

PIERPONT TOWNSHIP ZONING RESOLUTION

A Resolution providing for the zoning of Pierpont Township by regulation the location, size, height, and use of building and structures, the area and dimensions of lots and yards, and the use of land and for such purposes dividing the township into zones or districts of such number, sizes and shape as deemed best suited to carry out said purpose, and providing for a method and proceedings for the administration and enforcement of this Resolution.

WHEREAS, The Board of Trustees of Pierpont Township deems it in the interest of the public health, safety, morals, comfort, and the general plan of zoning for said township.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Pierpont Township:

SECTION I----PURPOSE

For the purpose of promoting public health, safety, morals, comfort and general welfare; to conserve and protect property and property values; to secure the most appropriate use of land; and to facilitate adequate but economical provision of public improvements, all in accordance with a comprehensive plan, the Board of Trustees of this township finds it necessary and advisable to regulate the location, height, bulk, number of factories, sizes of building and use of buildings and other structures, including tents, cabins, and trailer coaches, percentages of lot area which may be occupied, set-back buildings lines, sizes of yards, courts and other open spaces, density of population and the uses of land for trade, agriculture, industry, residence, recreation, or other purposes and for such purposes divides the township into districts or zones.

SECTION II----DISTRICTS

For the purpose of carrying out the provisions of this Resolution, the Township is hereby divided into the following districts:

1. Agricultural-Residential District, which shall be designated Agr-R Districts.
2. Business and Commercial, which shall be designated as B Districts.
3. Industrial and Manufacturing, which shall be designated as I Districts.
4. Recreational, which shall be designated as R Districts.
5. Special Use (Conditional Zoning Certificate).



OK F.E.K./Z.I.
10/9/96

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The districts as shown on the map attached hereto are hereby established and said map is made a part of this Resolution. No building or premises shall be used and/or building shall be erected except in conformity with the regulations prescribed herein for the district in which it is located.

SECTION III----AGRICULTURE

Nothing contained herein to the contrary, this Resolution shall in no way prohibit the use of any land for agricultural purposes or the construction, use, or location of buildings or other structures, and no zoning certificate shall be required for any such building or structure. Agriculture shall also including the cutting, sawing, and removing of timber and forestry.

Excepting, however, any building or structure used by a person or persons for a home or residence shall not be exempted from this Resolution, and such building or structure, used for a home or residence, which is located or constructed upon the land used for the purpose of agricultural or any form thereof as set forth in Revised Code Section 519.01, shall be subjected to the regulations contained in this Resolution, as not being a structure or building incident to or necessary for the purpose of agricultural use.

CLASSIFICATION OF USES

For the purpose of this Resolution, the various uses of buildings and premises shall be classified as follows:

SECTION IV----AGR-R DISTRICTS

The following uses and no other shall be deemed Class Agr-R uses and permitted in all Agr-R districts:

1. Single and two-family dwellings for residential purposes and buildings accessory thereto.
2. Tourist homes, rooming houses, and boarding homes.
3. Churches, schools, colleges, universities, public libraries, public museums, lodges and temples, community centers, institutions of an educational or philanthropic character other than correctional, fire stations, township halls, publicly owned parks, and publicly owned playgrounds.

