

**Cherry Valley Township
Zoning Text**

Cherry Valley Township

Ashtabula County, Ohio

AMENDMENTS TO CHERRY VALLEY TOWNSHIP ZONING TEXT

- page 40 ¶4 Eliminate the words "or disburbing" and "or future" from the text.
- page 46 2nd entry column 4 - eliminate 27 and replace with General.
- page 46 3rd entry - change to read Auto repair and body shop. Eliminate numbers 25-29 and replace with specific conditional use criteria numbers 1,4,5,12.
- page 46 entry: Bakeries or Baking plants to be removed from text entirely.
- page 47 entry: Farm machinery assembly, repair & sales to be removed from text.
- page 47 entry: Repair and servicing of office and household equipment is to be removed from text.
- page 61 Bakeries or baking plants is to be eliminated and replaced with Bakeries-(home occupation) . allowed in all districts with no conditional use required.
- page 63 Farm machinery assembly, repairs and sales to be allowed in all districts with no conditional use required.
- page 66 Office equipment and supplies sales and services to be allowed in all districts with no conditional use required.
- page 68 Repair and servicing of office and household equipment is to be allowed in all districts with no conditional use required.
- page 68 The words Saw sharpening are to be added to list allowed in all districts with no conditional use required.
- page 68 Small engine repair is to be added to list and allowed in all districts with no conditional use required.
- page 69 Welding shop is to be added to list and allowed in all districts with no conditional use required.
- page 70 The entire paragraph on this page is to be removed from the zoning text.
- The Preamble page: the following to be added to the last sentence of existing preamble: "It is not the intent of Cherry Valley Township to hinder or discourage legitimate family operated enterprises in this text.

On motion of Gary L. Morrison and seconded by Fred C. Palmer the above amendments to Cherry Valley Zoning Text was adopted. Roll call:

Fred Palmer yes
Gary Morrison yes
John Polchin yes

Resolution passed: April 11, 1992.


Township Clerk

CHERRY VALLEY TOWNSHIP ZONING RESOLUTION

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PREAMBLE

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

THEREFORE BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF CHERRY VALLEY TOWNSHIP, ASHTABULA COUNTY, STATE OF OHIO:

ARTICLE 1

TITLE, INTERPRETATION AND ENACTMENT

SECTION 100

TITLE:

This resolution shall be known and may be cited to as the "Zoning Resolution of the Township of Cherry Valley".

SECTION 110

PROVISIONS OF RESOLUTION DECLARED TO BE MINIMUM REQUIREMENTS:

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

SECTION 120

SEPARABILITY CLAUSE:

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

SECTION 130

REPEAL OF CONFLICTING RESOLUTION, EFFECTIVE DATE:

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

ARTICLE 2

DEFINITIONS

INTERPRETATION OF TERMS OR WORDS:

For the purpose of this resolution, certain terms or words used herein shall be interpreted as follows:

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

ACCESSORY USE OR STRUCTURE:

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

AGRICULTURE:

The use of land for farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce, provided, however that:

1. The operation of any such accessory uses shall be secondary to that of normal agricultural activities; and
2. The above uses shall not include the feeding or sheltering of animals or poultry in penned enclosures within 100 feet of any residential zoning district. Agriculture does not include the feeding of garbage to animals or the

operation or maintenance of a commercial stockyard or feedyard.

AIRPORT:

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

ALLEY: See Thoroughfare

ALTERATIONS, STRUCTURAL:

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

AUTOMOTIVE REPAIR:

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

AUTOMOTIVE, MANUFACTURED HOME, RECREATIONAL VEHICLES, AND FARM IMPLEMENT SALES:

The sale or rental of new and used motor vehicles, manufactured homes, recreational vehicles, or farm implements, but not including repair work except incidental warranty repair of the same, to be displayed and sold on the premises.

AUTOMOTIVE WRECKING:

The dismantling or wrecking of used motor vehicles, manufactured homes, recreational vehicles, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

AUTOMOBILE GRAVEYARD:

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

BASEMENT:

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

BUILDING:

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

BUILDING, ACCESSORY:

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

BUILDING, HEIGHT:

The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest points of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge for gable, hip and gambrel roofs.

BUILDING LINE: See Setback Line

BUILDING, PRINCIPAL:

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

BUSINESS, GENERAL:

Commercial uses which generally require locations on or near major thoroughfares and/or their intersections, and which tend, in addition to serving day to day needs of the community, also supply the more durable and permanent needs of the whole community. General business uses include, but need not be limited to, such activities as supermarkets; stores that sell hardware, apparel, footwear, appliances, and furniture; department stores; and discount stores.

CELLAR:

That portion of the building wholly below, or with less than half of its ceiling height above the average finished grade of the ground adjoining the building.

CEMETERY:

Land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries if operated in connection with and within the boundaries of such cemetery.

CHANNEL:

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

CLINIC:

A place used for the care, diagnosis and treatment of sick, ailing, infirm, or

injured persons, and those who are in need of medical and surgical attention, but who are provided with board or room or kept overnight on the premises.

CLUB:

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

COMMERCIAL ENTERTAINMENT FACILITIES:

Any profit making activity which is generally related to the entertainment field, such as motion picture theaters, carnivals, nightclubs, cocktail lounges, and similar entertainment activities.

COMPREHENSIVE DEVELOPMENT PLAN:

A plan, or any portion thereof, adopted by the County Planning Commission showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major thoroughfare, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the Township.

CONDITIONAL USE:

A non-transferable use permitted within a district other than a principally permitted use, requiring a conditional use permit and approval of the Board of Zoning Appeals. Conditional uses permitted in each district are listed in the Official Schedule of Conditional Uses (See Article 5).

CONDITIONAL USE PERMIT:

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

CORNER LOT: See Lot Types

CUL-DE-SAC: See Thoroughfare

DEAD-END STREET: See Thoroughfare

DENSITY:

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

1. Gross Density - the number of dwelling units per acre of the total land to

be developed.

2. Net Density - the number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

DWELLING:

Any building or structure (except a recreational vehicle or manufactured home as defined by Ohio Revised Code 4501.01) which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants.

DWELLING UNIT:

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

DWELLING, SINGLE FAMILY:

A dwelling consisting of a single dwelling unit only, separated from other dwelling units by open space.

DWELLING, TWO-FAMILY:

A dwelling consisting of two dwelling units which may be either attached side by side or one above the other, and each unit having a separate or combined entrance or entrances.

DWELLING, MULTI-FAMILY:

A dwelling consisting of three or more dwelling units including condominiums with varying arrangements of entrances and party walls. Multi-family housing may include public housing and industrialized units.

DWELLING, INDUSTRIALIZED UNIT:

An assembly of materials or products comprising all or part of a total structure which, when constructed, and when installed, constitutes a dwelling unit, except for necessary preparations for its placement, and including a modular or sectional unit but not a manufactured home as defined by Ohio Revised Code 4501.01.

DWELLING, ROOMING HOUSE (BOARDING HOUSE, LODGING HOUSE, DORMITORY):

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

EASEMENT:

Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

ESSENTIAL SERVICES:

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

FAMILY:

One or more persons occupying a single dwelling unit, provided that unless all members are related by blood, adoption, or marriage, no such family shall contain over four persons.

FENCE:

Barrier at least six feet in height, constructed of non-transparent material, and maintained so as to obscure the junk from the ordinary view of persons passing upon township roads covered by Sections 4737.05 to 4737.99 inclusive of the Ohio Revised Code.

FLOODWAY:

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

FLOOR AREA OF A RESIDENTIAL BUILDING:

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

FLOOR AREA OF A NON-RESIDENTIAL BUILDING (TO BE USED IN CALCULATING PARKING REQUIREMENTS):

The floor area of the specified use excluding stairs, wash-rooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows, and fitting rooms, and similar areas.

FLOOR AREA, USABLE:

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

FOOD PROCESSING:

The preparation, storage, or processing of food products. Examples of these activities include bakeries, dairies, canneries, and other similar businesses.

GARAGES, PRIVATE:

A detached or attached accessory building or portion of a principal building for the parking or temporary storage of automobiles, recreational vehicles, and/or boats of the occupants of the premises and wherein:

1. Not more than one space is rented for parking to person not resident on the premises;
2. No more than one commercial vehicle per dwelling unit is parked or stored;
3. The commercial vehicle permitted does not exceed two tons capacity.

GARAGE, PUBLIC:

A principal or accessory building other than a private garage, used for parking or temporary storage of passenger automobiles, and in which no service shall be provided or remuneration.

GARAGE, SERVICE STATION:

Buildings and premises where gasoline, oil, grease, batteries, tires, and motor vehicle accessories may be supplied and dispensed at retail, and where in addition, the following services may be rendered and sales made:

1. Sales and service of spark plugs, batteries, and distributors parts;
2. Tire servicing and repair, but not recapping or regrooving;
3. Replacement of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and blades, grease retainers, wheel bearings, mirrors, and the like;
4. Radiator cleaning and flushing;

5. Washing, polishing, and sale of washing and polishing materials;
6. Greasing and lubrication;
7. Providing and repairing fuel pumps, oil pumps, and lines;
8. Minor servicing and repair of carburetors;
9. Adjusting and repairing brakes;
10. Minor motor adjustment not involving removal of the head or crankcase or racing the motor;
11. Sales of cold drinks, packaged food, tobacco, and similar convenience goods for service station customers, as accessory and incidental to principle operations;
12. Provisions of road maps and other informational material to customers, provision of restroom facilities;
13. Warranty maintenance and safety inspections.

Uses permissible at a service station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operation condition, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in filling stations. A filling station is not a repair garage nor a body shop.

HOME OCCUPATION:

An occupation conducted in a single-family dwelling unit, provided that:

1. No more than one person other than members of the family residing on the premises shall be engaged in such occupation;
2. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five (25) percent of floor area of the dwelling unit shall be used in the conduct of the home occupation;

3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding four square feet in area, non-illuminated, and mounted flat against the wall of the principal building;

4. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this resolution and shall not be located in a required front yard;

5. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or cause fluctuations in line voltage off the premises.

HOTEL OR MOTEL AND APARTMENT HOTEL:

A building in which lodging or boarding and lodging are provided and offered to the public for compensation. As such it is open to the public in contradistinction to a boarding house, rooming house, lodging house, or dormitory which is herein separately defined.

