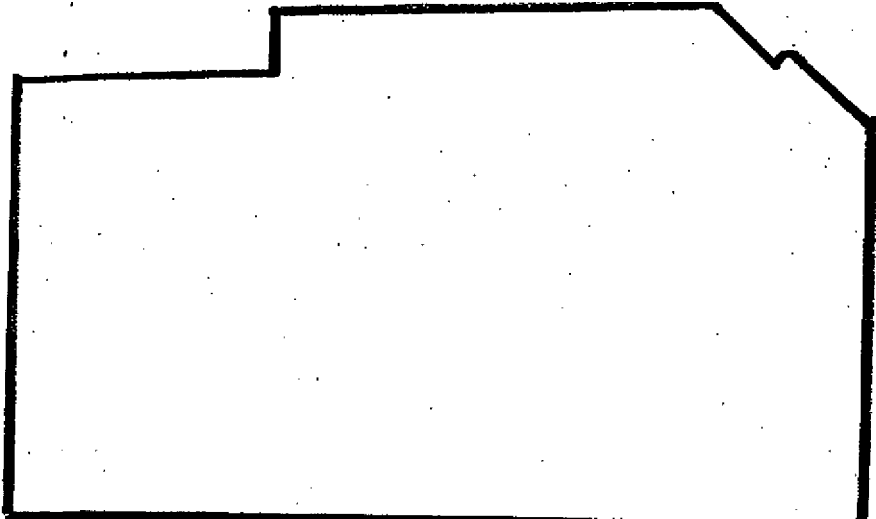


JEFFERSON

TOWNSHIP

ZONING

RESOLUTION



**JEFFERSON TOWNSHIP
ZONING RESOLUTION**

**RECOMMENDED FOR AMENDMENT BY THE
JEFFERSON TOWNSHIP ZONING COMMISSION
MAY 14, 1987**

**AMENDED BY THE JEFFERSON TOWNSHIP BOARD OF TRUSTEES
JULY 20, 1987**

**AMENDED BY THE JEFFERSON TOWNSHIP BOARD OF TRUSTEES
March 24, 2005**

**AMENDED BY THE JEFFERSON TOWNSHIP BOARD OF TRUSTEES
September 28, 2016**

JEFFERSON TOWNSHIP ZONING RESOLUTION

Certified to be the text and map adopted by the Jefferson Township Zoning Commission after public hearing on May 14, 1987 and certified to the Jefferson Township Board of Trustees.

Attest: _____ Certified: _____

Certified to be the true and correct copy of the amended text and map of Jefferson Township Zoning Resolution as adopted by the Jefferson Township Board of Trustees on _____ 1987.

Attest: _____ Certified: _____

Clerk,
Jefferson Township

Table of Contents

ARTICLE I GENERAL PROVISIONS	1
SECTION 101 Purpose	2
SECTION 102 Title	3
SECTION 103 Interpretation	3
SECTION 104 Area of Jurisdiction	3
SECTION 105 Separability.....	3
SECTION 106 Required Conformance	3
ARTICLE 2 CONSTRUCTION OF LANGUAGE AND DEFINITIONS.....	5
SECTION 201 Construction of Language	6
SECTION 202 Definitions	6
ARTICLE 3 ESTABLISHMENT OF DISTRICT AND MAP	33
SECTION 301 Establishment of Districts	34
SECTION 302 Official Zoning District Map	34
SECTION 303 Interpretation of District Boundaries	34
ARTICLE 4 DISTRICT REGULATIONS	37
SECTION 401 Uses Not Specifically Mentioned	38
SECTION 402 Adult Entertainment District	38
SECTION 403 A-2 General Agricultural District	41
SECTION 406 RS-2 Low Density Single-Family Residential District	43
SECTION 411 RM-8 Medium-High Density Multiple-Family Residential District.....	44
SECTION 413 R-MH Mobile Home Park District	45
SECTION 415 TB Township Business District.....	47
SECTION 419 HB Highway Business District.....	49
SECTION 420 LI Light Industrial District.....	51

SECTION 421 HI	Heavy Industrial District	52
SECTION 422 FP	Flood Plain District	54
SECTION 424	Minimum Dimensional Requirements	60

ARTICLE 5 SUPPLEMENTARY DISTRICT REGULATIONS..... 61

SECTION 501	General Provisions	62
SECTION 502	Public Street Frontage Required	62
SECTION 503	Principal Buildings Per Lot	62
SECTION 504	Reduction of Area or Space	62
SECTION 505	Architectural Projections Into Required Yards.....	62
SECTION 506	Exceptions to Height Regulations	62
SECTION 507	Accessory Buildings.....	63
SECTION 508	Conversion of Dwellings to More Units.....	63
SECTION 509	Setback Requirements for Corner Lots or Through Lots	63
SECTION 510	Fences, Walls and Vegetation	63
SECTION 511	Required Trash Areas	64
SECTION 512	Outdoor Storage & Waste Disposal	64
SECTION 513	Private Accessory Swimming Pools.....	65
SECTION 514	Private Recreational Facilities.....	65
SECTION 515	Screening	67
SECTION 516	Drive-In Service Establishments.....	68
SECTION 517	Parking and Storage of Mobile Homes and Vehicles Other than Passenger Cars	69
SECTION 518	Community-Based Residential Social Service Facilities	70
SECTION 519	Agribusiness Operations	72
SECTION 520	Exotic Animals	72
SECTION 521	Junk.....	74
SECTION 522	Junk Yards.....	74
SECTION 523	Sanitary Landfills	75
SECTION 524	Mineral Extraction Operations	76
SECTION 525	Temporary Uses	80

SECTION 526 Cemeteries.....	82
SECTION 527 Hold For Future Use	82
SECTION 528 Tenant Farm Dwellings	82
SECTION 529 Home Occupations	82
SECTION 530 Minimum Floor Area Per Dwelling Unit.....	83
SECTION 531 Churches Within Residential Districts	84
SECTION 532 Airports and Landing Strips	85
SECTION 533 Drainage/Storm Water Management & Lot Owner's Responsibility	85
SECTION 534 Alternative Energy Sources	86
SECTION 535 Agritourism.....	90
ARTICLE 6 OFFSTREET PARKING AND LOADING REGULATIONS.....	91
SECTION 601 Off-Street Parking and Loading Requirements	92
SECTION 602 Required Parking and Loading Plan	92
SECTION 603 Off-Street Parking Design Standards.....	92
SECTION 604 Parking Space Requirements	94
SECTION 605 Off-Street Loading Design Standards	98
SECTION 606 Off-Street Loading Space Requirements	99
ARTICLE 7 SIGNS.....	101
SECTION 701 Intent and Purpose	102
SECTION 702 Zoning Permit Requirements	102
SECTION 703 General Location and Safety Requirements	102
SECTION 704 Real Estate Signs	103
SECTION 705 Subdivision Sale Signs	103
SECTION 706 Political Signs	103
SECTION 707 Construction Signs	103
SECTION 708 Agricultural Product Signs	104
SECTION 709 Special Event Signs	104
SECTION 710 Billboards	104
SECTION 711 Identification Signs	105
SECTION 712 Removal of Signs by Zoning Inspector	106

ARTICLE 8 NON-CONFORMITIES..... 107
SECTION 801 Intent..... 108
SECTION 802 Non-Conforming Lots of Record 108
SECTION 803 Non-Conforming Uses of Land 109
SECTION 804 Non-Conforming Structures 109

ARTICLE 9 ADMINISTRATIVE BODIES AND THEIR DUTIES..... 111
SECTION 901 Township Zoning Inspector 112
SECTION 902 Township Zoning Commission..... 112
SECTION 903 Board of Zoning Appeals 113
SECTION 904 Township Trustees 114

ARTICLE 10 ADMINISTRATIVE PROCEDURES..... 117
SECTION 1001 Zoning Permit Requirements..... 118
SECTION 1002 Conditional Use Permits 119
SECTION 1003 Appeals and Variances 121
SECTION 1004 Amendments and District Changes 120
SECTION 1005 Violations and Penalties 128

Article 1
General Provisions

SECTION 101 PURPOSE: This is the Zoning Resolution for Jefferson Township, Greene County, Ohio adopted and amended pursuant to Chapter 519 of the Ohio Revised Code for the following purposes, among others:

- 101.1 To promote the health, safety, comfort and general welfare of the present and future inhabitants of Jefferson Township;
- 101.2 To protect the agriculturally based economy and promote the orderly development of residential, business, industrial, recreational and public areas within Jefferson Township in accordance with Perspectives: A Future Land Use Plan for Greene County, Ohio;
- 101.3 To protect the quality of life within Jefferson Township through the protection of the total environment, the prevention of nuisances and the provision of adequate light, air and convenience of access to property;
- 101.4 To achieve such timing, density and distribution of land development and use as will prevent environmental pollution and the overloading of systems for providing water supply, wastewater disposal, storm drainage, police protection, fire protection, education and other public services within Jefferson Township;
- 101.5 To achieve an accessibility, design and density of land development and use as will secure safety from fire, floods and other dangers within Jefferson Township;
- 101.6 To achieve such density, distribution and design of land development and use as will protect and preserve the design capacity of the streets and roads within Jefferson Township and prevent traffic congestion or hazards;
- 101.7 To achieve such density, design and distribution of housing as will protect and enhance residential property and secure adequate housing for every citizen within Jefferson Township; and
- 101.8 To insure the compatibility of land uses which are either adjacent to or in close proximity of each other.

SECTION 102 TITLE: This Resolution, including the Official Zoning District Map made a part hereof, shall be known and may be referred to or cited as the "Jefferson Township Zoning Resolution".

SECTION 103 INTERPRETATION: 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 are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, resolutions or private deed restrictions or private covenants, the most restrictive or that imposing the higher standards shall govern.

SECTION 104 AREA OF JURISDICTION: The provisions of this Resolution shall apply to all land within the unincorporated area of Jefferson Township, Greene County, Ohio.

SECTION 105 SEPARABILITY: Should any section, paragraph, clause, sentence, item, phrase or provision of this Resolution be declared by a Court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this Resolution as a whole or any part thereof other than the part so declared to be unconstitutional or invalid. Such decision shall not affect the validity of this Resolution as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 106 REQUIRED CONFORMANCE: Except as herein provided, no building or structure shall be erected, converted, enlarged, re-constructed, moved or structurally altered nor shall any building, structure or land be used nor shall any excavation or fill be made;

106.1 Except for any expressed purpose permitted in the district in which such building or structure or land is located;

106.2 Except in conformance to the height and bulk limits established for the district in which such building or structure or use is located;

106.3 Except in conformance to the area, frontage and yard regulations of the district in which such building or structure or use is located; and

106.4 Except in conformance to the off-street parking and off-street loading space regulations of the district in which such building or structure or use is located.

