

ZONING RESOLUTION OF AMANDA TOWNSHIP
FAIRFIELD COUNTY, OHIO

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ZONING RESOLUTION OF AMANDA TOWNSHIP

FAIRFIELD COUNTY, OHIO

SECTION I

AUTHORITY AND PURPOSE

1. Title.

This Resolution shall be known and may be cited as the "Zoning Resolution of Amanda Township, Fairfield County, Ohio." UNLESS OTHERWISE PROVIDED HEREIN OR BY THE LAW OR IMPLICATION REQUIRED, THE SAME RULES OF CONSTRUCTION, DEFINITION, AND APPLICATION SHALL GOVERN THE INTERPRETATION OF THE RESOLUTION AS THOSE GOVERNING THE INTERPRETATION OF THE OHIO REVISED CODE.

2. AUTHORITY.

THIS RESOLUTION IS ENACTED IN ACCORDANCE WITH THE OHIO REVISED CODE, CHAPTER 519 AS FOLLOWS:

FOR THE PURPOSE OF PROMOTING THE PUBLIC HEALTH, SAFETY, AND MORALS, THE BOARD OF TOWNSHIP TRUSTEES MAY, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, REGULATE BY RESOLUTION THE LOCATION, HEIGHT, BULK, NUMBER OF STORIES, AND SIZE OF BUILDINGS AND OTHER STRUCTURES, INCLUDING TENTS, CABINS, AND TRAILER COACHES, PERCENTAGES OF LOT AREAS WHICH MAY BE OCCUPIED, SETBACK BUILDING LINES, SIZE OF YARDS, COURTS, AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE USES OF BUILDINGS AND OTHER STRUCTURES, INCLUDING TENTS, CABINS, AND TRAILER COACHES, AND THE USES OF LAND FOR TRADE, INDUSTRY, RESIDENCE, RECREATION, OR OTHER PURPOSES IN THE UNINCORPORATED TERRITORY OF SUCH TOWNSHIP, AND FOR SUCH PURPOSES MAY DIVIDE ALL OR ANY PART OF THE UNINCORPORATED TERRITORY OF THE TOWNSHIP INTO DISTRICTS OR ZONES OF SUCH NUMBER, SHAPE, AND AREA AS THE BOARD DETERMINES. ALL SUCH REGULATIONS SHALL BE UNIFORM FOR EACH CLASS OR KIND OF BUILDING OR OTHER STRUCTURE OR USE THROUGHOUT ANY DISTRICT OR ZONE, BUT THE REGULATIONS IN ANY DISTRICT OR ZONE MAY DIFFER FROM THOSE IN OTHER DISTRICTS OR ZONES.

3. PURPOSE.

THE BOARD OF TOWNSHIP TRUSTEES HEREBY FIND IT NECESSARY, ADVISABLE AND BENEFICIAL TO THE RESIDENTS OF AMANDA TOWNSHIP TO PROVIDE FOR THE DIVISION OF THE UNINCORPORATED AREA OF THE TOWNSHIP

INTO DISTRICTS OR ZONES. THIS ZONING RESOLUTION IS ADOPTED TO PROMOTE AND PROTECT THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE BY THE FOLLOWING:

- REGULATING THE USE OF LAND AREAS AND THE CONSTRUCTION, RESTORATION AND/OR ALTERATION OF BUILDINGS AND USES THEREIN
- RESTRICTING THE AREA DIMENSIONS OF LAND, YARDS AND OPEN SPACES SO AS TO SECURE ADEQUATE LIGHT, AIR AND SAFETY FROM FIRE AND OTHER DANGERS
- CONTROLLING THE BULK, HEIGHT, DENSITY, AND LOCATION OF BUILDINGS
- PROTECTING AND PRESERVING EXISTING NATURAL RESOURCES.
- ASSURING THE ORDERLY GROWTH AND DEVELOPMENT OF LANDS,

ALL AS PERMITTED BY THE PROVISIONS OF CHAPTER 519 OF THE OHIO REVISED CODE.

4. APPLICABILITY AND LIMITATIONS

SUBJECT TO THE LIMITATIONS SPECIFIED IN SECTION 519.211 OF THE OHIO REVISED CODE, THE REGULATIONS SET FORTH IN THIS ZONING RESOLUTION SHALL BE APPLICABLE TO ALL BUILDINGS, STRUCTURES, USES AND LANDS OF ANY PRIVATE INDIVIDUAL OR ENTITY, OR ANY POLITICAL SUBDIVISION, DISTRICT TAXING UNIT OR BOND-ISSUING AUTHORITY, LOCATED WITHIN THE UNINCORPORATED AREA OF AMANDA TOWNSHIP, FAIRFIELD COUNTY, OHIO.

5. Interpretation and Conflict.

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, safety, and the general welfare. It is not intended by this resolution to interfere with, or abrogate, or annul any easements, covenants, or other agreements between parties unless they violate this resolution. When two specific provisions of this resolution conflict, or a provision of this resolution conflicts with any other lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive, or that imposing the higher standards shall apply.

6. Separability Clause.

The invalidation of any clause, sentence paragraph or section of this resolution by a court of competent jurisdiction shall not effect the validity of the remainder of this resolution either in whole or in part.

SECTION II

EXEMPTIONS AND LIMITATIONS

1. AGRICULTURE EXEMPTED

- A. EXCEPT AS OTHERWISE PROVIDED IN DIVISION (B) OF THIS SECTION, SECTIONS 519.02 TO 519.25 OF THE OHIO REVISED CODE CONFER NO POWER ON ANY TOWNSHIP ZONING COMMISSION, BOARD OF TOWNSHIP TRUSTEES, OR BOARD OF ZONING APPEALS TO PROHIBIT THE USE OF ANY LAND FOR AGRICULTURAL PURPOSES OR THE CONSTRUCTION OR USE OF BUILDINGS OR STRUCTURES INCIDENT TO THE USE FOR AGRICULTURAL PURPOSES OF THE LAND ON WHICH SUCH BUILDINGS OR STRUCTURES ARE LOCATED, INCLUDING BUILDINGS OR STRUCTURES THAT ARE USED PRIMARILY FOR VINTING AND SELLING WINE AND THAT ARE LOCATED ON LAND ANY PART OF WHICH IS USED FOR VITICULTURE, AND NO ZONING CERTIFICATE SHALL BE REQUIRED FOR ANY SUCH BUILDING OR STRUCTURE.
- B. A TOWNSHIP ZONING RESOLUTION, OR AN AMENDMENT TO SUCH RESOLUTION, MAY, FOR ANY PLATTED SUBDIVISION APPROVED UNDER SECTIONS 711.05, 711.09, OR 711.10 OF THE OHIO REVISED CODE , OR IN ANY AREA CONSISTING OF FIFTEEN (15) OR MORE LOTS APPROVED UNDER SECTION 711.131 (711.13.1) OF THE OHIO REVISED CODE THAT ARE CONTIGUOUS TO ONE ANOTHER, OR SOME OF WHICH ARE CONTIGUOUS TO ONE ANOTHER AND ADJACENT TO ONE SIDE OF A DEDICATED PUBLIC ROAD, AND THE BALANCE OF WHICH ARE CONTIGUOUS TO ONE ANOTHER AND ADJACENT TO THE OPPOSITE SIDE OF THE SAME DEDICATED PUBLIC ROAD REGULATE:
1. AGRICULTURE ON LOTS OF ONE (2) ACRES OR LESS.
 2. BUILDINGS OR STRUCTURES INCIDENT TO THE USE OF LAND FOR AGRICULTURAL PURPOSES ON LOTS GREATER THAN ONE (2) ACRES BUT NOT GREATER THAN FIVE (5) ACRES BY: SETBACK BUILDING LINES, HEIGHT, AND SIZE.
 3. DAIRYING AND ANIMAL AND POULTRY HUSBANDRY ON LOTS GREATER THAN ONE (2) ACRES BUT NOT GREATER THAN FIVE (5) ACRES WHEN AT LEAST 35 PERCENT OF THE LOTS IN THE SUBDIVISION ARE DEVELOPED WITH

AT LEAST ONE BUILDING, STRUCTURE, OR IMPROVEMENTS THAT IS SUBJECT TO REAL PROPERTY TAXATION OR THAT IS SUBJECT TO THE TAX ON MANUFACTURED HOMES UNDER SECTION 4503.06 OF THE OHIO REVISED CODE. AFTER 35 PERCENT OF THE LOTS ARE SO DEVELOPED, DAIRYING AND ANIMAL AND POULTRY HUSBANDRY SHALL BE CONSIDERED NONCONFORMING USE OF LAND AND BUILDINGS OR STRUCTURES PURSUANT TO SECTION 519.19 OF THE OHIO REVISED CODE.

DIVISION (B) OF THIS SECTION CONFERS NO POWER ON ANY TOWNSHIP ZONING COMMISSION, BOARD OF TOWNSHIP TRUSTEES, OR BOARD OF ZONING APPEALS TO REGULATE AGRICULTURE, BUILDINGS OR STRUCTURES, AND DAIRYING AND ANIMAL AND POULTRY HUSBANDRY ON LOTS GREATER THAN FIVE (5) ACRES.

- C. SUCH SECTIONS CONFERS NO POWER ON ANY TOWNSHIP ZONING COMMISSION, BOARD OF TOWNSHIP TRUSTEES, OR BOARD OF ZONING APPEALS TO PROHIBIT IN A DISTRICT ZONED FOR AGRICULTURAL, INDUSTRIAL, RESIDENTIAL, OR COMMERCIAL USES, THE USE OF ANY LAND FOR A FARM MARKET WHERE 50 PERCENT OR MORE OF THE GROSS INCOME RECEIVED FROM THE MARKET IS DERIVED FROM PRODUCE RAISED ON FARMS OWNED OR OPERATED BY THE MARKET OPERATOR IN A NORMAL CROP YEAR. HOWEVER, A BOARD OF TOWNSHIP TRUSTEES, AS PROVIDED IN SECTION 519.02 OF THE OHIO REVISED CODE, MAY REGULATE SUCH FACTORS PERTAINING TO FARM MARKETS AS SIZE OF THE STRUCTURE, SIZE OF PARKING AREAS THAT MAY BE REQUIRED, SETBACK BUILDING LINES, AND EGRESS OR INGRESS, WHERE SUCH REGULATION IS NECESSARY TO PROTECT THE PUBLIC HEALTH AND SAFETY.

2. PUBLIC UTILITIES AND RAILROADS

SUCH SECTIONS CONFERS NO POWER ON ANY BOARD OF TOWNSHIP TRUSTEES OR BOARD OF ZONING APPEALS IN RESPECT TO THE LOCATION, ERECTION, CONSTRUCTION, RECONSTRUCTION, CHANGE, ALTERATION, MAINTENANCE, REMOVAL, USE OR ENLARGEMENT OF ANY BUILDINGS OR STRUCTURES OF ANY PUBLIC UTILITY OR RAILROAD, WHETHER PUBLICLY

OR PRIVATELY OWNED, OR THE USE OF LAND BY ANY PUBLIC UTILITY OR RAILROAD, FOR THE OPERATION OF ITS BUSINESS.

3. RETAIL ESTABLISHMENTS AND ALCOHOLIC BEVERAGES

SUCH SECTIONS CONFER NO POWER ON ANY BOARD OF COUNTY COMMISSIONERS, BOARD OF TOWNSHIP TRUSTEES, OR BOARD OF ZONING APPEALS TO PROHIBIT THE SALE OR USE OF ALCOHOLIC BEVERAGES IN AREAS WHERE THE ESTABLISHMENT AND OPERATION OF ANY RETAIL BUSINESS, HOTEL, LUNCHROOM, OR RESTAURANT IS PERMITTED.

4. OIL AND GAS DRILLING

SUCH SECTIONS DO NOT CONFER ANY POWER ON ANY TOWNSHIP ZONING COMMISSION, BOARD OF TOWNSHIP TRUSTEES, OR BOARD OF ZONING APPEALS TO PROHIBIT THE USE OF ANY LAND OWNED OR LEASED BY AN INDUSTRIAL FIRM FOR THE CONDUCT OF OIL OR NATURAL GAS WELL DRILLING OR PRODUCTION ACTIVITIES OR THE LOCATION OF ASSOCIATED FACILITIES OR EQUIPMENT WHEN SUCH OIL OR NATURAL GAS OBTAINED BY THE INDUSTRIAL FIRM IS USED FOR THE OPERATION OF ITS OWN PLANTS.

5. OUTDOOR ADVERTISING

OUTDOOR ADVERTISING CLASSIFIED AS BUSINESS USE FOR THE PURPOSE OF SECTIONS 519.02 THROUGH 519.25, INCLUSIVE, OF THE OHIO REVISED CODE, OUTDOOR ADVERTISING SHALL BE CLASSIFIED AS A BUSINESS USE AND BE PERMITTED IN ALL DISTRICTS ZONED FOR INDUSTRY, BUSINESS, OR TRADE, OR LANDS USED FOR AGRICULTURAL PURPOSES.

6. LICENSED FAMILY HOMES AND LICENSED GROUP HOMES FOR DEVELOPMENTALLY DISABLED PERSONS

SUCH FACILITIES ARE LIMITED FROM ZONING CONTROL UNDER SECTION 5123.19, OHIO REVISED CODE. HOWEVER, ZONING PERMITS SHALL BE REQUIRED AND SUCH FACILITIES WILL BE REGULATED BY THIS RESOLUTION IN ADDITION TO OTHER LAWS OF THE STATE OF OHIO.

SECTION III

ADMINISTRATIVE BODIES AND THEIR RESPONSIBILITIES

1. Zoning Inspector.

A Zoning Inspector designated by the Board of Township Trustees SHALL ENFORCE THIS ZONING RESOLUTION. SUCH ZONING INSPECTOR may be provided with the assistance of such other persons as the Board of Township Trustees may direct. The Township Zoning Inspector, before entering upon the zoning inspectors duties, shall give bond as specified in Section 519.161, Ohio Revised Code. The duties shall be:

- A. Upon finding that any of the provisions of this Resolution are being violated, he shall notify in writing the person responsible for such violation(s), ordering the action necessary to correct such violation(s).
- B. Order discontinuance of illegal uses of land, buildings, or structures.
- C. Order removal of illegal buildings or structures or illegal additions or structural alterations.
- D. Order discontinuance of any illegal work being done.
- E. TAKE ANY OTHER ACTION AUTHORIZED BY THIS RESOLUTION TO INSURE COMPLIANCE WITH OR TO PREVENT VIOLATION(S) OF THIS RESOLUTION. THIS INCLUDES THE ISSUANCE OF ANY PERMITS AND SUCH SIMILAR ADMINISTRATIVE DUTIES AS ARE PERMISSIBLE UNDER THE LAW.

2. TOWNSHIP ZONING COMMISSION

THE BOARD OF TOWNSHIP TRUSTEES OF AMANDA TOWNSHIP SHALL CREATE AND ESTABLISH A TOWNSHIP ZONING COMMISSION. PURSUANT TO SECTION 519.04, OHIO REVISED CODE. THE COMMISSION SHALL BE COMPOSED OF FIVE (5) MEMBERS WHO RESIDE IN THE UNINCORPORATED AREA OF THE TOWNSHIP, TO BE APPOINTED BY THE BOARD, AND THE TERMS OF THE MEMBERS SHALL BE OF SUCH LENGTH AND SO ARRANGED THAT THE TERM OF ONE (1) MEMBER WILL EXPIRE EACH YEAR. EACH MEMBER SHALL SERVE UNTIL HIS SUCCESSOR IS APPOINTED AND QUALIFIED MEMBERS OF THE ZONING COMMISSION SHALL BE REMOVABLE FOR NONPERFORMANCE OF DUTY, MISCONDUCT IN OFFICE OR OTHER CAUSE OF THE BOARD, UPON WRITTEN CHARGES BEING FILED WITH THE BOARD, AFTER A PUBLIC HEARING HAS BEEN HELD REGARDING SUCH CHARGES, AND AFTER A COPY OF THE CHARGES HAS BEEN SERVED UPON THE MEMBER SO CHARGED AT LEAST TEN (10) DAYS PRIOR TO THE

HEARING, EITHER PERSONALLY, BY REGISTERED MAIL, OR BY LEAVING SUCH COPY AT HIS USUAL PLACE OF RESIDENCE. THE MEMBER SHALL BE GIVEN AN OPPORTUNITY TO BE HEARD AND ANSWER SUCH CHARGES. VACANCIES SHALL BE FILLED BY THE BOARD AND SHALL BE FOR THE UNEXPIRED TERM.

3. DUTIES OF THE ZONING COMMISSION

FOR THE PURPOSE OF THIS RESOLUTION, THE COMMISSION SHALL HAVE THE FOLLOWING DUTIES:

- A. REVIEW ALL PROPOSED AMENDMENTS TO THIS RESOLUTION AND MAKE RECOMMENDATIONS TO THE BOARD OF TOWNSHIP TRUSTEES.
- B. RECOMMEND PROPOSED AMENDMENTS TO THE BOARD OF TOWNSHIP TRUSTEES.
- C. TAKE ANY ACTION AUTHORIZED BY THIS RESOLUTION OR BY CHAPTER 519, OHIO REVISED CODE NECESSARY TO FULFILL ITS DUTIES.

4. Board of Zoning Appeals

A. Creation and Appointment

A Board of Zoning Appeals is hereby established having the powers as hereinafter indicated. Said Board shall consist of five (5) members appointed by the Board of Township Trustees. Every member shall be legal resident of Amanda Township. Members shall be appointed for a term of five (5) years, except that the initial appointments shall be, one for a term of one year; one for a term for two years; one for a term of three years; one for a term of four years; and one for a term of five years. However, each member shall serve until his successor is appointed and qualified. Vacancies shall be filled by resolution of the Board of Township Trustees for the unexpired term of the member affected.

Members of the Board shall be removable for non-performance of duty, misconduct in office, or other cause by the Board of Township Trustees, upon written charges being filed with the Board of Trustees, after a public hearing has been held regarding such charges, and after a copy of the charges has been served upon the member so charged at least ten (10) days prior to the hearing, either personally, by registered mail or by leaving such copy at his usual place of residence. The member shall be given the opportunity to be heard and answer such charges.

B. Proceedings of the Board of Zoning Appeals.

The Township Board of Zoning Appeals shall organize and adopt rules in accordance with the resolution. Meetings of the board shall be held at the call of the chairman, and at such other times as the Board determines. The chairman, or in his absence the acting chairman, may administer oaths, and the Board of Zoning Appeals may compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the Office of Township Trustees and be a public record.

C. Duties of the Board of Zoning Appeals.

In exercising its duties, the Board may, as long as such action is in conformity with the terms of this resolution, reverse or affirm, wholly or partly, or modify the order, requirements, 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 powers of the Zoning Inspector from whom the appeal is taken. The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Inspector, or to decide in favor of the applicant of any matter upon which it is required to pass under this resolution or to effect any variation in the application of this resolution. For the purposes of this resolution, the Board has the following specific responsibilities:

1. To hear and decide appeals where it is alleged there is an error in any order, requirements, decision, or determination made by the Zoning Inspector, IN ACCORDANCE WITH THE PROVISIONS OF SECTION VI.
 2. To authorize such variance from the terms of this resolution as will not be contrary to the public interest, IN ACCORDANCE WITH THE PROVISIONS OF SECTION VI.
 3. To grant conditional zoning permits as specified elsewhere in this resolution and under the conditions specified and such additional safeguards as will uphold the intent of this resolution.
 4. To authorize the issuance of the zoning permit for planned unit developments after recommendation thereon by the Zoning Commission if the Board finds the proposed planned unit development is consistent with the intent of this resolution.
- D. Duties of Zoning Inspector, Board of Zoning Appeals, Legislative Authority and Courts on Matters of Appeal.

It is the intent of this resolution that all questions of interpretation and enforcement shall be first presented to the Zoning Inspector, and that such questions shall be presented to the Board only on appeal from the decision of the Zoning Inspector, and that recourse from the decision of

the Board shall be to the courts as provided by law. It is further the intent of this resolution that the duties of the 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 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.

SECTION IV

ZONING PERMITS

1. ZONING PERMITS REQUIRED

NO BUILDING OR OTHER STRUCTURE, EXCEPT BUILDINGS OR STRUCTURES UTILIZED EXCLUSIVELY FOR AGRICULTURAL PURPOSES SHALL BE ERECTED, MOVED, ADDED TO, STRUCTURALLY ALTERED; NOR SHALL ANY BUILDING, STRUCTURE, OR LAND BE ESTABLISHED OR CHANGED IN USE WITHOUT A PERMIT ISSUED BY THE ZONING INSPECTOR FOR SUCH USE. THE ZONING INSPECTOR SHALL NOT ISSUE A PERMIT FOR ANY USE OR STRUCTURE THAT DOES NOT CONFORM WITH THE PROVISIONS OF THIS RESOLUTION UNLESS RECEIVING A WRITTEN ORDER FROM THE ZONING BOARD OF APPEALS DECIDING AN APPEAL, CONDITIONAL USE, VARIANCE, PLANNED UNIT DEVELOPMENT, OR MANUFACTURED HOME PARK AS PROVIDED BY THE RESOLUTION.

2. APPLICATION FOR ZONING

THREE (3) COPIES OF AN APPLICATION FOR ZONING PERMIT SHALL BE SIGNED BY THE OWNER OR APPLICANT ATTESTING TO THE TRUTH AND EXACTNESS OF ALL INFORMATION SUPPLIED ON THE APPLICATION. EACH APPLICATION SHALL CLEARLY STATE THAT THE PERMIT SHALL EXPIRE AND MAY BE REVOKED IF WORK HAS NOT BEGUN WITHIN ONE (1) YEAR OR SUBSTANTIALLY COMPLETED WITHIN TWO AND A HALF (2 ½) YEARS. AT A MINIMUM, THE APPLICATION SHALL CONTAIN THE FOLLOWING INFORMATION:

- A. NAME, ADDRESS, AND PHONE NUMBER OF THE APPLICANT.
- B. LEGAL DESCRIPTION OF THE PROPERTY.
- C. EXISTING USE.
- D. PROPOSED USE.
- E. ZONING DISTRICT.
- F. PLANS IN DUPLICATE DRAWN TO SCALE, SHOWING THE ACTUAL DIMENSIONS AND THE SHAPE OF THE LOT TO BE BUILT UPON; THE EXACT SIZE AND LOCATION OF EXISTING BUILDINGS ON THE LOT; IF ANY, AND THE LOCATION AND DIMENSIONS OF THE PROPOSED BUILDING(S) OR ALTERATION.
- G. BUILDING HEIGHTS.

- H. NUMBER OF OFF-STREET PARKING SPACES OR LOADING BERTHS.
- I. NUMBER OF DWELLING UNITS.
- J. SUCH OTHER DOCUMENTS OR MATERIALS AS MAY BE DEEMED NECESSARY BY THE ZONING INSPECTOR TO DETERMINE CONFORMANCE WITH THE RESOLUTION.

3. Approval of Zoning Permit.

Within thirty (30) days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this resolution. All zoning permits shall, however, be conditional upon the commencement of work within one (1) year. One (1) copy of the plans shall be returned to the applicant by the Zoning Inspector, after he shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. Two (2) copies of plans, similarly marked, shall be retained by Zoning Inspector. One (1) copy retained by the Zoning Inspector shall be forwarded to the County Auditor upon issuance of a Certificate of Occupancy along with one (1) copy of the application. The Zoning Inspector shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the use or alteration is in conformance with the provisions of this resolution.

4. OTHER AGENCY APPROVALS REQUIRED FOR PERMIT

A. FAIRFIELD COUNTY DISTRICT BOARD OF HEALTH:

WHERE A LOT IS NOT PROVIDED WITH SEWER OR WATER SERVICE, THE ZONING PERMIT APPLICATION SHALL BE ACCOMPANIED BY APPROPRIATE DOCUMENTATION FROM THE FAIRFIELD COUNTY DISTRICT BOARD OF HEALTH THAT THE SITE IS, OR CAN BE, APPROVED FOR ON-SITE SEPTIC DISPOSAL AND/OR WATER SUPPLY.

B. FAIRFIELD COUNTY REGIONAL PLANNING COMMISSION:

- (1) ANY ZONING APPLICATION FOR A RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL DEVELOPMENT SUBJECT TO SUBDIVISION REVIEW PURSUANT TO SECTION 711.001 (B) (2) OF THE OHIO REVISED CODE SHALL BE ACCOMPANIED BY A DEVELOPMENT PERMIT INDICATING APPROVAL BY THE FAIRFIELD COUNTY REGIONAL PLANNING COMMISSION. SUCH DEVELOPMENTS CHARACTERISTICALLY INVOLVE A STRUCTURE OR STRUCTURES WHICH WILL GENERALLY BE LEASED OR RENTED AND WHICH INVOLVE THE ALLOCATION OF LAND FOR COMMON USE BY THE OWNERS, OCCUPANTS, OR LEASEHOLDERS, OR AS EASEMENTS FOR THE EXTENSION OF

PUBLIC FACILITIES SUCH AS SEWER, WATER AND STORM DRAINAGE. SUCH USES INCLUDE PLANNED, INTEGRATED COMMERCIAL DEVELOPMENTS INVOLVING TWO (2) OR MORE BUSINESSES.

- (2) ANY BUILDING LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA, AS DESIGNATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, SHALL REQUIRE A DEVELOPMENT PERMIT ISSUED BY THE FAIRFIELD COUNTY REGIONAL PLANNING COMMISSION. WHEN IT IS UNCLEAR IF A STRUCTURE IS LOCATED WITHIN SUCH AN AREA, A FLOOD HAZARD CERTIFICATION MAY BE REQUIRED. CERTIFICATIONS MAY BE OBTAINED FROM THE FAIRFIELD COUNTY REGIONAL PLANNING COMMISSION.

- (3) SUBMISSION TO THE DIRECTOR OF TRANSPORTATION

BEFORE ANY ZONING PERMIT IS ISSUED AFFECTING ANY LAND WITHIN THREE HUNDRED (300) FEET OF THE CENTERLINE OF A PROPOSED NEW HIGHWAY OR A HIGHWAY FOR WHICH CHANGES ARE PROPOSED AS DESCRIBED IN THE CERTIFICATION TO LOCAL OFFICIALS BY THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION OR ANY LAND WITHIN A RADIUS OF FIVE HUNDRED (500) FEET FROM THE POINT OF INTERSECTION OF SAID CENTERLINE WITH ANY PUBLIC ROAD OR HIGHWAY, THE ZONING INSPECTOR SHALL GIVE NOTICE, BY REGISTERED MAIL, TO THE DIRECTOR, AND HE SHALL NOT ISSUE A ZONING PERMIT FOR ONE HUNDRED AND TWENTY (120) DAYS FROM THE DATE THE NOTICE IS RECEIVED BY THE OFFICE. IF NOTIFIED THAT THE STATE IS PROCEEDING TO ACQUIRE THE LAND NEEDED, THEN A ZONING PERMIT SHALL NOT BE ISSUED. IF NOTIFIED THAT ACQUISITION AT THIS TIME IS NOT IN THE PUBLIC INTEREST OR UPON THE EXPIRATION OF THE ONE HUNDRED AND TWENTY (120) DAY PERIOD OR ANY AGREED UPON EXTENSION THEREOF, A PERMIT SHALL BE GRANTED IF THE APPLICATION IS IN CONFORMANCE WITH ALL PROVISIONS OF THIS RESOLUTION. (O.R.C. 5511.01)

5. Expiration of Zoning Permit.

If the work described in any zoning permit has not begun within one (1) year from the date of issuance thereof, said permit shall expire; it shall be revoked by the Zoning Inspector; and written notice thereof shall be given to the person affected. If the work described in any zoning permit has not been substantially completed within two and one-half (2 1/2) years of the issuance thereof, said permit shall expire and be revoked by the Zoning Inspector, and written notice

thereof shall be given to the persons affected, together with notice that further work as described in the canceled permit shall not proceed unless and until a new zoning permit has been obtained or extension granted.

6. Violation.

a. Failure to Obtain a Zoning Permit or Certificate of Occupancy.

(1) Failure to obtain a zoning permit or certificate of occupancy shall be a violation of this resolution and punishable as provided under this resolution.

b. Construction and Use to be as Provided in Applications, Plans, Permits, and Certificates.

Zoning permits or certificates of occupancy issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use, and arrangement set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction. Use, arrangement, or construction, at variance with that authorized shall be deemed a violation of this resolution, and punishable as provided in this resolution.

c. Complaints Regarding Violations.

Whenever a violation of this resolution occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Inspector. THE ZONING INSPECTOR shall record properly such complaint, immediately investigate, and take such appropriate action thereon as may be necessary and as provided by this resolution.

d. Penalties for Violation.

