

CERTIFICATE OF RESULT OF ELECTION ON QUESTION OR ISSUE

Revised Code, Section 3501.11

State of Ohio 1967
County of Adams

The Board of Elections of Adams County hereby certifies that at the election held in Wayne Township (Subdivision) in said county on November 4, 1997 the (Date of election)

vote cast on the following issue was as follows:

Issue Proposed Zoning Plan-The Board of Wayne Township Trustees of Adams County, Ohio has adopted a Zoning Resolution to regulate the location and use of buildings and other structures; and the uses of land for trade, industry, residence, and other purposes. The proposed zoning regulation sets minimum standards for residential property. Agriculture land (farms) and existing uses are not affected by the regulations.

Votes <u>One hundred sixty four</u> (For, yea, etc.—as on ballot)	<u>164</u> (Number)
Votes <u>One hundred twenty three</u> (No, against, etc.—as on ballot)	<u>123</u> (Number)
Total vote cast on issue:	<u>287</u> (Number)

Amendment
ASSIGNMENT AMENDMENT
DATE 6-4-99
VOL 85 PAGE 375

Witness our official signatures at West Union, Ohio in said county, this 18th day of November, 1997.



AMENDMENT
ASSIGNMENT AMENDMENT
DATE 2-2-00
VOL 99 PAGE 665

John W. McDowell Chairman
Tina Lewis
Dorothy C. Ellis
James Earl Davis

Attest: Lois Nichols
Deputy Director Clerk

BOARD OF ELECTIONS

Adams County, Ohio

ADAMS CO. RECORDER
MARK A. TOLLE
MAY -6 1998
1:57 PM
Vol 60 Pg 259 FEE 50⁰⁰

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RESOLUTION OF BOARD OF TOWNSHIP TRUSTEES ADOPTING ZONING
AND ORDERING AN ELECTION
R.C. 519.10, 519.11

BE IT RESOLVED by the Board of Trustees of Wayne Township, Adams County, Ohio said Board having had certified to it the recommended plan for zoning the unincorporated areas of Wayne Township, from the Wayne Township Zoning Commission, and having held a public hearing on the same, due notice of which was given by publication, hereby adopts said zoning resolution and hereby orders the question of whether or not the proposed plan of zoning shall be put into effect to be submitted to the electors residing in the unincorporated area of the Township included in the proposed plan of zoning for their approval or rejection at the General election to be held November 4, 1997.

BE IT FURTHER RESOLVED that the Clerk submit a certified copy of the resolution to the board of Elections of Adams County. On roll call the trustees voted as follows:

<u>Chris Adams</u>	<u>yes</u>	Catherine McEllehan
<u>Robert D Skiple</u>	<u>yes</u>	
<u>James A. Tedlak</u>	<u>yes</u>	

Adopted this 28 day of July, 1997.

Judy Reed
CLERK OF WAYNE TOWNSHIP

ADAMS COUNTY, OHIO

I, Judy Reed, Clerk of the Board of Trustees of Wayne Township, do hereby certify that the above and foregoing is a true and accurate copy of a certain resolution unanimously adopted by the Board of Trustees of Wayne Township at a special meeting held on the 28 day of July, 1997.

Witness my hand and seal this 28 day of July, 1997.

Judy Reed
CLERK OF WAYNE TOWNSHIP

WAYNE TOWNSHIP ZONING RESOLUTION

A resolution for the purpose of promoting public health, safety and general welfare; to secure the most appropriate use of land; and to facilitate adequate but economical provision of public improvements, all in accordance with a sound manner, the board of Trustees of Wayne Township finds it necessary and advisable to regulate the location and use of buildings and other structures; and the uses of land for trade, industry, residence, and other purposes and for such purposes, divides the unincorporated area of the township into districts or zones.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF WAYNE TOWNSHIP, ADAMS COUNTY, STATE OF OHIO:

ARTICLE I

PURPOSE

For the purpose of promoting public health, safety, or general welfare; to secure the most appropriate use of land and to facilitate adequate but economical provisions of public improvements all in accordance with provision of Chapter 519 of the Ohio Revised Code, it is hereby provided as follows:

ARTICLE II

DISTRICT

The territory of Wayne Township, Adams County, Ohio is hereby designated a Residential District.