Article 2

Construction Of Language And Definition

SECTION 201 CONSTRUCTION OF LANGUAGE: For the purpose of this Resolution, certain terms or words shall be interpreted as follows:

201.1 Words used in the singular shall include the plural and the plural the singular;

201.2 Words used in the present tense shall include the future tense;

201.3 The word "shall" is mandatory and not discretionary;

201.4 The word "may" is permissive;

201.5 The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for" and "occupied for";

201.6 The word "person" includes a firm, association, organizational partnership, trust, company or corporation as well as an individual; and

201.7 The word "dwelling" includes the word "residence".

SECTION 202 DEFINITIONS: All words used in this Resolution shall have their customary meanings as defined in Websters New World Dictionary except those specifically defined in this Section.

202.001 Accessory Use or Structure: A use or structure incidental and subordinate to the principal use of the structure on the lot and serving a purpose customarily incidental and subordinate to the use of the principal building.

202.002 Adult Entertainment Facility: a facility having a significant portion of its function as adult entertainment which includes the following listed categories:

202.003 Adult Book Store: an establishment having a substantial or significant portion of its stock in trade, books, magazines or 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.

202.004 Adult Mini Motion Theater: 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 observations by patrons therein.

- 202.005 Adult Motion Picture Theater: a facility with a capacity for 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 observations by patrons therein.
- 202.006 Adult Entertainment Business: any establishment involved in the sale of services or products characterized by salacious conduct appealing to prurient interest for the observation or participation in by patrons, the exposure or presentation of "specified sexual activities" or "specified anatomical areas" and/or physical contact of persons and is characterized and/or portrayed by either photography, dancing, stripping, reading, massage, male or female impersonation or similar activities or medium.
- 202.007 Specified Sexual Activities: (1)human genitals in a stimulation or arousal state (2) acts, real or simulated, of human masturbation, sexual intercourse, sodomy, cunnilingus or fellatio and/or fondling or other erotic touching of human genitals, pubic regions, buttocks or female breasts.
- 202.008 Specified Anatomical Areas (1)less than completely and opaquely covered human genitals, pubic regions, buttocks and female breasts below a point immediately above the top of the areola and/or (2)human genitals in a discernibly turgid state even if completely and opaquely covered.
- 202.009 Body Art Studio: any establishment whose services include tattooing and/or body piercing. Tattooing by definition shall include the placing of designs, letters, figures, symbols or other markings on the skin of any person using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to puncture or contact the skin. Body piercing shall mean the creation of an opening in an individual's body (other than common ear piercing) to insert jewelry or other decorations.
- 202.010 Definitions of AEB/Permitted Principal use: Permitted Principal uses are limited because of the nature of the AEB zoned district. Additionally, the facility within an AEB Zone shall comply with the requirements listed for (TB) Township Business.
- 202.011 Jefferson Township, Greene County, Ohio shall not permit the re-zoning, operation, licensing or permit for any business that provides Adult Entertainment, whether public or private, to be located outside a designated AEB Zone.

202.012 COSTS/FEES: It shall be and remain the sole responsibility of the applicant(s) of such establishment(s) to fully fund all costs for legal notices, publications, notices, meetings and elections. The Jefferson Township Trustees shall reserve the right to determine the approximate costs to proceed with the approved election and necessary legal notices. The approved amount shall be paid by deposit (non-interest bearing) to the Jefferson Township Clerk by applicant(s) of such establishment in advance. Fees are set annually by the Jefferson Township Trustees.

202.013 Agribusiness: Manufacturing, warehousing, storage and related industrial and commercial activities that provide services which are dependent upon agricultural activities found within the Agricultural District and are not necessarily suited to locations within an established community. Agribusinesses include, but are not limited to, the following uses: fertilizer production, sales, storage and blending; sales and servicing of farm implements and related equipment; preparations and sale of feeds for animals and fowl; seed sales; poultry hatchery services; corn shelling, hay baling and threshing services; grain elevators and bulk storage of feed grains; horticultural services; veterinary services; agricultural produce milling and processing; feed lots; livestock auctions and retail nurseries.

202.014 Agriculture: Section 519.01 of the ORC is included in its entirety as part of this section.

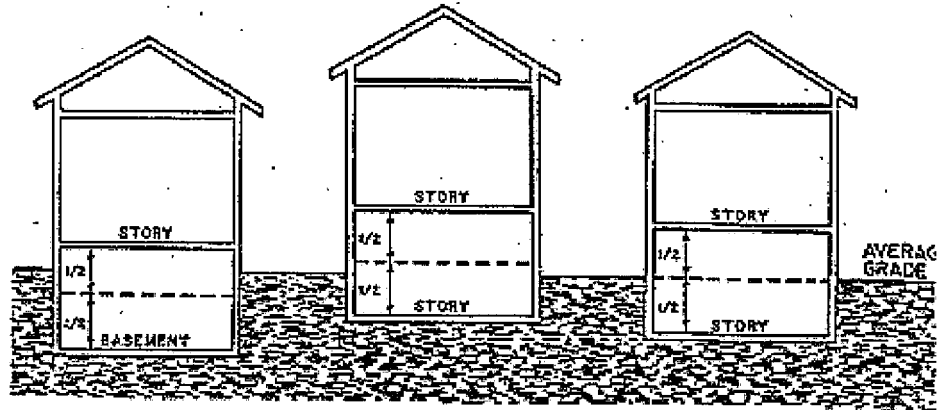
The use of a tract of land for farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, animal and poultry husbandry and the necessary accessory uses for packing, treating or storing the produce provided that:

- a. The operation of any such accessory use defined above shall be secondary to that of normal agricultural activities;
- b. The above uses shall not include the feeding of garbage or offal to swine or other animals;
- c. The above uses shall not include the feeding or sheltering of animals or poultry in penned enclosures within one hundred (100) feet of any residential zoning district; and
- d. The above uses shall not include the operation or maintenance of a feed lot or a commercial stockyard.

202.015 Airport, Commercial: Any runway, landing strip or other facility designed or used by any person for the landing and take-off of aircraft by the public for commercial

purposes and may also include services such as fuel sales, storage, repair services and aircraft sales.

- 202.016 Airport, Private: Any runway, landing strip or other facility designed or used by any person for the landing, take-off and storage of aircraft on one's own property principally for one's own use.
- 202.017 Alterations: Any change in the supporting members (bearing walls, beams, columns, girders, etc.) of a building or structure or movement of a building or structure from one location to another.
- 202.018 Automobile Service Station: A building, lot, or both, having pumps and underground storage tanks at which fuels, oils or accessories for the use of motor vehicles are dispensed, sold or offered for retail sale and mechanical repair service may be incidental to the dispensing of such items. The storage of junk or inoperable vehicles shall not be included in this definition.
- 202.019 Automobile Repair Station: A building, lot or both, in or upon which the business of general motor vehicle repair and service is conducted to include engine rebuilding, rebuilding or reconditioning of motor vehicles, body repair, painting and undercoating of automobiles but excluding a junk yard as defined in this Section.
- 202.020 Automobile Sales or Rental: A building, lot or both, used for the display, sale or rental of new or used motor vehicles in operable condition and where repair service is incidental.
- 202.021 Barn: An accessory structure upon a lot customarily used for the housing of livestock and for the storage of crops and/or machinery used in bona-fide agricultural activities as previously defined in this Section.
- 202.022 Basement: Floor space in a building partially or wholly underground but having more than one-half of its clear floor-to-ceiling height below the average grade of the adjoining ground. A basement shall be counted as a story if it does not meet the definition above or is subdivided and used for dwelling or business purposes by other than a janitor employed on the premises.
(See Illustration)



202.023 Beginning of Construction: The beginning of construction is the incorporation of labor and material within the walls of a building or buildings; the incorporation of labor and materials at the site, lot or parcel where a building is to be constructed and for the incorporation of labor and material where land is to be used for purposes other than construction of a building.

202.024 Billboard: See Sign.

202.025 Block: A tract of land bounded by streets, a combination of streets, railroad right-of-way, un-subdivided acreage, river or live stream or any other barrier to the continuity of development, including corporation lines.

202.026 Board of Zoning Appeals: The Board of Zoning Appeals of Jefferson Township, Greene County, Ohio.

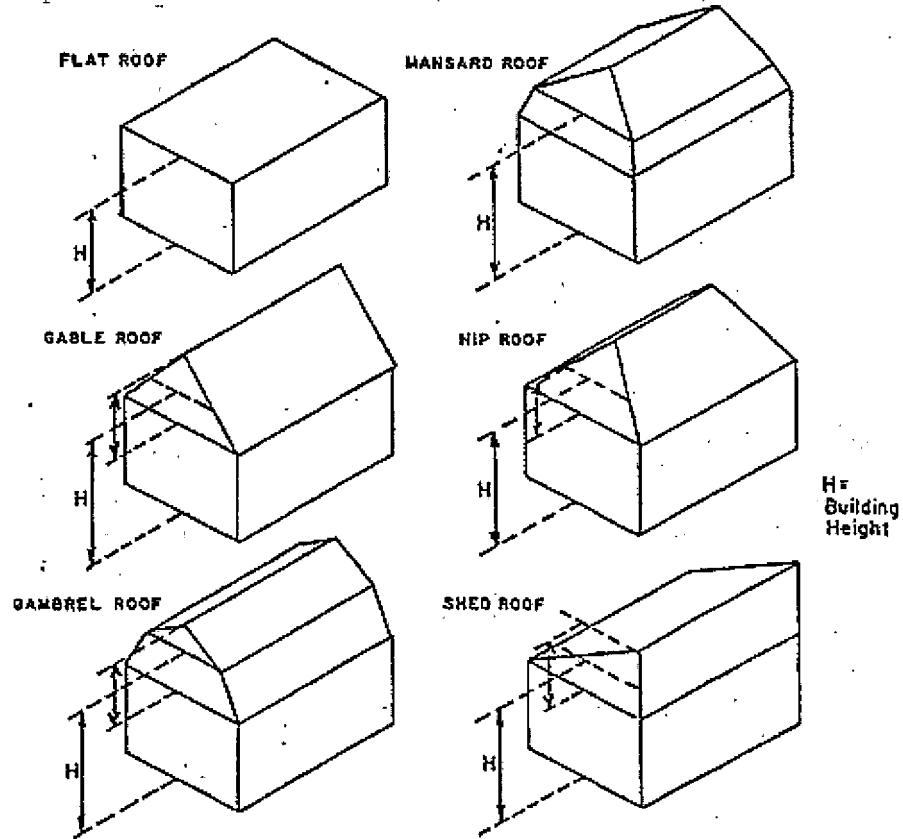
202.027 Boarding House: Any building originally designed for and used as a single-family dwelling or part thereof where rooms for lodging, with or without meals, are provided for compensation for five (5) or less persons who are not members of the keeper's family. A boarding house which is operated for more than five (5) persons shall be deemed to be a motel or hotel as defined in this Section.

202.028 Buffer Area: That portion of a lot set aside for open space and visual screening purposes, pursuant to applicable provisions of this Resolution, to separate or screen different use districts and/or uses on one property from uses on another property.

202.029 Building: Any structure having a roof supported by poles, columns or walls which is designed for the shelter, support or enclosure of persons, animals, chattels or property of any kind.

