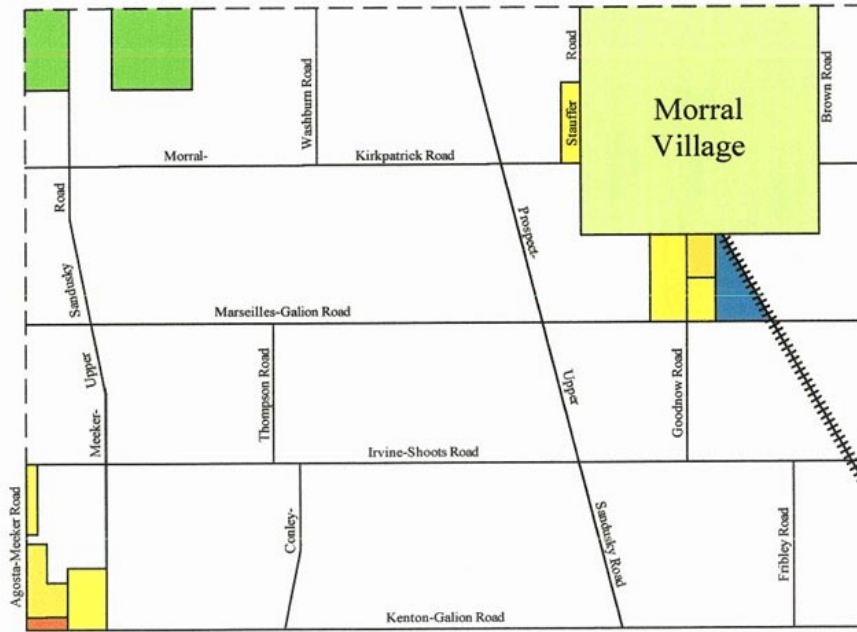


Salt Rock Zoning Resolution

*Amendments:
May 1979*

SALT ROCK TOWNSHIP GENERALIZED ZONING MAP



ZONING DISTRICT LEGEND

- A-1, AGRICULTURAL DISTRICT
- C-1, CONSERVATION DISTRICT
- R-1, ONE- AND TWO-FAMILY RESIDENCE DISTRICT
- R-2, GENERAL RESIDENCE DISTRICT
- B-1, BUISNESS DISTRICT
- I-1, INDUSTRIAL DISTRICT



Note: Morral Village does not have Zoning.

Map Source: 1977 RPC Marion County Highway Map.

Map Date: 12/11/00

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CHAPTER 1

JURISDICTION AND PURPOSE

1.01 Area of Jurisdiction

The provision of this Resolution shall apply to the unincorporated territory of Salt Rock Township in which a majority vote therefor is recorded at the next election or at any subsequent election. If, at any future time, any territory of the incorporated village in the Township becomes part of the unincorporated area of the Township by proper legal procedure, such territory shall automatically retain the zoning classification set forth for said area by the village until otherwise classified by proper amendment procedure.

1.02 Purpose

In addition to and in support of the general purpose of rural zoning set forth in Section 519.02, Revised Code of Ohio, this Resolution is adopted for the following purposes:

1. To promote the public health, safety, morals, comfort and general welfare of the citizens of Salt Rock Township;
2. To promote orderly and beneficial development in Salt Rock Township in furtherance of the Comprehensive Plan for Marion County;
3. To conserve the values of property throughout Salt Rock Township, and to protect the character and stability of agricultural, residential, commercial, industrial and public areas;
4. To provide adequate light, air, privacy and convenience of access to property;
5. To lessen or avoid congestion on the streets and highways of Salt Rock Township;
6. To provide a pattern and density for the use of land which will make possible the convenient and economical provision of public utilities;
7. To provide for the achievement of purposes stated elsewhere herein with relation to the various aspects of growth and development in Salt Rock Township.

CHAPTER 2

DEFINITIONS

2.01 Definitions

For the purposes of this Resolution, certain terms are herewith defined. When not inconsistent with the context, words in the present tense include the future; words in the singular number include the plural, and words in the plural number include the singular; the word "structure" includes buildings, the word "occupied" includes designed or intended to be occupied; the word "used" includes designed or intended to be used; and the word "shall" is mandatory and not merely directive. Other words and terms shall have meanings as defined hereunder:

Accessory Building or Structure

A subordinate building or structure on the same lot with a principal building, or a portion of the principal building occupied or devoted exclusively to an accessory use, provided that any such building or structure is erected at the same time or after the construction of the principal building.

Accessory Use

A use subordinate to the principal use of a building or premises, and customarily incidental thereto.

Agriculture

The use of land for agricultural purposes, including the production of field crops, dairying, pasturage, farm wood lots, horticulture, apiculture, viticulture, animal and poultry husbandry and the normal processing and sale of agricultural products, but not including specialized animal raising except as an accessory to other agriculture activities (See Section 6.04 for information regarding the exemption of agriculture from the requirements of this Resolution).

Animal Raising, Specialized

The use of land and buildings for the commercial raising, care and sale of fur-bearing animals such as foxes, mink, rabbits, dogs and domestic pets; also the stabling or care of horses and other animals and birds as an enterprise other than an accessory to agricultural use, as herein defined.

Alley

A public right-of-way not more than thirty (30) feet in width, providing only a secondary means of vehicular access to abutting property.

Apartment

A dwelling unit located in an apartment building.

Apartment, "0-Bedroom"

An apartment or dwelling unit consisting of not more than one (1) habitable room, together with kitchenette; and sanitary facilities; synonymous with "efficiency apartment".

Apartment Building

Any building housing three (3) or more apartments or dwelling units, provided said units are the principal use of the building.

Apartment Hotel

1. A building or portion thereof containing three (3) or more dwelling units or individual guest rooms or suites or guest rooms not for the use of transients; or
2. An apartment building in which all or most of the dwelling units are provided with maid service.

Automobile or Trailer Sales Area

An open area used for display, sale or rental of new or used motor vehicles or trailers in operable condition and where only incidental repair work is done.

Basement

A story of the floor of which is more than one half (1/2) of its story height below the average level of the adjoining ground. Any story which is not a basement story shall be counted as a story for purposes of height, yard or other open space measurement.

Board

The Salt Rock Township Board of Zoning Appeals.

Boarding House

A building or part thereof other than a hotel or restaurant, where meals are served, for compensation, for three (3) or more persons, not transients (See also "Lodging House").

Building

Any structure having a roof supported by columns or walls used for shelter or enclosure of persons, animals or property .

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 the deck line of a mansard roof or the mean height level between eaves and ridge for gable, hop or gambrel roof.

Building, Length of

For the purpose of computing required yard dimension or distance between buildings, the

length of a building shall be the total length of the exterior wall or walls which are most nearly parallel to the lot line or other building to which the dimension or distance is measured.

Building Wall

For the purpose of computing required yard dimension or distance between buildings, the building wall includes such wall or parts thereof which is most nearly parallel with the lot line or other building wall to which the dimension or distance is measured.

Commission, Zoning

The Salt Rock Township Zoning Commission.

Comprehensive Plan

The Comprehensive Plan for Marion County or parts thereof, as and when adopted or amended by the Marlon County Regional Planning Commission.

Conditional Use: Special Exception

A principal use which is subject to conditional approval by the Board of Appeals. A conditional use (or special exception) may be granted by the Board only under one of the following conditions:

- a. Where there is a specific provision in this Resolution for such use within the District involved, or
- b. In case the use in question is not listed as either permitted or prohibited in the District involved, and the Board is specifically authorized to determine whether an unlisted use is similar to others listed as permitted. Such favorable determination may not be made in the case of a use which is first listed as permitted or as prohibited in a less restricted district.

Court

An open uncovered and unoccupied space, other than a yard or open space between two separate buildings, which is surrounded wholly or in part by the exterior walls of a building.

Court, Inner

A court surrounded on all sides by the exterior walls of a building.

Court, Outer

A court having at least one (1) side open to a street, yard or other permanent open space.

Density, Residential

A measurement of the intensity of residential use, measured in terms of the number of dwelling units per net acre of land occupied excluding streets, alleys and all land not used directly for residential purposes.

District, Zoning

A measurement of, the intensity of residential use, measured in terms of the number of dwelling units per net acre of land occupied, excluding streets, alleys and all land not used directly for residential purposes.

Drive-in Establishment

Any commercial establishment such as carwash, bank or restaurant, which relies for its principal source of customers or clients on provision for the driving of motor vehicles, with a parking space, window, stall or device at which the sale or service is provided by the establishment or self-service.

Drive-through Establishment

A drive-in establishment in which the vehicles are kept in line waiting for service.

Dwelling

Any building or portion thereof designed or used as the home of one or more persons or families, but not including a tent, cabin, hotel, motel, trailer or mobile home. This definition shall include a modular dwelling, as defined herein.

Dwelling, Fixed

A dwelling permanently fixed to the ground.

Mobile Home

A manufactured housing unit designed for long term residential use and built on a chassis for the purpose of continued human habitation. This definition does not include self-propelled camping or house trailers which are separately defined. A mobile home shall be construed to remain a mobile home, subject to all regulations applying thereto, whether or not wheels, axles, hitches or other appurtenances of mobility are removed and regardless of the nature of the foundation provided. This definition shall not include any unit qualifying as an industrialized unit under section 3781.10 of the Ohio Revised Code, resting on wheels, jacks or other supports.

Dwelling, Modular

A unit which is an industrialized unit as defined under section 3781.10 of the Ohio revised code. A mobile or manufactured home, as defined herein, shall not be deemed to be a modular unit or a modular dwelling.

Dwelling, Multi-Family

A building or portion thereof designed for or used for residence purposes by three or more families, including an apartment building or town house.

Dwelling, Single-Family

A building designed for and used exclusively for residence purposes by one family or

housekeeping unit.

Dwelling, Seasonal

A summer cottage, winter lodge or similar lodging occupied less than six (6) months during a year.

Dwelling, Town House

A building consisting of a series of three (3) or more attached or semi-detached dwelling units, each with a ground floor and a separate entrance, whether maintained in a single ownership, separate ownership, or condominium. In order to conform with this Resolution, a town house shall comply with the following:

1. Have a maximum of eight (8) dwelling units in a single building;
2. Have a minimum of eighteen (18) feet of width in each dwelling unit.
3. Have privately occupied lot area in accordance with Section 14.02 which shall apply to all town houses.

Dwelling, Two-Family

A building designed for and used exclusively by two families or housekeeping units.

Dwelling Unit

One or more rooms designed for, intended for or used as a residence by one family with facilities for cooking therein.

Family

A person living alone or two or more persons living together as a single housekeeping unit, in a dwelling unit.

Filling Station

See "Service Station".

Floor Area

The measurement of floor area for purposes required by this Resolution shall be the sum of the area of the first floor, as measured to the inside of exterior walls, plus that area, similarly measured, of all other stories having eighty-four (84) or more inches of headroom, which are accessible by a fixed stairway, elevator or escalator, and which may be made usable for the intended occupancy. For residential uses, the floor area of uninhabitable basements, cellars, garages, accessory building, attics, breezeways and unenclosed porches shall be excluded.

Floor-Area Ratio

The ratio of total floor area on all floors of building to the total lot area.

Garage, Private

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

Storage, Public

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

Home Occupation

An occupation which is carried on in the home in a Residential District, provided it is incidental to the residential use, and meets the requirements of Section 15.03 of this Resolution.

Hospital

An institution providing health services primarily for in patient medical or surgical case 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 integral part of the facility. The term specifically shall not include tuberculosis mental or penal hospitals, rest homes or nursing homes.

Hotel, Motel

A building or buildings containing guest rooms to be occupied primarily by transients who are lodged with or without meal service.

Junk Yard

A place where discarded or salvaged materials are bought, sold, exchanged, baled, packed., disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards and places or yards for storage of house wrecking and structural steel materials and equipment. For the purposes of this Resolution two (2) or more unlicensed autos on a lot shall constitute a junk yard and be subject to the provisions and regulations of a junk yard.

Land Use Plan

The Land Use Plan for Marion County, as adopted and amended by the Marion County Regional Planning Commission.

Lodging House

A building or part thereof, other than a hotel or motel, where both meals and lodging are provided, for compensation, for three or more persons, not transient, where no cooking or dining facilities are provided in individual rooms. (See also "Boarding House" and "Rooming House").

Lot

A parcel of land occupied or intended to be occupied by a principal building or group of such

buildings and accessory buildings or utilized for a principal use and uses accessory thereto, together with the open space as required by this Resolution and having frontage on a public street.

Lot Area

The computed lot area within the lot lines.

Lot, Corner

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

Lot, Interior

A lot other than a corner lot

Lot Depth

The means horizontal distance between the front and rear lot lines, measured at right angles to the street line.

Lot Width

The mean horizontal distance across the lot between side lot lines, measured at right angles to the lot depth, provided that the minimum lot widths required by this Resolution shall be so measured at a distance from the front lot line equal to the required depth of the front yard.

Lot Lines

The property or street right-of-way lines bounding a lot.

Lot Line, Front

Lot line shall be as described in deed, usually from center of the right-of-way. Building setbacks as defined on other pages of the resolution shall be increased thirty (30) feet in all cases where lot lines are measured from the center of the right-of-way.

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. A side lot line of a corner lot, separating a lot from a street, is called a side street lot line. A side lot line separating a lot from another lot is called an interior lot line.

Lot of Record

A lot which is a part of a recorded plat or a lot described by metes and bounds, the map and/or description of which has been recorded in the office of the Marion County Recorder.

Motel

See "Hotel".

Mobile Home

See "Dwelling, Mobile".

Modular Home

See "Dwelling, Modular".

Net Acreage

The area of land, in acres, within the lines of a lot. (See also definition for "Density, Residential").

Non-conforming Structure

A building or structure, lawfully existing at the time of the effective date of this Resolution, that does not conform to the provisions of this Resolution as to lot area, yard or building height requirement for the zoning district in which it is located.

Non-conforming Use

The use of a building or structure or of a tract of land, lawfully existing at the time of the effective date of this Resolution that does not conform to the use regulations for the zoning district in which it is located.

Opaqueness

The degree to which a wall, fence, structure or landscape planting is solid or impenetrable to light or vision in a generally uniform pattern over its surface.

Open Space

This term, as used in this Resolution, is intended to refer to front, side or rear yards adjoining buildings, or to other land space not occupied by buildings, required or provided to afford light, ventilation, visibility and other requirements for a healthful environment.

Parking Area or Lot

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

Parking Garage

A structure designed and used primarily for the storage or parking of passenger automobiles, including such accessory servicing of such automobiles as may be permitted by this Resolution.

Permit, Occupancy

A document issued by the Zoning Inspector which certifies that the completed building, structure or use proposed are consistent with the requirements of this Resolution and for the use applied for.

Permit, Use

See "Permit, Occupancy".

Permit, Zoning

Any permit which authorizes the construction or alteration of buildings or structures in accordance with the Zoning Resolution.

Planned Development Projectsa. Fixed Dwelling Development

See definition, Section 14.022.

b. Mobile Home Park

A parcel of land in single ownership, developed and operated for occupancy by mobile homes as permanent residences, in accordance with the requirements set forth in Section 14.03 of this Resolution.