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4. Any person may maintain an office or may carry on a customary home occupation in the dwelling house used by him for his private residence provided such use does not invoke any outward evidence of such use except not more than one sign as authorized in other sections of this Resolution, and further provided not more than 33% of the area of this floor of said dwelling house be used for said office or home occupation.
5. Gravel pits, oil wells, gas wells, sugar bushes.
6. Roadside stands consisting of structures used for the display and sale of agricultural products provided:
 - A. Such stands are not in the road right-of-way.
 - B. Such stands are at least twenty (20) feet back from the traveled portion of the road.
 - C. Adequate facilities are maintained for off the road parking of customers' vehicles.
 - D. More than 50% of the product sold on such roadside stands are agricultural products raised on the premises.
 - E. That such roadside stand be so designed and constructed that it can be removed when not in use.
7. Basement house with minimum floor area of five hundred (500) square feet will be permitted, providing a permit is issued for a one and one-half (1 1/2) or two (2) story house of seven hundred ninety (790) square feet for a one (1) story house, for temporary building not exceed two (2) years, with roof, siding, and windows to be installed by the end of the two (2) years and providing that said lot is adequately improved and landscaped within one (1) year from commencement of construction.
8. A single one family dwelling must contain a minimum of seven hundred twenty (720) square feet floor area for one (1) story, or minimum of eight hundred forty (840) square feet area of which not less than five hundred (500) square feet of floor area must be upon the first floor for a one and one-half (1 1/2) or two (2) story, excluding porches, breezeways, terraces, or garages. A two-family dwelling must be double the size of the single family dwelling, with each family having the minimum floor area required for a single family dwelling.
9. All human habitations in all districts must have at least two exits, and they must be doors which are not adjacent.

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10. All dwellings hereinafter erected, converted, enlarged or constructed shall conform to minimum requirements of this Resolution with respect to foundation, size, water, sanitary systems, and parking area.
11. Hospitals, sanitariums, or rest homes provided that any such hospital, sanitarium or rest home shall have a lot area of not less than two acres and frontage on a public thoroughfare of not less than two hundred fifty (250) feet and provided that any hospital, sanitarium or rest home caring for contagious disease or mental cases also shall have a lot area of not less than five (5) acres in addition to the other requirements set forth herein and have frontage on a public thoroughfare of not less than 400 feet.
12. *Trailer Coaches --a permit shall be issued for commercially built house trailer coaches not to exceed a period of twelve (12) months, provided said trailer coaches must be located not more than one (1) to a lot, which lot shall not be smaller than the minimum requirements for a single family dwelling as provided in this Resolution. All set-back requirements as provided in this Resolution shall also be conformed with. Each house trailer shall be equipped with water flushed toilet or water closet, shall within sixty (60) days from the date of issuance of permit be connected with septic tank located on the same lot which the trailer is situated, and shall have an adequate water supply upon the same lot, all in accordance with the requirements as are now or maybe hereafter established by the County Department of Health. The permit to be revoked if above requirements not met within time specified. (Repealed)*
13. *Trailer parks provided they meet the requirements of the laws of the State of Ohio regulating trailer parks and all regulations on the trailer parks adopted by the Public Health Council in accordance with the laws of the State of Ohio. (Repealed)*
12. Mobile Homes--a permit shall be issued for commercially built mobile homes, provided said mobile home has a minimum of not less than five hundred (500) feet of living area. Said mobile home must be located not more than one (1) to a lot, which lot shall not be smaller than the minimum requirements for a single family dwelling as provided in this Resolution. All set-back requirements as provided in this Resolution shall also be conformed with. Each mobile home shall be equipped with a flushed toilet or water closet, and shall within sixty (60) days from the date of issuance of permit be connected with a septic tank located on the same lot which the mobile home is situated, also have an adequate water supply upon the same lot, all in accordance with the requirements as are now or maybe hereafter established by the County Department of Health. The permit to be revoked if above requirements are not met within time specified.

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13. Mobile Homes parks provided they meet the requirements of the laws of the State of Ohio regulating mobile homes parks and all regulations on mobile home parks adopted by the Public Health Council in accordance with the laws of the State of Ohio.
14. Cabins, tents, and lumber cabins. A permit shall be issued for cabins, tents, and lumber cabins not to exceed a period of thirty (30) days, when said cabins, tents, and lumber cabins are used as temporary living quarters only. Said permit shall not be renewed more than two (2) additional periods of thirty (30) days each and then if said cabins, tents, and lumber cabins are maintained in a clean, sanitary, and sufficiently suitable condition as determined by the zoning inspector. The fee for each permit shall remain the same as a residential dwelling permit.
15. All human habitation in all districts hereinafter erected must have inside sanitary facilities connected to a sanitary disposal system meeting County Health Department standards and must have adequate water supply, except cabins, tents and lumber cabins as provided in paragraph 14 above.
16. An agricultural processing, marketing activities in conjunction with agricultural enterprises, including storage, and sales of commodities necessary to sustain above operation.
17. Business pertaining to buying, selling, servicing and maintaining all types of machinery, equipment and merchandising of all kind and descriptions, and doing of all things necessary and incidental thereto, so long as the major portion of said business and activities are related to agriculture.
18. Contracting operations are permitted, including sales, storage and service.