202.030 Building Height: The vertical distance from the average elevation of the finished grade at the front of the building to (a) the highest point of a flat roof; (b)

the deck line of a mansard roof; (c) the average height between the eaves and ridge for gable, hip and gambrel roofs or (d) the average height between high and low points for a shed roof. (See Illustration)



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

202.032 Clinic: A place used for the care, diagnosis and treatment of sick, ailing, infirmed or injured persons and those who are in need of medical and surgical attention but who are not provided with board or room or kept overnight on the premises.

202.033 Club: A premises owned or operated by a person or persons for a civic, social, cultural, religious, literary, political, recreational or like activity but not primarily for profit or to render a service which is customarily carried on as a business.

202.034 Commercial Recreational Facilities, Indoor: Any commercial activity conducted primarily indoors which is

related to the recreation field such as bowling alleys, skating rinks, indoor tennis courts, indoor motion picture theaters and similar recreational activities.

202.035 Commercial Recreational Facilities, Outdoor: Any commercial activity conducted primarily outside of a building which is related to the recreation field such as drive-in theaters, community swimming pools, miniature golf, driving ranges, skiing facilities, country clubs and similar activities.

202.036 Community-Based Residential Social Service Facilities: Facilities providing residential services for the care and/or rehabilitation of groups of individuals who require protective supervision within a residential environment including the following five (5) types of facilities:

a Foster Homes: A private residence providing resident services and protective supervision for the care and/or rehabilitation of one (1) child, adolescent or adult within a home environment all under the regulation of the appropriate social service agency having authority under law to license the operation.

b Family Care Home: A residential facility which is operated by private citizens or a social service agency to provide room and board, personal care, habilitation services and supervision in a family setting for not more than eight (8) persons with developmental disabilities. A developmental disability shall be defined as a disability that originated before the attainment of eighteen (18) years of age and can be expected to continue indefinitely, constitutes a substantial handicap to the person's ability to function normally in society and is attributable to mental retardation, cerebral palsy, epilepsy, autism or any other condition found to be closely related to mental retardation because such condition results in similar impairment of general intellectual functioning or adaptive behavior or requires similar treatment and services. All family care homes shall possess a license from the appropriate state or local agency(s) having authority under law to license the operation.

c. Group Care Home: A residential facility which is operated by private citizens or a social service agency to provide room and board, personal care, habilitation services and supervision in a family setting for more than eight (8) but not more than sixteen (16) persons with developmental disabilities. A developmental disability shall be defined as a disability that originated before the attainment of eighteen (18) years of age and can be expected to continue indefinitely, constitutes a substantial handicap to the person's ability to function normally

in society and is attributable to mental retardation, cerebral palsy, epilepsy, autism or any other condition found to be closely related to mental retardation because such condition results in similar impairment of general intellectual functioning or adaptive behavior or requires similar treatment and services. All group care homes shall possess a license from the appropriate state or local agency(s) having authority under law to license the operation.

d Home for Adjustment: A residential facility operated by a court, a social service agency or private citizen(s) which provides therapy, counseling and a residential environment for eight (8) or less adolescents or adults for the following purposes: (1) to assist them in recuperating from the effects of drugs or alcohol; (2) to assist them in adjusting to living with the handicaps of an emotional or mental disorder in lieu of or subsequent to confinement within an institution; or (3) to provide housing and a supervised living arrangement in lieu of or subsequent to placement within a correctional institution. The residents of any home for adjustment shall be limited to those individuals who will not pose a threat to life or property within the community as determined by the responsible court or social service agency. All homes for adjustment shall possess a license from the appropriate court or state or local agency(s) having authority under law to license the operation.

e. Institution: A facility such as a hospital, a nursing home, rest home or a correctional facility. An institution shall also be defined as any residential facility designed or used for more than sixteen (16) persons functioning under the purposes of a family care home or a group care home or any residential facility designed or used for more than eight (8) persons under the purposes of a home for adjustment. All institutions shall possess a license from the appropriate state or local agency(s) having authority under law to license the operation and may be operated by private citizens, a social service agency or a governmental authority.

202.037 Common Areas: As used herein, parcels of land, together with the improvements thereon, the use and enjoyment of which shall be shared by the owners and occupants of the individual building sites within a development.

202.038 Comprehensive Plan: Perspectives: A Future Land Use Plan for Greene County, Ohio, as adopted by the Board of County Commissioners of Greene County. This plan establishes the goals, objectives and policies of Jefferson Township as well as showing the general facilities including housing, industrial and commercial

uses, major streets, parks and other community facilities.

202.039 Conditional Use: A use permitted within a district other than a permitted principal use, requiring a conditional use permit and approval of the Board of Zoning Appeals. These uses are permitted only after the applicant has followed the procedures outlined in Article 10 Section 1002.

202.040 Conditional Use Permit: A permit issued by the Board of Zoning Appeals to allow certain specific developments that would not otherwise be allowed in a particular zoning district. These permits are issued only after the applicant has followed the procedures as stated in Article 10, Section 1002 of this Resolution. Development under a Conditional Use Permit differs from a zoning change in that it is much more specific. The applicant submits plans and conditions exactly or re-applies for a permit before deviating from that plan.

202.041 Court: An open space which may or may not have direct street access and which is bounded on two or more sides by a single building or a group of related buildings. A court is not a yard.

202.042 Corner Lot: See Lot Types.

202.043 Density: A unit of measurement designating the number of dwelling units per acre of land as follows:

a. Gross Density: The number of dwelling units per acre of the total land to be developed.

b. Net Density: The number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses and excludes such areas as street rights-of-way, parks and other similar uses.

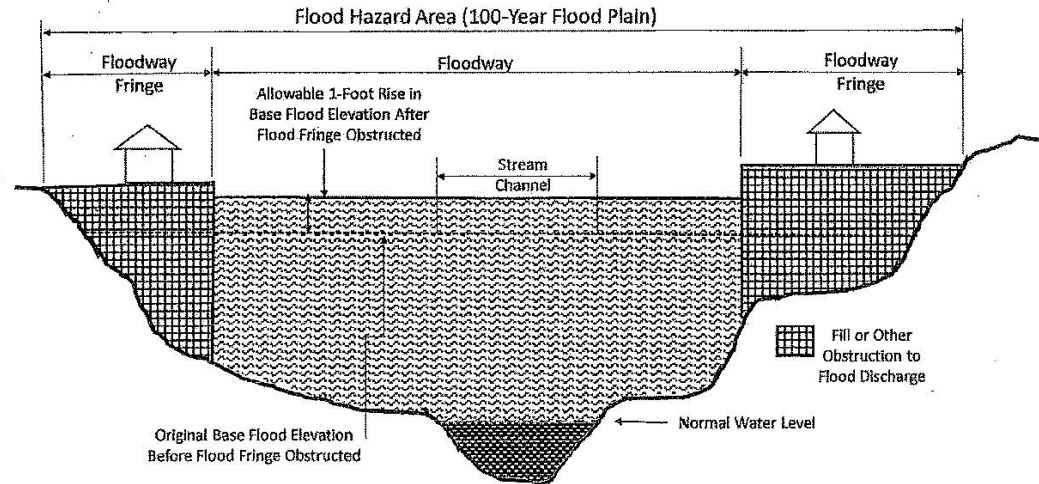
202.044 District: A portion of the unincorporated area of the Township within which certain regulations and requirements or various combinations thereof apply uniformly under the provisions of this Resolution.

202.045 Drive-in: A business or other establishment so developed that its retail or service character is dependent on providing a driveway approach and/or waiting spaces for motor vehicles so as to serve patrons while in the motor vehicle.

202.046 Dwelling Unit: One or more rooms designed for or used as a unit to provide complete housekeeping facilities for one (1) individual family with sleeping facilities, permanently installed cooking facilities and lawfully required sanitary facilities. This definition shall include "modular homes" as defined in this Resolution.

- 202.047 Dwelling, Single-Family: A building consisting of one single dwelling unit on an individual lot separated from other dwelling units by open space.
- 202.048 Dwelling, Two-Family: A building consisting of two dwelling units, including condominiums, which may be either attached side-by-side or one above the other. Each unit shall have a separate entrance.
- 202.049 Dwelling, Multiple-Family: A building consisting of three or more dwelling units including condominiums, townhouses, quadruplexes and garden apartments with varying arrangements of entrances and party walls.
- 202.050 Easement: Authorization by a property owner for use by another for a specified purpose of any designated part of his property.
- 202.051 Erection: The acts of building, constructing, altering, reconstructing, moving upon or any physical operation(s) on the premises which is required for construction. Excavation, fill, drainage and the like shall be considered a part of erection.
- 202.052 Essential Services: The erection, construction, reconstruction, change, alteration, maintenance, removal or use of any underground or overhead equipment including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, signals, hydrants or other similar accessories by any public utility or governmental agency for the purpose of furnishing adequate supply, transmission, distribution, collection or disposal of gas, electric, water, steam or communication service to the public in order to maintain the public health, safety and welfare but not including buildings.
- 202.053 Excavation: The act of digging, hollowing out or any other breaking of ground resulting in a total quantity of more than one hundred (100) cubic yards of material or a vertical depth of more than four (4) feet. Common house hold gardening and ground care or plowing of ground for agricultural purposes shall be excepted from this definition.
- 202.054 Family: An individual or two or more persons related by blood, marriage or adoption living together as a single housekeeping unit in a dwelling unit or a group of individuals, who need not be related, living together as a single housekeeping unit in a dwelling unit provided that a ratio of two persons or less per bedroom within the dwelling unit be maintained.
- 202.055 Farm: All of the contiguous neighboring or associated land operated as a single unit by the owner-operator himself, his family or hired employees on which bona fide agriculture is conducted as the primary use.

- 202.056 Feed Lot: Land used for the confining and commercial feeding of livestock for mass production and marketing and not necessarily connected with any general farming upon the same lot. All feed lots shall obtain appropriate permits for waste treatment and disposal from the Ohio Environmental Protection Agency prior to the issuance of a Zoning Permit.
- 202.057 Fence: Any free-standing structure other than part of a building which encloses or partially encloses any premises and is of sufficient strength and dimensions to prevent straying from within or intrusion from without. Live vegetation shall not be included in this definition.
- 202.058 Fill: Soil, rock, earth, sand, gravel or any other material exceeding a total of one hundred (100) cubic yards or more than four (4) feet in vertical height at its deepest point which may be deposited or placed onto or into the ground.
- 202.059 Filling: The act of depositing or dumping of any fill onto or into the ground except common household gardening and ground care.
- 202.060 Flood, 100 Year: The temporary inundation of normally dry land areas by a flood that is likely to occur once every 100 years (ie: that has a one percent (1%) chance of occurring each year although the flood may occur in any year).



