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JACKSON TOWNSHIP

CHAMPAIGN COUNTY, OHIO

ZONING RESOLUTION

April 2, 2018
(most recent amendment)

May 2, 2018
(effective date)

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PREAMBLE

A RESOLUTION OF THE TOWNSHIP OF JACKSON, CHAMPAIGN COUNTY, OHIO ENACTED IN ACCORDANCE WITH A COMPREHENSIVE PLAN AND THE PROVISION OF CHAPTER 519, OHIO REVISED CODE, DIVIDING 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 RIGHTS-OF-WAY; PROVIDING THE COMPATIBILITY OF DIFFERENT LAND USES AND THE MOST APPROPRIATE USE OF LAND; PROVIDING FOR THE ADMINISTRATION OF THIS RESOLUTION 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, AND GENERAL WELFARE AND FOR THE REPEAL THEREOF.

THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWNSHIP OF JACKSON, CHAMPAIGN COUNTY, OHIO.

ARTICLE I 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 Jackson, Champaign County, Ohio."

Section 101 Use of Land or Buildings for Agricultural Purposes Not Affected. The uses of land or buildings for agricultural purposes are not affected by this Resolution and no zoning certificate shall be required for any such building or structure or use of land. Residential dwellings do require a permit however.

Section 110 Provisions of Resolution Declared to be the 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, resolutions or deed restrictions, 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 so declared to be unconstitutional or invalid.

Section 130 Effective Date. This resolution shall become effective from the date of its approval, as provided by law.

ARTICLE II 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 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.

(On April 18, 2005, the Jackson Township Trustees passed Resolution 04182005.A. On May 18, 2005 these amendments become effective)

Adult Entertainment Facilities. *A facility having a significant portion of its function as adult entertainment which includes the following listed categories:*

1. **Adult Bookstore.** *An establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting or relating to "specified sexual activities" or "specified anatomical areas" as herein defined or an establishment with a segment or section devoted to the sale or display of such material.*
2. **Adult Booth.** *Any area of a sexually oriented business establishment or tattoo parlor set off from the remainder of such establishment by one or more walls or other dividers or partitions and used to show, play, or otherwise demonstrate any adult materials or to view any live performance that is distinguished or characterized by an emphasis on the exposure, depiction, or description of "specified anatomical areas" or the conduct or simulation of "specified sexual activities."*
3. **Adult Material.** *Any of the following, whether new or used:*
 - a. *Books, magazines, periodicals, or other printed matter, or digitally stored materials that are distinguished or characterized by an emphasis on the exposure, depiction, or description of "specified anatomical areas" or the conduct or simulation of "specified sexual activities."*

- b. *Films, motion pictures, video or audio cassettes, slides, computer displays, or other visual representations or recordings of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, or description of "specified anatomical areas" or the conduct or simulation of "specified sexual activities."*
 - c. *Instruments, novelties, devices, or paraphernalia that are designed for use in connection with "specified sexual activities" or that depict or describe "specified anatomical areas."*
4. **Adult Mini Motion Picture Theatre.** *A facility with a capacity for less than fifty (50) persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas," for observation by patrons therein.*
 5. **Adult Motion Picture Theatre.** *A facility with a capacity of fifty (50) or more persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas," for observation by patrons therein.*
 6. **Adult Entertainment Business.** *Any establishment involved in the sale or services or products characterized by the exposure or presentation of "specified anatomical areas" or physical contact of live males or females, and which is characterized by salacious conduct appealing to prurient interest for the observation or participation in by patrons. Services or products included within the scope of adult entertainment business are photography, dancing, reading, massage, and similar functions which utilize activities as specified above.*

Agriculture. "Agriculture" shall include farming; dairying, pasturage, horticulture; viticulture, animal and poultry husbandry and the raising and/or sales of agricultural products.

Animal Feed Lot. Means a paved animal feeding or holding area or other lot, pen, yard, or other feeding or holding area where grass or other suitable vegetative cover is not maintained.

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

Automotive Vehicle. A vehicle which is designed and manufactured to be self-propelling or self moving upon the public highway. More specifically, as referred to in this Resolution, it includes: automobiles, trucks, tractors, and motorcycles.

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

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 subordinate 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 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. Where a building is located on sloping terrain, the height may be measured from the average ground level of the grade at the building wall.

Building, Manufactured. A manufactured building has the following features or characteristics: It is (1) mass produced in a factory; (2) designed and constructed for transportation to site with or without a chassis for installation and use when connected to required utilities; (3) either an independent, individual factory erected building or a module with two or more sides erected at the factory., for combination with other elements to form a building on the site.

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

Business, Convenience-Type Retail. Retail businesses whose market area is the neighborhood or part of the community, which provides convenience-type goods and personal services for the daily needs of the people within the residential area. Uses include, but need not be limited to, drugstores, beauty salons, barber shops, carry-outs, dry cleaning and laundry facilities, supermarkets, etc.

Business, Drive-in. Any business, structure, or premise which is designed primarily to serve occupants of motor vehicles without the occupants having to leave the vehicle.

Business, Service. Any profit making activity which renders primarily services to the public or to other commercial or industrial enterprises. Some retail sales may be involved in connection with the service rendered.

Business, Shopping-Type Retail. A retail or service business which supplies a wide variety of comparison goods and services to consumers in a market area that includes the community or an area greater than a community. Examples of shopping-type businesses are furniture stores, automobile sales and services, and clothing shops.

Chassis. The steel undercarriage, supporting framework to which a dwelling is permanently attached.

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 not provided with room or board or kept overnight on the premises.

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

Conditional Use. A use permitted within a district other than a principally permitted use, requiring a conditional use permit and approval of the Board of Zoning Appeals. Conditional uses permitted in each district are listed in the Official Schedule of District Regulations.

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.

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 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, except (Housing) Manufactured, consisting of single dwelling unit only, separated from other dwelling units by open space.

Amended 4/18/2005; see page 8

Dwelling, Multi-Family. A dwelling, except (Housing) Manufactured, consisting two or more dwelling units including condominiums with varying arrangements of entrances and party walls.

Amended 4/18/2005; see page 8

Dwelling, (Housing) Manufactured. A manufactured building or portion of a building designed for long-term residential use. This category includes the following:

- (a) Modular Unit. A factory-fabricated transportable building designed to be used by itself or to be incorporated with similar units at a building site. The term is intended to apply to major assemblies and does not include prefabricated panels, trusses, plumbing trees, and other prefabricated sub-elements which are to be incorporated into a structure at the site.
- (b) Sectional Unit. A dwelling made of two or more modular units transported to the home site, put on a foundation, and joined to make a single dwelling.
- (c) Mobile Home. Manufactured housing built on a chassis. A mobile home shall be construed to remain a mobile home, subject to all regulations applying thereto, even when wheels, axles, hitch, or other appurtenances of mobility are removed and regardless of the nature of the foundation provided. A mobile home shall not be construed to be a travel trailer or other form of recreational vehicle.
- (d) Mobile Home, Double-Wide or Triple-Wide. A mobile home consisting respectively of two or three sections combined horizontally at the site to form a single dwelling, while still retaining their individual chassis for possible future movement.
- (e) Mobile Home, Expandable. A mobile home with one or more room sections that fold, collapse, or telescope into the principal unit when being transported and which can be expanded at the site to provide additional living area.

This category does not include the sub-assembly methods of construction known as pre-fab or pre-cut, in which cases some portion of the preparation or sub-assembly may be done at the factory but not erected until at the foundation site.

Amended 3/18/2002; see page 7

Amended 4/18/2005; see page 8

On March 18, 2002, Jackson Township Trustees passed Resolution 3182002. On April 18, 2002 these amendments became effective.

Dwelling (Housing) Manufactured.

Add new subparagraphs (f) and (g).

- (f) *Manufactured Home: means a building unit or assembly of closed construction fabricated in an off-site facility that conforms with the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the Manufactured Housing Construction and Safety Standards Act of 1974. And has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards.*
- (g) *Permanently sited manufactured home: means a manufactured home that meets all of the following criteria:*
 - (1) *The structure is affixed to a permanent foundation and is connected to appropriate facilities:*
 - (2) *The structure, excluding any addition, has a width of at least 22 feet at one point, a length of at least 22 feet at one point, and a total living area of at least 900 square feet, excluding garages, porches, or attachments.*
 - (3) *The structure was manufactured after January 1, 1995.*
- (h) *Page 38 Official Schedule*
Change minimum lot size "width" to "frontage width".

(On April 18, 2005, Jackson Township Trustees passed resolution 04182005A . On May 18, 2005 these amendments became effective)

Dwelling, Single-Family. *A single dwelling unit only, separated from other dwelling units by open space. Detached, individual dwelling units, which accommodate one family living as one housekeeping unit. The type of construction of such units shall conform to the applicable building code, or be classified as an Industrial Unit under the Ohio Basic Building Code, or conform to the Ohio Revised Code (ORC 519.212) definition of permanently-sited manufactured housing, as follows:*

Permanently-Sited Manufactured Housing must:

- a. *Be constructed pursuant to the HUD Code (Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C.A. 88 stat.700, 5401 and 5403) after January 1, 1995;*
- b. *Have a permanent label or tag attached to it as specified in 42 U.S.C.A. 5415, certifying compliance with all federal construction and safety standards;*
- c. *Be attached to a permanent frost-free foundation meaning permanent masonry, concrete, or a locally approved footing or foundation (slab, crawl space foundation or full foundation), and connected to appropriate utilities;*
- d. *Excluding any additions, have a width of at least twenty two (22) feet and a length of at least twenty two (22) feet, as manufactured;*
- e. *Have a total living area of one thousand (1,000) square feet, excluding garages, porches, basements, or attachments;*
- f. *Have conventional residential siding (i.e. lap, clapboard, shake, masonry and vertical natural materials), a six (6) inch minimum eave overhang, and a minimum "A" roof pitch of 3:12;*
- g. *Have removed its indicia of mobility (temporary axles, trailer tongue, running lights) upon placement upon its foundation;*
- h. *Meet all applicable zoning requirements uniformly imposed on all single-family dwellings in the particular district (excepting contrary requirements for minimum roof pitch and requirements that do not comply with HUD code standards for manufactured housing);*
- i. *And, is not located in a manufactured home park as defined by ORC 3733.01.*

Dwelling, Multi-Family. *A dwelling, except (Housing) Manufactured, consisting of two or more dwelling units including condominiums with varying arrangements of entrances and party walls.*

Dwelling, Manufactured Home. *A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the Federal Construction and Safety Standards established by the Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974, 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable Federal construction and safety standards. This category does include the sub-assembly methods of construction known as pre-fab or pre-cut, in which cases some portion of the preparation or sub-assembly may be done at the factory and erected at the foundation site.*

- (a) **Modular Unit.** *A factory-fabricated transportable building designed to be used by itself or to be incorporated with similar units at a building site. The term is intended to apply to major assemblies and does not include prefabricated panels, trusses, plumbing trees, and other prefabricated sub-elements which are to be incorporated into a structure at the site.*
- (b) **Sectional Unit.** *A dwelling made of two or more modular units transported to the home site, put on a foundation, and joined to make a single dwelling.*

Dwelling, Mobile Home. *A non self-propelled building unit or assembly of closed construction that is fabricated in an off-site facility, built on a permanent movable chassis which is eight (8) feet or more in width and more than thirty five (35) feet in length, which when erected on site is three hundred and twenty (320) or more square feet, that is transportable in one or more sections and which does not qualify as a manufactured home or industrialized unit as defined herein.*

- (a) **Mobile Home, Double-Wide or Triple-Wide:** *A mobile home consisting respectively of two or three sections combined horizontally at the site to form a single dwelling, while still retaining their individual chassis for possible future movement.*
- (b) **Mobile Home, Expandable.** *A mobile home with one or more room sections that fold, collapse, or telescope into the principal unit when being transported and which can be expanded at the site to provide additional living area.*
- (c) **Industrialized Unit.** *A building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site of intended use. "Industrialized Unit," includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. "Industrialized Unit" does not include a manufactured or mobile home as defined herein.*

Dwelling, Stick-built. *A way of describing any structure built from boards of lumber and other building materials, in which a substantial amount of the required material and construction labor are brought together in final form at the foundation site.*

STATEMENT OF INTENT FOR DWELLING (HOUSING), MANUFACTURED DEFINITION

Because terms for manufactured housing such as those listed in the above definition titled Dwelling, (Housing) Manufactured tend to change over the years, the purpose and intent of the definition is to draw a distinction between dwellings that are produced and erected in assembly line style at the factory, from those stick-built dwellings (see definition of Stick-built) in which a substantial amount of material and construction labor are brought together in final form at the foundation site. The above explanation is the spirit in which any future

interpretation shall be made from this section, no matter what terms for manufactured housing are in vogue at any given time.