SECTION V----BUSINESS AND NEIGHBORHOOD COMMERCIAL DISTRICT

“B” district, business and commercial. The following uses and no others shall be deemed permitted in “B” districts:

1. Any use permitted in Agr-R-R district shall permitted in a “B” district.
2. Transient tourist accommodations, motels, hotels, and other living quarters such as apartment houses and living quarters over business establishments.

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3. Retail stores or shops known as neighborhood commercial establishments such as grocery stores, dairy stores, drug stores, indoor theaters, haberdasheries and the like, provided the business is conducted wholly within an enclosed building.
4. Personal services such as beauty parlors, studios, offices, and restaurants and the like, provided they are conducted wholly within an enclosed building.
5. Gasoline filling and service stations provided storage tanks are underground and covered with earth to meet underwriters' specifications.
6. Sales and service garages.
7. Funeral homes.
8. Banks and office buildings.

SECTION VI---HEAVY COMMERCIAL, INDUSTRIAL AND MANUFACTURING DISTRICT

"I" District, Industrial and Manufacturing. The following uses and no others shall be deemed class "I" uses and permitted in all "I" districts:

Any use permitted in Agr-R district or in a B district shall be permitted in an "I" district.

Junk yards, automobile graveyards, or places for the collection of scrap metal, paper, rags, glass, or junk for salvage or storage purposes, or dismantling used cars, provided the area used for any or all the above purposes has a solid painted or solid evergreen fence of at least five (5) feet in height between said area and any public highway upon which it borders, which fence shall have a set back of not less than one hundred fifty (150) feet from the side road line. The area between said road line and fence shall be graded and seeded. On all sides of the area used for the purposes abovementioned, which do not border upon a highway, there shall be a ten (10) foot clear area maintained between the used portion and the line of an adjoining owner.

Any other normal business, service, heavy commercial, or industrial or manufacturing use, providing such use is not noxious, dangerous, or offensive by reason of emission of odor, dust, smoke, gas, noise, flame, or vibration, except uses specifically prohibited in this Resolution.

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SECTION VII----RECREATIONAL DISTRICT

This district is unique in that the principal activity is related to some use of recreation whether it is public or privately owned or operated.

Permitted uses:

1. Golf Courses (public or private)
2. Bowling Alleys
3. Drive-in Theaters
4. Swimming clubs or parks, lakes for fishing, boating (public or private)
5. Boat sales, service, and storage, and marinas (public and private)
6. Dance Halls
7. Golf Driving Ranges
8. Riding Clubs
9. Public or private parks, playgrounds, and other associated uses
10. Museum, Zoo
11. Campground and camping facilities
12. Residential dwellings and uses
13. Mobile Home Parks, providing they meet the requirements of the law of State of Ohio regulating Mobile Home Parks and all regulations on Mobile Homes Parks adopted by the Public Health Council in accordance with the laws of the State of Ohio.
14. Tennis Clubs or parks

Sales of equipment, refreshments, instructions of activities related to recreational uses shall be allowed.

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SECTION VIII----SPECIAL USE DISTRICT

This district is created to allow special land uses to locate in the Township in accordance with section 519.14 of the Ohio Revised Code. This section confers authority the to grant conditional zoning certificates for the use of land, buildings or other structures by the Township Zoning Appeals Board.

The Special Use District is established to obtain maximum use of the land in the township and allow types of uses that might not be compatible in regular established districts.

The Special Use District will not be shown on the official township zoning map and accurate account of its location will be filed with the Township Zoning Inspector and the Clerk of the Township. No uses have been established for this district.