202.061 Flood Plain, Regulatory: That land area of Jefferson Township which is subject to inundation by the 100 year flood as determined by the Flood Insurance Study: Unincorporated Areas of Greene County, Ohio prepared by the Federal Emergency Management Agency. (See Illustration)

202.062 Floodway: That 'portion of the regulatory flood plain which is required to carry and discharge the flood waters of the 100 year flood without obstruction as designated in the Flood Insurance Study: Unincorporated Areas of Greene County, Ohio. (See Illustration)

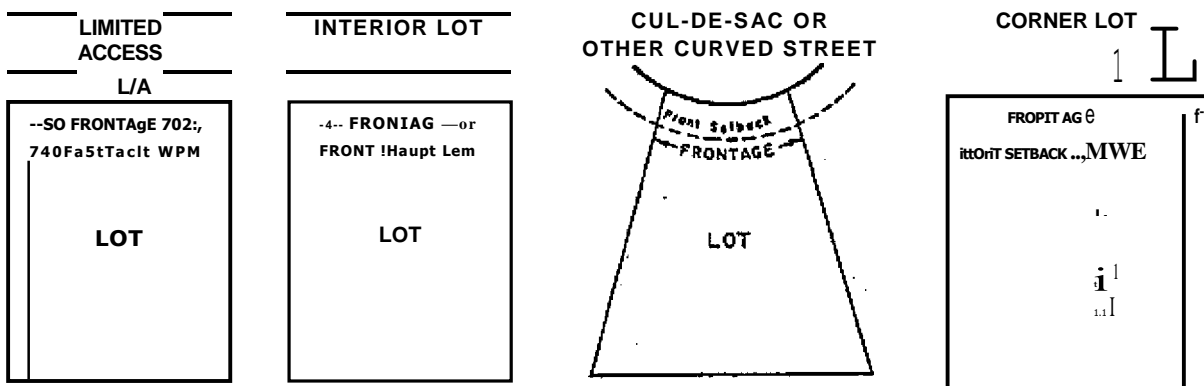
202.063 Floodway Fringe: That portion of the regulatory flood plain which serves primarily as a storage area for the flood waters of the 100 year flood as designated in the Flood Insurance Study: Unincorporated Areas of Greene County, Ohio (See Illustration).

202.064 Floor Area, Non-Residential: The sum of the gross horizontal area of all the floors of a non-residential building measured from the interior faces of the interior walls, excluding stairs, washrooms, elevator shafts, maintenance shafts and similar areas.

202.065 Floor Area, Residential: The sum of the gross horizontal area of all floors of a residential building measured from the interior faces of the exterior walls. Floor area shall not include breezeways, carports, garages,

storage areas with only outside access, porches, unfinished attics or other unheated and/or unfinished areas attached to the dwelling.

202.066 Frontage: The distance between the side lot lines measured along the required front setback line and in the case of a corner lot, frontage shall be measured along the shortest front lot line. Property lines which abut limited access roads shall not be construed to be included within any calculation of frontage. (See Illustration)



202.067 Garage, Private: A detached accessory building or a portion of a main building intended for the parking or storage of automobiles, recreational vehicles or boats of the occupants of the premises.

202.068 Garage, Public: A principal or accessory building other than a private garage intended for the parking or storage of automobiles, recreational vehicles, boats or other vehicles.

202.069 Glare: Excessively bright illumination.

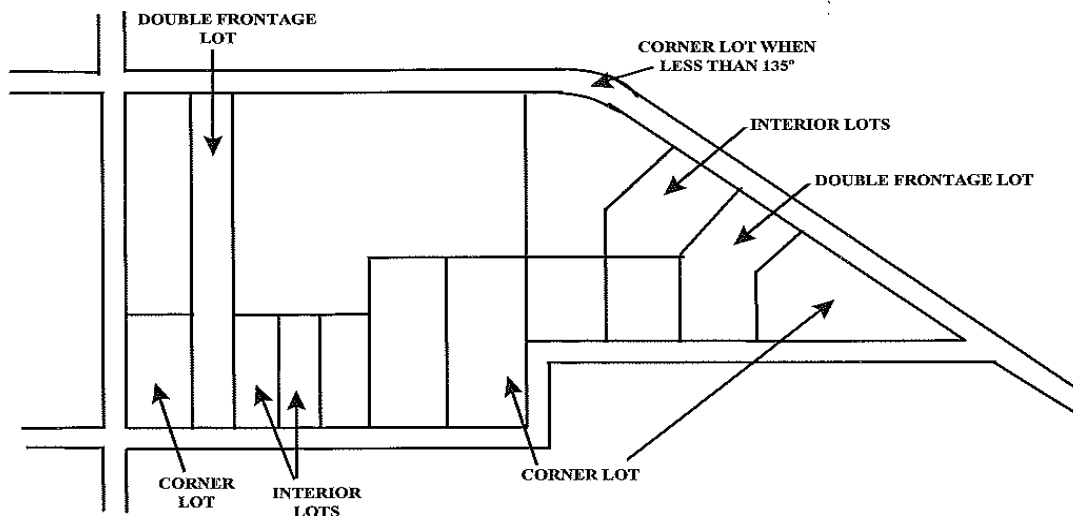
202.070 Grade, Average: The average elevation of the finished surface of the ground at the exterior walls of a building or structure.

202.071 Home Occupation: An occupation conducted by a person on the same premises as his principal place of residence and is clearly subordinate and incidental to its use for residential purposes.

- 202.072 Hotel: A building in which lodging or boarding is offered to the public for compensation. As such, it is open to the public in contradistinction to a boarding house which is herein separately defined.
- 202.073 Junk or Inoperable Vehicle: A vehicle shall be deemed junk or an inoperable vehicle whenever any two or more of the following occur for a period of two weeks prior to the filing of a cease and desist order:
- a. The vehicle is without a valid, current registration and/or license plate;
 - b. The vehicle is apparently inoperable;
 - c. The vehicle is without fully inflated tires and/or has any type of support under it;
 - d. The vehicle has a missing or shattered window or wind shield and/or;
 - e. The vehicle has an extensively damaged or missing door, motor, transmission or other similar major parts.
- 202.074 Junk Yard (Salvage Yard): Any use primarily involved with buying, selling, exchanging, storing, baling, packing, disassembling or handling of waste or scrap materials including but not limited to vehicles, machinery and equipment not in operable condition or parts thereof and furniture, building materials, metals, paper, rags, rubber tires and bottles. Such operations conducted entirely within completely enclosed buildings shall not be considered a Junk Yard. Two (2) or more junk or inoperative vehicles on a lot shall be considered a Junk Yard.
- 202.075 Kenel: Any lot or premises on which four (4) or more domesticated animals more than six (6) months of age are bred, boarded, trained or sold.
- 202.076 Loading Space Off-Street: A space or berth located totally outside of any street or alley right-of-way for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and which abuts upon a street, alley or other appropriate means of access.
- 202.077 Location Map: See Vicinity Map
- 202.078 Lot: A piece or parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and its accessory building and uses including such open spaces as are required under the provisions of this Resolution. Every lot shall have the minimum required frontage upon a public street.

- a. Corner Lot: A lot abutting upon two (2) or more streets at their intersection or upon two parts of the same street and in either case forming an interior angle of one hundred thirty five (135) degrees or less as measured at the center-line of the road or the interior right-of-way line as applicable. (See Illustration)
- b. Interior Lot: A lot other than a corner-lot with only one frontage on a public street. (See Illustration)
- c. Double Frontage Lot: A lot having frontage on two (2) non-intersecting streets or two approximately perpendicular portions of the same street. (See Illustration).

202.079 Lot Coverage: That percentage of the lot area which, when viewed directly from above, would be covered by the principal and accessory structure or structures or any part thereof excluding projecting roof eaves of less than twenty-four (24) inches.



202.080 Lot Lines: Lines bounding the lot as shown in the accepted plat or survey record. (See Illustration)

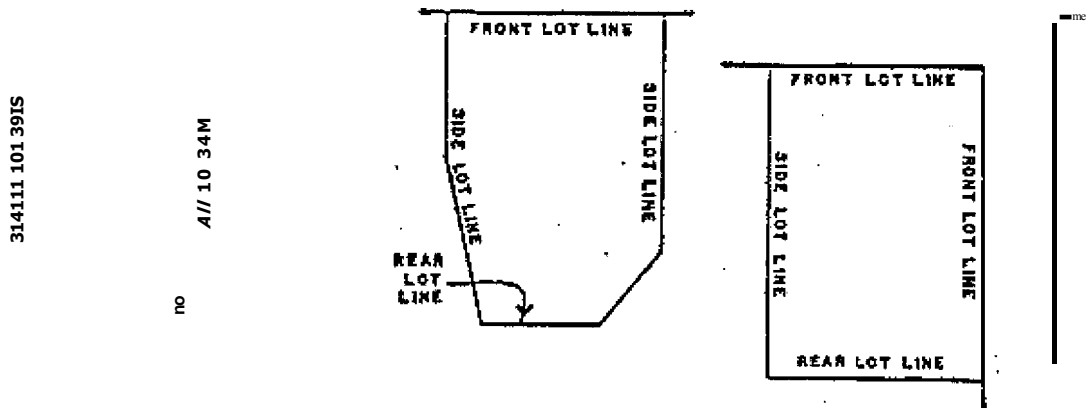
- a. Front Lot Line: A lot line which either falls along a street right-of-way line or falls approximately along the center of a road-forming the boundary of a lot. On a corner, lot lines along both streets shall be considered front lot lines.
- b. Side Lot Line: A lot line which is neither a front lot line nor a rear lot line.

- c. Rear Lot Line: The lot line that is most distant from and most nearly parallel to the front lot line. If a rear lot line is less than fifteen (15) feet long or if the lot comes to a point, the rear lot line shall be a line at least fifteen (15) feet long lying wholly within the lot parallel to and a maximum distance from the front lot line. In the case of a corner lot, the rear lot line shall be the line opposite the shortest front lot line.

WITHOUT RIGHT OF WAY

WITH RIGHT OF WAY

CORNER LOT



202.081 Lot Width: See Frontage.

202.082 Lot of Record: A lot which is part of a subdivision, the plat of which has been recorded in the office of the Recorder of Greene County; or a parcel of land, the deed or land contract to which was of record as of the effective date of this Resolution or any appropriate amendment thereto.

202.083 Manufacturing, Heavy: Fabrication, altering, converting, assembling, storing, testing and similar industrial uses which are generally major operations extensive in character and requiring large sites, large open storage and service areas, extensive accessory facilities and ready access to regional transportation. Heavy manufacturing uses may normally generate some nuisances such as smoke, noise, vibration, dust, glare, air pollution, industrial traffic and water pollution.