Principal Building

A building or structure in which is conducted the principal use of the lot on which it is situated.

Principal Use

The primary or chief purpose for which a lot or structure is used.

Public Uses

All lands, other than streets and highway, owned by and officially designated for continuing public use by a municipality, Township, County, school district, State of Ohio, United States Government, or any other duly constituted agency of government, such as parks, schools and administrative, recreation, cultural and service buildings.

Public Utility Facilities

Land, buildings, equipment, materials, tools and machinery necessary for the erection, construction, alteration, maintenance and repair of public utility systems as defined in Section 519.21 of the Ohio Revised Code and which are exempted from zoning regulations.

Recreation Facilities, Private

Privately owned recreation facilities which are not operated for the general public for profit,

including private country clubs, golf courses, riding clubs, fishing or hunting clubs, game preserves, ski slopes, swimming pools and other similar non-commercial recreation areas or facilities

Recreation Facilities/ Limited-Commercial

Recreation areas and facilities open to the public, established and operated for profit, limited to enterprises serving vacationing and/or one-day customers, including picnicking, camping, fishing and boating, with the sale of goods and services limited to food, beverages, boating, fishing and camping supplies, boat docking and launching, tent and recreational vehicle parking.

Recreation Facilities, General Commercial

Recreation areas and facilities open to the public, established and operated for profit, including commercial golf courses, ski lodges and slopes, swimming pools, ice skating rinks, riding stables, race tracks, amusement parks, carnivals and similar commercial enterprises.

Residence

See "Dwelling".

Road

See "Street".

Rooming House

A building or part thereof other than a hotel or motel, where lodging is provided for compensation for three (3) or more persons, not transients, where no cooking or dining facilities or services are provided. (See also "Lodging House").

School

A building used for the purpose of elementary or secondary education which meets the requirements of the compulsory education laws of the State of Ohio, and not providing residential accommodations for students

Semi-Public Uses

Land owned by a non-profit organization or agency which is open to general public use, including but not limited to a cemetery, church, Sunday School, parochial school, college, hospital, site occupied by an auditorium, museum, art gallery or other institutions of an educational, religious, charitable or philanthropic nature but not including any private or semi-private club, lodge, fraternity or other similar activity.

Service Station

Buildings or premises, or portions thereof, arranged or designed to be used for the retail sale of oil, gasoline or other products for the propulsion or lubrication of motor vehicles, including facilities for changing and repairing of tires or batteries, polishing, greasing, washing, or minor servicing of such motor vehicles, but excluding high speed automotive washing, steam cleaning, body repairing, major motor, transmission or chassis repairing and body bumping

and painting.

Shopping Center

A group of buildings and accessory open spaces devoted to permitted commercial uses which:

- (a) is under one ownership with separate establishments rented or leased;
- (b) has common parking facilities for all establishments occupying the center; and,
- (c) has no lot lines drawn between establishments.

Sign

Any writing, numerals, pictorial representation, illustration, decoration, emblem, symbol, trademark, flag, banner, pennant, streamers, or any other figures or object of similar character which:

- 1. Is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building, column or other structure, or any portable device, and
- 2. Is used to announce, direct attention to, or advertise, and
- 3. Is visible from any street, alley, park, or other public area.

Sign, Area of.

The entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed, excluding the necessary supports or uprights on which such sign is placed. For a sign having more than one (1) display surface, all surfaces shall be included in computing the total of the exposed exterior display surface area. For a sphere or other curved display surface, the area shall be that of the largest plane passing through it at right angles to the principal line of vision.

Sign, Accessory

A sign which relates solely to the building or premises on which it is located, in any manner indicated by the definitions hereunder for functional types of accessory sign.

Signs, Accessory, Defined by Function

a. Bulletin Board

A sign of permanent construction, but with movable letters words or numerals indicating the name of a religious institution, school, library, auditorium, theater, stadium, athletic field or other similar use and the announcement of services or activities to be held therein.

b. Directional Sign

A sign containing only words, numbers, arrows or pictorial matter directing pedestrians or motorists in the proper and convenient use of the premises on which the sign is located.

c. Identification Sign

A sign which displays only the name, address and/or use of the premises and/or the goods sold or produced or the services offered therein

d. Temporary Sign

A banner, pennant, streamer, poster, display or illustration which is affixed to or painted upon or represented directly or indirectly upon a building, structure or piece of land or a portable device, and which directs attention to an object, product, place, activity, person, institution, organization or business and is constructed of metal, cloth, canvas, plastic sheet, cardboard or other like materials and which is intended to be displayed for a limited period of time.

e. Temporary Sign, Real Estate

A temporary sign pertaining to the sale or lease of the lot or tract of land on which the sign is located or to the sale or lease of one or more structures or a portion thereof located on such lot or tract of land.

f. Temporary Sign, Construction

A temporary sign indicating the names of architects, engineers, contractors and similar persons or firms involved in the design or construction of a structure or project.

g. Warning Sign

Any sign indicating a situation which is dangerous or potentially dangerous.

Signs, Accessory, Defined by Structural Type

a. Awning, Canopy or Marquee Sign

A sign that is mounted on, painted on or attached to an awning, canopy or marquee.

b. Free Standing Sign

A sign, not attached to any building, which is suspended or supported by one or more upright columns or structures attached to the ground.

c. Projecting Sign

A sign, not a wall sign, suspended from or supported by building or similar structure and projecting therefrom.

d. Roof Sign

A sign, erected on or over the roof of any building or similar structure.

e. Wall Sign

A sign which is erected against or painted upon the wall of any building, with the exposed face thereof in a plane parallel with the plane of said wall.

Sign, Advertising

A sign which directs attention to a use, commodity or service not related to the premises on which it is located, including a billboard.

Sign Face

A single surface of a sign, upon, against, or through which the message of the sign is exhibited.

Sign, Flashing

Any illuminated sign on which the artificial light or any part thereof has conspicuous or intermittent variation in intensity or color.

Sign, Height

The vertical distance from the upper most point used in measuring the area of the sign to the ground immediately below such point or to the level of the upper surface of the nearest curb of a street or alley (other than a structurally elevated roadway) whichever measure permits the greatest elevation of the sign.

Sign, Illuminated

A sign which is illuminated by an artificial source or light.

Sign, Moving

Any sign or part thereof which rotates, revolves or otherwise is in motion.

Sign, Structure

The supports, uprights, bracing or framework for signs.

Slaughter House

A building used for the slaughtering of animals and the scalding, dressing, butchering and storage of animal carcasses, but not including the rendering, smoking, curing, or other processing of meat, fat, bones, offal, blood or other by-products.

Story

That portion of a building between the upper surface of any floor and the upper surface of the floor above, or any portion of a building between the topmost floor and the roof having a

usable floor area equal to at least fifty (50) percent of the usable floor area of the floor immediately below it.

Story, First

The lowest story or ground story of a building which is not defined as a basement.

Street

A public right-of-way thirty (30) feet or more in width which existed prior to the time or the effective date of this Resolution. The term street shall include avenue, circle, road, parkway, boulevard, highway, thoroughfare, or any other similar term.

Street, Principal

The street adjoining the front lot line.

Street, Side

The street located along the side street lot line of a corner lot; the street adjoining a corner lot which is approximately at right angles to the principal street.

Structure

Any constructed or erected material or combination of materials, the use of which requires location on the ground, including but not limited to, buildings, stadia, radio towers, sheds, storage bins, swimming pools, walls, and fences.

Structural Alteration

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

Subdivision Regulations

The Subdivision Regulations for Marion County and the City of Marion, adopted by the Marion County Regional Planning Commission July 27, 1966 and as they may be amended from time to time.

Tourist Home

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

Town House

See "Dwelling, Town House".

Travel or Vacation Vehicle

A vehicle, either self-propelled or non self-propelled, so constructed as to permit its continued

conveyance upon public streets and highways, and so designed and constructed as to provide sleeping and/or eating accommodations for persons while traveling or vacationing. Any portable vehicle providing such accommodations having a usable length of forty five (45) feet or less shall be included within this definition, and shall not be defined as a mobile home.

Yard, Required

The open space required between lot lines and buildings or structures, which space shall be open, unoccupied and unobstructed except as provided for in this Resolution.

Yard, Front

The required open space, extending for the full width of the lot, between the front lot line and building, measured horizontally at right angles to the front lot line.

Yard, Rear

The required open space, extending for the full width of the lot, between the rear lot line and any principal building, measured horizontally at right angles to the rear lot line.

Yard, Side

The open space extending from the front yard to the rear yard, between the nearest side lot line and a building.

Zoning District; Zoning Use District; Use District

These terms are synonymous with each other. See “District, Zoning”.

CHAPTER 3

LEGAL PROVISIONS

3.01 Minimum Requirements and Conflict

In the interpretation of the provisions of this Resolution, they shall be held to be the minimum requirements for the promotion of the public health, safety, convenience, prosperity and general welfare. When a provision of this Resolution differs or conflicts with the provisions of any other ordinance, statute, law or regulation, the most restrictive requirement shall apply.

3.02 Conformance Required

Except as hereinafter provided, no land, building, structure or premises shall hereafter be used, and no building or structure or part thereof shall be located, erected, moved, reconstructed, extended enlarged or altered except in conformity with the regulations herein specified for the District in which it is located.

3.03 Separability

Should any section, clause or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, such declaration shall not effect the validity of the Resolution as a whole, or part thereof, other than the part so declared invalid.

3.04 Pending Applications

Nothing contained herein shall require any change in the plans, construction, size or designated use of any development, building, structure or part thereof for which a required building permit has been, or based upon a pending application duly filed lawfully could have been granted before the effective date of this Resolution provided that construction is begun no later than six (6) months after the effective date of this Resolution and is carried on to completion in a reasonable manner and without unnecessary delay.

3.05 Violations, Penalties

It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change maintain or use any building or land in violation of any of the provisions of this Resolution or any amendment thereto. Any violation of the provision of this resolution shall be a misdemeanor and, upon conviction, shall subject the owner or any person who has assisted in the commission of such violation, or who uses or maintains any building or premises in which such violation exists, to a fine not more than an hundred dollars (\$100.00). Each day that a violation is permitted to exist may constitute a separate offense.

CHAPTER 4

NONCONFORMING USES AND STRUCTURES

4.01 Intent

It is the intent of this Resolution to recognize that the eventual elimination of existing uses and structures which are not in conformity with the provisions of this Resolution is as much a subject of health, safety and welfare as is the prevention of the establishment of new uses which would violate these provisions. However, it is the further intent that any elimination of non-conforming uses or structures shall be effected in such a manner as to avoid unreasonable invasion of established private property rights.

4.02 Non-conformance of Use

A non-conforming use, as defined in Chapter 2 may be continued, subject to exceptions and conditions set forth hereunder.

4.021 Change of Use

No non-conforming use may be changed to another non-conforming use except by approval of the Board of Zoning Appeals in accordance with Section 17.032 of this Resolution. Such change of use shall only be changed to a use of the same class or more restrictive class as the previous non-conforming use.

No such change of use may involve a structural alteration, or any change which, in the judgment of the Board, would be more detrimental to the surrounding neighborhood than the existing non-conformity.

4.022 Abandonment

No building, structure or premises where a non-conforming use has ceased for two (2) or more years shall again be put to a non-conforming use.

4.03 Structural Non-conformance

A non-conforming structure, as defined in Chapter 2, may be continued, subject to the following conditions and requirements:

4.031 Structural Alteration, Extension, or Repair

A non-conforming structure may be altered, extended or repaired without prior approval of the Board of Zoning Appeals provided that such alteration, extension or repair does not increase the degree of the non-conformity, For example:

1. If a yard is non-conforming as to its dimension, such dimension shall not be further decreased, nor shall the length or heights of the exterior wall adjoining such non-conforming yard be increased.
2. If the building height is non-conforming, it shall not be increased.

4.032 Expansion of Use

No non-conforming structure may be changed to provide for an expansion of its use except by approval of the Board of Zoning Appeals, even though such expansion is in accordance with the use requirements of this Resolution. Examples of such expansion include increasing the number of dwelling units or the floor space of a commercial or industrial establishment. In approving an appeal for expansion of use in a non-conforming structure, the Board shall find that such extension will not have a detrimental effect on neighboring property.

4.04 Repairing Damaged Buildings

A non-conforming building or a building occupied by a non-conforming use which is damaged or destroyed by fire, flood, winds, act of God, or other cause beyond the control of the owner may be repaired or reconstructed and the non-conforming use, if any, may be continued, provided the estimated cost of repair or reconstruction does not exceed sixty (60) percent of the appraised replacement cost of the entire building, exclusive of foundations, prior to its damage or destruction, as determined by the Zoning Inspector and that such repair or reconstruction is commenced within a period of one year and diligently prosecuted to completion.

CHAPTER 5

ZONING DISTRICTS AND ZONING DISTRICT MAP

5.01 Zoning Districts

5.011 Zoning District Classifications

The township is hereby divided into districts under four general categories. All parts of the township shall be designated on the Zoning District Map as being located in one of the Zoning Districts named hereunder:

OPEN SPACE DISTRICTS

"FP" Flood Plain Districts
 -"FP-1" Floodway Zone
 -"FP-2" Floodway Fringe Zone
"C-1" Conservation District
"A-1" Agricultural District

RESIDENTIAL DISTRICTS

"R-1" One- and Two-Family Residence District
"R-2" General Residence District

BUSINESS DISTRICTS

"B-1" Business District

INDUSTRIAL DISTRICTS

"I-1" Industrial District

5.012 Degree of Restrictiveness

Whenever, in this Resolution, the order of Districts as to degree of restrictiveness is referred to, the order shall be as listed hereinbefore, with the "FP" District being the most restricted, and the "I-1" District being least restricted.

5.02 Adoption of Zoning District Map as Part of Resolution

The boundaries of Zoning Districts as set forth hereinbefore are hereby established as shown on the map entitled "Official Zoning District Map of Salt Rock Township, Marion County, Ohio"; dated and certified by said Salt Rock Township Trustees and the Clerk. Said Zoning District Map and all notations, references and other matters thereon are hereby made a part of this Resolution. Said Zoning District Map shall be and remain on file in the Office of the Salt Rock Township Trustees, and a copy thereof shall be and remain on file in the office of the Zoning Inspector.

5.03 Determination of District Boundaries

Except where referenced and noted on the Zoning District Map by a clearly designated line and/or written dimensions, the District boundary lines are intended to follow property lines, lot lines or the center lines of streets, alleys or streams as they existed at the time of adoption of this Resolution or the extension of such lines provided however that where a boundary line is shown as adjoining a railroad right-of-way, it shall unless otherwise fixed be construed to coincide with the nearest boundary line of the railroad right-of-way; provided further that, if the boundary line cannot be shown accurately by any of the aforesaid methods, it shall be shown by written dimensions, indicating clearly the distance of said boundary line from the nearest parallel street center line, government survey line or other permanent and legally established line. The Zoning Inspector shall interpret the location of boundary lines as shown on the Zoning District Map. When the Zoning Inspector's interpretation is questioned, the boundary lines shall be determined by the Board of Zoning Appeals as prescribed in Chapter 17.