JUNK:

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

JUNK BUILDINGS, JUNK SHOPS, JUNK YARDS:

Any land, property, structure, building, or combination of the same, on which junk is stored or processed.

KENNEL:

Any lot or premises on which three (3) or more dogs more than four (4) months of age are housed, groomed, bred, boarded, trained, or sold.

LOADING SPACE, OFF-STREET:

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

LOCATION MAP: See Vicinity Map

LOT:

For the purposes of this resolution, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

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

LOT COVERAGE:

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

LOT FRONTAGE:

The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under "Yards" in this Section.

LOT MEASUREMENTS:

A lot shall be measured as follows:

1. Depth: The distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
2. Width: The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the building setback line.

LOT OF RECORD:

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

LOT TYPES:

Terminology used in this resolution with reference to corner lots, interior lots and through lots is as follows:

1. Corner Lot: A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.

2. Interior Lot: A lot with only one frontage on a street.

3. Through Lot: A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots and are not allowed.

4. Reversed Frontage Lot: A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

NOTE: See Figures 1 & 2 at the end of Article 2.

MAJOR THOROUGHFARE PLAN:

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

MAINTENANCE AND STORAGE FACILITIES:

Land, buildings, and structures devoted primarily to the maintenance and storage of construction equipment and material.

MANUFACTURING, HEAVY:

Manufacturing, processing, assembling, storing, testing, and similar industrial uses which are generally major operations and extensive in character; require large sites, open storage and service areas; extensive service and facilities, ready access to regional transportation; and normally generate some nuisances such as smoke, noise, vibration, dust, glare, air pollution, and water pollution, but not beyond the district boundary.

MANUFACTURING, LIGHT:

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

MANUFACTURING, EXTRACTIVE:

Any mining, quarrying, excavating processing, storing, separating, cleaning, or marketing of any mineral natural resource.

MANUFACTURED HOME:

Any non-selfpropelled vehicle transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or forty body feet or more in length or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. Calculations used to determine the number of square feet in a structure are based on the structure's exterior dimensions measured at the largest horizontal projections when erected on site. These dimensions include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows.

MANUFACTURED HOME PARK:

Any site, or tract of land under single ownership, upon which three or more manufactured homes used for habitation are parked, either free of charge or for revenue purposes; including any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park.

NON-CONFORMITIES:

A building, structure or use of land existing at the time of enactment of this resolution and which does not conform to the regulations of the district or zone in which it is situated.

NURSERY, NURSING HOME:

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

NURSERY, PLANT MATERIALS:

Land, building, structure, or combination thereof for the storage, cultivation, transplanting of live trees, shrubs, or plants offered for retail sale on the premises including products used for gardening or landscaping.

OCCUPANCY PERMIT:

When a building is being altered, enlarged, constructed, or reconstructed, its owner or agent shall apply to the zoning inspector for a certificate of occupancy before the intended occupant resumes use of or moves into the designated structure. If the structure has had occupants while being altered or enlarged, only the new sections will be involved in the occupancy permit.

OPEN SPACE:

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

PARKING SPACE, OFF-STREET:

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

PERFORMANCE BOND OR SURETY BOND:

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

PERSONAL SERVICES:

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

PROFESSIONAL ACTIVITIES:

The use of offices and related spaces for such professional services as are provide by medical practitioners, lawyers, architects, and engineers, and similar professions.

PUBLIC SERVICE FACILITY:

The erection, construction, alteration, operation, or maintenance of buildings, power plants, or substations, water treatment plants or pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by an other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water and sewage services.

PUBLIC USES:

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

PUBLIC WAY:

An alley, avenue, boulevard, bridge channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel viaduct, walk, bicycle path; or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

QUASIPUBLIC USE:

Churches, Sunday schools, parochial schools, colleges, hospitals, and other facilities of an educational, religious, charitable, philanthropic, or non-profit nature.

RECREATION CAMP:

An area of land on which two or more recreational vehicles, tents or other similar temporary recreational structures are regularly accommodated with or without charge, including any building, structure, or fixture of equipment that is used or intended to be used in connection with providing such accommodations.

RECREATION FACILITIES:

Public or private facilities that may be classified as either "extensive" or "intensive" depending upon the scope of services offered and the extent of use. Extensive facilities generally require and utilize considerable areas of land and include, but need not be limited to hunting, fishing, and riding clubs and parks. Intensive facilities generally require less land (used more intensively) and include, but need not be limited to, miniature golf courses, amusement parks, stadiums, and bowling alleys.

RECREATIONAL VEHICLE:

A vehicular, portable structure built on or carried on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, having a body width not exceeding eight feet and a length not exceeding 35 feet. Representative of this type of unit is:

1. Travel trailer
2. Tent or pop-up trailer

3. Motor home
4. Fifth wheel trailer
5. Pick-up camper
6. Van camper

Converted school and commercial passenger buses are sometimes used as recreational vehicles but do not carry the seal of the RECREATIONAL VEHICLE organization. In some instances, a simple tent is also considered a Recreational Vehicle.

RESEARCH ACTIVITIES:

Research, development, and testing related to such fields as chemical, pharmaceutical, medical, electrical, transportation, and engineering. All research, testing, and development shall be carried on within entirely enclosed buildings, and no noise, smoke, glare, vibration, or odor shall be detected outside of said building.

RIGHT-OF-WAY:

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

SCRAP METAL PROCESSING FACILITY:

An establishment having facilities for processing iron, steel, or non-ferrous scrap and whose principal product is scrap iron and steel or non-ferrous scrap for sale for remelting purposes.

SEAT:

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

SETBACK LINE:

A line established by the zoning resolution, generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory building, or structure may be located above ground, except

as may be provided in said code.

SEWERS, CENTRAL OR GROUP:

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

SEWERS, ON-SITE:

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

SIDEWALK:

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

SIGNS:

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

1. Sign, On-Premises: Any sign related to a business or profession conducted, or a commodity or service sold or offered upon the premises where such sign is located.
2. Sign, Off-Premises: Any sign unrelated to a business or profession conducted, or to a commodity or service sold or offered upon the premises where such sign is located.
3. Sign, Illuminated: Any sign illuminated by electricity, gas, or other artificial light including reflection or phosphorescent light.
4. Sign, Lighting Device: Any light, string of lights, or group of lights located or arranged so as to cast illumination on a sign.
5. Sign, Projecting: Any sign which projects from the exterior of a building.

STORY:

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

STRUCTURE:

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

SUPPLY YARDS:

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

SWIMMING POOL:

A pool, pond, lake, or open tank containing at least 1.5 feet of water at any point and maintained by the owner or manager.

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

2. Community: Operated with a charge for admission; a primary use.

THOROUGHFARE, STREET, OR ROAD:

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

1. Alley: A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.

2. Arterial Street: A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route.

3. Collector Street: A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.

4. Cul-de-Sac: A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.

5. Dead-end Street: A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.

6. Local Street: A street primarily for providing access to residential or other abutting property.

7. Loop Street: A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred and eighty (180) degree system of turns are not more than one thousand (1000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other.

8. Marginal Access Street: A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street)

THROUGH LOT: See Lot Types

TIME SHARING:

A land-use concept which involves the transfer of ownership by deed of an undivided fee interest (share) in property to an individual or group of individuals for the use, occupancy, or possession of which circulates among owners according to a fixed or floating time basis.

TRANSPORTATION, DIRECTOR OF:

The Director of the Ohio Department of Transportation.

USE:

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

VARIANCE:

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

VETERINARY ANIMAL HOSPITAL OR CLINIC:

A place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for the

treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.

VICINITY MAP:

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

WALKWAY:

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

YARD:

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

1. Yard, Front: A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.

2. Yard, Rear: A yard extending between the side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.

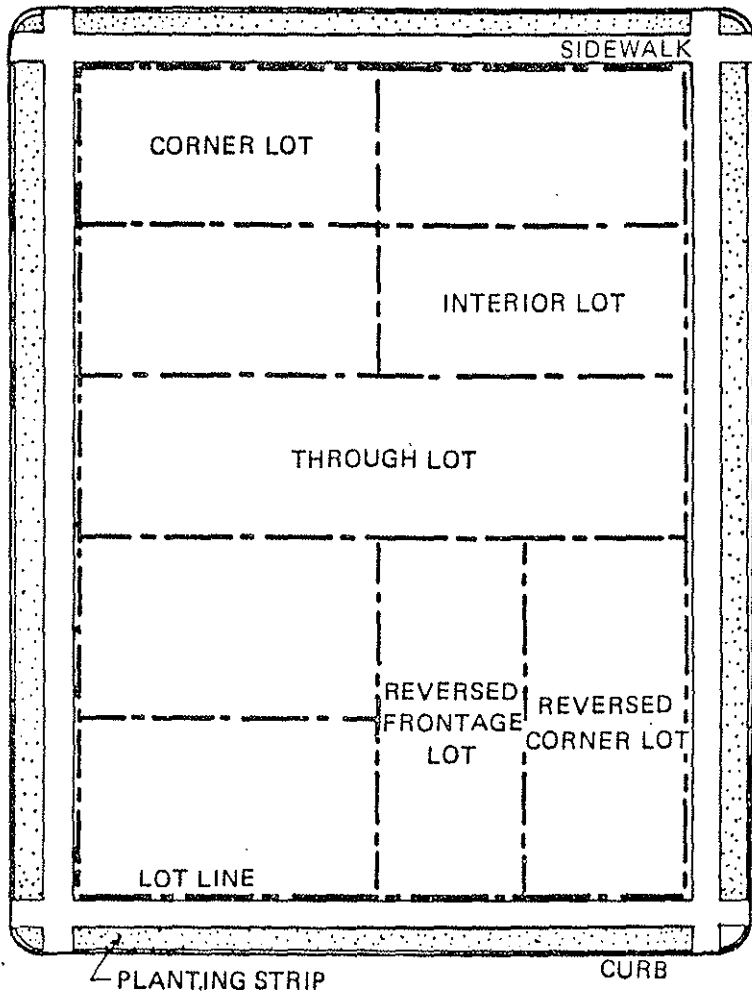
3. Yard, Side: A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

Note: See Figures 1 & 2, Article 2

ZONING PERMIT:

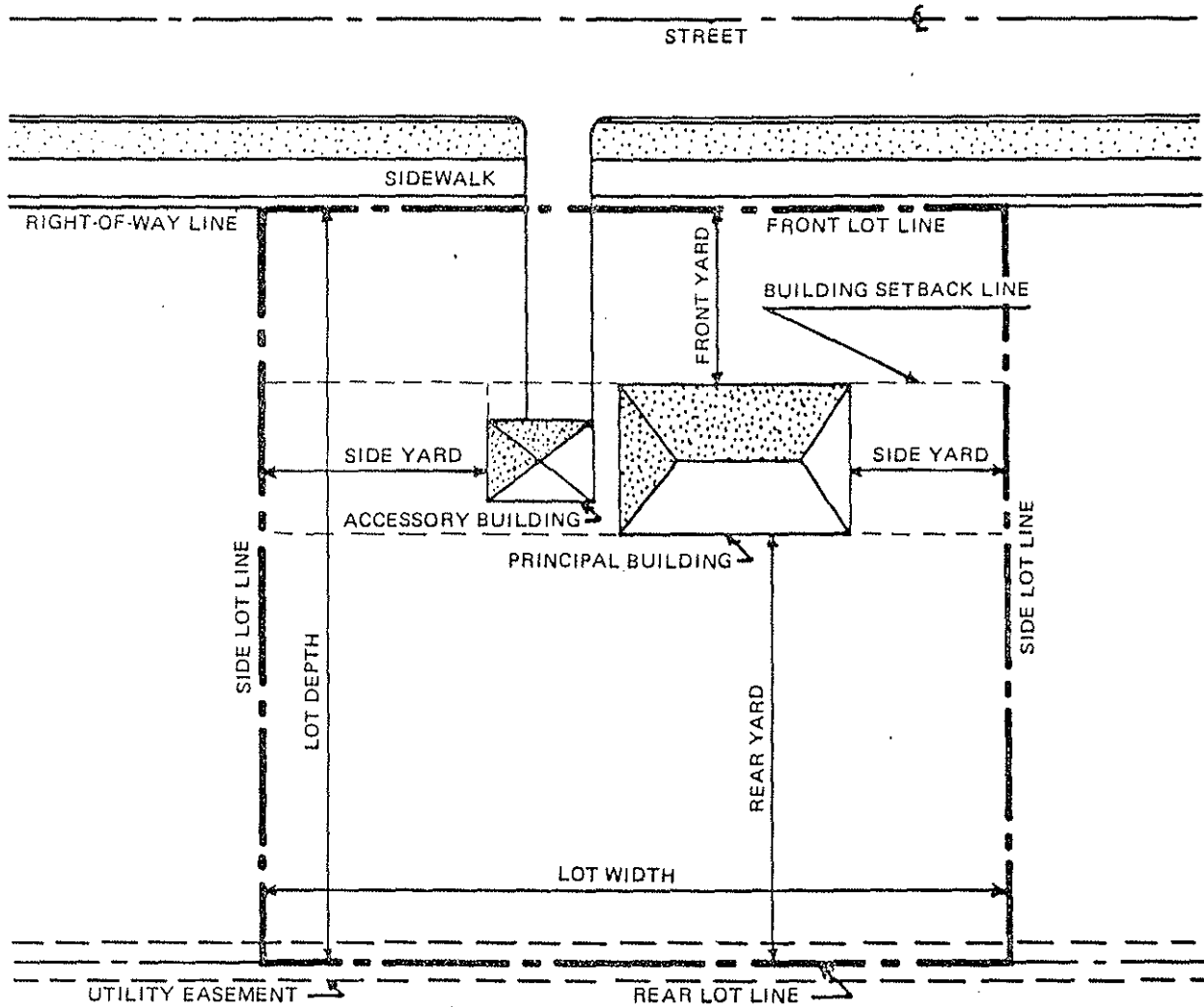
A document issued by the Zoning Inspector authorizing the use of lots, structures, uses of land and structures, and the characteristics of the uses.

STREET



TYPES OF LOTS

Figure 1.



LOT AREA= TOTAL HORIZONTAL AREA

LOT COVERAGE= PER CENT OF LOT OCCUPIED
BY BUILDING

LOT TERMS

Figure 2.

ARTICLE 3

ENFORCEMENT

SECTION 300

ZONING PERMITS REQUIRED

No building or other structure shall be erected, moved, added to, structurally altered, nor shall any building, structure, or land be established or changed in use without a permit therefor, issued by the Zoning Inspector. Zoning permits shall be issued only in conformity with the provisions of this resolution unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal, conditional use, or variance or from the Board of Township Trustees approving a Planned Unit Development District, as provided by this Resolution.

SECTION 301

CONTENTS OF APPLICATION FOR ZONING PERMIT

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

1. Name, address, and phone number of applicant;
2. General description of property;
3. Existing use;
4. Proposed use;
5. Zoning district;

6. Plans in duplicate drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any; and the location and dimensions of the proposed buildings or alteration;
7. Building heights;
8. Number of off-street parking spaces or loading berths;
9. Number of dwelling units;
10. Such other matters as may be necessary to determine conformance with, and provide for the enforcement of this resolution.

SECTION 302

APPROVAL OF ZONING PERMIT

Within ten (10) days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this resolution. All zoning permits shall, however, be conditional upon the commencement of work within one year. One copy of the plans shall be returned to the applicant by the Zoning Inspector, after the Zoning Inspector shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. One copy of plans, similarly marked, shall be retained by the Zoning Inspector. The Zoning Inspector shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the use or alteration is in conformance with the provisions of this resolution.

SECTION 303

SUBMISSION TO DIRECTOR OF TRANSPORTATION

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

Zoning Inspector that he shall proceed to acquire the land needed, then the Zoning Inspector shall refuse to issue the zoning permit. If the Director of Transportation notifies the Zoning Inspector that acquisition at this time is not in the public interest or upon the expiration of the one-hundred twenty (120) day period of any extension thereof agreed upon the Director of Transportation and the property owner, the Zoning Inspector shall, if the application is in conformance with all provisions of this resolution, issue the zoning permit.

SECTION 304

EXPIRATION OF ZONING PERMIT

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

SECTION 312

RECORD OF ZONING PERMITS

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

SECTION 320

FAILURE TO OBTAIN A ZONING PERMIT

Failure to obtain a zoning permit shall be a violation of this resolution and punishable under Section 350 of this resolution.

SECTION 330

CONSTRUCTION AND USE TO BE AS PROVIDED IN APPLICATIONS, PLANS, PERMITS, AND CERTIFICATES

Zoning permits or certificates of occupancy issued on the basis of plans and applications approved by the Zoning Inspector authorizes only the use, and arrangement, set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of this resolution, and punishable as provided in Section 350 of this resolution.

SECTION 340

COMPLAINTS REGARDING VIOLATIONS

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

SECTION 350

PENALTIES FOR VIOLATION

Violation of the provisions of this resolution or failure to comply with any of its requirements, including violations of conditions and safeguards established in various sections of this resolution shall constitute a misdemeanor. Any person who violates this resolution or fails to comply with any of its requirements shall upon conviction thereof be fined not more than one-hundred (100) dollars or imprisoned for not more than thirty (30) days, or both, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice, shall be considered a separate offense. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the Township from taking such other lawful action as is necessary to prevent or remedy any violation.

SECTION 360

SCHEDULE OF FEES, CHARGES, AND EXPENSES

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

ARTICLE 4

NON-CONFORMITIES

SECTION 400

INTENT

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

SECTION 410

INCOMPATIBILITY OF NON-CONFORMITIES

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

SECTION 420

AVOIDANCE OF UNDUE HARDSHIP

To avoid undue hardship, nothing in this resolution shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this resolution and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a

permanent manner. Where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that the work shall be carried out diligently.

SECTION 430

SINGLE NON-CONFORMING LOTS OF RECORD

In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this resolution, notwithstanding limitations imposed by other provisions of this resolution. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variances of requirements listed in Articles 9 and 10 of this resolution other than lot area or lot width shall be obtained only through action of the Board of Zoning Appeals as provided in Sections 540 through 549.

SECTION 431

NON-CONFORMING LOTS OF RECORD IN COMBINATION

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

SECTION 440

NON-CONFORMING USES OF LAND

Where, at the time of adoption of this resolution, lawful uses of land exist which would not be permitted by the regulations imposed by this resolution, the uses may be continued so long as they remain otherwise lawful, provided:

1. No such non-conforming uses shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this resolution.

2. No such non-conforming uses shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such uses at the effective date of adoption or amendment of this resolution;

3. If any such non-conforming uses of land are discontinued or abandoned for more than two (2) years (except when government action impedes access to the premises), any subsequent use of such land shall conform to the regulations specified by this resolution for the district in which such land is located;

4. No additional structure not conforming to the requirements of this resolution shall be erected in connection with such non-conforming use of land.

SECTION 450

NON-CONFORMING STRUCTURES

Where a lawful structure exists at the effective date of adoption or amendment of this resolution that could not be built under the terms of this resolution by reason of restrictions on area, lot coverage, height, yards, its location on the lot, bulk, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such non-conforming structure may be enlarged or altered in any way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity;

2. Should such non-conforming structure or non-conforming portion of structure be destroyed by any means, it shall not be reconstructed except in conformity with the provisions of this resolution;

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

SECTION 460

NON-CONFORMING USES OF STRUCTURES OR OF STRUCTURES AND LAND IN COMBINATION

If a lawful use involving individual structures, or of a structure and land in combination, exists at the effective date of adoption or amendment of this resolution that would not be allowed in the district under the terms of this resolution, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this resolution in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located;
2. Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this resolution, but no such use shall be extended to occupy any land outside such building;
3. If no structural alterations are made, any non-conforming use of a structure or structure and land, may, upon appeal to the Board of Zoning Appeals, be changed to another non-conforming use provided that the Board of Zoning Appeals shall find that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use. In permitting such change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accord with other provisions of this resolution;
4. Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the non-conforming use may not thereafter be resumed;
5. When a non-conforming use of a structure, or structure and land in combination is discontinued or abandoned for more than two (2) years (except when government action impedes access to the premises), the structure or structure and land in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located;
6. Where non-conforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land.