- 202.084 Manufacturing, Light: Manufacturing or other industrial uses which are usually controlled operations and normally do not require large sites. Such uses are normally relatively clean, quiet and free of objectionable or hazardous elements such as smoke, noise, vibration, water pollution, glare, air pollution and dust. Light manufacturing uses normally operate and store material within enclosed structures and generate little industrial traffic or other nuisance.
- 202.085 Mineral Extraction Operation: Any operation including accessory buildings, roads or structures involving the excavation, mining, quarrying, storage, separation, cleaning and/or processing of clay, sand, gravel, lime stone, shale or other mineral resource. Such operation shall include all of the land or property that is used or owned in reserve by the person, firm or corporation involved in such operation. Mineral extraction is an interim land use and such operation shall possess a plan for ultimate use of the property.
- 202.086 Mobile Home: A manufactured relocatable, residential unit providing complete, independent living facilities for one family including permanent provisions for living, sleeping, eating, cooking and sanitation and the design and construction of which meets the standards and specifications of the United States Department of Housing and Urban Development. A mobile home is not included within the definition of "Modular Home" and the removal of running gear shall not exempt a mobile home from this definition.
- 202.087 Mobile Home Park: Any lot upon which two or more mobile homes are located for residential use either free of charge or for revenue purposes. A mobile home park shall include any roadway, building, structure, vehicle or enclosure used or intended for use as a part of the facilities of such park.
- 202.088 Modular Home: A factory-fabricated, transportable building consisting of two or more units designed to be assembled into a permanent structure at a building site on a permanent foundation and used for residential purposes by one family and is built to meet the standards and specifications of the Industrial Unit Standards of the Ohio Building Code.
- 202.089 Motel: A building or group of buildings in which lodging is provided and offered to the public for compensation. As such, it is open to the public in contradistinction to a boarding or lodging house or a multiple dwelling. A motel shall be distinguished from a hotel in that the building is usually designed to serve tourists traveling by automobile. Entrance and exit to rooms need not be

through a lobby or office and parking is usually adjacent to the unit.

- 202.090 Non-Conforming Building or Structure: A building or structure lawfully existing at the time of enactment of this Resolution, or subsequent amendments, which does not conform to the regulations of the district in which it is situated or other applicable provisions of this Resolution.
- 202.091 Non-Conforming Lot: A lot existing at the time of enactment of this Resolution or any subsequent amendments which does not conform to the lot area and frontage requirements of the district in which it is located.
- 202.092 Non-Conforming Use: A use of land lawfully existing at the time of enactment of this Resolution or subsequent amendments which do not conform to the regulations of the district in which it is situated or other applicable provisions of this Resolution.
- 202.093 Nursery, Child Care: A building used for the commercial care of five (5) or more children who are not members or wards of the owner or his immediate family. All child care nurseries shall possess an appropriate license from the Ohio Department of Public Welfare as required.
- 202.094 Nursery, Retail: Land, buildings, structures or a combination thereof for the storage of live trees, shrubs or plants offered for retail sale on the premises including products used for gardening or landscaping.
- 202.095 Official Thoroughfare Plan: The Official Thoroughfare Plan for Greene County, Ohio establishing the official right-of-way width of major streets on file in the office of the Recorder of Greene County, Ohio and in the office of the Regional Planning and Coordinating Commission of Greene County, Ohio together with all amendments thereto subsequently adopted.
- 202.096 Open Space: An area open and unobstructed to the sky which may be on the same lot with a building. The area may include natural environmental features, water areas, swimming pools, tennis courts and other recreational facilities that the Zoning Commission, Board of Zoning Appeals or Township Trustees (whichever is applicable) deems permissible. Streets, parking areas, structures for habitation and the like shall not be included.
- 202.097 Open Storage: Storing or keeping of chattel not enclosed in a building.
- 202.098 Parking Space, Off-Street: A space located totally outside of any street or alley right-of-way for the parking of an automobile or other vehicle.

202.099 Prime Agricultural Soils: Prime agricultural soils are those soils within Jefferson Township which display characteristics well-suited to agricultural activities such as field crops under normal or typical management practices. It has been determined through studies that the following soil types, as described in the Soil Survey of Greene County, Ohio, are prime agricultural soils:

- the Algiers Silt Loam
- Bba Bidkdeck Silt Loam 11 to 4 percent slopes
- Bs brookston Silty Clay In
- Bt ,Brooluten— Urban Land Complex..
- Celt Celina Silt Loam (0 to 2 percent slopes)
- Cab Celina Silt Loam (2 to 6 percent slopes)
- Crh. Crosby Silt Loam (0) to 2 percent slopes)
- CrI Crosby Silt:Loam (2 to 6 percent slopes)
- EdB Edenton Silt Irma 12 to 6 percent slopes)
- Ee Eel Loam
- EmEan Silt Loam (0 to 2 percent slopes)
- gir02 Eidean Silt Loam (2 to 6 percent slopes, moderately eroded)
- PIA Fincastle Silt Loam 10 to 2 percent slopes)
- Gn Genesse Loam ' i.e. Linwood Muck
- EbA Miamian silt Loam (0 to 2 percent slopes)
- na11 Miamian Silt Loam (2 to 6 percent slopes)
- /11B2 Miamian Silt Loam (2 to 6 percent slopes, moderately eroded)
- V002 Miamianendean Silt Loam (2 to 6 percent slopes, moderately eroded)
- Ka Miamian Urban Land Complex ;undulating)
- Mt h Milton Silt Loam (0 to 2 percent slopes)
- mut milton Silt. Loam (2 to 6 percent slopes)
- to& eckley Silt Loam (0 to 2 percent slopes)
- OcB Ockley Silt Loam (2 to 6 percent slopes)
- 0:32 Cckley Silt loam (2 to 6 percent slopes, moderately eroded)
- CdS Ockley Urtenland Complex (undulating)
- Cab Odell Silt Loam (2 to 6 Percent slopes)
- Pa Patton Silty Clay Loam
- Pa Ragsdale Silty Clay Loam
- Pd k Raub Silt Loam (0 to 2 percent slopes)
- Ada Patin Silt Loam (2 to 6 percent slopes)
- Reeseille Silt Lm (0 to 2 ;extent slopes)
- Rs' Ross Loam
- Rth Push Silt Loam (0 to 2 percent slopes)
- litEl Push Silt Lomm (2 to 6 percent slopes)
- flu; Russell Silt Loam CO to 2 percent slopes)
- RN'S lansell Agiamian Silt Loams (2 to 6 percent slopes)
- Pv32 Russellmiaoian Silt Loams (2 to 6 percent slopes, moderately eroded)
- Slh Sleet). Silt Loam (0 to 2 percent slopes)
- ThA 'Mockery Silt Loam (0 to 2 percent slopes)
- ThS Itlickery Silt Loam (2 to 6 percent slopes)
- marsmw Loam (0 to 2 percent slopes)
- Web Mee Silt Loam (1 to 3 percent Slopes)
- We Westland Silty Clay team
- Xeh Xenia Silt Loam (0 to 2 percent slopes)
- Xeb Xenia Silt Loam (2 to 6 percent slopes)

202.100 Principal Building: A non-agricultural building in which is conducted the main or principal use of the lot on which said building is located, ordinarily the largest building on the lot and ordinarily the use conducted on the first story of such building above the basement.

202.101 Principal Use: The main use to which the premises are devoted and the main purpose for which the premises exist.

202.102 Public Way: An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, land, parkway, right-of-way, road, sidewalk, street, tunnel, viaduct, walk or other way in which the general public or a public entity has a right or which is dedicated, whether improved or not.

202.103 Recreational Vehicle: Any motor vehicle or any other vehicle less than thirty-five (35) feet in length designed or intended to be used primarily for short term dwelling or sleeping purposes away from the place of residence of the occupants and not constituting the principal place of residence of the occupants.

- 202.104 Research Activities: Research, development and testing related to such fields as chemical, pharmaceutical, medical, electrical, transportation and engineering. All research, testing and development shall be carried on within entirely enclosed buildings and no noise, smoke, glare, vibration or odor shall be detected outside such building.
- 202.105 Restaurant, Carry-Out: An establishment whose primary function is the offering of food and beverages which are sold only inside the building and are usually packaged to be carried and consumed off of the premises but may be consumed within the restaurant building or on the premises.
- 202.106 Restaurant, Drive-In: An establishment offering food and beverages which are sold within the building or to persons while in motor vehicles in an area designated for drive-in service and may be consumed on or off the premises.
- 202.107 Restaurant, Sit-Down: An establishment whose primary function is the offering of food and beverages which are sold and normally consumed within the restaurant building.
- 202.108 Retail: Sale to the ultimate consumer for direct consumption and/or use and not for resale.
- 202.109 Riding Academies: Facilities designed or used for the renting of horses and/or the instruction of horse riding including any barns, exercise areas and field areas to be used in the operation.
- 202.110 Right-of-Way: A strip of land purchased or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting and drainage facilities and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts and bridges.
- 202.110 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.
- 202.111 Screening: Structures, fences or vegetation maintained for the purpose of concealing the area behind such structures or vegetation from view.

202.112 Setback Line: A line parallel to a lot line, street or right-of-way line at any story level of a building which defines the limits of a yard and represents the distance which all or any part of a building or structure is to be set back from said lot line, street or right-of-way line.

a. Front Setback Line: An imaginary line parallel to the front lot line extending the full width of the lot representing the distance which all or any part of any structure or building is to be set back from the front lot line. In the event that the front lot line does

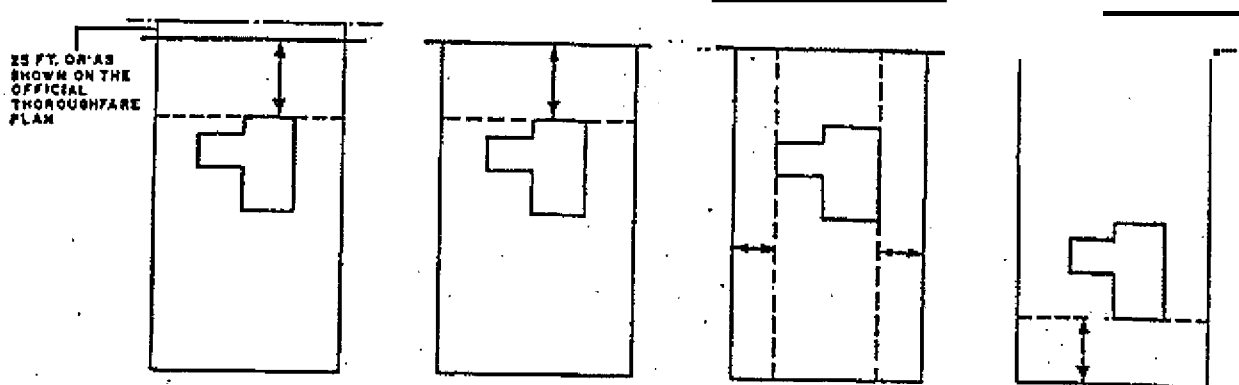
not fall along a right-of-way line, the front setback line shall be measured from a line parallel to and twenty five (25) feet from the centerline of the street. (See Illustration)

b. Side Setback Line: An imaginary line parallel to any side lot line representing the distance which all or any part of any principal building is to be set back from the rear lot line. (See Illustration)

c. Rear Setback Line: An imaginary line parallel to any rear lot line representing the distance which all or any part of any principal building is to be set back from the rear lot line. (See Illustration)

FRONT SETBACK LINE

. WITHOUT RIGHT-OF-WAY FRONT SETBACK LINE SIDE SETBACK LINES REAR SETBACK LINE



202.113 Sewage Disposal System, Central: A wastewater treatment system approved by the appropriate county, state and/or federal agency(s) which provides a collection network and a central wastewater treatment facility for a single development, a community or a region.