This category does not include the sub-assembly methods of construction known as pre-fab or pre-cut, in which cases some portion of the preparation or sub-assembly may be done at the factory but not erected until at the foundation site.

April 18, 2005, the Jackson Township Trustees passed resolution 04182005A. On may 18, 2005 this amendment became effective.

This category does include the sub-assembly methods of construction known as pre-fab or pre-cut, in which cases some portion of the preparation or sub-assembly may be done at the factory and erected at the foundation site.

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.

Essential Services. The erection, construction, alteration or maintenance, by public utilities, municipal or other governmental agencies, of underground gas, electrical, 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 service by such public utilities, municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

Family. One or more related persons occupying a single dwelling unit.

Floor Area of a Residential Building. The sum of the gross horizontal area or the several floors of a residential building, excluding basement floor areas not devoted to residential use and attached garages, 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, washrooms, elevator shafts, maintenance shafts, and rooms.

Floor Area, Useable. 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, meat processing plants and similar activities.

Gasoline Service Station. Buildings and premises where gasoline, oil, grease, batteries, tires, and automobile accessories may be supplied and dispensed at retail.

Hazardous Wastes. Means those substances which, singly or in combination, pose a significant present or potential threat or hazard to human health or to the environment, and which, singly or in combination, require special handling, processing, or disposal, because they are or may be flammable, explosive, reactive, corrosive, toxic, infectious, carcinogenic, bioconcentrative, or persistent in nature, potentially lethal, or an irritant or strong sensitizer.

Home Occupation. An occupation conducted in a dwelling unit, provided that: No more than one person other than members of the family residing on the premises shall be engaged in such occupation. 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 thirty-five (35%) percent of floor area of the dwelling unit shall be used in the conduct of the home occupation. 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, nor exceeding four (4) square feet in area, non-illuminated and mounted flat against the wall of the principal building. No traffic shall be generated by such occupation in greater volume than would normally be expected in such a residential area 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.

Junk. "Junk" means old 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 Yard. "Junk Yard" means an establishment or place of business which is maintained or operated, or any other land used, for the purpose of storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard. It shall also include scrap metal processing facilities which are located within one thousand (1,000) feet of the nearest edge of the right-of-way of a highway or street.

Kennel. Any lot or premise on which dogs, cats, or other household pets are boarded, bred or exchanged for monetary compensation.

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

space. All off-street loading spaces shall be located totally outside of any street or alley right-of-way.

Lot. For purposes of this Resolution, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area for one principal building together with its accessory building and which provides such yards and other open spaces are herein required. Such lot shall have frontage on an improved public street or road, 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 or road. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets or roads shall be considered frontage, and yards shall be provided as indicated under "Yard" in this section.

On March 18, 2002 Jackson Township Trustees passed Resolution 3182002. On April 18, 2002 these amendments became effective.

Lot Frontage. *The front of a lot shall be the portion at the street or road right-of-way line. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to street or road right-of-way lines shall be considered frontage, and yards shall be provided as indicated under "Yard" in this section. (Also see Lot Measurement Width).*

Lot Measurements. *A lot shall be measured as follows:*

- (1) Depth. No change.*
- (2) Width. The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the street or road right-of-way line, except on cul-de-sac streets where it is measured at the setback line. (Also see Lot Frontage)*

Minimum Area of. The area of a lot is computed exclusive of any portion of the right-of-way of any public or private street or road.

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 rearmost points of the side lot

lines in the rear. No lot shall have an average depth which is more than three (3) times its average width.

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. (*Also, see amendment 3182002, page 12*)

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 or road. Through lots abutting two streets or roads may be referred to as double frontage lots.
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.

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 services and facilities, ready access to regional transportation; and normally generate some nuisances such as smoke, noise, dust, glare, air pollution, odor, but not beyond the district boundary to any large extent.

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; operate and store within enclosed structures; and generate little industrial traffic and no major nuisances.

On April 2, 2018 the Jackson Township Trustees passed Resolution 04022018A. On May 2, 2018 these amendments became effective.

Medical Marijuana Related Definitions.

- a) **Cultivate.** Means to grow, harvest, package, and transport medical marijuana pursuant to ORC 3796.
- b) **Cultivator.** Means an entity that has been issued a certificate of operation by the State of Ohio to grow, harvest, package, and transport medical marijuana as permitted under ORC 3796.
- c) **Dispensary.** Means an entity licensed pursuant to ORC 3796 and any rules promulgated thereunder to sell medical marijuana to qualifying patients and caregivers.
- d) **Dispense.** Means the delivery of medical marijuana to a patient or the patient's registered caregiver that is packaged in a suitable container appropriately labeled for subsequent administration to or use by a patient as permitted by Ohio law in accordance with Ohio law.
- e) **Manufacture.** Means the process of converting harvested plant material into marijuana extract by physical or chemical means for use as an ingredient in a medical marijuana product.
- f) **Marihuana.** Has the same meaning as defined in ORC 3719.01, as amended from time to time.
- g) **Marijuana.** Has the same meaning as defined in ORC 3796.01, as amended from time to time.
- h) **Medical Marijuana.** Has the same meaning as defined in ORC 3796.01, as amended from time to time.
- i) **Medical Marijuana Entity.** Means a medical marijuana cultivator, processor, dispensary, or testing laboratory licensed by the State of Ohio.
- j) **Medical Marijuana Processor.** Means an entity that has been issued a certificate of operation by the State of Ohio to manufacture medical marijuana products.
- k) **Testing Laboratory.** Means an independent laboratory located in Ohio that has been issued a certificate of operation by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis.

Mining, Commercial Quarries, Sand and Gravel Pits. Any mining, quarrying or processing of limestone, clay, sand and gravel or other mineral resources. Also referred to as mineral extraction.

Mobile Home Park. Any site, or tract of land under single ownership, upon which three (3) or more mobile 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.

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

Non-Conformities. A building, structure or use of land existing at the enactment of this resolution and which does not conform to the regulation 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, (Greenhouse) Tree and Plant. A place where young trees or other plants are raised for transplanting and/or for sale.

Offices. Quasi-commercial uses which may often be transitional between retail business and/or manufacturing and residential uses. Office business generally accommodates such occupations as administrative, executive, professional, accounting, clerical, drafting, etc. Institutional offices of a charitable, philanthropic, financial or religious or educational nature are also included in this classification.

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

Orchards. An area of land devoted to the cultivation and sale of fruit trees and the sale of fruit therefrom.

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.

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

Printing and Publishing. Any business which is engaged in the printing and/or publishing of newspapers, magazines, brochures, business cards and similar activities either for profit or non-profit.

Public Service Facility. The erection, construction, alteration, operation or maintenance of buildings, power plants, substations, water treatment plant or pump station, sewage disposal plant or pump station, communications facilities and/or equipment, electrical, gas, water and sewerage service and other similar public service structures or facilities whether publicly or privately owned; but excluding sanitary landfills.

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

Quasi-Public Use. Churches and other facilities of an educational, religious, charitable, philanthropic, or non-profit nature.

Recreation, Commercial. Any business which is operated as a recreational enterprise, either publicly or privately owned, for profit. Examples include, but are limited to: golf courses, bowling alleys, swimming pools, tourist attractions, etc.

Recreation, Non-Commercial. Any business which is operated as a recreational enterprise, either publicly or privately owned, for non-profit. Examples include, but are not limited to: fishing areas, parks, archery ranges, etc.

Recreational Vehicle. A vehicle type unit primarily designed as temporary (not more than 120 days) living quarters for recreational, camping, or travel use only, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper, and motor home.

Recreational Vehicle Park. A parcel of land upon which two (2) or more recreational vehicles sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

Recreational Vehicle Site. A plot of ground within a recreational vehicle park intended for the accommodation of either a recreational vehicle, tent, or other individual camping unit on a temporary basis.

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

Salvage Motor Vehicle. Means any motor vehicle which is in a wrecked, dismantled, or worn out condition, or unfit for operation as a motor vehicle.

Sanitary Landfill. Means a land disposal site employing a method of disposing of solid wastes on land in a manner intended to minimize environmental hazards by spreading the solid wastes in thin layers, compacting the solid wastes to the smallest practical volume, and applying and compacting cover material daily.

Seat. For 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.

Sign. 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, Ground.** Means a display sign supported by uprights or braces in or upon the ground surface.
6. **Sign, Marquee.** Means a display sign attached to or hung from a marquee, canopy or other covered structure projecting from and supported by the building and extending beyond the building wall, building line, or street lot line.
7. **Sign, Pole.** Means any sign which is erected on a pole or poles, which is wholly or partially independent of any building for support.
8. **Sign, Projecting.** Means a display sign which is attached directly to the building wall and which extends more than fifteen (15) inches from the face of the wall.
9. **Sign, Roof.** Means a display sign which is erected, constructed, and maintained above the roof of the building.
10. **Sign, Temporary.** Means a display sign, banner or other advertising device constructed on cloth, canvas, fabric or other light temporary material, with or without a structural frame, intended for a limited period of display, including decorative displays for holidays or public demonstrations.
11. **Sign, Wall.** Means a display sign which is painted on or attached directly to the building wall and which extends not more than fifteen (15) inches from the face of the wall.

Service Station. Any building, structure, or land used for the dispensing and sale at retail of any automobile fuels, oils, for accessories, including lubrication of automobiles and replacement or installation of minor parts and accessories but not including major repair work.

Solid Wastes. Means such unwanted residual solid or semisolid material as results from industrial, commercial agricultural, and community operations, excluding earth or material from construction, mining, or demolition operations, and also, and other substances which are not harmful to public health, and includes, but is not limited to, garbage, combustible and non-combustible material, street dirt, and debris. For purposes of this definition, "material from construction operations" and "material from demolition operations" are those items affixed to the structure being constructed or demolished, such as brick, concrete, stone, glass, wallboard, framing and finishing lumber, roofing materials, plumbing, plumbing fixtures, wiring, and insulation material.

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, mobile 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. Farm ponds are exempt from this definition.

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.

Toxic or Hazardous Material. Means any substance or mixture by physical characteristic such as flammability, corrosivity, toxicity, reactivity, or infectious characteristics as to pose, a significant or potential hazard to water supplies or human health if such substances were discharged to land or waters of the community or township.

Transient Lodgings. 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. Examples include: hotel, motel and apartment hotel.

Transport Terminals. Any business, structure, or premise which primarily receives or distributes goods.

Transportation, Director of. The Director of the Ohio Department of Transportation.

Use. The specific purposes 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 over-night accommodations on the premises

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

Wholesale and Warehouse. Business establishments that generally store and sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments or manufacturing establishments.

Yard. A required open space other than a courtyard 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 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.

Zoning Certificate. A document issued by the Zoning Inspector authorizing the occupancy or use of a building or structure or the actual use of lots or land in accordance with the previously issued Zoning Permit.

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.

ARTICLE III 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 therefore, 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 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 six (6) months or substantially completed within one and one-half (1.5) years. At a minimum, the application shall contain the following information.

1. Name, address, and telephone number of the applicant;
2. Legal description of the 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 building(s) 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 thirty (30) days after the receipt or 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 six (6) months. 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 within a radius of five hundred (500) feet from the point of intersection or 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 or any extension thereof agreed upon by 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 six (6) months 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 one and one-half (1.5) 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. Extensions, if granted, shall be in six (6) months increments, not to exceed one and one-half (1.5) years.

Section 310 Certificate of Occupancy. It shall be unlawful to use or occupy or permit the use of occupancy of any building or premises or both, or part thereof created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a certificate of occupancy shall have been issued therefore by the Zoning Inspector stating that the proposed use of the building or land conforms to the requirements of this Resolution.

On April 18, 2005 Jackson Township Trustees passed Resolution 04182005A. On May 18, 2005 this amendment became effective.

Delete Section 310.

Section 311 Temporary Certificate of Occupancy. A temporary certificate of occupancy may be issued by the Zoning Inspector for a period not exceeding six months during alterations or partial occupancy of a building pending its completion.

On April 18, 2005 Jackson Township Trustees passed Resolution 04182005A. On May 18, 2005 this amendment became effective.

Delete Section 311.

Section 312 Record of Zoning Permits and Certificates of Occupancy. The Zoning Inspector shall maintain a record of all zoning permits and certificates of occupancy and copies shall be furnished upon written request to any person.

On April 18, 2005 Jackson Township Trustees passed Resolution 04182005A. On May 18, 2005 this amendment became effective.

Delete "Certificate of Occupancy" from text.

Section 320 Failure to Obtain a Zoning Permit or Certificate of Occupancy.

Failure to obtain a zoning permit or certificate occupancy all be a violation of this Resolution and punishable under Section 350 of this Resolution.