5.04 Vacation of Streets, Alleys or Other Public Ways

Whenever any street, alley or other public way is vacated by official action as provided by law, the Zoning Districts adjoining the sides of such public way shall be automatically extended, depending on the side or sides to which the land reverts, to include the right-of-way thus vacated which henceforth shall be subject to all regulations of the extended District or Districts, except that utility rights-of-way or easements shall not be affected by such action.

CHAPTER 6

GENERAL ZONING DISTRICT PROVISIONS

6.01 Street Frontage Required for all Lots

Except as permitted by other provisions of this Resolution, each use of land shall be located on a lot, as defined in Chapter 2, which lot shall have frontage on a street.

6.02 Required Lot Area or Other Open Space Cannot Be Reduced

No lot, yard, parking area or other open space shall be reduced in area or dimension so as to make said area or dimension less than the minimum required by this Resolution. No part of a yard, parking area or other space provided for any building in compliance with this Resolution shall be included as a part of a yard, parking area or other space required for another building except as specifically provided for in Chapter 14 for Planned Development Projects.

6.03 General Zoning District Requirements

Regulations governing the use of land and buildings are hereby established in the several zoning districts as set forth in the following Chapters, with each zoning district being identified by name and alphanumeric symbol. Only uses designated as permitted shall be allowed and any use not so designated shall be prohibited except in specific cases where the Board of Appeals is authorized to rule on non-designated uses which it deems to be similar to those which are designated as permitted. In making such ruling the Board may not permit in any district a use which is first listed as permitted or prohibited in a less restricted district.

6.04 Agriculture

Nothing contained in this Resolution shall prohibit the use of any land for agricultural purposes as defined in Chapter 2, or the construction or use of buildings or structure incident to the use for agricultural purposes of the land on which such buildings or structures are located, and no Zoning Permit shall be required for such use, building or structure.

6.05 Individual Mobile Home or Manufactured Home

No mobile home or manufactured home, as defined in the Ohio revised code Section 4501.01(0) shall be permitted to be located or occupied as a dwelling in Salt Rock Township except under the following two provisions:

1. It is to be located or occupied in a mobile home park as provided for in Chapter 14.
2. It is placed on an individual lot in the A-1 District, and both lot and mobile home or manufactured home meet all the requirements for single family dwellings in the zoning district within which it is located and the following additional requirements:
 - A. The unit must be certified to have met HUD (housing & urban development) national construction standards.

- B. The applicant shall show plans to the zoning inspector for a full permanent concrete or masonry foundation around the entire perimeter of the unit. This shall be a foundation that provides adequate support of the home's vertical and horizontal loads and transfers these and other imposed forces, without failure, from the home to the undisturbed ground below the frost line.
- C. The unit must be secured and attached to the foundation to meet or exceed manufacturer's instructions.
- D. The exterior walls of the unit shall not have a high gloss finish.
- E. The roof must be constructed of either shingles or other materials used on other dwelling units in the neighborhood, and be sloped to have at least a two and one-half (2 1/2) inch vertical rise for every twelve (12) inches of horizontal run.
- F. The roof overhang must not be less than eight (8) inches measured from the vertical side of the unit.
- G. Hitches, axles and wheels must be removed.
- H. The unit must be at least twenty-three (23) feet wide at its narrowest point, and have a total of not less than 900 square feet in floor area.
- I. The unit must be oriented on the lot so that its length or long axis is parallel with the street, unless the unit's width is no less than fifty (50%) percent of its length.
- J. The applicant upon installation must surrender title to the unit and have the unit classified and taxed as real property by the county auditor.

6.06 Minimum Dwelling Sizes

- A. No single-family one-story dwelling shall be erected with less than 840 square feet of gross ground floor area, exclusive of breeze ways, porches, terraces, and garages. This includes all mobile homes except those in an approved mobile home park (See Chapters 2 and 14).
- B. No single-family multiple story dwelling shall be erected with less than 700 (seven hundred) square feet of gross ground floor area, exclusive of breeze ways, porches, terraces, and garages.
- C. No two-family one-story dwelling shall be erected with less than 840 square feet of gross ground floor area per family exclusive of breeze ways, porches, terraces, and garages. This includes all mobile homes except those in an approved mobile home park (See Chapters 2 and 14).
- D. No two-family multiple-story dwelling shall be erected with less than 700 (seven-hundred) square feet of gross ground floor area per family, exclusive of breeze ways, porches, terraces, and garages.

6.07 Public Utilities

This Resolution shall not apply to public utilities and railroads. However, Section 519.211 of the Ohio Revised Code permits townships to, regulate cellular communication towers owned by public utilities in areas zoned for residential use.

The following regulations shall be met whenever cellular communication tower is to be located, erected, constructed, reconstructed, or any other situation as defined in Section 519.211(A) of the Ohio Revised Code:

- 1 . Cellular communication towers shall be located a minimum of one thousand (1000) feet from any existing residence.
2. Cellular communication towers shall be located a minimum of five thousand two hundred eighty feet (5280), from edge of any existing private airport runway.

CHAPTER 7

"FP" FLOOD PLAIN DISTRICTS

7.01 Purpose

Provisions pertaining to the use and development of lands subject to periodic flooding are provided to encourage development and use of such lands in a manner to reduce the perils of flooding and to promote the public, health, safety and general welfare. To further this the Flood Plain District may be used as a regular Zoning District, by itself not in addition to any other district, or it may be used as a Special District in addition to any of the other Zoning Districts as established in Chapter 5 with the regulations of both districts applying.

1. "FP-1" FLOODWAY ZONE

The flow-way necessary to preserve the natural capacity of the channel for flood water.

2. "FP-2" FLOODWAY FRINGE ZONE

The low-lying area on either side of the Floodway Zone where flooding is of sufficient frequency to require proofing of structures against flood loss, normally the one hundred (100) year flood plain.

7.02 Use Regulations

7.021 Uses in the Floodway Zone

1. PRINCIPAL PERMITTED USES

Agriculture

2. CONDITIONAL PERMITTED USES (Subject to approval by the Board of Appeals)

Recreational uses (non-structural)

Parking Lots

Water control structures

Sand and gravel and mineral extraction (See Section 15.08)

3. ACCESSORY PERMITTED USES AND STRUCTURES

Structures or uses accessory to the above may be permitted if:

1. Structures are not intended for human habitation.
2. Structures will have a low flood damage potential.
3. Structures or stockpiles of materials will be constructed and placed so as to offer a minimal obstruction to flow of flood waters.
4. Structures will be firmly anchored to prevent flotation.
5. Service facilities within these structures, such as electrical heating equipment, will be at or above the flood protection elevation for the site or adequately flood proofed.

4. PROHIBITED USES AND STRUCTURES

All uses or structures with a high flood damage potential or that will materially obstruct flood flows.

Storage of potentially hazardous materials which if subject to flooding may become buoyant, flammable, explosive or may be injurious to human, animal, or plant life.

Dwellings, schools, places of general assembly and institutions for human care.

Other uses that are likely to cause pollution of waters, as denied in Ohio Law.

7.022 Uses in the Floodway Fringe Zone

1. PRINCIPAL PERMITTED USES

Agriculture

2. CONDITIONAL PERMITTED USES (Subject to approval by Board of Appeals)

All uses permitted in the Floodway Zone

Recreation Facilities

Seasonal Dwellings

All principal and conditional uses permitted in any underlying zoning district, if not herein after prohibited.

3. ACCESSORY PERMITTED USES AND STRUCTURES

Structures or uses accessory to the above uses.

4. PROHIBITED USES AND STRUCTURES

All uses or structures with a high flood damage potential or that will unduly restrict the capacity of the channels or floodways.

Storage of potentially hazardous materials which if subject to flooding may become buoyant, flammable, explosive or may be injurious to human, animal or plant life.

Other uses that are likely to cause pollution of waters, as defined in Ohio law.

7.03 Development Standards

All structures within the Floodway Fringe Zone shall conform to the following standards:

1. The lowest floor (including basement) shall be elevated to or above the flood protection elevation, and
2. All fill shall extend at such elevation at least 15 feet beyond the limits of any structure erected thereon, or
3. Where existing streets or utilities are at elevations which make strict compliance with the above provisions impractical, flood proofing or other measures to provide

protection to the flood protection elevation may be authorized only by special permit.

7.04 Establishment of Zone Boundaries

- 7.041 The boundaries of the Floodway and the Floodway Fringe Zones shall be based on data provided by reports and records of the U.S. Army Corps of Engineers, the U.S. Geological Survey, The Ohio Division of Water, or other official agency.
- 7.042 For areas subject to flooding but for which there is no other applicable data, the Marion County Regional Planning Commission may be asked to supply such data, together with appropriate recommendations for the guidance of the Zoning Commission.
- 7.043 In the absence of a Flood Plain boundary as set forth hereinbefore as such boundary may apply to any parcel of land for which a zoning application has been made, it shall be the duty of the Zoning Inspector to refer such application to the Zoning Commission for decision. It then shall be the duty of said Commission to establish said boundary as it applies to such parcel of land, and render a decision as to the compliance or non-compliance of the proposed use with the regulations set forth hereinbefore.

7.05 Warning and Disclaimer of Responsibility

The degree of flood protection required by this Resolution is considered reasonable for regulatory purposes. Larger floods may occur or flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Resolution does not imply that area outside the Flood Plain District boundaries or land uses permitted within such district will be free from flooding or flood damages. This Resolution shall not create liability on the part of Salt Rock Township or any officer or employee thereof for any flood damages that result from reliance on this Resolution or any administrative decision lawfully made thereunder.

CHAPTER 8

"C-1" CONSERVATION DISTRICT

8.01 Purpose

Areas possessing natural resources, the preservation and wise use of which take precedence over other urban uses which might otherwise encroach upon or destroy such resources. The type of resource which the land possesses will determine the uses which should be permitted on such land, and in some instances the probability that such land later should be changed to a certain other use classification at the time when there is a legitimate public need for the specific resource which the land possesses.

It shall be the intent of the Township Government to administer this Zoning Resolution in such a manner as to encourage the development of resources in the Conservation District as follows:

Resource	Best Use	Future Zoning District
Woodland, streams and water bodies having scenic or other recreational value.	Public Recreation	Continue in "C-1"
Sand, gravel, limestone, oil, gas, and other mineral deposits.	Controlled Extraction	Continue in "C-1" or change to "I-1"
Flood Plain or areas requiring special drainage treatment	See provisions in Chapter 7	Leave in "C-1" or change to or add "FP"

8.02 Use Regulations

1. PRINCIPAL USES

Agriculture
Public Uses
Recreation Facilities, private

2. CONDITIONAL PERMITTED USES (Subject to approval by Board of Appeals)

Specialized animal raising and care
Sand and gravel extraction (see Section 15.08)
Recreation Facilities, Limited Commercial
Mineral extraction (see Section 15.08)
Petroleum drilling and extraction (see Section 15.09)
Topsoil removal (see Section 15.06)
Single Family dwellings
Seasonal dwellings

3. ACCESSORY PERMITTED USES AND BUILDINGS

Private garages - conditional
 Swimming pools, garden houses, tool houses, playhouses-conditional
 Living quarters of persons employed on the premises
 Boarders and roomers (limited to 2)
 Home Occupations - conditional (See Section 15.03)
 Required off-street parking space
 Stables (not part of a farm)
 Roadside stands on farms
 Other accessory uses as defined in Chapter 2
 Signs, Accessory (See Section 15.022)
 Temporary buildings

8.03 Area and Dimensional Standards

All structures shall comply with the dimension and area requirements as set forth in the following schedule:

Structure	Minimum Lot Size		Minimum Yard Dimensions			Maximum Bldg. Hght.		Maximum Coverage of Lot
	Area (acres)	Frontage (feet)	Front (feet)	Side (feet)	Rear (feet)	Feet	Stories	Percent
Dwellings	2.5	350	50	50	50	30	2 1/2	-
Schools	5	350	50	50	50	30	2 1/2	10
All other Uses	2.5	350	50	50	50	30	2 1/2	20

CHAPTER 9

"A-1" AGRICULTURAL DISTRICT

9.01 Purpose

Land which is level or gently rolling, is well drained or capable of being drained, possesses productive soil characteristics and is best preserved for and used for agricultural purposes. All types of urban uses should be discouraged.

9.02 Use Regulations

1. PRINCIPAL PERMITTED USES

Agriculture
Public Uses
Recreation facilities, private
Semi-public uses
Single-family dwellings
Storage and/or sales of fertilizer, agricultural anhydrous ammonia and agri-chemicals

2. CONDITIONAL PERMITTED USES (Subject to approval by Board of Appeals)

Airports
Advertising signs (see Section 15.023)
Specialized animal raising and care
Veterinary clinic or hospital
Sand and gravel extraction (see Section 15.08)
Recreation Facilities, Limited Commercial
Tourist camps, motels, inns and other dining places
Mineral extraction (see Section 15.08)
Petroleum drilling and extraction (see Section 15.09)
Topsoil removal (see Section 15.06)
Seasonal dwellings
Cemeteries
Penal and correctional institutions
Sanitary land fills

3. ACCESSORY PERMITTED USES AND BUILDINGS

Private garages
Swimming pools, garden houses, tool houses, play houses
Living quarters of persons employed on the premises
Boarders and roomers (limited to 2)
Home Occupations (See Section 15.03)
Required off-street parking space
Stables (not part of a farm)
Roadside stands on farms
Other accessory uses as defined in Chapter 2
Signs, Accessory (see Section 15.022)
Temporary buildings

9.03 Area and Dimensional Standards

All structures shall comply with the dimensional and area requirements as set forth in the following schedule:

Structure	Minimum Lot Size		Minimum Yard Dimensions			Maximum Bldg. Hght.		Maximum Coverage of Lot
	Area (acres)	Frontage (feet)	Front (feet)	Side (feet)	Rear (feet)	Feet	Stories	Percent
Dwellings	2.5	350	50	50	50	30	2 1/2	-
Schools	5	350	50	50	50	30	2 1/2	10
All other Uses	2.5	350	50	50	50	30	2 1/2	20

9.04 Dwellings on Farms

No more than five (5) permanent dwelling units, including mobile homes as provided for in Section 6.05, may be located on a farm, to be occupied only by families or persons engaged in the operation of the same farm. Ownership of the sites on which such dwellings are located shall not be transferred as separate parcels except in accordance with the Marion County Subdivision Regulations and the standards set forth in this Resolution.

CHAPTER 10

"R-1" ONE AND TWO FAMILY RESIDENCE DISTRICT

10.01 Purpose

Areas where one and two-family residential development is desirable at densities made possible by the presence of or possible provision of public sewer facilities.