Violation of the provisions of this resolution or failure to comply with any of its requirements (including violations of conditions and safeguards established in various sections of this resolution) shall constitute a 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 \$500 or as otherwise provided in the Ohio Revised Code and in addition shall pay all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice shall be considered a separate offense. The owner or tenant of any building, structure, premises or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the Township from taking such other lawful action as is necessary to prevent or remedy any violations.

SECTION V

PROCEDURES FOR THE AMENDMENT OF THE ZONING RESOLUTION

1. Whenever the public necessity, general welfare or good zoning practice require, the Board of Township Trustees may make a resolution after receipt of recommendations thereon from the Township Zoning Commission, and subject to the procedures provided by law, amend, supplement, change or repeal the regulations, restrictions and boundaries or classifications of property.

2. Initiation of Zoning Amendments.

Amendments to this resolution may be initiated in one of the following ways:

- a. By adoption of the resolution by the Board of Township Trustees.
- b. By adoption of a motion by the Township Zoning Commission.
- c. By the filing of an application by at least one (1) owner or lessee of property within the area proposed or affected by said amendment.

3. Contents for Applications.

The application for amendment shall contain at a minimum the following information:

- a. Name, address and phone number of the applicant.
- b. Proposed amendment to the text or legal description.
- c. Present use and district.
- d. Proposed use and district.
- e. A vicinity map, at a scale approved by the Zoning Inspector, showing property lines, streets, existing proposed zoning and such other items as the Zoning Inspector may require.
- f. A list of all property owners within, contiguous to and directly across the street from the parcel(s) proposed to be rezoned and their address as appearing on the county auditor's current tax list. The requirement for addresses may be waived by the Zoning Inspector when more than ten (10) parcels are proposed to be rezoned.

g. A statement on how the proposed amendment relates to the Fairfield County Comprehensive Pan, when and if adopted, and to the neighboring properties.

h. A fee as established by the Board of Township Trustees.

4. SUBMISSION TO REGIONAL PLANNING COMMISSION

WITHIN FIVE (5) DAYS AFTER THE ADOPTION OF A MOTION BY THE COMMISSION, TRANSMITTAL OF A RESOLUTION BY THE BOARD OF TRUSTEES OR THE FILING OF AN APPLICATION BY A PROPERTY OWNER OR LESSEE, THE ZONING COMMISSION SHALL TRANSMIT A COPY OF SUCH DOCUMENT TOGETHER WITH THE TEXT AND MAP PERTAINING TO THE CASE IN QUESTION TO THE FAIRFIELD COUNTY REGIONAL PLANNING COMMISSION. THE REGIONAL PLANNING COMMISSION SHALL RECOMMEND THE APPROVAL OR DENIAL OF THE PROPOSED AMENDMENT OR THE APPROVAL OF SOME MODIFICATION THEREOF AND SHALL SUBMIT SUCH RECOMMENDATION TO THE ZONING COMMISSION. SUCH RECOMMENDATION SHALL BE CONSIDERED AT A PUBLIC HEARING BY THE ZONING COMMISSION.

5. PUBLIC HEARING BY ZONING COMMISSION

THE ZONING COMMISSION SHALL SCHEDULE A PUBLIC HEARING AFTER THE ADOPTION OF THEIR MOTION, TRANSMITTAL OF A RESOLUTION FROM THE BOARD OF TOWNSHIP TRUSTEES OR THE FILING OF AN APPLICATION FOR ZONING AMENDMENT. SAID HEARING SHALL NOT BE LESS THAN TWENTY (20) NOR MORE THAN FORTY (40) DAYS FROM THE DATE OF ADOPTION OF SUCH MOTION, TRANSMITTAL OF SUCH RESOLUTION OR THE FILING OF SUCH APPLICATION.

6. NOTICE OF PUBLIC HEARING IN NEWSPAPER

BEFORE HOLDING THE PUBLIC HEARING AS REQUIRED IN SECTION NOTICE OF SUCH HEARING SHALL BE GIVEN BY THE ZONING COMMISSION BY AT LEAST ONE (1) PUBLICATION IN ONE (1) OR MORE NEWSPAPERS OF GENERAL CIRCULATION OF THE TOWNSHIP AT LEAST TEN (10) DAYS BEFORE THE DATE OF SAID HEARING. THIS NOTICE SHALL SET FORTH THE TIME AND PLACE OF THE PUBLIC HEARING, THE NATURE OF THE PROPOSED AMENDMENT AND A STATEMENT THAT AFTER THE CONCLUSION OF SUCH PUBLIC HEARING THE MATTER WILL BE REFERRED TO THE BOARD OF TOWNSHIP TRUSTEES FOR FURTHER DETERMINATION.

7. NOTICE TO PROPERTY OWNERS BY ZONING COMMISSION

IF THE PROPOSED AMENDMENT INTENDS TO REZONE OR REDISTRIBUTE TEN (10) OR LESS PARCELS OF LAND, AS LISTED ON THE TAX DUPLICATE, WRITTEN NOTICE OF THE HEARING SHALL BE MAILED BY THE ZONING COMMISSION, BY

FIRST CLASS MAIL, AT LEAST TEN (10) DAYS BEFORE THE DATE OF THE PUBLIC HEARING TO ALL OWNERS OF PROPERTY WITHIN, CONTINGUOUS TO AND DIRECTLY ACROSS THE STREET FROM SUCH AREA PROPOSED TO BE REZONED OR REDISTRICTED TO THE ADDRESS OF SUCH OWNERS APPEARING ON THE COUNTY AUDITOR'S CURRENT TAX LIST. THE FAILURE TO DELIVER THE NOTICE, AS PROVIDED IN THIS SECTION, SHALL NOT INVALIDATE ANY SUCH AMENDMENT. THE NOTICE SHALL CONTAIN THE SAME INFORMATION AS REQUIRED OF NOTICES PUBLISHED IN NEWSPAPERS AS SPECIFIED IN THIS SECTION.

8. RECOMMENDATION BY ZONING COMMISSION

WITHIN THIRTY (30) DAYS AFTER THE PUBLIC HEARING REQUIRED BY SECTION, THE ZONING COMMISSION SHALL RECOMMEND TO THE BOARD OF TOWNSHIP TRUSTEES THAT THE AMENDMENT BE GRANTED AS REQUESTED OR IT MAY RECOMMEND A MODIFICATION OF THE AMENDMENT REQUESTED, OR IT MAY RECOMMEND THAT THE AMENDMENT NOT BE GRANTED.

9. PUBLIC HEARING BY BOARD OF TOWNSHIP TRUSTEES

UPON RECEIPT OF THE RECOMMENDATION FROM THE ZONING COMMISSION, THE BOARD OF TOWNSHIP TRUSTEES SHALL SCHEDULE A PUBLIC HEARING. THE DATE OF SAID HEARING SHALL BE NOT MORE THAN THIRTY (30) DAYS FROM THE RECEIPT OF THE RECOMMENDATION FROM THE ZONING COMMISSION.

10. NOTICE OF PUBLIC HEARING

NOTICE OF THE PUBLIC HEARING REQUIRED IN SECTION SHALL BE GIVEN BY THE BOARD OF TOWNSHIP TRUSTEES BY AT LEAST ONE (1) PUBLICATION IN ONE (1) OR MORE NEWSPAPERS OF GENERAL CIRCULATION IN THE TOWNSHIP AFFECTED. SAID NOTICE SHALL BE PUBLISHED AT LEAST TEN (10) DAYS BEFORE THE DATE OF THE REQUIRED HEARING. THE PUBLISHED NOTICE SHALL SET FORTH THE TIME AND PLACE OF THE PUBLIC HEARING AND A SUMMARY OF THE PROPOSED AMENDMENT.

11. NOTICE TO PROPERTY OWNERS BY BOARD OF TOWNSHIP TRUSTEES

IF THE PROPOSED AMENDMENT INTENDS TO REZONE OR REDISTRICT TEN (10) OR LESS PARCELS OF LAND, AS LISTED ON THE TAX DUPLICATE, WRITTEN NOTICE OF THE HEARING SHALL BE MAILED BY THE CLERK OF THE BOARD OF TOWNSHIP TRUSTEES, BY FIRST CLASS MAIL, AT LEAST TEN (10) DAYS BEFORE THE DAY OF THE PUBLIC HEARING TO ALL OWNERS OF PROPERTY WITHIN, CONTIGUOUS TO AND DIRECTLY ACROSS THE STREET FROM SUCH AREA PROPOSED TO BE REZONED OR REDISTRICTED TO THE ADDRESS OF SUCH OWNERS APPEARING ON THE COUNTY AUDITOR'S CURRENT TAX LIST AND TO SUCH OTHER LIST OR LISTS THAT MAY BE SPECIFIED BY THE BOARD OF TOWNSHIP TRUSTEES. THE NOTICE

SHALL CONTAIN THE SAME INFORMATION AS REQUIRED OF NOTICES PUBLISHED IN NEWSPAPERS AS SPECIFIED IN SECTION

12. ACTION BY BOARD OF TOWNSHIP TRUSTEES

WITHIN TWENTY (20) DAYS AFTER THE PUBLIC HEARING REQUIRED IN SECTION 9, THE BOARD OF TOWNSHIP TRUSTEES SHALL EITHER ADOPT OR DENY THE RECOMMENDATION OF THE ZONING COMMISSION OR ADOPT SOME MODIFICATION THEREOF. IN THE EVENT THE BOARD OF TOWNSHIP TRUSTEES DENIES OR MODIFIES THE RECOMMENDATION OF THE COMMISSION, THE UNANIMOUS VOTE OF THE BOARD OF TOWNSHIP TRUSTEES IS REQUIRED.

13. EFFECTIVE DATE AND REFERENDUM

SUCH AMENDMENT ADOPTED BY THE BOARD OF TOWNSHIP TRUSTEES SHALL BECOME EFFECTIVE THIRTY (30) DAYS AFTER THE DATE OF SUCH ADOPTION UNLESS WITHIN THIRTY (30) DAYS AFTER THE ADOPTION OF THE AMENDMENT THERE IS PRESENTED TO THE BOARD OF TOWNSHIP TRUSTEES A PETITION, SIGNED BY A NUMBER OF QUALIFIED VOTERS RESIDING IN THE UNINCORPORATED AREA OF THE TOWNSHIP OR PART THEREOF INCLUDED IN THE ZONING PLAN EQUAL TO NOT LESS THAN EIGHT (8) PERCENT OF THE TOTAL VOTES CAST FOR ALL CANDIDATES FOR GOVERNOR IN SUCH AREA AT THE LAST PRECEDING GENERAL ELECTION AT WHICH A GOVERNOR WAS ELECTED, REQUESTING THE BOARD OF TOWNSHIP TRUSTEES TO SUBMIT THE AMENDMENT TO THE ELECTORS OF SUCH AREA, FOR APPROVAL OR REJECTION, AT THE NEXT PRIMARY OR GENERAL ELECTION.

14. ZONING MAP AMENDMENTS

WITHIN FIFTEEN DAYS OF THE EFFECTIVE DATE OF ANY CHANGE OF A ZONING DISTRICT CLASSIFICATION OR BOUNDARY, THE ZONING INSPECTOR SHALL AMEND THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE, AND SHALL NOTE THE EFFECTIVE DATE OF SUCH CHANGE, TOGETHER WITH APPROPRIATE REFERENCE TO THE RESOLUTION AUTHORIZING SUCH CHANGE.

SECTION VI

APPEALS AND VARIANCES

1. The Amanda Township Board of Zoning Appeals, according to Section 519.4 of the Ohio Revised Code, may in appropriate cases vary the strict application of the terms of this Resolution, AND HEAR APPEALS FROM DECISIONS OF THE ZONING INSPECTOR in accordance with this Resolution.

2. APPEALS PROCEDURES

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 OF THE BOARD OF TOWNSHIP TRUSTEES AFFECTED BY ANY DECISION OF THE ZONING INSPECTOR. SUCH APPEAL SHALL BE TAKEN WITHIN TWENTY (20) DAYS AFTER THE DECISION BY FILING, WITH THE ZONING INSPECTOR, A NOTICE OF APPEAL SPECIFYING THE GROUNDS UPON WHICH THE APPEAL IS BEING TAKEN. THE ZONING INSPECTOR SHALL TRANSMIT TO THE BOARD OF ZONING APPEALS ALL THE PAPERS CONSTITUTING THE RECORD UPON WHICH THE ACTION APPEALED WAS TAKEN.

3. STAY OF PROCEEDINGS

AN APPEAL SHALL STALL ALL PROCEEDINGS IN FURTHERANCE OF THE ACTION APPEALED, UNLESS THE ZONING INSPECTOR CERTIFIES TO THE BOARD OF ZONING APPEALS, AFTER NOTICE OF APPEAL SHALL HAVE BEEN FILED WITH HIM, THAT BY REASON OF FACTS STATED IN THE APPLICATION A STAY WOULD IN HIS OPINION, CAUSE IMMINENT PERIL TO LIFE OR PROPERTY. IN SUCH CASE, PROCEEDINGS SHALL NOT BE STAYED OTHER THAN BY A RESTRAINING ORDER WHICH MAY, ON DUE CAUSE SHOWN, BE GRANTED BY THE BOARD OF ZONING APPEALS AFTER NOTICE TO THE ZONING INSPECTOR, OR BY JUDICIAL PROCEEDINGS.

4. VARIANCE PROCEDURES

THE BOARD OF ZONING APPEALS SHALL HAVE THE POWER TO AUTHORIZE UPON APPEAL IN SPECIFIC CASES, FILED AS HEREINAFTER PROVIDED, SUCH VARIANCES FROM THE PROVISIONS OR REQUIREMENTS OF THIS RESOLUTION AS WILL NOT BE CONTRARY TO THE PUBLIC INTEREST, BUT ONLY IN THE CASE OF EXCEPTIONAL CONDITIONS, INVOLVING IRREGULAR, NARROW, SHALLOW, OR STEEP LOTS, OR OTHER EXCEPTIONAL PHYSICAL CONDITIONS, WHEREBY STRICT APPLICATION OF SUCH PROVISION OR REQUIREMENTS WOULD RESULT IN PRACTICAL DIFFICULTY AND UNNECESSARY HARDSHIP THAT WOULD DEPRIVE THE OWNER OF THE REASONABLE USE OF THE LAND AND BUILDINGS INVOLVED, BUT IN NO OTHER CASE. PROVIDED, HOWEVER, NO VARIANCES FROM THE STRICT APPLICATION OF ANY PROVISION OF THIS RESOLUTION SHALL BE

GRANTED BY THE BOARD UNLESS IT FINDS, BEYOND REASONABLE DOUBT, THAT ALL THE FOLLOWING FACTS AND CONDITIONS EXIST:

- A. THAT THERE ARE SPECIAL CIRCUMSTANCES OR CONDITIONS, FULLY DESCRIBED IN THE BOARD'S DECISION, APPLYING TO THE LAND OR BUILDING FOR WHICH THE VARIANCE IS SOUGHT, WHICH CIRCUMSTANCES OR CONDITIONS ARE PECULIAR TO SUCH LAND OR BUILDINGS AND DO NOT APPLY GENERALLY TO LAND OR BUILDINGS IN THE NEIGHBORHOOD, AND THAT SAID CIRCUMSTANCES OR CONDITIONS ARE SUCH THAT STRICT APPLICATION OF THE PROVISION OF THIS CODE WOULD RESULT IN PRACTICAL DIFFICULTY AND UNNECESSARY HARDSHIP AND DEPRIVE THE APPLICANT OF THE REASONABLE USE OF THE LAND AND BUILDING.
 - B. THAT THE VARIANCE AS GRANTED BY THE BOARD OF ZONING APPEALS IS THE MINIMUM VARIANCE THAT WILL ACCOMPLISH THE REASONABLE USE OF THE SUBJECT LAND OR BUILDING.
 - C. 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. IN ADDITION TO CONSIDERING THE CHARACTER AND USE OF ADJOINING BUILDINGS AND THOSE IN THE VICINITY, THE BOARD, IN DETERMINING ITS FINDINGS, SHALL TAKE INTO ACCOUNT THE NUMBER OF PERSONS RESIDING OR WORKING IN SUCH BUILDINGS OR UPON SUCH LAND AND TRAFFIC CONDITIONS IN THE VICINITY.
 - D. THAT THE CONDITION OR SITUATION OF THE SPECIFIC PIECE OF PROPERTY, OR THE INTENDED USE OF SAID PROPERTY, FOR WHICH THE VARIANCE IS SOUGHT (ONE OR THE OTHER OR IN COMBINATION) IS NOT OF SO GENERAL OR RECURRENT A NATURE AS TO MAKE REASONABLE PRACTICABLE THE FORMATION AS A PART OF THIS CODE OF A GENERAL REGULATIONS FOR SUCH CONDITION OR SITUATION.
 - E. NO VARIANCE WILL BE GRANTED FOR A HARDSHIP CREATED BY THE ACTIONS OF THE APPLICANT.
5. Contents of Application.

The application for a variance or an appeal shall contain the following information:

- A. Name, address and phone number of the applicant.

- B. Legal description of the property.
- C. Each application on an appeal shall refer to the specific provisions of this resolution.
- D. Each application for a variance shall set forth:
 - 1. The use for which special exception is sought.
 - 2. Details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted, PURSUANT TO THE PROVISIONS OF 4A-D ABOVE.

6. Supplementary Conditions and Safeguards.

In granting any appeal or variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violation of such conditions and safeguards, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this Resolution and punishable under Section IV of this Resolution. Under no circumstances shall the Board of Zoning Appeals grant an appeal or 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.

7. Public Hearing by the Board of Zoning Appeals.

The Board of Zoning Appeals shall hold a public hearing IN ACCORDANCE WITH THE PROVISIONS OF SECTION 519.15, OHIO REVISED CODE *within thirty (30) days* after receipt of an application for an appeal or variance from the Zoning Inspector or an applicant.

8. Notice of Public Hearing in Newspaper.

Before holding the public hearing *required in Section VI, 5* notice of such hearing shall be given in one or more newspapers of general circulation in the Township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance.

9. Notice of Parties of Interest.

Before holding the public hearing, written notice of such hearing shall be mailed by the Secretary of the Board of Zoning Appeals, by the first class mail, at least ten (10) days before the day of the hearing to all parties of interest. The notice shall contain the same information as required of notices published in newspapers as specified ABOVE. Parties of interest shall include the owners of property continuous to, and directly across the street from the property being considered.

10. Adjournment of Hearings.

Upon the day for hearing any application or appeal, the Board may adjourn the hearing in order to permit additional information to be secured, or to cause such further notice as it deems proper to be served upon such other property owners as it decides may logically be concerned with said application or appeal. In the case of an adjourned hearing, persons previously notified and persons already heard need not be notified of the time of resumption of said hearing unless the Board so decides.

11. Decisions of the Board of Zoning Appeals.

The Board shall decide all applications and appeals within sixty (60) days after completion of the hearings thereon, and such decision shall become effective upon certification of the Resolution of the Board. A certified copy of the Board's decision shall be binding upon the Zoning Inspector and observed by him, and he shall incorporate the terms and conditions of the same in the permit to the applicant or appellant whenever a permit is authorized by the Board. After the Board of Resolution certifies its approval on any application or appeal there shall be no further hearings upon such case before the Board. However, when the Board has denied an application or appeal, a new application or appeal may be filed subject to the same procedure as an original application or appeal. If a new application or appeal is filed within one (1) year of the date of the Board's decision, the secretary shall not schedule any hearing until the Board has received the application or appeal and decided that there is new matter, evidence, or facts to be heard by the Board.

12. IN GRANTING ANY VARIANCE, THE BOARD OF ZONING APPEALS MAY PRESCRIBE APPROPRIATE AND REASONABLE CONDITIONS. VIOLATION OF THE CONDITIONS AND/OR SAFEGUARDS, WHEN MADE A PART OF THE TERMS UNDER WHICH THE VARIANCE IS GRANTED, SHALL BE DEEMED A VIOLATION OF THIS RESOLUTION UNDER SECTION IV OF THIS RESOLUTION.

IF THE APPLICATION IS APPROVED, OR APPROVED WITH CONDITIONS, THE BOARD OF ZONING APPEALS SHALL MAKE A FINDING THAT THE REASONS SET FORTH IN THE APPLICATION JUSTIFY THE GRANTING OF THE VARIANCE AND WILL PERMIT A REASONABLE USE OF THE LAND, BUILDING OR STRUCTURE. THE BOARD OF ZONING APPEALS SHALL TRANSMIT A WRITTEN COPY OF ITS DECISION AND FINDINGS TO THE ZONING INSPECTOR, WHO SHALL FORWARD SUCH COPY TO THE APPLICANT. IF THE REQUEST FOR APPEAL OR VARIANCE IS DENIED, THE APPLICANT MAY SEEK RELIEF THROUGH THE COURT OF COMMON PLEAS.

13. OTHER POWERS

To exercise such other powers of variance vested to them by the Ohio Revised Code.

SECTION VII

PROCEDURES AND REQUIREMENTS FOR CONDITIONAL USE PERMITS, ACCESSORY USES, HOME OCCUPATIONS, AND GROUP HOME RESIDENTIAL FACILITIES

REGULATION OF CONDITIONAL USES

THE PROVISIONS OF THIS SECTION OF THIS RESOLUTION APPLY TO THE LOCATION AND MAINTENANCE OF ANY AND ALL CONDITIONAL USES.

1. PURPOSE

IN RECENT YEARS, THE CHARACTERISTICS AND IMPACTS OF AN EVER-INCREASING NUMBER OF NEW AND UNIQUE USES, TOGETHER WITH THE BROADENING OF NUMEROUS CONVENTIONAL USES, HAVE FOSTERED THE DEVELOPMENT OF MORE FLEXIBLE REGULATIONS DESIGNED TO ACCOMMODATE THESE ACTIVITIES IN A REASONABLE AND EQUITABLE MANNER, WHILE SAFEGUARDING BOTH THE PROPERTY RIGHTS OF ALL INDIVIDUALS AND THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE COMMUNITY. TOWARD THESE ENDS, IT IS RECOGNIZED THAT THIS REGULATION SHOULD PROVIDE FOR MORE DETAILED EVALUATION OF EACH USE CONDITIONALLY PERMISSIBLE IN A SPECIFIC DISTRICT WITH RESPECT TO SUCH CONSIDERATIONS AS LOCATION, DESIGN, SIZE, METHOD(S) OF OPERATION, INTENSITY OF USE, PUBLIC FACILITIES REQUIREMENTS, AND TRAFFIC GENERATION. ACCORDINGLY, CONDITIONAL USE PERMITS SHALL CONFORM TO THE PROCEDURES AND REQUIREMENTS OF THESE SECTIONS OF THIS RESOLUTION.

2. CONTENTS OF CONDITIONAL USE PERMIT APPLICATION

ANY OWNER, OR AGENT THEREOF, OF PROPERTY FOR WHICH A CONDITIONAL USE IS PROPOSED SHALL MAKE AN APPLICATION FOR A CONDITIONAL USE PERMIT BY FILING IT WITH THE ZONING INSPECTOR, WHO SHALL WITHIN SEVEN (7) DAYS TRANSMIT IT TO THE BOARD OF ZONING APPEALS. SUCH APPLICATION AT A MINIMUM SHALL CONTAIN THE FOLLOWING INFORMATION:

- A. NAME, ADDRESS, AND PHONE NUMBER OF THE APPLICANT.
- B. LEGAL DESCRIPTION OF THE PROPERTY.
- C. ZONING DISTRICT.
- D. DESCRIPTION OF EXISTING USE.
- E. DESCRIPTION OF PROPOSED CONDITIONAL USE.

- F. A PLAN OF THE PROPOSED SITE FOR THE CONDITIONAL USE SHOWING THE LOCATION OF ALL BUILDINGS, PARKING AND LOADING AREAS, STREETS AND TRAFFIC ACCESSES, OPEN SPACES, REFUSE AND SERVICE AREAS, UTILITY, SIGNS, YARDS, LANDSCAPING FEATURES, AND SUCH OTHER INFORMATION AS THE BOARD MAY REQUIRE.
- G. A NARRATIVE STATEMENT DISCUSSING THE COMPATIBILITY OF THE PROPOSED USE WITH THE EXISTING USES OF ADJACENT PROPERTIES AND WITH THE COMPREHENSIVE PLAN, TO INCLUDE AN EVALUATION OF THE EFFECTS ON ADJOINING PROPERTIES OF SUCH ELEMENTS AS TRAFFIC CIRCULATION, NOISE, GLARE, ODOR, FUMES, AND VIBRATION.
- H. A LIST CONTAINING THE NAMES AND MAILING ADDRESSES OF ALL OWNERS OF PROPERTY WITHIN ADJACENT TO OR ACROSS THE STREET OR ROAD FROM THE PROPERTY IN QUESTION.
- I. A FEE AS ESTABLISHED BY RESOLUTION OF THE BOARD OF TOWNSHIP TRUSTEES.
- J. A NARRATIVE ADDRESSING EACH OF THE APPLICABLE CRITERIA CONTAINED IN THE FOLLOWING SECTION.

3. GENERAL STANDARDS FOR ALL CONDITIONAL USES

IN ADDITION TO THE SPECIFIC REQUIREMENTS FOR CONDITIONALLY PERMITTED USES AS SPECIFIED IN THE FOLLOWING SECTION, THE BOARD OF ZONING APPEALS SHALL REVIEW THE PARTICULAR FACTS AND CIRCUMSTANCES OF EACH PROPOSED USE IN TERMS OF THE FOLLOWING STANDARDS AND SHALL FIND ADEQUATE EVIDENCE SHOWING THAT SUCH USE AT THE PROPOSED LOCATION:

- A. IS IN FACT A CONDITIONAL USE AS ESTABLISHED UNDER THE DISTRICT REGULATIONS ADOPTED FOR THE ZONING DISTRICT INVOLVED OR HAS BEEN DETERMINED TO BE SUBSTANTIALLY SIMILAR THERETO.
- B. WILL BE DESIGNED, CONSTRUCTED, OPERATED, AND MAINTAINED SO AS TO BE HARMONIOUS AND APPROPRIATE IN APPEARANCE WITH THE EXISTING OR INTENDED CHARACTER OF THE GENERAL VICINITY AND THAT SUCH USE WILL NOT CHANGE THE ESSENTIAL CHARACTER OF THE SAME AREA.
- C. WILL NOT BE HAZARDOUS OR DISTURBING TO EXISTING OR FUTURE NEIGHBORING USES.

- D. WILL BE SERVED ADEQUATELY BY ESSENTIAL PUBLIC FACILITIES AND SERVICES SUCH AS HIGHWAYS, STREET, POLICE AND FIRE PROTECTION, DRAINAGE STRUCTURES, REFUSE DISPOSAL, WATER AND SEWER, AND SCHOOLS; OR THAT THE PERSONS OR AGENCIES RESPONSIBLE FOR THE ESTABLISHMENT OF THE PROPOSED USE SHALL BE ABLE TO PROVIDE ADEQUATELY ANY SUCH SERVICES.
 - E. WILL NOT CREATE EXCESSIVE ADDITIONAL REQUIREMENTS AT PUBLIC COST FOR PUBLIC FACILITIES AND SERVICE AND WILL NOT BE DETRIMENTAL TO THE ECONOMIC WELFARE OF THE COMMUNITY.
 - F. WILL NOT INVOLVE USES, ACTIVITIES, PROCESSES, MATERIALS, EQUIPMENT AND CONDITIONS OF OPERATION THAT WILL BE DETRIMENTAL TO ANY PERSON, PROPERTY, OR THE GENERAL WELFARE BY REASON OF EXCESSIVE PRODUCTION OF TRAFFIC, NOISE, SMOKE FUMES, GLARE, OR ODORS.
 - G. WILL HAVE VEHICULAR ACCESS TO THE PROPERTY WHICH SHALL BE SO DESIGNED AS NOT TO CREATE AN INTERFERENCE WITH TRAFFIC OR SURROUNDING PUBLIC THOROUGHFARES.
 - H. WILL NOT RESULT IN THE DESTRUCTION, LOSS, OR DAMAGE OF A NATURAL, SCENIC, OR HISTORIC FEATURE OF MAJOR IMPORTANCE.
4. SPECIFIC REGULATIONS AND REQUIREMENTS FOR CONDITIONALLY PERMITTED USES
- A. ALL STRUCTURES AND ACTIVITY AREAS SHOULD BE LOCATED AT LEAST ONE HUNDRED (100) FEET FROM ANY ADJOINING RESIDENTIAL STRUCTURES.
 - B. LOUD SPEAKERS WHICH CAUSE A HAZARD OR ANNOYANCE SHALL NOT BE PERMITTED.
 - C. ALL POINTS OF VEHICULAR ENTRANCE OR EXIT SHOULD BE LOCATED NO CLOSER THAN TWO HUNDRED (200) FEET FROM THE INTERSECTION OF TWO (2) MAJOR THOROUGHFARES; OR NO CLOSER THAN ONE HUNDRED (100) FEET FROM THE INTERSECTION OF A MAJOR THOROUGHFARE AND A LOCAL OR COLLECTOR THOROUGHFARE.
 - D. THERE SHALL BE NO MORE THAN ONE (1) ADVERTISEMENT ORIENTED TO EACH ABUTTING ROAD IDENTIFYING THE ACTIVITY.