On April 18, 2005 Jackson Township Trustees passed Resolution 04182005A. On May 18, 2005 this amendment became effective.

Delete Certificates of Occupancy from the text.

Section 330 Construction and Use To Be As Provided In Applications, Plans,

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

On April 18, 2005 Jackson Township Trustees passed resolution 04182005A. On May 18, 2005 this amendment became effective.

Delete "Certificates" from the text.

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.

On April 6, 1998 Jackson Township Trustees passed Resolution 4061998. On May 6, 1998 this amendment became effective.

Section 340 Complaints Regarding Violations. *Add Trustees and Zoning Inspector to the first sentence. Whenever a violation of this Resolution occurs, or is alleged to have occurred, any person, Trustees, or Zoning Inspector may file a written complaint.*

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 minor 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 and in addition shall pay all costs and expenses involved in the case. Such sum may be recovered in a court of jurisdiction in Champaign County by the legal representative of the Township, in the name of the Township and for the use thereof. 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 Board of Township Trustees 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, applications, variances, conditional use permits, plan approvals, and other matters pertaining to the administration and enforcement of this Resolution requiring investigation, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the office of the Township Trustees, and may be altered or amended only by the 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 IV NON-CONFORMITIES

Section 400 Intent. Within the districts established by this Resolution or future 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 or discontinued. 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 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 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 Article 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 Section 540 through 549

Section 431 Non-Conforming Lots of Record in Combination. If two (2) 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 nonconforming use of land.

Section 450 Non-Conforming Structures. Where a lawful structure exists at the effective date of adoption or amendment 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 a 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 fire or an Act of God, it may after approval by the Board of Zoning Appeals, be reconstructed as it previously existed. All remaining debris shall be cleared away and disposed of properly within two (2) months of the time of destruction.

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 456 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 the structure, or structure and land in combination is discontinued or abandoned for more than (2) years (except when government access impedes access to the premises), the structure or structure and land 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 except as stated in Section 450 paragraph 2.

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 a non-conforming use in such district, but shall without further action be considered a conforming use.

ARTICLE V ADMINISTRATION

Section 500 Office of Zoning Inspector Created. A Zoning Inspector designated by the Board of Township Trustees shall administer and enforce this Resolution. He or she may be provided with the assistance of such other persons as the Trustees may direct.

Section 501 Duties of the 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, he 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 and such similar administrative duties as are permissible under the law.

Section 510 Proceedings or 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 purposes 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;

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), 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 Trustees for cause upon written charges and after public hearing. Vacancies shall be filled by appointment by the 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 Duties of the Board of Zoning Appeals. In exercising its duties, the Board may, as long as such action is in conformity with the terms of this Resolution, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and make such order, requirement, decision, or determination as ought to be made, and to that end shall have the powers of the Zoning Inspector from, whom the appeal is taken. A concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Inspector or to decide in favor of the applicant on any matter upon which it is required to pass under this Resolution or to effect any variation in the application of this Resolution. For the 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 such variances 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 as 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.

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 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 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 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 Section 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 the cause shown.

Section 543 Variances. The Board of Zoning Appeals may authorize upon appeal in special 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 telephone number of applicants;
2. Legal description of property;
3. Description or 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 newspaper of general circulation in the township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance.

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. Parties of interest shall include, but not be limited to, property owners contiguous to and directly across the road (street) from the property concerned. 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 547, 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 Section 561-563, 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 and 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 Section 562-568, inclusive.

Section 562 Contents of Application for Conditional Use Permit. An application for a 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 telephone number of the 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 areas, 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, odor, and fumes on adjoining property; a discussion of the general compatibility with adjacent and other properties in the district.

Section 563 General Standards Applicable to all Conditional Uses. 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 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;
3. Will not be hazardous or disturbing to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
5. 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;
6. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, or odors;
7. Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

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 Section 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. Change of ownership shall have no affect on the validity of the conditional use.

ARTICLE VI AMENDMENT

Section 600 Procedure for Amendment or District Changes. This resolution may be amended utilizing the procedures specified in Sections 601-611, inclusive if this resolution.

Section 601 General. Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Board of Township Trustees may by Resolution, after receipt of recommendation thereon from the Zoning Commission, and subject to 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 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 telephone number of the applicant;
2. Present use;
3. Present zoning district;
4. Proposed use;
5. Proposed zoning district;
6. 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;
7. A list of all property owners and their addresses who are within, contiguous to, and directly across the road (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;
8. A fee as established by the Township Trustees, according to Section 360.

Section 604 Transmittal to Zoning Commission. Immediately after the adoption of a resolution by the 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 Zoning

Commission. The Zoning Commission shall comply with all the requirements of Chapter 519.12 of the Ohio Revised Code, as amended.

Section 605 Submission to Director of Transportation. Before any zoning amendment is approved effecting 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 mail or certified mail to the Director of Transportation. The 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 Trustees that he shall proceed to acquire the land needed, then the Trustees shall refuse to approve the rezoning. If the Director of Transportation notifies the 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 by the Director of Transportation and the property owner, the Trustees shall proceed as required by law.

Section 606 Recommendation by Zoning Commission. Within seventy (70) days from the receipt of the proposed amendment, the Zoning Commission after public hearing and complying with all the requirements of Chapter 519.12 of the Ohio Revised Code, shall transmit its recommendation to the Township Trustees. The Zoning Commission may recommend 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 denied.

Section 607 Public Hearing by Township Trustees. Upon receipt of the recommendation from the Zoning Commission, the township trustees shall schedule a public hearing. Said hearing shall be not more than thirty (30) days from the receipt of the recommendation from the Zoning Commission.

Section 608 Notice of Public Hearing in Newspaper. Notice of the public hearing required in Section 607 shall be given by the Township Trustees in compliance with all the requirements of Chapter 519.12 of the Ohio Revised Code as amended.

Section 610 Action by Township Trustees. Within twenty (20) days after the public hearing required in Section 607, the Township Trustees shall either adopt or deny the recommendation of the Zoning Commission, or adopt some modification thereof. In the event the Trustees denies or modifies the recommendation of the Zoning Commission, it must do so by a unanimous vote.

Section 611 Effective Date and Referendum. Such amendment adopted by the Trustees shall become effective thirty (30) days after the date of adoption unless within thirty (30) days after the adoption of the amendment there is presented to the Trustees a referendum petition, which is filed in accordance with Section 519.12 of the Ohio Revised Code as amended.

ARTICLE VII PROVISIONS FOR OFFICIAL ZONING MAP

Section 700 Official Zoning Map.

The districts established in Article 8 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 chairperson of the Board of Township Trustees and attested by the Township Clerk.

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 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 such 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 there from 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.

ARTICLE VIII ESTABLISHMENT AND PURPOSE OF DISTRICTS

Section 800 Intent.

The following zoning districts are hereby established for the Township. 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 Rural District (U-1).

The purpose of the rural district is to provide land which is suitable or used for agriculture, conservation, very low density residence and public and quasi-public purpose. Very low density residential land use refers to farm housing units and isolated residential developments not requiring a major plat under Champaign County's Subdivision Regulations. (A major plat consists of 6 or more lots). Some residential, commercial, and industrial development may be permitted as conditional uses under Section 560. On-site water and sewer facilities are permitted, provided such facilities comply with the Champaign County Health Department's Regulations. Specific Permitted and Conditional uses are listed on the Official Schedule of District Regulations.

Section 811 Low Density Residential District (R-1).

The purpose of the low-density residential district is to provide land for single-family dwelling units not to exceed four dwellings per acre with a central sewage system. This district shall also include land that is subdivided which requires a major plat under Champaign County's Subdivision Regulations. (A major plat consists of 6 or more lots). Specific Permitted and Conditional Uses are listed on the Official Schedule of District Regulations.

Section 812 Medium Density Residential District (R-2). The purpose of the R-2 District is to permit the establishment of medium density single family dwellings not to exceed eight (8) dwelling units per gross acre with a central sewage system. This classification more closely resembles the existing development density within the older platted unincorporated community within the township. This district is also designed to permit multi-family dwellings as a conditional use. Specific Permitted Uses and Conditional Uses are listed on the Official Schedule of District Regulations.

Section 813 Local Business District (B-2). The purpose of the service business district is to provide land for retail and personal service establishments offering convenience-type goods and services for the daily needs of the people. Shopping-type retail facilities are also permitted within this district. Specific Permitted and Conditional Uses and minimum requirements are listed on the Official Schedule of District Regulations.

Section 816 Heavy Manufacturing District (M-2). The purpose of the heavy manufacturing district is to provide land for the development or operation of major manufacturing, processing, warehousing, research and testing facilities. These activities may require extensive community facilities or reasonable access to collector and arterial highways; they may have extensive open storage and service areas and generate heavy traffic. Specific Permitted and Conditional uses are listed on the Official Schedule of District Regulations.

ARTICLE IX 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; or as otherwise granted by the Board of Zoning Appeals.

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.

On March 18, 2002 Jackson township Trustees passed Resolution 3182002. On April 18, 2002 this amendment became effective.

Add to 1. Only one(1) Dwelling unit is permitted on each lot of record.

2. No building or other structure shall be erected or altered:
 - 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;
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 and in Article 10 of this Resolution, "Supplementary District Regulations." Regulations for Mobile Home Parks shall be those specified in Article 13.

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

| <u>Zoning Districts</u> (Symbols as used on the Official Zoning Map) | <u>Permitted Uses</u> (Accessory Uses and essential services are included) | <u>Conditional Uses</u> (Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals) |
|---|---|--|
| 1 | 2 | 3 |
| U-1 RURAL UNDEVELOPED | Single family dwelling; Agriculture; Conservation; Very low density residential; Home occupation; Roadside vegetable produce stands; Manufactured dwelling (Modular and sectional units); Public and quasipublic uses; Nursery (Greenhouse) Tree & Plant. | Kennel; Service business; Mineral extraction; Convenience and Shopping-type retail; Public service facility; Personal services; Offices; Light manufacturing; Wholesale and warehousing; Essential services; Junk Yard; Commercial and non-commercial recreation; Manufactured dwelling (mobile home); Manufactured dwelling (mobile home) park; Veterinary Animal hospital or Clinic; Motor vehicle salvage facility. |
| R-1 LOW DENSITY RESIDENTIAL | Single-family dwelling; Public & quasi-public uses; Manufactured dwelling (Modular & sectional units). | Essential services; Service business; Home Occupation; Manufactured dwelling (mobile home). |
| R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT | Single-family Dwelling; Manufactured dwelling (Modular and sectional units); Public and Quasi-public Use. | Home Occupation; Personal Services; Essential Services; Manufactured dwelling (mobile home); Multi-family dwelling. |
| | | |
| B-2 LOCAL BUSINESS | Convenience and shopping-type retail; Personal services; Offices; Gasoline service station; Service business; Personal Services; Eating & drinking establishments; Commercial recreation; Single-family dwellings*; Public & quasi-public uses; Warehouses; Transient lodgings; Nursery (Greenhouse) Tree and Plant; Manufactured dwelling (modular & sectional). | Light manufacturing; Multi-family dwelling*; Public service facility; Essential Services; Manufactured dwelling (mobile home). |
| M-2 HEAVY MANUFACTURING | Light & heavy manufacturing; Service business; Offices; Wholesale & warehousing; Transport terminals; Public quasi-public uses; Single-family dwelling*; Mineral Extraction; Supply yard; Manufactured dwelling (modular & sectional). | Public service facility; Manufactured dwelling (mobile home); <i>Adult Entertainment (added Resolution 04182005A effective May 18, 2005).</i> |

In 1995 Jackson Township Trustees passed a Resolution

Lot Size Change. *To change the minimum lot size in U-1, R-1, R-2 from 31,280 square feet to 43,560 square feet; width change from 125 ft. to 150 ft. (Exclusive of right-of-way).*

On April 6, 1998 Jackson Township Trustees passed Resolution 4061998. On May 6, 1998 these amendments became effective.

Lot Size Change. *Change minimum lot size U-1, R-1, R-2 from 43,560 square feet to 72,500 square feet; width change from 150 feet to 250 feet, exclusive of right-of-way. All lots shall be serviced by one private frontage access driveway.*

On March 18, 2002 Jackson Township Trustees passed Resolution 3182002. On April 18, 2002 these amendments became effective.

Page 44, Official Schedule.

Change minimum lot size "width" to "frontage width".

On October 17, 2005 Jackson Township Trustees passed Resolution 10172005.A. On November 17, 2005 these amendments became effective.

Page 44, Official Schedule.

Change Minimum Lot Size in R-1, single household from 10,800 square feet to 43,560 square feet (1 acre) and change the Frontage Width from 80' to 175'.

Change Minimum Lot Size in R-2 single household from 5,400 square feet to 43,560 square feet (1 acre) and change the Frontage Width from 60' to 150'.