10.02 Use Regulations

1. PRINCIPAL PERMITTED USES

Agriculture
Single-family dwellings
Two-family dwellings
Public-uses
Semi-public uses

2. CONDITIONAL PERMITTED USES (Subject to approval by Board of Appeals)

Nursery schools and day nurseries
Sanitariums' convalescent homes and rest homes
Cemeteries adjacent to or in extension of existing cemeteries
Recreation Facilities, private

3. PLANNED DEVELOPMENT PROJECTS (Subject to approval by Zoning Commission)

Fixed Dwelling Developments

4. ACCESSORY PERMITTED USES AND BUILDINGS

Private garages
Swimming pools, garden houses, tool houses, play houses
Boarders and roomers
Home Occupations (see Section 15.03)
Living quarters for persons employed on the premises
Accessory signs (see Section 15.02)
Other Accessory uses as defined in Chapter 2

10.03 Area and Dimensional Standards

All structures shall comply with the dimension and area requirements as set forth in the following schedule:

Structure	Minimum Lot Size	Lot Area Per Dwelling Unit		Minimum Yard Dimensions			Maximum Bldg. Height		Maximum Lot Coverage
	Area (sq. ft.)	Frontage	Square Feet	Front (feet)	Side (feet)	Rear (feet)	Feet	Stories	Percent
<u>Single-Family Dwellings</u>									
-Without public sewer	25,000	100	25,000	40	10	50	30	2 ½	-
-With public sewer	12,000	80	12,000	40	10	50	30	2 ½	-
<u>Two-Family Dwellings</u>									
-Public sewer required	18,000	120	9,000	40	10	50	30	2 ½	-
<u>Schools</u>	5 acres	200	-	50	25	50	30	2 ½	10
<u>Hospitals</u>	2 acres	200	-	50	25	50	30	2 ½	20
<u>All other uses</u>	Sufficient to comply with yard & parking requirements			40	20	40	30	2 ½	20

10.04 Requirements for Accessory Structures

An accessory building may be erected detached from the principal building or may be erected as an integral part of the principal building, or it may be connected by a breezeway or similar structure. No accessory building shall be erected in any required yard other than a rear yard, except as hereinafter provided. Any accessory building not in a rear yard whether detached from or connected with the principal building shall be so placed as to meet all yard requirements for a principal building. If located in a rear yard, both detached and connected accessory structures shall be subject to the requirements set forth in the following paragraphs:

- A. The height of such accessory building shall not exceed fifteen (15) feet and the distance of such buildings from other separate buildings on the same lot shall be at least six (6) feet, except that a breezeway, at least six (6) feet in length, may connect an accessory building with a principal building.
- B. The height of all accessory fences, wall or hedges shall comply with the requirements of Section 15.01 for such fences.
- C. No accessory building in a rear yard shall be less than three (3) feet from an interior side lot line or a rear lot line except where such lot line abuts an alley in which case the accessory building shall be ten (10) feet from said lot line.
- D. Coverage of a rear yard by accessory buildings shall not exceed twenty-five (25) percent.

CHAPTER 11

"R-2" GENERAL RESIDENTIAL DISTRICT

11.01 Purpose

Areas where It is desirable to encourage a variety of single-family, two-family and multi-family dwellings, because of locations near shopping centers, places of employment or education institutions Such zoning districts shall not be designated except at locations where public water supply and sanitary sewer facilities can be provided to high density residential developments at the time of their constructions.

11.02 Use Regulations

1. PRINCIPAL PERMITTED USES

Agriculture
Single-family dwellings
Two-family dwellings
Town houses
Multi-family dwellings
Public uses
Semi-public uses

2. CONDITIONAL PERMITTED USES (Subject to approval by Board of Appeals)

Nursery schools and day nurseries
Sanitariums, convalescent homes and rest homes
Rooming, boarding or lodging houses
Private clubs, lodges fraternity and sorority houses
Cemeteries adjacent to or in extension of existing cemeteries
Recreation Facilities, Private:

3. PLANNED DEVELOPMENT PROJECTS (Subject to approval by Zoning Commission)

Fixed dwelling Developments
Mobile Home Parks

4. ACCESSORY PERMITTED USES AND BUILDINGS

Private garages
Swimming pools, garden houses, tool houses, play houses
Boarders and roomers
Home occupations (see Section 15.03)
Living quarters for persons employed on the premises

Accessory signs (see Section 15.022)
 Other Accessory uses as defined in Chapter 2

11.03 Area and Dimensional Standards

All structures shall comply with the dimension and area requirements as set forth in the following schedule:

Structure	Minimum Lot Size		Lot Area Per Dwelling Unit		Minimum Yard Dimensions			Maximum Bldg. Height		Maximum Lot Coverage
	Area (sq. ft.)	Frontage	Number	Square Feet	Front (feet)	Side (feet)	Rear (feet)	Feet	Stories	Percent
<u>Single-Family Dwellings</u>										
-Without public sewer	25,000	100	Any	25,000	40	10	50	30	2 ½	-
-With public sewer	10,000	75	Any	10,000	35	7	40	30	2 ½	-
<u>Two-Family Dwellings</u>										
-Public sewer required	15,000	110	Any	7,500	35	10	40	30	2 ½	-
<u>Multi-Family Dwellings</u>										
-Public sewer required	As needed to comply with lot area and yard requirements		Bedroom(s)							
			0	3,000	35	15*	40	40	3	-
			1	3,500	35	15*	40	40	3	-
			2	4,000	35	15*	40	40	3	-
			3+	4,500	35	15*	40	40	3	-
<u>Schools</u>	5 acres	200	-	-	50	25	50	30	2 ½	10
<u>Hospitals</u>	2 acres	200	-	-	50	25	50	30	2 ½	20
<u>All other uses</u>	Sufficient to comply with yard & parking requirements				40	20	40	30	2 ½	20

* Minimum side yard shall be 1/5 of the sum of height + length of building walls most nearly parallel with side lot line but in no case less than 15 feet.

11.031 Courts of Multiple-Family Dwellings

Where a court is provided in a residential building, the dimensions of such court shall be as follows:

1. Least width: Ten (10) percent greater for an outer court and twenty (20) percent greater for an inner court than the sum of required side-yard widths as set forth hereinbefore.
2. Maximum Length: Two (2) times the width.

11.04 Requirements for Accessory Structures

An accessory building may be erected detached from the principal building or may be erected as an integral part of the principal building, or it may be connected by a breezeway or similar structure. No accessory building shall be erected in any required yard other than a rear yard, except as here in after provided. Any accessory building not in a rear yard whether detached from or connected with the principal building shall be so placed as to meet all yard requirements for a principal building. If located in a rear yard, both detached and connected accessory structures shall be subject to the requirements set forth in the following paragraphs:

- A. The height of such accessory building shall not exceed fifteen (15) feet and the distance of such buildings from other separate buildings on the same lot shall be at least six (6) feet, except that a breezeway at least six (6) feet in length, may connect an accessory building with a principal building.
- B. The height of all accessory fences, wall or hedges shall comply with the requirements of Section 15.01 for such fences.
- C. No accessory building in a rear yard shall be less than three (3) feet from an interior side lot line or a rear lot line except where such lot line abuts an alley in which case the accessory building shall be ten (10) feet from said lot line.
- D. Coverage of a rear yard by accessory buildings shall not exceed twenty-five (25) percent.

CHAPTER 12

"B-1" BUSINESS DISTRICT

12.01 Purpose

Intended to provide for varied types of commercial uses at locations near intersections of thoroughfares or near large residential areas.

12.02 Use Regulations

1. PRINCIPAL PERMITTED USES

A. Non-residential uses of the types permitted in Residential Districts as follows:

Public and parochial schools
Churches and offices of civic, religious and charitable organizations
Private clubs, lodges, fraternity and sorority houses

B. Lodging, including hotels, motels and apartment hotels.

C. Any retail business whose principal activity is the sale of new or used merchandise or antiques. Such retail business may include a workshop for servicing or repair of goods sold on the premises which shall not occupy more than fifty (50) percent of the total usable floor area of the establishments.

D. Service establishments in which the retail sale of goods may or may not be involved, of the following types:

Barber and Beauty Shops
Photography studios
Watch clock or Jewelry repair
Catering services
Secretarial, stenographic and typing services
Physical culture establishments
Dry cleaning and laundry pick up services
Self-service laundry and dry cleaning
Household appliance repair
Funeral Home or Mortuary

E. Commercially operated vocational schools, not including the use of equipment or machinery first listed as permitted in the I-1 District.

- F. Restaurants, tea rooms, cafes and other establishments serving food, beverages or both, including drive-in facilities complying with the requirements of Section 15.04.
- G. Radio and television studios, bowling alleys, roller rinks, ice skating rinks, swimming pools, assembly halls, enclosed theaters, concert halls, dance halls, or similar places of assembly or entertainment.
- H. Banks and other lending and financial establishments including drive-in facilities complying with the requirements of Section 15.04.
- I. Workshop types of services, limited to the following:
 - Interior decorating
 - Re-upholstering and furniture refinishing
 - Laundry and dry-cleaning
 - Medical and dental laboratories not connected with practice of medicine or dentistry
 - Electrical repair, not including the repair of industrial or road building machines or similar large machines.
 - Duplicating, addressing, blue printing, photocopying, electrostatic reproduction, film processing, mailing and mail listing services
 - Locksmith, gunsmith
 - Shoe shine and shoe repair shop, hat cleaning and blocking
 - Tailor or dressmaking shop
- J. Drive-in establishments which related to the sale of goods or services permitted in this District, including drive-in theaters. Such establishments shall comply with the requirements of Section 15.04.
- K. Rental of autos, trucks, trailers and home gardening and repair tools.
- L. Food locker plant, including the cutting and packaging of meat, fowl, fish or game, sale at retail, delivery of individual home orders, renting of individual lockers of home-customer storage thereof, but excluding the slaughtering or eviscerating thereof.
- M. Repair Services related to goods or merchandise permitted to be sold in this District.
- N. Offices of professional, business or industrial firms, not including the manufacture or storage of goods on the premises.
- O. Recreation Facilities, General Commercial

- P. Gasoline Service station, subject to compliance with the requirements of Section 15.04.
 - Q. Off-street parking as a principal use.
 - R. Advertising signs, as controlled by Section 15.023.
2. CONDITIONAL PERMITTED USES (Subject to approval by Board of Appeals)
- A. Any other retail business or commercial service establishment determined by the Board of Appeals to be of the same general character as those permitted in B through R above, but not including any uses first listed as permitted in the I-1 District.
3. ACCESSORY PERMITTED USES
- A. Signs, as regulated by Section 15.022.
 - B. Off-street parking as required by Section 15.10.
 - C. Any use customarily incidental to the principal permitted use.

12.03 Area and Dimensional Standards

All structures shall comply with the dimensional requirements set forth hereunder.

12.031 Minimum Front Yard Depth

Minimum front yard depth shall be the height of the building, but not less than thirty (30) feet.

12.032 Minimum Side and Rear Yards

The schedule of side and rear yard dimensions shall be as follows:

- A. Yard adjoining a lot line in a Business or Industrial District:

No side yard or rear yard is required, but a use serviced from the side or rear shall have access thereto for loading and unloading in accordance with Section 15.10.

B. Yards adjoining a lot line of a Residential District shall be as follows:

Based on the dimension of building wall parallel or most nearly parallel with the side or rear lot line, the width of side yard and depth of rear yard shall be determined in accordance with the following formula:

$$\frac{\text{Height of wall} + \text{length of wall}}{3} = \text{width or depth of yard}$$

Provided, however, that no side yard width shall be less than 25 feet and no rear yard depth shall be less than 25 feet.

12.033 Maximum Height Limits

The maximum height of structures shall be 40 feet or 3 stories.

CHAPTER 13

"I-1" INDUSTRIAL DISTRICT

13.01 Purpose

In furtherance of a general policy of fostering a diversity of urban activities and a stable tax base in the township, it is intended that provision be made for varied types of industrial uses at appropriate locations where they will be compatible with other uses in adjoining districts. It is intended further that, within the I-1 District, locational requirements and development standards shall be such as to reduce to a practical minimum the objectionable effects which certain types of industry might have upon one another and upon other uses permitted in adjoining non-industrial districts.

13.02 Use Regulations

1. PRINCIPAL PERMITTED USES

A. The following uses shall be permitted anywhere in the I-1 District.

1. Agriculture
2. Commercial establishments associated with or intended to serve the industrial establishments or their employees as follows:
 - Restaurants
 - Offices and facilities relating to emergency medical, drug and health services and the practice of industrial medicine
 - Gasoline service stations
 - Engineering, architectural, account, legal and similar professional services
 - Duplicating, addressing, blueprinting, photocopying, mailing a stenographic services
 - Private employment agencies
 - Vocational and technical schools, public or private
3. Blending, packaging and storage of previously manufactured products, as follows:
 - Chemical products, including household, cleaning and industrial compounds and insecticides

Feed, grain, flour, sugar and other food products
 Pharmaceutical preparations and drugs

4. The manufacture of finished products from previously prepared materials, such as:

Canvas	Fur	Plastics
Cloth	Glass	Shell
Cork	Leather	Textiles
Felt	Paper	Tobacco
Fibers	Precious or semi- precious metals or stone	Wire

5. The manufacture of the following finished products from previously prepared materials:

Cosmetics, toiletries and perfume
 Electric appliances, instruments, components and accessories
 Household, personal or other small articles such as jewelry, silverware, plastic ware, musical instruments and parts, toys, rubber stamps, sporting and athletic goods, pens, pencils and other office and artists' supplies, miscellaneous notions, signs and advertising displays
 Office equipment and supplies and computing and accounting machines
 Precision instruments, including professional scientific and regulating devices, photographic and optical goods
 Wood products, including furniture, cabinet work and similar products

6. The Manufacture of metal products using methods and materials as specified hereunder:

The fabrication of metal excluding the fabrication of structural steel, heavy machinery and transportation equipment
 The casting of light weight non-ferrous metals
 Welding, machining and other metal working process, but excluding punch presses having over twenty (20) tons rated capacity, drop hammers and other noise producing machine operated tools
 The shaping of sheet metal in the manufacture of air conditioning refrigeration and heating equipment and office furniture, but excluding the stamping of automobile bodies and fenders and other units of similar size

7. The processing or manufacture of food products, excluding pickles sauerkraut, meats, fish, flour, sugar and vinegar
8. Non-manufacturing activities as follows:

Operational equipment of public utilities and communication networks such as electrical receiving and transforming stations, radio, micro-wave or television transmission or receiving towers and public utility substations.

Transportation terminals and equipment, such as railway freight houses, truck terminals and transit vehicle storage areas; maintenance and service facilities for the foregoing, but excluding railroad maintenance facilities and marshaling yards

Warehousing, refrigerated and general storage

Building materials sales and storage, not including sawmills, planing mills, or the mixing of cement bituminous or asphaltic concrete

Building contractors equipment yards

Crematories

Research testing laboratories not including the use of machines or equipment which are prohibited in this I-1 District

Laundries and dry cleaning establishments

Postal facilities, including the handling of large quantities of mail by rail or truck

Workshops for the repair of industrial machines and equipment, the use of which is permitted in this District

Advertising signs, as controlled by Section 15.023

Hay, grain, feed and fertilizer, storage and sale

Fuel and ice dealers

Animal hospitals and fur animal farms

Off-street parking as a principal use

- B. The following uses shall be permitted in I-1 District only if the same shall be two hundred (200) feet or more from any Residential District.