202.114 Sewage Disposal System, On-Site: A septic tank or similar installation on an individual lot which utilizes an aerobic or anaerobic bacteriological process or equally satisfactory process for the treatment of sewage and provides for the proper and safe disposal of the effluent.

- 202.115 Sign: A name, identification, description, display or illustration which is affixed to, painted or represented directly or indirectly upon a building, structure, parcel or lot and which directs attention to an object, product, place, activity, person, institution, organization or business.
- a. Billboard: Any sign or advertisement used as an outdoor display by painting, posting or affixing on any surface, picture, emblem, work, figure, numerals or lettering for the purpose of directing attention to any business, service or product which is not conducted or sold on the lot where such sign is located.
 - b. Sign Area: The entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem or figure of similar character together with any frame or material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed, excluding the necessary supports or uprights on which the sign is placed. Sign area shall be computed from measurements of the maximum silhouette of the largest sign face or combination of faces as viewed from a single point.
 - c. Freestanding Sign: Any sign which is not attached to, painted on or supported by a building.
 - d. Projecting Sign: Any sign which is attached perpendicular to any building or structure and extends more than twelve (12) inches beyond the surface of that portion of the building or structure.
 - e. Wall Sign: Any sign attached to or painted on the wall of a building or structure with the face in a plane parallel to such wall and not extending more than twelve (12) inches from the face of such wall.
- 202.116 Stables: Facilities designed or used for the commercial boarding of horses including any barns, exercise areas and field areas to be used in the stable operation.
- 202.117 Story: The part of a building, except a mezzanine included between the surface of one floor and the surface of the next floor above, or, if there is no floor above the ceiling next above. The floor of a story may have split levels provided there is not more than four feet difference in elevation between the different levels of the floor. A basement shall not be counted as a story.
- 202.118 Story, Half: An uppermost story lying under a gambrel, hip, gable or shed roof if used, in whole or part, for dwelling or habitable purposes.

- 202.119 Street: See Thoroughfare
- 202.120 Structure: Anything constructed or erected the use of which requires location on the ground or attachment to the ground. Among other tilings, structures include buildings, mobile homes, walls, fences, swimming pools, tennis courts, signs and billboards.
- 202.121 Swimming Pool: Any artificially constructed pool or natural body of water which contains a depth of water of at least 1-1/2 feet at any point used or intended to be used for swimming or bathing including any accessory recreational structures.
- 202.122 Swimming Pool, Community: Any swimming pool, other than a private pool, which is the principal use upon a lot and operated with or without a charge for admission.
- 202.123 Swimming Pool, Private: A swimming pool located on the same lot as the principal use and used or intended to be used without compensation by the residents and guests of a single-family residence, a two-family residence, a multifamily development or a motel.
- 202.124 Temporary Use or Structure: A transient, non-permanent use or structure permitted to exist for a designated period of time during periods of construction of the principal use or structure or for special events. A temporary structure shall not be intended to be permanently affixed to the ground.
- 202.125 Tenant Farm Dwelling: A dwelling unit constructed or occupied for the purpose of providing housing for a farmer and his family who are engaged in assisting the owner in the practice of agriculture and/or maintenance of his farm.
- 202.126 Thoroughfare, Street or Road: The full width between property lines bounding every public way of whatever nature with a part thereof to be used for access to a property by vehicular traffic and designated as follows:
- a. Alley: A minor street used primarily for vehicular service access to the back or side of properties abutting another street.
 - b. Arterial Street: A general term denoting a highway primarily for through traffic, carrying heavy loads and large volumes of traffic, usually on a continuous route.
 - c. Collector Street: A thoroughfare, whether within a residential, industrial, commercial or other type of development, which primarily carries traffic from local streets to arterial streets including the principal entrance and circulation routes within residential subdivisions.

- d. Cul-de-Sac: A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turn around.
- e. Dead-End-Street: A street having only one outlet for vehicular traffic and intended to be extended or continued in the future.
- f. Local Street: A street primarily for providing access to residential, commercial or other abutting property.
- g. Loop Street: A type of local street each end of which terminates at an intersection with the same arterial or collector street and whose principal radius points of the one hundred and eighty (180) degree system of turns are not more than one-thousand (1000) feet from said arterial or collector street are not normally more than six hundred (600) feet from each other.
- h. Marginal Access Street: A local or collector street parallel to and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street.)

- 202.127 Township Trustees: The Board of Township Trustees of Jefferson Township, Greene County, Ohio.
- 202.128 Use: specific purpose for which land, a structure or a building is designed, arranged, intended, occupied or maintained.
- 202.129 Variance: A variance is a modification of the strict terms of this Resolution where such modifications will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of this Resolution would result in unnecessary hardship. Variances are granted only after the applicant has followed the procedures as stated in Article 10, section 1003 of this Resolution.
- 202.130 Veterinary Animal Hospital or Clinic: a place used for the care, grooming, diagnosis and treatment of sick ailing, infirmed or injured animals and those who are in need of medical or surgical attention. Such use may include overnight accommodations on the premises for treatment, observation and/or recuperation.

202.131 Vicinity Map: A drawing which sets forth by dimensions or other means the relationship of a property or use to other nearby developments or landmarks and community facilities and services within Jefferson Township in order to better locate and orient the area in question.

202.132 Water System, Central: A water supply system approved by the appropriate county, state and/or federal agency(s) which provides a water supply to a single development, a community or a region.

202.133 Water System, On-Site: A well or other similar installation on an individual lot which provides a water supply to any structures or uses upon the lot subject to the approval of health and sanitation officials having jurisdiction.

202.134 Wind Energy Conversion System (WECS):

Shall mean a combination of:

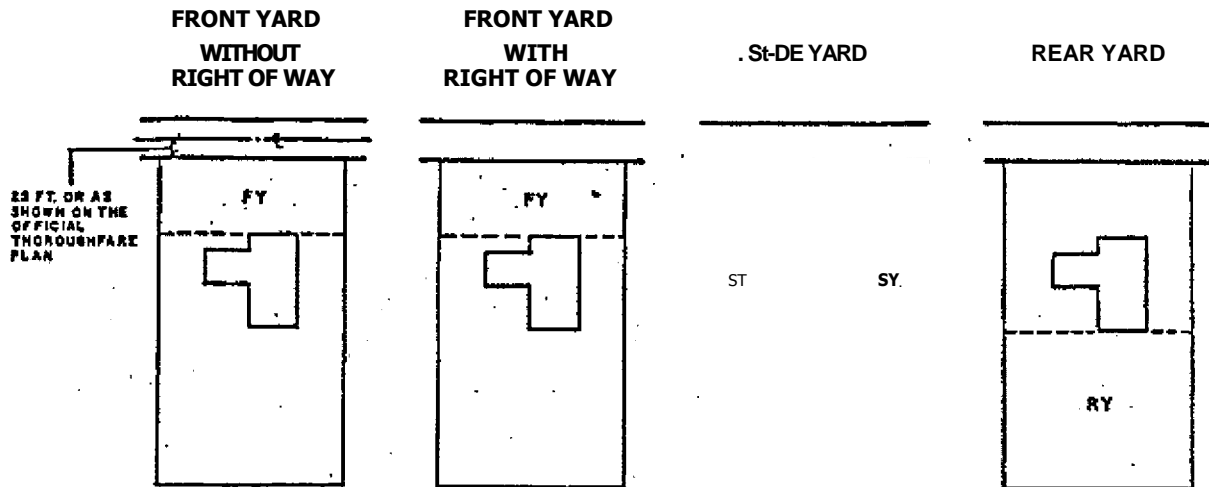
1. A surface area, either variable or fixed, for utilizing the wind for electrical power generation; and
2. A shaft, gearing, belt or coupling utilized to convert the rotation of the surface area into a form suitable for driving a generator, or other electricity producing device; and
3. The generator, alternator or other device to convert the mechanical energy of the surface area into electrical energy; and
4. The tower, pylon or other structure upon which any, all or some combination of the above are mounted.

202.135 Wind Farm: Clusters (2 or more) of WECS towers placed upon land with the intent to sell or provide electricity to others. Towers shall be owned by the owner of the property upon which the towers are placed.

202.136 Single WECS for Commercial Purposes: A WECS tower placed upon land with the intent to sell or provide electricity to others. The tower shall be owned by the owner of the property upon which the tower is placed.

202.137 Yard: An open or unoccupied space other than a court on the same lot with a principal building and unobstructed by buildings or structures from ground to sky except by trees or shrubbery or as otherwise provided herein. The minimum depth of a yard shall be determined by the setback lines as defined in this Resolution. No part of a yard provided for any building or structure shall be included as a part of any yard required for any other building or structure unless specifically permitted herein.

- a. Front Yard: An open space extending the full width of the lot between a building or structure and the front lot line of a street unoccupied and unobstructed from the ground upward except as hereinafter specified. Minimum depth shall be measured from the front lot line, existing right-of-way line or proposed right-of-way line established on the Official Thoroughfare Plan or by any other method specified elsewhere in this Resolution, as appropriate. (See Illustration)
- b. Side Yard: An open space extending from the front yard to the rear yard between a building or structure and the nearest side lot line unoccupied and unobstructed from the ground upward except as hereinafter specified. (See Illustration)
- c. Rear Yard: An open space extending the full width of the lot between a building or structure and the rear lot line unoccupied and unobstructed from the ground upward except as hereinafter specified. (See Illustration.)



202.138 Zoning Commission: The Zoning Commission of Jefferson Township, Greene County, Ohio.

202.139 Zoning District: See District.

- 202.140 Zoning Inspector: The Zoning Inspector or his authorized representative appointed by the Township Trustees of Jefferson Township, Greene County, Ohio.
- 202.141 Zoning Map: The Official Zoning District Map of Jefferson Township, or portion thereof, together with all amendments subsequently adopted.
- 202.142 Zoning Permit: A document issued by the Zoning Inspector certifying that the use of lot, structure or building or location of a structure or building upon a lot is in conformance with this Resolution.

Article 3

**Establishment of
District And Map**

SECTION 301 ESTABLISHMENT OF DISTRICTS: In order to carry out the purposes and provisions of this Resolution, Jefferson Township is hereby divided into the following zoning districts:

AGRICULTURAL DISTRICTS

A-2 General Agricultural District

RESIDENTIAL DISTRICTS

RS-2 Low Density Single-Family Residential District

RM-8 Medium-High Density Multiple-Family Residential District

R-MH Mobile Home Park District

BUSINESS DISTRICTS

TB Township Business District

HB Highway Business District

INDUSTRIAL DISTRICTS

LI Light Industrial District

HI Heavy Industrial District

FLOOD PLAIN OVERLAY

FP Flood Plain Overlay

ADULT ENTERTAINMENT DISTRICT

AE Adult Entertainment District

SECTION 302 Official Zoning District Map: The zoning districts and their boundaries are shown on the Official Zoning District Map of Jefferson Township. The Official Zoning District Map shall be identified by the signature of the Chairman of the Township Trustees, attested by the Township Clerk and bearing the seal of the Township. The map, together with all explanatory data and changes, is hereby incorporated into and made part of this Resolution. The original and one copy of the official map are to be maintained and kept up-to-date by the Zoning Inspector. One up-to-date copy shall be the final authority as to the current zoning status of lands, buildings and other structures within the Township.

