is a public nuisance, and the authority having jurisdiction over the highway may remove the same or cause it to be removed.

Section 837 Exemptions.

Public notices by governmental bodies, traffic control signs and other official signs and notices are exempt from the provisions of this Resolution.

Section 838 Off-Premise Signs (Billboards).

A distance of one thousand (1000) feet is to be maintained between commercial free-standing off-premise signs (billboards).

## ARTICLE IX NON-CONFORMING USES

### Section 900 Intent.

Within the districts established by this Resolution or 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, but not to encourage their survival. 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 901 Incompatibility of Non-Conforming Uses.

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

### Section 902 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 fastened in a permanent manner. Where excavation, demolition or removal of an existing building has substantially begun preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently. Where a building is removed or destroyed, all debris shall be removed in accordance with Section 570 of this Zoning Resolution.

### Section 903 Non-Conforming Lots of Record.

At the time of adoption or amendment of this Resolution there may exist lots of record that do not conform to the requirements for lot width and or lot area established by this Resolution or amendment. Nothing in this Resolution shall prevent the construction of dwellings, buildings, structures, or accessory uses or structures on these non-conforming lots of record provided the following:

1. The proposed dwellings, buildings, structures, or accessory uses are permitted within the district established by this Resolution.
2. Such lot shall be in separate ownership and not of continuous frontage with other lots in the same ownership.
3. The construction of dwellings, buildings, structures, or accessory uses shall meet all requirements established by this Resolution other than for lot area and lot width.
4. Variance from all other requirements shall be obtained only through action of the Board of Zoning Appeals.

#### Section 904 Non-Conforming Lots of Record in Combination.

If two or more lots or combinations 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 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 width or area below the requirements stated in this Resolution.

#### Section 905 Non-Conforming Uses Of Land.

Where at the time of adoption or amendment of this Resolution lawful use of land exists, which would not be permitted by the regulations imposed by this Resolution, the use may be continued so long as it remains otherwise lawful, provided the following:

1. No such non-conforming use 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 use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this Resolution;
3. If any such non-conforming use of land has been willfully abandoned for any reason for a period of more than 24 months (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; and,
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 906 Non-Conforming Structures.

Where a lawful structure exists at the effective date of adoption or amendment of this Resolution that could not be built under the terms 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. Any non-conforming structure which is removed, partially removed, damaged, destroyed, or partially destroyed by any means by more than 60 percent of its then fair market value shall eliminate the non-conforming use of structure or structure and land in combination, and shall not be repaired or reconstructed except in conformity with this Resolution. All remaining debris shall be cleared away and disposed of properly within two months of the time of removal, partial removal, damage, destruction, or partial destruction. If the structure is damaged 60 percent or less of the fair market value, the non-conforming structure may be restored on the

same footprint, provided such restoration shall begin with six months from the time of removal, partial removal, damage, destruction, or partial destruction.

3. Should such structure be moved for any reason for any distance whatsoever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

#### Section 907 Non-Conforming Uses of Structures or of Structures and Premises in Combination.

If 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 or amendment, 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 no such use shall be extended to occupy any land outside such building that was not used for such non-conforming use at the time of adoption or amendment of this resolution.
3. If no structural alterations are made, any non-conforming use of a structure, or structure and land in combination, may upon application to and approval by the Board of Zoning Appeals as a Conditional Use, be changed to another non-conforming use provided that, in addition to any other criteria, the Board of Zoning Appeals finds after consideration of the nature, predominate character, and intensity of the proposed use and the size, dimensional requirements, and other regulatory characteristics of the proposed use, that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use and that the size, dimensional requirements, traffic generation, signage needs, parking requirements and other regulatory characteristics are not greater than the existing non-conforming use. The Board of Zoning Appeals may require appropriate conditions and safeguards in accordance with 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 willfully discontinued or abandoned for 24 months (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.

Section 908 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 walls, fixtures, wiring, or plumbing, provided that the following :

1. The cubic content of the structure existing when it became non-conforming shall not be increased through such repairs or maintenance.
2. Nothing in this Resolution 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 909 Uses Under Conditional Use Provisions not Non-Conforming Uses.

Any use which is permitted as a conditional use in a district shall not be deemed a non-conforming use in such district, but shall without further action be considered a conforming use.