Change Minimum Lot Size in R-2 multi households from 2,700 square feet to 21,780 square feet (1/2 acre) per household, change the Frontage Width from 70' to 100', and change the Floor Area from 575 to 1000 square feet.

Add to Column 5, Lot Size With Group or Central Sewage Treatment, U-1 Minimum Lot Size 72,500 square feet and Frontage Width 250'.

| MINIMUM LOT SIZE | | FRONT AGE | MAXIMUM % OF LOT TO BE OCCUPIED | MINIMUM FLOOR AREA | MAXIMUM HEIGHT (principal buildings) | | MINIMUM YARD DIMENSIONS (ft.) | | |
|-------------------------------|--|--|-----------------------------------|--------------------|--------------------------------------|-----------|-------------------------------|------------|------|
| With sewage on-site treatment | With group or central sewage treatment | Width/ Feet 2002- frontage width | Principal and Accessory Buildings | Sq. ft. | # of Stories | # of Feet | Front | Side Yards | Rear |

| | |
|---------------|-------------------|
| One side yard | Sum of side yards |
|---------------|-------------------|

| | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
|-----|-----------------------------------|---|---|----|--|----------------|--------------|----------------------|--------------------|----------------------|----------------------|
| U-1 | 31,250 43,560 72,500 | ----- 72,500- | 125' 150' 250' --250' | 25 | 1000* | 2.5 | 35 | 50 | 20 | 40 | 40 |
| R-1 | 31,250 43,560 72,500 | ----- 10,800 43,560 | 125' 150' 250' 80' 175' | 25 | 1,000* | 2.5 | 35 | 50 (35) | 20 (10) | 40 (20) | 30 (30) |
| R-2 | 31,250 43,560 72,500 | 5,400 (single) 43,560 2,700 (multi) 21,780 | 125' 150' 250' 60' 150' 70' 100' | | 800* (Single) 1000 575 (Multi) 1000 | 2.5 2.5 | 35 35 | 50 (30) 25 | 20 (4) 8 | 40 (10) 20 | 30 (30) 30 |

| | | | | | | | | | | | |
|------------|---------|-----------------|------------|----|-------|---|----|----|----|----|----|
| | | | | | | | | | | | |
| B-2 | 40,000 | ----- 15,000 | 150 100 | 50 | none | 2 | 30 | 30 | 15 | 25 | 30 |
| | | | | | | | | | | | |
| M-2 | 130,000 | ----- 40,000 | 200 150 | 50 | none* | 3 | 45 | 80 | 25 | 50 | 40 |

| | ACCESSORY BUILDINGS Maximum Height (feet) Minimum distance in feet | | MINIMUM MANDATORY OFF- STREET PARKING SPACE (One unit for each) | MINIMUM MANDATORY OFF- STREET LOADING SPACE | SIGNS PERMITTED | OTHER PROVISIONS AND REQUIREMENTS (Supplementary regulations prohibitions, notes etc.) | |
|------------|--|------------------|---|--|-----------------|---|--|
| | Side Lot Line | Rear Lot Line | | | | | |
| | 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| U-1 | 20 | 10 | 10 | (See Article XI) | See Article XI | See Article XII | *900 square feet for mobile dwelling; |
| R-1 | 15 | 10 (5) | 10 (10) | (See Article XI) | See article XI | See Article XII | *900 square feet for mobile dwelling. Use parenthesis figures if central sewage. |
| R-2 | 15 | 10 (2) | 10 (5) | (See Article XI) | See Article XI | See Article XII | *900 square feet for mobile dwelling. (Use parenthesis figures if central sewage. |
| | | | | | | | |
| B-2 | 15 | 0 | 0 | (See Article XI) | See Article XI | See Article XII | *For residential, refer to R-2 District regulations. |
| M-2 | 25 | 10 | 20 | (See Article XI) | See article XI | See Article XII | *For residential, refer to R-2 District regs. **Non-residential use cannot be conducted closer than 40 feet to any lot line of a residential structure. |

ARTICLE X SUPPLEMENTARY DISTRICT REGULATIONS

Section 1000 General.

The purpose of the supplementary district regulations is to set specific conditions for various uses, classification of uses or areas where problems may frequently be encountered.

Section 1001 Conversion of Dwellings to More Units.

A residence may be converted to accommodate an increased number of dwelling units provided:

- 1) The yard dimensions, including minimum lot width still meet the yard dimensions required by the Zoning Regulations for new structures in that district in which the dwelling is located;
- 2) The lot area per family equals the lot area requirements for new structures in that district;
- 3) The floor area per dwelling unit is not reduced to less than that which is required for new construction in that district.

Section 1002 Private Swimming Pools.

A private swimming pool, not including farm ponds, shall be any pool, lake, or open tank not located within a completely enclosed building and containing or normally capable of containing water to a depth at any point greater than one and one-half inches. No such swimming pool, exclusive of portable swimming pools with a diameter less than twelve (12) feet or with an area of less than one hundred (100) square feet shall be allowed in any residential district, except as an accessory use and unless it complies with the following conditions and requirements:

On April 6, 1998 Jackson Township Trustees passed Resolution 4061998. On May 6, 1998 this amendment became effective.

Section 1002 Private Swimming Pools. *Omit the word "residential" from the paragraph.*

- 1) The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located;
- 2) It may not be located, including any walks or paved areas or accessory structures adjacent thereto, closer than ten (10) feet to any property line of the property on which it is located;
- 3) The swimming pool or the entire property on which it is located shall be walled or fenced to prevent uncontrolled access by children from adjacent properties. Said fence or wall shall be not less than five (5) feet in height and maintained in good condition with a gate and lock.

Section 1003 Community or Club Swimming Pools.

Community and club swimming pools are permitted as commercial or non-commercial recreation in accordance with the Official Schedule of District Regulations, and shall comply with the following conditions and requirements:

- 1) The pool is intended solely for the enjoyment of the members and families and guests of members of the association or club under whose ownership or jurisdiction the pool is operated;
- 2) The pool and accessory structures thereto, including the areas used by the bathers, shall not be closer than fifty (50) feet to any property line;
- 3) The swimming pool and all of the area used by the bathers shall be walled or fenced to prevent uncontrolled access by children from the thoroughfare or adjacent properties. Said fence or wall shall not be less than five (5) feet in height and maintained in good condition.

Section 1004 Temporary Buildings.

Temporary buildings, construction trailers, equipment and materials used in conjunction with construction work only may be permitted in any district during the period construction work is in progress, but such temporary facilities shall be removed upon completion of the construction work. Storage of such facilities or equipment beyond the completion date of the project shall require a zoning permit authorized by the Zoning Inspector.

Section 1005 Parking and Storage of Certain Vehicles.

The following provisions and requirements shall pertain to the parking and storage of certain vehicles:

- 1) The parking or storage, within any district, of automotive vehicles without current license plates, for a period of more than thirty (30) days shall be prohibited unless such vehicle is stored in an enclosed garage or other accessory building;
- 2) The parking or storage, within any district, of a disabled automotive vehicle for a period of more than thirty (30) days shall be prohibited unless such vehicle is stored in an enclosed garage or other accessory building;
- 3) The parking or storage, within any district, of a junked, dismantled, or wrecked automotive vehicle or parts thereof which are in public view of any highway for a period of more than thirty (30) days shall be prohibited. (*Amended*)

On April 18, 2005 Jackson Township Trustees passed Resolution 04182005A. On May 18, 2005 this amendment became effective.

Section 1005 Parking and Storage of Certain Vehicles. *Change language # 3) to read:*

The parking or storage, within any district, of a junk, dismantled, or wrecked automotive vehicle or parts thereof for a period of more than thirty (30) days shall be prohibited unless such vehicle is stored in an enclosed garage or other accessory building.

For purposes of this section, a junked, dismantled, or wrecked automotive vehicle shall be defined as meeting the following criteria: as one which is damaged, or no longer serviceable, to the extent that it is inoperable or is unsafe to operate upon the public highways.

This section shall not apply to properly licensed junkyards and motor vehicle salvage facilities which are regulated by appropriate sections of the Ohio Revised Code.

On April 18, 2005 Jackson Township trustees passed Resolution 04182005. On May 18, 2005 this amendment became effective.

Add:

Section 1007 Vehicles Offered For Sale. *The following provisions and requirements shall pertain to the private sale of motor vehicles in any district:*

- 1) Private sale of motor vehicles in any zoning district shall be limited to no more than three (3) per year per parcel.*
- 2) For the purpose of this Resolution, motor vehicles include cars, trucks, motor homes or motorcycles.*
- 3) The sale of more than three (3) motor vehicles per year will require a conditional use permit in any zoning district.*

Section 1010 Supplemental Yard and Height Regulations.

In addition to all yard regulations specified in the Official Schedule of District Regulations and in other sections of this Resolution, the provisions of Sections 1011-1017, inclusive shall be used for interpretation and clarification.

Section 1011 Setback Requirements for Corner Buildings.

On a corner lot the principal building and its accessory structures shall be required to have the same setback distance from all street right-of-way lines as required for the front yard in the district in which such structures are located.

Section 1012 Visibility at Intersections.

On a corner lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two and a half (2.5) and ten (10) feet above the center line grades of the intersecting streets in the area bounded by the right-of-way lines of such corner lots and a line joining points along said street lines fifty (50) feet from the point of intersection.

Section 1014 Yard Requirements for Multi-Family Dwellings.

Multi-family dwellings shall be considered as one (1) building for the purpose of determining front, side and rear yard requirements. The entire group as a unit shall require one (1) front, one (1) rear and two (2) side yards as specified for dwellings in the appropriate district. Each individual building shall meet all yard requirements for the appropriate district as though it were on an individual lot.

Section 1015 Side, and Rear Yard Requirements for Non-Residential Uses Abutting Residential Districts. Non-residential buildings or uses shall not be located in or conducted closer than forty (40) feet to any lot line of a residential district, except that the minimum yard requirements may be reduced to fifty (50%) percent of the requirement if acceptable landscaping or screening approved by the Zoning Inspector is provided.

Section 1016 Architectural Projections.

Open structures such as porches, canopies, balconies, platforms, carports, covered patios and similar architectural projections shall be considered parts of the building to which attached and shall not project into the required minimum front, side, or rear yard.

Section 1017 Exceptions to Height Regulations. The height limitations contained in the Official Schedule of District Regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys or other appurtenances usually required to be placed above the roof level and not intended for human occupancy except where the height of such structures will constitute a hazard.

Section 1020 Special Provisions for Commercial and Industrial Uses.

No commercial or industrial use as designated on the Official Schedule of District Regulations and defined herein nor any land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious or otherwise objectionable conditions which could adversely affect the surrounding areas or adjoining premises, except that any use permitted by this Resolution may be undertaken and maintained if acceptable measures and safeguards to reduce dangerous and objectionable conditions to acceptable limits are taken.

Section 1021 Fire Hazards.

Any activity involving the use or storage of flammable chemicals, petroleum products or explosive materials shall be protected by adequate fire-fighting and fire-prevention equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance which is compatible with the potential danger involved.

Section 1022 Electrical Disturbance.

No activity shall emit electrical disturbance adversely affecting the operation of any equipment at any point other than that of the creator of such disturbance. The disturbance must be due solely to the creator and not due to defective wiring, equipment etc., at the receiving point.

Section 1024 Water Pollution. Water pollution as defined or determined by the County Board of Health or the Ohio Environmental Protection Agency (EPA) shall be subject to corrective measures, requirements, and regulations as established by the Board of Health or the Ohio EPA.

On October 17, 2005 Jackson Township Trustees passed Resolution 10172005A. On November 17, 2005 these amendments became effective.

Section 1024 Adequate Drainage Outlet. *Every newly created lot intended for construction shall have an adequate drainage outlet for subsurface water. Existing lots shall be determined to adequate drainage by the Champaign County Health Department, proof of such determination to be provided with the zoning permit application.*

Section 1024 Adequate Drainage Outlet, Acceptable Soils, and Existing Drainage Tile. *Every proposed lot shall have an adequate drainage outlet and acceptable soils consistent with the requirements for the proposed use. The Champaign County Soil and Water Conservation District in writing shall recommend the drainage outlet adequacy and the Health Department shall recommend the soils acceptability on new lot splits. These statements, along with a plot map of the drainage systems shall accompany the application for permit. Furthermore, all construction within the Township shall be accomplished in a manner consistent with maintenance and good surface drainage. In all improvements or uses where submittal of drainage plans is not specifically required, proper drainage on subject property and adjacent or servient properties shall be maintained or restored at equal or greater capacity as determined by the Champaign County Soil and Water Conservation District. In no event shall any person interdict or interfere with any existing tile or surface drainage channel unless it is determined that such tile or channel can be removed or relocated without interfering with the drainage on adjacent properties. Pre-existing drainage tile draining adjacent property shall be restored or re-routed when cut, crushed, or otherwise affected by any construction, excavation, or utility installation on any lot.*

Section 1025 Mining, Mineral, Clay Sand and Gravel Extraction, Storage and Processing. The extraction, storage and processing of minerals shall be conducted in accordance with the requirements of Sections 1026 and 1032 inclusive.