1. Airports
2. Topsoil Removal (see Section 15.06)
3. Any other use except:
 - a. Uses listed hereunder as Conditional Permitted Uses which, may be permitted only upon approval of the Board of Zoning Appeals.
 - b. Uses listed as Principal Permitted Uses or as Conditional Permitted Uses in any Residential or Business District which shall be prohibited. Uses specifically listed in Part A

hereinbefore as permitted in the I-I District shall be permitted even though listed in another District as well.

2. Conditional Permitted Uses (Subject to approval by Board of Appeals)
 - A. The following uses, with restrictions and requirements as indicated hereunder:

Junk yards, scrap and waste storage and wholesaling, provided that such uses shall not be permitted unless they are enclosed on all sides by an opaque wall or fence no less than ten (10) feet high provided also that no stored scrap or waste material shall be visible from any street or road or from any Residential District. Stone quarries and sand and gravel pits, subject to the provisions of Section 15.08.
 - B. The following uses, which shall not be located within six hundred (600) feet of any Residential District:

Slaughter houses or stock yards
 Incineration, reduction or storage of garbage, offal or rancid fats
 Manufacture of explosives, ammunition, fire works or matches
 Refining or processing of crude petroleum
 Bulk storage of flammable liquids
 - C. Any other commercial or industrial use not listed but determined by The Board of Appeals to be of the same general character as those listed as principal permitted uses in A and B hereinbefore but not including any use which is prohibited.
3. ACCESSORY PERMITTED USES
 - A. Signs, as regulated by Chapter 15.022
 - B. Off-street parking and loading, as required by Section 15.10.
 - C. Any use customarily incidental to the principal permitted use, including dwellings used as quarters of watchmen or caretakers.

13.03 Area And Dimensional Standards

All structures shall comply with the dimensional requirements set forth here under:

13.031 Minimum Front Yard Depth

Minimum front yard depth shall be the height of the building, but not less than thirty (30) feet.

13.032 Minimum Side and Rear Yards

The schedule of side and rear yard dimensions shall be as follows:

A. Yard adjoining a lot line in a Business or Industrial District:

No side yard or rear yard is required, but a use serviced from the side or rear shall have access thereto for loading and unloading in accordance with Section 15.10.

B. Yards adjoining a lot line o, a Residential District shall be as follows:

Based on the dimension of building wall parallel or most nearly parallel with the side or rear lot line, the width of side yard and depth of rear yard shall be determined in accordance with the following formula:

$$\frac{\text{Height of wall} + \text{length of wall}}{3} = \text{width or depth of yard}$$

Provided, however, that no side yard width or rear yard depth shall be less than 25 feet.

13.033 Maximum Height Limits

None, provided that the front, side and rear yards requirements are complied with.

CHAPTER 14

MOBILE OR MANUFACTURED HOME PARKS

14.011 Application

The owner of a tract of land, twenty (20) acres or more in area, located within the General Residential District (R-2) may submit a plan for the development and use of such tract as a mobile home park under the provisions of this Section.

14.012 Development Standards

A. Ohio Department of Health

All mobile home parks shall meet the requirements of the Ohio Sanitary Code adopted by the Ohio Department of Health under the authority of the Ohio Revised Code Section 3733.02.

B. Subdivision Regulations

All mobile home parks shall meet the requirements of the subdivision regulations for Marion county and the city of Marion under the authority of the Ohio Revised Code Section 711 (explained in o.a.g. 72-020).

C. Board of Zoning Appeals

All applications and plans for mobile home parks shall be reviewed by the Board of Zoning Appeals. In reviewing such application and plans for a mobile home park the board shall determine whether the following requirements are met:

1. The proposed park is twenty(20) acres or more in size.
2. The front-yard depth for the park as a whole is at least ninety(90) feet.
3. The side yards and rear yard for the park as a whole are each fifty(50) feet from the interior lot line. If the park abuts more than one existing public road, then the side or rear yard on a public road shall be ninety(90) feet measured from the center of the road.
4. The minimum floor area of any mobile home used as a Dwelling shall be seven hundred twenty(720) square feet.
5. The mobile homes within the park shall be limited to single-family occupancy, not including transient or vacationing families or persons, and not including the storage, display, or sale of mobile homes on the premises.

6. The park will be located to assure maximum compatibility with other types of residential development.
7. The park will not be detrimental to the neighborhood.

As a condition to determining that the park is compatible to nearby residential development, the Board of Zoning Appeals may set conditions including, but not limited to, a requirement of screening by plants to obscure the view of the tract, limitations on signs allowed, and assurance of adequate recreation facilities.

D. Board of Zoning Appeals Approval

If after review of the application and plans for a mobile home park, the Board finds that all requirements have been met, the Board may grant approval or deny approval according to section 17.032 "Original Jurisdiction Application for Exception and Conditional Uses."

CHAPTER 15

SPECIAL USE REGULATIONS

15.01 Exceptions to Application of Area Dimension Standards

15.011 Planned Development Projects

In the case of Planned Development Projects area and dimensional standards shall be as set forth in Chapter 14 for the type of development involved.

15.012 Exceptions to Lot Width and Area Requirements

In a District where it is permitted; a single-family dwelling may be erected on a lot which is non-conforming as to lot area or width, provided however, that, where two or more abutting lots of record were held in one ownership at the effective date of this Resolution, and where one or more of such lots are non-conforming, the exception in this paragraph shall not apply.

15.013 Front Yard Exceptions and Modifications

A. Exceptions for Existing Alignment

In a Residential District where the average of existing front yard depths for lots located on the same side of the street within one hundred (100) feet of both sides of a lot in question is greater or less than the required front yard specified in this Chapter, such average of depths shall be the required depth for such lot, provided that no front yard shall be required to exceed seventy-five (75) feet in depth, and shall not be less than twenty-five (25) feet.

In deriving the average depth of existing front yards the following rules shall be observed:

- (1) A lot which is only partially within one hundred (100) feet of the lot in question shall be included in the average if any part of the principal building thereon is located within said one hundred (100) foot distance.
- (2) Any vacant lot within said one hundred (100) feet shall be considered as having the minimum required front yard depth in computing the average.

B. Front Yards Required in Non-residence Districts along Residence District Boundary Lines

In any block which includes both residential and non-residential district along the same side of the street, the front yard requirements of the non-residential district shall be either the requirement set forth for such district or the requirement set forth for the Residential District in such block, whichever is greater.

15.014 Side Yard Exceptions, Application and Adjustments

1. Side Yard Exceptions for Narrow Lots

In case of a lot which is existing and of record at the time of the effective date of this Resolution in any Residence District, if the owner of record does not own any adjacent property, one and one-half (1 1/2) inches may be deducted from the required lease width of side yard and three (3) inches from the required sum of widths for each foot by which the lot is narrower than the required width. Such deductions shall not apply to buildings higher than two (2) stories. In no case shall any side yard be narrower than five (5) feet.

2. Side Street Side Yard

Any corner lot in a Residential District having an abutting interior lot fronting on its side street shall have a minimum required side yard on the side street equal to the required front-yard depth of the District in which it is located provided however, that this requirement shall not be applied to a lot which was on record at the time this Resolution became effective so as to reduce the buildable width to less than twenty-five (25) feet.

3. Adjustments for Irregular Side Yards

Where the side wall of a building is not parallel with the side lot line or where the side yard has an irregular width due to broken alignment of side wall or side lot line, the side yard shall be such that its total area is equal to the side yard area which would result if the required least width were applied to a building of equal length and height having an unbroken wall parallel with an unbroken side lot line, provided that such side yard shall at no point be narrower than one half (1/2) of the required least width or five (5) feet, whichever is greater.

15.015 Rear Yard Exceptions of Shallow Lots

For a lot which was of record at the time this Resolution became effective, which lot is in a Residence District and has a depth of less than one hundred ten (110) feet the depth of the rear yard need not exceed twenty-five (25) percent of the depth of the lot, but shall not be less than fifteen (15) feet in any case.

15.016 Uses and Projections Permitted in Yards

The following accessory uses and structural projections shall be permitted within any required yard, with limitations as specified;

- A. Off-street loading and parking space in required front yards in an Industrial District, to within fifteen (15) feet of the street line, except where located within the same block as a Residential District and fronting on the same street.
- B. Fuel pumps in required front yards in connection with a conforming service station to within twenty (20) feet of the street line and complying with the requirements of Section 15.04 relating to equipment for outdoor servicing of vehicles.
- C. Required or permitted fences, walls and landscaping shall conform to the following locational and maximum height limitations, except as otherwise specified elsewhere in the Code:

Yard	Location	Maximum Height in Feet
Rear	If within ten (10) feet of side or rear lot line	6
	If ten (10) feet or more from side or rear lot line	10
Side	At any location	6
Front	At any location	3 1/2

- D. Eaves, cornices, window sills and belt courses may project into any yard a distance not to exceed three (3) feet.
- E. Accessory buildings in rear yards, in accordance with the provisions of the district in which it is located.
- F. Steps, terraces or uncovered porches may project into any yard, provided they are not over three and one-half (3 1/2) feet above the average finished grade at the adjacent building wall and distant at least three (3) feet from every lot line.

15.017 Height Limit Exceptions

- A. The height limits of this Resolution shall not apply to churches schools, hospitals and such public buildings as a library, museum, auditorium, art gallery, fire station or public buildings of a cultural, recreational or administrative nature; provided that the yard requirements set forth in the district in which it is located for non-dwelling structures in Residence Districts shall be complied with.

- B. Church spires, belfries, cupolas, domes, monuments, fire and hose towers, chimneys, smokestacks and flag poles may exceed the height limits.
- C. Water tanks, bulkhead, grain elevators, gas holders, radio and television transmission and receiving towers and similar structures auxiliary to permitted principal uses in a district may exceed the height .

15.02 Sign Regulations

15.021 General Provisions

Signs of all types as defined in Chapter 2 shall comply with the regulations set forth in this Section. In addition to the standards and requirements set forth in succeeding subsections, the following provisions shall apply to signs of all types.

15.0211 Traffic Hazards

No sign shall be erected in such a manner as to obstruct free and clear vision, or at any location where, by reason of position, shape or color it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device, or which makes use of the words "stop", "look", "danger" or other word, phrase or symbol in such manner as to interfere with or mislead or confuse motorists or pedestrians. Light sources for illuminated signs shall not be of such brightness as to constitute a hazard to pedestrian or vehicular traffic. No rotating beam, beacon, or flashing illumination resembling an official traffic control or emergency light shall be used in connection with any sign display, nor shall any illuminated device designed to attract attention of users of the street be permitted unless it is an integral and functional part of the sign as herein defined.

15.0212 Exempted Signs

The following signs are not subject to the provisions of this Section:

- A. Governmental signs for control of traffic and other regulatory purposes, street signs, warning signs, railroad crossing signs, and signs of public utility companies for the purpose of safety.
- B. Flags, emblems and insignia of any governmental agency.
- C. Commemorative plaques placed by recognized historical agencies.
- D. Signs within a stadium, open-air theater, shopping center, arena or other use which signs can be viewed only by persons within such stadium, open air theater, shopping center, arena or other use.

15.0213 Prohibited Signs

No signs shall be attached or otherwise applied to trees, bus shelters, utility poles, trash receptacles, newspaper vending machines or boxes, or any other unapproved supporting structure, or otherwise placed in the public right-of-way except as specifically permitted by this Section, provided that a bus

shelter, trash receptacle or newspaper vending machine may have an identification sign.

15.0214 Non-conformance

A. General Provisions

Any sign erected prior to the enactment of this Resolution and not conforming with the provisions of this Section shall be deemed to be non-conforming. Nothing herein shall prohibit the maintaining in safe conditions of any such non-conforming sign.

B. Advertising Signs

Any advertising sign which is non-conforming as a principal use in the district in which it is located shall be subject to the provisions for such principal uses in Chapter

C. Accessory Signs for Non-conforming Uses

Any use which is non-conforming in the district in which it is located shall be permitted one (1) square foot of accessory sign area for each two hundred fifty (250) square feet of lot area. In all other respects except area, such accessory signor signs shall conform with the schedule of standards set forth in Section 15.022 for the district in which it is located.

D. Accessory signs not in conformance with Section 15.022

Any non-conforming accessory sign which is altered, relocated, removed or damaged to more than one-half (1/2) of its replacement value shall not be reinstalled, repaired or replaced unless it is made to comply with the provisions of this Section.

15.0215 Sign Responsibility, Maintenance and Removal

A. Owners's Responsibility

1. The owner of any sign and the owner of the premises on which it is located shall be responsible for keeping it in repair and in proper state of preservation.
2. The owner of any sign and the owner of the premises on which it is located shall be responsible for the removal of such sign if and when it is abandoned or becomes no longer functional, Such removal shall include the complete blocking out of painted wall signs, such removal shall be carried out within a period of time as follows:

Permanent signs: thirty (30) days

Temporary signs: fourteen (14) days

B. Enforcement

In the case of non-compliance with the provisions of A-1 and A-2 hereinbefore, the Zoning Inspector shall notify, in writing the owner of the abandoned or non-functional sign in question or the owner of the premises on which such sign is located. If such order is not complied with within thirty (30) days after the date of such order, the Zoning Inspector shall remove such sign at the expense of the owner of the real estate.

15.0216 Location of Signs

- A. No part of any sign shall project beyond the property or street right-of-way line.
- B. No sign shall be located in a required front yard except certain accessory identification signs, as follows:
1. Bulletin boards and warning and directional signs, which shall be located no less than twelve (12) feet from the street right-of-way line if in a required front yard.
 2. Identification signs which are an integral part of a permitted gateway structure at the entrance to a subdivision, group housing development or industrial park.
 3. Free standing identification signs in service stations, complying with other requirements therefor.
 4. Temporary real estate or construction signs, no less than twelve (12) feet from the street right-of-way line.

15.022 Accessory Signs

Accessory signs as defined in Chapter 2, shall be subject to the standards and requirements of this Section. The types of signs, classified as to function, structure and other characteristics, shall be as defined in Chapter 2.

15.0221 Accessory Signs in Open Space and Residential Districts

A. Identification Signs

1. A home occupation or a professional office in a home, where permitted, may have one unlighted wall sign, not more than three (3) square feet in area.
2. A development of town houses, multi-family dwellings or an apartment hotel, where permitted, may have one illuminated sign for each frontage on a public street, of any permitted structural type except a roof sign. The total area of all such signs shall be one (1) square foot per face for each dwelling unit, provided that no single sign shall exceed thirty two (32)

square feet on one face.

3. Any public or semi-public building, park or other open areas may have one (1) illuminated sign for each frontage on a public street, of any permitted structural type except a roof sign. The total area of any one sign shall not exceed twenty (20) square feet per face.
4. Any other permitted non-residential use may have one (1) illuminated sign of any structural type except a roof sign totaling no more than sixteen (16) square feet per face.

B. Bulletin Boards

One (1) bulletin board for each frontage on a public street shall be permitted, which shall not exceed sixteen (16) square feet in area on one face. Such bulletin board may be of the wall, projecting or free-standing type.