SECTION 470

REPAIRS AND MAINTENANCE

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

SECTION 480

USES UNDER CONDITIONAL USE PROVISIONS NOT NON-CONFORMING USES

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

ARTICLE 5

ADMINISTRATION

SECTION 500

OFFICE OF ZONING INSPECTOR CREATED

A Zoning Inspector designated by the Board of Township Trustees shall administer and enforce this resolution. The Zoning Inspector may be provided with the assistance of such other persons as the Board of Township Trustees may direct. The Township Zoning Inspector, before entering upon these duties, shall give bond as specified in Section 519.161, Ohio Revised Code.

SECTION 501

DUTIES OF ZONING INSPECTOR

For the purpose of this resolution, the Zoning Inspector shall have the following duties:

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

SECTION 510

PROCEEDINGS OF ZONING COMMISSION

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

SECTION 511

DUTIES OF ZONING COMMISSION

For the purpose of this resolution the Commission shall have the following duties:

1. Initiate proposed amendments to this resolution;
2. Review all proposed amendments to this resolution and make recommendations to the Board of Township Trustees as specified in Article 6;
3. Review all planned unit developments and make recommendations to the Board of Township Trustees as provided in Article 13.

SECTION 520

BOARD OF ZONING APPEALS CREATED

A Board of Zoning Appeals is hereby created, which shall consist of five (5) members to be appointed by the Board of Township Trustees each for a term of five (5) years, except that the initial appointments shall be one (1) member each for one (1), two (2), three (3), four (4), and five (5) year terms. Each member shall be a resident of the Township. Members of the Board may be removed from office by the Board of Township Trustees for cause upon written charges and after public hearing. Vacancies shall be filled by appointment by the Board of Township Trustees for the unexpired term of the member affected.

SECTION 521

PROCEEDINGS OF THE BOARD OF ZONING APPEALS

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

SECTION 522

POWERS OF THE BOARD OF ZONING APPEALS

In exercising its powers, the Board may, in conformity with the terms of this resolution, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end has all powers of the Zoning Inspector from whom the appeal is taken.

For the purpose of this resolution the Board has the following specific responsibilities:

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

4. Revoke an authorized variance or conditional zoning certificate granted for the extraction of minerals, if any condition of the variance or certificate is violated.

SECTION 530

DUTIES OF ZONING INSPECTOR, BOARD OF ZONING APPEALS, LEGISLATIVE AUTHORITY AND COURTS ON MATTERS OF APPEAL

It is the intent of this resolution that all questions of interpretation and enforcement shall be first presented to the Zoning Inspector, and that such questions shall be presented to the Board only on appeal from the decision of the Zoning Inspector, and that recourse from the decisions of the Board shall be to the courts as provided by law. It is further the intent of this resolution that the duties of the Board of Township Trustees in connection with this resolution shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this section and this resolution. Under this resolution the Board of Township Trustees shall have only the duties of considering and adopting or rejecting proposed amendments or the repeal of this resolution as provided by law, and of establishing a schedule of fees and charges as stated in Section 360 of this resolution. Nothing in this resolution shall be interpreted to prevent any official of the Township from appealing a decision of the Board to the courts as provided in Chapters 2505 and 2506 of the Ohio Revised Code. Any such appeal shall be made within ten (10) days of the Board's written decision.

SECTION 540

PROCEDURE AND REQUIREMENTS FOR APPEALS AND VARIANCES

Appeals and variances shall conform to the procedures and requirements of Sections 541-549, inclusive, of this resolution. As specified in Section 522, the Board of Zoning Appeals has appellate jurisdiction relative to appeals and variances.

SECTION 541

APPEALS

Appeals to the Board of Zoning Appeals concerning interpretation or administration of this resolution may be taken by any person aggrieved or by any officer or bureau of the legislative authority of the Township affected by any decision of the Zoning Inspector. Such appeal shall be taken within twenty (20) days after the decision by filing, with the Zoning Inspector and with the

Board of Zoning Appeals, a notice of appeal specifying the grounds upon which the appeal is being taken. The Zoning Inspector shall transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken.

SECTION 542

STAY OF PROCEEDINGS

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

SECTION 543

VARIANCES

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

SECTION 544

APPLICATION AND STANDARDS FOR VARIANCES

A variance from the terms of this resolution shall not be granted by the Board of Zoning Appeals unless and until a written application for a variance is submitted to the Zoning Inspector and the Board of Zoning Appeals containing:

1. Name, address, and phone number of applicants;

2. Legal description of property;

3. Description of nature of variance requested;

4. A narrative statement demonstrating that the requested variance conforms to the following standards:

a. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;

b. That a literal interpretation of the provisions of this resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this resolution;

c. That special conditions and circumstances do not result from the actions of the applicant;

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

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

SECTION 545

SUPPLEMENTARY CONDITIONS AND SAFEGUARDS

Under no circumstances shall the Board of Zoning Appeals grant an appeal or variance to allow a use not permissible under the terms of this resolution in the district involved, or any use expressly or by implication prohibited by the terms of this resolution in said district. In granting any appeal or variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this resolution. Violation of such conditions and safeguards, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this resolution and punishable under Section 350 of this resolution.

SECTION 546

PUBLIC HEARING BY THE BOARD OF ZONING APPEALS

The Board of Zoning Appeals shall hold a public hearing within twenty (20) days after the receipt of an application for an appeal or variance from the Zoning Inspector or an applicant.

SECTION 547

NOTICE OF PUBLIC HEARING IN NEWSPAPER

Before holding the public hearing required in Section 546, notice of such hearing shall be given in one or more newspapers of general circulation of the Township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance.

SECTION 548

NOTICE TO PARTIES IN INTEREST

Before holding the public hearing required in Section 546, written notice of such hearing shall be mailed by the Chairman of the Board of Zoning Appeals, by first class mail, at least ten (10) days before the day of the hearing to all parties in interest. The notice shall contain the same information as required of notices published in newspapers as specified in Section 547.

SECTION 549

ACTION BY BOARD OF ZONING APPEALS

Within thirty (30) days after the public hearing required in Section 546, the Board of Zoning Appeals shall either approve, approve with supplementary conditions as specified in Section 545, or disapprove the request for appeal or variance. The Board of Zoning Appeals shall further make a finding that the reasons set forth in the application justify the granting of the variance that will make possible a reasonable use of the land, building, or structure. Appeals from Board decisions shall be made in the manner specified in Section 530.

SECTION 560

PROCEDURE AND REQUIREMENTS FOR APPROVAL OF CONDITIONAL USE PERMITS

Conditional uses shall conform to the procedures and requirements of Sections 561-568, inclusive of this resolution.

SECTION 561

GENERAL

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

SECTION 562

CONTENTS OF APPLICATION FOR CONDITIONAL USE PERMIT

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

1. Name, address, and phone number of applicant;
2. Legal description of property;
3. Description of existing use;
4. Zoning district;
5. Description of proposed conditional use;
6. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading area, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities,

signs, yards, and such other information as the Board may require to determine if the proposed conditional use meets the intent and requirements of this resolution;

7. A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, glare, odor, fumes and vibration on adjoining property; a discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to the comprehensive plan;

8. Such other information as may be required in Section 564.

SECTION 563

GENERAL STANDARDS APPLICABLE TO ALL CONDITIONAL USES

In addition to the specific requirements for conditionally permitted uses as specified in Section 564, the Board shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

1. Is in fact a conditional use as established under the provisions of Article 9 and appears on the Official Schedule of District Regulations adopted by Section 910 for the zoning district involved;

2. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the Township's comprehensive plan and/or zoning resolution;

3. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;

4. Will not be hazardous or disturbing to existing or future neighboring uses;

5. Will be served adequately by essential public facilities and services as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;

6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

7. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors;

8. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares;

9. Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

SECTION 564

SPECIFIC CRITERIA FOR CONDITIONAL USES

Following is a list of specific requirements for conditionally permitted uses as specified in the Official Schedule of District Regulations:

1. All structures and activity areas should be located at least one hundred (100) feet from all property lines;
2. Loud speakers which cause a hazard or annoyance shall not be permitted;
3. All points of entrance or exit should be located no closer than two hundred (200) feet from the intersection of two arterial thoroughfares, or no closer than one hundred (100) feet from the intersection of an arterial street and a local or collector street;
4. There shall be no more than one (1) sign oriented to each abutting street identifying the activity;
5. No lighting shall constitute a nuisance and shall in no way impair safe movement of traffic on any street or highway, and no lighting shall shine directly on adjacent properties;
6. Structures should have primary access to a collector thoroughfare;

7. Such developments should have primary access to arterial thoroughfares or be located at intersections of arterial and/or collector streets;
8. Such developments should be located adjacent to non-residential uses such as churches, parks, industrial, or commercial uses;
9. Site locations should be preferred that offer natural or man-made barriers that would lessen the effect of intrusion into a residential area;
10. Such uses should be properly landscaped to be harmonious with surrounding residential uses;
11. Such structures should be located adjacent to parks and other nonresidential uses such as schools and shopping facilities where use could be made of joint parking facilities;
12. All permitted installations shall be kept in a neat and orderly condition so as to prevent injury to any single property, any individual, or to the community in general;
13. The area of use shall be completely enclosed by a six (6) foot fence and appropriately landscaped to be harmonious with surrounding properties;
14. Such uses should be located on an arterial thoroughfare, adjacent to nonresidential uses such as commerce, industry, or recreation, or adjacent to sparsely settled residential uses;
15. Truck parking areas, maneuvering lanes, and accessways to public thoroughfares shall be designed to cause no interference with the safe and convenient movement of automobile and pedestrian traffic on and adjacent to the site. The site shall not be used for the storage of trucks, and truck parking shall be limited to a time not to exceed twenty-four (24) hours;
16. Such developments should be located on or immediately adjacent to state highways;
17. Such uses shall not be conducted closer than five hundred (500) feet from any residential district, nor closer than two hundred (200) feet from any structure used for human occupancy in any other district;

18. There shall be filed with the Zoning Inspector a location map which clearly shows areas to be mined and the location of adjacent properties, roads, and natural features;

19. Information shall be submitted on the anticipated depth of excavations and on depth and probable effect on the existing water table and coordinated with the Ohio Division of Water;

20. All work conducted in connection with such operations shall be done between the hours of 7:30 a.m. and 5:00p.m.;

21. All equipment and machinery shall be operated and maintained in such manner as to minimize dust, noise, and vibration. Access roads shall be maintained in dust-free condition by surfacing or other treatment as may be specified by the County Engineer;

22. There shall be filed with the Board a detailed plan for the restoration of the area to be mined which shall include the anticipated future use of the restored land, the proposed final topography indicated by contour lines of no greater interval than five feet, the type and number per acre of trees or shrubs or grass to be planted, and the location of future roads, drives, drainage courses, or other improvements contemplated;

23. All excavation shall be made either to a water producing depth, such depth to be not less than five (5) feet below the low water mark, or shall be graded or backfilled with non-noxious, non-flammable and non-combustible solids, to secure:

a. that the excavated area shall not collect and permit to remain therein stagnant water, or,

b. that the surface of such area which is not permanently submerged is graded or backfilled as necessary so as to reduce the peaks and depressions thereof--so as to produce a gently running surface that will minimize erosion due to rainfall and which will be in substantial conformity to the adjoining land area. The banks of all excavations not backfilled shall be sloped which shall not be less than three (3) feet horizontal to one (1) foot vertical and said bank shall be seeded;

24. There shall be filed with the Board of Township Trustees a bond, payable to the Township and conditioned on the faithful performance of all requirements contained in the approved restoration plan. The rate of the required bond shall be fixed by resolution of the Board of Township Trustees. The bond shall be

released upon written certification of the Zoning Inspector that the restoration is complete and in compliance with the restoration plan.