SECTION 303 INTERPRETATION OF DISTRICT BOUNDARIES: Where uncertainty exists with respect to the boundaries of the various districts as shown on the Official Zoning District Map, the following rules shall apply:

303.1 Boundaries indicated as approximately following the center lines or right-of-way lines of streets, highways and/or alleys shall be construed to follow such lines or their extensions;

303.2 Boundaries indicated as approximately following platted lot lines shall be construed as following such lines;

- 303.3 Boundaries indicated as approximately following municipal limits shall be construed as following municipal limits;
- 303.4 Boundaries indicated as following railroad lines shall be construed to be the midway between the main tracks;
- 303.5 Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such center lines;
- 303.6 Boundaries indicated as parallel to or extensions of features or lines indicated in Subsections 303. through 303.5 above shall be so construed. Distances not specifically indicated on the Official Zoning District Map shall be determined by the scale of the map;
- 303.7 Initial interpretations of the location and/or elevation of the flood plain shall be made by the Zoning Inspector. Should a dispute arise concerning the location and/or elevation of the flood plain, the Board of Zoning Appeals shall make the necessary determination using information provided in the Flood Insurance Study For the Unincorporated Areas of Greene County, Ohio prepared by the Federal Emergency Management Agency. The person questioning or contesting the location and/or elevation of the flood plain shall be given a reasonable opportunity to present their case to the Board of Zoning Appeals and to submit such technical evidence as the Board of Zoning Appeals requests; and
- 303.8 Where physical or cultural features existing on the ground are at a variance with those shown on the Official Zoning District Map or in other circumstances not covered by the preceding subsections, the Board of Zoning Appeals shall interpret the district boundaries.

Article 4
District Regulations

SECTION 401 USES NOT SPECIFICALLY MENTIONED

401.1 Uses Not Specifically Mentioned: Any use of land or buildings which is not specifically mentioned as a permitted principal, permitted accessory or conditional use within any district shall not be permitted by the Zoning Inspector until it is determined by the Board of Zoning Appeals that such use is similar and compatible to uses permitted within such district. In determining if such uses are similar and compatible, the process outlined under Article 10, Section 1003 for appeals shall be followed.

SECTION 402 ADULT ENTERTAINMENT DISTRICT (AEB)

Intent and Purpose: The purpose of an Adult Entertainment Business Zone (AEB) is to provide an area for AEB to legally operate. It is intended to strategically place and isolate AEB from any institution or business that is patronized by individuals under the age of 18 years old. It is further intended that an AEB operate in an environment that would not adversely affect the citizens that do not patronize the AEB zoned district.

An AEB zone shall only be created after the petition for re-zoning as described in ORC 519.12 and Jefferson Township Zoning requirements described in Article 10, Section 1004 have been satisfied.

An approved Adult Entertainment Business (AEB) zone shall operate under a Conditional Use Permit/AEB.

Adult Cabaret shall mean any facility that provides Adult Sexually Oriented Entertainment, hereafter referred as

Accessory use or building or structure is a use or building or structure on the same lot with and of a nature customarily incident and subordinate of the main use or building.

Adult Entertainment Facility is a facility having a significant portion of its function as adult entertainment which includes the following listed categories:

Adult Book Store - an establishment having a substantial or significant portion of its stock in trade, books, magazines or 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.

Adult Mini Motion Theater - 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 observations by patrons therein.

Adult Motion Picture Theater - a facility with a capacity for 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 observations by patrons therein.

Adult Entertainment Business - any establishment involved in the sale of services or products characterized by salacious conduct appealing to prurient interest for the observation or participation in by patrons, the exposure or presentation of "specified sexual activities" or "specified anatomical areas" and/or physical contact of persons and is characterized and/or portrayed by either photography, dancing, stripping, reading, massage, male or female impersonation or similar activities or medium.

Specified Sexual Activities - (1)human genitals in a stimulation or arousal state (2) acts, real or simulated, of human masturbation, sexual intercourse, sodomy, cunnilingus or fellatio and/or fondling or other erotic touching of human genitals, pubic regions, buttocks or female breasts.

Specified Anatomical Areas - (1)less than completely and opaquely covered human genitals, pubic regions, buttocks and female breasts below a point immediately above the top of the areola and/or (2)human genitals in a discernibly turgid state even if completely and opaquely covered.

Body Art Studio - any establishment whose services include tattooing and/or body piercing. Tattooing by definition shall include the placing of designs, letters, figures, symbols or other markings on the skin of any person using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to puncture or contact the skin. Body piercing shall mean the creation of an opening in an individual's body (other than common ear piercing) to insert jewelry or other decorations.

Definitions of AEB/Permitted Principal use: Permitted Principal uses are limited because of the nature of the AEB zoned district. Additionally, the facility within an AEB Zone shall comply with the requirements listed for (TB) Township Business.

Jefferson Township, Greene County, Ohio shall not permit the re-zoning, operation, licensing or permit for any business that provides Adult Entertainment, whether public or private, to be located outside a designated AEB Zone.

COSTS/FEES - It shall be and remain the sole responsibility of the applicant(s) of such establishment(s) to fully fund all costs for legal notices, publications, notices, meetings and elections. The Jefferson Township Trustees shall reserve the right to determine the approximate costs to proceed with the approved election and necessary legal notices. The approved amount shall be paid by deposit (non-interest bearing) to the Jefferson Township Clerk by the applicant(s) of such establishment in advance. Fees are set annually by the Jefferson Township Trustees.

402.1 CONDITIONAL USE/AEB

The conditional use permit for an Adult Entertainment Business Zone shall meet the following requirements:

- a. The issuance of a permit to operate an Adult Entertainment Business shall be restricted to the hours of daylight to dusk. No artificial lighting source may supplement this requirement.
- b. Days of operation shall be permitted Monday - Saturday only. Sunday operation is strictly prohibited.
- c. Any business established under this zoning regulation must be within an approved and established AEB business zone.
- d. The establishment shall not be closer than a 500 feet radius from any of the following:
 1. Permanent dwelling/private residence.
 2. School and/or library.
 3. Place of worship.
 4. Park or recreation facility.
- e. Public Display Prohibited: No advertisement, display or other promotional material shall be permitted, shown or exhibited so as to be visible from any pedestrian sidewalks, walkways, bike paths or other public areas or public thoroughfares.
- f. Public View to be Prevented: All building openings, entries, windows, etc. for adult uses shall be located or covered in such a manner as to prevent a view of the interior from any public or semi-public area, sidewalk or street. Any new construction shall be oriented so as to minimize

any possibility of viewing the interior from public or semi-public areas.

- g. External Audio and visual Impact Prohibited: No screens, loudspeakers or sound equipment shall be permitted for motion picture/video display outside the establishment or in any way that can be seen or discerned by anyone in a public or semi-public area.
 - h. Required setback: Any establishment under this section shall not be permitted within 200 feet of any road frontage.
 - i. Alcoholic beverages may not be consumed on the property.
 - j. The Conditional Use Permit must be renewed annually and shall give the right to the Jefferson Township Zoning Inspector or any other regulatory agency immediate access to any or all parts of the business for compliance inspection of the facility and employees.
 - k. Prohibited Uses:
 - 1. No motor homes or campers on property.
 - 2. No accessory buildings.
 - 3. No overnight occupancy or parking on the property.
- 402.2 Agritourism as regulated in Section 535 if the property is enrolled in CAUV for a minimum of three years.

SECTION 403 A-2 GENERAL AGRICULTURAL DISTRICT

- 403.1 Intent and Purpose: The Intent of the General Agricultural District is to recognize the long-range physical, social and economic needs of the agricultural community within Jefferson Township. Since agricultural pursuits provide a substantial economic base for Jefferson Township and many areas still exist which possess an existing agricultural character and prime agricultural soils, it is the intent of this district to maintain and protect such areas. Only those land uses which perform necessary functions within the agricultural community will be encouraged to locate within the General Agricultural District. Single family dwellings are permitted to locate within the General Agricultural District at a maximum density of one dwelling unit per three (3) acres. Unnecessary encroachment by non-agricultural land uses which limits agricultural effectiveness either through encroachment of land resources or through incompatibility of land uses will be discouraged.
- 403.2 Permitted Principal Uses:
- a. Agriculture.
 - b. Churches.
 - c. One single-family dwelling in accordance with Section 530.
 - d. Essential services.
 - d(1). Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments the location of which has been fixed through studies. Such uses include, but are

not limited to: parks, playgrounds, libraries, schools, fire stations, community centers, water treatment, pumping and storage facilities, waste water treatment and pumping facilities and sanitary landfills.

e. Plant materials nurseries.

403.3 Permitted Accessory Uses:

- a. Bona fide accessory agricultural structures or buildings including but not limited to: barns, stables, sheds, tool rooms, shops, bins, tanks, silos and fences.
- b. Accessory off-street parking and loading spaces as regulated in Article 6.
- c. Accessory signs as regulated in Article 7
- d. One private garage.
- e. Home occupations as regulated in Section 529.
- f. Accessory storage of recreational vehicles as regulated in Section 517.
- g. Roadside stands offering for sale agricultural products produced on the premises as regulated in Section 525.
- h. Temporary uses incidental to construction work regulated in Section 525.
- i. Private accessory swimming pools and game courts for the use of occupants and their guests as regulated in Section 513.
- j. Fences as regulated in Section 510.
- k. Private accessory landing strips as regulated in Section 532.
- l. Accessory structures necessary for domestic activities and storage which does not include any business activity or other use not otherwise permitted within this Resolution.

403.4 Conditional Uses: The following uses shall be permitted only in accordance with Article 10, Section 1002:

- a. Commercial Airports as regulated in Section 532.
- b. Cemeteries as regulated in Section 526.
- c. Agribusiness operations as regulated in Section 519.
- d. Private recreation facilities including but not limited to fishing lakes, swimming pools, tennis courts, gun clubs, recreational vehicle parks and campgrounds, camping areas and golf courses (excluding driving ranges and miniature golf courses) as regulated in Section 514.
- e. Mineral extraction operations as regulated in Section 524.
- f. Private schools and child care nurseries.
- g. Billboards as regulated in Section 701.
- h. Private sanitary landfill operations- as regulated in Section 523.
- i. Storage of construction equipment as regulated in Section 517.
- j. Wind Energy Conversion Systems as regulated in Section 420.4(e)
- k. Agritourism as regulated in Section 535 if the property is enrolled in CAUV for a minimum of three years.

403.4 Minimum Dimensional Requirements:

As shown in Section 424.

SECTION 406 RS-2 LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT

406.1 Intent and Purpose: The intent of the Low Density Single-Family Residential District is to recognize the existence of and the demand for residential lots at a density of approximately two dwelling units per acre. Necessary services and accessory uses compatible with low density residential surroundings are encouraged to locate within this district. Central water supply and wastewater disposal facilities shall be required for land placed in this district.