SECTION IX----PROHIBITED USES

The following uses shall be deemed to constitute a nuisance and shall not be permitted in any Agr-R or I or B district:

1. Dumps or places for the disposal of sewage and garbage unless operated by or for the Board of Township Trustees.
2. Any other businesses or industries that are considered to be noxious, dangerous, of offensive by reason of emission of odor, dust, smoke, gas, noise, flame, or vibration or that would create a fire hazard or be aesthetically obnoxious or psychologically distasteful.

SECTION X----OUTDOOR ADVERTISING

For the purpose of this Resolution, outdoor advertising shall be classified a business use and shall be permitted in all B and I districts, and on all lands for agricultural purposes, subject to the regulations contained in this Resolution.

On the site outdoor signs and structures are signs and structures that are located on the same lot or premises with the business which they inform to advertise the public. No height limit or size is imposed on these signs in the commercial district.

Off-site outdoor signs and structure are signs and structures that are not located on the site of the business or premises which they promote, inform, or advertise to the public. These signs themselves are a commercial use.

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1. On site signs not larger than fifteen (15) square feet in area shall be permitted in any district provided they are not located within the road right-of-way.
2. On site signs not larger than one hundred (100) square feet in area shall be permitted in any district provided they have a minimum set-back from the road side line of ten (10) feet.
3. An outdoor advertising off-site sign or billiard board, other than those mentioned in paragraph 1 and 2 of this section, shall be deemed a structure and shall require a zoning certificate before being erected, constructed or replaced.
4. No outdoor advertising signs, except those mentioned in paragraph 1 and 2 of this section, shall be located within one hundred (100) feet of any intersection unless affixed building.
5. No outdoor advertising sign, except those mentioned in paragraph 1 and 2 of this section, shall be placed nearer any street or road than the minimum set-back building line.
6. Any illuminated sign shall be shaded so as not to interfere with the vision of persons on the highway.
7. 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.

SECTION XI----NON-CONFORMING USES

A non-conforming use existing at the time this Resolution takes effect may be continued, except that if it is voluntarily discontinued for two (2) or more years, it shall then be deemed abandoned and any further use must be in conformity with the uses permitted in such district.

Any building arranged, intended or designed for non-conforming uses, the construction of which has been started at the time of the passage of this Resolution, but not completed, may be completed and put to such non-conforming use, provided it is done within one (1) year after this Resolution takes effect.

Any building or structure, existing as non-conforming use at the time this Resolution takes effect, which is destroyed by fire or the elements, may be reconstructed and restored, provided the same is done within two (2) years from the date of said destruction, and is rebuilt as nearly as possible to conform with the zoning ordinance within the district in which it is located.

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A building or structure devoted to a non-conforming use at time this Resolution takes effect may not be altered or enlarged so as to extend said non-conforming use more than twenty-five percent (25%) of the original area, providing the alterations or enlargements is toward conformity with the zoning ordinance within the district in which it is located.

When a non-conforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted or non-conforming use.

SECTION XII----PUBLIC UTILITIES AND RAILROADS

This Resolution shall not apply to public utilities or railroads.

SECTION XIII----MINIMUM LOT AREA

No single family or two family dwelling shall be erected or building altered to accommodate one family as a residence on less than twenty-one thousand six hundred (21,600) square feet of lot area, unless such lot was designated in a recorded plat or separately owned at the time this Resolution took effect and cannot practicably be enlarged to conform with these requirements.

In computing lot area, that portion located within the limits of legal highways shall be included in the computation of the minimum lot area.

SECTION XVI----MINIMUM LOT WIDTH

No dwelling shall be erected in any district on a lot having frontage of less than one hundred twenty (120) feet on a public thoroughfare, unless such lot was designated on a recorded plat or separately owned at the time this Resolution took effect and cannot practicably be enlarged to conform with these requirements.

No minimum lot width shall be required in a B or I district for uses other than dwelling except such as is necessary to comply with the requirements for yard and lot area or parking facilities.

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SECTION XV----SET-BACK BUILDING LINES

In "Agr-R" district, no building or structure or any portion thereof, except steps and uncovered porches less than ten (10) feet in width, shall be erected within fifty (50) feet of the outside right of way of any dedicated road or street. If there is no established outside right of way line by dedication for any road or street, then said outside line shall be deemed to be thirty (30) feet from the center line of the road.