- E. NO LIGHTING SHALL CONSTITUTE A NUISANCE AND SHALL IN NO WAY IMPAIR SAFE MOVEMENT OF TRAFFIC ON ANY STREET OR HIGHWAY; NO LIGHTING SHALL SHINE DIRECTLY ON ADJACENT PROPERTIES.
- F. SITE LOCATIONS SHOULD BE PREFERRED THAT OFFER NATURAL OR MANMADE BARRIERS THAT WOULD LESSEN THE EFFECT OF INTRUSION INTO A RESIDENTIAL AREA.
- G. SUCH USES SHOULD BE PROPERLY LANDSCAPED TO BE HARMONIOUS WITH SURROUNDING RESIDENTIAL USES.
- H. ALL PERMITTED INSTALLATIONS SHALL BE MAINTAINED IN A NEAT, ORDERLY CONDITION SO AS TO PREVENT INJURY TO ANY SINGLE PROPERTY ANY INDIVIDUAL, OR TO THE COMMUNITY IN GENERAL; A BOND MAY BE REQUIRED TO INSURE THAT THIS PROVISION WILL BE MET.

5. GROUP RESIDENTIAL FACILITIES

SECTIONS A TO C INCLUSIVE SHALL APPLY TO THE LOCATION, OPERATION, AND MAINTENANCE OF GROUP RESIDENTIAL FACILITIES. AS A CONDITIONAL USE.

A. PURPOSE

IT IS THE PURPOSE OF SECTIONS B AND C INCLUSIVE OF THIS RESOLUTION TO REGULATE THE LOCATION, OPERATION, AND MAINTENANCE OF GROUP RESIDENTIAL FACILITIES IN ORDER TO PROMOTE THE PUBLIC HEALTH, SAFETY, AND WELFARE. IT IS THE INTENT OF THESE SECTIONS TO PROVIDE FOR THE ASSIMILATION OF THESE FACILITIES IN STABLE AND SUITABLE NEIGHBORHOODS SO THAT THE LIVING ENVIRONMENTS OF THEIR RESIDENTS ARE CONDUCIVE TO THEIR HABITATION.

B. DEFINITION

"GROUP RESIDENTIAL FACILITY" SHALL MEAN ANY COMMUNITY RESIDENTIAL FACILITY, LICENSED AND/OR APPROVED AND REGULATED BY THE STATE OF OHIO, WHICH PROVIDES REHABILITATIVE OR HABILITATION SERVICES. THERE ARE TWO (2) CLASSES OF GROUP RESIDENTIAL FACILITIES:

CLASS I: ANY STATE, FEDERAL, OR LOCALLY APPROVED DWELLING OR PLACE USED AS A FOSTER HOME FOR CHILDREN OR ADULTS (NOT INCLUDING NURSING HOMES) OR AS A HOME

FOR THE CARE OR REHABILITATION OF DEPENDENT OR PREDELINQUENT CHILDREN, THE PHYSICALLY HANDICAPPED, OR DISABLED, OR THOSE WITH DEVELOPMENTAL DISABILITIES OR MENTAL ILLNESSES. A CLASS I TYPE A GROUP RESIDENTIAL FACILITY CONTAINS SIX (6) OR MORE RESIDENTS, EXCLUSIVE OF STAFF. A CLASS I TYPE B GROUP RESIDENTIAL FACILITY CONTAINS FIVE (5) OR LESS RESIDENTS, EXCLUSIVE OF STAFF.

CLASS II: ANY STATE, FEDERAL, OR LOCALLY APPROVED DWELLING OR PLACE USED AS A HOME FOR JUVENILE OFFENDERS; A HALFWAY HOUSE PROVIDING RESIDENTIAL CARE OR REHABILITATION FOR ADULT OFFENDERS IN LIEU OF INSTITUTIONAL SENTENCING; A HALFWAY HOUSE PROVIDING RESIDENCE FOR PERSONS LEAVING CORRECTIONAL INSTITUTIONS; AND RESIDENTIAL REHABILITATION CENTERS FOR ALCOHOL AND DRUG USERS, PROVIDED DETOXIFICATION IS EXPRESSLY PROHIBITED ON SUCH PREMISES. A CLASS II TYPE A GROUP RESIDENTIAL FACILITY CONTAINS SIX (6) OR MORE RESIDENTS, EXCLUSIVE OF STAFF. A CLASS II TYPE B GROUP RESIDENTIAL FACILITY CONTAINS FIVE (5) OR LESS RESIDENTS, EXCLUSIVE OF STAFF.

C. CONDITIONAL USE PERMIT REQUIRED

A CLASS I TYPE B GROUP RESIDENTIAL FACILITY IS PERMITTED BY RIGHT IN ANY RESIDENTIAL DISTRICT. NO OTHER GROUP RESIDENTIAL FACILITY SHALL BE ESTABLISHED, OPERATED OR MAINTAINED ON ANY PREMISES UNLESS AUTHORIZED BY THE ISSUANCE OF A CONDITIONAL USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF THIS RESOLUTION. IN ADDITION TO SAID PROVISIONS, SUCH GROUP RESIDENTIAL FACILITIES SHALL COMPLY WITH THE FOLLOWING CONDITIONAL USE CRITERIA:

1. EVIDENCE IS PRESENTED THAT THE PROPOSED FACILITY MEETS THE CERTIFICATION, LICENSING, OR APPROVAL REQUIREMENTS OF THE APPROPRIATE STATE AGENCY.
2. EVIDENCE IS PRESENTED THAT THE PROPOSED FACILITY MEETS LOCAL FIRE SAFETY REQUIREMENTS FOR THE PROPOSED USE AND LEVEL OF OCCUPANCY.
3. EVIDENCE IS PRESENTED THAT THE PROPOSED FACILITY WILL NOT GENERATE AN UNREASONABLE INCREASE IN TRAFFIC VOLUME OR REQUIRE SPECIAL OFFSTREET PARKING.

4. SUCH FACILITIES SHALL COMPLY WITH THE DISTRICT REGULATIONS APPLICABLE TO OTHER PROPERTIES IN THE ZONING DISTRICT IN WHICH THEY ARE LOCATED.
 5. NO SUCH FACILITY MAY BE LOCATED WITHIN ONE THOUSAND (1000) FEET OF ANOTHER SUCH FACILITY.
 6. NO SIGNS SHALL BE ERECTED BY SUCH FACILITY FOR PURPOSES OF IDENTIFIATION EXCEPT A PERMITTED STREET ADDRESS SIGN.
 7. THE EXTERIOR OF ALL SUCH FACILITIES SHALL NOT BE ALTERED IN CHARACTER BUT SHALL BE COMPATIBLE WITH OTHER RESIDENTIAL DWELLINGS. HOWEVER, ANY IMPROVEMENTS REQUIRED BY CODE OR NECESSITATED BY LICENSING REQUIREMENTS SHALL NOT BE DEEMED INCOMPATIBLE.
- D. THE ARCHITECTURAL DESIGN AND SITE LAYOUT OF A GROUP HOME LICENSED UNDER OHIO REVISED CODE SECTION 5123.19 AND THE HEIGHT OF ANY WALLS, SCREENS, OR FENCES CONNECTED WITH ANY SAID GROUP HOME SHALL BE COMPATIBLE WITH ADJOINING LAND USES AND THE RESIDENTIAL CHARACTER OF THE NEIGHBORHOOD.
 - E. MINIMUM LOT AND YARD REQUIREMENTS FOR A GROUP HOME SHALL BE THE SAME AS REQUIRED FOR MULTIFAMILY DWELLING AS LISTED IN THIS RESOLUTION.
 - F. NO SUCH FAMILY OR GROUP HOME SHALL BE LOCATED WITHIN A ONE THOUSAND (1000) FOOT RADIUS OF ANOTHER RESIDENTIAL FACILITY FOR THE DEVELOPMENTALLY DISABLED UNDER OHIO REVISED CODE SECTION 5123.19.

6. CEMETERIES AS CONDITIONAL USES

THE AREA PROPOSED FOR A CEMETERY OR MAUSOLEUM SHALL BE USED FOR CEMETERY OR MAUSOLEUM PURPOSES ONLY, AND SHALL MEET THE FOLLOWING REQUIREMENTS:

- A. EXCEPT FOR OFFICE USES INCIDENTAL TO CEMETERY OPERATIONS, NO BUSINESS OR COMMERCIAL USES OF ANY KIND SHALL BE PERMITTED ON THE CEMETERY SITE.
- B. MINIMUM AREA REQUIRED FOR A CEMETERY SITE TO BE TEN (10) ACRES.

- C. A BUILDING SHALL BE PROVIDED IF STORAGE OF MAINTENANCE EQUIPMENT AND/OR MATERIALS IS TO BE NECESSARY.
- D. PAVEMENT WIDTH OF DRIVEWAYS SHALL BE AT LEAST FIFTEEN (15) FEET.
- E. DRIVES SHALL BE OF USABLE SHAPE, IMPROVED WITH BITUMINOUS, CONCRETE, OR EQUIVALENT SURFACING AND SO GRADED AND DRAINED AS TO DISPOSE OF ALL SURFACE WATER ACCUMULATION WITHIN THE AREA.
- F. ONLY SIGNS DESIGNATING ENTRANCES, EXITS, TRAFFIC DIRECTION AND TITLES SHALL BE PERMITTED, AND MUST BE APPROVED BY THE BOARD OF ZONING APPEALS.
- H. PROVISIONS SHALL BE MADE FOR LANDSCAPING THROUGHOUT THE CEMETERY.
- I. LOCATION OF CEMETERY BUILDINGS AND ALL OTHER STRUCTURES SHALL CONFORM TO FRONT, SIDE AND REAR YARD BUILDING LINES OF THE PARTICULAR DISTRICT IN WHICH IT IS LOCATED.
- J. NO GRAVE SITES SHALL BE LOCATED WITHIN ONE HUNDRED (100) FEET OF THE RIGHT-OF-WAY LINES OF ANY PUBLICLY DEDICATED THOROUGHFARE.
- K. A GRAVE SITE SHALL NOT BE WITHIN ONE HUNDRED (100) FEET OF AN EXISTING RESIDENCE.

7. A CONDITIONAL ZONING CERTIFICATE FOR A USE PERMITTED UNDER THESE REGULATIONS SHALL BE ISSUED FOR A ONE (1) YEAR PERIOD ONLY AND ARE TO BE RENEWED ANNUALLY. THE FEE SHALL BE AS DETERMINED BY THE TOWNSHIP TRUSTEES. A NEW CONDITIONAL ZONING CERTIFICATE SHALL BE REQUIRED AND BE ISSUED PROVIDED THE ZONING BOARD OF APPEALS AND THE ZONING INSPECTOR DETERMINE THE SAID USE HAS BEEN AND IS OPERATED TO THE SPECIFICATIONS OF THE ZONING RESOLUTION AND THE PREVIOUS CONDITIONAL ZONING CERTIFICATE. SUCH RE-APPLICATION SHALL BE ACCOMPANIED BY A FEE AS DETERMINED BY THE TOWNSHIP TRUSTEES. IF NECESSARY, THE BOARD MAY MAKE ADDITIONAL REQUIREMENTS FOR THE CONTINUED OPERATION OF THE USE AS A PREREQUISITE FOR THE REISSUANCE OF THE CONDITIONAL ZONING CERTIFICATE.

8. A PERFORMANCE BOND OR OTHER FINANCIAL GUARANTEE ACCEPTABLE TO THE BOARD OF TRUSTEES SHALL BE PLACED WITH THE BOARD TO INSURE THAT THE LANDSCAPING BE INSTALLED, THE THE HARD SURFACING OF THE

ACCESS DRIVES AND PARKING AND SERVICE AREAS BE INSTALLED, AND THAT ADEQUATE STORM WATER DRAINAGE BE INSTALLED, IN ACCORDANCE WITH THE APPROVED PLANS.

9. SUPPLEMENTARY CONDITIONS

IN GRANTING ANY CONDITIONAL USE, THE BOARD MAY PRESCRIBE APPROPRIATE CONDITIONS AND SAFEGUARDS IN CONFORMANCE WITH THIS RESOLUTION.

10. PUBLIC HEARING BY THE BOARD OF ZONING APPEALS

THE BOARD MAY HOLD A PUBLIC HEARING WITHIN THIRTY (30) DAYS FROM THE RECEIPT OF THE APPLICATION SPECIFIED IN SECTION 3 ABOVE. IF A PUBLIC HEARING IS HELD, THE REQUIREMENTS FOR PUBLIC NOTICE AND NOTIFICATION OF PARTIES OF INTEREST SHALL BE THE SAME AS FOR A VARIANCE, AS SPECIFIED IN SECTION VI OF THIS RESOLUTION.

11. ACTION BY THE BOARD OF ZONING APPEALS

WITHIN THIRTY (30) DAYS AFTER THE PUBLIC HEARING PURSUANT TO SECTION 6 ABOVE, OR SIXTY (60) DAYS FROM THE DATE OF THE APPLICATION IF SUCH HEARING IS NOT HELD, THE BOARD SHALL EITHER APPROVE, APPROVE WITH SUPPLEMENTARY CONDITIONS AS SPECIFIED IN SECTION 5, OR DISAPPROVE THE APPLICATION AS PRESENTED. IF THE APPLICATION IS APPROVED WITH SUPPLEMENTARY CONDITIONS, THE BOARD SHALL DIRECT THE ZONING INSPECTOR TO ISSUE A ZONING CERTIFICATE LISTING THE SPECIFIC CONDITIONS LISTED BY THE BOARD FOR APPROVAL. IF THE APPLICATION IS DISAPPROVED, THE APPLICANT MAY SEEK RELIEF THROUGH THE COURT OF COMMON PLEAS.

12. EXPIRATION AND REVOCATION OF ZONING CERTIFICATE ISSUED UNDER CONDITIONAL USE PROVISIONS.

THE APPROVAL OF THE ZONING CERTIFICATE ISSUED IN ACCORDANCE WITH SECTION 7 ABOVE SHALL BECOME NULL AND VOID IF SUCH USE IS NOT CARRIED OUT WITHIN ONE (1) YEAR AFTER DATE OF APPROVAL. THE BOARD MAY REVOKE THE ZONING CERTIFICATE UPON WRITTEN EVIDENCE BY AND RESIDENT OR OFFICIAL OF THE TOWNSHIP OF VIOLATION OF THE ZONING RESOLUTION AND/OR WRITTEN TERMS AND CONDITIONS UPON WHICH APPROVAL WAS BASED.

13. Sexually Oriented Businesses as a Conditional use in the Business District

PURPOSE AND INTENT

It is the purpose of this section to regulate sexually oriented businesses to promote the health, safety, morals, and general welfare of the citizens of the township, and to establish reasonable and uniform regulations to prevent the concentration of sexually oriented business within the township. The provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor effect of this chapter to restrict or deny access by adults to sexually oriented materials provided by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market.

There is convincing documented evidence that sexually oriented businesses, because of their very nature, have a deleterious effect on both the existing business around them and the surrounding residential areas adjacent to them, causing increased crime and the downgrading of property values.

It is recognized that sexually oriented businesses, due to their nature have serious objectionable operational characteristics particularly when they are located in close proximity to each other, thereby contributing to urban blight and downgrading the quality of life in the adjacent areas.

The township trustees desire to minimize and control these adverse effects and thereby preserve the property values and character of surrounding neighborhoods, deter the spread of urban blight, protect the citizens from increased crime, preserve the quality of life, and protect the health, safety, and welfare of the citizenry:

The Board of Zoning Appeals shall issue a conditional use permit only if it finds in each particular case that:

- B. The proposed sexually oriented business is located more than 1000 feet from:
 - 1. a church
 - 2. a public or private elementary or secondary school
 - 3. boundary of a residential district as established by the board of township trustees
 - 4. public park adjacent to a residential district as established by the board of township trustees

5. the lot line of lot devoted to residential use
6. from an already existing sexually oriented business or one that has received a conditional use permit.

The proposed use meets all other requirements of these zoning ordinances.

Nothing herein expressed shall condone conduct ANY activity which violates federal, state, and city laws and ordinances prohibiting obscenity, sex offenses or any other criminal conduct and activity; nor shall this ordinance forbid prosecution for such criminal conduct and activity.

DEFINITIONS

1. **SEXUALLY ORIENTED BUSINESS** means an adult arcade, adult book store or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, nude model studio, or sexual encounter center.
2. **ADULT ARCADE** means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas."
3. **ADULT BOOK STORE or ADULT VIDEO STORE** means a commercial establishment which as one of its principal business purposes offers for sale or rental for any form of consideration any one or more of the following:
 - A. books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations, which materials have, as their major or dominant theme, matter which depicts or describes "specified sexual activities" or "specified anatomical areas".
 - B. instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities."
4. **ADULT CABARET** means a nightclub, bar, restaurant, or similar commercial establishment which regularly features:
 - A. persons who appear and display "specified anatomical areas", or engage in "specified sexual activities", or

- B. live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities", or
 - C. films, motion pictures, video cassettes, slides or other photographic reproductions which materials have as their major or dominate theme, matters which are characterized by the depiction or description of "specified sexual activities", or "specified anatomical areas."
5. ADULT MOTEL means a hotel, motel or similar commercial stablishment which:
- A. offers accommodations to the public for any form of consideration and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which materials have, as their major or dominate theme, matters which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right of way which advertises the availability of this adult type of photographic reproductions.
6. ADULT MOTION PICTURE THEATER means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions, are regularly shown, which materials have, as their major or dominate theme, matters which are characterized by the depiction or description of "specified sexual activities", or "specified anatomical areas."
7. ADULT THEATER means a theater, concert hall, auditorium, or similar commercial establishment which regularly features live performances which are characterized by the exposure of "specified anatomical areas" or "specified sexual activities."
8. NUDE MODEL STUDIO means any place where a person displays "specified anatomical areas" to be photographed by other persons who pay money or any form of consideration.
9. SEXUAL ENCOUNTER CENTER means a business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:
- A. physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
 - B. activities between male and female persons and/or person of the same sex when one or more of the persons is displaying "specified anatomical areas" or engaging in specified sexual activities."

10. PERSON means an individual, proprietorship partnership, corporation, association, or other legal entity.
11. "SPECIFIED ANATOMICAL AREAS" are defined as human genitals, pubic region, buttocks and female breasts below a point immediately above the top of the areola, and human male genitals in a discernibly turgid state; all of which are less than completely and opaquely covered.
12. "SPECIFIED SEXUAL ACTIVITIES" means and includes any of the following:
 - A. the erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;
 - B. sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
 - C. masturbation, actual or simulated; or
 - D. excretory functions as part of or in connection with any of the activities set forth in (a) through (c) above.

REGULATION OF ACCESSORY USES.

THE PROVISIONS OF THIS SECTION OF THIS RESOLUTION SHALL APPLY TO THE LOCATION AND MAINTENANCE OF ACCESSORY USES AS HEREIN DEFINED.

1. PURPOSE

IT IS THE PURPOSE OF SECTIONS AND INCLUSIVE OF THIS SECTION TO REGULATE ACCESSORY USES IN ORDER TO PROMOTE THE PUBLIC HEALTH, SAFETY, AND WELFARE. IT IS THE INTENT OF THESE SECTIONS TO PERMIT SUCH USES TO BE ESTABLISHED AND MAINTAINED IN A MANNER WHICH MAKES THEM COMPATIBLE WITH PRINCIPAL USES AND HARMONIOUS WITH USES UPON ADJACENT PROPERTIES.

2. DEFINITION

"ACCESSORY USE" MEANS A USE, OBJECT, OR STRUCTURE CONSTRUCTED OR INSTALLED ON, ABOVE, OR BELOW THE SURFACE OF A PARCEL, WHICH IS LOCATED ON THE SAME LOT AS A PRINCIPAL USE, OBJECT, OR STRUCTURE, AND WHICH IS SUBORDINATE TO OR SERVICES THE PRINCIPAL USE, OBJECT, OR STRUCTURE, IS SUBORDINATE IN AREA TO THE PRINCIPAL USE, OBJECT, OR STRUCTURE, AND IS TO THE PRINCIPAL USE, OBJECT, OR STRUCTURE, AND IS CUSTOMARILY INCIDENTAL TO THE PRINCIPAL USE, OBJECT, OR STRUCTURE. AMONG OTHER THINGS, "ACCESSORY USE" INCLUDES ANYTHING OF A SUBORDINATE NATURE ATTACHED TO OR DISATTACHED FROM A PRINCIPAL

STRUCTURE OR USE, SUCH AS FENCES, WALLS, SHEDS, GARAGES, PARKING PLACES, DECKS, POLES, POSTER PANELS, AND BILLBOARDS. EXCEPT AS OTHERWISE REGULATED IN THIS RESOLUTION, AN ACCESSORY USE SHALL BE A PERMITTED USE.

3. GENERAL REQUIREMENTS

EXCEPT AS OTHERWISE PROVIDED IN THIS RESOLUTION, AN ACCESSORY USE OR STRUCTURE SHALL BE PERMITTED IN ASSOCIATION WITH A PRINCIPAL USE OR STRUCTURE PROVIDED THAT:

- A. IT SHALL BE THIRTY FIVE (35) PERCENT OR LESS OF THE GROSS FLOOR AREA OF THE PRINCIPAL USE OR STRUCTURE, EXCEPT WHERE ADDITIONAL SPACE IS NEEDED TO COMPLY WITH OFFSTREET PARKING REQUIREMENTS.
- B. IT SHALL NOT CONTAIN OR BE USED AS A DWELLING UNIT.
- C. IT SHALL NOT EXCEED EIGHTEEN (18) FEET IN HEIGHT.
- D. IT SHALL MEET ALL YARD REQUIREMENTS OF THE PRINCIPAL USE, EXCEPT THAT:
 - (1) AN ACCESSORY BUILDING ATTACHED TO THE PRINCIPAL BUILDING ON A LOT SHALL BE MADE STRUCTURALLY A PART THEREOF, AND SHALL COMPLY IN ALL RESPECTS WITH REQUIREMENTS OF THESE REGULATIONS APPLICABLE TO THE PRINCIPAL BUILDING.
 - (2) ACCESSORY BUILDINGS, STRUCTURES, AND USES WHICH ARE NOT A PART OF THE MAIN BUILDING SHALL NOT BE LOCATED CLOSER THAN TEN (10) FEET FROM THE MAIN BUILDING, MAY BE BUILT WITHIN FIVE (5) FEET OF THE REAR LOT LINE, AND MUST CONFORM TO THE FRONT YARD BUILDING SETBACK LINE AND SIDE YARD WIDTH. AN ACCESSORY BUILDING WHICH IS NOT A PART OF THE MAIN BUILDING SHALL NOT OCCUPY MORE THAN THIRTY (30) PERCENT OF THE REQUIRED REAR YARD.

4. DWELLINGS AS ACCESSORY USES

DWELLINGS MAY BE ACCESSORY USES IN RESIDENTIAL DISTRICTS IF LOCATED INSIDE THE PRINCIPAL HOME OR IF DETACHED AS A GARAGE APARTMENT, ONLY IF USED AS A RESIDENCE BY RELATIVES OR HOUSEHOLD SERVANTS AND NO RENT IS CHARGED. MANUFACTURED HOMES SHALL NOT BE PERMITTED AS ACCESSORY USES.

5. ACCESSORY USES NOT PERMITTED

THE OUTDOOR STORAGE OF JUNK, UNLICENSED MOTOR VEHICLES, USED BUILDING MATERIALS, USED TIRES, OR ANY OTHER MATERIAL MEETING THE DEFINITION OF JUNK (SEE DEFINITION - JUNKYARD) SHALL BE PROHIBITED, UNLESS OTHERWISE SPECIFICALLY PERMITTED BY THESE REGULATIONS IN CONJUNCTION WITH A PERMITTED PRINCIPAL USE.

6. TEMPORARY BUILDINGS

TEMPORARY BUILDINGS, INCLUDING CONSTRUCTION TRAILERS, FOR USES INCIDENTAL TO CONSTRUCTION WORK MAY BE ERECTED IN ANY OF THE ZONE DISTRICTS HEREIN ESTABLISHED; HOWEVER, SUCH TEMPORARY BUILDING OR TRAILER SHALL BE REMOVED WITHIN NINETY (90) DAYS FOLLOWING THE COMPLETION OR ABANDONMENT OF THE CONSTRUCTION WORK. TEMPORARY BUILDINGS, CONSTRUCTION TRAILERS, BARNES, TENTS AND ETC. ARE NOT TO BE USED AS TEMPORARY DWELLINGS.

7. DRIVEWAY ACCESS

DRIVEWAY ACCESS TO ANY PARCEL SHALL BE ESTABLISHED NOT CLOSER THAN FIVE (5) FEET FROM ANY LOT LINE OF ANY ADJOINING PARCEL.

8. RESTRICTIONS ON THE PARKING AND STORING OF VEHICLES

AUTOMOTIVE OR VEHICLES OF ANY TYPE WITHOUT CURRENT REGISTRATION OR WHICH ARE INOPERABLE SHALL NOT BE PARKED OR STORED ON ANY PROPERTY OTHER THAN IN COMPLETELY ENCLOSED BUILDINGS, UNLESS OTHERWISE SPECIFICALLY PERMITTED BY THESE REGULATIONS.

NO MORE THAN TWO (2) RECREATIONAL VEHICLES, SUCH AS A TRAILER HOME, MOTOR HOME, OR BOAT, MAY BE STORED ON RESIDENTIAL LOTS, PROVIDED THEY HAVE CURRENT LICENSES. SAID VEHICLES SHALL NOT BE STORED IN ANY FRONT YARD AREA.

9. PRIVATE SWIMMING POOLS

NO PRIVATE SWIMMING POOL, EXCLUSIVE OF PORTABLE SWIMMING POOLS WITH A DIAMETER OF LESS THAN TWELVE (12) FEET OR WITH AN AREA OF LESS THAN ONE HUNDRED (100) SQUARE FEET, OR OF A FARM POND, SHALL BE ALLOWED IN ANY RESIDENTIAL DISTRICT OR COMMERCIAL DISTRICT EXCEPT AS AN ACCESSORY USE, AND SHALL COMPLY WITH THE FOLLOWING REQUIREMENTS:

- A. THE POOL IS INTENDED TO BE USED AND IS USED SOLEY FOR THE ENJOYMENT OF THE OCCUPANTS OF THE PROPERTY ON WHICH IT IS LOCATED AND THEIR GUESTS.
- B. THE POOL MAY BE LOCATED ANYWHERE ON THE PREMISES EXCEPT IN REQUIRED FRONT YARDS, PROVIDED THAT IT SHALL NOT BE LOCATED CLOSER THAN TWELVE (12) FEET TO ANY PROPERTY LINE OR EASEMENT.
- C. THE SWIMMING POOL, OR THE ENTIRE PROPERTY UPON WHICH IT IS LOCATED, SHALL BE WALLED OR FENCED IN SUCH A MANNER AS TO PREVENT UNCONTROLLED ACCESS BY CHILDREN FROM THE STREET AND FROM ADJACENT PROPERTIES. NO SUCH FENCE SHALL BE LESS THAN FOUR (4) FEET IN HEIGHT, AND IT SHALL BE MAINTAINED IN GOOD CONDITION WITH A GATE AND LOCK.

10. HOME OCCUPATIONS AS ACCESSORY USES

IT IS THE PURPOSE OF SECTIONS A TO B INCLUSIVE OF THIS SECTION TO PROMOTE THE PUBLIC HEATH, SAFETY, AND WELFARE THROUGH THE REGULATION OF HOME OCCUPATIONS. IT IS FURTHER THE INTENT OF THESE SECTIONS TO ALLOW LIMITED NONRESIDENTIAL USES IN RESIDENTIAL STRUCTURES WHICH ARE COMPATIBLE WITH THE RESIDENTIAL CHARACTER OF THEIR SURROUNDINGS.

A. DEFINITION

"HOME OCCUPATION" MEANS AN ACCESSORY USE WHICH IS AN ACTIVITY, PROFESSION, OCCUPATION, SERVICE, CRAFT, OR REVENUE-ENHANCING HOBBY WHICH IS CLEARLY INCIDENTAL AND SUBORDINATE TO THE USE OF THE PERMISES AS A DWELLING, AND IS CONDUCTED ENTIRELY WITHIN THE DWELLING UNIT WITHOUT ANY SIGNIFICANT ADVERSE EFFECT UPON THE SURROUNDING ENVIRONMENT.