## ARTICLE X ADMINISTRATION AND ENFORCEMENT

### Section 1000 Office of Zoning Inspector Created.

A Zoning Inspector, designated by the Board of Township Trustees, shall administer and enforce this Resolution. He or she may be provided with the assistance of such other persons as the Board of Township Trustees may direct. If the Zoning Inspector shall find that any of the provisions of this Resolution are being violated, he shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He or she shall order discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or of illegal additions, alterations or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this Resolution to ensure compliance with or to prevent violation of its provisions.

### Section 1001 Zoning Permits Required.

No building or other structure shall be erected, moved, added to or structurally altered without a permit therefore, issued by the Zoning Inspector. No Zoning permit shall be issued by the zoning inspector except in conformity with the provisions of this Resolution unless he receives a written order from the Board of Zoning Appeals in the form of an administrative review, conditional use, or variance as provided by this Resolution.

### Section 1002 Application for Zoning Permit.

All applications for zoning permits shall be accompanied by plans showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration. The placement of survey pins are required of all zoning permits. The application shall include such other information as lawfully may be required by the Zoning Inspector, including existing or proposed building or alteration; existing or proposed uses of the building and land; the number of families, housekeeping units, or rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with and provide for the enforcement of this Resolution. The one copy of the plans shall be retained by the Zoning Inspector.

### Section 1003 Zoning Certificates Required.

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a Zoning Certificate shall have been issued therefore by the Zoning Inspector stating that the proposed use of the building or land conforms to the requirements of this Resolution. If a building or premises is created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure without obtaining a zoning permit, the Zoning Inspector shall double the cost of the permit. Nothing is shown on our fee schedule for this. Will bring up in the July 13, 2020 Township meeting.

Section 1004 Zoning Certificates for a Non-Conforming Use Required.

No non-conforming structure or use shall be maintained, renewed, changed, or extended unless and until approved by the Board of Zoning Appeals and a zoning certificate shall thereupon have been issued by the zoning inspector. The zoning certificate shall state specifically wherein the non-conforming use differs from the provisions of this Resolution, provided that upon enactment or amendment of this Resolution, owners or occupants of non-conforming uses or structures shall have six (6) months to apply for zoning certificates. Failure to make such application within six months shall be presumptive evidence that the property was not in conforming use at the time of enactment or amendment of this Resolution.

Section 1005 Issuance of Zoning Certificates.

No permit for erection, alteration, moving or repair of any building shall be issued until an application has been made for a zoning certificate, and the certificate shall be issued in conformity with the provisions of this Resolution upon completion of the work.

Section 1006 Temporary Zoning Certificate.

A temporary zoning certificate may be issued by the Zoning Inspector for a period not exceeding six (6) months during alterations or partial occupancy of a building pending its completion, provided that such temporary zoning certificate may include such conditions and safeguards as will protect the safety of the occupants and the public.

Section 1007 Record of Zoning Certificates.

The Zoning Inspector shall maintain a record of all zoning certificates, and a copy shall be furnished upon request to any person. Appropriate fees as set forth in Section 1023 apply.

Section 1008 Failure to Obtain a Zoning Certificate.

Failure to obtain a zoning certificate shall be a violation of this Resolution and punishable under Section 1025 of this Resolution.

Section 1009 Expiration of Zoning Permit.

If the work described in any zoning permit has not begun within 180 days from the date of issuance thereof, said permit shall expire. It shall be cancelled by the Zoning Inspector and written notice thereof shall be given to the persons affected. If the work described in any building permit has not been substantially completed within one year of the date of issuance thereof, said permit shall expire and be cancelled 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 building permit has been obtained.

Partially constructed dwellings or other structures shall be deemed a hazard to the health, safety, and welfare of the community at-large and, therefore, shall be removed by order of the Zoning Inspector and at the expense of the property owner.

Section 1010 Construction and Use To Be as Provided in Applications, Plans, Permits and Zoning Certificates. Zoning Permits issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use, arrangement or construction as specified in the permit. Use, arrangement or construction at variance with that authorized shall be deemed violation of this Resolution and punishable as provided by Section 1025 hereof.

Section 1011 Issuance of Zoning Permit for Projects Requiring Site Plan Review.

The zoning inspector shall not issue a zoning certificate for any application requiring site plan review by the Zoning Commission and/or the Board of Zoning Appeals, namely planned unit development (Article VI) and manufactured or mobile home parks (Article VII), unless the site plan has been approved by the Zoning Commission and/or the Board of Zoning Appeals.

Section 1012 Board of Zoning Appeals Established.