SECTION XVI----SIDES YARDS

For every building erected in an Agr-R district and for any dwelling erected in any district, there shall be a minimum side lot clearance of not less than twenty-five (25) feet, of which not less than ten (10) feet shall be on the road of any structure, which space shall remain open and unoccupied by any building or structure.

No side yard clearance shall be required for commercial or industrial buildings B or I districts.

SECTIONS XVII----CORNER LOTS

The set-back building line on a corner lot shall be in accordance with the provisions of section XV of this Resolution with provisions applicable to each street ordering said corner lot.

SECTION XVIII----REAR YARDS

For every building erected in an Agr-R district, there shall be a minimum rear lot clearance at the rear of said building of not less than ten (10) feet which space shall remain open and unoccupied by any building or structure.

SECTION XIX----MAXIMUM HEIGHT OF BUILDING

No dwelling shall be erected in any district to a height in excess of two-and-one-half (2 1/2) stories or in excess of thirty-five (35) feet and no building or structure for business purposes in excess of fifty (50) feet, measured from the natural grade at the building line to the highest point on the roof, except that these provisions do not apply to the height of a church spire, belfry, clock, wireless tower, chimney, water tank, elevator bulk head, stage tower, scenery loft, or other mechanical appurtenances when erected upon and as an integral part of such building.

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SECTION XX----PARKING FACILITIES

All dwellings and apartment houses shall provide parking space off the road or street and outside of the public right way, together with means of ingress and egress thereto, for not less than one (1) motor vehicle per dwelling unit or apartment. Not less than two hundred (200) square feet of area shall be deemed necessary for each such vehicle.

All class B District uses shall provide parking space off the road or street of the public right of way and not more than three hundred (300) feet distance from entrance to said establishment of an area not less than two hundred (200) square feet for each one hundred (100) square feet of an area of the first floor of said establishment which it serves.

Every theater, auditorium, stadium, arena, building or grounds used for the assembling of persons to attend theatrical performance, show, exhibition, contest, concert, lecture, entertainment or similar activity shall provide off the street or road and outside the public right of way not less than two hundred (200) square feet of space, suitable for parking automobiles and other vehicles, 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.

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

SECTION XXI----HIGHWAYS

In case of an intersection or curve in the highway no structure or foliage shall be permitted at a height greater than three-and-one-half (3-1/2) feet within fifteen (15) feet of the edge of a dedicated highway or within forty-five (45) feet of the center of an undedicated road.

SECTION XXII----ZONING CERTIFICATE

The position of Township Zoning Inspector is hereby created. The Township Zoning Inspector, and such assistants as may be determined necessary, shall be appointed by and serve at the pleasure of the Board of Township Trustees and shall receive compensation as the Board of Township Trustees may provide. The Zoning Inspector shall keep record of all applications for zoning certificates and the action taken thereon.

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Before constructing, locating, changing the use of, or including accessory buildings changing the use of any premises, or altering any building, an applications shall be made to the Zoning Inspector for zoning certificate. The application shall indicate the exact location for the proposed construction, alteration or change of use, and shall include a plot plan, plans, and specifications showing the proposed location and dimensions, height of the building, and the proposed use, all of which shall be included in the permanent record of the application. Within ten (10) days after receipt of the application, the Zoning Inspector shall issue a zoning certificate if the proposed construction, alteration, or change of use if the application complies with the requirements of this Resolution and the application is accompanied by the proper fee, or shall refuse the same, if it does not comply.

The following fees are for the purpose of defraying the cost of inspection, certification and the maintenance of necessary records:

Mobile Home	\$ 5.00 10.00	
Dwellings	5.00 10.00	
Alterations or Addition	3.00 6.00	
Accessory Building	2.00 4.00	
Commercial Building	7.00 14.00	
Mobile Home Park	25.00 + 3.00 per Mobile Home	50.00 + 6.00

Also any additional inspection made by the Zoning Inspector shall be charged to the applicant at the rate of ~~\$2.00~~ per inspection. 4.00

This Resolution shall not be interpreted as interfering with, abrogating, or annulling ordinance, regulations, resolutions, or permits previously adopted or issued by the Board of Township Trustees except where such ordinances, regulations, resolutions, or permits are in conflict with the this Resolution or amendments thereto; in which event this Resolution or amendments thereto shall prevail.