25. No more than one person other than members of the family residing on the premises shall be engaged in a home occupation.

26. The use of a dwelling for a home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five (25) percent of floor area of the dwelling unit shall be used in the conduct of the home occupation.

27. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of a home occupation other than one sign, not exceeding four square feet in area, non-illuminated, and mounted flat against the wall of the principal building.

28. No traffic shall be generated by a home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this resolution and shall not be located in a required front yard.

29. No equipment or process shall be used in a home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or cause fluctuations in the conditional use shall cease for more than two (2) years.

SECTION 565

SUPPLEMENTARY CONDITIONS AND SAFEGUARDS

In granting any conditional use, the Board may prescribe appropriate conditions and safeguards in conformity with this resolution. Violations of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this resolution and punishable under Section 350 of this resolution.

SECTION 566

PROCEDURE FOR HEARING. NOTICE

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

SECTION 567

ACTION BY THE BOARD OF ZONING APPEALS

Within thirty (30) days after the public hearing required in Section 566, the Board shall either approve, approve with supplementary conditions as specified in Section 565, or disapprove the application as presented. If the application is approved or approved with modifications, the Board shall direct the Zoning Inspector to issue a conditional use permit listing the specific conditions specified by the Board for approval. If the application is disapproved by the Board the applicant may seek relief through the Court of Common Pleas. Appeals from Board decisions shall be made in the manner specified in Section 530.

SECTION 568

EXPIRATION OF CONDITIONAL USE PERMIT

A conditional use permit shall be deemed to authorize only one particular conditional use and said permit shall automatically expire if, for any reason, the conditional use shall cease for more than two (2) years.

ZONING DISTRICTS	PRINCIPALLY PERMITTED USES	CONDITIONALLY PERMITTED	SPECIFIC CONDITIONAL USE CRITERIA
(Symbols as used on the Zoning Map)	(Accessory uses and essential services are included)	(Permitted upon Issuance of a Conditional Use Permit after approval by the Board of Zoning Appeals)	(As specified in Section
A-R	Agriculture, Single & Two-Family Dwelling Units	Airports & Landing Fields Fixed Wing aircraft	General
		Assembly of machine & appliances from previously prepared parts	27
		Automobile repair shop	25-29
		Automobile service station	1-4-5-7-12
		Bakeries or baking plants	General
		Basketball courts	11-12
		Concession stands	2-4-5-9
		Contractor's plant or storage yard	10-15
		Dwellings, attached single-family such as apartment bldg., row or town houses in groups of not less than 3 nor more than 12 units	General
		Dwelling, multi-family with a minimum of 3 units	General
		Eating establishments	General

<p>ZONING DISTRICTS</p> <p>(Symbols as used on the Zoning Map)</p>	<p>PRINCIPALLY PERMITTED USES</p> <p>(Accessory uses and essential services are included)</p>	<p>CONDITIONALLY PERMITTED</p> <p>(Permitted upon Issuance of a Conditional Use Permit after approval by the Board of Zoning Appeals)</p>	<p>SPECIFIC CONDITIONAL USE CRITERIA</p> <p>(As specified in Section</p>
<p>A-R</p>	<p>Agriculture, Single & Two-Family Dwelling Units</p>	<p>Farm machinery - assembly, repair, sales</p> <p>Gases or liquid petroleum</p> <p>Gases in approved portable metal cylinder for storage or sale</p> <p>Lumber yard - Building materials storage and sales</p> <p>Machine shops</p> <p>Oxygen storage</p> <p>Pet shops - bird stores</p> <p>Taxidermists</p> <p>Prefabricating bldg. & structural members</p> <p>Racing of motor vehicles or animals</p> <p>Refuse & waste equipment storage</p> <p>Repair & servicing of office & household equipment</p>	<p>25-29</p> <p>13-17</p> <p>General</p> <p>General</p> <p>General</p> <p>General</p> <p>General</p> <p>General</p> <p>General</p> <p>General</p> <p>General</p>

ZONING DISTRICTS	PRINCIPALLY PERMITTED USES	CONDITIONALLY PERMITTED	SPECIFIC CONDITIONAL USE CRITERIA
(Symbols as used on the Zoning Map)	(Accessory uses and essential services are included)	(Permitted upon Issuance of a Conditional Use Permit after approval by the Board of Zoning Appeals)	(As specified in Section
A-R	Agriculture, Single & Two-Family Dwelling Units	Scrap paper or rag storage. Sorting or baling when conducted within building	General
		Sheet metal shops	General
		Stone cutting, monument manufacture & sales	General
		Tennis courts	General
		Tire recapping & retreading	General
		Truck terminals, repair shop, hauling & storage yards	15

ZONING DISTRICTS (Symbols as used on the Zoning Map)	PRINCIPALLY PERMITTED USES (Accessory uses and essential services are included)	CONDITIONALLY PERMITTED (Permitted upon Issuance of a Conditional Use Permit after approval by the Board of Zoning Appeals)	SPECIFIC CONDITIONAL USE CRITERIA (As specified in Section
Commercial		Clubs or other places of entertainment Junk yards - auto wrecking, salvage yards or scrap yards Laundries - hand Laundries - steam	2-4-5-9 General General General
Industrial		Junk Yards - auto wrecking, salvage yards or scrap yards Laboratories for research & testing Laundries - hand, etc. Laundries - steam	General General General General

ARTICLE 6

AMENDMENT

SECTION 600

PROCEDURE FOR AMENDMENTS FOR DISTRICT CHANGES

This resolution may be amended by utilizing the procedures specified in Section 601-613, inclusive, of this resolution.

SECTION 601

GENERAL

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

SECTION 602

INITIATION OF ZONING AMENDMENTS

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

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

SECTION 603

CONTENTS OF APPLICATION

Applications for amendments to the Official Zoning Map adopted as part of this resolution by Section 700 shall contain at least the following information:

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

Applications for amendments proposing to amend, supplement, change, or repeal portions of this resolution other than the Official Zoning Map shall include items 1, 2, 9, and 10 listed above.

SECTION 604

TRANSMITTAL TO ZONING COMMISSION

Immediately after the adoption of a resolution by the Board of Township Trustees or the filing of an application by at least one (1) owner or lessee of property, said resolution or application shall be transmitted to the Commission.

SECTION 605

SUBMISSION TO COUNTY PLANNING COMMISSION

Within five (5) days after the adoption of a motion by the Commission, transmittal of a resolution by the Township Trustees, or the filing of an application by at least one (1) owner or lessee, the Zoning Commission shall transmit a copy of such motion, resolution, or application together with the text and map pertaining to the case in question to the County Planning Commission. The County Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit such recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission.

SECTION 606

SUBMISSION TO DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION

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

SECTION 607

PUBLIC HEARING REQUIREMENTS

The Zoning Commission shall conduct a public hearing after the adoption of their motion, transmittal of a resolution from the Board of Township Trustees, or the filing of an application or re-zoning application. Said hearing shall be not less than twenty (20) nor more than thirty (30) days from the date of adoption of such motion, transmittal of such resolution, or the filing of such application.

SECTION 608

NOTICE OF PUBLIC HEARING REQUIREMENTS

Before holding the public hearing as required in Section 607, notice of such hearing shall be given by the Zoning Commission by at least one (1) publication in one (1) or more newspapers of general circulation of the Township at least fifteen (15) days before the date of said hearing.

A. If the proposed amendment involves or redistrict ten or fewer parcels of land as listed on the County Auditor's current tax list, the published notice shall include 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 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, resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least fifteen 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 of Township Trustees for its action.
- B. 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 fifteen 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.

SECTION 609

NOTICE TO PROPERTY OWNERS BY ZONING COMMISSION

If the proposed amendment intends to rezone or redistrict ten (10) or less 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 twenty (20) days before the date of the public hearing to all owners of property within, contiguous to, and directly across the thoroughfare 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 to deliver the notice, as provided in this section, shall not invalidate any such amendment. The notice shall contain the same information as required of notices published in newspapers as specified in Section 608-A.

SECTION 610

RECOMMENDATION BY ZONING COMMISSION

Within thirty (30) days after the public hearing required by Section 607, the Zoning Commission shall recommend to the Board of Township Trustees that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be not granted.

SECTION 611

PUBLIC HEARING BY BOARD OF TOWNSHIP TRUSTEES

Within thirty (30) days from the receipt of the recommendation by the Zoning Commission, the Board of Township Trustees shall hold a public hearing. Notice of such public hearing in a newspaper shall be given by the Board of Township Trustees as specified in Section 608.

SECTION 612

ACTION BY BOARD OF TOWNSHIP TRUSTEES

Within twenty (20) days after the public hearing required by Section 611, the Board of Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. In the event the Board of Township Trustees denies or modifies the recommendation of the Commission, the unanimous vote of the Board of Township Trustees is required.