A Board of Zoning Appeals is hereby established, which shall consist of five members to be appointed by the Board of Township Trustees each for a term of five years, except the initial appointments shall be one each for one, two, three, four and five year terms. Each member shall be a resident of the unincorporated area of Washington Township. Members of the Board of Zoning Appeals may be removed from office by the Board of Township Trustees for cause upon written charges and after public hearing. Vacancies shall be filled by resolution of the Board of Township Trustees for the unexpired term of the member affected.

Section 1013 Proceedings of the Board of Zoning Appeals.

The Board of Zoning Appeals shall adopt rules necessary to the conduct of its affairs and 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 of Zoning Appeals 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 of Zoning Appeals 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 Board of Zoning Appeals.

Section 1014 Hearings, Appeals, Notice.

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 governing body of the Township affected by any decision of the Zoning Inspector. Such appeals shall be taken within a reasonable time, not to exceed sixty (60) days or such lesser period as may be provided by the rules of the Board of Zoning Appeals, by filing with the Zoning Inspector and with the Board of Zoning Appeals a notice of appeal specifying the grounds thereof. The Zoning Inspector shall forthwith transmit to the Board of Zoning Appeals all papers constituting the record upon which the action appealed from was taken. The Board of Zoning Appeals shall fix a reasonable time for the hearing of appeal, give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.

Section 1015 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 filled with him or her that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril of 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 and on due cause shown.

Section 1016 Powers and Duties of the Board of Zoning Appeals.

The Board of Zoning Appeals shall have the powers and duties set forth in Section 1017 to 1027, inclusive.

#### Section 1017 Administrative Review.

The Board of Zoning Appeals shall hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Inspector in the enforcement of this Resolution.

#### Section 1018 Conditional Uses.

The Board of Zoning Appeals shall hear and decide only such conditional uses as the Board of Zoning Appeals specifically authorized to pass on by the terms of this Resolution; decide such questions as are involved in determining whether conditional uses should be granted; and grant conditional uses with such conditions and safeguards as are appropriate under this Resolution, or deny conditional uses when not in harmony with the purpose and intent of this Resolution. A conditional use shall not be granted by the Board of Zoning Appeals unless and until:

1. A written application for a conditional use is submitted indicating the section of this Resolution under which the conditional use is sought and stating the grounds on which it is requested;
2. Notice shall be given at least ten (10) days in advance of public hearing. The owner of the property for which conditional use is sought or his agent shall be notified by certified mail. Notice of such hearings shall be posted ~~on the property for which conditional use is sought,~~ at the Township Hall and in one other public place at least ten (10) days prior to the public hearing;
3. The public hearing shall be held. Any party may appear in person, or by agent or attorney;
4. The Board of Zoning Appeals shall make a finding that it is empowered under the section of this Resolution described in the application to grant the conditional use and that the granting of the conditional use will not adversely affect the public interest;
5. Before any conditional use shall be issued, the Board of Zoning Appeals shall make written findings certifying compliance with the specific rules governing individual conditional uses and that satisfactory provisions and arrangement has been made concerning the following, where applicable:
  - a. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
  - b. Off-street parking and loading areas where required, with particular attention to the items in ( a . ) above and the economic, noise, glare or odor effects of the conditional use on adjoining properties and properties generally in the district;

- c. Refuse and service areas, with particular reference to the items in ( a . ) and ( b . ) above;
- d. Utilities, with reference to locations, availability, and compatibility;
- e. Screening and buffering with reference to type, dimensions, and character;
- f. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district;
- g. Required yards and other open space;
- h. General compatibility with adjacent properties and other property in the district.

Section 1019 Variances, Conditions Governing Applications and Procedures.

To 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 the issuance of a variance. A variance from the terms of this Resolution shall not be granted by the Board of Zoning Appeals unless and until:

1. A written application for a variance is submitted demonstrating:
  - 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 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 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.
2. Notice of public hearing shall be given as in Section 1018(2) of this Resolution;
3. The public hearing shall be held. Any party may appear in person, or by agent or attorney;
4. The Board of Zoning Appeals shall make findings that the requirements of Section 1019(1) have been met by the applicant for a variance;
5. The Board of Zoning Appeals shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure;



6. The Board of Zoning Appeals shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this Resolution and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

Section 1020 Supplementary Conditions and Safeguards May Be Prescribed.

In granting any 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 variance is granted, shall be deemed a violation of this Resolution and punishable under Section 1025 of this Resolution. Under no circumstances shall the Board of Zoning Appeals grant a variance to allow a use not permissible under the terms of this Resolution in the district involved, or any use expressly or by implication prohibited by the terms of this Resolution in said district.