B. HOME OCCUPATION AS A PERMITTED USE

A HOME OCCUPATION SHALL BE A PERMITTED USE IF IT COMPLIES WITH THE FOLLOWING REQUIREMENTS:

- (1) THE EXTERNAL APPEARANCE OF THE STRUCTURE IN WHICH THE USE IS CONDUCTED SHALL NOT BE ALTERED. THERE SHALL BE ONLY ONE (1) SIGN NOT TO EXCEED FOUR (4) SQUARE FEET, ON THE PREMISES DENOTING THE PRESENCE OF THE HOME OCCUPATION.

- (2) NO INTERNAL OR EXTERNAL ALTERATIONS, CONSTRUCTION, OR RECONSTRUCTION OF THE PREMISES TO ACCOMMODATE THE USE SHALL BE PERMITTED.
- (3) THERE SHALL BE NO OUTSIDE STORAGE OF ANY KIND RELATED TO THE USE, AND ONLY COMMODITIES PRODUCED ON THE PREMISES MAY BE SOLD ON THE PREMISES; NO DISPLAY OF PRODUCTS MAY BE VISIBLE FROM THE STREET.
- (4) NOT MORE THAN TWENTY FIVE (25) PERCENT OF THE GROSS FLOOR AREA OF THE DWELLING SHALL BE DEVOTED TO THE USE.
- (5) NO EQUIPMENT, PROCESS, MATERIALS OR CHEMICALS SHALL BE USED WHICH CREATE OFFENSIVE NOISE, VIBRATION, SMOKE, DUST, ODOR, HEAT, GLARE, X-RAYS, RADIATION, OR ELECTRICAL DISTURBANCES.
- (6) NO ADDITIONAL PARKING DEMAND SHALL BE CREATED.
- (7) SHALL NOT EMPLOY MORE THAN ONE NONRESIDENT EMPLOYEE

11. PROFESSIONAL OFFICES AS ACCESSORY USES SHALL BE PERMITTED SUBJECT TO THE FOLLOWING CONDITIONS:

- A. SUCH USE SHALL BE CLEARLY INCIDENTAL AND SECONDARY TO THE USE OF THE DWELLING FOR DWELLING PURPOSES.
- B. SHALL NOT EMPLOY MORE THAN ONE NONRESIDENT EMPLOYEE.
- C. THERE SHALL BE NO DISPLAY NOR STOCK IN TRADE NOR COMMODITIES SOLD EXCEPT THOSE WHICH ARE PRODUCED ON THE PREMISES.
- D. ONE UNLIGHTED NAME PLATE NOT MORE THAN TWO SQUARE FEET IN AREA ANNOUNCING THE NAME AND OCCUPATION SHALL BE PERMITTED.
- E. SUCH USES SHALL NOT CREATE A NUISANCE BY REASON OF NOISE, ODOR, DUST, VIBRATION, FUMES, SMOKE, ELECTRICAL INTERFERENCE OR OTHER CAUSES.

SECTION VIII

Non-Conforming Uses

1. Intent.

Within the districts established by this resolution or amendments hereinafter adopted there existing lots, structures, uses of land and structures 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.

2. Grace Period.

Any property purchased or acquired in good faith for any non-conforming use prior to the adoption of this resolution, upon which the property the work of changing or remodeling or construction of such non-conforming use has been legally commenced at the time of adoption of this resolution, may be used for the non-conforming use for which such changing, remodeling, or construction was undertaken provided that such work is completed within two (2) years of the date of adoption of this resolution or amendment thereto making said use non-conforming.

3. Substitution.

A non-conforming use may be changed to another non-conforming use only by the Board of Zoning Appeals, provided:

- A. The Board may allow another non-conforming use which is first allowed in the same use district in which the previous non-conforming use was first allowed or may allow a use permitted in a more restricted district but shall not allow a use which is first permitted in a less restricted district.
- B. The Board must determine that any change of use will be no more detrimental to the neighborhood than the prior or existing use.
- C. Once a non-conforming structure has been removed from the property where it existed at the time of the passage of the resolution, a similar non-conforming structure may not be substituted for it except as is provided herein.

4. Extension or Enlargement.

Except as hereinafter specifically provided, no non-conforming use, except when required to do so by law, shall be enlarged, extended, reconstructed or structurally altered.

- A. The Board of Zoning Appeals may permit a building containing a non-conforming use to be enlarged to an extent not exceeding twenty five (25) percent of the

ground floor area of the existing building or buildings devoted to a non-conforming use at the time of enactment of this Resolution or at the time of its amendment making a use non-conforming. The Board shall not authorize any enlargement which would result in a violation of the provisions of this Resolution with respect to any adjoining premises, or which would occupy ground space required for meeting the yard or other requirements of this Resolution.

- B. No non-conforming building or structure shall be moved in whole or in part to any other location unless such building or structure and the yard and other open spaces provided are made to conform to all of the regulations of the district in which such building or structure is to be located.
- C. The Board may authorize the expansion of non-conforming uses of open space upon the land in ownership at the effective date of this Resolution or the date of any amendments making such use non-conforming, provided that such extension is necessary and incidental to the existing properties and shall involve no structure or buildings.
- D. Any residential structure which is non-conforming due to the fact of its being in a B-District or I-District may be enlarged, extended, reconstructed, structurally altered provided it meets with the requirements of the least restrictive R-District.

5. Discontinuance.

A non-conforming use which has been discontinued or abandoned shall not thereafter be returned to a non-conforming use. A non-conforming use shall be considered abandoned whenever any one of the following conditions exist:

- A. When the intent of the owner to discontinue the use is apparent.
- B. When the use has been discontinued for a period of two (2) years.
- C. When the non-conforming use has been replaced by a conforming use.
- D. When it has been changed to another non-conforming use under permit from the Board of Zoning Appeals.

6. Reconstruction.

The reconstruction of a non-conforming use which has been damaged by fire, explosion, act of God, or the public enemy, to the extent the building must be demolished may be rebuilt provided the Board of Zoning Appeals determines that such action would not be severely detrimental to surrounding areas. Any reconstruction permitted must be completed within one (1) year.

7. Repairs and Alterations.

Such repairs and maintenance work as required to keep it in sound condition may be made to a non-conforming building or structure, provided no structural alterations shall be made except as required by law or authorized by the Board of Zoning Appeals.

SECTION IX

ZONING USE DISTRICTS AND ZONING MAPS

1. Districts.

In order to classify, regulate, and restrict the use and location of buildings designed for specified uses; to regulate and limit the heights and bulk of buildings; to regulate and determine the area of yards, courts, and other open spaces surrounding buildings, *and* to regulate and limit the density of population, TO PROVIDE FOR THE ORDERLY GROWTH AND DEVELOPMENT OF THE TOWNSHIP, TO PROTECT THE RIGHTS OF ALL INDIVIDUALS BY ASSURING THE COMPATABILITY OF USES AND TO ESTABLISH CERTAIN STANDARDS AND CRITERIA RELATED THERETO, Amanda Township, Fairfield County, Ohio is divided into eight (8) zoning districts. The uses and area regulations are uniform in each district and said districts shall be known as:

- F-1 Flood Plain District
- A-1 Restricted Agricultural District
- A-2 AGRICULTURAL – RESIDENTIAL DISTRICT
- R-1 Suburban Estate District
- R-2 Two Family District
- M-H Manufactured Home Residential District
- B-1 Business District
- I-1 Industrial District

2. Overlay Districts.

The following districts shall be overlay districts and subject to the regulations of the district which it overlays unless specifically exempted, in addition to the regulations of the specific overlay district.

F-1 Flood Plain District:

THIS DISTRICT SHALL BE AN OVERLAY DISTRICT AND ANY AREA LOCATED WITHIN SAID DISTRICT SHALL BE SUBJECT TO THE REGULATIONS OF THE FLOOD PLAIN DISTRICT AS WELL AS THE REGULATIONS OF THE DISTRICT WHICH IT OVERLAYS. FLOOD PLAIN DISTRICT BOUNDARIES SHALL BE ESTABLISHED ON THE BASIS OF MOST CURRENT, RELIABLE AND TECHNICALLY ACCURATE DATA AS PROVIDED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. SUCH BOUNDARIES ARE, THEREFORE, SUBJECT TO REVISION OR ALTERATION WITHOUT FORMAL DISTRICT AMENDMENT.

3. Maps.

The boundaries of these districts are hereby established as shown on the Zoning Maps of Amanda Township, Fairfield County, Ohio. Said Zoning Maps and all notations and references and other matters shown thereon, shall be and are hereby made a part of this Resolution. Said Zoning Maps shall be and remain on file in the Township Trustee's Office.

4. A. District Boundaries.

Except where referenced and noted on the Zoning Maps by a designated line and/or dimensions the districts boundary lines are intended to follow property lines, lot lines, on center lines of streets, alleys, streams, or railroads as they existed at the time of the passage of this resolution, or the extension of such lines.

B. District Boundary Interpretation.

THE FOLLOWING RULES SHALL BE USED TO DETERMINE THE PRECISE LOCATION OF ANY ZONING DISTRICT BOUNDARY UNLESS SUCH BOUNDARY IS SPECIFICALLY INDICATED ON THE OFFICIAL ZONING MAP:

- (1) WHERE DISTRICT BOUNDARIES ARE SO INDICATED AS APPROXIMATELY FOLLOWING THE CENTER LINES OF THOROUGH FARES OR HIGHWAYS, STREET LINES, OR HIGHWAY RIGHT-OF-WAY LINES, SUCH CENTER LINES, STREET LINES, OR HIGHWAY RIGHT-OF-WAY LINES SHALL BE CONSTRUED TO BE SAID BOUNDARIES.
- (2) WHERE DISTRICT BOUNDARIES ARE SO INDICATED THAT THEY APPROXIMATELY FOLLOW THE LOT LINES, SUCH LOT LINES SHALL BE CONSTRUED TO BE 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 THEREFROM AS INDICATED ON THE OFFICIAL ZONING MAP. IF NO DISTANCE IS GIVEN, SUCH DIMENSIONS SHALL BE DETERMINED BY THE USE OF THE SCALE SHOWN ON THE 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 THE DISTRICT FOLLOWS A STREAM, LAKE, OR OTHER BODY OF WATER, SAID BOUNDARY LINE SHALL BE CONSTRUED TO BE SAID PHYSICAL FEATURE UNLESS OTHERWISE NOTED.
- (6) WHERE DISTRICT BOUNDARIES ARE SO INDICATED THAT THEY FOLLOW OR APPROXIMATELY FOLLOW THE LIMITS OF ANY MUNICIPAL CORPORATION, SUCH BOUNDARIES SHALL BE CONSTRUED AS FOLLOWING SUCH LIMITS.
- (7) WHENEVER ANY STREET, ALLEY, OR OTHER PUBLIC WAY IS VACATED BY OFFICIAL ACTION, THE ZONING DISTRICT ADJOINING EACH SIDE OF SUCH STREET, EXTENDED TO THE CENTER OF SUCH VACATION, AND ALL AREAS WITHIN THE VACATION SHALL THENCEFORTH BE SUBJECT TO ALL REGULATIONS APPROPRIATE TO THE RESPECTIVE EXTENDED DISTRICTS.

ALL QUESTIONS AND DISPUTES CONCERNING THE EXACT LOCATION OF ZONING DISTRICT BOUNDARIES SHALL BE RESOLVED BY THE BOARD OF ZONING APPEALS.

These uses are new conditional uses in the I-1 Industrial District.

A-1 Restricted Agricultural District

1. Intent.

It is the intent of the A-1 Restricted Agricultural District to provide large tracts of land for present agricultural activity and to protect this land from urban encroachment to provide adequate future areas for agricultural activity. This District is established to promote the continuance of agriculture and farm-based uses and to provide areas for a variety of low density single family residential environments reflecting a rural lifestyle. Such development is typically not served by public water or sewer systems. The number of new homesites in this district is limited to ten (10) per year (see Section X).

2. Agricultural Uses Defined

“Agricultural use” means the same as stated in Section 519.01 of the Ohio Revised Code, as may be amended, to include farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including but not limited to the care and raising of livestock, equine and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; 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.

3. Principle Permitted Uses.

A building or lot in the A-1 District shall be used only for the following purposes:

- A. Agriculture and the usual agriculture buildings and structures.
- B. One-family detached dwellings.
- C. Churches or other places of worship, Sunday School buildings and parish houses; provided, that Churches and other places of worship and Sunday School buildings shall be located not less than one hundred (100) feet from any other lot. AND SHALL NOT SEAT MORE THAN THREE HUNDRED FIFTY (350) PEOPLE IN THE MAIN SANCTUARY. [FOR LOCATION OF LARGER HOUSES OF WORSHIP PLEASE SEE BUSINESS DISTRICTS]
- D. Public and parochial schools provided that no building intended for such use shall be located less than one hundred fifty (150) feet from any other lot.
- E. Public parks, playgrounds, recreational and community center buildings and grounds, golf courses, tennis courts, country clubs, and swimming pools, provided that any principal building, tennis court or swimming pool shall be located not less than two hundred (200) feet from any other lot.

F. Transformer stations, booster stations, sewage pumping stations, pressure regulating stations, and other similar utility stations when operating requirements necessitate, provided there is no storage buildings or storage yard in connection therewith.

4. Accessory Uses.

A. Roadside stands, offering for sale only agricultural products grown on the premises, SUBJECT TO THE PROVISIONS OF OHIO REVISED CODE SECTION 519.21 (C).

B. Private garage, parking space, or stable.

C. Living quarters of person employed on the premises and not otherwise used as a separate dwelling.

D. HOME OCCUPATIONS AS PERMITTED AND REGULATED IN SECTION VII OF THIS RESOLUTION.

E. Private swimming pools, to be used primarily for the enjoyment of the occupants of the principal use of the property on which it is located and subject to the provisions of Section XI.

F. Temporary buildings for uses incidental to construction work which buildings shall be removed upon completion or abandonment of the construction work.

5. Conditional Uses.

Subject to approval by the Board of Zoning Appeals as provided in Section III, AND AS REGULATED IN SECTION VII.

A. Kennels and animal hospitals for the raising, breeding, treatment, and boarding of dogs, or other small animals provided that all buildings and outside runs be at least two hundred (200) feet from any other lot.

B. Riding academies, provided that such buildings or stables shall be two hundred (200) feet from any other lot.

C. CEMETERIES, INCLUDING MAUSOLEUMS AND CREMATORIES.

D. GROUP RESIDENTIAL FACILITIES SUBJECT TO THE PROVISIONS OF SECTION VIII.

- E. RADIO, TELEVISION, OR OTHER TRANSMISSION TOWER OR MAST, AND THE USUAL ACCESSORY BUILDINGS, SUBJECT TO APPROVAL BY ANY APPROPRIATE GOVERNMENTAL PERMITTING AGENCY, AND PROVIDED THAT SUCH TOWER IS SET BACK FROM ANY PROPERTY LINE A DISTANCE NOT LESS THAN THE HEIGHT OF SAID TOWER BLOWOVER LENGTH PLUS 20 FEET.
- F. BOARDING HOMES, TOURIST HOMES, AND BED-AND-BREAKFAST ESTABLISHMENTS.
- G. PROFESSIONAL OFFICES, TRADE SERVICES, AND PERSONAL SERVICE BUSINESS USES, INCLUDING THE FOLLOWING:
 - 1. ANTIQUE SHOP/RESTORATION.
 - 2. CRAFT SHOP.
 - 3. DAY-CARE FACILITY.
 - 4. DATA PROCESSING/COMPUTER SERVICES.
 - 5. DRAFTING/GRAPHIC ARTS.
 - 6. INSURANCE, FINANCIAL, INVESTMENT SERVICES.
 - 7. LANDSCAPING SERVICE.
 - 8. PHOTOGRAPHY/ART STUDIO.
 - 9. PROFESSIONAL OFFICES INCLUDING ACCOUNTING, ARCHITECTURE, BOOKKEEPING, CONSULTING SERVICES, ENGINEERING, LEGAL, MEDICAL OFFICES, REAL ESTATE, AND VETERINARY.
 - 10. EXCAVATION.
 - 11. AVIATION ACTIVITIES
 - 12. ALLIED AGRICULTURAL BUSINESSES

6. Signs.

The signs permitted in the A-1 District shall be AS SPECIFIED IN SECTION XIV:

7. Off-Street Parking and Loading.

Off-Street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in Section XII.

8. Lot Area, Yard Requirements, and Height Limits.

Lot area, yard requirements, and height limits shall be as provided in Section X.

9. AGRICULTURAL NUISANCE DISCLAIMER

LANDS WITHIN THE FARM RESIDENTIAL DISTRICT ARE LOCATED WITHIN WHERE LAND IS UTILIZED FOR AGRICULTURAL PRODUCTION. RESIDENTS AND OTHER USERS OF PROPERTY WITHIN THIS DISTRICT MAY BE SUBJECT TO INCONVENIENCE, INJURY AND/OR DISCOMFORT ARISING FROM NORMAL AND ACCEPTED AGRICULTURAL PRACTICES AND OPERATIONS, INCLUDING, BUT NOT LIMITED TO NOISE, ODORS, DUST, THE OPERATION OF AGRICULTURAL MACHINERY, THE STORAGE AND DISPOSAL OF MANURE, THE APPLICATION OF FERTILIZERS, SOIL AMENDMENTS, HERBICIDES AND PESTICIDES. NONFARM RESIDENTS, OCCUPANTS AND USERS OF PROPERTY WITHIN THE FR DISTRICT SHOULD BE PREPARED TO ACCEPT SUCH INCONVENIENCE, INJURY AND/OR DISCOMFORT, AND MAY BE REQUIRED TO CERTIFY SAME WHEN A ZONING PERMIT FOR NEW RESIDENTIAL CONSTRUCTION IS SOUGHT.

A-2 Agricultural - Residential Districts

1. Intent.

It is the intent of the A-2 Agricultural-Residential District to provide for agricultural activity on large tracts and areas of open land with large tract developments intermingled.

2. Agricultural Uses Define

“Agricultural use” means the same as stated in Section 519.01 of the Ohio Revised Code, as may be amended, to include farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including but not limited to the care and raising of livestock, equine and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops; tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; 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.

3. Principle Permitted Uses.

A building or lot in the A-2 District shall be used only for the following purposes:

- A. Any use or structure permitted and as regulated in the A-1 District, except as hereinafter specified.
- B. Hospitals and sanitariums provided any building used for such purposes shall be two hundred (200) feet from any lot in an R-District.
- C. Cemeteries, including mausoleums therein, provided that any mausoleum shall be two hundred (200) feet from any lot in an R- District.

4. Accessory Uses.

- A. Any accessory use permitted and as regulated in the A-1 District.

5. Conditional Uses.

Subject to approval by the Board of Zoning Appeals as provided in SECTION VII.

- B. Any conditional use allowed and as regulated in the A-1 District.

6. Signs.

The only signs permitted in the A-2 District shall be those permitted and as regulated in the A-1 District.

7. Off-Street Parking and Loading.

Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in Section XII.

8. Lot Areas, Yard Requirements, and Height Limits.

Lot area, yard requirements, and height limits shall be as provided in Section X.

9. AGRICULTURAL NUISANCE DISCLAIMER

LANDS WITHIN THE FARM RESIDENTIAL DISTRICT ARE LOCATED WITHIN PRIME AGRICULTURAL AREAS WHERE LAND IS UTILIZED FOR AGRICULTURAL PRODUCTION. RESIDENTS AND OTHER USERS OF PROPERTY WITHIN THIS DISTRICT MAY BE SUBJECT TO INCONVENIENCE, INJURY AND/OR DISCOMFORT ARISING FROM NORMAL AND ACCEPTED AGRICULTURAL PRACTICES AND OPERATIONS, INCLUDING, BUT NOT LIMITED TO NOISE, ODORS, DUST, THE OPERATION OF AGRICULTURAL MACHINERY, THE STORAGE AND DISPOSAL OF MANURE, THE APPLICATION OF FERTILIZERS, SOIL AMENDMENTS, HERBICIDES AND PESTICIDES. NONFARM RESIDENTS, OCCUPANTS AND USERS OF PROPERTY WITHIN THE FR DISTRICT SHOULD BE PREPARED TO ACCEPT SUCH INCONVENIENCE, INJURY AND/OR DISCOMFORT, AND MAY BE REQUIRED TO CERTIFY SAME WHEN A ZONING PERMIT FOR NEW RESIDENTIAL CONSTRUCTION IS SOUGHT.

R-1 Suburban Estate Districts

1. PURPOSE

THIS DISTRICT IS ESTABLISHED TO ACCOMMODATE SINGLE FAMILY RESIDENTIAL DWELLINGS IN AREAS WITHIN OR ADJACENT TO URBANIZING AREAS OF THE COMMUNITY OR IN AREAS OF EXISTING SIMILAR DEVELOPMENT, THEREBY PROVIDING FOR AN ORDERLY AND EFFICIENT EXTENSION OF PUBLIC UTILITIES. AREAS IN THE SUBURBAN ESTATE DISTRICT NORMALLY WILL HAVE PUBLIC OR CENTRAL SEWER AND WATER.

2. Principle Permitted Uses.

A building or lot in the R-1 District shall be used only for the following purposes:

- A. One-family detached dwellings.
- B. Churches or other places of worship, Sunday School buildings and parish houses; provided that churches and other places of worship and Sunday School buildings shall be located not less than fifty (50) feet from any other lot in an R-1 District; Thirty five (35) feet from other lot in an R-2 District; and twenty five (25) feet from any other lot in an R-3 District. AND SHALL NOT SEAT MORE THAN THREE HUNDRED FIFTY (350) PEOPLE IN THE MAIN SANCTUARY. [FOR LOCATION OF LARGER HOUSES OF WORSHIP PLEASE SEE BUSINESS DISTRICTS]
- C. Public and parochial schools, provided that no building intended for such uses shall be located less than fifty (50) feet from any other lot in an R-1 District; or forty (40) feet from any other lot in an R-2 District
- D. Public libraries, public museums, and public art galleries, provided that no building intended for such use shall be located less than thirty (30) feet from any other lot in a R-1 District; or twenty (20) feet from any other lot in an R-2 *or* R-3 District.
- E. Public parks, playgrounds, recreational and community center buildings and grounds, golf courses, tennis courts, country clubs, and swimming pools, provided that any principal building, tennis court, or swimming pool shall be located not less than on hundred fifty (150) feet from any other lot in an R-1 District; on hundred (100) feet from any other lot in an R-2 District; or seventy five (75) feet from any lot in an R-3 District.
- F. Transformer stations, booster stations, sewage pumping stations, pressure regulating stations, and other similar utility stations when operating

requirements necessitate locating within an R-District provided there is no storage building or storage yard in connection therewith and provided that no building or structure shall be located closer than twenty (20) feet from any other lot in an R-District.

3. Accessory Uses.

Accessory uses, buildings, or other structures customarily incidental to any aforesaid permitted uses shall be allowed under conditions specified herein, provided that such accessory uses shall not involve any business, trade, or industry, or any private way or walk giving access to such activity.

- A. Accessory building including private garages as regulated in Section VII.
- B. The keeping of not more than one (1) roomer or boarder by a resident family.
- C. Living quarters of person employed on the premises and not rented or otherwise used as a separate dwelling.
- D. Customary home occupations as permitted and regulated in Section VII.
- E. Private swimming pools, to be used primarily for the enjoyment of the occupants of the principal use of the property on which it is located and subject to the provisions of Section X.
- F. Temporary buildings for uses incidental to construction work which buildings shall be removed upon completion or abandonment of the construction work.

4. Conditional Uses.

Subject to approval by the Board of Zoning Appeals.

- A. RADIO, TELEVISION, OR OTHER TRANSMISSION TOWER OR MAST, AND USUAL ACCESSORY BUILDINGS, SUBJECT TO APPROVAL BY AND APPROPRIATE GOVERNMENTAL PERMITTING AGENCY, AND PROVIDED THAT SUCH TOWER IS SET BACK FROM ANY PROPERTY LINE A DISTANCE NOT LESS THAN THE HEIGHT OF SAID TOWER BLOWOVER LENGTH PLUS 20 FEET.

5. Signs.

- A. SIGNS AS PERMITTED AN REGULATED IN SECTION XIV

6. Off-Street Parking and Loading.

Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in Section XII.

7. Lot Areas, Yard Requirements, and Height Limits.

Lot area, yard requirements, and height limits shall be as provided as in Section XI.

R-2 Multifamily Dwellings

1. PURPOSE

THE PURPOSE OF THE DISTRICT IS TO PERMIT MULTIFAMILY DEVELOPMENT OF DENSITIES NOT TO EXCEED TWELVE DWELLING UNITS PER GROSS ACRE. DEVELOPMENT IS TO CONSIST PRIMARILY OF TOWNHOUSES AND GARDEN-TYPE APARTMENTS AND IN GROUPINGS THAT WILL PROVIDE FOR THE EFFICIENT DEVELOPMENT AND UTILIZATION OF COMMUNITY SERVICES AND FACILITIES. CENTRAL WATER AND SEWER ARE REQUIRED

2. Principle Permitted Uses.

A building or lot in the R-2 District shall be used only for the following:

- A. MULTI-FAMILY DWELLINGS, SUBJECT TO THE SITE PLAN REQUIREMENTS OF THIS SECTION.
- B. Private clubs, lodges, and meeting places for other organizations not including any use that is conducted as a gainful business, provided that the buildings in which such uses are housed shall be located at least twenty five (25) feet from any other lot in an R-District.
- C. Nursery schools and day nursery schools, provided that all outdoor play areas shall be located not less than ten (10) feet from any adjoining lot in an R-District and, provided further that such play area shall be fenced and screened from any adjoining lot in an R- District.

3. Conditional Uses.

Subject to the approval of the Board of Zoning Appeals:

- A. Offices and clinics of physicians, dentists, architects, engineers, attorneys or similar professional persons, provided:
 - 1. That any building used therefore shall retain or have an exterior appearance of a residential structure similar to that of surrounding properties, excepting a one story structure may be built adjacent to two story structures.
 - 2. That the yard requirements for a multifamily family dwelling are complied with.

4. Accessory Uses.

- A. Any accessory use or structure as regulated in the R-1 District shall be allowed.

5. Signs.

- A. Any sign permitted and as regulated in the R-1 District.

6. Off-Street Parking and Loading.

Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in Section XII.

7. Lot Areas, Yard Requirements, and Height Limits.

Lot areas, yard requirements, and height limits shall be as provided in Section XI.

(M-H) MANUFACTURED HOME RESIDENTIAL DISTRICT

1. PURPOSE

THE MANUFACTURED HOME RESIDENTIAL (MH) DISTRICT IS ESTABLISHED TO PROVIDE AREAS FOR MANUFACTURED HOME COMMUNITIES IN AMANDA TOWNSHIP SO AS TO PROVIDE A DESIRABLE RESIDENTIAL ENVIRONMENT, PROTECTED FROM ADVERSE NEIGHBORING INFLUENCES, WITH ADEQUATE ACCESS FOR VEHICULAR TRAFFIC AND CIRCULATION. THESE RESIDENTIAL COMMUNITIES SHALL BE DEVELOPED AND LOCATED SO AS NOT TO PROMOTE EXCESSIVE VEHICULAR TRAFFIC ON STREETS IN ADJOINING RESIDENTIAL AREAS, AND SHALL PROVIDE OVERALL DESIRABILITY EQUIVALENT TO THAT FOR OTHER FORMS OF RESIDENTIAL DEVELOPMENT.

2. DEFINITIONS

FOR THE PURPOSES OF THIS RESOLUTION, THE FOLLOWING TERMS SHALL BE DEFINED AS FOLLOWS:

- A. “INDUSTRIALIZED UNIT” MEANS A BUILDING UNIT OR ASSEMBLY OF CLOSED CONSTRUCTION THAT IS FABRICATED IN AN OFF-SITE FACILITY, THAT IS SUBSTANTIALLY SELF-SUFFICIENT AS A UNIT OR AS A PART OF A GREATER STRUCTURE, THAT REQUIRES TRANSPORTATION TO THE SITE OF INTENDED USE. “INDUSTRIALIZED UNIT” INCLUDES UNITS INSTALLED 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 OR MOBILE HOME AS DEFINED HEREIN.
- B. “MANUFACTURED HOME” MEANS A BUILDING UNIT OR ASSEMBLY OF CLOSED CONSTRUCTION THAT IS FABRICATED IN AN OFF-SITE FACILITY, THAT CONFORMS 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, AND HAS A LABEL OR TAG PERMANENTLY AFFIXED TO IT, CERTIFYING COMPLIANCE WITH ALL APPLICABLE FEDERAL CONSTRUCTION AND SAFETY STANDARDS.
- C. “MANUFACTURED HOME COMMUNITY” OR “MANUFACTURED HOME PARK” MEANS A DEVELOPMENT CONSTRUCTED PRIMARILY FOR MANUFACTURED HOMES, WITH CONTINUING LOCAL MANAGEMENT AND SPECIAL FACILITIES FOR COMMON USE BY RESIDENTS.