Section 613

EFFECTIVE DATE AND REFERENDUM

Such amendment adopted by the Board of Township Trustees shall become effective thirty (30) days after the date of such adoption unless within thirty (30) days after the adoption of the amendment there is presented to the Board of Township Trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the Township or part thereof included in the zoning plan equal to not less than eight (8) percent of the total 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 the next primary or general election.

No amendment for which such referendum vote has been requested shall be put into effect unless a majority of the votes cast on the issue is in favor of the amendment. Upon certification by the Board of Elections that the amendment has been approved by the voters it shall take immediate effect.

ARTICLE 7

PROVISIONS FOR OFFICIAL ZONING MAP

SECTION 700

OFFICIAL ZONING MAP

The districts established in Article 7 of this resolution as shown on the Official Zoning Map which, together with all explanatory matter thereon, are hereby adopted as part of this resolution.

SECTION 710

IDENTIFICATION OF THE OFFICIAL ZONING MAP

The Official Zoning Map shall be identified by the signature of the Chairman of the Board of Township Trustees, attested by the Township Clerk, and bearing the seal of the Township.

SECTION 720

INTERPRETATION OF DISTRICT BOUNDARIES

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

1. Where district boundaries are indicated as approximately following the center lines of thoroughfares or highways, street lines, or highway right-of-way lines, such center lines, street lines, or highway right-of-way lines shall be construed to be such boundaries;
2. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries;
3. Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or the center lines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the

Official Zoning Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Official Zoning Map;

4. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line;

5. Where the boundary of a district follows a stream, lake, or other body of water, said boundary line shall be deemed to be at the limit of the jurisdiction of the Township unless otherwise indicated.

ARTICLE 8

ESTABLISHMENT AND PURPOSE OF DISTRICTS

SECTION 800

INTENT

The following zoning districts are hereby established for the Township of Cherry Valley, Ohio. For the interpretation of this resolution the zoning districts have been formulated to realize the general purposes as set forth in the preamble of this resolution. In addition, the specific purpose of each zoning district shall be as stated.

SECTION 810

RESIDENTIAL DISTRICTS

Residential districts are established to meet the purposes set forth in Section 811.

SECTION 811

AGRICULTURAL-RESIDENTIAL DISTRICT (A-R)

The purpose of the Agricultural-Residential District is to permit a degree of development of a rural non-farm nature in areas not expected to have public facilities in the near future. This district also allows the opportunity to satisfy individual housing preferences and shall permit not more than one (1) dwelling unit per gross acre.

SECTION 820

COMMERCIAL DISTRICTS

Commercial districts are established to meet the purposes set forth in Section 822.

SECTION 822

COMMERCIAL DISTRICT (C)

The purpose of the C District is to encourage the establishment of areas for convenience commercial uses which tend to meet the daily needs of the residents of an immediate neighborhood. Such districts shall be strategically located with access to a collector thoroughfare as specified in the Major Thoroughfare Plan. Marginal strip development shall be prohibited.

SECTION 830

INDUSTRIAL DISTRICTS

Industrial districts are established to meet the purposes set forth in Section 831.

SECTION 831

LIGHT INDUSTRIAL DISTRICT (I-1)

The purpose of the I-1 District is to encourage the development of manufacturing and wholesale industrial establishments which are clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare; operate entirely within enclosed structures and generated little industrial traffic. Research activities are encouraged. This district is further designed to act as a transitional use between heavy industrial uses and other less intense industrial and residential uses.

SECTION 840

The purpose of the Schedule of Uses is to list different land uses and to specify what districts within the community allow those uses. **ANY USE NOT LISTED IN THE SCHEDULE OF USES IS PROHIBITED.**

KEY TO CHERRY VALLEY TOWNSHIP

SCHEDULE OF PERMITTED USES

AGRICULTURAL - RESIDENTIAL DISTRICT	-	A-R
COMMERCIAL DISTRICT	-	C
INDUSTRIAL DISTRICT	-	I-1
CONDITIONALLY PERMITTED USE	-	((c))

Ex.: A-R, (C(c)) = permitted in the Agricultural-Residential District; conditionally permitted in the Commercial District

SCHEDULE OF USES

Abattoirs (Slaughter house).....	A-R; C; I-1
Abrasive manufacture.....	I-1
Accessory uses and structures incidental to any permitted residential use, such as garages, greenhouses or tool shed.....	A-R
Accessory or conjunctive uses incidental to a permitted use and which will not create a nuisance or hazard.....	A-R; C; I-1
Acetylene gas manufacture and/or storage.....	I-1
Agencies or offices rendering specialized services in the professions, real estate and brokerage, including service agencies not involving on-premises retail trade not wholesale trade on-premises, nor maintenance of stock of goods for sale to the general public.....	A-R; C; I-1
Airports and landing fields for fixed wing aircraft.....	(A-R; C; I-1(c))
Amusement enterprises such as billiards, pool, bowling, skating rinks, dance hall and similar activities when housed in a permanent structure but not including theater.....	C; I-1
Animal hospital.....	A-R; C; I-1
Annealing, anodizing.....	I-1
Antiques and gift retail sales.....	A-R; C; I-1
Appliance distributors for wholesale.....	C; I-1
Archery.....	A-R; C; I-1
Art supply retail sales.....	A-R; C; I-1
Assembly halls, gymnasiums and similar structures when part of a school or place of worship.....	A-R; C; I-1
Assembly of machines and appliances from previously prepared parts.....	C; I-1 (A-R(c))
Automobile, automatic car wash.....	C; I-1
Automobile commercial parking enterprises.....	C; I-1
Automobile (new and used) and accessory sales.....	C; I-1
Automobile leasing and truck leasing.....	C; I-1

Automobile parking operated in conjunction with permitted uses and in accordance with the requirements of Article 11.....	C; I-1
Automobile repair shop.....	C; I-1; (A-R(c))
Automobile service station.....	C; I-1; (A-R(c))
Automobile and truck assembly.....	I-1
Badminton.....	A-R
Bakeries or baking plants.....	C; I-1; (A-R(c))
Bakery shops and confectionaries operating both wholesale and retail business provided such operations are limited to 1500 square feet of manufacturing area and to the use of non-smoke producing types of furnaces.....	C; I-1
Banks.....	C; I-1
Barber, beauty, and other personal services.....	A-R; C
Barber, beauty equipment sales and supply.....	A-R; C
Basketball courts.....	C; I-1; (A-R(c))
Bedding, carpet and pillow manufacturing, cleaning & renovating.....	C; I-1
Bicycle sale and repair.....	A-R; C
Billboards (see signs).....	
Blueprinting and photostating establishments.....	A-R; C; I-1
Bookbindery.....	A-R; C; I-1
Book and stationery stores.....	A-R; C; I-1
Bottling works for soft drinks.....	I-1
Bus repair and storage terminals.....	C; I-1
Camera sales, supplies, service.....	A-R; C; I-1
Candy products manufacture.....	A-R; C; I-1
Candy products retail.....	A-R; C; I-1
Canvas and burlap products manufacture, sale and storage.....	C; I-1
Catering establishments.....	A-R; C; I-1

Cemeteries..... A-R; C; I-1

Charitable institutions..... C; I-1

Churches and other places of worship, including parsonage or rectory..... A-R; C; I-1

Clothing manufacture..... I-1

Clothing sales..... C; I-1

Clubs and other places of entertainment..... C; I-1

Cold storage plants, food..... C; I-1

Colleges, universities, business colleges, trade schools, music conservatories, dancing schools, and similar organizations offering training in specific fields..... C; I-1

Concession stands..... C; I-1; (A-R(c))

Construction materials, manufacture, storage and sales..... C; I-1

Contractor's plants or storage yards..... C; I-1; (A-R(c))

Convalescent and nursing homes..... A-R; C; I-1

Cooperage works..... A-R; C; I-1

Cosmetics and perfume manufacture..... I-1

Custodial and diagnostic centers..... C; I-1

Dairy products processing, bottling and distribution, cream manufacture, all on a wholesale basis..... A-R; C; I-1

Dairy bars for retail sales on the premises only..... A-R; C; I-1

Day nurseries and kindergartens..... A-R; C; I-1

Department and variety stores..... C; I-1

Dental laboratory..... C; I-1

Drive-in food dispensary..... C; I-1

Drug stores..... C; I-1

Dry cleaning, pressing, and dyeing plants, and related retail service counter..... C; I-1

Dwellings, attached single-family such as apartment buildings, row or town houses in groups of not less than 3 or more than 12 units..... C; I-1; (A-R(c))

Dwelling, multi-family with a minimum of 3 units..... C; I-1; (A-R(c))

Dwellings, detached single-family..... A-R; C; I-1

Dwellings, two family..... A-R; C; I-1

Dye manufacture..... I-1

Eating establishments..... C; I-1; (A-R(c))

Electrical supplies, retail..... C; I-1

Electrical repair..... C; I-1

Electronic assembly plant..... I-1

Emery cloth or sandpaper manufacture..... I-1

Enameling, japanning, lacquering of metals..... C; I-1

Excelsior and fiber manufacture..... I-1

Farm machinery assembly, repair and sales..... C; I-1; (A-R(c))

Feed sales and storage..... C; I-1

Felt manufacture..... I-1

Fertilizer wholesale sales and blending..... A-R; C; I-1

Fertilizer retail sales..... A-R; C; I-1

Finance and loan companies..... C; I-1

Florist: Warehousing for wholesale and related retail trade..... A-R; C; I-1

Florist: Retail..... A-R; C; I-1

Flour and other grain products, milling and storage..... A-R; C; I-1

Food processing in wholesale quantities except meat, fish, poultry,
vinegar and yeast..... C; I-1

Food processing: For sale at retail on-the-premises, but excluding the
killing and dressing of any flesh or fowl..... A-R; C; I-1

Food stores (retail only) - grocery, delicatessen, meat and fish but
excluding the killing and dressing of any flesh or fowl..... C; I-1