Section 1021 Board has Powers of Zoning Inspector on Appeals Reversing Decision of Zoning Inspector. In exercising the powers in Section 1017 to 1020, inclusive, the Board of Zoning Appeals may, so long as such action is in conformity with the terms of this Resolution, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may 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. The concurring vote of four members of the Board of Zoning Appeals 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.

Section 1022 Duties of Zoning Inspector, Board of Zoning Appeals, Governing Body 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 of Zoning Appeals only on appeal from the decision of the Zoning Inspector, and that recourse from the decisions of the Board of Zoning Appeals shall be to the courts as provided by law. It is further the intent of this Resolution that the duties of the Board of 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 Board of 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 1023 of this Resolution.

Section 1023 Schedule of Fees, Charges and Expenses.

The Board of Township Trustees shall establish a schedule of fees, charges, and expenses and a collection procedure for zoning permits, zoning certificates, appeals and other matters pertaining to this Resolution. The schedule of fees shall be posted in the office of the Zoning Inspector, and may be altered or amended only by the Board of Township Trustees. Until all applicable fees, charges and expenses have been paid in full no action shall be taken on any application or appeal.

Section 1024 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. He shall record properly such complaint, immediately investigate and take action thereon as provided by this Resolution.

Section 1025 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 connection with grants of variances or conditional uses) shall constitute a 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 maximum penalty allowable for minor misdemeanor offenses under Ohio Revised Code, section 2929-28 (A) (b), and in addition shall pay all costs and expenses involved in the case. Such sum may be recovered in a court of jurisdiction in Logan County by the legal representative of the township, in the name of the township and for the use thereof. Each day such violation continues 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 Trustees from taking such other lawful action as is necessary to prevent or remedy any violations.

## ARTICLE XI

## AMENDMENTS

### Section 1100 General Requirements.

Whenever the public necessity, convenience, general welfare or good zoning practices require, the Board of Township Trustees may by Resolution and—after receipt of recommendation thereon from the Zoning Commission and subject to the procedures provided by law—amend, supplement, change or repeal the regulations, restrictions and boundaries or classification of property. It shall be the duty of the Zoning Commission to submit its recommendations regarding all applications or proposals for amendments to the Board of Township Trustees.

### Section 1101 Procedure for Change in Zoning Districts.

Applications for any change of district boundaries or classifications of property as shown on the Official Zoning Map shall be submitted to the Zoning Commission at its public office upon such forms, and shall be accompanied by such data and information as may be prescribed for that purpose by the Zoning Commission so as to assure the fullest practicable presentation of facts for the permanent record. Each proposal for a zone change shall be accompanied by a reproducible vicinity map at a scale approved by the Zoning Inspector showing the property lines and streets of existing and proposed zoning. Each such application shall be verified by at least one of the owners or lessees of property within the area proposed to be reclassified attesting to the truth and correctness of all facts and information presented with the applications. Applications for amendments initiated by the Zoning Commission shall be accompanied by its motion pertaining to such proposed amendment. The procedure for amendment of the Zoning Resolution shall follow the Ohio Revised Code, Chapter 519.

### Section 1102 Application Fees.

At the time that an application for a change of zoning districts is filed with the Zoning Commission, as provided herein, a fee shall be paid to the Zoning Inspector, who shall deliver same to the Township Clerk, for investigation, legal notices, and other expenses incidental to the determination of the zoning change. . Such sums so deposited shall be credited to the general fund of the Township. Refer to the Washington Township Zoning Permit Fee Schedule for these fees

## ARTICLE XII 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;
2. Partnership, trust, company or corporation, as well as an individual;
3. The present tense includes the future tense, the singular number includes the plural and the plural number includes the singular;
4. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement and the word "should" is a preferred requirement;
5. The words "used" or "occupied" include the words "intended, designed or arranged to be used or occupied;" and
6. The word "lot" includes the words "plot" or "parcel."

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 or 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, or description of "specified anatomical areas" or the conduct or simulation of "specified sexual activities."
  - c. Instruments, novelties, devices, or paraphernalia that are 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 or 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.

Agriculture. "Agriculture" as per Ohio Revised Code 519.01 shall include farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and furbearing 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; 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.

Alley. See Thoroughfare

Alterations, Structural. Any change 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.

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

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

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

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 not limited to, drugstores, beauty salons, barber shops, carry-outs, dry cleaning and laundry facilities, 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 service to the public or to other commercial or industrial enterprises. Some retail sales may be involved in connection with the services rendered.