C. Temporary Signs

1. One unlighted real estate sign as defined in Chapter 2, may be located facing each frontage street, with total sign area limited as follows:
 - (a) for a single lot or building - 6 sq. ft. per face
 - (b) for a new subdivision or group housing development 4 sq. ft. per lot or dwelling unit with a maximum size of 100 sq. ft.
2. One unlighted construction sign as defined in Chapter 2, of any structural type, may be located on a construction site, not exceeding a total of thirty-two (32) square feet in area on all faces.

D. Directional Signs

Directional signs, as defined in Chapter 2, shall be permitted of a number, size and location as needed, provided no such sign shall exceed two (2) square feet in area per face.

15.0222 Accessory Signs in Commercial and Industrial Districts

A. Identification Signs

1. Service Stations

- a. Two (2) free standing illuminated signs shall be permitted, with no more than fifty (50) square feet per face.

- b. One (1) wall illuminated sign for each street front, with no more than thirty-two (32) square feet of area.

2. Other Commercial uses

Two (2) illuminated signs for each frontage on a street, of all structural types, shall be permitted, with a maximum area on all signs and faces of four (4) square feet per linear foot of frontage on all streets, but not more than three hundred (300) square feet total.

3. Industrial Uses

One (1) illuminated sign for each frontage on a street, of all structural types, shall be permitted. with a maximum total area of six (6) square feet.

B. Bulletin Boards

One (1) illuminated bulletin board for each frontage on a street shall be permitted having a maximum area of twenty (20) square feet per face.

C. Temporary Signs

- 1. One unlighted real estate sign, as defined in Chapter 2, may be located facing each street frontage, with total sign area limited as follows:

	Square Feet Per Face
(a) Advertising commercial properties	12
(b) Advertising Industrial properties	50

- 2. One unlighted construction sign, as defined in Chapter 2, of any structural type, may be located on a construction site, not exceeding a total of fifty (50) square feet linear on all faces.

D. Directional Signs

Directional signs, as defined in Chapter 2, shall be permitted of a number, size and location as needed, provided no such sign shall exceed four (4) square feet per face.

15.0223 Maximum Height of Accessory Signs

The maximum height of accessory signs and the minimum clearance beneath them, where applicable, shall be as set forth hereunder.

- 1. No wall sign shall project above the top of the wall on which it is

located.

2. No projecting sign shall extend above the top of the building on which it is located.
3. The maximum height of free standing signs shall be the maximum building height for principal uses in the district in which the sign is located.

Free standing signs located within one hundred (100) feet of the intersection of street curb lines shall have a minimum vertical clearance of twelve (12) feet beneath them.

4. Roof signs shall not exceed the maximum permitted height of buildings in the zoning district in which they are located and shall not exceed twenty-five (25) feet higher than the roof of the building to which the sign is attached at the point of mounting.
5. Awning, Canopy or Marquee Signs shall not extend vertically above the limits of the awning, canopy or marquee to which attached. Such signs may extend vertically below such limits provided that there shall be a minimum vertical clearance of ten (10) feet above the grade beneath them.

15.0224 Illumination

Where illuminated signs are permitted in Residential Districts, the sources of light shall be wholly enclosed within the sign structure behind any face of the sign, which face shall be of translucent material which totally obscures the light source. No flood lighted signs shall be permitted in any Residential District.

15.023 Advertising Signs

15.0231 General Provisions

An advertising sign shall be deemed to be a principal use, and shall comply with the use limitations and the yard and building height requirements for principal uses in the district in which it is to be located. In addition, any such sign shall comply with the requirements set forth in this Section and Section 15.021.

15.0232 Standards for Advertising Signs

The standards for the construction or installation of advertising signs shall be as set forth hereunder, in addition to requirements for all principal structures in the district in which the sign is located.

A. Number of Signs

There shall be no more than one (1) sign structure on any lot having

less than two hundred (200) feet of unbroken frontage on a single street. A lot or parcel having two hundred (200) feet or more of unbroken frontage on a single street may have two (2) sign structures thereon.

B. Structural Types Permitted

Only free standing advertising signs may be permitted.

C. Area and Dimension

1. The maximum total area of all faces of any sign structure shall be two thousand (2000) square feet.
2. The maximum height of a sign shall be the maximum building height for other principal uses in the district in which the sign is located.

15.03 Home Occupations

In order to be permitted as an accessory use, a home occupation shall comply with the definition given in Chapter 2. In addition, it shall comply with the following requirements:

- A. There shall be no non-resident employees engaged in the home occupation.
- B. No articles produced off the premises may be sold.
- C. No articles produced off the premises may be stored outside.
- D. No mechanical equipment shall be installed or used which will create excessive noise, interference with radio or television transmission or reception, or will be a public nuisance.
- E. The space devoted to such home occupation may not exceed twenty-five (25) percent of the gross floor area of the principal building.
- F. No goods shall be displayed, and there shall be no external evidence of the home occupation conducted on the premises except one identification wall sign which shall be unlighted and no more than three (3) square feet in area as provided for in Section 15.0221.
- G. All other applicable sections of this resolution shall apply including. Section 15.10, Off-street Parking and Loading Requirements, for the specific Home Occupation involved.

15.04 Automobile Sales, Service and Repair, Drive-In Establishments and Parking Lots

15.041 For all uses listed hereunder in Section 15.042 and 15.043, the following requirements shall apply:

For any such use involving the open air parking, storage, display, sale or servicing of automotive vehicles or involving drive-in or drive through establishments the area devoted to such open air use shall comply with the following:

1. All lighting for night use or for security shall be so arranged that no source of light will be directly visible from any lot within two hundred feet in a Residence District.
2. Surfacing and drainage shall be provided in the manner specified in Section 15.104 for off-street parking areas.

15.042 Automobile Service Stations, Repair Garages, Sales Establishments and Parking Lots

Automobile Service Stations, repair garages, sales establishments and parking lots shall comply with the following requirements and limitations.

Facility or Service	Minimum Distance from Line of Lot in a Residence District
Vehicular entrance or exit	25 ft.
Equipment for outdoor Servicing of Vehicles	25 ft. unless separated from any Residence District lot by a solid fence, wall or hedge no less than 5 ft. or more than 8 ft. in height.
Repair Services: Tire changes and repair, brake adjustment and repair, lubrication, body washing, minor repair or adjustment. Motor and body repair where permitted	25 ft. unless within an enclosed building or separated from any Residence District lot by a solid fence, wall or hedge no less than 5 ft. or more than 8 ft. in height. Must be within an enclosed building
Outdoor storage, parking or display of goods and parking lots	25 ft. unless separated from any Residence District lot by a solid fence, wall or hedge no less than 5 ft. or more than 8 ft. in height.

15.043 Drive-In and Drive-Through Establishments

Drive-in establishments including those identified as drive-through, shall comply with the following requirements and limitations.

Facility or Service	Minimum District from Adjoining Line of a Lot in a Residential District	Amount of Space Required
Vehicular entrance or exit	25 ft.	
Equipment or vehicle stand for dispensing service, and all access driveway space	25 ft. unless separated from any Residence District by a solid fence, wall or hedge no less than 5 ft. or more than 8 ft. in height	
Driveway or other space on the lot for vehicles waiting for service at drive-through establishments		Adequate to accommodate three (3) or more vehicles for each drive-through window or lane

15.05 Private Swimming Pools

No private swimming pool shall be allowed in any Residence District except as an accessory use, and unless it complies with the following conditions and requirements.

- A. The pool is intended and used primarily for the enjoyment of the occupants of the principal use of the property on which it is located.
- B. It may not be closer than ten (10) feet to any lot line of the lot on which it is located.
- C. The pool shall be completely enclosed by a wall or fence at least 42" in height of sufficient density as to prevent small children from entering
- D. The pool, together with any structure related thereto, shall comply with the requirements for accessory structures set forth for the district in which it is located.

15.06 Topsoil Removal

Excavation of topsoil to a depth of not more than three (3) feet shall be permitted in the "C-1" or "A-1" Districts with Board of Appeals approval and in "I-1" District, provided the operator submits a plan showing the area in which the soil removal is to take place and the manner in which the area is to be restored upon completion of the excavation operation. Removal of topsoil shall not be conducted closer than thirty (30) feet to a Residential District and excavation operation within five hundred (500) feet of a Residential District shall be completed within one (1) year after commencement of such operation. Upon completion of operation, all excavated areas shall be adequately restored and suitably planted in a manner as determined by the County Agricultural Extension Agent. In cases where the Board has jurisdiction as set forth herein before, it may require bond as it deems necessary to assure proper restoration of the excavated area.

15.07 Excavation of Fill for Highway Construction

Excavation of fill for highway construction outside highway rights-of-way shall be permitted as a matter of right only in the "I-1" District. It may be permitted in the "A-1" District only after approval by the Board of Appeals.

Before any excavation permit is given, the construction contractor shall present plans and information giving proof:

- A. That the source of community water supply will not be adversely affected, either by contamination or lowering of the water table, and
- B. That the excavated site will be left in a useful and hazard free condition, and
- C. Shall comply with the standards as set up by the Ohio Department of Transportation.

15.08 Mineral Extraction, Storage and Processing

15.081 Purpose

Provisions pertaining to the extraction of stone, sand, gravel and other mineral resources are provided to allow the removal of these important resources in a manner appropriate to the best uses of adjacent lands and to rehabilitate the excavated area to promote the public health, safety and general welfare.

In any district of the township where mineral extraction is permitted as a conditional use, such use shall be subject to approval by the Board of Appeals.

15.082 Establishment of Boundaries or Limits

Within any Zoning District where any type of mineral extraction, storage or processing is permitted, the limits of the individual site for such operation shall be established by the Board of Appeals, taking into account the uses or potential uses of adjoining property and the applicable development standards within the individual site, as set forth hereunder.

15.083 Standards for Development, Operation and Rehabilitation

15.0831 Processing Plants

All additions to existing mineral processing plants and all new mineral processing plants shall employ recognized equipment of the industry in question to minimize objectionable elements or conditions adversely affecting the surrounding properties. Operation of the equipment shall comply with the standards promulgated by the industry.

15.0832 Dimension Requirements

- A. Mineral extraction involving the removal of clay or overburden to a depth not exceeding six feet may be conducted to no less than 30 feet of a Residential District, provided the operation is conducted over a

temporary period not to exceed twelve (12) months and operation of equipment is limited to the extractions process. Temporary operational roads shall not be closer than 200 feet to any Residential District.

- B. Other mineral extraction and processing shall not be conducted closer than 500 feet from any existing residence or any Residential District nor closer than 200 feet from any structure used for human occupancy.

15.0833 Disposal of Building and Structures

Buildings and structures for which no future is contemplated and for which no other acceptable use is practicable or feasible shall be demolished and removed.

15.0834 Application

- A. At the time of a request for a permit for mineral extraction purposes, the operator shall file with the Zoning Inspector a detailed map of at least 200 feet to the inch scale, which clearly shows areas to be mined and the location of adjacent properties, roads and natural features. The operator shall submit information on the anticipated depth of excavations and on depth and probable effect on the existing water table.
- B. The operator shall also file with the Board a detailed plan of 200 feet to the inch or larger scale for the restoration of the area to be mined which shall include the anticipated future use of the restored land, the proposed final topography indicated by contour lines of no greater interval than five (5) feet.

15.0835 Rehabilitation of Site

- A. All earthen banks shall be left with a slope no greater than two feet horizontal to one foot vertical; all rock banks may be left at a one to one slope. Where minimizing of slopes to this degree is not feasible, as determined by the Board, a fence four feet high; shall be erected by the extraction operator to serve as a protection to persons.
- B. The type and number per acre of trees, shrubs, ground cover or legumes to be planned shall be determined in consultation with the County Agricultural Extension Agent.
- C. The location of future roads, drives, drainage courses, or other improvements or changes contemplated shall be shown as determined in consultation with the Marion County Regional Planning Commission.
- D. The operator of a long-term mineral extraction operation involving an area in excess of 100 acres shall be required to restore areas within

500 feet of a Residential District within a period of one year from the date of completion of the extraction operations

- E. The operator may be required to file with the Township Trustees a bond, payable to the Township and conditioned on the faithful performance of all requirements contained in the approved restoration plan. Whether the operator shall be required to post bond shall be based on demonstrated financial responsibility and the operators demonstrated past performance in fulfilling restoration provisions in this Resolution. In the event a bond is required, the rate per acre of property to be used for extraction purposes shall range between \$100 and \$1,000, depending upon the type and extent of restoration required, except that the maximum amount of the bond shall not exceed \$50,000. The bond shall be released upon written certification of the Zoning Inspector that the restoration is complete and in compliance with the restoration plan.

15.09 Petroleum Drilling and Production

15.091 Purpose

Provisions pertaining to the drilling for production of oil and gas are provided to allow the exploration for and removal of natural petroleum resources in a manner appropriate to promote the public health, safety and general welfare.

In any district of the township where a well may be drilled for the exploration for or production of natural oil or gas as a conditional use, the drilling and operation of such well shall be subject to approval by the Board of Appeals, providing the following conditions have been complied with.

15.092 Application

An application for a drilling permit shall be filed with the Zoning Inspector and shall include an application form and a survey and other information as required by Chapter 1509, Ohio Revised Code.

15.093 Standards

The standards shall be the same as those required by Chapter 1509, Ohio Revised Code as well as any additional requirements that the Board may require at the time of the hearing to promote the public health, safety and general welfare of the township.

15.094 Permit

If such a drilling permit is approved by the Board, the Zoning Inspector shall be directed to issue the drilling permit.

All drilling permits shall be for a period not to exceed twelve (12) months from the date of issue and shall be null and void after said expiration date. On or before the expiration date of the permit the well shall be:

1. Closed in accordance with Chapter 1509, Ohio Revised Code.
2. Put into production in accordance with Chapter 1509, Ohio Revised Code; or
3. An extension of time request has been granted by the Board of Zoning Appeals.

15.095 Surety Bond

A surety bond shall be filed with the Township Trustees before a drilling permit is issued by the Zoning Inspector. Such bond shall not be released until each and every condition set forth in the permit has been complied with and / or all repairs of damage to public property has been completed. The surety bond shall be executed by a surety company authorized to do business in the State of Ohio and shall be in the following amount:

- a. For a single well having a proposed or actual depth of fifteen hundred (1500) feet or less, \$1,000.00;
- b. For a single well having a proposed or actual depth in excess of fifteen hundred (1500) feet, \$2,000.00.

15.096 Revocation

If during the drilling operation, the conditions set forth in the drilling permit application or the conditions set forth by the Board prior to its approval are violated, the Zoning Inspector shall report such actions to the Board which if it concurs, may revoke the permit and order the site vacated and to the Township Trustees who may, if they concur, order the bond forfeited.

15.10 Off-Street Parking and Loading Standards

15.101 Purpose

The purpose of this Section is to provide, through special regulations for adequate off-street parking and loading facilities, as necessary for efficient and convenient community activity and for the prevention of traffic congestion.