SECTION XXIII----BOARD OF ZONING APPEALS

There is hereby created a Township Board of Zoning Appeals, consisting of five (5) members who shall be residents of the Township included in the area zoned. The terms of the each member shall be five (5) years beginning January 1st, except that the terms of the original members shall be in such length and so arranged that the term of one (1) member will expire each year. Each member shall serve until his successor is appointed and qualified. Vacancies shall be filled by the Board of Township Trustees and shall be for the respective unexpired term. The members of the Board of Zoning Appeals shall serve without compensation.

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The Township Board of Zoning Appeals shall have the following powers:

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning laws or of this Resolution or any amendments thereto.
2. To authorize, upon appeals, in specific cases, such variances 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 or any amendments thereto will result in unnecessary hardship, and so that the spirit of this Resolution shall be observed and substantial justice done.

In exercising the above mentioned powers, such Board may in conformity with the provisions of law and this Resolution and amendments thereto, reverse or affirm, wholly or partly or may modify the order, requirements, or determination as ought to be made, and to that end shall have all powers of the officer from whom the appeal is taken.

The Township Board of Zoning Appeals will organize, and adopt rules in accordance with the provisions of this Resolution. Meetings of the Board of Zoning Appeals shall be held at the call the chairman and at such times as the Board may determine. The chairman, or in his absence the acting chairman, may administer oaths, and the Township 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 facts, and shall keep records of its examinations and other officials actions, all of which shall immediately be filed in the office of the Board of Township Trustees and shall be public record.

Appeals to the Board of Zoning Appeals may be taken by any person aggrieved or any offices of the Township affected by any decision of the administrative officer. Filing of appeals in writing shall be taken within twenty (20) days after the decision and shall include a notice in writing of appeal, specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Township Board of Zoning Appeals all the papers constituting the record upon which the action being appealed was taken from.

The Township Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, given ten (10) days written notice by Registered Mail to the parties in interest and decide the same within thirty (30) days after submitted. Upon the hearing, any party may appear in person or by attorney. Any person adversely affected by a decision of the Township Board of Appeals may appeals may to the Court of Common Pleas of this County on the ground that such decision was unreasonable or unlawful. It shall be unlawful to construct, reconstruct, enlarge, change, maintain, or use any building, or to use any land in violation of any regulation or any provision of this Resolution or amendment thereto. Any person, firm, or corporation violating this Resolution or any regulation, provision or amendment thereto shall deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more

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than one hundred dollars (\$100.00). Each and every day during which such illegal erection, construction, reconstruction, enlargement, change, maintenance, or use continues may be deemed a separate offense.

In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used, or is proposed to be used in violation of law or of this Resolution or any amendment thereto, the Board of Trustees, the Prosecuting Attorney of this County, the Township Zoning Inspector or any adjacent or neighboring property owner who would be especially damaged by such violation in addition to other remedies provided by the law, may institute injunction, mandamus, abatement, or any other appropriate action, actions, proceedings or prevent, enjoin, abate, or remove such unlawful location, construction, reconstruction, erection, enlargement, change, maintenance, or use.

SECTION XXV----AMENDMENTS

The Township Zoning Commission shall meet yearly or at any time upon call by the Chairman of said Commission and may initiate amendments to this Resolution from time to time. Amendments may also be initiated by the Board of Township Trustees or by petition. Before submitting a recommendation on any amendment to this Resolution to the Board of Township Trustees the Township Zoning Commission shall hold not less than one (1) public hearing thereon notice of which shall be given by one (1) publication in one (1) or more newspapers of general circulation in the Township at least thirty (30) days before the date of such hearing. When the Township Zoning Commission has completed its recommendation on the amendment, it shall certify the same to the board of Township Trustees.