Building, Height. The vertical distance measured from the average elevation of the proposed finished 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 Line. See setback line.

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

Building, Service. Any profit making activity which renders primarily services to the public or to other commercial or industrial enterprises. Some retail sales may be involved in connection with the service rendered.

Building, 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 service and clothing shops.



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

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.

Comprehensive Development Plan. A plan, or any portion thereof, adopted by the Regional Planning Commission and the Board of County Commissioners showing the general location and extent of present and proposed physical facilities, including housing, industrial and commercial uses, major thoroughfares, parks, schools and other community facilities. This plan established the goals, objectives, and policies of the community.

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.

Corner, Lot. See Lot Types.

Cul-de-Sac. See Thoroughfare.

Dead-end Street. See Thoroughfare.

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.

Dwelling. Any building or structure, ~~(except a house trailer or manufactured mobile dwelling as defined hereafter)~~ which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants.

Dwelling, Mobile Home. ~~A modular unit built on a chassis with body width exceeding eight (8) feet and body length exceeding thirty two (32) feet, designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities.~~ 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, Manufactured Home or Mobile. 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 permanently sited manufactured houses as defined herein.~~

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). Pursuant to ORC 3781.06 (C) (6), "permanently sited manufactured home" means a manufactured home that meets all of the following criteria:

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

Dwelling, Single Family. A dwelling (except a mobile home or manufactured home not permanently sited) consisting of single dwelling unit only, separated from other dwelling units by open space. ~~A detached residential dwelling or housing unit, other than a mobile home, designed for and occupied by one family only, including public housing units and industrialized units. This type of dwelling consists of a single dwelling unit only, separated from other dwelling units by open space. This type of dwelling does not consist of manufactured housing, except it does consist of permanently sited manufactured housing as described below:~~

~~1. Dwelling, Permanently Sited Manufactured Housing.~~

- ~~a. 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, 5043, 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.~~
- ~~b. "Permanently sited manufactured home" means a manufactured home that meets all of the following criteria:~~
  - ~~i. Has a permanent label or tab affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with the federal construction and safety standards.~~
  - ~~ii. The structure is affixed to a permanent foundation with wheels, axles, hitch, or all other appurtenances of mobility removed and is connected to appropriate facilities. "Permanent foundation" means a permanent masonry, concrete, or a footing or foundation approved by the manufactured homes commission pursuant to Chapter 4781. of the Revised Code, to which a manufactured or mobile home may be affixed.~~
  - ~~iii. 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, that meets the zoning requirements in the Official Schedule of District Regulations.~~
  - ~~iv. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering.~~
  - ~~v. The structure was manufactured after January 1, 1995.~~
  - ~~vi. The structure is not located in a manufactured home park as defined by section 4781.01 of the Revised Code.~~

~~vii. The structure complies with all zoning requirements that are uniformly imposed on all single family residences within the district or zone in which the permanently sited manufactured home is or is to be located, except requirements that specify a minimum roof pitch and requirements that do not comply with the standards established pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974," 88 Stat. 700, 42 U.S.C.A. 5401.~~

Dwelling, Rooming House (Boarding House, Lodging House or 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 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.

Easement. Authorization by a property owner of any designated part of his property by another for a specified purpose.

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.

Fair Market Value. The "Fair Market Value" as used herein shall first be determined to be the current value of structures as carried by the Logan County Auditor. If such value is disputed by the owner of the structures or the Township, the Township may elect to hire a licensed third party appraiser to determine the value.

Family. One or more related persons occupying a single dwelling unit.

Flood Plain. That land including the flood fringe and the floodway subject to inundation by a regional flood.

Flood, Regional. Large floods which have previously occurred or which may be expected to occur on a particular stream because of like physical characteristics. The regional flood generally has an average frequency of the one hundred (100) year recurrence interval flood.

Floodway. That portion of the flood plain, including the channel, which is reasonably required to convey the regional flood waters. Floods of less frequent recurrence are usually contained completely within the floodway.

Floodway Fringe. That portion of the flood plain, excluding the floodway, where development may be allowed under certain restrictions.

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 for use in calculating parking requirements). The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms.

Floor Area, Usable. Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls.

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

Forestry. The propagation and harvesting of forest trees.

Home Occupation. An occupation conducted in a dwelling unit, provided that: No more than one person other than members of the family residing on the premises shall be engaged in such occupation. 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, and not more than thirty-five (35) percent of floor area of the dwelling unit shall be used in the conduct of the home occupation. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding four square feet in area, non-illuminated and mounted flat against the wall of the principal building. No traffic shall be generated by such occupation in greater volume than would normally be expected in such a residential area and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this Resolution.