TYPICALLY, THE LAND OR LOTS UPON WHICH THE MANUFACTURED HOMES ARE LOCATED WILL NOT BE OWNED BY THE RESIDENT OF THE INDIVIDUAL MANUFACTURED HOME.

- D. "MOBILE HOME" MEANS A BUILDING UNIT OR ASSEMBLY OF CLOSED CONSTRUCTION THAT IS FABRICATED IN AN OFF-SITE FACILITY, IS MORE THAN THIRTY-FIVE (35) FEET IN LENGTH, OR, WHEN ERECTED ON THE SITE, IS 320 OR MORE SQUARE FEET, THAT IS BUILT ON A PERMANENT CHASSIS AND IS TRANSPORTABLE IN ONE OR MORE SECTIONS, AND DOES NOT QUALIFY AS A MANUFACTURED HOME OR INDUSTRIALIZED UNIT, AS DEFINED HEREIN.
- E. "MODULAR HOME" MEANS A NON-SITE-BUILT HOME THAT IS CERTIFIED AS MEETING THE REQUIREMENTS OF THE STATE OF OHIO BUILDING CODE FOR MODULAR HOUSING. FOR THE PURPOSES OF THIS RESOLUTION, ONCE CERTIFIED BY THE STATE OF OHIO, MODULAR HOMES SHALL BE SUBJECT TO THE SAME STANDARDS AS SITE-BUILT HOMES.
- F. "PERMANENT FOUNDATION" MEANS A PERMANENT MASONRY, CONCRETE OR LOCALLY APPROVED FOOTING OR FOUNDATION, TO WHICH A MANUFACTURED HOME MAY BE AFFIXED.
- G. "PERMANENTLY SITED MANUFACTURED HOME" MEANS A MANUFACTURED HOME THAT MEETS ALL OF THE FOLLOWING CRITERIA:
 - (1) THE STRUCTURE IS AFFIXED TO A PERMANENT FOUNDATION AND IS CONNECTED TO APPROPRIATE FACILITIES;
 - (2) THE STRUCTURE, EXCLUDING ANY ADDITION, HAS A WIDTH OF AT LEAST TWENTY-TWO (22) FEET AT ONE POINT, A LENGTH OF AT LEAST TWENTY-TWO (22) FEET AT ONE POINT, AND A LIVING AREA OF AT LEAST 900 SQUARE FEET, EXCLUDING GARAGES, PORCHES, OR ATTACHMENTS;
 - (3) THE STRUCTURE HAS A MINIMUM 3:12 ROOF PITCH, CONVENTIONAL RESIDENTIAL SIDING, AND A SIX-INCH MINIMUM EAVE OVERHANG, INCLUDING APPROPRIATE GUTTERING;
 - (4) THE STRUCTURE WAS MANUFACTURED AFTER JANUARY 1, 1995;
 - (5) THE STRUCTURE IS NOT LOCATED IN A MANUFACTURED HOME COMMUNITY OR MANUFACTURED HOME PARK AS DEFINED HEREIN.

3. REQUIREMENTS GENERALLY

PURSUANT TO SECTION 519.212 OF THE OHIO REVISED CODE, PERMANENTLY SITED MANUFACTURED HOMES AND MODULAR HOMES, AS DEFINED ABOVE, SHALL BE CONSIDERED AS PERMITTED USES IN ANY DISTRICT

THAT PERMITS SINGLE-FAMILY DWELLINGS. MOBILE HOMES, AS DEFINED ABOVE AND/OR SECTION 4501.01 OF THE OHIO REVISED CODE, AND MANUFACTURED HOMES NOT QUALIFYING AS PERMANENTLY SITED MANUFACTURED HOMES SHALL NOT BE CONSIDERED AS PERMITTED OR CONDITIONAL USES IN THIS OR ANY OTHER ZONING DISTRICT IN AMANDA TOWNSHIP.

4. PERMITTED USES
 - A. MANUFACTURED HOME COMMUNITIES, SUBJECT TO APPROVAL OF SITE PLAN AND THE STANDARDS OF THIS DISTRICT.
 - B. PUBLIC OR PRIVATE PARKS OR PLAYGROUNDS.
5. ACCESSORY USES
 - A. USES AND STRUCTURES INCIDENTAL AND ACCESSORY TO SPECIFIED PERMITTED USES TO INCLUDE COMMON AREAS, COMMUNITY/RECREATIONAL FACILITIES AND OFFICES FOR RENTAL AND MANAGEMENT OF UNITS THEREIN.
6. CONDITIONAL USE
 - A. ONE-FAMILY DETACHED DWELLINGS, PROVIDED THE LOT COMPLIES WITH THE STANDARDS OF THE ADJACENT DISTRICT.
 - B. NURSERY SCHOOLS AND/OR DAY CARE CENTERS.
7. DEVELOPMENT STANDARDS

THE FOLLOWING STANDARDS FOR THE ARRANGEMENT AND DEVELOPMENT OF MANUFACTURED HOME SUBDIVISIONS AND/OR COMMUNITIES IN THE MH DISTRICT.

- A. WATER AND SEWER

ANY MANUFACTURED HOME SUBDIVISION OR COMMUNITY SHALL BE PROVIDED WITH A WATER AND SANITARY SEWER DISTRIBUTION SYSTEM, SERVING EACH INDIVIDUAL HOME LOT, WHICH IS CONNECTED TO A MUNICIPAL WATER AND SANITARY SEWAGE SYSTEM. THE DESIGN AND CONSTRUCTION OF SUCH DISTRIBUTION SYSTEMS SHALL BE APPROVED BY THE OHIO ENVIRONMENTAL PROTECTION AGENCY.
- B. MINIMUM LOT AREA
 1. THE MINIMUM LOT AREA FOR A MANUFACTURED HOME COMMUNITY SHALL BE TEN (10) ACRES. INDIVIDUAL

MANUFACTURED HOME LOTS WITHIN SUCH COMMUNITIES SHALL BE NOT LESS THAN 4,000 SQUARE FEET. THE MAXIMUM GROSS DENSITY SHALL NOT EXCEED SIX (6) DWELLING UNITS PER ACRE.

2. FOR ANY OTHER PERMITTED USE, THE MINIMUM LOT AREA SHALL NOT BE LESS THAN 10,000 SQUARE FEET.

C. MINIMUM LOT WIDTH

1. THE MINIMUM LOT WIDTH FOR ANY MANUFACTURED HOME COMMUNITY SHALL BE NOT LESS THAN 300 FEET. FRONTAGE SHALL BE PROVIDED ON A PUBLICLY DEDICATED AND IMPROVED STREET. THE MINIMUM LOT WIDTH FOR ANY INDIVIDUAL LOT WITHIN SUCH A COMMUNITY SHALL BE NOT LESS THAN THIRTY (30) FEET.
2. FOR ANY OTHER PERMITTED USE, THE MINIMUM LOT WIDTH SHALL BE EIGHTY (80) FEET.

D. 1. THE MINIMUM FRONT YARD DEPTH FOR ANY MANUFACTURED HOME COMMUNITY SHALL BE NOT LESS THAN THIRTY-FIVE (35) FEET.

2. FOR ANY OTHER PERMITTED USE, THE MINIMUM FRONT YARD DEPTH SHALL BE TWENTY-FIVE (25) FEET.

E. MINIMUM SIDE YARD WIDTH

1. THE MINIMUM SIDE YARD WIDTH FOR ANY MANUFACTURED HOME COMMUNITY SHALL BE NOT LESS THAN FIFTH (50) FEET. THE MINIMUM SIDE YARD WIDTH FOR ANY INDIVIDUAL LOT WITHIN A MANUFACTURED HOME COMMUNITY SHALL BE NOT LESS THAN TEN (10) FEET.
2. FOR ANY OTHER PERMITTED USE, THE MINIMUM SIDE YARD WIDTH SHALL BE NOT LESS THAN TEN (10) FEET.

F. MINIMUM REAR YARD WIDTH

1. THE MINIMUM REAR YARD DEPTH FOR ANY MANUFACTURED HOME COMMUNITY SHALL BE NOT LESS THAN FIFTH (50) FEET. THE MINIMUM REAR YARD DEPTH FOR ANY INDIVIDUAL LOT WITHIN A MANUFACTURED HOME COMMUNITY SHALL BE NOT LESS THAN TEN (10) FEET.
2. FOR ANY OTHER PERMITTED USE, THE MINIMUM REAR YARD DEPTH SHALL BE NOT LESS THAN FORTY (40) FEET.

G. MINIMUM LOT COVERAGE

DETACHED DWELLING UNITS AND THEIR ACCESSORY BUILDINGS SHALL NOT OCCUPY MORE THAN FORTY-FIVE PERCENT (45%) OF THE LOT AREA OF ANY INDIVIDUAL LOT WITHIN A MANUFACTURED HOME SUBDIVISION OR COMMUNITY.

H. REQUIRED OPEN SPACE AND RECREATIONAL AREAS

AT LEAST TWENTY PERCENT (20%) OF THE GROSS LAND AREA FOR ANY MANUFACTURED HOME COMMUNITY SHALL BE RESERVED FOR COMMON RECREATIONAL AREAS AND FACILITIES, SUCH AS PLAYGROUNDS, SWIMMING POOLS, PEDESTRIAN PATHS, AND SIMILAR FACILITIES. SUCH RECREATIONAL AND OPEN SPACE FACILITIES SHALL NOT BE A PART OF STREETS AND/OR PARKING AREAS, AND SHALL BE CLOSED TO MOTORIZED TRAFFIC, EXCEPT FOR SERVICE AND EMERGENCY VEHICLES. SUCH AREAS SHALL BE LANDSCAPED, IMPROVED AND MAINTAINED BY THE OWNER OF THE DEVELOPMENT FOR THE INTENDED USES.

I. OFF-STREET PARKING

FOR PERMITTED AND CONDITIONAL USES, PARKING SPACES SHALL BE PROVIDED FOR TWO (2) VEHICLES FOR EACH DWELLING UNIT. IN MANUFACTURED HOME COMMUNITIES, SUCH PARKING SPACES MAY BE LOCATED ON THE SAME LOT, OR IN SPECIALLY PROVIDED COMMON AREAS LOCATED NOT MORE THAN 600 FEET FROM THE DWELLING WHICH THEY SERVE, OR SOME COMBINATION THEREOF. REQUIRED PARKING SPACES SHALL NOT BE PROVIDED ON PUBLIC OR PRIVATE STREETS WITHIN AND ON THE PERIMETER OF THE COMMUNITY. PARKING SHALL BE SO ARRANGED THAT THERE IS NO MANEUVERING INCIDENTAL TO PARKING IN THE TRAVEL LANE OF STREETS.

J. ACCESS

ALL MANUFACTURED HOME COMMUNITIES SHALL HAVE DIRECT ACCESS TO A STREET OR ROAD DESIGNATED OF NOT LESS THAN A COLLECTOR STATUS ON THE THOROUGHFARE PLAN FOR FAIRFIELD COUNTY. PRINCIPAL VEHICULAR ACCESS POINTS SHALL BE DESIGNED TO ENCOURAGE SMOOTH TRAFFIC FLOW. MERGING AND TURNOUT LANES AND/OR TRAFFIC DIVIDERS SHALL BE REQUIRED WHERE EXISTING OR ANTICIPATED TRAFFIC VOLUMES INDICATE NEED. MINOR STREETS SHALL NOT BE CONNECTED WITH STREETS OUTSIDE THE DISTRICT IN SUCH A WAY SO AS TO ENCOURAGE THE USE OF THOSE STREETS BY SUBSTANTIAL AMOUNTS OF THROUGH TRAFFIC. NO INDIVIDUAL LOT WITHIN THE

COMMUNITY SHALL HAVE DIRECT VEHICULAR ACCESS TO A STREET BORDERING THE DEVELOPMENT.

K. STREETS AND STREET LAYOUT

ALL STREETS PROVIDING ACCESS TO THE INDIVIDUAL LOTS IN A MANUFACTURED HOME COMMUNITY SHALL BE DIMENSIONED AND IMPROVED IN ACCORDANCE WITH THE STANDARDS AND REQUIREMENTS OF THE FAIRFIELD COUNTY SUBDIVISION REGULATIONS. THE PROPOSED LAYOUT OF SUCH STREETS SHALL BE APPROVED BY THE ZONING COMMISSION. IN MAKING SUCH DETERMINATIONS, THE COMMISSION MAY PROCURE THE ASSISTANCE OF AN ENGINEER OR OTHER PROFESSIONAL. ALL COSTS ASSOCIATED WITH SUCH APPROVAL SHALL BE PAID BY THE APPLICANT.

L. STORM DRAINAGE

ALL AREAS WITHIN A MANUFACTURED HOME COMMUNITY SHALL BE GRADED AND DRAINED SO AS TO MINIMIZE STANDING WATER AND SURFACE RUNOFF. OPEN DRAINAGE DITCHES SHALL BE PROHIBITED. THE PROPOSED METHODS TO ADDRESS STANDING WATER AND EXCESSIVE SURFACE RUNOFF SHALL BE SUBMITTED BY THE APPLICANT AND APPROVED BY THE FAIRFIELD COUNTY ENGINEER OR HIS DESIGNATED AGENT. ALL COSTS ASSOCIATED WITH SUCH APPROVALS SHALL BE PAID BY THE APPLICANT.

M. UNDERGROUND UTILITIES

WITHIN ANY MANUFACTURED HOME COMMUNITY, ALL UTILITY LINES, INCLUDING ELECTRICITY, TELEPHONE, AND CABLE TELEVISION SHALL BE LOCATED UNDERGROUND.

(B-1) GENERAL BUSINESS DISTRICT

1. PURPOSE

THE B-1 DISTRICT IS ESTABLISHED TO PROVIDE AREAS FOR A DIVERSE RANGE OF COMMERCIAL AND BUSINESS ACTIVITY WITHIN AMANDA TOWNSHIP, WHILE CONTROLLING THE ADVERSE IMPACTS OF THIS DEVELOPMENT ON NEARBY RESIDENTIAL USES. PERMITTED USES WITHIN THE GB DISTRICT SHALL OPERATE:

- A. PRIMARILY WITHIN ENCLOSED STRUCTURES, EXCEPT FOR SIGNS.
- B. WITH MINIMAL ADVERSE ENVIRONMENTAL AND/OR ECONOMIC IMPACT ON ADJACENT PROPERTIES.
- C. SUBSTANTIALLY FREE FROM NOISE, ODOR, DUST, SMOKE, LIGHT, GLARE OR VIBRATION AT LEVELS IN EXCESS OF THE AVERAGE LEVEL ON ADJACENT STREETS AND PROPERTIES.

2. PERMITTED USES

- A. ADMINISTRATIVE, BUSINESS AND PROFESSIONAL OFFICES NOT CARRYING ON RETAIL TRADE WITH THE PUBLIC AND HAVING NO STOCK OF GOODS MAINTAINED FOR SALE TO CUSTOMERS, TO INCLUDE REAL ESTATE AND INSURANCE SALES AND ASSOCIATED SERVICES, BROKERS AND DEALERS IN SECURITIES, MEDICAL, LEGAL, ENGINEERING/CONSULTING, AND/OR ACCOUNTING/BOOKKEEPING SERVICES.
- B. ORGANIZATIONS AND ASSOCIATIONS ORGANIZED ON A PROFIT OR NON-PROFIT BASIS FOR PROMOTION OF MEMBERSHIP INTERESTS, INCLUDING BUSINESS, PROFESSIONAL, CIVIC, SOCIAL AND FRATERNAL ORGANIZATIONS AND/OR CHARITABLE ORGANIZATIONS.
- C. RETAIL STORES PRIMARILY ENGAGED IN SELLING MERCHANDISE FOR PERSONAL OR HOUSEHOLD CONSUMPTION AND RENDERING SERVICES INCIDENTAL TO THE SALE OF THOSE GOODS, PROVIDED ALL STORAGE AND DISPLAY OF MERCHANDISE SHALL BE WITHIN THE PRINCIPAL STRUCTURE,
- D. PERSONAL SERVICES INVOLVING THE CARE OF THE PERSON AND HIS/HER PERSONAL EFFECTS, INCLUDING CONSUMER SERVICES GENERALLY INVOLVING THE CARE AND MAINTENANCE OF TANGIBLE PERSONAL CONSUMPTION, INCLUDING:

- (1) RESTAURANTS, BARS AND TAVERNS.

- (2) BANKS, SAVINGS AND LOANS, AND CREDIT AGENCIES.
- (3) BARBER AND BEAUTY SHOPS
- (4) FUNERAL SERVICES.
- (5) ON-PREMISES DUPLICATION AND REPRODUCTION SERVICES.
- (6) EQUIPMENT RENTAL OR LEASING, NOT TO INCLUDE THE OUTSIDE STORAGE OF EQUIPMENT.

E. NURSERY SCHOOLS AND DAY CARE FACILITIES.

F. COMMERCIAL RECREATIONAL FACILITIES WITHIN AN ENCLOSED BUILDING, SUCH AS SKATING RINKS, BOWLING ALLEYS AND PHYSICAL FITNESS CENTERS.

G. KENNELS OR ANIMAL HOSPITALS, PROVIDED ALL BUILDINGS AND OUTSIDE RUNS ARE LOCATED NOT LESS THAN 200 FEET FROM ANY ADJACENT RESIDENTIAL PROPERTY.

H. HOTELS, MOTELS AND SIMILAR LODGING ESTABLISHMENTS.

I. OUTDOOR ADVERTISING, SUBJECT TO THE REQUIREMENTS OF SECTION XIV OF THIS RESOLUTION.

J. LARGE HOUSES OF WORSHIP (350 SECTIONS OR MORE)

3. CONDITIONAL USES

A. INSTITUTIONS FOR HUMAN CARE, INCLUDING CONGREGATE OR GROUP HOMES, HOSPITALS, CLINICS, SANITARIUMS AND HOMES FOR THE ELDERLY, PROVIDED THAT ANY BUILDING OR PARKING/SERVICE AREA BE LOCATED NOT LESS THAN 200 FEET FROM ANY ADJACENT PROPERTY.

B. CARRY OUT FOOD AND BEVERAGE ESTABLISHMENTS WITH DRIVE-THROUGH FACILITIES, PROVIDED A PLAN FOR TRAFFIC CIRCULATION AND PARKING, SUBMITTED BY THE APPLICANT, IS APPROVED BY THE BOARD OF ZONING APPEALS.

C. ESTABLISHMENTS SELLING GASOLINE, KEROSENE AND/OR DIESEL FUEL, PROVIDED THAT ALL BUILDINGS AND PARKING/SERVICE AREAS ARE LOCATED NOT LESS THAN 200 FEET FROM ANY ADJACENT PROPERTY AND THAT A PLAN FOR TRAFFIC CIRCULATION AND PARKING, SUBMITTED BY THE APPLICANT, IS APPROVED BY THE BOARD OF ZONING APPEALS.

D. MOTOR VEHICLE SALES AND SERVICE ESTABLISHMENTS, PROVIDED THAT ALL BUILDINGS AND PARKING/SERVICE AREAS

ARE LOCATED NOT LESS THAN 500 FEET FROM ANY ADJACENT PROPERTY. IN ADDITION, A SPECIFIC PLAN FOR THE STORAGE AND/OR DISPLAY OF INOPERABLE, UNLICENSED OR UNUSED VEHICLES SHALL BE SUBMITTED AND APPROVED BY THE BOARD OF ZONING APPEALS. GENERALLY, THE OUTSIDE STORAGE OF VEHICLES OTHER THAN INVENTORY CURRENTLY FOR SALE OR LEASE SHALL BE DISCOURAGED.

- E. CONTRACTOR EQUIPMENT AND STORAGE YARDS, PROVIDED ADEQUATE FENCING AND SCREENING DEVICES ARE INSTALLED.
- F. GARDEN CENTERS.
- G. FACILITIES FOR THE STORAGE OF PERSONAL OR CORPORATE PROPERTY OFFERED ON A RENTAL BASIS.
- H. ADULT ENTERTAINMENT FACILITIES, SUBJECT TO THE REQUIREMENTS AND STANDARDS OF ARTICLE VII.

4. DEVELOPMENT STANDARDS

- A. LOT AREA, SETBACK AND HEIGHT REQUIREMENTS.

REQUIRED LOT AREA, YARD AND HEIGHT REQUIREMENTS SHALL BE AS PROVIDED IN ARTICLE X.

- B. PARKING AND LOADING

PARKING AND LOADING SPACES SHALL BE PROVIDED AS REQUIRED IN THIS RESOLUTION. IN ADDITION, PARKING SPACES SHALL BE DESIGNED TO ALLOW A MINIMUM OF FIVE (5) FEET BETWEEN ANY STRUCTURE AND ANY PARKED VEHICLE.

- C. TRASH AND GARBAGE CONTROL

ALL TRASH AND GARBAGE SHALL BE STORED IN CONTAINER SYSTEMS WHICH ARE LOCATED AND ENCLOSED SO AS TO EFFECTIVELY SCREEN THEM FROM VIEW.

- D. LIGHTING

LIGHTING SHALL BE ARRANGED SO AS NOT TO SHINE DIRECTLY ON ADJACENT PROPERTIES. THE ZONING COMMISSION SHALL SPECIFICALLY CONSIDER THE IMPACTS OF LIGHTING IN THE PROPOSED REZONING OF ANY PROPERTY

INTO THE GB DISTRICT. IN SPECIFIC CASES, THE ZONING COMMISSION MAY REQUIRE SCREENING OR SIMILAR TECHNIQUES BE EMPLOYED TO REDUCE THE IMPACTS OF LIGHTING ON ADJACENT RESIDENTIAL PROPERTIES.

(I-1) INDUSTRIAL DISTRICT

1. PURPOSE

THE PURPOSE OF THE INDUSTRIAL DISTRICT IS TO PROVIDE SUITABLE AREAS FOR A RANGE OF INDUSTRIAL ACTIVITIES, WHILE PROTECTING THE CHARACTER OF ADJACENT AND NEARBY RESIDENTIAL AND COMMERCIAL AREAS. PERMITTED USES SHALL GENERALLY OPERATE WITHIN ENCLOSED STRUCTURES. EXTERIOR STORAGE OF INVENTORY OR EQUIPMENT SHALL GENERALLY REQUIRE TREATMENT AS A CONDITIONAL USE.

2. PERMITTED USES

- A. LIGHT MANUFACTURING, COMPOUNDING, PROCESSING, ASSEMBLING, PACKAGING, OR TREATMENT OF GOODS, MATERIALS, AND PRODUCTS, CONSISTENT WITH THE PURPOSES OF THE I DISTRICT.
- B. WAREHOUSING, DISTRIBUTION AND RELATED USES, INCLUDING TRUCK AND TRANSFER TERMINALS.
- C. ADMINISTRATIVE, PROFESSIONAL AND BUSINESS OFFICES ASSOCIATED WITH AND INCIDENTAL TO ANOTHER PERMITTED USE.
- D. OUTDOOR ADVERTISING, SUBJECT TO THE REQUIREMENTS OF SECTION XIV OF THIS RESOLUTION.

3. CONDITIONAL USES

- A. MOTOR VEHICLE STORAGE AND SALVAGE YARDS, PROVIDED THOSE USES MEET APPLICABLE STATE REQUIREMENTS RELATED TO FENCING AND OTHER STANDARDS.
- B. CONTRACTOR EQUIPMENT AND STORAGE YARDS, PROVIDED ADEQUATE FENCING AND SCREENING DEVICES ARE INSTALLED.
- C. QUARRYING OR MINING OPERATIONS, PROVIDED THAT ALL COUNTY, STATE AND FEDERAL REGULATIONS ARE MET AND LICENSES ARE OBTAINED. THE BOARD OF ZONING APPEALS MAY IMPOSE ADDITIONAL REQUIREMENTS AS MAY BE REASONABLE AND APPROPRIATE.
- D. STRUCTURES AND SITES ASSOCIATED WITH DRILLING FOR OIL AND/OR NATURAL GAS.

E. SANITARY LANDFILLS AND SIMILAR FACILITIES FOR THE PROCESSING AND/OR DISPOSAL OF WASTE MATERIALS, PROVIDED THAT ALL REQUIRED LICENSES AND PERMITS ARE OBTAINED. THE BOARD OF ZONING APPEALS MAY IMPOSE ADDITIONAL REQUIREMENTS AS MAY BE REASONABLE AND APPROPRIATE.

4. MINIMUM DEVELOPMENT STANDARDS

A. LOT AREA, SETBACK AND HEIGHT REQUIREMENTS

REQUIRED LOT AREA, YARD AND HEIGHT REQUIREMENTS SHALL BE PROVIDED ARTICLE XI.

B. TRASH AND GARBAGE CONTROL

ALL TRASH AND GARBAGE SHALL BE STORED IN CONTAINER SYSTEMS WHICH ARE LOCATED AND ENCLOSED SO AS TO EFFECTIVELY SCREEN THEM FROM VIEW.

C. LIGHTING

LIGHTING SHALL BE ARRANGED SO AS NOT TO SHINE DIRECTLY ON ADJACENT PROPERTIES. THE BOARD OF ZONING APPEALS SHALL SPECIFICALLY CONSIDER THE IMPACTS OF LIGHTING IN THE PROPOSED REZONING OF ANY PROPERTY INTO THE I DISTRICT. IN SPECIFIC CASES, THE BOARD OF ZONING APPEALS MAY REQUIRE SCREENING OR SIMILAR TECHNIQUES BE EMPLOYED TO REDUCE THE IMPACTS OF LIGHTING ON ADJACENT RESIDENTIAL PROPERTIES.

SECTION X

Lot Area, Yard Requirements, Height Limits, and Other Use Restrictions

1. Residential Districts

The minimum lot area, yard requirements, and height limits for a residential district shall be as *follows* SHOWN IN THE ATTACHED TABLES for each principal structure. For principal buildings other than residence buildings, minimum lot area, yard requirements, and height limits, shall be the least restrictive requirements established in any residence district, provided, however, the requirements established in principal permitted use sections shall take precedence over any requirements established in this section.

2. Measurements.

A. Front Yard Depth.

The front yard depth shall be measured from the CENTER LINE OF THE ROADWAY AND SHALL BE EIGHTY (80) FEET UNLESS THE ROADWAY IS GREATER THAN SIXTY (60) FEET WIDE IN WHICH CASE THE DEPTH SHALL BE FIFTH (50) FEET FROM THE EDGE OF THE ROADWAY.

B. Side Yard Width.

The side yard width shall be measured from the nearest side lot line and, in the case the nearest side lot line is a side street lot line, from the right-of-way line of the existing street provided there is a minimum right-of-way of sixty (60) feet. In the case where the right-of-way is less than sixty (60) feet the side yard width shall be measured from a point thirty (30) feet from the centerline of the street.

3. Exceptions.

A. Side Yard Exceptions.

The only side yard modifications and exceptions shall be:

1. Along the side line of a corner lot in residence district, the width of the street side yard shall not be less than THIRTY (30) FEET.
2. SIDE YARD WIDTH MAY BE VARIED WHERE THE SIDE WALL OF THE BUILDING IS NOT PARALLEL WITH THE SIDE LOT LINE OR IS BROKEN OR OTHERWISE IRREGULAR. IN SUCH CASE THE AVERAGE WIDTH OF THE SIDE YARD SHALL NOT BE LESS THAN THE OTHERWISE REQUIRED LEAST WIDTH PROVIDED, HOWEVER, THAT SUCH SIDE

YARD SHALL NOT BE NARROWER AT ANY POINT THAN THREE-FOURTH (3/4) THE OTHERWISE REQUIRED LEAST WIDTH .

4. Projections into Yards.

The only projections into yards shall be:

- A. A wall or fence not over six (6) feet high may be erected in any yard or court, except a front yard or side street side yard in which case the height of the wall or fence shall not be over four (4) feet. If the wall is a retaining wall the height shall be measured on the highest (fill) side. No fence, trees, or foliage shall be maintained on a lot that will materially obstruct the view of a driver of a vehicle.
- B. Steps, uncovered porches, or other similar features not over three and one-half (3 1/2) feet high above the average finished grade, and distance at least five (5) feet from every lot line may, project into any yard.
- C. Cornices, canopies, eaves, pilasters, sills, or other architectural features may project into any yard or court a distance not exceeding three (3) feet.
- D. Chimneys may project into any yard a distance not exceeding two and one-half (2 1/2) feet, any bay windows or balconies may project into any yard a distance not exceeding three (3) feet, provided; however, that such chimneys, bay windows, and balconies, do not occupy, in the aggregate, more than one-third (1/3) of the length of the building wall on which they are located.