After receiving the certification of a proposed amendment to this Resolution from the Township Zoning Commission and before adoption of any such zoning amendment, the Board of Township Trustees shall hold a public hearing thereon, at least thirty (30) days notice of time and place of which shall be given by one (1) publication in a newspaper of general circulation in the Township. Such hearing may be continued from time to time if in the public interest to do so.

No change in or departure from the text or map of the amendments certified by the Township Zoning Commission shall be made unless the same be first submitted to the Township Zoning Commission. Provisions so disapproved must receive the favorable vote of the entire membership of the Board of Township Trustees in order to be adopted.

After receiving a recommended amendment to this Resolution from the Township Zoning Commission and holding public hearing provided for, the Board of Township Trustees shall consider such recommendation and vote upon the recommended amendment to this Resolution. If the amendment to this Resolution is adopted by the Board of Township Trustees, it shall take effect thirty (30) days thereafter unless within said period there is

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presented to the Board of Township Trustees a petition signed by a number of qualified voters residing in the township or part thereof included in the amendment to this Resolution and affected by the amendment, equal to not less than eight percent (8%) of the total vote cast for all candidates for Governor in such area at the last general election in 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, in which event the amendment shall not take effect unless a majority of the electors voting on said issue shall approve the same.

SECTION XXVI----INTERPRETATION

In interpretation, and application, the provisions of this Resolution shall be held to the minimum requirements adopted for the promotion of public health, safety, morals, comfort, and general welfare.

Nothing herein shall repeal, abrogate, annul, or in any way impair or interfere with any provision of law or any rules or regulations, other than zoning regulations, adopted or issued pursuant to law relating to the construction and use of building or premises.

Where this Resolution imposes a greater restriction upon the use of buildings or premises or upon the height of buildings or requires larger yards, than are imposed or required by other provision of law, rules, regulations, covenants or agreements, the provision of this Resolution shall control, but nothing herein shall interfere with, abrogate or annul any easements, covenants, deed restrictions or agreements between parties which impose restrictions greater than those imposed by this Resolution.

SECTION XXVII----VALIDITY

Each section, sub-section, provision, requirement, regulation, or restriction established by this Resolution or any amendment thereto is hereby declared to be independent, and the holding of any part to be unconstitutional, invalid or ineffective for any cause shall not effect nor render invalid this Resolution or amendments thereto as a whole or any part thereof, the particular part so declared to be invalid.

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SECTION XXVIII----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, the 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 BUILDING:-Building or buildings customarily incident to and located on the same lot with another building.

AGRICULTURE:-Shall include land used for farming, dairying, pasturage, horticulture, viticulture, apiculture, floriculture, and animal and poultry husbandry.

ALTERATION:- (See Structural Change)

AREA OF BUILDING:-Number of square feet included within the outside walls, excluding porches, breezeways, and attached garages.

BASEMENT:-A story all or partly underground but having at least one-half (1/2) of its height below the average level of the adjoining ground.

CARPORT: PATIO: PORCH:-A structure projecting from the basic dwelling, either open or semi-enclosed.

CELLAR:-The portion of the building partly underground, having half or more than half of its clear height below the average grade of the adjoining ground.

CORNER LOT:-A lot, with two sides of which are bounded by margins of intersecting dedicated, public or private highways.

DISTRICTS:-Areas designated on zoning map for development of a particular use.

PIERPONT TOWNSHIP ZONING RESOLUTION

DWELLING:-Any building or structure (except a house trailer or mobile 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 (1) or more human occupants.

FAMILY:-Any number of individuals, immediately related by blood, marriage, or adoption living and cooking together as a single housekeeping unit and shall include domestic occupants.

FRONT LOT LINE:-That property line or lines which coincide with road right-of-way boundary or boundaries.

FRONT YARD:-Minimum distance between a structure and the front lot line.

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

IN-HOME-BUSINESS:-Business activities being conducted in or from the residential premises by the occupant of the residence.