Section 1026 Distance from Residential Areas.

Mineral extraction, storage or processing shall not be conducted closer than five hundred (500) feet from any residential district, nor closer than five hundred (500) feet from any structure used for human occupancy in any other district.

Section 1027 Filing of Location Map.

The operator shall file with the Zoning Inspector a location map, which clearly shows areas to be mined and the location of adjacent properties, roads, and natural features.

Section 1028 Information on Operation.

The operator shall submit information on the anticipated depth of excavations and on depth and probable effect on the existing water table as coordinated with the Ohio Division of Water.

Section 1029 Restoration of Mined area.

The operator may be required to file with the Board of Zoning Appeals a detailed plan for the restoration of the area to be mined which shall include the anticipated future use of the restored land.

Section 1030 Performance Bond.

The operator may be required to file with the Board of Township Trustees a bond, or other surety, payable to the Township and conditioned upon the faithful performance of all requirements contained in the approved restoration plan. The bond or other surety shall be released upon written certification of the Zoning Inspector that the restoration is complete and in compliance with the restoration plan.

Section 1031 Enforcement Provisions.

The Zoning Inspector, prior to the issuance of a zoning permit, may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerances. The area being mined or that has been mined shall be posted with "No Trespassing" signs to discourage human injury to the general public.

Section 1032 Measurement Procedures. Methods and procedures for the determination of the existence of any dangerous and objectionable elements shall conform to applicable standard measurement procedures published by the American Standards Association, Inc., New York, the Manufacturing Chemist's Association, Inc., Washington, D.C., the United States Bureau of Mines, and the Ohio Environmental Protection Agency (EPA).

On September 20, 1999 Jackson Township Trustees passed Resolution 9201999.A. On October 20, 1999 this resolution became effective.

On April 2, 2018 Jackson Township Trustees passed Resolution 04022018.A. On May 2, 2018 these amendments became effective.

Section 1035 Telecommunications Towers.

- I. *Purpose and Intent. The purpose and intent of this section is to provide a uniform and comprehensive set of standards for the development and installation of telecommunications towers, antennae, and related facilities (hereinafter "telecommunication towers"). The regulations contained herein are designed to protect and promote health, safety, community welfare, and the aesthetic quality of Jackson Township within Champaign County, as set forth within the goals, objectives, and policies of the Zoning Resolution of the Township of Jackson, Champaign County, Ohio, while at the same time*

permitting the development of needed telecommunications facilities and to encourage managed development of the telecommunications infrastructure.

It is furthermore intended that Jackson Township shall apply these regulations to accomplish the following.

- (1) To promote the health, safety, and community welfare and to minimize adverse visual effects of telecommunication towers and facilities through design, landscaping, and siting standards;*
- (2) To ensure that a competitive and broad range of telecommunications services and high quality telecommunications infrastructure are provided to serve the community, as well as serve as an important and effective part of Jackson Township and the Champaign County's emergency response network;*
- (3) To provide a process for obtaining necessary permits for telecommunications towers while at the same time protecting the legitimate interests of Jackson Township and its citizens;*
- (4) To conserve the platted and non-platted residential areas within the unincorporated areas of Jackson Township with appropriate zoning and land use coordination in the siting of telecommunications towers;*
- (5) To protect residential areas and land uses from potential adverse impacts of towers and telecommunication facilities;*
- (6) To protect environmentally sensitive areas of Jackson Township by regulating the location, design, and operation of telecommunications facilities;*
- (7) To encourage the use of alternative support structures, co-location of new telecommunication towers on existing telecommunication towers, camouflaged towers, monopoles, and construction of towers with the ability to locate three or more providers, respectively; and*
- (8) To provide the Township with as much regulatory and zoning control over the location and size of these towers and facilities as allowed by Ohio law and federal regulation.*

II. Definitions. For the purpose of Section 1035, the following terms and phrases shall have the meaning ascribed to them in this section:

- (1) "Alternative Support Structure" shall mean clock towers, steeples, silos, light poles, building, or structures that may support telecommunication facilities.*
- (2) "Antenna" shall mean any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of voice, video, or data information via electromagnetic waves, electronic, microwave, analog, digital, or other types of signals transmitted or received over a portion of the radio frequency spectrum when such system is either external to or attached to the exterior of a structure. Antennae shall include devices having active elements extending in any direction, and directional beamtype arrays having elements carried by and disposed from a generally horizontal boom that may be mounted upon and rotated through a vertical mast or tower interconnecting the boom and antenna support, all of which elements are deemed to be a part of the antenna.*
- (3) "Antenna building mounted" shall mean any antenna, other than an antenna with its supports resting on the ground, directly attached or affixed to a building, tank, water tower, or structure other than a telecommunications tower.*

- (4) *"Camouflaged Tower" shall mean any telecommunication tower that due to design or appearance hides, obscures, or conceals the presence of the tower and antennae.*
- (5) *"Falldown Radius" shall mean the designated area of a telecommunications facility surrounding a telecommunication tower, which, in the event of a structural failure of all or part of the telecommunications tower, would likely contain the failed or collapsed telecommunication tower. This area may also be called the collapse zone.*
- (6) *"Guyed Tower" shall mean a telecommunication tower that is supported in whole or in part by guy wires and ground anchors or other means of support besides the superstructure of the tower itself.*
- (7) *"Height, Telecommunications Tower" shall mean the distance measured from ground level to the highest point of the tower. This measurement excludes any attached antennae, and lighting.*
- (8) *"Lattice Tower" shall mean a telecommunication tower that consists of vertical and horizontal supports and crossed metal braces.*
- (9) *"Monopole" shall mean a telecommunication tower of a single pole design.*
- (10) *"NIER" shall mean nonionizing electromagnetic radiation (i.e., electromagnetic radiation primarily in the visible, infrared, and radio frequency portions of the electromagnetic spectrum).*
- (11) *"Platted" or "platted subdivision" means any subdivision plat that has been filed for record in the Champaign County Recorder's Office prior to the hearing on the application for a Conditional Use Permit for the telecommunications tower.*
- (12) *"Platform" shall mean a support system that may be used to connect antennae and antennae arrays to telecommunications towers or alternative support structures.*
- (13) *"Public Service Use of Facility" shall mean a use operated or used by a public body or public utility in connection with any of the following services: water, waste water management, public education, parks, and recreation, emergency response network, solid waste management, or utilities.*
- (14) *"Satellite Dish" means any device incorporating a reflective surface that is solid, open mesh, or bar configured that is shallow dish, cone, horn, or cornucopia shaped and is used to transmit and/or receive electromagnetic signals. This definition is meant to include, but is not limited to, what are commonly referred to as satellite earth stations, TVROs, and satellite microwave antennae.*
- (15) *"Telecommunications Equipment Building" shall mean the telecommunication support facility structure located on a tower site, which houses the electronic receiving and relay equipment.*
- (16) *"Telecommunication Facility" shall mean a facility, site, or location, that contains one or more antennae, telecommunication towers, alternative support structures, satellite dish antennae, other similar communication devices, and support equipment which is used for transmitting, receiving, or relaying telecommunications signals.*
- (17) *"Telecommunication Facility Co-Located" shall mean a telecommunication facility comprised of a single telecommunication tower or building supporting three or more antennae, dishes, or similar devices owned or used by more than one public or private entity.*
- (18) *"Telecommunication Support Facility" shall mean the telecommunication support equipment and cabinets located on a tower site.*

(19) *“Telecommunications Tower” shall mean any structure that is designed and constructed primarily for the purpose of supporting one or more antennae, including camouflaged towers, lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, and common carrier towers. The term shall exclude alternative support structures and those facilities exempted under Section 1035 II.*

Definitions.

(20) *“Utility Pole Mounted Antenna” shall mean an antenna attached to or upon an existing or replacement electric transmission or distribution pole, street light, traffic signal, athletic field light, or other approved similar structure.*

III. *Certain Uses Not Covered.* *Section 1035 will not apply to the following, provided that the primary use of the property is not a telecommunications facility; that the antenna use is accessory to the primary use of the property; and that the tower or facility is not limited or prohibited by deed restrictions, or other applicable laws:*

- (a) *The personal use of all television antennae and satellite dishes.*
- (b) *All citizens band radio antenna operated by a federally licensed amateur radio operator. (Ham Radio)*
- (c) *The personal use of short wave, AM or FM radio antennae*
- (d) *Mobile services providing public information coverage of news events of a temporary nature.*

The above-listed exceptions to Section 1035 may be regulated by other sections of this Zoning Resolution and other applicable laws.

IV. *Areas in Which Telecommunication Towers are Permitted with Conditional Use Approval.* *Telecommunications facilities may be permitted in the following zoning districts in the Township subject to Conditional Use review and approval by the Jackson Township Board of Zoning Appeals pursuant to Article V of the Zoning Resolution of the Township of Jackson, Champaign County, Ohio.*

- (a) *In all districts zoned U-1, R-1, and R-2;*
- (b) *As an attachment or accessory use to a nonresidential building or structure that is subject to a Conditional Use permit for use as a church, hospital, school, governmental building or a building owned by another public utility.*

V. *Conditional Use Application.* *Locating and constructing a telecommunication tower or a new alternative support structure, including the buildings or other supporting equipment used in connection with said tower, shall require a Conditional Use Permit. After a public hearing takes place, and all application materials submitted are in accordance and found to be sufficient by the Board of Zoning Appeals with the purpose and intent of this section and the general criteria for such permits contained in Section 560 of the Zoning Resolution of the Township of Jackson, Champaign county, Ohio, a Conditional Use Permit may be issued.*

(1) Submittal Information and Criteria for Conditional Use: For all telecommunication towers subject to zoning under Section 1035 IV. Areas in Which Telecommunication Towers are Permitted with Conditional Use Approval, the following information shall accompany every application:

- Completed conditional use application and a fee to be determined by the Board of Township Trustees in its general zoning and building permit fee schedule;
- Original signature of the owner of the property (if the telecommunication tower is located in an easement, the beneficiaries of the easement and underlying property owner must authorize the application);
- The identify of the carrier and/ or provider of the telecommunication services;
- The name, address, and telephone number of the officer, agenda, and/ or employee responsible for the accuracy of the application;
- A current survey, showing the parcel boundaries, tower, facilities, location, access, landscaping, and fencing;
- A written legal description of the site;
- In the case of a leased site, a lease agreement or a binding lease memorandum which show on its face that it does not preclude the site owner from entering into leases on the site with other provider(s) and the legal description and amount of property leased;
- A description of the telecommunications services that the registrant intends to offer and/ or provide, or is currently offering or providing, to person(s) firm(s), business(es) or institution(s);
- Written explanation as to why a newly-constructed tower is necessary because co-location on an existing tower is not feasible, the reason it is not feasible, and the reasons why non-residential areas are not available to service the applicant's service area;
- Copies of approvals from the Federal Communications Commission and a statement that the facility complies with the limits or radio frequency emissions standard set by the Federal Communications Commission. The statement shall list the particular Federal Communication Commission emission limits for the site and the tested or designed limit for the telecommunications facility;
- Copies of approvals from the Federal Aviation Administration including any aeronautical study determination if applicable;
- Copies of an Environmental Assessment (EA) reports on Form 600 or Form 854 submitted to the Federal Communications Commission, if applicable;
- Copies of Finding of No Significant Impacts (FONSI) statement from the Federal Communications Commission, if applicable;
- An analysis shall be prepared by the actual applicant or on behalf of the applicant by its designated technical representative, except for exempt facilities as defined by Section 1035 II. Definitions, subject to the review and approval of the Board of Zoning Appeals, which identifies all reasonable, technically feasible, alternative locations, and/ or facilities which would provide the proposed telecommunications service. The

intention of the alternative analysis is to present alternative strategies which would minimize the number, size, and adverse environmental impacts of facilities necessary to provide the needed services to the Township. The analysis shall address the potential for co-location and the potential to locate facilities as close as possible to intended service area. It shall also explain the rationale for selection of the proposed site in view of the relative merits of any of the feasible alternatives. Approval of the project is subject to the decision making body making a finding that the proposed site results in fewer or less severe environmental impacts than any feasible alternative site. The Township may require independent verification of this analysis at the applicant's expense;