5. Height Limit Exceptions.

- A. The height limitations of this Resolution shall not apply to Churches, Schools, Hospitals, and such public buildings as a Library, Museum, Art Gallery, Fire Station, or a public building of a cultural, recreational, or administrative nature; provided, that for each two (2) feet by which the height of such building exceeds the maximum height otherwise permitted in the district, its side and rear yards shall be increased by one-half (1/2) foot over the side and rear yards otherwise required in the district.
- B. Church spires, belfries, cupolas, and domes, monuments, fire and house towers, observation towers, transmission towers, chimneys, smokestacks, flag poles, radio and television towers, masts and aerials, may exceed the height limitations.
- C. In the I-1 District, the height limitations shall not apply to bulkheads, water tanks, monitors, towers, monuments, fire towers, hose towers, cooling towers, grain elevators, and gas holders.

6. Conversion of Dwellings.

The conversion of any building into a dwelling or the conversion of any dwelling so as to accommodate an increased number of dwelling units or families shall be permitted only within a district in which a new building for similar occupancy would be permitted under this Resolution. The occupancy resulting from such conversion shall comply with the requirements governing new construction in such district with respect to minimum lot width, lot area per dwelling unit, dimension of yards and other open spaces, and off-street parking, except that, in case of a dwelling in existence at the time of the effective date of this Resolution. The following modification of such requirements shall be permitted.

- A. No addition to any existing building shall be permitted if said addition violates any yard requirements of the district.

7. Accessory Building in Residential Districts.

Accessory buildings in residential districts shall be subject to the following requirements:

- A. No accessory building shall occupy more than forty (40) percent of the required rear yard.
- B. THE HEIGHT OF ANY ACCESSORY BUILDING SHALL NOT EXCEED TWENTY (20) FEET IN AN R-1 DISTRICT; THIRTY (30) FEET IN AN R-2 DISTRICT; AND FIFTEEN (15) FEET IN AN R-3 DISTRICT.

8. Pending Applications for Zoning Permits.

Nothing contained in this Resolution shall require any change in the overall layout, plans, construction, size, or designated use of any development, building, structure, or part thereof, for which official approvals and required zoning permits have been legally granted before the enactment of this Resolution, the construction of which, conforming with such plans, shall have started within six (6) months of the effective date of this Resolution and completion thereof carried on in a normal manner within the subsequent two (2) year period, and not discontinued until completion.

9. Trailers, Mobile Homes and Truck Bodies Prohibited.

- A. No tractor trailer, tractor trailer body, or truck body may be parked or stored in any residential district, except that a tractor trailer or truck may be parked or stored on any lot or plot if it can be currently licensed and is used by the owner or occupant of the property for trucking purposes only. No tractor trailer, tractor trailer body, or truck may be used as a dwelling place or building of any kind.
- B. TRAVEL TRAILERS, PARK TRAILERS, AND MOBILE HOMES, AS THOSE TERMS ARE DEFINED IN SECTION 4501.01 OF THE REVISED CODE, AND MANUFACTURED HOMES THAT DO NOT QUALIFY AS PERMANENTLY SITED MANUFACTURED HOMES ARE PROHIBITED IN ANY

RESIDENTIAL DISTRICT EXCEPT AN M-1 MANUFACTURED HOME DISTRICT.

10. Minimum Size For Dwellings.

The minimum size for any residence dwelling shall be that prescribed in the following table.

11. Regulation of Basement Dwellings and Earth Homes.

- A. A dwelling unit which consists solely of a basement shall not be permitted, except as a temporary dwelling while the above grade portion of that dwelling is completed, which use shall not exceed six (6) months from the date a certificate of occupancy is issued by the zoning inspector. The zoning inspector may not grant more than one (1) extension of this temporary certificate of occupancy.
- B. This section shall not prohibit the erection of an earth home or similar structure constructed with the purpose of utilizing the earth's natural heating or cooling properties but such a dwelling must have one or more rooms and an entrance constructed above the existing grade and must be finished with a roof or otherwise so that additional stories cannot be added to the basement area without alteration of the completed existing structure.

12. Temporary Housing for Aged or Infirm Family Members.

In the A-1 and A-2 Districts an additional dwelling unit may be temporarily erected on each separately described tract of land as a separate dwelling unit for a son, daughter, son-in-law, daughter-in-law, parent, grandparent, or grandchild of an owner of that tract of land provided:

- A. The housing is provided on a temporary basis because of the relative's inability to care for his or herself without the close assistance of the family members who reside on the tract of land where the temporary housing is to be placed.
- B. The family member who owns the tract of land where the temporary housing is located also resides on that tract of land.

No such temporary housing shall be erected or used until a certificate of temporary use and occupancy has first been approved by the Amanda Township Board of Zoning Appeals. Any such certificate issued by the Board of Zoning Appeals shall not exceed a term of one (1) year. Such certificates of temporary use and occupancy may be renewed so long as the relative requires the continued aid and assistance of the family members living on the described tract of land. Such certificate shall terminate upon the relative no longer requiring such aid and assistance from the family member or upon the death of the relative. Once a certificate terminates the temporary housing shall be removed from the residence premises by not later than sixty (60) days from the date of termination.

- C. Temporary housing such as described in this shall conform to all the requirements of Section III with the exception of: (1) number of families; (2) lot frontage; (3) lot area; and, (4) the type and size of housing used.

District Frontage to depth ratio	Number Families	Height Limit and Stories	Lot Frontage (Feet)	Lot Area (Sq. Ft.)	Lot Area Per Family (Sq. Ft.)	From centerline ***		
						Front Yard Depth (Feet)	Side Yard Width (Feet)	Rear Depth (Feet)
A-1* 3:1	1	1-2 1/2	200	2 acres	2 acres	80	15	30
A-2 3:1	1	1-2 1/2	200	2 acres	2 acres	80	20	40
R-1	1	1-2 1/2	150	30,000	30,000	65	20	30
R-2**	1	1-2 1/2	80	10,000	10,000	60	10	30
	2	1-2 1/2	100	12,000	6,000	50	10	35
R-3**	1	1-2 1/2	80	10,000	10,000	30	10	30
	2	1-2 1/2	100	10,000	5,000	30	10	35
	3	1-2 1/2	120	12,000	4,000	30	12	40
	4	35 feet	120	12,000	3,000	30	15	50

*Since the purpose of the A-1 District is to provide large tracts of land for present agricultural activity, to protect this land from urban encroachment and to provide adequate future areas for agricultural activity, the zoning inspector shall issue only ten (10) zoning permits in any A-1 District in any one calendar year.

Persons who apply for a zoning permit in an A-1 District after the maximum number of permits have been issued for that year, shall be placed on a waiting list. The persons on the waiting list shall be ranked according to the dates of their respective applications with the oldest application being first, the next oldest second, etc. In the ensuing calendar year, zoning permits shall be issued first to those on the waiting list and then to new applicants.

** Where CENTRAL sewer and water are not available the minimum lot requirements shall be as designated in the R-1 District.

*** See Section X, 2, A.

USE	NUMBER OF BEDROOMS	*MINIMUM SQUARE DISTRICT FOOTAGE REQUIRED
A-1, A-2, & A-5	1	960
AND	2	1080
R-1	3	1200
	4 OR MORE	1320
R - 2	1	840
	2	960
	3	1080
	4 OR MORE	1200
	1	650
	2	770
R - 3	3	900
	4 OR MORE	1020

*In A-1 and R-1 use districts the minimum square footage is calculated using the outside dimensions of the above grade portion of the structure exclusive of any garage or other non-living area.

In R-2 and R-3 use districts the minimum square footage is the inside living area of each dwelling unit exclusive of garages, basements and other non-living areas.

Business and Industrial Districts.

The lot area, yard requirements, and height limits for business and industrial districts shall be as follows for each principal structure:

	<u>B-1 Business District</u>	<u>I-1 Industrial District</u>
Front Yard Depth (FT)	30	40
Lot Area (Sq. Ft.)	10,000*	10,000*
Lot Frontage (Ft.)	80*	80*
Side yard Width, Each Side yard (Ft.)	None required except adjoining any R-District, then 15 feet	None required except adjoining any R-District, then not less than twenty five (25) feet.
Rear Yard Depth (ft)	25 feet except abutting any R-District, than not less than that required in the adjoining R-District.	Same as for B-1 District.
Height Limits (Feet)	No principal structure shall exceed two (2) stories or shall not exceed thirty (30) feet in height whichever is greater.	Distance from center-line of st. However, within two hundred (200) feet of R-Districts, three (3) stories which shall not exceed fifty (50) feet.

*Where CENTRAL sewer and water are not available, the minimum lot requirements shall be 30,000 square feet of area and 150 feet of frontage.

SECTION XI

SPECIAL REGULATIONS

1. VERY LARGE HOUSES OF WORSHIP.

VERY LARGE CHURCHES OR HOUSES OF WORSHIP WHICH ARE DESIGNED OR BUILT TO ACCOMMODATE MORE THAN THREE HUNDRED FIFTY (350) PERSONS IN THEIR MAIN SANCTUARY, BECAUSE OF THE AMOUNT OF TRAFFIC, PARKING FACILITIES AND OTHER ACTIVITIES OFTEN ASSOCIATED WITH ORGANIZATIONS OF THIS SIZE, ARE NOT SUITED FOR INCLUSION IN RESIDENTIAL DISTRICTS BUT MAY BE ESTABLISHED IN BUSINESS DISTRICTS.

SECTION XII

OFF-STREET PARKING REQUIREMENTS

1. PURPOSE

THE PURPOSE OF THESE REQUIREMENTS IS TO ENCOURAGE THE ORDERLY DEVELOPMENT OF PARKING AND LOADING AREAS WITHIN AMANDA TOWNSHIP AND TO PROMOTE THE SAFETY OF RESIDENTS AND VISITORS BY INSURING THE EFFICIENT HANDLING OF VEHICULAR TRAFFIC.

2. PROVISION FOR PARKING REQUIRED

UNLESS OTHERWISE INDICATED IN THIS RESOLUTION IN ALL ZONING DISTRICTS, AT THE TIME ANY BUILDING, STRUCTURE OR USE IS CHANGED, ESTABLISHED, ERECTED, DEVELOPED, ENLARGED OR INCREASED IN CAPACITY, OFF-STREET PARKING SHALL BE PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE.

3. GENERAL REQUIREMENTS

A. SURFACING AND DRAINAGE

ALL OFF-STREET PARKING AREAS FOR COMMERCIAL OR INDUSTRIAL PROJECTS SHALL BE PROPERLY GRADED, MARKED AND SURFACED SO AS TO PROVIDE A HARD, DURABLE AND DUSTLESS SURFACE. ALL PARKING AREAS SHALL BE GRADED AND DRAINED SO AS TO DISPOSE OF SURFACE WATER WHICH MIGHT ACCUMULATE WITHIN OR UPON SUCH AREA, AND SHALL BE DESIGNED TO PREVENT THE EXCESSIVE RUNOFF OF SURFACE WATER ONTO ADJACENT PROPERTIES OR PUBLIC ROADWAYS. THE DEVELOPER OF ANY PARKING AREA SHALL ENSURE THAT ADEQUATE PROVISIONS HAVE BEEN MADE TO DIRECT STORM RUNOFF TO A SUITABLE AND ADEQUATE STORM WATER DRAINAGE SYSTEM, IF SUCH SYSTEM IS AVAILABLE.

B. SCREENING

OFF-STREET PARKING FACILITIES FOR MORE THAN TWENTY (20) VEHICLES THAT ABUT ANY RESIDENTIAL ZONING DISTRICT SHALL BE PROVIDED ON EACH SIDE OF THE PARKING AREA WHICH SO ABUTS WITH A SOLID DECORATIVE FENCE OR DENSE VEGETATIVE PLANTING WITH A MINIMUM

HEIGHT OF SIX (6) FEET AT TIME OF PLANTING AND 75% OPACITY AT FULL FOLIAGE.

C. LIGHTING

ANY LIGHTING USED TO ILLUMINATE ANY OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT LIGHT AWAY FROM ANY ADJOINING PREMISES IN ANY ZONING DISTRICT WHERE RESIDENCES ARE A PERMITTED USE. IN ADDITION, SUCH LIGHTING SHALL BE SO ARRANGED AS NOT TO INTERFERE WITH TRAFFIC ON ANY ADJOINING STREET OR TO BE CONFUSED WITH ANY TRAFFIC CONTROL LIGHTING.

D. LOCATION OF PARKING SPACES

A TWENTY (20) FOOT CLEAR ZONE SHALL BE MAINTAINED BETWEEN THE EDGE OF ANY ROAD PAVEMENT AND ANY PARKING SPACE. PARKING AREAS SHALL BE SO DESIGNED AND ARRANGED SO AS NOT TO ALLOW THE PROTRUDING OF ANY VEHICLE (OR PORTION THEREOF) OVER THE CLEAR ZONE.

E. PARKING OF INOPERABLE OR DISABLED EQUIPMENT OR VEHICLES.

THE EXTERIOR PARKING OR STORAGE OF INOPERABLE OR DISABLED PIECES OF EQUIPMENT OR VEHICLES FOR A PERIOD OF TIME EXCEEDING THIRTY (30) CONSECUTIVE DAYS, OUTSIDE OF AN APPROVED JUNK YARD LICENSED AND REGULATED PURSUANT TO SECTIONS 4737.05 THROUGH 4737.12 OF THE OHIO REVISED CODE, SHALL BE PROHIBITED.

THE TOWNSHIP RESERVES THE RIGHT TO REMOVE JUNK CARS FROM PRIVATE PROPERTY CONSISTENT WITH THE STANDARDS AND PROCEDURES CITED IN ORC SECTION 4513.65.

F. PARKING OF RECREATIONAL EQUIPMENT

THE STORAGE OF TRAVEL TRAILERS, MOTOR HOMES, PICK-UP CAMPERS, FOLDING TENT TRAILERS, BOATS OR BOAT TRAILERS AND SIMILAR RECREATIONAL EQUIPMENT SHALL BE SUBJECT TO THE FOLLOWING REQUIREMENTS:

- (1.) NOT MORE THAN TWO (2) PIECES OF SUCH EQUIPMENT, OR VEHICLES, SHALL BE PERMITTED TO BE STORED

OUTSIDE ON A PARCEL CONTAINING A SINGLE FAMILY OR TWO-FAMILY DWELLING. FOR THE PURPOSE OF THIS SECTION, A BOAT STORED ON A BOAT TRAILER SHALL BE DEEMED ONE PIECE OF RECREATIONAL EQUIPMENT.

- (2.) RECREATIONAL EQUIPMENT SHALL NOT BE USED FOR PERMANENT OCCUPANCY.

4. REQUIRED NUMBER OF OFF-STREET PARKING SPACES

PARKING SPACES SHALL BE PROVIDED ACCORDING TO THE FOLLOWING SCHEDULE OF USES. IF A USE CONSISTS OF MORE THAN ONE COMPONENT USE (E.G., A SCHOOL WITH A STADIUM) THE REQUIRED NUMBER OF PARKING SPACES SHALL BE THE SUM OF THE REQUIRED SPACES FOR THOSE COMPONENT USES.

SCHEDULE OF REQUIRED OFF-STREET PARKING

<u>USE</u>	<u>NUMBER OF REQUIRED SPACES</u>
<u>Industrial</u>	
1. ANY MANUFACTURING, PROCESSING, PACKAGING, WAREHOUSING, DISTRIBUTION OR SERVICE INDUSTRY	TWO (2) FOR EACH THREE (3) EMPLOYEES DURING WORK SHIFT HAVING GREATEST NUMBER OF EMPLOYEES, PLUS ONE (1) FOR EACH VEHICLE MAINTAINED ON THE PREMISES.
<u>Institutional</u>	
1. CHURCHES AND PLACES OF PUBLIC WORSHIP	ONE (1) FOR EACH FOUR (4) SEATS IN MAIN SANCTUARY
2. PUBLIC OR PRIVATE ELEMENTARY OR SECONDARY SCHOOL	FOUR (4) FOR EACH CLASSROOM, OR ONE (1) FOR EACH IN MAIN AUDITORIUM, WHICHEVER IS GREATER.
3. BUSINESS, TRADE, OR TECHNICAL SCHOOL, COLLEGE OR UNIVERSITY	ONE (1) FOR EACH TWO (2) STUDENTS AND ONE (1) FOR EACH FACULTY MEMBER.
4. NURSERY SCHOOL/DAY CARE	ONE (1) FOR EACH FIFTEEN (15) STUDENTS
5. LIBRARIES, MUSEUMS, COMMUNITY CENTERS AND SIMILAR FACILITIES	ONE (1) FOR EACH 400 S.F. OF GROSS FLOOR AREA.
6. CIVIC, SOCIAL AND FRATERNAL ORGANIZATIONS	ONE (1) FOR EACH THREE (3) PERSONS ALLOWED IN MAIN MEETING ROOM AT FULL CAPACITY.
7. HOSPITALS, NURSING FACILITIES	ONE (1) FOR EACH FOUR (4) BEDS PLUS ONE (1) PER EMPLOYEE ON MAIN SHIFT.
<u>RECREATIONAL</u>	
1. BASEBALL, SOFTBALL, FOOTBALL, SOCCER OR SIMILAR ORGANIZED SPORT PLAYFIELD	Twenty (20) for each playfield, plus one for each six (6) seats in stands.
2. TENNIS, HANDBALL OR RACQUETBALL COURTS	THREE (3) FOR EACH COURT
3. BOWLING ALLEYS	FOUR (4) PER LANE, PLUS NECESSARY SPACES AS REQUIRED FOR AUXILIARY SUES SUCH AS RESTAURANTS.
4. THEATRES, STADIUMS, SPORTS ARENAS, AUDITORIUMS OR OTHER ASSEMBLY HALLS OTHER THAN SCHOOLS	ONE (1) FOR EACH FOUR (4) SEATS

SECTION XIII

SIGNS

1. PURPOSE

THE PURPOSE OF THESE REGULATIONS IS TO PREVENT SIGNS FROM BECOMING A DISTRACTION TO THE SAFE FLOW OF TRAFFIC, TO PREVENT SIGNS FROM BECOMING A NUISANCE TO ADJACENT PROPERTIES OR USES, TO PROTECT AND ENCOURAGE A HEALTHFUL ECONOMIC BUSINESS ENVIRONMENT IN THE COMMUNITY AND, THEREBY, PROTECT THE GENERAL HEALTH, SAFETY, AND WELFARE OF THE CITIZENS OF AMANDA TOWNSHIP.

2. DEFINITIONS

AS USED IN THIS ARTICLE, THE FOLLOWING WORDS OR PHRASES SHALL HAVE THE MEANINGS HEREIN:

- A. "SIGN" MEANS ANY DEVICE FOR VISUAL COMMUNICATION WHICH IS DESIGNED OR USED TO CONVEY A MESSAGE, ADVERTISE, INFORM OR OTHERWISE DIRECT ATTENTION TO A PERSON, INSTITUTION, ORGANIZATION, ACTIVITY, BUSINESS, PLACE, OBJECT OR PRODUCT. SIGNS ERECTED BY THE LOCAL, STATE OR FEDERAL GOVERNMENT FOR THE PURPOSES OF DISCHARGING IN ANY NORMAL GOVERNMENTAL FUNCTION, SUCH AS TRAFFIC CONTROL OR SAFETY, ARE LIKEWISE EXCLUDED FROM THESE REGULATIONS OF THIS ARTICLE.
- B. "BILLBOARD" MEANS ANY SIGN IDENTIFYING, PROMOTING OR ADVERTISING A PRODUCT OR SERVICE NOT LOCATED ON THE SAME PROPERTY AS THE SIGN, THAT EXCEEDS 200 SQUARE FEET IN AREA.
- C. "FREESTANDING SIGN" MEANS A SIGN ERECTED ON A POLE, POLES, PILLARS, OR POSTS AND WHICH IS WHOLLY INDEPENDENT OF ANY BUILDING FOR SUPPORT.
- D. "PERMANENT SIGN" MEANS A SIGN INTENDED TO BE ERECTED, DISPLAYED OR USED, OR IN FACT WHICH IS USED FOR TIME PERIOD IN EXCESS OF SIX (6) MONTHS.
- E. "PORTABLE SIGN" MEANS A SIGN DESIGNED OR CONSTRUCTED IN SUCH A MANNER THAT IT CAN BE MOVED OR RELOCATED WITHOUT INVOLVING ANY STRUCTURAL OR SUPPORT CHANGES AND SHALL INCLUDE SIGNS THAT ARE CONSTRUCTED ON A CHASSIS OR TRAILER.

- F. "TEMPORARY SIGN" MEANS A SIGN INTENCED TO BE DISPLAYED, OR IN FACT DISPLAYED, FOR A TIME PERIOD OF LESS THAN SIX (6) MONTHS.

3. SIGN PERMITS

A. PERMIT REQUIRED

NO PERMANENT OR TEMPORARY SIGN, EXCEPT AS EXEMPTED IN SECTION 14.04 OF THIS RESOLUTION, SHALL HEREAFTER BE ERECTED, CONSTRUCTED OR MAINTAINED WITHIN AMANDA TOWNSHIP UNLESS A PERMIT FOR THE SAME HAS BEEN ISSUED BY THE ZONING INSPECTOR. A SIGN FOR WHICH A PERMIT HAS BEEN ISSUED SHALL NOT BE MODIFIED, CHANGED OR AMENDED SO AS TO DIFFER FROM THAT APPROVED IN THE PERMIT UNLESS A NEW OR AMENDED PERMIT IS ISSUED.

B. CONTENTS OF APPLICATION

APPLICATION FOR A PERMIT TO CONSTRUCT OR ERECT A SIGN SHALL BE MADE BY THE OWNER OF THE PROPERTY UPON WHICH THE SIGN IS PROPOSED, OR HIS/HER AGENT. THE FEE SHALL BE ESTABLISHED BY SEPARATE RESOLUTION. THE APPLICATION FOR A SIGN PERMIT SHALL BE MADE ON FORMS AS PROVIDED BY THE ZONING INSPECTOR, AND SHALL INCLUDE THE FOLLOWING INFORMATION:

1. NAME, ADDRESS, AND TELEPHONE NUMBER OF THE APPLICANT.
2. DRAWING OR DRAWINGS SHOWING, AT A MINIMUM:
 - A. THE DESIGN AND LAYOUT OF THE PROPOSED SIGN, INCLUDING THE TOTAL AREA OF THE SIGN AND THE SIZE, HEIGHT, CHARACTER, MATERIALS AND COLOR OF LETTERS, LINES, AND SYMBOLS.
 - B. THE METHOD OF ILLUMINATION, IF PROPOSED.
 - C. THE EXACT LOCATION OF THE SIGN IN RELATION TO THE BUILDING AND PROPERTY.

4. SIGNS WHICH DO NOT REQUIRE A PERMIT

THE FOLLOWING SIGNS MAY BE ERECTED WITHOUT A PERMIT:

- A. ADDRESS AND NAME OF OCCUPANT OF PREMISES FOR A RESIDENTIAL STRUCTURE, TO BE LIMITED IN SIZE OF TWO (2) SQUARE FEET.
- B. SIGNS WHICH ARE IN THE NATURE OF CORNERSTONES, COMMEMORATIVE TABLES AND HISTORICAL PLAQUES, PROVIDED THAT SUCH SIGNS ARE LESS THAN NINE (9) SQUARE FEET IN SIZE AND NOT ILLUMINATED.
- C. SIGNS CLEARLY IN THE NATURE OF DECORATIONS CUSTOMARILY ASSOCIATED WITH ANY NATIONAL, LOCAL OR RELIGIOUS HOLIDAY. SUCH SIGNS MAY BE OF ANY ILLUMINATION OR ANIMATION PROVIDED THAT SAFETY AND VISIBILITY HAZARDS ARE NOT CLEARLY CREATED.
- D. SIGNS OR POSTERS CONCERNING CANDIDATES FOR ELECTIVE OFFICE, PUBLIC ISSUES AND SIMILAR MATTERS TO BE DECIDED BY PUBLIC ELECTION, TO BE DISPLAYED BEGINNING NO MORE THAN FORTY-FIVE (45) DAYS PRIOR TO ELECTION AND TO BE REMOVED NO LATER THAN FIFTEEN (15) DAYS AFTER SUCH ELECTION.
- E. SIGNS THAT INDICATE THE SALE, DEVELOPMENT, RENTAL OR LEASE OF A PARTICULAR STRUCTURE OR LAND AREA, TO BE LIMITED TO ONE SIGN ALLOWED PER ROAD FRONT. SUCH SIGNS SHALL NOT BE LOCATED IN A PUBLIC RIGHT-OF-WAY.
- F. TEMPORARY WINDOW SIGNS IN THE COMMERCIAL AND/OR INDUSTRIAL DISTRICTS WHICH PROMOTE SPECIAL BUSINESS SALES, PROMOTION OR OCCASIONS.
- G. SIGNS, WHICH ARE LESS THAN FOUR (4) SQUARE FEET IN SIZE AND MOUNTED OR ATTACHED FLAT OR PARALLEL ONTO A BUILDING FACE OF AN ADMINISTRATIVE, BUSINESS OR PROFESSIONAL OFFICE BUILDING, WHICH DENOTE THE NAME AND ADDRESS OF AN OCCUPANT IN A BUILDING WHERE MORE THAN ONE TENANT IS LOCATED.
- H. SIGNS WHICH ADVERTISE THE SALE OF PERSONAL PROPERTY, SUCH AS A GARAGE, YARD, PORCH OR MOVING SALES, PROVIDED SUCH SIGNS ARE DISPLAYED FOR A TIME PERIOD NOT GREATER THAN THREE (3) CONSECUTIVE DAYS, ARE REMOVED WITHIN TWO (2) DAYS AFTER THE SALE AND ARE NOT LOCATED WITHIN A PUBLIC RIGHT-OF-WAY.
- I. FARM SIGNS DENOTING THE NAME AND ADDRESS OF THE OCCUPANT, PRODUCE OR PRODUCTS FOR SALE, AND/OR

MEMBERSHIP IN ORGANIZATIONS. SUCH SIGNS SHALL BE LOCATED OUTSIDE THE ROAD RIGHT-OF-WAY.

- J. TEMPORARY CONSTRUCTION SIGNS WHICH DISPLAY THE IDENTIFICATION OF THE CONSTRUCTION PROJECT, INCLUDING IDENTIFICATION OF THE CONTRACTORS, ARCHITECTS AND OTHER CONSTRUCTION PRINCIPALS PROVIDED THAT SUCH CONSTRUCTION SIGN IS REMOVED UPON THE COMPLETION OF CONSTRUCTION OR THE COMMENCEMENT OF OCCUPANCY, WHICHEVER EVENT OCCURS FIRST.
- K. SIGNS PROMOTING COMMUNITY EVENTS AND PROGRAMS WHICH ARE SPONSORED BY NONPROFIT, PUBLIC, EDUCATIONAL, RELIGIOUS AND CHARITABLE ORGANIZATIONS.
- L. SIGNS DETERMINED BY THE BOARD OF ZONING APPEALS TO BE SIMILAR TO THOSE SPECIFIED IN A-K ABOVE.

5. GENERAL REQUIREMENTS

TEMPORARY AND/OR PERMANENT SIGNS ERECTED AFTER THE DATE OF THIS RESOLUTION SHALL COMPLY WITH THE FOLLOWING STANDARDS AND REQUIREMENTS:

A. OUTDOOR ADVERTISING

OUTDOOR ADVERTISING AND OTHER SIGNS PROMOTING A PRODUCT OR SERVICE NOT LOCATED ON THE PREMISES SHALL BE CONSIDERED A BUSINESS USE AND SHALL BE PERMITTED IN BUSINESS AND INDUSTRIAL DISTRICT, SUBJECT TO THE DEVELOPMENT STANDARDS OF THAT DISTRICT, AND THE FOLLOWING:

1. NOT MORE THAN TWO (2) OFF-PREMISES DIRECTIONAL SIGNS SHALL BE PERMITTED, DIRECTING PERSONS TO A BUSINESS LOCATED ELSEWHERE. EACH SUCH DIRECTIONAL SIGN SHALL NOT EXCEED FOUR (4) SQUARE FEET IN AREA.
2. ANY OUTDOOR ADVERTISING SIGN EXCEEDING 200 SQUARE FEET IN AREA PER SIDE SHALL BE CONSIDERED AS A BILLBOARD, AND SHALL BE SUBJECT TO THE PROVISIONS OF SECTION OF 14.05B BELOW.
3. THE HEIGHT OF A OUTDOOR ADVERTISING SIGN SHALL NOT EXCEED TWENTY-FIVE (25 FEET ABOVE NATURAL GRADE.