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 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 defined in Section 311.301 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.

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 space 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.

Location Map. See Vicinity Map.

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 building together with its accessory building and which provides such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street and may consist of:

1. A single lot of record;
2. A portion of a lot of record; and
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. On waterfront parcels the water side is considered the front. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under "Yards" 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.

Lot Measurements. A lot shall be measured as follows: (3-1 Ratio)

1. Depth. The distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and rearmost points of the side lot lines in the rear. No lot shall have an average depth which is more than three ( 3 ) times its average width, (ratio 3 to 1)
2. Width. The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the building setback line.

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 (135) 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. Through lots abutting two streets may be referred to as double frontage lots; and
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 Board of County Commissioners indicating the general location recommended for arterial, collector, and local thoroughfares within the appropriate jurisdiction.

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 and 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; operating and storing within enclosed structures; and generating little industrial traffic and no major nuisances.

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.

Manufactured or Mobile Home Park. Any site, or tract of land under single ownership, upon which three or more 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 for such park. **This definition does not include individual lots for the purpose of installation of manufactured or mobile homes.**

Non-Conformities. A building, structure or use of land 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.

Noxious Weeds. Any type or species that have been included on the official list of noxious plants for the State of Ohio which includes the following. Wild Mustard, Musk Thistle (Nodding Thistle), Oxeye Daisy, Canada Thistle, Poison Hemlock, Wild Carrot (Queen Annes Lace),

Purple Loosestrife, Wild Parsnip, Mile-a-Minute Weed, Russian Thistle, Cressleaf Groundsel, Shattercane, Johnsongrass, and Grapevines (abandoned). Noxious weeds possess one or more of the following attributes: aggressive competition with cultivated plants, toxicity to livestock, natural habitat degradation, threat to public health, safety, navigation, or as defined by the OSU Extension Agency.

Nuisance. A building or property that is structurally unsafe, unsanitary, or not provided with adequate safe egress; that constitutes a fire hazard, is otherwise dangerous to human life, or is otherwise no longer fit and habitable; or that, in relation to its existing use, constitutes a hazard to the public health, welfare, or safety by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment. A nuisance could constitute an offensive activity on a property that reduces the property value of neighboring properties or results in a lessening of normal use and enjoyment to neighboring properties. Examples include, noise, junk, automobile storage, accumulation of rodents and/or insects or mosquitoes, rubbish, refuse, debris, or weeds and tall grass measuring over twelve (12) inches.

Nursery, Nursing Home. A home or facility for the care and treatment of babies, children, pensioners, or elderly people.

Nursery, 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 or 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 and tennis courts, any other recreational 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.

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 alley right-of-way.

Performance Bond or Surety Bond. An agreement by a subdivider or developer with the Board of County Commissioners for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement.

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

Printing and Publishing. Any business which is engaged in the printing and/or publishing of newspapers, magazines, brochures, business cards 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 station, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a governmental agency, including the furnishing of electrical, gas, rail transport, communication, public or private water and sewage service and sanitary landfills.

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, 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, 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, ball parks, 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 include: travel trailer, camping trailer, truck camper, and motor home.

Recreational Vehicle Park. A parcel of land upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

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.

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 or treatment (such as grade separation, landscaped areas, viaducts, and bridges).

School Bus Shelter. A Portable type building on a skid, which shall be no more than 64 square feet in area, with a maximum height of 8 feet, with a 4/12 peaked roof. This structure can be enclosed on all sides, and shall be used solely for the purpose of children waiting for their school buses.

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.

Service Station. Any building, structure or land used for the dispensing and sale at retail of any automobile fuels, oils or accessories, including lubrication of automobiles and replacement or installation of minor parts and accessories but not including major repair work.

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.

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 (Billboards). 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-Premises Signs.

- 3) Sign, Illuminated. Any sign illuminated by electricity, gas or other artificial light including reflecting 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, Pole. Means any sign which is erected on a pole or poles, which is wholly or partially independent of any building for support;
- 8) 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;
- 9) Sign, Roof. Means a display sign which is erected, constructed and maintained above the roof of the building;
- 10) 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; and
- 11) 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.

Storage Facility – A structure which is partially open or fully enclosed in which animals, chattels, or property are stored or kept.