Footwear manufacturing and storage..... I-1

Footwear, retail..... C; I-1

Forging plants..... I-1
 Foundaries..... I-1
 Fraternity houses..... A-R; C; I-1
 Frozen food lockers..... C; I-1
 Funeral homes, undertaking establishments, embalming..... C; I-1
 Furniture retail sales and floor coverings retail sales..... C; I-1
 Furriers, retail sales..... C; I-1
 Fur storage..... C; I-1
 Galvanizing..... I-1
 Gas storage in quantities provided such facilities are not located within
 100 feet of any lot line..... I-1
 Gases or liquified petroleum gases in approved portable metal cylinders
 for storage or sale..... C; I-1; (A-R(c))
 Gift shop, cards..... A-R; C
 Glass manufacture..... C; I-1
 Golf courses, but not including commercially operated driving ranges,
 pitch & putt, miniature or par 3 courses..... A-R; C; I-1
 Golf courses, commercially operated driving ranges, pitch & putt,
 miniature or par 3 courses..... A-R; C; I-1
 Government buildings: Buildings used exclusively by the Federal, State,
 County or Village Government for public purpose..... A-R; C; I-1
 Government Buildings: Buildings used exclusively by the Federal, State,
 County or Village Government for public purposes except for garages,
 repair or storage yard, warehouse and buildings used or intended to be
 used as correctional or penal institutions..... A-R; C; I-1
 Grounds and facilities for recreational and community center buildings,
 country clubs, lakes, and other similar facilities operated on a
 non-profit basis..... A-R; C; I-1
 Hardware, appliances, and electrical items, retail sale..... C; I-1
 Hat cleaning and blocking..... C; I-1
 Heliport..... A-R

Home occupation	A-R; C; I-1
Horseshoe pits.....	A-R; C; I-1
Hosiery manufacture.....	I-1
Hospitals and sanitariums located on a major street or secondary major street.....	A-R; C; I-1
Hotels and inns.....	A-R; C; I-1
Ice manufacture, storage and sales.....	C; I-1
Incidental accessory retail uses such as cafeterias, gift or variety shops, soda bars conducted solely for the convenience of the employees, patients, patrons, or visitors on the premises wholly within the principal building and without exterior advertising display.....	A-R; C; I-1
Industry not otherwise listed provided the industry is similar to other industries permitted in an industrial district. Such industry shall comply with the design control of a similar industry.....	I-1
Insulation material manufacture and sale.....	I-1
Iron and steel manufacture.....	I-1
Jewelry and watch sale and repair.....	A-R; C; I-1
Junk yards, auto wrecking, salvage yards or scrap yards.....	(C; I-1(c))
Kennels, boarding or training.....	A-R; C; I-1
Laboratories for research and testing.....	(I-1(c))
Laundries: All hand laundries and any small power laundries operated in conjunction with a retail service counter on the premises where not more than 2,000 square feet of floor space is devoted to the laundering and finishing process, provided the total operating capacity of all commercial washing machines shall not exceed 400 pounds and no coal-burning or smoke-producing equipment is used.....	(C; I-1(c))
Laundries, steam.....	(C; I-1(c))
Launderette service: Where individual, family-sized laundry equipment is rented for use by the customer.....	C; I-1
Laundry pick-up stations.....	C; I-1
Leather goods, manufacture (tanning prohibited).....	A-R; C; I-1
Libraries.....	A-R; C; I-1

Linseed oil, shellac, turpentine, lubricating oils or greases,
 manufacture or refining..... I-1

Livestock, auction, or sales..... A-R

Lock and gunsmith..... A-R; C

Lodges, fraternal and social organizations..... A-R; C

Lumber yards, building materials storage and sale..... (A-R; C; I-1(c))

Machine shops..... C; I-1; (A-R(c))

Machine tool manufacture..... I-1

Machinery manufacture..... I-1

Meat processing and packing, including the slaughter of fowl and small
~~game~~ only..... C; I-1

Metal fabrication plants using plate and structural shapes..... I-1

Metal stamping plants..... I-1

Miniature golf..... A-R; C; I-1

Mixing plants for concrete, or paving materials and manufacture of
 concrete products..... I-1

Mobile home - single lot..... A-R; C; I-1

Motorcycle sales and repair..... C; I-1

Motor vehicles and motor vehicle equipment manufacture..... C; I-1

Museums and art galleries..... C; I-1

Music stores..... C; I-1

Musical instrument store, sale of and instruction..... C; I-1

Newstands as an accessory use..... C; I-1

Nursing homes..... A-R; C; I-1

Office buildings: Governmental and private office buildings, including
 professional offices..... C; I-1

Office equipment and supplies sales and services..... C; I-1

Office and secretarial service establishments..... A-R; C; I-1

Optical and scientific instrument, jewelry and clock, musical instrument
manufacture..... I-1

Optical supplies sales..... A-R; C; I-1

Oxygen storage..... C; I-1; (A-R(c))

Paint and enamel manufacture not employing a boiling process..... C; I-1

Paint, retail sales..... C; I-1

Paper, cardboard, and building board manufacture..... C; I-1

Pavilion..... A-R; C; I-1

Pulp manufacture..... C; I-1

Parks..... A-R; C; I-1

Pawn shops or second-hand stores..... C; I-1

Pet shops, bird stores, taxidermists..... C; I-1; (A-R(c))

Pharmaceutical products manufacture..... C; I-1

Photographic studios and camera supply stores..... C; I-1

Physical culture establishments..... A-R; C; I-1

Picnic area..... A-R; C; I-1

Planing or saw mills (other than temporary)..... A-R; C; I-1

Plastics manufacture..... C; I-1

Plating works..... C; I-1

Playgrounds (principal use)..... A-R; C; I-1

Playground: Tot-lot..... A-R; C; I-1

Plumbing shop and yard..... C; I-1

Postal facilities private or publicly owned..... C; I-1

Pottery, porcelain and vitreous china manufacture..... C; I-1

Poultry dressing for wholesale, and related retail activities..... C; I-1

Prefabricating buildings and structural members..... C; I-1; (A-R(c))

Printing, publishing and reproduction establishments..... C; I-1

Racing of motor vehicles or animals..... C; I-1; (A-R(c))

Radio and television studios..... A-R; C; I-1

Rag, bag, and carpet cleaning establishments..... C; I-1

Railroads.....

Refuse and waste equipment storage..... C; I-1; (A-R(c))

Repair and servicing of office and household equipment..... C; I-1; (A-R(c))

Repair and servicing of industrial equipment, machinery, except railroad
equipment..... C; I-1

Retail stores not otherwise listed, including those conducting incidental
light manufacturing or processing of goods above the first floor or in
the basement to be sold exclusively on the premises and employing not
more than ten (10) operatives..... C; I-1

Retail stores similar to those otherwise named on this list..... C; I-1

Riding stables..... A-R; C; I-1

Rock and slag reclamation and crushing & processing..... C; I-1

Rooming and boarding houses..... C; I-1

Sawmill, permanent..... A-R; C; I-1

Schools, public and private..... A-R; C; I-1

Scrap paper or rag storage, sorting or baling when conducted within a
building..... C; I-1; (A-R(c))

Sheet metal shops..... C; I-1; (A-R(c))

Shoe repair..... A-R; C; I-1

Shuffleboard courts..... A-R; C; I-1

Sign manufacture and painting..... A-R; C; I-1

Sign painting, exclusive of manufacture..... A-R; C; I-1

Signs, see Article 11..... A-R; C; I-1

Soap, detergent and washing compound manufacture..... C; I-1

Softball diamond..... A-R; C; I-1

Sorority houses..... A-R; C; I-1

Sporting good sales.....	C; I-1
Stonecutting, monument manufacture and sales.....	C; I-1; (A-R(c))
Storage, under cover, of goods intended for retail sale on the premises but not including combustibles.....	C; I-1
Storage warehouses and yards.....	C; I-1
Swimming pools, accessory use (private residence only).....	A-R; C; I-1
Swimming pools and bathing areas, public or private as primary uses.....	A-R; C; I-1
Tailors, dressmakers, milliners.....	A-R; C; I-1
Taxi stand.....	A-R; C; I-1
Tennis courts.....	C; I-1; (A-R(c))
Textile machinery manufacture.....	I-1
Textile manufacture.....	I-1
Theaters, housed in a permanent indoor structure, exhibition halls and other similar structures.....	C; I-1
Tire recapping and retreading.....	C; I-1; (A-R(c))
Tot-lot.....	A-R; C; I-1
Tractor or trailer sales or leasing areas.....	C; I-1
Truck terminals, repair shops, hauling and storage yards.....	C; I-1; (A-R(c))
Upholstery, paper hanging, and decorator shops.....	A-R; C; I-1
Variety stores.....	C
Volleyball.....	A-R; C; I-1
Wading pools.....	A-R; C; I-1
Wastepaper and rags, collection and baling.....	C; I-1
Wholesale and jobbing establishments, including incidental retail outlets for only such merchandise as is handled at wholesale.....	C; I-1
Woodworking shops, mill work.....	A-R; C; I-1

NOTE: Property owners in Cherry Valley Township may operate sawmills, small engine repairs, auto repairs, saw sharpening, body shop, slaughter house, welding shop, farm machinery repair, and other family operated enterprises. These businesses must be designed and maintained so as to be appropriate to the general vicinity and not change the essential character of the area. The businesses must not be hazardous to the adjoining property owners.

ARTICLE 9

DISTRICT REGULATIONS

SECTION 900

COMPLIANCE WITH REGULATIONS

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

1. No building, structure or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located;

2. No building or other structure shall be erected or altered more than 25% of existing building or structure without a building permit (Buildings for farm machinery or agriculture use exempt.);

a. to provide for greater height or bulk;

b. to accommodate or house a greater number of families;

c. to occupy a greater percentage of lot area;

d. to have narrower or smaller rear yards, front yards, side yards, or other open spaces;

than herein required, or in any other manner be contrary to the provisions of this resolution;

3. No yard or lot existing at the time of passage of this resolution shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this resolution shall meet at least the minimum requirements set forth herein.

SECTION 910

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS ADOPTED

District regulations shall be as set forth in the Official Schedule of District Regulations hereby adopted and declared to be a part of this resolution.

SECTION 920

IDENTIFICATION OF THE OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

The Official Schedule of District Regulations shall be identified by the signature of the Chairman of the Board of Township Trustees.

ARTICLE 10

OFF-STREET PARKING AND LOADING FACILITIES

SECTION 1000

GENERAL REQUIREMENTS

1. No building or structure shall be erected, substantially altered, or its use changed unless permanently maintained off-street parking and loading spaces have been provided in accordance with the provisions of this resolution.