- *Plans indicating security measures for the site and the tower (i.e. access, fencing, lighting, fire prevention);*
- *A definitive landscaping plan that demonstrates how the facilities will be screened from adjoining property owners;*
- *A report prepared by an Engineer licensed by the State of Ohio certifying the structural design of the tower and its ability to accommodate additional antenna;*
- *When it deems it necessary to have assistance in understanding and analyzing technical issues, the Board of Zoning Appeals is explicitly authorized at its discretion to employ on behalf of the Township an independent technical expert to review any technical materials submitted, including, but not limited to, those required under this section, and in those cases where a technical demonstration of unavoidable need or unavailability of alternatives is required. The applicant shall pay the reasonable fees and expenses of the consultant or engineer performing said review. The payment shall be due prior to the issuance of a Conditional Use Permit.*

- (2) *Co-location.* *All towers shall make available unused space for co-location of other telecommunication facilities, including space for these entities providing similar, competing services. Co-location is not required if the host facility can demonstrate that the addition of the new service or facilities would impair existing service or cause the host to go offline for a significant period of time. All co-located and multiple-use telecommunication facilities shall be designed to promote facility and sit sharing. Telecommunication towers, and necessary appurtenances, including but not limited to parking areas, access roads, utilities, and equipment buildings, shall be shared by site users whenever practicable, giving due consideration to factors of competition, proprietary interests, and physical space requirements.*
- (3) *Amendment.* *Each registrant shall inform the Township Zoning Inspector within sixty (60) days of a change of the information regarding the ownership or with regard to changes in the availability of co-location space or face penalties and sanctions of \$200.00 a day assessed until such correct information of the registrant is received and verified by written order form the Jackson Township Zoning Inspector.*

VI. Conditional Use Annual Review.

- (1) Conditional Use Annual Review

- (a) *All telecommunication carriers and providers of any new or existing telecommunication towers shall submit annually, on or before January 31 of each year, with the Jackson Township Zoning Inspector, a Telecommunications Facility Annual Review Report. The annual Review Report shall include the owner and operators names, address, phone numbers, contact person(s), type of antennae applicable FCC license numbers, applicable FAA licenses, annual registration fee, type of support structure (tower, alternative support), Jackson Township Permit approval numbers, and any other appropriate information deemed necessary by the Jackson Township Zoning Inspector. Tower owners and operators shall also supply the number of co-locations positions designated, occupied, or vacant.*
- (b) *Structural certification of existing telecommunications towers shall be submitted with the Telecommunications Facility tenth (10th) Annual Review report for the tower and facility. The structural certification shall state general structural conditions and the ability to add additional antennae to the tower. The Telecommunications Facility Annual Review Report shall include a structural certification every five (5) years thereafter.*
- (2) Conditional Use Annual Registration Fee. *Following the initial conditional use approval, every year thereafter all telecommunications carriers or providers shall submit, on or before January 31 of each year, to the Zoning Inspector an annual registration fee pursuant to schedule of zoning fees to be adopted by the Board of Trustees. The Fee submittal is the responsibility of each telecommunication carrier or provider. The fee shall be used to cover the costs and expenses of the Township in reviewing the annual reports and the structural certifications, including the fees and expenses of engineers or consultants who are retained to perform such review.*
- (3) Proof of Bond. *Satisfactory proof of the continuation of the Bond or Letter of Credit required by Section 1035 XI. Bond Requirements shall be submitted each year.*

VII. Non-Conforming Telecommunication Towers and Antennae. *Non-conforming existing telecommunications towers may add, move, or replace antennae upon the existing structure. A non-conforming existing telecommunication towers may be increased in height a maximum of fifty (50) feet, or relocated, or reconstructed within fifty (50) feet of its existing location to accommodate co-location. Routine maintenance and repair on the non-conforming existing telecommunication towers is permitted. Any other alteration, change, relocation, or replacement of a non-conforming existing tower shall be subject to the Conditional Use Permit procedures that apply to new telecommunication towers.*

VIII. Compliance.

- (1) Revocation. *Grounds for revocation of the Conditional Use Permit shall be limited to one of the following findings:*
 - (a) *The facility fails to comply with the relevant requirements of Section 1035 as they exist at the time of annual registration and the permittee has failed to supply assurances acceptable to the Zoning Inspector that the facility will be brought into*

compliance within one hundred and twenty (120) days of the Zoning Inspector's finding of non-compliance, which shall be evidenced by written notice to the owner;

- (b) The permittee has failed to comply with the conditions of approval imposed; or*
- (c) The facility has not been properly maintained.*

(2) Abandonment. It is the express policy of Jackson Township and this Zoning Resolution that telecommunication towers shall be removed following their abandonment. The determination of abandonment shall be made by the Zoning Inspector when the telecommunication tower has not been operated for a continuous period of 180 days, or the owner has failed to comply with the Annual Registration procedures in Section 1035 VI. Conditional Use Annual Review hereof or that the board of Trustees has received notice that the bond required by Section 1035 XI. Bond Requirements is to be terminated for whatever reason and evidence of a renewal or replacement bond has not been received at least ninety (90) days prior to the termination or expected termination of that previous bond. The owner and the telecommunications provider shall be jointly responsible for the removal of the facilities and restoration of the site. Restoration shall return the site to its original condition, including the removal of any subsurface structure or foundation used to support the facility. In such circumstances, the following shall apply:

- (a) The owner of such antenna or tower shall remove said antenna and or tower including all supporting equipment and building(s) within ninety (90) days of receipt of notice from the Zoning Inspector notifying the owner of such abandonment. The owner of the antenna or the real property may request a hearing before the Board of Zoning Appeals if it wishes to challenge the Zoning Inspector's determination of abandonment. If the removal, to the satisfaction of the Zoning Inspector, does not occur within the said ninety (90) days, the Township may order removal and salvage said antenna or tower and all supporting equipment and building(s) at the property owner's expense.*
- (b) The grantee of conditional use permit for a Conditional Use Permit under this section shall submit a copy of a signed agreement between the property owner and the operator or owner of the tower, antenna(s), and supporting equipment, and buildings detailing requirements for abandonment and subsequent removal based on the above section (a). The property owner shall execute and deliver to the Township a recordable license on a form approved by the Township granting to the Township the right to enter upon the property to perform its rights to remove the abandoned tower, antenna(s), and supporting equipment, and buildings.*
- (c) If the owner fails to remove the abandoned tower or fails to restore the property to its original condition pursuant to this section, the Township shall have all right and authority to proceed against the surety issuing the bond detailed in Section 1035 XI. Bond Requirements to cover the costs and expenses of such removal and restoration.*

IX. Structural, Design and Environmental Standards.

- (1) Tower, Antenna and Facilities Requirements. All telecommunication facilities, except exempt facilities as defined in Section 1035 III. Certain Uses Not Covered, shall be designed to be safe, have structural integrity, and blend into its surrounding environment to*

the greatest extent reasonably practicable. To this end, the following standards shall be applicable:

- (a) All telecommunications facilities shall comply at all times with all Federal Communications Commission rules, regulations, and standards. To that end no telecommunication facility or combination of facilities shall produce at any time power densities in any inhabited area that exceed the Federal Communications Commission adopted standards for human exposure, as amended, or any more restrictive standard subsequently adopted or promulgated by the Federal Government. All telecommunication towers and antennae shall meet or exceed current standards and regulations of the Federal Aviation Administration, the Federal Communications Commission and any other agency of the Federal Government with the authority to regulate towers and antennae;*
- (b) Telecommunication towers shall be constructed out of metal or other nonflammable material, unless specifically conditioned by the Board of Zoning Appeals to be otherwise;*
- (c) All ground-mounted telecommunication towers shall be self-supporting monopoles except where satisfactory evidence is submitted to the Board of Zoning Appeals that a guyed/ lattice tower is required;*
- (d) Satellite dishes other than microwave dishes shall be of mesh construction, except where technical evidence acceptable to the Board of Zoning Appeals is submitted showing that this is not feasible. Satellite dish and parabolic antennae shall be situated as close to the ground as possible to reduce visual impact without compromising their function;*
- (e) Telecommunication support facilities (i.e., vaults, equipment rooms, utilities, and equipment enclosures) shall be constructed out of nonreflective materials (visible exterior surfaces only).*
- (f) Telecommunication support facilities shall be one story that is less than or equal to fifteen (15) feet in height and shall be designed to blend with existing architecture in the area and shall be screened from sight from adjacent properties by mature landscaping, and shall be located or designed to minimize their visibility to adjacent properties;*
- (g) All buildings, poles, towers, antenna supports, antennae, and other components, or each telecommunications facility shall be initially painted and thereafter repainted as necessary with a "flat" green or blue paint so as to reduce visual obtrusiveness and blend in to the natural setting and environment of the surrounding area. As an alternative, the Board of Zoning Appeals may accept the natural, unpainted poles constructed of galvanized steel or concrete or other material which is non-reflective and which blends into the natural setting and environment of the surrounding area. No signage shall be permitted on the poles, towers, or facilities unless mandated by federal or state law.*
- (h) All telecommunications towers shall be designed to collapse within a designated falldown radius. The falldown radius for a telecommunications tower shall be contained within the leased parcel and shall be identified in the initial application materials supporting the request for a Conditional Use Permit.*

- (i) *The falldown radius shall equal one hundred and twenty-five (125) percent of the tower height, unless an engineering certification shows that in the event of a collapse, the telecommunication tower is designed to collapse within a smaller area.*
- (j) *If a telecommunications support facility is not located on a rooftop site or otherwise already connected to an existing building, it shall be the only structure, building, or use allowed within the falldown radius. Said facilities shall be surrounded by adequate fencing for security purposes. A small 1' by 1' sign with an emergency telephone number shall be posted on the fence;*
- (k) *Telecommunications facilities, towers, and antennae shall be designed and constructed in accordance with the applicable building code for the jurisdiction. Upon notice of a violation of applicable building standards, the owner shall have thirty (30) days to bring the facilities into compliance. Failure to do so shall constitute grounds for the removal of the tower and facilities at owner's expense;*
- (l) *If the tower is to be located on a rooftop site:*
 - i. *The maximum height of an antenna platform and antennae located on a rooftop shall be ten (10) feet above the roof. All platforms and antennae shall be screened by parapet or other approved methods from major collector (or higher) roads, recreational areas, and any adjacent residential district, or uses;*
 - ii. *Telecommunications facilities located on roofs shall not occupy more than fifty (50) percent of roof surface of a building; and*
 - iii. *The roof area where a telecommunications facility is located shall be secured from the remaining roof area to prevent unauthorized access.*
- (m) *Telecommunication facilities shall not interfere with or obstruct existing or proposed public safety, fire protection, or SCADA operation telecommunication facilities. Any alleged interference and or obstruction shall be corrected by the applicant at no cost to the Township.*
- (n) *All ladders or climbing devices shall be removed to a height of twenty-five (25') from the base of the structure.*
- (o) *When the telecommunication support facility is located within 300 feet of an adjacent property line or public roadway, such facility shall be screened from sight from that adjacent property or public roadway utilizing material which shall be installed and plated in a manner that provided immediate, year round opacity of 75%. Landscape materials used must be an evergreen species having a minimum height immediately after planting of 8 feet and minimum trunk caliper of 2 inches.*
- (2) Height. *The height of a telecommunication tower shall be measured from the natural undisturbed ground surface below the center of the base of said tower to the top of the tower itself or, if higher, to the tip of the highest antenna or piece of equipment attached thereto. In the case of building mounted towers the height of the tower includes the height of the portion of the building on which it is mounted. In the case of "crankup" or other similar towers whose height can be adjusted, the height of the tower shall be the maximum height to which it is capable of being raised.*
- (3) Lighting. *Telecommunication towers shall not be artificially lighted unless required by the Federal Aviation Administration or other applicable regulatory authority. If lighting is*

required, the lighting design which would cause the least disturbance to the surrounding views shall be chosen. All telecommunication facilities shall be unlit except for security lighting, or when authorized personnel are present.