4. ALL PERMITTED OUTDOOR ADVERTISING SIGNS SHALL BE LICENSED OR PERMITTED AS MAY BY REQUIRED BY OTHER LOCAL, FEDERAL OR STATE AGENCIES.
5. OUTDOOR ADVERTISING SIGNS SHALL BE LOCATED BEHIND THE BUILDING SETBACK LINE FOR THE DISTRICT IN WHICH IT IS LOCATED, AND SHALL BE LOCATED NOT LESS THAN 400 FEET FROM ANY ADJACENT RESIDENCE.
6. NO OUTDOOR ADVERTISING SHALL BE ERECTED OR MAINTAINED IN TREES, OR CONSTRUCTED, DRAWN OR PAINTED DIRECTLY ONTO ROCKS OR OTHER NATURAL FEATERES.

B. BILLBOARDS

BILLBOARDS, AS DEFINED IN PARAGRAPH 2, INTENDED TO BE VIEWED FROM ANY STATE OR FEDERAL HIGHWAY SHALL BE CONSIDERED AS A CONDITIONAL USE IN COMMERCIAL AND/OR INDUSTRIAL DISTRICTS. BILLBOARDS SHALL NOT BE ALLOWED ALONG COUNTY OR TOWNSHIP ROADWAYS. BILLBOARDS SHALL NOT EXCEED 300 SQUARE FEET IN AREA, AND SHALL BE LOCATED NOT CLOSER THAN 1,500 FEET FROM ANY RESIDENCE. THE APPLICATION FOR SUCH SIGNS SHALL INCLUDE A SITE PLAN SHOWING THE EXACT LOCATION OF THE SIGN, AND SHALL BE REVIEWED AND APPROVED BY THE BOARD OF ZONING APPEALS.

C. ON-PREMISES SIGNS

FREE-STANDING, WALL-MOUNTED, WINDOW OR PROJECTING SIGNS IDENTIFYING AND/OR PROMOTING USES OR ACTIVITIES ON THE PREMISES ARE PERMITTED AS PART OF THE PRINCIPAL USE IN COMMERCIAL OR INDUSTRIAL DISTRICTS.

1. NO SINGLE SIGN SHALL HAVE AN AREA OF AREA OF MORE THAN FORTY (40) SQUARE FEET PER SIDE.
2. NO SINGLE USE OR PROPERTY SHALL MAINTAIN A TOTAL SIGN AREA FOR ALL SIGNS OF MORE THAN 100 SQUARE FEET.
3. NO ON-PREMISES SIGN SHALL BE ERECTED CLOSER THAN TWENTY-FIVE (13) FEET TO THE ROAD RIGHT-OF-WAY.
4. NO SIGN SHALL EXCEED TWENTY-FIVE (25 FEET IN HEIGHT, AS MEASURED FROM GROUND LEVEL.

D. PORTABLE SIGNS

PORTABLE SIGNS, AS DEFINED IN SECTION 13.02E, SHALL BE PERMITTED AS TEMPORARY SIGNS, SO LONG AS THE GROSS SIGN AREA FOR THE PROPERTY, AS SPECIFIED IN SECTION 14.05C.2. ABOVE, IS NOT EXCEEDED.

E. PERMANENT SUBDIVISION IDENTIFICATION SIGNS

PERMANENT SIGNS IDENTIFYING A RESIDENTIAL SUBDIVISION SHALL BE LIMITED TO NOT MORE THAN TWO (2) SIGNS LOCATED AT THE ENTRANCE TO THE SUBDIVISION.

F. GENERAL REQUIREMENTS FOR ALL SIGNS

- (1) WHEN A SIGN IS PROPOSED TO BE ILLUMINATED, SUCH ILLUMINATION SHALL BE FROM A CONCEALED OR INDIRECT LIGHT SOURCE AND SHALL NOT FLASH, BLINK, FLUCTUATE IN INTENSITY, TRAVEL, MOVE OR IN ANY MANNER FAIL TO PROVIDE CONSTANT ILLUMINATION, AND SHALL NOT CREATE A HAZARD OR VISIBILITY PROBLEM OR INTERFERE WITH OR IMPAIR VEHICULAR TRAFFIC. THE LEVEL OF ILLUMINATION EMITTED FROM A SIGN SHALL NOT BE OF AN INTENSITY TO CONSTITUTE A DEMONSTRABLE SAFETY HAZARD TO VEHICULAR MOVEMENT ON ANY STREET. ILLUMINATED SIGNS SHALL BE CONSTRUCTED AND MAINTAINED SO THAT THE SOURCE OF ILLUMINATION IS SHIELDED OR OTHERWISE PREVENTED FROM BEAMING DIRECTLY ONTO ADJACENT PROPERTIES OR STREETS.
- (2) ALL SIGNS AND PARTS THEREOF, INCLUDING ANY ELECTRICAL WIRING, SHALL BE ERECTED, CONSTRUCTED, AND MAINTAINED SO AS NOT TO CONSTITUTE A SAFETY HAZARD.
- (3) NO SIGN NOR PART OF ANY OF A SIGN BE PLACED IN, OVER, OR EXTEND ONTO ANY PUBLIC RIGHT-OF-WAY, NOR SHALL ANY PART OF A SIGN BE PLACED OVER, OR EXTEND ABOVE THE ROOF OF ANY STRUCTURE.
- (4) NO SIGN SHALL BE LOCATED SO AS TO HINDER CLEAR SIGHT WITHIN FIFTY (50) FEET IN BOTH DIRECTIONS AT THE INTERSECTION OF ANY ROADWAY WITH A FEDERAL OR STATE HIGHWAY.

6. MEASUREMENT OF SIGN AREA

FOR THE PURPOSES OF THIS RESOLUTION, SIGN AREA SHALL BE MEASURED SO AS TO INCLUDE THE FACE OF ALL THE DISPLAY AREA OF THE SIGN NOT INCLUDING BRACING, FRAMING AND STRUCTURAL SUPPORTS OF THE SIGN, UNLESS SUCH SUPPORT MEMBERS ARE MADE PART OF THE MESSAGE OR FACE OF THE DESIGN. WHERE A SIGN HAS TWO OR MORE DISPLAY FACES, THE AREA OF ALL FACES OF THE SIGN SHALL BE INCLUDED IN DETERMINING THE AREA OF THE SIGN. COMPLY WITH THE FOLLOWING STANDARDS:

7. NONCONFORMING SIGNS

A. ABANDONMENT

THE CONTINUANCE OF AN EXISTING SIGN WHICH DOES NOT MEET THE REGULATIONS AND REQUIREMENTS OF THIS ARTICLE SHALL BE DEEMED A NONCONFORMING SIGN WHICH SHALL TERMINATE BY ABANDONMENT WHEN ANY OF THE FOLLOWING CONDITIONS EXIST:

- (1.) WHEN THE SIGN IS ASSOCIATED WITH AN ABANDONED USE.
- (2.) WHEN THE SIGN REMAINS AFTER THE TERMINATION OF A BUSINESS. A BUSINESS HAS CEASED OPERATIONS IF IT IS CLOSED TO THE PUBLIC FOR AT LEAST NINETY (90) CONSECUTIVE DAYS. SEASONAL BUSINESSES ARE EXEMPT FROM THIS REQUIREMENT.
- (3.) WHEN THE SIGN IS NOT MAINTAINED OR DOES NOT CONFORM TO THE FOLLOWING:
 - A. ALL SIGNS, TOGETHER WITH ALL SUPPORTS, BRACES, GUYS AND ANCHORS SHALL BE KEPT IN A PROPER STATE OF REPAIR.
 - B. EVERY SIGN AND THE IMMEDIATELY SURROUNDING PREMISES SHALL BE MAINTAINED BY THE OWNER, OR HIS AGENT, IN A CLEAN SANITARY AND INOFFENSIVE CONDITION, FREE FROM ALL OBNOXIOUS SUBSTANCES, RUBBISH AND WEEDS.

UPON FINDING THAT THE SIGN IS ABANDONED, THE RIGHT TO MAINTAIN AND USE SUCH SIGN SHALL TERMINATE IMMEDIATELY.

B. RELOCATION OR REPLACEMENT

A NONCONFORMING SIGN SHALL NOT BE STRUCTURALLY RELOCATED OR REPLACED UNLESS IT IS BROUGHT INTO COMPLIANCE WITH THE PROVISIONS OF THIS SECTION.

C. MAINTENANCE

A NONCONFORMING SIGN SHALL BE MAINTAINED OR REPAIRED IN ACCORDANCE WITH THE FOLLOWING PROVISIONS:

- (1.) THE SIZE AND STRUCTURAL SHAPE OF THE SIGN SHALL NOT BE CHANGED OR ALTERED. THE COPY MAY BE CHANGED PROVIDED THAT THE CHANGE APPLIES TO THE ORIGINAL USE ASSOCIATED WITH THE SIGN AT THE TIME THE SIGN BECAME NONCONFORMING. THE COPY AREA SHALL NOT BE ENLARGED.
- (2.) IN CASE DAMAGE OCCURS TO THE SIGN TO THE EXTENT THAT MORE THAN 50 PERCENT (50%) OF THE REPLACEMENT VALUE IS LOST, THE SIGN SHALL BE REMOVED WITHIN SIXTY (60) DAYS.

SECTION XIV

SCHEDULE OF FEES, CHANGES AND EXPENSES

The Board of Township Trustees shall establish a schedule of fees, charges and expenses and a collection procedure for zoning permits, certificates of occupancy, 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.

CURRENT FEES, CHARGES AND EXPENSES

Effective: January 1, 2008

Parking permit for emergency housing	See Resolution 2007-09
Application for variance	See Resolution 2007-09
Zoning Certificate, single family dwelling	
a. home up to 1500 Sq. Ft.	See Resolution 2007-09
b. home 1501-1999 Sq. Ft.	See Resolution 2007-09
c. home 2000-2999 Sq. Ft.	See Resolution 2007-09
d. home 3000-3999 Sq. Ft.	See Resolution 2007-09
e. home 4000 Sq. Ft. or greater	See Resolution 2007-09
Zoning Certificate, addition to established single family dwelling	See Resolution 2007-09
Changes or amendment to Zoning Code	See Resolution 2007-09
Zoning certificate, industrial or commercial building	See Resolution 2007-09
Zoning permit pools	See Resolution 2007-09

SECTION XV

DEFINITIONS

INTERPRETATION OF TERMS OR WORDS: FOR THE PURPOSE OF THIS RESOLUTION, CERTAIN TERMS OR WORDS USED HEREIN SHALL BE INTERPRETED AS FOLLOWS:

- A. THE WORD "PERSON" INCLUDES A FIRM, ASSOCIATION, ORGANIZATION, PARTNERSHIP, TRUST, COMPANY OR CORPORATION AS WELL AS AN INDIVIDUAL.
- B. THE PRESENT TENSE INCLUDES THE FUTURE TENSE, THE SINGULAR NUMBER INCLUDES THE PLURAL AND THE PLURAL NUMBER INCLUDES THE SINGULAR.
- C. THE WORD "SHALL" IS A MANDATORY REQUIREMENT, THE WORD "MAY" IS A PERMISSIVE REQUIREMENT AND THE WORD "SHOULD" IS A PREFERRED REQUIREMENT.

ACREAGE - Any tract or parcel of land which has not been subdivided.

ACCESSORY USE OR STRUCTURE - A use or structure subordinate to the principle use of a building on the same lot and served a purpose customarily incidental to the use of the principle building or use.

AGRICULTURE - The use of land for agricultural purposes, including farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the necessary accessory uses for packing, treating or storing the produce, provided, however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities and provided further that the above uses shall not include the commercial feeding of garbage or offal of swine or other animals.

AIRPORT - ANY RUNWAY, LAND AREA OR OTHER FACILITY DESIGNED OR USED EITHER PUBLICLY OR PRIVATELY BY ANY PERSON FOR THE LANDING AND TAKING-OFF OF AIRCRAFT, INCLUDING ALL NECESSARY TAXIWAYS, AIRCRAFT STORAGE AND TIE-DOWN AREAS, HANGARS AND OTHER NECESSARY BUILDINGS AND OPEN SPACES.

ALLEY - A public right-of-way less than thirty (30) feet in width, but not less than twelve (12) feet, which affords only secondary means or access to abutting property.

ALTERATIONS, STRUCTURAL - ANY CHANGE IN THE SUPPORTING MEMBERS OF A BUILDING SUCH AS BEARING WALLS, COLUMNS, BEAMS OR GIRDERS.

AUTOMOTIVE REPAIR - THE REPAIR, REBUILDING OR RECONDITIONING OF MOTOR VEHICLES OR PARTS THEREOF, INCLUDING COLLISION SERVICE, PAINTING AND STEAM CLEANING OF VEHICLES.

AUTOMOTIVE, MANUFACTURED HOME, MODULAR HOME, TRAVEL TRAILER AND FARM IMPLEMENT SALES - THE SALE OR RENTAL OF NEW AND USED MOTOR VEHICLES, MANUFACTURED HOMES, MODULAR HOMES, TRAVEL TRAILERS OR FARM IMPLEMENTS, BUT NOT INCLUDING REPAIR WORK EXCEPT INCIDENTAL WARRANTY REPAIR OF SAME, TO BE DISPLAYED AND SOLD ON THE PREMISES.

AUTOMOBILE SERVICE STATION - A PLACE WHERE GASOLINE, KEROSENE, OR ANY OTHER MOTOR VEHICLE FUEL OR LUBRICATING OIL OR GREASE FOR OPERATING MOTOR VEHICLES IS OFFERED FOR SALE TO THE PUBLIC AND DELIVERIES ARE ON THE PREMISES.

BASEMENT - That portion of a building, the floor of which is not less than two (2) feet below and the ceiling of which is not less than four (4) feet and six (6) inches above the average grade.

BILLBOARD OR SIGN - Any structure or portion thereof, on which lettered, figured or pictorial matter is displayed for advertising purposes.

BOARDING HOUSE, ROOMING HOUSE - A building or part thereof, other than a hotel or restaurant where meals and/or lodging are provided for compensation, for three (3) or more persons, primarily non-transients, where no cooking or dining facilities are provided in individual rooms.

BUILDABLE AREA - The buildable area of a lot is the space remaining after the minimum open space requirements of this ordinance have been complied with.

BUILDING - Building means a combination of materials to form a structure that is safe and stable and adapted to permanent or continuous occupancy for public, institutional, residence, business or industry purposes and meets the requirements of this resolution for the district where it is located.

BUILDING, HEIGHT OF - The vertical distance from the average contact ground level at the front wall of the building to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or the mean height level between eaves and ridge for gable, hip or gambrel roofs.

BUILDING, PRINCIPLE - A BUILDING IN WHICH IS CONDUCTED THE MAIN OR PRINCIPLE USE OF THE LOT ON WHICH SAID BUILDING IS SITUATED.

CARPORT- A COVERED AUTOMOBILE PARKING SPACE NOT COMPLETELY ENCLOSED BY WALLS OR DOORS. A CARPORT SHALL BE SUBJECT TO ALL PROVISIONS IN THESE REGULATIONS FOR A PRIVATE GARAGE OR ACCESSORY BUILDING.

CEMETERY- LAND USED FOR OR INTENDED TO BE USED FOR THE BURIAL OF THE HUMAN OR ANIMAL DEAD AND DEDICATED FOR CEMETERY PURPOSES, INCLUDING CREMATORIES, MAUSOLEUMS AND MORTUARIES, IF OPERATED IN CONJUNCTION WITH AND WITHIN THE BOUNDARIES OF THE CEMETERY.

CENTRAL SEWER SYSTEM- A SYSTEM WHERE INDIVIDUAL LOTS ARE CONNECTED TO A COMMON SEWERAGE SYSTEM WHETHER PUBLICLY OR PRIVATELY OWNED AND OPERATED.

CERTIFICATE OF OCCUPANCY - A document issued by the Zoning Inspector which indicates that buildings, structures or uses are consistent with this ordinance.

CHILD DAY-CARE- ADMINISTERING TO THE NEEDS OF INFANTS, TODDLERS, PRE-SCHOOL CHILDREN AND SCHOOL CHILDREN OUTSIDE OF THE SCHOOL HOURS BY PERSONS OTHER THAN THEIR PARENTS OR GUARDIANS, CUSTODIANS, OR RELATIVES BY BLOOD, MARRIAGE OR ADOPTION FOR ANY PART OF THE TWENTY-FOUR (24) HOUR DAY IN A PLACE OR RESIDENCE OTHER THAN THE CHILD'S OWN HOME. THE FOLLOWING ARE CHILD DAY-CARE FACILITIES:

- A. CHILD DAY-CARE CENTER- ANY PLACE IN WHICH CHILD DAY-CARE IS PROVIDED, WITH OR WITHOUT COMPENSATION, FOR THIRTEEN (13) OR MORE CHILDREN AT ANY ONE TIME, OR ANY PLACE THAT IS NOT THE PERMANENT RESIDENCE OF THE LICENSEE OR ADMINISTRATOR IN WHICH CHILD DAY-CARE IS PROVIDED, WITH OR WITHOUT COMPENSATION, FOR SEVEN (7) TO ONE HUNDRED TWENTY THREE (123) CHILDREN AT ANY ONE TIME. IN COUNTING CHILDREN FOR THE PURPOSES OF THIS DEFINITION, ANY CHILDREN UNDER SIX (6) YEARS OF AGE WHO ARE RELATED TO A LICENSEE, ADMINISTRATOR OR EMPLOYEE AND WHO ARE ON THE PREMISES SHALL BE COUNTED.

- B. TYPE A FAMILY DAY-CARE HOME- A PERMANENT RESIDENCE OF THE ADMINISTRATOR IN WHICH CHILD DAY-CARE IS PROVIDED FOR FOUR (4) TO TWELVE (12) CHILDREN AT ANY ONE TIME, IF FOUR (4) OR MORE CHILDREN ARE UNDER TWO (2) YEARS OF AGE. IN COUNTING CHILDREN FOR THE PURPOSES OF THIS DEFINITION, ANY CHILDREN UNDER SIX (6) YEARS OF AGE WHO ARE RELATED TO A LICENSEE, ADMINISTRATOR OR EMPLOYEE AND WHO ARE ON THE PREMISES OF THE TYPE A HOME SHALL BE COUNTED. THE TERM "TYPE A FAMILY DAY-CARE HOME" DOES NOT INCLUDE A RESIDENCE IN WHICH ALL SUCH CHILDREN ARE SIBLINGS OF THE SAME IMMEDIATE FAMILY AND THE RESIDENCE IS THEIR HOME.

- C. TYPE B FAMILY DAY-CARE HOME- A PERMANENT RESIDENCE OF THE PROVIDER IN WHICH CHILD DAY-CARE OR CARE SERVICES ARE

PROVIDED FOR ONE (1) TO SIX (6) CHILDREN AT ONE TIME AND IN WHICH NO MORE THAN THREE (3) CHILDREN MAY BE UNDER TWO (2) YEARS OF AGE AT ANY ONE TIME. IN COUNTING CHILDREN FOR THE PURPOSES OF THIS DEFINITION, ANY CHILDREN UNDER SIX (6) YEARS OF AGE WHO ARE RELATED TO THE PROVIDER AND ARE ON THE PREMISES OF THE TYPE B HOME SHALL BE COUNTED. THE TERM "TYPE B FAMILY DAY-CARE HOME" DOES NOT INCLUDE A RESIDENCE IN WHICH THE NEEDS OF CHILDREN ARE ADMINISTERED TO, IF ALL SUCH CHILDREN ARE SIBLINGS OF THE SAME IMMEDIATE FAMILY AND THE RESIDENCE IS THEIR HOME.

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 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 OR RECREATIONAL PURPOSE PRIMARILY FOR THE EXCLUSIVE USE OF MEMBERS AND THEIR GUESTS.

COMMERCIAL ENTERTAINMENT FACILITIES - ANY PROFIT-MAKING ACTIVITY WHICH IS GENERALLY RELATED TO THE ENTERTAINMENT FIELD, SUCH AS MOTION PICTURE THEATERS, CARNIVALS, NIGHTCLUBS, COCKTAIL LOUNGES AND SIMILAR ENTERTAINMENT ACTIVITIES.

COMPREHENSIVE DEVELOPMENT PLAN - A PLAN, OR ANY PORTION THEREOF, ADOPTED BY THE APPROPRIATE AUTHORITY, 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 ESTABLISHES 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 USE PERMIT- A PERMIT ISSUED BY THE ZONING ADMINISTRATOR, UPON APPROVAL BY THE BOARD OF ZONING APPEALS, TO ALLOW A USE OTHER THAN A PRINCIPALLY PERMITTED USE TO BE ESTABLISHED WITHIN THE DISTRICT.

CONDOMINIUM - A BUILDING OR GROUP OF BUILDINGS IN WHICH UNITS ARE INDIVIDUALLY OWNED BUT THE STRUCTURE, COMMON AREAS AND FACILITIES ARE OWNED ON A PROPORTIONAL, UNDIVIDED BASIS BY ALL OF THE OWNERS.

CORNER LOT - A lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, forming an interior angle of less than one hundred thirty five (135) degrees. The point of intersection of the street lines in the corner.

COURT - An open, unoccupied space, other than a yard, upon the same lot with a building or group of buildings.

DISTRICT - A portion of the territory of the Township within which certain regulations and requirements or various combinations thereof apply under the provisions of this ordinance.

DISTRICT; MORE RESTRICTED OR LESS RESTRICTED - Each of the districts as listed in Section II shall be deemed to be more restricted than any of the other districts succeeding it, and each shall be deemed to be less restrictive than any of the other districts preceding it in said list.

DWELLING - Any building or portion thereof designed or used as the residence of one (1) or more persons, but not including a tent or a room in a hotel or motel.

DWELLING, SINGLE FAMILY - A building designed for or used for residence purposes by one (1) family.

DWELLING, TWO FAMILY - A building designed for or used for residence purposes by two (2) families.

DWELLING, MULTI-UNIT - A building or portion thereof designed for or used for residence purposes by three (3) or more families.

EASEMENTS - AUTHORIZATION BY A PROPERTY OWNER FOR THE USE BY ANOTHER, AND FOR A SPECIFIED PURPOSE, OF ANY DESIGNATED PART OF THE PROPERTY.

ELDERLY HOUSING FACILITY- A BUILDING OR BUILDINGS CONTAINING TWELVE (12) OR MORE DWELLING UNITS WHERE OCCUPANCY IS RESTRICTED TO ELDERLY PERSONS OR HOUSEHOLDS. SUCH FACILITIES MAY INCLUDE EMERGENCY FIRST AID CARE, DAY CARE, THERAPY, PERSONAL CARE, NURSING FACILITIES, RECREATIONAL FACILITIES AND PROVIDE FOR INDEPENDENT OR SEMI-INDEPENDENT LIVING. FOR THE PURPOSE OF THIS DEFINITION, "ELDERLY HOUSING FACILITY" SHALL NOT INCLUDE CONVALESCENT HOMES, NURSING HOMES, GROUP RESIDENTIAL FACILITIES OR HOMES FOR THE AGED.

ELDERLY PERSON - ANY PERSON WHO IS SIXTY-TWO (62) YEARS OF AGE OR OLDER, OR ANY PERSON UNDER SIXTY-TWO (62) YEARS OF AGE WHO IS HANDICAPPED SUCH THAT HIS OR HER PHYSICAL IMPAIRMENTS ARE OF A LONG-TERM DURATION AND IMPEDE HIS OR HER ABILITY TO LIVE INDEPENDENTLY WITHOUT A SUITABLE HOUSING ENVIRONMENT.

ESSENTIAL SERVICES - THE ERECTION, CONSTRUCTION, ALTERATION OR MAINTENANCE BY PUBLIC UTILITIES OR MUNICIPAL OR OTHER GOVERNMENTAL AGENCIES OF UNDERGROUND OR OVERHEAD GAS, ELECTRICAL, STEAM OR WATER TRANSMISSION OR DISTRIBUTION SYSTEMS, COLLECTION, COMMUNICATIONS, DRAINS, SEWERS, PIPES, CONDUITS, CABLES, FIRE ALARM BOXES, POLICE CALL BOXES, TRAFFIC SIGNALS, HYDRANTS AND OTHER SIMILAR EQUIPMENT AND ACCESSORIES IN CONNECTION THEREWITH, BUT NOT INCLUDING, BUILDINGS REASONABLY NECESSARY FOR THE FURNISHING OF ADEQUATE SERVICE BY SUCH AGENCIES FOR THE PUBLIC HEALTH, SAFETY, OR GENERAL WELFARE.

FACTORY-BUILT HOUSING - "FACTORY-BUILT HOUSING" MEANS A FACTORY-BUILT STRUCTURE DESIGNED FOR LONG-TERM RESIDENTIAL USE, THE COMPONENTS OF WHICH ARE ESSENTIALLY CONSTRUCTED OR ASSEMBLED PRIOR TO ITS DELIVERY TO AND INSTALLATION UPON A SITE. FOR THE PURPOSES OF THIS RESOLUTION, "FACTORY-BUILT HOUSING" SHALL INCLUDE THE FOLLOWING:

- A. MOBILE HOME: A BUILDING UNIT OR ASSEMBLY CONSTRUCTED PRIOR TO JANUARY 1, 1995 OR WHICH IS NOT 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 OR WHICH DOES NOT HAVE 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. MODULAR HOME: FACTORY-BUILT HOUSING CERTIFIED AS MEETING THE STATE BUILDING CODE AS APPLICABLE TO MODULAR HOUSING. ONCE CERTIFIED BY THE STATE, MODULAR HOMES SHALL BE SUBJECT TO THE SAME STANDARDS AS SITE-BUILT HOMES.
- C. 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.

- D. "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 LOCALLY APPROVED FOOTING OR FOUNDATION, TO WHICH A MANUFACTURED OR MOBILE HOME MAY BE AFFIXED.
 - (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;
 - (C) THE STRUCTURE HAS A MINIMUM 3:12 RESIDENTIAL ROOF PITCH, CONVENTIONAL RESIDENTIAL SIDING, AND A SIX-INCH MINIMUM EAVE OVERHANG, INCLUDING APPROPRIATE GUTTERING;
 - (D) THE STRUCTURE WAS MANUFACTURED AFTER JANUARY 1, 1995;
 - (E) THE STRUCTURE IS NOT LOCATED IN A MANUFACTURED HOME PARK AS DEFINED BY SECTION 3733.01 OF THE REVISED CODE.

FAMILY - A person living alone, or two (2) or more persons living together as a single housekeeping unit, in a dwelling unit, AS DISTINGUISHED FROM A GROUP OCCUPYING A ROOMING HOUSE, MOTEL OR HOTEL, DORMITORY, FRATERNITY OR SORORITY HOUSE, PROVIDED, HOWEVER, THAT "FAMILY" SHALL NOT INCLUDE MORE THAN FOUR (4) PERSONS UNRELATED TO EACH OTHER BY BLOOD, MARRIAGE OR LEGAL ADOPTION, EXCEPT FOR CLASS I TYPE B GROUP RESIDENTIAL FACILITIES.

FILLING STATION - Any building, structure or land used primarily for the dispensing, sale or offering for sale to the consumers, automobile fuels, oils or accessories, including lubrication of automobiles and replacement or installation of minor parts and accessories but not including major work such as motor replacement, body and fender repair or spray painting.

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, BUT INCLUDING THE AREA OF ROOFED PORCHES AND ROOFED TERRACES. ALL DIMENSIONS SHALL BE MEASURED BETWEEN INTERIOR FACES OF WALLS.

FLOOR AREA OF A NONRESIDENTIAL BUILDING - (TO BE USED IN CALCULATING PARKING REQUIREMENTS) - THE FLOOR AREA OF THE SPECIFIED USE EXCLUDING STAIRS, WASHROOMS, ELEVATOR SHAFTS, MAINTENANCE SHAFTS AND ROOMS, STORAGE SPACES, DISPLAY WINDOWS, FITTING ROOMS AND SIMILAR AREAS.

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 AND OTHER SIMILAR BUSINESSES.

GARAGE, PRIVATE - A detached accessory building or a portion of the principal building used only for the storage of self-propelled vehicles and incidental residential storage.

GARAGE, PUBLIC - A building or portion thereof, designed or used for equipping, servicing, repairing, hiring, selling or storing self-propelled vehicles.