2. The provisions of this Article, except where there is a change of use, shall not apply to any existing building or structure. Where the new use involves no additions or enlargements, there shall be provided as many of such spaces as may be required by this resolution;

3. Whenever a building or structure constructed after the effective date of this resolution is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise to create a need for an increase in the number of existing parking spaces, additional parking spaces shall be provided on the basis of the enlargement or change. Whenever a building or structure existing prior to the effective date of this resolution is enlarged to the extent of fifty (50) percent or more in floor area, number of employees, number of housing units, seating capacity or otherwise, said building or structure shall then and thereafter comply with the full parking requirements set forth herein.

SECTION 1010

PARKING SPACE DIMENSIONS

1. All dwellings and apartment houses shall provide parking space off the road or street and outside of the public right-of-way, together with means of ingress and egress thereto, for not less than one motor vehicle per dwelling unit or apartment. No less than two hundred (200) square feet of area shall be deemed necessary for each such vehicle.

2. All Commercial uses shall provide parking space out of the road right-of-way and not more than three hundred (300) feet in distance from an entrance to said

commercial establishment. The commercial establishment shall provide one (1) parking space for each one hundred (100) square feet of area on the first floor of the establishment. Each required parking space shall have an area of at least two hundred (200) square feet.

3. Every theater, auditorium, stadium, arena, building or grounds used for the assembling of persons to attend the theatrical performances, shows, exhibitions, contests, concerts, lectures, entertainments, and similar activities, shall provide parking outside of the public right-of-way. Each space shall be at least two hundred (200) square feet in area suitable for parking automobiles and other vehicles. One (1) space is required for every four (4) persons to be accommodated. Such parking space shall be within four hundred (400) feet of the main entrance to such use, shall provide adequate means of ingress and egress and shall be available for the use of such patrons.

4. All Commercial and Industrial uses shall provide adequate parking space off the road or street and outside of the public right-of-way for vehicles delivering to, unloading, or taking away from said user goods, materials, supplies, or waste in connection with said business or use. They shall also provide parking space for their employees.

SECTION 1011

DISABLED VEHICLES

No more than 3 unlicensed vehicles are permitted in A-R and Commercial Districts.

ARTICLE 11

SIGNS

SECTION 1100

INTENT

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

SECTION 1101

OUTDOOR ADVERTISING

For the purpose of this resolution, outdoor advertising shall be classified as a business use and shall be permitted in all Commercial and Industrial Districts, and on all lands used for agricultural purposes, subject to the regulations contained in this resolution.

1. Signs not larger than twelve (12) square feet in area shall be permitted in any district provided they are not located within the road right-of-way.
2. An outdoor advertising sign or billboard, other than those mentioned in Paragraph 1 of this section, shall be deemed a structure and shall require a zoning certificate before being erected, constructed or replaced.
3. No outdoor advertising signs, except those mentioned in Paragraph 1 of this section, shall be located within sixty (60) feet from road right-of-way of any intersection unless affixed to a building.
4. No outdoor advertising sign, except those mentioned in Paragraph 1 of this section, shall be placed nearer any street or road than the minimum set-back building line.

5. Any illuminated sign shall be so shaded as not to interfere with the vision of persons on the highway.

6. Political campaign signs advertising candidates or issues may be permitted for a period not exceeding sixty (60) days before the election concerned and shall be removed within ten (10) days after said election.

7. Signs must be maintained in a legible condition and of sound construction satisfactory to the Zoning Inspector. If found unsatisfactory, owners will be notified and signs may be torn down after 30 days if conditions are still unsatisfactory.

8. No flashing signs permitted.

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

TOWNSHIP OF Cherry Valley, OHIO

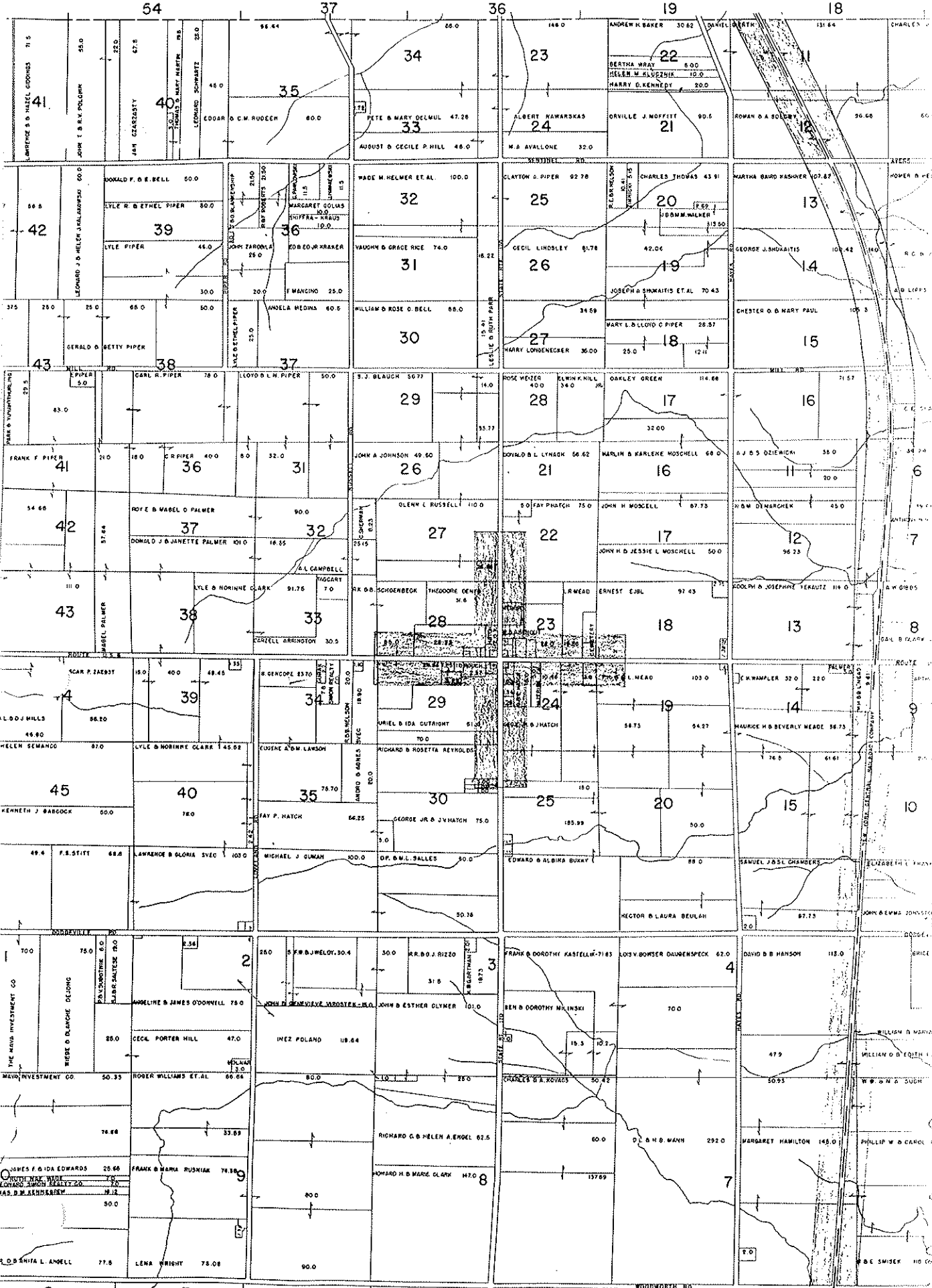
ZONING DISTRICTS <small>(Symbols as used on the official zoning map)</small>	PRINCIPALLY PERMITTED USES <small>(Accessory uses and essential services are included)</small>	CONDITIONALLY PERMITTED <small>(Permitted upon issuance of a Conditional Use Permit after approval by the Board of Zoning Appeals)</small>	SPECIFIC CONDITIONAL USE CRITERIA <small>(As specified in Section 564)</small>	PLANNED UNIT DEVELOPMENTS <small>(Permitted upon approval of a final development plan by Legislative Authority) YES OR NO</small>	MINIMUM LOT SIZE			MAXIMUM PERCENTAGE OF LOT TO BE OCCUPIED <small>(Principal and accessory building)</small>	MINIMUM FLOOR AREA <small>(Square feet)</small>	MAXIMUM HEIGHT OF (PRINCIPAL) BUILDING		MINIMUM YARD DIMENSIONS <small>(feet)</small>			ACCESSORY BUILDINGS			MINIMUM (MANDATORY) OFF-STREET LOADING SPACE <small>(One unit for each)</small>	MINIMUM (MANDATORY) OFF-STREET PARKING SPACE	SIGNS PERMITTED	OTHER PROVISIONS AND REQUIREMENTS <small>(Supplementary regulations, prohibitions, notes, etc.)</small>		
					(Square Feet per household)	Width (feet)	With On Site Sewage Treatment			With Group or Central Sewage Treatment	Stories	Feet	Front	Side Yards		Rear	Maximum Height (feet)					Minimum Distance In Feet To	
														One side yard	Sum of side yards							Side lot lines	Rear lot lines
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	
A - R	RES	SEE SCHEDULE OF CONDITIONAL USES Article 5 - Page 46		<i>87,120</i>	43560	300		20	720 <i>1200</i>	2	35	60 <i>75</i>	15	30	15	35	20	20					
C	COM				43560	21780	100	40	1000		35	60											
I - 1	LIND				43560	43560	200	20	1000		35	60											

THIS IS TO CERTIFY THAT THIS IS THE OFFICIAL SCHEDULE OF DISTRICT REGULATIONS REFERRED TO IN SECTION 910 AND ARTICLE 9 OF RESOLUTION _____ OF THE TOWNSHIP OF CHERRY VALLEY, OHIO.

AMENDED 4-21-86
Date

John T. Polchin
Trustee
Frank Palumbo
Trustee
Donald B. Walker
Trustee
ATTEST *James Walker*
Clerk

8-13-05
1-2000



WAYNE



BUSINESS OR COMMERCIAL 500'x2640'

INDUSTRIAL OR MANUFACTURING 500' E. AND W. FROM C.R.R.

TOWNSHIP

JAN 1966

SCALE 1" = 1000'