ARTICLE III

GENERAL PROVISIONS

SECTION 1. AGRICULTURAL USES AND BUILDINGS NOT AFFECTED: Nothing contained in this Resolution shall prohibit the use of any land for agricultural purposes or the construction or use of any building or structure for agricultural purposes of the land on which such building or structure is located, and no zoning certificate shall be required for any use, building, or structure for agricultural purposes.

SECTION 2. EXISTING USES AND BUILDINGS NOT AFFECTED: Any use, building or structure existing at the time of the effective date of this resolution may be continued, even though such use, building or structure does not conform with the provisions of this Resolution.

SECTION 3. RESTORING BUILDINGS OR STRUCTURES: Nothing contained in this Resolution shall prohibit or prevent the maintenance, strengthening, alteration or restoring to a safe condition any part of any building or structure, and no zoning certificate shall be required for such maintenance, strengthening, alteration, or restoration.

SECTION 4. USES NOT PROVIDED FOR: Any use specifically not provided for in the provisions of this Resolution shall be assumed to be prohibited, unless stated otherwise by the Wayne Township Zoning Commission.

ARTICLE IV

RESIDENCE "R" DISTRICT REGULATIONS

SECTION 1. MINIMUM STANDARDS:

1. A minimum of two acres for any residential lot with minimum of 200 feet of road frontage and one residence per lot.

2. For any off road development, a plat map must be submitted to zoning commission for approval. All utilities must be completed to the farthest point of the development. All roads to be built and in place and must meet the minimum requirements established for township and approved by the township trustees.

SECTION 2. PERMITTED USES:

1. Single family dwellings, including mobile homes and trailers.

2. Publicly owned and operated properties.

3. Home occupations.

4. Multiple family dwellings and the conversion of single family dwelling to multiple family dwellings.

5. Churches and other places of worship, including Sunday School buildings and parish houses.

6. Public and Private Schools, including nursery schools and child day care centers.

7. Accessory uses and the buildings customarily incident to any of the above permitted uses.

SECTION 3. PERMITTED USES REQUIRING A CONDITIONAL USE PERMIT FROM THE ZONING COMMISSION:

1. Playgrounds, golf courses and other privately or publicly owned outdoor recreational activities provided that any building shall be located at least one hundred (100) feet from any residence.

2. Hospitals and institutions of an educational, religious, charitable or philanthropic nature, provided that such building be located at least one hundred (100) feet from any residence.

3. Cemeteries.

4. Commercial cellular phone, radio, and television transmitters and relay antennas.

SECTION 4. USES PROHIBITED:

1. All establishments or activities operated publicly or privately for the disposal or storage of garbage, rubbish, offal, or other waste or surplus material not originating upon the premises.

2. Junkyards.

3. Any other use not specifically permitted in this Section.

ARTICLE V

ENFORCEMENT

SECTION 1. ZONING COMMISSION:

It shall be the duty of the Zoning Commission to enforce this Resolution. It shall also be the duty of all officials and employees of the Township to assist the Zoning Commission by reporting any new construction, land uses, or upon seeing violations.

SECTION 2. FILING PLANS:

Every application for a certificate shall be accompanied by a sketch or drawing indicating the location of all buildings or structures to be erected in relation to all property lines and street lines.

SECTION 3. ZONING CERTIFICATE:

1. It shall be a violation of this Resolution for an owner to use or to permit the use of any building, premises or land, except for agricultural purposes, until a zoning certificate shall have been issued by the Zoning Commission. Such certificate shall show that such building or premises and the proposed use thereof, are in conformity with the provisions of this resolution. No zoning certificate for construction shall be issued by the Zoning Commission unless the plans and intended use conform to the provisions of this Resolution.