GARAGE, SERVICE STATION - BUILDINGS AND PREMISES WHERE GASOLINE, OIL, GREASE, BATTERIES, TIRES AND MOTOR VEHICLE ACCESSORIES MAY BE SUPPLIED AND DISPENSED AT RETAIL AND WHERE, IN ADDITION, THE FOLLOWING SERVICES MAY BE RENDERED AND SALES MADE:

- A. SALES AND SERVICE OF SPARK PLUGS, BATTERIES AND DISTRIBUTOR PARTS.
- B. TIRE SERVICING AND REPAIR, BUT NOT RECAPPING OR REGROOVING.
- C. REPLACEMENT OF MUFFLERS AND TAIL PIPES, WATER HOSES, FAN BELTS, BRAKE FLUID, LIGHT BULBS, FUSES, FLOOR MATS, SEAT COVERS, WINDSHIELD WIPERS AND BLADES, GREASE CONTAINERS, WHEEL BEARINGS, MIRRORS AND THE LIKE.
- D. RADIATOR CLEANING AND FLUSHING.
- E. RADIATOR WELDING AND REPAIR.
- F. GREASING AND LUBRICATION.
- G. PROVIDING AND REPAIRING FUEL PUMPS, OIL PUMPS AND LINES.

- H. MINOR SERVICING AND REPAIR OF CARBURETORS.
- I. ADJUSTING AND REPAIRING BRAKES.
- J. MINOR MOTOR ADJUSTMENT NOT INVOLVING REMOVAL OF THE HEAD OR CRANKCASE OR RACING THE MOTOR.
- K. SALES OF COLD DRINKS, PACKAGED FOOD, TOBACCO AND SIMILAR CONVENIENCE GOODS FOR SERVICE STATION CUSTOMERS AND ACCESSORY AND INCIDENTAL TO PRINCIPAL OPERATIONS.
- L. PROVISIONS OF ROAD MAPS AND OTHER INFORMATIONAL MATERIAL TO CUSTOMERS; PROVISION OF RESTROOM FACILITIES.
- M. WARRANTY MAINTENANCE AND SAFETY INSPECTIONS.

GROUP RESIDENTIAL FACILITY - A "GROUP RESIDENTIAL FACILITY" IS A COMMUNITY RESIDENTIAL FACILITY, LICENSED AND/OR APPROVED AND REGULATED BY THE STATE OF OHIO, WHICH PROVIDES REHABILITATIVE OR HABILITATION SERVICES. THERE ARE TWO (2) CLASSES OF GROUP RESIDENTIAL FACILITIES:

- A. CLASS I: ANY STATE, FEDERAL, OR LOCALLY APPROVED DWELLING OR PLACE USED AS A FOSTER HOME FOR CHILDREN OR ADULTS (NOT INCLUDING NURSING HOMES) OR AS A HOME FOR THE CARE OR REHABILITATION OF DEPENDENT OR PRE-DELINQUENT CHILDREN, FOR THE PHYSICALLY HANDICAPPED OR DISABLED, OR FOR THOSE WITH MENTAL ILLNESS OR DEVELOPMENTAL DISABILITIES. A CLASS I TYPE A GROUP RESIDENTIAL FACILITY CONTAINS SIX (6) OR MORE RESIDENTS, EXCLUSIVE OF STAFF. A CLASS I TYPE B GROUP RESIDENTIAL FACILITY CONTAINS FIVE (5) OR LESS RESIDENTS, EXCLUSIVE OF STAFF.
- B. CLASS II: ANY STATE, FEDERAL OR LOCALLY APPROVED DWELLING OR PLACE USED AS A HOME FOR JUVENILE OFFENDERS; A HALFWAY HOUSE PROVIDING RESIDENTIAL CARE OR REHABILITATION FOR ADULT OFFENDERS IN LIEU OF INSTITUTIONAL SENTENCING; A HALFWAY HOUSE PROVIDING RESIDENCE FOR PERSONS LEAVING CORRECTIONAL INSTITUTIONS; AND RESIDENTIAL REHABILITATION CENTERS FOR ALCOHOL AND DRUG ABUSERS, PROVIDING THAT DETOXIFICATION IS EXPRESSLY PROHIBITED ON SUCH PREMISES. CLASS II TYPE A GROUP RESIDENTIAL FACILITY CONTAINS SIX (6) OR MORE RESIDENTS, EXCLUSIVE OF STAFF. A CLASS II TYPE B GROUP RESIDENTIAL FACILITY CONTAINS FIVE (5) OR LESS RESIDENTS, EXCLUSIVE OF STAFF.

HISTORIC AREA - A DISTRICT OR ZONE DESIGNATED BY A LOCAL AUTHORITY, STATE OR FEDERAL GOVERNMENT WITHIN WHICH THE BUILDINGS, STRUCTURES, APPURTENANCES AND PLACES ARE OF BASIC AND VITAL IMPORTANCE BECAUSE OF THEIR ASSOCIATION WITH HISTORY, OR BECAUSE OF THEIR UNIQUE ARCHITECTURAL STYLE AND SCALE, INCLUDING MATERIALS, PROPORTION, FORM AND ARCHITECTURAL DETAIL, OR BECAUSE OF THEIR BEING PART OF OR RELATED TO A SQUARE, PARK OR AREA THE DESIGN OR GENERAL ARRANGEMENT OF WHICH SHOULD BE PRESERVED AND/OR DEVELOPED ACCORDING TO A FIXED PLAN BASED ON CULTURAL, HISTORICAL OR ARCHITECTURAL MOTIVES OR PURPOSES.

HOME OCCUPATION - See Section IX

HOSPITAL - Any institution for providing health services, primarily for in-patient care, medical or surgical care of the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central service facilities and staff offices which are an internal part of the facility. The term hospital shall specifically not include tuberculosis, mental, or penal hospitals, rest homes or nursing homes.

HOTEL - A building occupied as primarily the temporary abiding place of individuals who are lodged with or without meals and in which there are more than twenty (20) sleeping rooms or apartments.

JUNK YARD - A facility as defined in Chapter 4937 of the Ohio Revised Code or Chapter 4938 of the Ohio Revised Code.

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 OFFSTREET PARKING SPACES ARE FILLED. REQUIRED OFFSTREET LOADING SPACE IS NOT TO BE INCLUDED AS OFFSTREET SPACE IN COMPUTATION OF REQUIRED OFFSTREET PARKING SPACE. ALL OFFSTREET LOADING SPACES SHALL BE LOCATED TOTALLY OUTSIDE OF ANY STREET OR ALLEY RIGHT-OF-WAY.

LOT - FOR THE PURPOSES OF THIS RESOLUTION, A LOT IS A PARCEL OF LAND OF SUFFICIENT SIZE TO MEET MINIMUM ZONING REQUIREMENTS FOR USE, COVERAGE AND AREA AND TO PROVIDE 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. LEGAL NONCONFORMING LOTS SHALL MEET ALL PROVISIONS OF ARTICLE V, AND SHALL BE SUBJECT TO ALL REQUIREMENTS THEREOF.

LOT - A parcel of land not including any road or street right-of-way occupied or intended to be occupied by a principle building or a group of such buildings and assessor buildings, or utilized

for a principle use and used accessory thereto, together with the open space as required by this ordinance and having frontage on a public street. Thus, the lot boundary may or may not coincide with the boundary of a lot of record.

LOT AREA - The computed area contained within the lot lines. *not including any road or street right-of-way.* WHERE THE LOT HAS BEEN CONVEYED TO THE CENTER OF THE STREET THE AREA OF THE LOT LYING WITHIN THE ESTABLISHED RIGHT-OF-WAY SHALL NOT BE INCLUDED AS PART OF THE LOT AREA FOR THE PURPOSE OF THESE REGULATIONS.

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, DEPTH - The mean horizontal distance between the front and the rear lot lines.

LOT, DOUBLE FRONTAGE - A LOT HAVING FRONTAGE ON TWO (2) NONINTERSECTING STREETS, AS DISTINGUISHED FROM A CORNER LOT.

LOT FRONTAGE - THAT PORTION OF A LOT WHICH DIRECTLY ABUTS THE STREET OR STREET RIGHT-OF-WAY. LOT FRONTAGE SHALL BE MEASURED ONLY FROM THE FRONT (ADDRESS SIDE) FOR THE PURPOSE OF DETERMINING ROAD FRONTAGE. ALL SIDES OF A LOT ABUTTING A STREET SHALL BE CONSIDERED FRONTAGE FOR THE PURPOSE OF DETERMINING YARD REQUIREMENTS ONLY ON CORNER LOTS AND DOUBLE FRONTAGE LOTS.

LOT, INTERIOR - A lot other than a corner lot.

LOT LINES - The property lines bounding the lot.

LOT LINE, REAR - The lot line opposite and most distant from the front lot line.

LOT LINE, SIDE - Any lot line other than a front or rear lot 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 METERS AND BOUNDS, THE DEED OF WHICH HAS BEEN SO RECORDED.

LOT OF RECORD - A lot which is part of a subdivision, or a lot described by meters and bounds the map and/or description of which has been recorded in the office of the Registrar of Deeds of Fairfield County.

LOT, THROUGH - An interior lot having frontage on two streets.

LOT TYPES - TERMINOLOGY USED IN THIS RESOLUTION WITH REFERENCE TO CORNER LOTS, INTERIOR LOTS AND THROUGH LOTS IS AS FOLLOWS:

- A. CORNER LOT: A LOT LOCATED AT THE INTERSECTION OF TWO (2) OR MORE STREETS; A LOT ABUTTING ON CURVED STREET OR STREETS SHALL BE CONSIDERED A CORNER LOT. IN 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.
- B. INTERIOR LOT: A LOT WITH ONLY ONE (1) FRONTAGE ON A STREET.
- C. THROUGH LOT: A LOT OTHER THAN A CORNER LOT WITH FRONTAGE ON MORE THAN ONE (1) STREET. THROUGH LOTS ABUTTING TWO (2) STREETS MAY BE REFERRED TO AS DOUBLE FRONTAGE LOTS.
- D. 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.

LOT, WIDTH- The mean width of the lot measured at right angles to its depth.

MAINTENANCE AND STORAGE FACILITIES - LAND, BUILDINGS AND STRUCTURES DEVOTED PRIMARILY TO THE MAINTENANCE AND STORAGE OF CONSTRUCTION EQUIPMENT AND MATERIAL.

MANUFACTURE - THE PROCESS OF MAKING SOMETHING FROM RAW OR SEMI-FINISHED MATERIALS WHETHER BY HAND OR BY MECHANIZED PROCESS. MAKING IN THESE REGULATIONS ALSO INCLUDES PRODUCING, ASSEMBLING, FABRICATING, ALLOYING, METAL AND CHROME PLATING.

MINI-WAREHOUSE OR STORAGE FACILITY - A BUILDING OR GROUP OF BUILDINGS IN A CONTROLLED ACCESS AND/OR FENCED COMPOUND CONTAINING INDIVIDUAL STORAGE COMPARTMENTS, STALLS, OR LOCKERS FOR THE DEAD STORAGE OF CUSTOMERS' GOODS OR WARES.

MOTEL - ANY BUILDING OR GROUP OF BUILDINGS CONTAINING SLEEPING ROOMS, WITH OR WITHOUT COOKING FACILITIES, DESIGNED AND ORIGINALLY CONSTRUCTED PRIMARILY AS OVERNIGHT SLEEPING QUARTERS FOR TOURISTS OR TRANSIENTS, WITH GARAGE ATTACHED OR PARKING SPACE CONVENIENTLY LOCATED TO EACH UNIT, INCLUDING AUTO COURTS, MOTOR LODGES AND TOURIST COURTS.

NON-CONFORMING USE - A building structure or premises legally existing and/or used at the time of adoption of this Ordinance or any amendment thereto and which does not conform with the use regulations of the district in which located.

NURSERY, PLANT MATERIALS - LAND, BUILDING, STRUCTURE, OR COMBINATION THEREOF FOR THE STORAGE, CULTIVATION, TRANSPLANTING LIVE TREES, SHRUBS, OR PLANTS OFFERED FOR RETAIL SALE ON THE PREMISES INCLUDING PRODUCTS USED FOR GARDENING OR LANDSCAPING.

OPEN SPACES - AN AREA SUBSTANTIALLY OPEN TO THE SKY WHICH MAY BE ON THE SAME LOT WITH A BUILDING. THE AREA MAY INCLUDE, ALONG WITH THE NATURAL ENVIRONMENTAL FEATURES, WATER AREAS, SWIMMING POOLS, TENNIS COURTS AND OTHER RECREATIONAL FACILITIES. STREETS, PARKING AREAS, STRUCTURES FOR HABITATION AND THE LIKE SHALL NOT BE INCLUDED.

OUTDOOR ADVERTISING SIGN (BILLBOARD); (SEE SIGN) - A FIXED OR PORTABLE APPLIANCE, STRUCTURE OR SURFACE, INCLUDING THE SUPPORTING STRUCTURE MADE NECESSARY THEREBY, WHICH IS, OR IS TO BE ERECTED UPON THE GROUND, WALL OR ABOVE THE ROOF OF A BUILDING AND WHICH IS USED, ERECTED, INTENDED AND/OR DESIGNED TO BE USED FOR THE PUBLIC DISPLAY OF POSTERS, PAINTED DISPLAYS, PICTURES OR OTHER PICTORIAL OR READING MATTER FOR THE BENEFIT OF A PERSON, ORGANIZATION, BUSINESS OR CAUSE NOT RESIDING OR LOCATED ON THE LOT OR IN THE BUILDING OR ON A LOT ADJOINING THE LOT OR BUILDING WHERE SAID APPLIANCE, STRUCTURE, OR SURFACE IS, OR IS TO BE LOCATED. AN OUTDOOR ADVERTISING SIGN SHALL INCLUDE: ANY CARD, CLOTH, PAPER, METAL, PAINTED GLASS, WOOD, PLASTER, STONE OR OTHER SIGN OF ANY KIND OR CHARACTER WHATSOEVER, PLACED FOR OUTDOOR ADVERTISING PURPOSES ON THE GROUND OR ON ANY TREE, WALL, BUSH, ROCK, POST, FENCE, BUILDING, STRUCTURE OR THING WHATSOEVER. THE TERM PLACED SHALL INCLUDE, AS USED IN THIS DEFINITION, ERECTING, CONSTRUCTING, POSTING, PAINTING, FIXING, TACKING, NAILING, GLUING, STICKING, CARVING, OR OTHERWISE FASTENING, AFFIXING OR MAKING VISIBLE IN ANY MANNER WHATSOEVER.

OWNER - Owner of record according to records contained in the Fairfield County Office.

PARKING AREA - An open area, other than a street or other public way, used for the parking or motor vehicles.

PARKING LOT - AN OFFSTREET PARKING AREA WHERE THE PRINCIPAL USE OF THE TRACT OR LOT IS FOR VEHICULAR PARKING.

PARKING SPACE - AN OFF STREET SPACE OR BERTH FOR THE TEMPORARY PARKING OF A VEHICLE FOR A PERIOD LONGER THAN REQUIRED TO LOAD OR UNLOAD PERSONS OR GOODS.

PATIO - An uncovered area, other than a parking space, surfaced or constructed, the use of which is customarily incidental to that of the main use of the land.

PERSONAL SERVICES - ANY ENTERPRISE CONDUCTED FOR GAIN IN WHICH SERVICES ARE OFFERED TO THE GENERAL PUBLIC, SUCH AS SHOE REPAIR, WATCH REPAIR, BARBER AND BEAUTY SHOPS AND SIMILAR ACTIVITIES.

PLANNED UNIT DEVELOPMENT (PUD) - A DEVELOPMENT WHICH IS PLANNED TO INTEGRATE RESIDENTIAL USE WITH COLLATERAL NONRESIDENTIAL USES, INTEGRATE DWELLING TYPES OR TO ACHIEVE PARTICULAR DESIGN OBJECTIVES, MAKE PROVISION FOR OPEN SPACE AND COMMON AREAS, PROMOTE GREATER EFFICIENCY IN THE PROVISIONS OF UTILITIES, PROVIDE FOR INNOVATIVE DEVELOPMENT TECHNIQUES. WITHIN A PLANNED UNIT RESIDENTIAL DEVELOPMENT DISTRICT, THE TOWNSHIP ZONING REGULATIONS NEED NOT BE UNIFORM.

PRINCIPAL BUILDING - THE PRINCIPAL BUILDING ON A LOT USED TO ACCOMMODATE THE PRIMARY USE TO WHICH THE PREMISES ARE DEVOTED.

PROFESSIONAL ACTIVITIES - THE USE OF OFFICES AND RELATED SPACES FOR SUCH PROFESSIONAL SERVICES AS ARE PROVIDED BY MEDICAL PRACTITIONERS, LAWYERS, ARCHITECTS, ENGINEERS AND SIMILAR PROFESSIONS.

PUBLIC SERVICE FACILITY - THE ERECTION, CONSTRUCTION, ALTERATION, OPERATION OR MAINTENANCE OF BUILDINGS, POWER PLANTS OR SUBSTATIONS, WATER TREATMENT PLANTS OR PUMPING STATIONS, 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 MUNICIPAL OR OTHER GOVERNMENTAL AGENCY, INCLUDING THE FURNISHING OF ELECTRICAL, GAS, RAIL, TRANSPORT, COMMUNICATION, PUBLIC WATER AND SEWAGE SERVICES.

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.

RECREATION FACILITIES - PUBLIC OR PRIVATE FACILITIES THAT MAY BE CLASSIFIED AS EITHER "EXTENSIVE" OR "INTENSIVE" DEPENDING UPON THE SCOPE OF SERVICES OFFERED AND THE EXTENT OF USE. EXTENSIVE FACILITIES GENERALLY REQUIRE AND UTILIZE CONSIDERABLE AREAS OF LAND AND INCLUDE, BUT NEED NOT BE LIMITED TO HUNTING, FISHING AND RIDING CLUBS AND PARKS. INTENSIVE FACILITIES GENERALLY REQUIRE LESS LAND (USED MORE INTENSIVELY) AND INCLUDE, BUT NEED NOT BE LIMITED TO, MINIATURE GOLF COURSES, AMUSEMENT PARKS, STADIUMS AND BOWLING ALLEYS.

RESEARCH ACTIVITIES - RESEARCH, DEVELOPMENT AND TESTING RELATED TO SUCH FIELDS AS CHEMICAL, PHARMACEUTICAL, MEDICAL, ELECTRICAL,

TRANSPORTATION AND ENGINEERING. ALL RESEARCH, TESTING AND DEVELOPMENT SHALL BE CARRIED ON WITHIN ENTIRELY ENCLOSED BUILDINGS AND NO NOISE, SMOKE, GLARE, VIBRATION OR ODOR SHALL BE DETECTED OUTSIDE OF SAID BUILDING.

RECYCLING TRANSFER FACILITY - A FACILITY FOR THE COLLECTION OF WASTE PRODUCTS, SUCH AS PAPER, GLASS AND METALS.

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.

ROADSIDE STAND (FARM MARKET) - A STRUCTURE WITHOUT FOUNDATION USED FOR THE SALE OF AGRICULTURAL PRODUCE WHERE FIFTY (50) PERCENT OR MORE OF THE GROSS INCOME RECEIVED FROM THE MARKET IS DERIVED FROM PRODUCE RAISED ON FARMS OWNED OR OPERATED BY THE MARKET OPERATOR IN A NORMAL CROP YEAR, IN ACCORDANCE WITH OHIO REVISED CODE SECTION 519.21.

SATELLITE SIGNAL RECEIVER - "DISH-TYPE SATELLITE SIGNAL-RECEIVING ANTENNAS", "EARTH STATIONS" OR "GROUND STATION", WHETHER FUNCTIONING AS PART OF A BASIC SERVICE SYSTEM, DIRECT BROADCAST SATELLITE SYSTEM, OR MULTI-POINT DISTRIBUTION SERVICE SYSTEM.

SEWERS, CENTRAL - AN APPROVED SEWAGE DISPOSAL SYSTEM THAT 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.

SIGN - ANY VISUAL COMMUNICATION DISPLAY, OBJECT, DEVICE, GRAPHIC, STRUCTURE OR PART, SITUATED INDOORS OR OUTDOORS, OR ATTACHED TO, PAINTED ON OR DISPLAYED FROM A BUILDING OR STRUCTURE, IN ORDER TO DIRECT OR ATTRACT ATTENTION TO OR TO ANNOUNCE OR PROMOTE, AN OBJECT, PERSON, SERVICE, PRODUCT, EVENT, LOCATION, ORGANIZATION OR THE LIKE, BY MEANS OF LETTERS, WORDS, DESIGNS, COLORS, SYMBOLS, FIXTURES, IMAGES OR ILLUMINATIONS.

- A. 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.
- B. SIGN, OFF-PREMISES: 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 OFFERED.
- C. SIGN, ILLUMINATED: ANY SIGN ILLUMINATED BY ELECTRICITY, GAS OR OTHER ARTIFICIAL LIGHT INCLUDING REFLECTING OR PHOSPHORESCENT LIGHT.
- D. SIGN, LIGHTING DEVICE: ANY LIGHT, STRING OF LIGHTS, OR GROUP OF LIGHTS LOCATED OR ARRANGED SO AS TO CAST ILLUMINATION ON A SIGN.
- E. SIGN, PROJECTING: ANY SIGN WHICH PROJECTS FROM THE EXTERIOR OF A BUILDING.

SIGN, AREA OF - The area of a sign shall be the exterior surface computed in square feet. A sign projecting from a building which has two (2) or more readable surfaces shall be deemed to have two (2) or more exterior surfaces.

STREET - A public right-of-way sixty (60) feet or more in width which provides a public means of access to abutting property. The term street shall include avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare or any other similar term. A major street shall be any street so designated on the approved Fairfield County Highway Thoroughfare Plan.

STREET, COLLECTOR - A STREET PROVIDING TRAFFIC MOVEMENT BETWEEN THE MAJOR ARTERIALS AND LOCAL STREETS, AND DIRECT ACCESS TO ABUTTING PROPERTY. THIS FACILITY PROVIDES FOR THE INTERNAL TRAFFIC MOVEMENT WITHIN AN AREA OF THE COUNTY.

STREET, MAJOR OR ARTERIAL - A GENERAL TERM DENOTING A HIGHWAY PRIMARILY FOR THROUGH TRAFFIC USUALLY ON A CONTINUOUS ROUTE. THIS FACILITY PROVIDES FOR THROUGH TRAFFIC USUALLY ON A CONTINUOUS ROUTE; FOR THROUGH TRAFFIC MOVEMENT BETWEEN AREAS, ACROSS THE COUNTY AND TO AND FROM EXPRESSWAYS. AN ARTERIAL ALSO PROVIDES ACCESS TO ABUTTING PROPERTY, BUT PARKING AND LOADING MAY BE RESTRICTED TO IMPROVE THE CAPACITY OF MOVING TRAFFIC. A MAJOR STREET SHALL BE ANY STREET SO DESIGNATED ON THE APPROVED FAIRFIELD COUNTY HIGHWAY THOROUGHFARE PLAN.

STREET, PRIVATE - A THOROUGHFARE WHICH AFFORDS PRINCIPAL MEANS OF ACCESS TO ABUTTING PROPERTY, BUT WHICH HAS NOT BEEN DEDICATED TO THE PUBLIC, OR SUBJECT TO PUBLIC EASEMENTS THEREOF.

STREET, PUBLIC - A PUBLIC OR PRIVATE DEDICATED THOROUGHFARE OR THOROUGHFARE SUBJECT TO PUBLIC EASEMENTS THEREOF, AND WHICH AFFORDS THE PRINCIPAL MEANS OF ACCESS TO ABUTTING PROPERTY. THE TERM STREET SHALL INCLUDE AVENUE, DRIVE, CIRCLE, ROAD, PARKWAY, BOULEVARD, HIGHWAY, THOROUGHFARE OR ANY SIMILAR TERM.

STREET RIGHT-OF-WAY LINES - A DIVIDING LINE BETWEEN A LOT, TRACT OR PARCEL OF LAND AND A CONTINUOUS STREET. WHERE THE LOT, TRACT OR PARCEL OF LAND HAS BEEN CONVEYED TO THE CENTER OF THE STREET, THE STREET RIGHT-OF-WAY LINE THEN BECOMES THE INSIDE LINE OF LAND RESERVED FOR STREET PURPOSES.

STRIP MINING - REMOVAL OF OVERBURDEN FOR EXTRACTION OF SOILS AND/OR MINERALS.

STORY - That portion of a building, included between the surface of any floor, and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it.

STORY, HALF - A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than four (4) feet above the floor of such story.

STORY, FIRST - The lowest story of the ground story of any building, the floor of which is not more than two (2) feet below the average contact ground level at the exterior walls of the building.

STRUCTURE - Anything constructed, the use of which required permanent location on the ground, or attachment to something having a permanent location on the ground.

STRUCTURAL ALTERATION - Any change in the structural members of a building, such as walls, floors, columns, beams or girders.

SUBDIVISION - THE DIVISION OF A LOT, TRACT OR PARCEL INTO TWO (2) OR MORE LOTS, TRACTS OR PARCELS OR OTHER DIVISIONS OF LAND FOR SALE, DEVELOPMENT OR LEASE.

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 CAPABLE OF CONTAINING AT LEAST THREE (3) FEET OF WATER AT ANY POINT AND MAINTAINED BY THE OWNER OR MANAGER.

- A. 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; AN ACCESSORY USE.
- B. COMMUNITY: OPERATED WITH A CHARGE FOR ADMISSION; A PRIMARY USE.

SWIMMING POOL, PRIVATE - A private swimming pool, as regulated herein, shall be any pool, enclosed or unenclosed, and containing or normally capable of containing water to a depth at any point greater than three (3) feet.

TOURIST DWELLING - A DWELLING WHERE OVERNIGHT ACCOMMODATIONS ARE PROVIDED FOR TOURISTS, OTHER THAN A HOTEL BOARDING HOUSE OR MOTEL WHERE LODGING IS PROVIDED BY A RESIDENT FAMILY FOR COMPENSATION, PRIMARILY FOR TRANSIENTS, INCLUDING "BED AND BREAKFAST" ESTABLISHMENTS.

TOURIST HOME - A building or part thereof, other than a hotel, boarding house or motel, where lodging is provided by a resident family in its home for compensation, primarily for transients.

THOROUGHFARE PLAN - The official Thoroughfare Plan as adopted and as amended from time to time by the Fairfield County Regional Planning Commission establishing the general location and official right-of-way widths of the major and secondary highways and thoroughfares.

USE - THE SPECIFIC PURPOSES FOR WHICH LAND OR A BUILDING IS DESIGNATED, ARRANGED OR FOR WHICH IT IS OCCUPIED OR MAINTAINED.

USE, TRANSITIONAL - A use or land or building located or permitted to be located on certain lots abutting a zoning boundary line in the more restricted of the two (2) different zoning districts in accordance with the provisions of this ordinance.

VARIANCE - 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 OF THE PROPERTY AND NOT THE RESULT OF ACTIONS BY THE OWNER, A STRICT ENFORCEMENT OF THE REGULATIONS WOULD RESULT IN AN UNNECESSARY AND UNDUE HARDSHIP.

VETERINARY HOSPITAL - A PLACE USED FOR CARE, GROOMING, DIAGNOSIS AND TREATMENT OF SICK, AILING OR INJURED ANIMALS, INCLUDING OVERNIGHT ACCOMMODATIONS AND BOARDING IF INCIDENTAL TO THE PRIMARY ACTIVITY.

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.

- A. 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.
- B. 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.
- C. 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.

YARD, FRONT - An open space extending the full width of the lot between a building and the front lot line, unoccupied and unobstructed from the ground upward as hereinafter specified.

FRONT YARD, MINIMUM DEPTH - The shortest distance, measured horizontally, between any part of a building, other than such parts hereinafter excepted, and the front lot line.

YARD, REAR - An open space extending the full width of the lot between a building and the rear lot line, unoccupied and unobstructed from the ground upward except as hereinafter specified.

REAR YARD, MINIMUM DEPTH - The shortest distance measured horizontally, between any part of a principal building, other than such parts hereinafter expected, and the rear lot line.

YARD, SIDE - An open space extending from the front yard to the rear yard between a principal building and the nearest side lot line, unoccupied and unobstructed from the ground upward excepts hereinafter specified.

SIDE YARD, MINIMUM WIDTH - The shortest distance measured horizontally, between any part of a building, other than such parts hereinafter excepted, and the nearest side lot line.

ZONING INSPECTOR -The Zoning Inspector or his authorized representative, appointed by the Township Trustees.

ZONING MAP - The Zoning Maps of Amanda Township, Fairfield County, Ohio, dates as of the Resolution date together with all amendments subsequently adopted.

ZONING CERTIFICATE - A document issued by the Zoning Inspector authorizing the construction or alteration of buildings, structures or uses consistent with the terms of this Resolution.