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 of the ground, or attachment to something having a fixed location on the ground. Among other things, structures include buildings, manufactured or mobile dwellings, walls, fences, and billboards.

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. A pool, pond, lake, or open tank containing at least 1.5 feet of water at any point and maintained by the owner or manager. Farm ponds are exempt from this definition:

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

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:

- a) It is constructed on or after October 31, 1996;
- b) It is owned or principally used by a public utility engaged in the provision of telecommunication services;
- c) 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.

Through Lot. See Lot types.

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 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 and eighty (180) degree system of turns are not more than one thousand (1000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other; and

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.)

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 separately defined. Examples include: hotel, motel and apartment hotel.

Transport Terminals. Any business, structure, or premise which primarily receives 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.

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 and where a literal enforcement of the regulations would result in unnecessary and undue hardship.

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 locate 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.

Wholesale and Warehousing. Business establishments that generally store and sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments or manufacturing establishments. These commodities are basically for further resale, for use in the fabrication of a product or for use by a business service.

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, 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; on waterfront parcels the water side is considered the front.
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; and
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 Certificate. A document issued by the zoning inspector authorizing the occupancy or use of a building or structure or the actual use of lots or land in accordance with the previously issued Zoning Permit.

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 XIII

### INTERPRETATION AND ENACTMENT

#### Section 1300 Provisions of Resolution Declared to be Minimum Requirements.

In their interpretation and application, the provisions of this Resolution shall be held to be minimum requirements, adopted for the promotion of the public health, morals, safety, and the general welfare. Whenever the requirements of this Resolution are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive or that imposing the higher standards shall govern.

#### Section 1301 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 as being unconstitutional or invalid.

#### Section 1302 Repeal of Conflicting Resolutions, Effective Date.

All resolutions or parts of resolutions in conflict with this Zoning Resolution, or inconsistent with the provisions of this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect. This Resolution shall become effective from and after the date of its approval and adoption, as provided by law.

#### Section 1303 M-2 Heavy Manufacturing District.

Minimum Lot Size (square feet per household) with onsite sewage treatment 200,000 — with group or central sewage treatment 400,000 — provided that the installation and maintenance of on-site sewage treatment is done in accordance with applicable federal, state or local governmental laws and regulations.

## CERTIFICATIONS

Washington Township Trustees  
Logan County, Ohio

Date: April 12, 1970

Gentlemen:

The Washington Township Zoning Commission has for a period of some months had under study certain modifications and amendments to the zoning laws of Washington Township. These changes were brought about in part by changes in township conditions.

The Zoning Commission hereby certifies a revised plan for the districting and zoning of lands and structures in the interest of public, health, safety, convenience, comfort, prosperity, and general welfare. The plan is based upon planning studies and other Commission investigations.

Washington Township Zoning Commission

By: Roy Sickles, chairman

By: James O. Stevenson, secretary

Passed May 8, 1972  
Adopted June 8, 1972

Board of Trustees,  
Huitt Kipler, chairman

Attest  
Township clerk,  
James O. Stevenson

Amendment I Passed July 8, 1974  
Adopted August 8, 1974  
Carl Evans, Board of Trustees, chairman  
Attest: James O. Stevenson, clerk

Exhibit B Letter of July 16, 1984  
Roy Sickles, chairman, Washington Township  
Zoning Commission

Charles R. Rogers  
Vincent L. Glaze  
Roger Kipler, Washington Township Trustees

Exhibit II                      February 7, 1983  
   Lowell Miller  
   Richard Beard  
   James O. Sullivan, clerk

March 2, 1983  
Lowell Miller  
Richard Beard  
James O. Sullivan, clerk

Typed and revised              May 1990

Resolution is hereby adopted on this 8<sup>th</sup> day of September 2011.

Revised June 14, 2010 to include minor text changes, adding definitions, and adding Section 567 for Small Wind Projects Less than 5 MW (Megawatts) and Section 568 for Private Driveway Installations.

Revised August 8, 2011 to include minor text changes, Article XIII adding definitions for Noxious Weeds & Nuisance, and adding conditional uses for storage facilities for various Zoning districts U-1, R-1, R-2, B-1 & B-2

Revised December 14, 2011 to include adding Section 569 for the use and storage of recreational vehicles, Section 570 requiring a zoning permit for demolition operations and the removal of debris associated with that demolition and Section 902 text changes for Avoidance of Undue Hardship.

Revised December 14, 2015, to include minor changes to Section 555 for fences, Entire Article IX, Non-conforming Uses, minor change to Article X, Administration & Enforcement, and adding "Fair Market Value" to our definitions.