- (4) Site Development. All telecommunication towers leased parcel lots shall be a minimum of five thousand (5000) square feet in size. The owner of the tower shall own or control by lease the land in every direction from the outer edge of the base of the telecommunications tower a distance equal to the tower height or falldown radius as described above. This area is referred to in this Code as the "leased parcel." The entire falldown radius shall be contained within the leased parcel. Telecommunication Facilities sites shall not be used for the outside storage of materials or equipment, or for the repair or servicing of vehicles or equipment.
- (5) Fire Prevention. All telecommunication facilities shall be designed and operated in such a manner so as to minimize the risk of igniting a fire or intensifying one that otherwise occurs. To this end all of the following measures shall be implemented for all telecommunication towers, when determined necessary by the Zoning Inspector:
- (a) At least one hour fire resistant interior surfaces shall be used in the construction of all buildings;
 - (b) Monitored automatic fire alarm systems approved by the Zoning Inspector shall be installed in all equipment buildings and enclosures;
 - (c) Rapid entry (KNOX) systems shall be installed as required by fire departments serving Jackson Township;
 - (d) All tree trimmings and trash generated by construction of the facility shall be removed promptly from the property and properly disposed of.
- (6) Noise and Traffic. All telecommunication facilities shall be constructed and operated in such a manner as to minimize the amount of disruption caused to nearby residential properties and to avoid or minimize damage to local roads. To that end all the following measures shall be implemented for all telecommunication towers:
- (a) Outdoor noise producing construction activities shall only take place on weekdays (Monday through Friday, non-holiday) between the hours of 8:00 a.m. and 7:00 p.m.; and
 - (b) Backup generators shall only be operated during power outages for testing and maintenance purposes.
 - (c) The owner of the tower shall be liable for all damages by all vehicles and equipment travelling to and from the site caused to county and township roads irrespective of whether said vehicles are within state legal load limits and irrespective of whether reduced load limit signs have been posted. Damages may be collected from the bond posted pursuant to Section 1035 XI. Bond Requirements. It shall be the duty of the owners and all truck and equipment operators travelling to and from the site to be aware of the nature of the roads upon which they are travelling and reduce weights accordingly. Any vehicles or equipment exceeding state-set legal weight limits must obtain permission not only from the state for travelling on state highways, but also from the county engineer for travelling on county highways, and from the Board of Trustees of the township to travel on any township highways. It is part of any conditional use permit that the owner of the tower must inform each and every contractor and supplier about this provision and that the owner require its contractors

and suppliers to in turn inform each and every subsupplier, subcontractor, common carrier, truck operator, or equipment operator hired by them about the same requirements.

X. *Separation and Setback Requirements.* *Separation from Off-Site Uses for all telecommunication towers shall be located in accordance with the following standards:*

- (1) *Setbacks. All setbacks shall be measured from the base of the tower or structure to the applicable property or zoning district line;*
 - (a) *Setbacks from all platted residential uses and residential districts. All new towers shall be setback from the closest subdivision boundary line for all platted residential subdivisions, and for all non-platted residential districts from the closest residence, a distance of 900 feet with the exception of B-2 and M-2 zoning districts where such setback shall be 200 feet.*
 - (b) *Setbacks from all historic sites and districts. All new towers shall be setback from the closest property line of the historic site or district a distance of 900 feet.*
 - (c) *Setbacks from all streets and private and public road right of ways. All new towers shall be setback from all road right of ways public and private, a distance of 900 feet.*
 - (d) *Setback from all other uses allowable in the zoning district. All new towers shall be setback from any building that is not associated with or accessory to the telecommunications tower facility a distance of 900 feet.*
 - (e) *Guy Wires Separation. All guy wires shall be at least 100 feet from all property line.*

XI. *Bond Requirements:*

- (1) *For each telecommunication tower, the owner or operator shall provide to the Township, and for its express benefit, a surety bond or a bank letter of credit, to assure the Township that the terms and conditions of Section 1035 IX. Structural, Design and Environmental Standards are performed and complied with, including necessary repairs, including repairs to public highways and roads and the costs and expenses of removal in the event of abandonment under Section 1035 VIII. Compliance (2). The bond or letter of credit shall be issued by a surety or bank that is acceptable to the Jackson Township board of Trustees, in a form approved by said Board, and shall be in an amount that is equal to no less than 50% of the construction value of the tower. By its terms, the bond or letter of credit may not expire, be terminated, or cancelled without providing the Township Board of Trustees with written notice of such expiration, termination cancellation, or other event of non-renewal no later than 120 days prior to the date of such event. The bond must be submitted to and approved by the Prosecuting Attorney of Champaign County. Notice of termination of the bond will be considered abandonment, pursuant to the terms of Section 1035 VIII. Compliance (2).*
- (2) *The Jackson Township Board of Trustees may draw upon the performance bond to recover any costs, damages, or expenses incurred by the Township which arise out of the violations of Section 1035 IX. Structural, Design and Environmental Standards or the abandonment or discontinuance of the use of a tower under Section 1035 VIII. Compliance (2).*

- (3) *No Conditional Use Permit issued hereunder shall become operative and effective until said performance bond has been reviewed and approved by the Prosecuting Attorney of Champaign County, Ohio.*
- (4) *The requirement to maintain this performance bond shall cease only upon a written determination by the Township Board of Trustees that it is no longer necessary.*

XII. *Severability.* *If any section, subsection, sentence, paragraph, clause, or phrase of this Resolution is for any reason held to be unconstitutional, such decision shall not effect the remaining portions of this Resolution. The Jackson Township Board of Trustees declares that it would have passed this Resolution and each section, subsection, paragraph, sentence, clause and phrase thereof irrespective of the fact that any one or more such provisions be declared unconstitutional.*

On April 2, 2018 Jackson Township Trustees passed Resolution 04022018A. On May 2, 2018 these amendments became effective.

Section 1037 General Conditions for Medical Marijuana Entities.

In the interest of protecting the public health, safety, and general welfare, this section establishes zoning regulations that provide for State-authorized medical marijuana land uses consistent with ORC 519 and ORC 3796. ORC 519.21 and ORC 3796 allow regulation of the location of medical marijuana cultivators, processors, or dispensaries within the unincorporated area of the township.

1. *Not an Agricultural Use.* *Medical marijuana is not considered an "agricultural" use pursuant to ORC 519.21 (D).*
2. *Zoning Districts.* *No medical marijuana cultivator, processor, or dispensary shall be located in a zoning district where it is not explicitly listed as a permitted or conditionally permitted use. Furthermore, no cultivator, processor, or dispensary shall be permitted as a home occupation.*

On April 18, 2005 Jackson Township Trustees passed Resolution 04182005A. On May 18, 2005 these amendments became effective.

Section 1038 General Conditions for Adult Entertainment Use.

Adult Entertainment Facilities are conditionally permitted within M-2 Manufacturing Districts only, and subject to conditions set forth in the Zoning Resolution Section 1038 and paragraphs 1-9 hereafter set forth.

1. *No adult entertainment facility shall be established within one thousand (1,000) feet of any areas zoned for residential use.*
2. *No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of any school, library, or teaching facility, whether public or private, governmental or commercial which school, library, or teaching facility is attended by persons under eighteen (18) years of age.*
3. *No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of any park or recreational facility attended by persons under eighteen (18) years of age.*

4. *No adult entertainment facility shall be established within a radius of two thousand (2,000) feet of any other adult entertainment facility.*
5. *No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of established church, synagogue, or permanently established place of religious services which is attended by persons under eighteen (18) years of age.*
6. *No advertisements, displays, or other promotional materials shall be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other areas public or semi-public.*
7. *All building openings, entries, windows, etc. for adult uses shall be located, covered, or serviced in such a manner as to prevent a view into the interior from any public or semi-public area, sidewalk, or street. For new construction, the building shall be oriented so as to minimize any possibility of viewing the interior from public or semi-public areas.*
8. *No screens, loudspeakers, or sound equipment shall be used for adult motion picture theatres (enclosed or drive-in) that can be seen or discerned by the public from public or semi-public areas.*
9. *Off-street parking shall be provided in accordance with the standards for permitted use within M-2 Manufacturing Districts.*

Section 1040 Roadside Produce Stands. A building for the sale of home-grown produce may be located not less than twenty five (25) feet from the highway right-of-way if it is a portable building. If portable, it shall be removed from its roadside location during the season that it is not in use as a roadside produce stand. A permanent structure for such use may be constructed, but shall be located not less than fifty (50) feet from the highway right-of-way line. Parking shall be provided off the highway right-of-way.

Section 1045 Sanitary Landfill.

No person shall begin, operate or maintain for commercial business purposes, a sanitary landfill as defined herein.

Section 1050 Storage of Toxic or Hazardous Materials.

Except as exempted hereafter, the storage of toxic or hazardous materials, as defined by the Ohio Environmental Protection Agency, in quantities greater than 55 gallons liquid or 25 pounds dry weight for any one material shall be prohibited.

This section shall not apply to fuels stored in less than 1,100 gallon tanks that conform with the Ohio Fire Code for the purpose of heating buildings and located on site, nor to materials stored for on-site residential, industrial, commercial or agricultural purposes.

“Storage” when used in connection with this section, means the containment of hazardous materials, either on a temporary basis or for a period of years, in such manner as not to constitute disposal of the material.

In 1995 Jackson Township Trustees passed Resolution to add and amend the zoning text as follows;

Section 1051 Reconstruction and/or Debris Section Removal of Damaged Structure.

If any residential structure or accessory structure is destroyed or partially destroyed by fire or an Act of God, a permit may be obtained in accordance with Sections 300 through 304 of this Resolution to rebuild the structure providing it meets the requirements elsewhere in this Resolution. All remaining debris shall be cleared away and disposed of properly within six (6) months of the time of destruction. Clean up must be started in three (3) months and completed by six (6) months.

ARTICLE XI OFF-STREET PARKING AND LOADING REQUIREMENTS

Section 1100 General Requirements

1. No building or structure shall be erected, substantially altered, or its use changed unless permanently maintained off-street parking and/or 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.
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 1110 Parking Space Dimensions. A parking space shall have minimum rectangular dimensions of not less than nine (9) feet in width and nineteen (19) feet in length for ninety (90) degree parking, nine (9) feet in width and twenty-three (23) feet in length for parallel parking, ten (10) feet in width and nineteen (19) feet in length for sixty (60) degree parking, and twelve (12) feet in width and nineteen (19) feet in length for forty-five (45) degree parking. All dimensions shall be exclusive of driveways, aisles and other circulation areas. The number of required off-street parking spaces is established in Section 1130 of this Resolution.

Section 1111 Loading Space Requirements and Dimensions. A loading space shall have minimum dimensions of not less than twelve (12) feet in width, fifty (50) feet in length, exclusive of driveways, aisles and other circulation areas and a height of clearance of not less than fifteen (15) feet. One off-street loading space shall be provided and maintained on the same lot requiring delivery of goods and having a modified gross floor area of five thousand (5,000) square feet. One loading space shall be provided for each additional ten thousand (10,000) square feet or fraction thereof of ground floor area.

Section 1112 Paving. The required number of parking and loading spaces as set forth in Sections 1111 and 1130, together with driveways, aisles and other circulation areas, shall be improved with such material to provide a durable and dust-free surface.

Section 1116 Location of Parking Spaces. The following regulations shall govern the location of off-street parking spaces and areas:

1. Parking spaces for all detached residential uses shall be located on the same lot as the use which they are intended to serve;
2. Parking spaces for commercial, industrial, or institutional uses shall be located not more than seven hundred (700) feet from the principal use;
3. Parking spaces for any apartments or similar residential uses shall be located not more than three hundred (300) feet from the principal use.

Section 1117 Screening and Landscaping. Whenever a parking area is located in or adjacent to a residential district it shall be effectively screened on all sides which adjoin or face any property used for residential purposes, by an acceptable designed fence, or planting screen. Such fence or planting screen shall be not less than four (4) feet nor more than six (6) feet in height and shall be maintained in good condition. In the event that terrain or other natural features are such that the erection of such fence or planting screen will not serve the intended purpose, then no such fence or planting screen and landscaping shall be required.

Section 1119 Minimum Distance and Setbacks. No part of any parking area for more than ten (10) vehicles shall be closer than twenty (20) feet to any dwelling unit if located on an adjoining lot, unless separated by an acceptably designed screen. In no case shall any part of a parking area be closer than four (4) feet to any established road right-of-way.

Section 1120 Joint Use. Two (2) or more non-residential uses may jointly provide and use parking spaces when their hours of operation do not normally overlap, provided that a written agreement approved by the Zoning Inspector shall be filed with the application for a zoning permit.

Section 1121 Wheel Blocks. Whenever a parking lot extends to a property line, wheel blocks or other suitable devices shall be installed to prevent any part of a parked vehicle from extending beyond the property line.

Section 1122 Width of Driveway Aisle. Driveways serving individual parking spaces shall be not less than twenty-five (25) feet wide for ninety (90) degree parking, twelve (12) feet wide for parallel parking, seventeen and one-half (17.5) feet for sixty (60) degree parking and thirteen (13) feet for forty-five (45) degree parking.