JUNK YARD:-Two or more unlicensed vehicles or scrap metal, paper, rags, glass, or other junk are stored for salvage purpose or sale of used parts shall constitute a junk yard.

LOT:-For the purpose 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 spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street.

LOT AREAL:-The number of square feet included by the metes and bounds of the property lines.

MOBILE HOME PARKS:-Means a plot of ground upon which three (3) or more mobile homes occupied for dwelling or sleeping purpose are located, regardless of whether or not a charge is made for such accommodations.

MOBILE HOME SHED:-A structure attached to a mobile home at an exit to provide shelter, ingress, and egress.

MOTEL:-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 contrast with a boarding house, lodging house, or dormitory.

PIERPONT TOWNSHIP ZONING RESOLUTION

MULTI-FAMILY DWELLING-APARTMENTS:-A dwelling consisting of three (3) or more dwelling units, including condominiums, with varying arrangements of entrances and party wall. Multi-family housing include public housing and industrialized units.

NON-CONFORMING USE:-Is a lot or parcel of land which does not comply with the regulations established for particular use, district, or zone in which it is situated and was so prior to the adoption of zoning.

PARCEL:-An area of land shown as one unit on the County Auditor's map or duplicate.

PLANNING COMMISSION:-Its use shall mean the Ashtabula County Planning Commission.

PLAT:- When more than five (5) lots are created from a parcel of land or when a new road is to be accepted by the Township Trustees for maintenance purposes.

PLATTING:-Shall mean the platting for residential development in accordance with Ashtabula County Planning Commission regulations.

PRIVATE STORAGE BUILDING:-A building for private storage only, and may be located on a parcel of land with or without other buildings.

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.

REAR LOT LINE:-That property line opposite the designated front line.

REAR YARD:-Minimum distance between a structure and rear lot line.

RECREATION (CAMP& FACILITIES):-An area of land on which two (2) or more travel trailers, campers, tents, or other similar temporary recreational structures are regularly accommodated with or without charge, included any building, structure or fixture of equipment that is used or intended to be used in connection with providing such accommodations. Public or private facilities that may be classified as either "extensive" or "intensive" depending upon the scope of services offered and 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.

RESIDENTIAL GARAGE:-A structure, or portion thereof, designed and used primarily for the housing of vehicles-automobiles, carriages, etc.

PIERPONT TOWNSHIP ZONING RESOLUTION

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 strip, sidewalks, lighting and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts, and bridges.

SET BACK BUILDING LINE:-Line perpendicular to the set back distance of the specified distance.

SET BACK DISTANCE:-The minimum horizontal distance between the road right-of way and the building line.

SIDE LOT LINE:-Any lot line which is neither a front property line nor a rear property line.

SIDE YARD:-Minimum distance between a structure and the side lot line.

SIGN:-Any device designed to inform or attract the attention of persons who are not on the premises on which the sign is located, whether permanent or temporary.

SINGLE FAMILY DWELLING:-A dwelling entirely detached and independent from any other principal structure, arranged, intended, designed, constructed or reconstructed to be occupied by a single family.

STRUCTURAL CHANGE:-(Alteration) As applied to a building or structure means a change or re-arrangement in the structural parts or in the means of egress; or an enlargement, whether by extending on a side or by increasing in height; or the moving from one (1) location or position to another.

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, or attachment to something having a fixed location on the ground. Among other things, structure includes a building, mobile home, wall, fence, and billboard; however fences used for agricultural purposes shall not be considered a structure.

TENTS:-A portable lodge of skins, canvas, strong cloth, or other durable materials, stretched and sustained by poles, ropes, or other means of securing and used for human shelter.

THOROUGHFARE:-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 services access to the back or side of properties abutting on another street.

PIERPONT TOWNSHIP ZONING RESOLUTION

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

TWO-FAMILY DWELLING:-DUPLEX:-A dwelling arranged, intended, designed, constructed, re-constructed under the same roof, to be occupied by two families living independent of each other and having independent and separate living areas.

VARIANCE:-A variance is a modification of the strict terms of the relevant regulations where such modifications 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.