Revised October, 8, 2018, to include altering the text of the Official Schedule of District Regulations, Article II Establishment of Districts, Article V Supplementary District Regulations, Article VII Mobile Homes and Mobile Home Parks, Article IX Non-Conforming Uses, and Article XII Definitions. The map amendment is described as rezoning all Lewistown B-1 Districts from B-1 District to R-2 District.

Revised August, 2020, to include

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Chairman, Board of Township Trustees

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Member, Board of Township Trustees

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Member, Board of Township Trustees

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Attest, Clerk Township Trustees



Zoning & Subdivision Committee  
Thursday, August 13, 2020

The Zoning and Subdivision Committee met in regular session on Thursday, August 13, 2020 at 12:32 pm online through Zoom. Meeting information was published on LUC's agenda and posted on LUC's website.

Zoning & Subdivision Committee Members were in attendance as follows: Brad Bodenmiller, Tyler Bumbalough, Scott Coleman, Wes Dodds, Charles Hall, Heather Martin, Bill Narducci, Tammy Noble, Tom Scheiderer, Aaron Smith, Jeff Stauch and Andy Yoder. Absent members were: Ashley Gaver and Steve McCall.

Guests included: Regina Rollins, TCC; Eric Snowden, Jerome Township; Andrew Morgan, 42 Real Estate; John Brose, Perry Township; Dave Faulkner, Champaign County.

Scott Coleman chaired the Zoning & Subdivision Committee Meeting.

Charles Hall moved a motion to approve the minutes from the July 9, 2020 meeting as written and Tom Scheiderer seconded. All in favor.

1. Review of Thomas Duff/Fed Ex Ground Facility Final Plat (Union County) – Staff Report by Brad Bodenmiller
  - Brad Bodenmiller gave an update on reviewing agency comments received from URE.
  - Charles Hall confirmed that the Commissioners did approve the surety this morning.
  - Andrew Morgan – We've checked all the boxes at this time so we're seeking approval of the plat today. If there are any additional questions, please let us know.
  - Charles Hall moved a motion to recommend the Thomas Duff/Fed Ex Ground Facility Final Plat with incorporation of comments and Tom Scheiderer seconded. All in favor.
2. Review of Jerome Township Parcel Amendment (Union County) – Staff Report by Brad Bodenmiller
  - Tammy Noble – I love that you put maps in your report, it's so helpful!
  - Andy Yoder moved a motion to recommend approval of the Jerome Township Parcel Amendment per the comments in the staff report and Tyler Bumbalough seconded. All in favor.



## Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

3. Review of Washington Township Zoning Text Amendment (Logan County) – Staff Report by Brad Bodenmiller
  - Andy Yoder – The hedges and fences section, does this township have language for visibility on corner lots to preserve line of sight? A reference to that section might make sense.
    - Brad Bodenmiller – Yes, I think in the recommendation you could recommend approval with modifications and recommend that.
    - Andy Yoder – Unless you're specifically looking for corner lots, you wouldn't find it, but that is fairly important.
  - Eric Snowden – I would echo LUC staff comments. Regarding staff comments regarding the additional fee issues, I have seen evidence in township's fees with that put in there. If it's going to be done and the Prosecutor's Office says it's possible, the schedule of fees may be a more appropriate location. I think striking it from the text is the best way and explore with the Prosecutor's Office if they want to keep it on the schedule.
  - Tyler Bumbalough – Back to the fences section, I think that does look a little... Tyler read the section and suggested they take out one of the "no"'s because it creates a double negative. I'll echo what Brad said about adding the other districts in there, that could want taller fences. For the first item, under M-2, it says 8 in height instead of 8 feet. They need to rework that. The variance, shouldn't they keep the phrase about requiring variances for fences taller than allowed? In Section 550 it has struck through any fences that exceed 72 inches in height requires a variance. Do you want that?
    - Brad Bodenmiller – Ultimately, I think someone can request a variance for anything. For the double negative, I'll talk to them to make sure it isn't doing something weird.
    - Tyler Bumbalough – I think it should just read "fences shall be no taller than 4 feet in height". Strike the first no. The variance thing might just be understood.
  - Charles Hall moved a motion to recommend approval of the Washington Township Zoning Text Amendment with comments from the staff report and the committee and Tom Scheiderer seconded. All in favor.

The Zoning and Subdivision Committee adjourned at 12:58 pm with Andy Yoder moving a motion to adjourn and Wes Dodds seconded. All in favor.

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