Section 1130 Parking Space Requirements. For the purpose of this Resolution, the following parking space requirements shall apply:

| <u>TYPE OF USE</u> | <u>PARKING SPACES REQUIRED</u> |
|---|--|
| Single family or two family dwelling | Two for each unit |
| Apartments, or multi-family dwellings | Two for each unit |
| Mobile homes..... | Two for each unit |
| Outdoor swimming pools, public or community or club | One for each 5 persons capacity plus one for each 4 seats or one for each 30 square feet of floor area used for seating purposes whichever is greater |
| Retail establishments..... | One for each 250 sq. ft. of floor area |
| Offices, public or professional, administrative or service buildings..... | One for each 400 sq. ft. of floor area |
| All other types of businesses or commercial uses permitted in any district..... | One for each 300 sq. ft. of floor area |
| Churches..... | One for each 5 seats |
| All types of manufacturing, storage, and wholesale uses | one for every 2 employees on the largest shift for which the building is designed |

Section 1131 General Interpretations. In the interpretation of this Article, the following rules shall govern.

1. Parking spaces for other permitted or conditional uses not listed in this Article shall be determined by the Board of Zoning Appeals upon an appeal from a decision of the Zoning Inspector.
2. Fractional numbers shall be increased to the next whole number.
3. When a reason for parking demand is unusually low, then the parking space provisions cited above may be reduced proportionately by the Board upon an appeal from a decision of the Zoning Inspector.

ARTICLE XII SIGNS

Section 1200 Intent. The purpose of this Article is to promote and protect the public health, safety, and welfare 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 to protect the physical appearance of the Township.

Section 1201 Governmental Signs Excluded. For the purpose of this Resolution "sign" does not include signs erected and maintained pursuant to and in discharge of any governmental function, or required by law, ordinance, or governmental regulation.

Section 1202 General Requirements for all Signs and Districts. The regulations contained in this section shall apply to all signs and all use districts.

1. In no circumstance shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination there from to be directed or beamed upon a public thoroughfare so as to cause glare or reflection that may constitute a traffic hazard of nuisance;
2. No sign shall be placed on the roof of any building;
3. No sign of any classification shall be installed, erected, or attached in any form, shape or manner to a fire escape or any door or window giving access to any fire escape;
4. All billboard signs shall be plainly marked with the name of the person, firm or corporation responsible for maintaining the sign;
5. Should any sign be or become unsafe or be in danger of falling, the owner thereof or the person maintaining the same, shall upon receipt of written notice from the Zoning Inspector, proceed at once to put such sign in a safe and secure condition or remove the sign;
6. No sign shall be placed in any public right-of-way except publicly owned signs, such as traffic control signs and directional signs. Signs directing and guiding traffic and parking on private property but bearing no advertising matter shall be permitted on any property.

Section 1203 Measurement of Sign Area. The surface area of a sign shall be computed as including the entire area within a regular geometric form or combinations of regular, geometric forms comprising all of the display area of the sign and including all of the

elements of the matter displayed. Frames and structural members not being advertising matter shall not be included in computation of surface area.

Section 1210 Signs Permitted in all Districts not Requiring a Permit.

1. Signs advertising the sale, lease or rental of the premises upon which the sign is located, shall not exceed twelve (12) square feet in area on each side, except in all residential districts where the area of the sign shall not be more than eight (8) square feet on each side;
2. Professional name plates not to exceed two (2) feet by three (3) feet in area;
3. Signs denoting the name and address of the occupants of the premises, not to exceed four (4) square feet in area.

Section 1211 Signs Permitted in any District Requiring a Permit.

1. Any sign advertising a commercial enterprise, including real estate developers or subdividers in a district zoned rural or residential shall not exceed twelve (12) square feet in area and shall advertise only the names of the owners, trade names, products sold and/or the business or activity conducted on the premises where such sign is located.

Section 1212 Signs Permitted in Business and Manufacturing Districts requiring a Permit.

1. In a business or manufacturing district, each business shall be permitted one (1) flat or wall on-premises sign. Projection of wall signs shall not exceed two (2) feet measured from the face of the main building. The area of all permanent on-premises signs for any single business enterprise may have an area equivalent to one and one half (1 ½) square feet of sign area for each linear foot of building width, or part of a building, occupied by such enterprise but shall not exceed a maximum area of one hundred (100) square feet.
2. In a business or manufacturing district, one off-premises sign with a total area not exceeding three hundred (300) square feet may be permitted at a single location. Off-premises signs visible to approaching traffic shall have a minimum spacing of not less than two hundred (200) feet. Off-premises signs shall conform to all applicable yard and height regulations for the appropriate zoning district. Off-premises wall signs shall have all structural and supporting members concealed from view.

Section 1220 Temporary Signs. Temporary signs not exceeding sixty four (64) square feet in area, announcing special public or institutional events, the erection of a building, the

architect, the builders, or contractors may be erected for a period of sixty (60) days plus the construction period. Such temporary signs shall conform to the general requirements listed in Section 1202, the setback requirements in Sections 1240-1243 and, in addition, such other standards deemed necessary to accomplish the intent as stated in Section 1200.

1221 Section Free Standing Signs. Free-standing on-premises signs not over thirty (30) feet in height, having a maximum total sign area of one hundred (100) square feet per display area and located not closer than fifteen (15) feet to any adjoining lot line may be placed to serve a business or group of business establishments. There shall be only one free-standing sign for each building, regardless of the number of businesses conducted in said building.

Section 1222 Wall Signs Pertaining to Non-Conforming Uses.

On-premises wall signs pertaining to a non-conforming use shall be permitted on the same premises of such use, provided the area of such sign does not exceed twelve (12) square feet.

Section 1230 Political Signs. No political sign shall be posted in any place or in any manner that is destructive to property upon posting or removal. No political sign shall be posted more than sixty (60) days before an election. All candidates for public office, their campaign committees, or other persons responsible for the posting on public property of campaign material shall remove such material within two (2) weeks following election day.

Section 1240 Sign Setback Requirements. Except as modified in Sections 1241 & 1243, on-premises signs where permitted shall be set back from the established right-of-way line of any thoroughfare at least ten (10) feet. No off-premises sign shall be erected in front of the required setback line for the appropriate zoning district.

Section 1241 Increased Setback. For every square foot by which any on-premises sign exceeds fifty (50) square feet, the setback shall be increased by one-half (1/2) foot but need not exceed one hundred (100) feet.

Section 1243 Set-backs for Public and Quasipublic Signs. Real estate signs and bulletin boards for a church, school, or any other public, religious or educational institution, and may be erected not less than ten (10) feet from the established right-of-way line of any street or highway provided such sign or bulletin board does not obstruct traffic visibility at street or highway intersections.

Section 1250 Limitation. For the purposes of this Resolution, outdoor advertising off-premises signs shall be classified as a business use and be permitted in all districts zoned for business, manufacturing, or lands used for agricultural purposes. In addition, regulation of signs along primary highways shall conform to the requirements of the Ohio Revised Code Chapter 5316 and the regulations adopted pursuant thereto.

Section 1251 Violations. In case any sign shall be installed, erected, constructed, or maintained in violation of any of the terms of this Resolution, the Zoning Inspector shall notify in writing the owner or lessee thereof to alter such sign so as to comply with this Resolution. Failure to comply shall be deemed a violation and shall be punishable under Section 350 of this Resolution.

ARTICLE XIII
MOBILE HOME PARKS AND MOBILE HOMES INDIVIDUALLY

Section 1300 Intent. It is the intent of this Article to regulate the location of, and to encourage, stabilize, and protect the development of well-planned mobile home parks if one is proposed after the adoption or amendment of this Resolution.

On April 18, 2005 Jackson Township Trustees passed Resolution 04182005A. On May 18, 2005 these amendments became effective:

Section 1300 Intent. *It is the intent of this Article to regulate the location of, and to encourage, stabilize, and protect the development of well-planned mobile home parks if one is proposed.*

Section 1310 Approval Procedures. Mobile home parks shall be permitted as a conditional use in the U-1 District and shall be developed in according to the general standards and regulations stated and referenced in Article 13.

On April 18, 2005 Jackson Township Trustees passed Resolution 04182005A. On May 18, 2005 these amendments became effective:

Section 1310 Approval Procedures. *Mobile home parks shall be considered as a conditional use in the U-1 Rural Undeveloped District and shall be developed according to the general standards and regulations stated and referenced in Article 13.*

Section 1320 General Standards for Mobile Home Parks. A new or expanded mobile home park shall:

- 1) 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;
- 2) not be hazardous or detrimental to existing or future neighboring uses;
- 3) be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage, refuse disposal and schools; or that the persons or agencies responsible for the establishment of the proposed park shall be able to provide adequately any such services;
- 4) be consistent with the intent and purpose of this Resolution;
- 5) have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets and roads;
- 6) Will not result in the destruction, loss, or damage of natural features of major importance.

On April 18,2005 Jackson Township Trustees passed Resolution 04182005A. On May 18,2005 these amendments became effective.

Section 1320 General Standards for Mobile Home Parks.

The Board of Zoning Appeals shall review the particular facts and circumstances of each proposed mobile home park in terms of the following standards and shall find adequate evidence showing that the mobile home park development:

- 1) 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;*
- 2) Will not be hazardous or detrimental to existing or future neighboring uses;*
- 3) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage, refuse disposal and schools; or that the persons or agencies responsible for the establishment of the proposed park shall be able to provide adequately any such services.*
- 4) Will be consistent with the intent and purpose of this Resolution;*
- 5) Will have vehicular approaches to the property which shall be designed as not to create an interference with traffic on surrounding public streets and roads;*
- 6) Will not result in the destruction, loss, or damage of natural features of major importance;*
- 7) Maximum size of mobile home park shall not be greater than five (5) acres.*

Section 1330 Mobile Home Park Requirements. Mobile home parks shall be developed in accordance with the requirements of Chapter 37-1-27 of the Ohio Sanitary Code adopted by the Public Health Council under the authority of the Ohio Revised Code Section 3733 and as amended.

Section 1340 Minimum Floor Area. Individual mobile homes located within the park shall have a minimum floor area of nine hundred (900) square feet using the accepted industry measurement standards.

On April 18,2005 Jackson Township Trustees passed Resolution 04182005A. On May 18,2005 these amendments became effective.

Section 1340, *the minimum floor area was changed from 900 square feet to minimum floor area 1000 square feet.*

Section 1341 Mobile Homes Individually. The following requirements shall apply to mobile home dwellings that are placed upon an individual lot in any district where conditionally permitted:

1. Individual mobile homes shall have using accepted industry measurement standards a minimum area of nine hundred (900) square feet of floor area.

On April 18, 2005 Jackson Township Trustees passed Resolution 04182005.A. On May 18, 2005 these amendments became effective.

Section 1341, *the minimum floor area was changed from 900 square feet to minimum floor area 1000 square feet.*

2. The mobile home's axle and wheels shall be removed and the home shall be placed upon a permanent concrete foundation which is below the frost line and which includes at least two (2) tie-down rings.
3. The mobile home shall be skirted entirely enclosing the bottom section, within ninety (90) days after its placement. Skirting shall be constructed of vinyl, aluminum, or other suitable material that is designed specifically for skirting.
4. The mobile home shall be landscaped with lawn within one hundred sixty (160) days after its placement.

On April 18, 2005 Jackson Township Trustees passed Resolution 04182005.A. On May 18, 2005 these amendments became effective.


Section 1341 Mobile Homes Individually. *The following requirements shall apply to mobile home dwellings that are placed upon an individual lot in any district where conditionally permitted:*


1. *Individual mobile homes shall have using accepted industry measurement standards a minimum area of one thousand (1000) square feet of floor area.*
2. *The mobile home's tongue(s), axles (s) and wheels shall be removed and the home shall be placed upon a permanent concrete foundation which is below the frost line and is in accordance with the County Auditor's current requirement for real estate tax purposes and which includes at least two (2) tie-down rings.*
3. *The mobile home shall be skirted entirely enclosing the bottom section, within ninety (90) days after its placement. Skirting shall be constructed of vinyl, aluminum, or other suitable material that is designed specifically for skirting.*
4. *The mobile home shall be landscaped with lawn within one hundred sixty (160) days after its placement.*
5. *The mobile home shall: (1) not be increased in floor area by any means of construction except with a unit specifically designed and constructed by the mobile home manufacturer; (2) not be covered with an additional roof structure.*
6. *The mobile home lot shall have an accessory structure thereon with minimum dimensions of eight (8) by twelve (12) feet for storage purposes. It shall be located in the side or rear yard.*

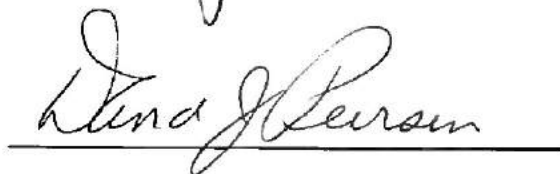
The Board of Zoning Appeals may set other conditions which it deems reasonable and appropriate.

This Resolution is hereby adopted on this 2ND day of April 2018


Chairman, Board of Township Trustees


Member, Board of Township Trustees


Member, Board of Township Trustees


Attest, Clerk Township Trustees