15.102 Off-street Parking Spaces Required

15.1021 Application of Requirements

In all districts, in connection with any use there shall be provided, at the time any building or structure is erected or enlarged or increased in capacity, off-street parking spaces in accordance with the schedule set forth in Section 15.1022 hereunder. It shall be the intent that the following required parking spaces be used in connection with the building for which they are required. When units of measurement determining the number of required parking spaces result in requirement of fractional space, any fraction up to and including one-half (1/2) shall be disregarded and fractions over one (1/2) shall require one (1) parking space.

15.1022 Schedule of Parking Spaces Required

<u>Type of Use</u>	<u>Number of Parking Spaces</u>
A. <u>Uses not listed</u>	Requirements for most nearly similar use specifically listed, as determined by the Board of Appeals
B. <u>Residential</u>	
Dwellings, all types	2 spaces for each dwelling unit
Rooming houses and elderly housing	1 for each sleeping room or 1 for each paying occupant, whichever is greater
C. <u>Public and Institutional</u>	
Administrative offices of government	1 for each 200 sq. ft. of floor area
Schools	1 for each 10 classroom seats
Places of worship	1 for each 5 seats in sanctuary
D. <u>Amusement and Assembly</u>	
Sports arenas and stadiums, auditoriums, theaters and places of assembly with fixed seats	1 for each 5 seats
Dance halls, lodge halls, exhibition halls, skating rinks, swimming pools, and places of assembly without fixed seats	1 for each 100 sq. ft. of floor area used for purpose listed
E. <u>Services</u>	
Medical and dental offices and clinics	1 for each 100 sq. ft. of floor area
Barber shops and beauty parlors	3 per operator
Hotels, motels and tourist homes	1 for each living or sleeping unit
Laundry and dry cleaning pickup	1 for each 100 sq. ft. of floor area
Business and Professional offices	1 for each 200 sq. ft. of floor area

<u>Type of Use</u>	<u>Number of Parking Spaces</u>
Restaurants of following types:	
Indoor service only	1 for each 100 sq . ft . of floor area
Including curb service	1 for each 100 sq. ft. of floor area in addition to curb service stalls provided
Providing primarily carry-out service	1 for each 30 sq. ft. of floor area
Bars, taverns and night clubs	1 for each 100 sq. ft. of floor area
F. <u>Retail Sales</u>	
Furniture and household appliance stores and repair shops	First 1800 sq. ft. of floor area - 3 spaces any additional floor space: 1 space for each 400 sq. ft.
Retail stores and shops not elsewhere specified, including general merchandise	First 1500 sq. ft. of floor area -3 spaces any additional floor space: 1 space for each 150 sq. ft.
G. <u>General Commercial and Industrial</u>	
Automobile or machinery sales and service garage	1 for each 800 sq. ft. of floor area
Commercial service laboratories, machine shops and similar	1 for each 600 sq. ft. of floor area or 1 for each 2 employees on maximum shift whichever is greater
Manufacturing plants	1 for each 1200 sq. ft. of floor area or 1 for each 2 employees on maximum shift, whichever is greater.
Wholesale establishments and warehouses establishments	1 for each 3000 sq. ft. of floor area or 1 for each 2 employees on maximum shift whichever is greater

15.1023 Application of Schedule

A. Floor Area Defined

For purposes of applying the requirements of divisions C through G of Section 15.1022, "Floor Area" shall mean the gross floor area used or intended to be used by tenants, or for services to the public or customers, patrons clients, or patients, including areas occupied by fixtures and equipment used for display or sales of merchandise. It

shall not include areas used principally for non-public purposes, such as storage, incidental repair, processing or packaging of merchandise, for show windows, for offices incidental to the management or maintenance of stores or buildings, for toilet or rest rooms, for utilities or for dressing rooms, fitting or alteration rooms and hallways.

B. Expansion of or Change in Existing Use

A building existing lawfully at the time this Zoning Resolution became effective, but which does not conform with the off-street parking requirements in Section 15.1022 may be occupied by the existing use without such facilities being made available. However, any parking spaces that may be provided shall be in accord with the development standards set forth in Section 15.1024 hereof and, if the existing building is altered so that there is an increase in the number of dwelling units, seating capacity or floor area, or if the use is changed to a use requiring more off-street parking spaces then off-street parking facilities shall be provided at least equal to the number of spaces required for the entire building or use in accord with the schedule as set forth in 15.1022 hereof and in accord with the development standards of Section 15.1024.

15.1024 Development Standards for Off-Street Parking Space

- A. Required off street-parking facilities shall be located on the same lot as the structure or use served, except that a parking facility providing the sum of parking spaces required for several uses may be provided contiguous to and in common with the several structures and uses served
- B. Parking areas may be located in any required yard except as follows:
 - 1. In the required front yard in a Residence District.
 - 2. In a required front yard in any Non-Residence District adjoining a Residence District with limitations, as defined in the Non-Residence District.
- C. A parking space for one (1) vehicle shall provide for a rectangular area having dimensions of not less than ten (10) feet by twenty (20) feet.
- D. Access. There shall be adequate provision for ingress to and egress from parking spaces. Where a parking area does not abut on a public street or alley, there shall be provided an access drive not less than eight (8) feet in width in the case of a dwelling and not less than eighteen (18) feet in width in all other cases, providing satisfactory access to the parking areas required herein. Except where provided in connection with a use permitted in a Residence District, such access drive shall not be located in any Residence District.
- E. Screening and Landscaping. Off-street parking areas for more than five (5) vehicles shall be effectively screened on each side which

adjoins or faces premises situated in any Residence District, by a solid fence, wall or hedge, which shall be not less than five (5) feet or more than eight (8) feet in height and shall be maintained in good condition without any advertising thereon.

- F. For every parking area having more than five (5) spaces, a plan shall be submitted to the Zoning Inspector, showing that such parking area will comply with the foregoing requirements and will be well drained and shall have a dust-free surface.

15.103 Off-street Loading Space Required

15.1031 Requirements

In any district there shall be provided and maintained off-street loading space in connection with every building or part thereof hereafter erected which is to be occupied by any commercial or industrial use. For any such use off-street loading space shall be provided as specified in Section 15.1032 hereunder.

15.1032 Schedule of Loading Spaces Required

Size of Building in Number of Gross Square Feet	Number of Loading Spaces
Less than 5,000	None
5,000 to 19,999	One
20,000 to 39,999	Two
40~000 to 64,998	Three
65,000 to 100~000	Four
Each additional 100,000 sq. ft. or fraction thereof	One additional space

15.1033 Application of Schedule

A. Joint Loading Space

Owners or occupants of several establishments or buildings not separate by a street may jointly provide the required off-street loading space, provided:

- (1) That no loading dock shall be more than two hundred (200) feet distance from the service door of the building it is intended to serve and
- (2) That the gross area of all the establishments or buildings to be served by such joint loading facility shall be used to determine

the required number of loading spaces.

B. Expansion of Existing Use

A building existing lawfully at the time this Zoning Resolution became effective, but which does not comply with the off-street loading requirements set forth Section 15.1032 may be occupied by the existing use without such facilities being made available. However, any loading space which may be provided shall be in accord with the development standards set forth in Section 15.1034. If the existing building is expanded so that there is an increase in the square feet of floor area so used, then off-street loading space shall be provided at least equal to the required number of spaces for the entire building or use in accordance with the schedule set forth in Section 15.1032 and such spaces shall conform with the development standards in Section 15.1034.

15.1034 Development Standards for Off-street Loading Space

- A. Each loading space shall not be less than ten (10) feet in width, fifty (50) feet in length and fourteen (14) feet in vertical clearance, provided that, if it is shown that the building or establishment in question is not and will not be served by trucking vehicles more than thirty-five (35) feet in length, the Board of Appeals may grant an exception reducing the required length of loading space to a length no less than the maximum length of such servicing vehicles, but in no case to be less than twenty-five (25) feet.
- B. Subject to limitations set forth in Section 15.01, loading spaces may occupy all or any part of any required yard.
- C. No loading space shall be located closer than twenty-five (25) feet to any lot in any Residence District unless wholly within a completely enclosed building or unless separated from such Residence District lot by a wall, solid fence or hedge not less than six (6) feet in height.
- D. Access to Loading Areas. Every loading area shall have vehicular access to and from a public street or alley.

CHAPTER 16

ZONING COMMISSION

16.01 Organization, Staff Services and General Procedures

16.011 Organization

The Zoning Commission shall be composed of five (5) members, appointed by the Township Trustees, who shall be residents of the unincorporated territory of Salt Rock Township. The terms of all 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 Commission shall be removable for non-performance of duty, misconduct in office, or other cause as set forth in Section 519.04 of the Revised Code of Ohio. Vacancies shall be filled by the Township Trustees and shall be for the unexpired term.

16.012 Staff Services

The Township Clerk or such person as the Township Trustees shall otherwise appoint shall be Secretary of the Commission and shall prepare and distribute notices of meetings, keep minutes of meetings and prepare resolutions and other documents relating to the work of the Commission. The Zoning Inspector or his designated representative shall attend all Commission meetings.

16.013 General Procedures

The Commission shall organize and adopt rules to govern its activities in accordance with this Resolution. Meetings of the Commission shall be held once each month and at such additional times as the Commission may determine. The time of the regular monthly meetings shall be specified in the rules. Special meetings may be called by the Chairman, or in his absence, by the Vice-Chairman. All meetings of the Commission shall be open to the public.

The Commission shall keep minutes of its proceedings showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions all of which shall be filed immediately in the office of the Township Trustees and shall be a public record. Three (3) members of the Commission shall constitute a quorum.

The Commission may call upon the Township departments for assistance in performance of its duties and it shall be the duty of such departments to render such assistance to the Commission as may reasonably be required.

16.02 Power and Duties

16.021 The Zoning Commission may initiate proposed amendments to this Resolution.

16.022 The Zoning Commission shall review all proposed amendments to this Resolution and make recommendation to the Board of Township Trustees as specified in Section 18.03.

16.023 The Zoning Commission shall review all planned development projects and make recommendations to the Board of Township Trustees as provided for in Chapter 14.

16.024 The Zoning Commission shall have all other responsibilities designated to it by this Resolution and Ohio Law.

CHAPTER 17

BOARD OF ZONING APPEALS

17.01 Establishment, Staff Service and General Procedures

17.011 Establishment

A Board of Zoning Appeals is hereby created. Such Board shall consist of five (5) members appointed by the Township Trustees, who shall all be residents of the unincorporated territory of Salt Rock Township. The terms of all 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 Board may be removed for the same causes and in the same manner as provided by Section 519.04 of the Revised Code of Ohio. Vacancies shall be filled by the Township Trustees and shall be for the unexpired term.

17.012 Staff Services

The Township Clerk or such person as the Township Trustees shall otherwise appoint shall be Secretary of the Board, and shall prepare and distribute notices of meetings, keep minutes of meetings and prepare resolutions and other documents relating to the work of the Board. The Zoning Inspector or his designated representative shall attend all Board meetings.

17.013 General Procedures

The Board shall organize and adopt rules to govern its activities, in accordance with this Resolution. meetings of the Board shall be held once each month and at such additional times as the Board may determine. The time of the regular monthly meeting shall be specified in the rules. The Chairman in his absence the Acting Chairman, may administer oaths and the Board 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 filed immediately in the Office of the Township Trustees and shall be a public record.

Three (3) members of the Board shall constitute a quorum. The Board shall act by resolution; and the concurring vote of three (3) members of the Board shall be necessary to reverse any order or determination of the Zoning Inspector, decide in favor of an applicant in any matter of which the Board has original jurisdiction under this Resolution, or to grant any variance from the requirements stipulated in this Resolution.

The Board may call upon the Township departments for assistance in the performance of its duties and it shall be the duty of such departments to render such assistance to the Board as may reasonably be required.

17.02 Applications and Appeals

The Board shall act in strict accordance with the procedures specified by law and by this Chapter. All applications and appeals made to the Board shall be in writing, and shall be filed with the Secretary at least fourteen (14) days before the meeting at which they are to be heard. Each application or appeal shall refer to the specific provision of the Resolution involved, and shall set forth exactly the interpretation that is claimed, the use for which special exception is sought a clear description of the land involved, or the details of the variance that is applied for and the ground on which it is claimed that the variance should be granted, as the case may be.

17.021 Filing Application

An application to the Board, in cases in which it has original Jurisdiction under the provisions of this Chapter may be taken by any property owner or tenant, or by a governmental officer, department, board or bureau affected. Such application, in a form approved by the Board, shall be filed with the Secretary.

17.022 Filing Appeals

An appeal to said Board from any ruling of the Zoning Inspector, or other administrative officer administering any portion of this Resolution may be taken by any property owner or tenant, or by any governmental officer, department, board or bureau affected. Appeals to the Board shall be taken within twenty (20) days after a decision of the Zoning Inspector by filing a notice of appeal with the Secretary, in a form approved by the Board, specifying the grounds therefor. The Zoning Inspector shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken, or in lieu thereof certified copies of said papers.

17.023 Hearings; Date and Notices

When an application or appeal has been filed in proper form and with the required data, the Secretary of the Board shall immediately place said application or appeal upon the calendar for hearing and cause notices stating the time, place and object of the hearing to be served. Such notices shall be served personally or by mail at least ten (10) days prior to the day of such hearing, upon the applicant or the appellant, and to such persons as the Board may specify in its rules and regulations, which notices, if by mail, shall be sent to the last known address of the respective property owners. The Board shall also publish notice of such hearing in a newspaper of general circulation in Salt Rock Township at least ten (10) days prior to the public hearing. Any party may appear at such hearings in person or by agent or attorney.

Each application or appeal shall be accompanied by a check, payable to Salt Rock Township or a cash payment of the amount as set forth in Section 18.025. The Secretary shall not accept an application or appeal until such payment is received.

17.024 Adjournment of Hearing

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.

17.025 Decisions of the Board

The Board shall decide all applications and appeals within thirty-five (35) days after completion of the hearing thereon, and such decision shall become effective upon adoption by the Board. The Board's action shall be by resolution, stating the reasons therefore, and setting forth the findings of the Board as to compliance or non-compliance of the application or appeal with the requirements therefor in this Resolution. A certified copy of the Board's decision shall be transmitted to the applicant or appellant. Such 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 approves any application or appeal, there shall be no further hearings upon such case. However, when the Board has denied an 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 of facts to be heard by the Board.

17.026 Stay of Proceedings

An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Inspector certifies to the Board, after notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may, on due cause shown, be granted by the Board after notice to the Zoning Inspector or by judicial proceedings.

17.03 Powers of The Board

17.031 Interpretation of the Zoning Resolution

Upon appeal from a decision by the Zoning Inspector, the Board may hear and decide any question involving the interpretation of the Zoning Text or Map as follows.

- 17.0311 In case there is question as to the intended meaning of any, provision of the zoning text, the Board may interpret its meaning as it applies to a particular property.
- 17.0312 Where the street or lot layout actually on the ground, or as recorded, differs from the street and lot lines as shown, on the Zoning Map, the Board, after notice of public hearing to the owners of the property, shall interpret the map in such a way as to carry out the intent and purpose of this Resolution for the particular section or district in question. In case of any question as to the location of any boundary line between zoning districts, an application or interpretation of the Zoning Map may be made to the Board and a determination may be made by said Board by following the procedure established in Section 17.02.