2. Under written request from the owner or tenant, the Zoning Commission shall issue a zoning certificate for any building, premises or use of land existing at the time of the effective date of this Resolution which states the extent and kind of use made of the building or premises and whether such use is in conformance with the provisions of this Resolution.

SECTION 4. CONDITIONS UNDER WHICH ZONING CERTIFICATES ARE REQUIRED:

A zoning certificate shall be required for any of the following:

1. Construction of any building, excluding agricultural buildings.
2. Change in the use of an existing building to a use of a different zoning classification, excluding a change to any agricultural use.
3. Occupancy and use of vacant land, excluding agricultural use.
4. Change in the use of land to a use of a different classification including a change in the use to a non-conforming use.

SECTION 5. APPLICATION AND ISSUANCE OF ZONING CERTIFICATE:

Written application for a Zoning Certificate for the construction of a building, change in the use of an existing building, use of vacant land, or the change in the use of land to a non-conforming use, shall be made to the Zoning Commission. If the proposed use is in conformance with the provisions of this Resolution, the Zoning Commission shall issue the Zoning Certificate therefore within ten (10) days after the application has been made.

SECTION 6. VIOLATIONS AND PENALTIES:

It shall be a violation of this Resolution to locate, erect, construct, change or use any building or land contrary to the provisions of this Resolution or any amendment or supplement as adopted by the board of Township Trustees. Any person, firm, or corporation violating any provision or regulation of this Resolution or any amendment or supplement thereto, shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined not more than one hundred (\$100.00) dollars. Each and every day such violation continues may be deemed a separate offense. Fines imposed hereunder shall constitute a lien upon the property to which such violation relates.

SECTION 7. VIOLATIONS AND REMEDIES:

In the event any building is or is proposed to be located, erected, constructed, changed or used, or any land is or is proposed to be used in violation of this Resolution or any amendment or supplement thereto, the Zoning Commission, the County Prosecutor, or any adjacent property owner who would be specifically damaged by such violation may institute such remedies as provided by law to prevent, enjoin, abate, or remove such violation.

ARTICLE VI

INTERPRETATION, PURPOSE AND CONFLICT

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In interpreting and applying the provisions of this Resolution, they shall be held to the minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity, and general welfare. It is not intended by this Resolution to interfere with or abrogate or annul any resolution, rules, regulations or permits previously adopted or issued, and not in conflict with any of the provisions of this

Resolution, or which shall be adopted or issued, pursuant to law relating to the use of buildings nor is it intended by this Resolution to interfere with or abrogate or annul any easements, covenants, or other agreements between parties: provided however, that where this Resolution imposes a greater restriction upon the use of buildings or premises or upon height of buildings, or requires larger open spaces or larger lot area than are imposed or required by such other resolution or agreements, the provisions of this Resolution shall control.

ARTICLE VII

FEEES

The Township shall charge appropriate fees for the issuance of Zoning Certificates, Conditional Use Certificates, Applications for Interpretation, Variances and Amendment Applications to cover the costs of inspection, investigation, legal notices, and other expenses incident to the enforcement of this Resolution. Such fees shall be paid to the Wayne Township Clerk to be credited to the Wayne Township Zoning Fund in accordance with the Official Zoning Fee Schedule as established by the Wayne Township Trustees and posted at the Township Hall.

ARTICLE VIII

VALIDITY

If any section, subsection, sentence, clause, or phrase of this Resolution is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Resolution. All Resolutions or parts of Resolution of Wayne Township, in conflict with any regulation, provision, amendment or supplement of this Resolution, are to the extent of such conflict hereby repealed.

ARTICLE IX

EFFECTIVE DATE

This Resolution shall be in full force and effect from and after the earliest period allowed by law.

Received RC.
MAY 6 1998
A.C. To M. D. Ann