17.032 Original Jurisdiction Applications for Exceptions and Conditional Uses

The Board shall have original jurisdiction and may hear and decide in accordance with the provisions of this Resolution, applications, filed as hereinbefore provided, for special exceptions, conditional uses, or for decisions upon other special questions on which the Board is authorized by this Resolution to pass. In considering an application for special exception or conditional use, the Board shall give due regard to the nature and condition of all adjacent uses and structures, and the consistency therewith of the proposed use and development. Before authorizing a use as a special exception or conditional use, the Board shall determine whether the proposed exception or use would be hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood. Upon authorizing a conditional use or exception the Board may impose such requirements and conditions with respect to location, construction, maintenance and operation, in addition to those expressly stimulated in this Resolution for the particular conditional use or exception, as the Board shall deem necessary for the protection of adjacent properties and public interest.

17.033 Appeals for Variances

The Board may authorize upon appeal in specific cases, filed as herein before provided, such variances from the provision or requirements of this Resolution as will not be contrary to the public interest, however, nothing herein contained shall be construed as authorizing the Board of Zoning Appeals to effect changes in the zoning map or to add to the uses permitted in any zoning district. In order to grant variance, the Board must find.

1. 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 building and do not apply generally to land or buildings in the neighborhood, and that said circumstances or conditions are such that the strict application of the provisions of this Resolution would result in practical difficulty and unnecessary hardship and deprive the applicant of the reasonable use of the land or building.
2. 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.
3. 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 reasonably practicable the formulation as a part of this Resolution of a general regulation for such condition or situation.
4. That the variance as granted by the Board is the minimum variance that will accomplish the reasonable use of the subject land or building.

17.034 General Powers

In exercising its powers, the Board, in conformity with the provision of statute and this Resolution, may reverse or affirm, wholly or part or may modify the order, requirement, decision or determination appealed from, and may make such order, requirements, decision or determination as in its judgment ought to be made, and to that end shall have all powers of the office from which the appeal is taken. The Board shall have and shall be limited strictly to the powers and duties prescribed by The Ohio Revised Code and by this Resolution.

17.04 Expiration of Permits for Exceptions, Conditional Uses and Variances

Every permit or variation of the application of the literal provisions of this Resolution allowed or granted, as provided in this Chapter shall expire and be of no force or effect after the expiration of six (6) months from the date thereof, unless:

- A. Within said period, the provisions of said variance or permit have been acted upon and placed in effect, or
- B. Unless the Board at the time of the original grant or allowance of such variation or permit shall have granted a longer period, in which event the expiration thereof shall be on the date specified by said Board, or
- C. Unless the Board grants an extension of time at a later date.

CHAPTER 18

ADMINISTRATION

18.01 Duties of the Zoning Inspector

18.011 Office of the Zoning Inspector

There is hereby established the Office of Salt Rook Township Zoning Inspector. The Zoning Inspector shall be appointed by the Township Trustees and shall receive such compensation as the trustees shall provide. Also, before entering upon the duties of his office the Zoning Inspector shall give bond as required by Section 519.161 of the Revised Code of Ohio. It shall be the duty of the Zoning Inspector to enforce the provisions of this Resolution and keep records of all applications for zoning permits and the action taken thereof. All departments, officials and employees of Salt Rock Township vested with the duty or authority to issue permits or licenses shall conform to the provisions of this Resolution and shall issue no license or permit for any use, building or purpose in conflict with the provisions of this Resolution. Any permit or license issued in conflict with the provisions of this Resolution shall be null and void.

18.012 Applications; Zoning Permits

A Zoning Permit shall be required for the construction or alteration of any building or structure, including accessory buildings, fences, etc. Every application for a Zoning Permit shall be accompanied by plans in duplicate drawn to scale in black line or blue-print, showing the actual shape and dimensions of the lot to be built upon or to be changed in its use, in whole or in part; the exact location, size and height of any building or structure to be erected or altered; the existing and intended use of each building or structure or part thereof; the number of families or housekeeping units the building is designed to accommodate if any; and, when no buildings are involved, the location information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Resolution.

One (1) copy of such plans shall be returned to the owner when such plans shall have been approved by the Zoning Inspector, together with such Zoning Permit as may be granted. All dimensions shown on these plans relating to the location and size of the lot to be built upon shall be based on actual survey. The lot and the location of the building thereon shall be staked out on the ground before construction is started. In every case where the lot is not provided and is not proposed to be provided with public water supply and/or the disposal of sanitary wastes by means of public sewers, the application shall be accompanied by a Certificate of Approval by the Marion County Sanitarian of the proposed method of water supply and or disposal of sanitary wastes.

No permit for excavation or construction shall be issued by the Zoning Inspector unless the plans, specifications and the intended use conform to the provisions of this Resolution.

18.013 Occupancy or Use Permits

18.0131 Occupancy Permits; Where Zoning Permit Issued

Upon completion of the work for which a Zoning Permit has been issued in accordance with Section 18.012 the holder of the permit shall notify the Zoning Inspector of such completion. The Zoning Inspector shall grant such holder an Occupancy Permit if the work has been performed in accordance with the application for the Zoning Permit and such conditions, if any, as may have been required by the Zoning Inspector when the Zoning Permit was issued.

18.0132 Occupancy Permits; Where no Zoning Permit Required

Before the use of any land or building is changed, when no Zoning Permit is required by this Resolution, an application for an Occupancy Permit shall be filed with the Zoning Inspector. Such application shall show the location of the subject lands or buildings, the present and proposed use thereof, and such other information as may be necessary to determine if the proposed use is in conformity with the provisions of this Resolution; and, if so, the Occupancy Permit shall be granted.

18.0133 Temporary Occupancy Permits

Under such rules as may be adopted by the Board of Zoning Appeals the Zoning Inspector may issue a Temporary Occupancy Permit for a part of a building.

18.014 Action on Applications; Time Limit

The Zoning Inspector shall act upon all such applications on which he is authorized to act by the provisions of this Resolution within ten (10) days after these are filed in full compliance with all the applicable requirements. He shall either issue a Zoning Permit within said ten (10) days or shall notify the applicant in writing of his refusal of such permit and the reasons therefor. Failure to notify the applicant in case of such refusal within said ten (10) days shall entitle the applicant to a Zoning Permit unless the applicant consents to an extension of time.

18.015 Zoning Permits; Time Limit

A Zoning Permit shall expire one (1) year after issuance unless the construction or alteration permitted by it has been substantially begun and is thereafter pursued to completion, or unless the land or premises have been put to the use permitted by such permit.

A Zoning Permit shall be revocable if among other things, the actual use, construction or alteration does not conform to the terms of the application and the permit granted thereon.

18.02 Fees

Except as otherwise indicated in this Resolution, there shall be a fee for the issuance of any

required permit or for the acceptance and processing of any appeal, application or other matter coming before the Board of Zoning Appeals or Zoning Commission, in accordance with the following schedules:

18.021 Zoning Permits

For any Zoning Permit for construction, extension, addition to structural remodeling, the Zoning Permit fee shall be as follows:

Improvement having a contract price or estimated cost as follows:	Fee
\$1,000 or less	\$5.00
More than \$1,000	\$5.00 plus \$1.00 per \$1,000 or fraction thereof
Maximum Zoning Permit fee	\$150.00

18.022 Occupancy Permit

In cases where a Zoning Permit has been issued no fee shall be charged for the issuance of an Occupancy Permit which pertains thereto. In all other cases the fee for the issuance of an Occupancy Permit shall be \$10.00.

18.023 Sign Permit

Fees for all types of signs, except temporary, shall be \$10.00. Fees for temporary signs shall be \$5.00.

18.024 Tax Exempt Property

The fees set forth hereinbefore for a Zoning Permit or Occupancy or Sign Permit shall not be charged when the applicant furnishes proof to the satisfaction of the Zoning Inspector that the subject property has tax exempt status.

18.025 Matters Coming Before the Board of Zoning Appeals

Fees for matters coming before the Board Zoning Appeals shall be as follows:

Matters	Fee
Appeal for Variance or Application for Special Exception or Conditional Use	\$20.00
Interpretation of Zoning Ordinance or Map:	
(1) Appeal from decision of Zoning Inspector, if Board of Appeals overrules the Zoning Inspector said fee shall be refunded.	\$20.00
(2) Request initiated by Township Government.	No Fee
Application for change in or extension of non-conforming use	\$20.00
All other matters coming before the Board of Zoning Appeals	\$20.00

18.026 Matters Coming Before the Zoning Commission

Fees for matters coming before the Zoning Commission shall be as follows:

Matters	Fee
Application for a Planned Development Project	\$50.00
Amendment to the Zoning Code:	
(1) Initiated by property owners or lessees of property	\$50.00
(2) Initiated by the Township Trustees or the Zoning Commission	No fee
Other matters coming before the Zoning Commission	No fee

18.03 Amendments to Zoning Resolution; Procedure; Referendum

- (A) Amendments to the zoning resolution may be initiated by motion of the township zoning commission, by the passage of a resolution therefor by the board of township trustees, or by the filing of an application therefor by one or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment with the township zoning commission. The board of township trustees may require that the owner or lessee of property filing an application to amend the zoning resolution pay a fee therefore to defray the cost of advertising, mailing, and other expenses. If the township trustees require such a fee, it shall be required generally, for each application. The board of township trustees shall upon the passage of such resolution certify it to the township zoning commission.

Upon the adoption of such motion, or the certification of such resolution or the filing of such application, the township zoning commission shall set a date for a public hearing thereon, which date shall not be less than twenty nor more than forty days from the date of the certification of such resolution or the date of adoption of such motion or the date of the filing of such application. Notice of such hearing shall be given by the township zoning commission by one publication in one or more newspapers of general circulation in the township at least ten days before the date of such hearing.

- (B) If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land, as listed on the county auditor's current tax list, written notice of the hearing shall be mailed by the zoning commission, by first class mail, at least ten days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from such area proposed to be rezoned or redistricted to the addresses of such owners appearing on the county auditor's current tax list. The failure of delivery of such notice shall not invalidate any such amendment.
- (C) If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land as listed on the county auditor's current tax list, the published and mailed notices shall set forth the time, date, and place of the public hearing, and shall include all of the following:
- (1) The name of the zoning commission that will be conducting the public hearing;
 - (2) A statement indicating that the motion, resolution, or application is an amendment to the zoning resolution;
 - (3) A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and the names of owners of these properties, as they appear on the county auditor's current tax list;
 - (4) The present zoning classification of property named in the proposed amendment and the proposed zoning classification of such property;
 - (5) The time and place where the motion, resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the public hearing;

- (6) The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail;
 - (7) Any other information requested by the zoning commission;
 - (8) A statement that after the conclusion of such hearing the matter will be submitted to the board for its action.
- (D) If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land, as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:
- (1) The name of the zoning commission that will be conducting the public hearing on the proposed amendment;
 - (2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;
 - (3) The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the public hearing;
 - (4) The name of the person responsible for giving notice of the public hearing by publication;
 - (5) A statement that after the conclusion of such hearing the matter will be submitted to the board of township trustees for its action;
 - (6) Any other information requested by the zoning commission.
- (E) Within five days after the adoption of such motion or the certification of such resolution or the filing of such application the township zoning commission shall transmit a copy thereof together with text and map pertaining thereto to the county or regional planning commission, if there is such a commission.

The county or 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 township zoning commission. Such recommendation shall be considered at the public hearing held by the township zoning commission on such proposed amendment.

The township zoning commission shall, within thirty days after such hearing, recommend the approval or denial of the proposed amendment, or the approval of some modification thereof and submit such recommendation together with such application or resolution, the text and map pertaining thereto and the recommendation of the county or regional planning commission thereon to the board of township trustees.

The board of township trustees shall, upon receipt of such recommendation, set a time for a public hearing on such proposed amendment, which date shall not be more than thirty days from the date of the receipt of such recommendation from the township

zoning commission. Notice of such public hearing shall be given by the board by one publication in one or more newspapers of general circulation in the township, at least ten days before the date of such hearing.

- (F) If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing and shall include all of the following:
- (1) The name of the board that will be conducting the public hearing;
 - (2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;
 - (3) A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and of the names of owners of these properties, as they appear on the county auditor's current tax list;
 - (4) The present zoning classification of property named in the proposed amendment and the proposed zoning classification of such property;
 - (5) The time and place where the motion, application, or resolution proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the public hearing;
 - (6) The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail;
 - (7) Any other information requested by the board.
- (G) If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:
- (1) The name of the board that will be conducting the public hearing on the proposed amendment;
 - (2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;
 - (3) The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the public hearing;
 - (4) The name of the person responsible for giving notice of the public hearing by publication;
 - (5) Any other information requested by the board.
- (H) Within twenty days after such public hearing the board shall either adopt or deny the recommendations of the zoning commission or adopt some modification thereof. In the event the board denies or modifies the recommendation of the township zoning

commission the unanimous vote of the board shall be required.

Such amendment adopted by the board shall become effective in thirty days after the date of such adoption unless within thirty days after the adoption of the amendment there is presented to the board of township trustees a petition, signed by a number of registered electors residing in the unincorporated area of the township or part thereof included in the zoning plan equal to not less than eight percent of the total vote 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 a special election to be held on the day of the next primary or general election. Each part of this petition shall contain the number and the full and correct title, if any, of the zoning amendment resolution, motion, or application, furnishing the name by which the amendment is known and a brief summary of its contents. In addition to meeting the requirements of this section, each petition shall be governed by the rules specified in section 3501.38 of the Revised Code.

The form of a petition calling for a zoning referendum and a statement of the circulator shall be substantially as follows:

“PETITION FOR ZONING REFERENDUM”

(if the proposal is identified by a particular name or number, or both, these should be inserted here)

_____.

A proposal to amend the zoning map of the unincorporated area of _____ Township, _____ County, Ohio, adopted _____ (date) _____ (followed by brief summary of the proposal).

To the Board of Township Trustees of Township _____ Township, _____ County, Ohio:

We, the undersigned, being electors residing in the unincorporated area of _____ Township, included within the _____ Township Zoning Plan, equal to not less than eight percent of the total vote cast for all candidates for governor in the area at the preceding general election at which a governor was elected, request the Board of Township Trustees to submit this amendment of the zoning resolution to the electors of _____ Township residing within the unincorporated area of the township included in the Township Zoning Resolution, for approval or rejection at a special election to be held on the day of the next primary of general election to be held on _____ (date) _____ pursuant to section 519.12 of the Revised Code.

Signature, Street Address, Township, Precinct, County, Date of Signing or R.F.D.

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STATEMENT OF CIRCULATOR

_____ (name of circulator) _____ declares under penalty of election falsification that he is an elector of the state of Ohio and resides at the address appearing below his signature hereto; that he is the circulator of the foregoing part petition containing _____ (number) _____ signatures; that he witnessed the affixing of every signature; that all signers were to the best of his knowledge and belief qualified to sign; and that every signature is to the best of his knowledge and belief the signature of the person whose signature it purports to be.

(Signature of Circulator)

(Address)

(City, village, or township, and zip code)