406.2 Permitted Principal Uses:

- a. One single-family dwelling in accordance with Section 530
- b. Churches and other places of worship as regulated in Section 531.
- c. Essential services.
 - (1). Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments, the location of which has been fixed by studies. Such uses include but are not limited to: parks, playgrounds, libraries, schools, fire stations, community centers, water pumping and storage facilities and wastewater pumping facilities. No outside storage or stockpiling of material shall be permitted.
- d. Forests and wildlife preserves.
- e. Community Based Residential Social Service Facilities:
Family Care Homes as regulated in Section 518.

406.3 Permitted Accessory Uses:

- a. Accessory structures necessary for domestic activities and storage which does not include any business activity.
- b. Accessory off-street parking and loading spaces as regulated in Article 6.
- c. Accessory signs as regulated in Article 7.
- d. One private garage.
- e. Home occupations as regulated in Section 529.
- f. Accessory storage of recreational vehicles as regulated in Section 517.
- g. Private accessory swimming pools and game courts for the use of occupants and their guests as regulated in Section 513.
- h. Temporary uses incidental to construction work as regulated in Section 525.
- i. Fences as regulated in Section 510.

406.4 Conditional Uses: The following uses shall be permitted only in accordance with Article 10, Section 1002:

- a. Private schools and child care nurseries.

- b. Extensions of existing cemeteries as regulated in Section 526.
- c. Private recreation facilities including but not limited to: swimming pools, tennis courts, country clubs and golf courses (excluding driving ranges and miniature golf courses) as regulated in Section 514.
- d. Agritourism as regulated in Section 535 if the property is enrolled in CAUV for a minimum of three years.

406.5 Minimum Dimensional Requirements:

As shown in Section 42.

SECTION 411 RM-8 MEDIUM-HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT

411.1 Intent and Purpose: The intent of this district is to provide for both two-family and multiple-family residential development at a density up to approximately eight units per acre. Necessary services and accessory uses compatible with medium-high density residential surroundings are encouraged. This district should only be encouraged at locations which possess adequate access to schools, employment areas, shopping facilities and other community services via major streets without passage through areas of lower density. Central water and sewer facilities shall be required for land placed within this district.

411.2 Permitted Principal Uses:

- a. One two-family dwelling or multiple-family dwelling structure in accordance with Section 530.
- b. Churches and other places of worship as regulated in Section 531.
- c. Essential services (ie: police, fires, etc.).
- d. Forests and wildlife preserves.
- e. Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments, the location of which has been fixed by studies. Such uses include, but are not limited to: parks, play grounds, libraries, schools, fire stations, community centers, water pumping and storage facilities and wastewater pumping facilities. No outside storage or stockpiling of material shall be permitted.
- f. One boarding house.
- g. Community-Based Residential Social Service Facilities: Family Care Homes as regulated in Section 518.

411.3 Permitted Accessory Uses:

- a. Accessory structures necessary for domestic activities and storage which does not include any business activity.
- b. Accessory off-street parking and loading spaces as regulated in Article 6.
- c. Accessory signs as regulated in Article 7.
- d. Home occupations as regulated in Section 529.
- e. Accessory storage of recreational vehicles as regulated in Section 517.

- f. Private accessory swimming pools and game courts for the use of occupants and their guests as regulated in Section 513.
- g. Temporary uses incidental to construction work as regulated in Section 525.
- h. Fences as regulated in Section 510.

411.4 Conditional Uses: The following uses shall be permitted only in accordance with Article 10, Section 1002:

- a. Private schools and child care nurseries.
- b. Extensions of existing cemeteries as regulated in Section 526.
- c. Private recreation facilities including but not limited to swimming pools, tennis courts/country clubs and golf courses (excluding driving ranges and miniature golf courses) as regulated in Section 514.
- d. Community Based Residential Social Services Facilities: Group Care Homes or Homes for Adjustment as regulated in Section 518.
- e. Agritourism as regulated in Section 535 if the property is enrolled in CAUV for a minimum of three years.

411.5 Minimum Dimensional Requirements:

As shown in Section 424.

SECTION 413 R-ME MOBILE HOME PARK DISTRICT

413.1 Intent and Purpose: The purpose of the Mobile Home Park District is to provide sites for mobile homes at appropriate locations in relation to existing and potential development of the surroundings, other land uses and community facilities. By realizing the special requirements of the mobile home and specifying the provisions under which mobile home parks may be established, this district is intended to provide a proper setting for such uses in relationship to other land uses and to Perspectives: A Future Land Use Plan for Greene County.

413.2 Permitted Principal Uses: The following uses may be permitted provided all the requirements of the Mobile Home Park District are met:

- a. Mobile homes.
- b. Essential Services (ie: police, fire, etc.).
- c. Public parks, playgrounds and other public recreation facilities, including but not limited to: community swimming pools, golf courses (excluding driving ranges and miniature golf), game courts, ball fields and country clubs.

413.3 Accessory Uses:

- a. Those uses required for the direct servicing and well being of mobile home park residents and for the management and maintenance of the mobile home park including but not limited to offices, storage facilities, laundry facilities and recreation areas.

- b. Structural additions to mobile homes which include awnings, cabanas, carports, Florida rooms, porches, ramadas, storage cabinets and similar accessory structures. All such additions shall be considered as part of the mobile home for the purpose of determining compliance with the minimum design standards of this section.

413.4 Conditional Uses: The following uses shall be permitted only in accordance with Article 10, Section 1002:

- a. Home occupations as regulated in Section 529.
- b. Agritourism as regulated in Section 535 if the property is enrolled in CAUV for a minimum of three years.

413.5 General Provisions: The design, location, and operation of all mobile home parks shall be in accordance with the following provisions:

- a. It shall be unlawful for any person, firm and/or corporation to open, operate or administer any mobile home park within Jefferson Township unless a valid license is obtained from the proper health authorities in the name of such person, firm or corporation for the specific mobile home park.
- b. Any mobile home not located within a licensed mobile home park and not used for agricultural tenants on or after the effective date of this Resolution is privileged to remain at its present location but may not be relocated within the Township except by meeting the requirements of this Section.
- c. No existing mobile home park may be expanded or altered without first obtaining the licenses required in this Section, meeting the requirements of this Section and obtaining a Mobile Home Park Permit.
- d. Mobile home parks shall be consistent with the intent and purpose of Perspectives: A Future Land Plan for Greene County, Ohio.
- e. Mobile home parks shall have vehicular approaches to the property which shall be so designed as not to create an interference with or hazard to traffic on surrounding public streets or roads.
- f. Development of a mobile home park shall not result in the destruction, loss or damage of natural, scenic or historic features of major importance.
- g. Mobile home parks shall meet those requirements of the Ohio Revised Code, Sanitary Codes and the regulations of the Greene County Health Department which are more restrictive than the requirements of this Resolution.

413.7 APPLICATION FOR DISTRICT CHANGE: An application for a Mobile Home Park District shall follow the Procedures in Article 10, Section 1004. The application shall contain the following text and map information in addition to the information required in Article 10, Section 1004:

- a. A vicinity map at a scale approved by the Zoning Commission including property lines, streets, existing and proposed zoning and such other items as the Zoning Commission may require to show the

- relationship of the Mobile Home Park to Perspectives:
A Future Land Use Plan for Greene County, Ohio.
- b. Proposed topography for the site including final pad elevations showing contour levels at intervals approved by the County Engineer.
 - c. Proposed location, site size and total number of mobile home sites
 - d. Proposed location and width of vehicular and pedestrian circulation systems.
 - e. Proposed size and location of parking areas.
 - f. Proposed size, location and use of non-residential portions of the tract including recreation areas and usable open spaces.
 - g. Proposed provisions for fire protection, water supply, sanitary sewage disposal and surface drainage facilities including engineering feasibility studies or other evidence of reasonableness.
 - h. Proposed provisions for refuse disposal.
 - i. Proposed accessory buildings and uses within the tract.
 - j. Proposed location of street lighting system.
 - k. Proposed buffer areas and/or screening.
 - l. Deed restrictions, covenants, easements, encumbrances or other devices to be used to control the use, development and maintenance of the land.
 - m. A fee as established by the Township Trustees.

SECTION 415 TB TOWNSHIP BUSINESS DISTRICT

- 415.1 Intent and Purpose: The purpose of the Township Business District is to provide for the establishment of areas devoted for the use of those retail and personal service businesses that operate as a response to the daily needs of the residents of Jefferson Township. Uses in this district are intended to be located on major streets at strategic access points to surrounding areas minimizing the potential adverse effects on surrounding residential property. It is the intent of this District to encourage clustering of businesses in order to discourage "strip" development, provide for a minimum of traffic interference and encourage pedestrian access.
- 415.2 Permitted Principal Uses: Public water supply and sanitary sewer service shall be available to the site or the owner shall present proof that proposed on-site water and/or sewage disposal facilities have been approved by the Greene County Health Department and/or the Ohio Environmental Protection Agency before any Zoning Permit shall be issued to such use.
- a. Antique Shops.
 - b. Automobile Parts and Accessory Sales
 - c. Automobile Service Stations.
 - d. Bakeries.
 - e. Banks.
 - f. Book and Stationery Shops.
 - g. Business Services.
 - h. Candy and Ice Cream Stores.
 - i. Convenience Carry-out Stores

- j. Clothing and Apparel Stores.
- k. Delicatessens.
- l. Department and/or Discount Stores
- m. Drug Stores.
- n. Farm Supply Stores.
- o. Food Stores and Groceries.
- p. Furniture Repair and Upholstery Stores
- q. Hardware Stores.
- r. Ice Sales.
- s. Indoor Commercial Entertainment Facilities
- t. Laundry and Dry Cleaning Self Service or Pick Up
- u Medical Clinics
- v. Personal Services.
- w. Post Offices.
- x. Professional Offices.
- y. Restaurants, Sit-Down Service
- z. Variety Stores.
- aa. Veterinary Services, Without Kennels or the Outside Keeping of Animals.
- bb. Public buildings and/or uses which are supported whole or in part by taxes or special assessment the location of which has been fixed by studies. Uses include but are not limited to: parks, playgrounds libraries, schools, fire stations, police stations, public administrative offices, public maintenance garages, and community centers.
- cc. Essential services.

415.3 Accessory Uses:

- a. Off-street parking and loading spaces as regulated in Article 6.
- b. Signs as regulated in Article 7.
- c. Storage within an enclosed building of supplies or merchandise which are normally carried in stock in connection with a permitted use.
- d. Temporary buildings or uses as regulated in Section 525.

415.4 Conditional Uses: The following uses shall be permitted only in accordance with Article 10, Section 1002:

- a. Accessory living quarters for persons employed on the premises.
- b. Auction Houses.
- c. Automobile Repair Stations.
- d. Automobile Sales or Rentals.
- e. Automobile Washing Facilities.
- f. Billboards, as regulated in Article 7.
- g. Clubs, lodges, Civic or Fraternal Organizations.
- h. Contract Construction Services Including Offices and Outdoor Storage Within Screened Areas.
- i. Lumber and Building Materials Sales.
- j. The creation or making of goods for sale at retail premises which have a high value-to-bulk ratio and involving extensive mechanization.
- k. Motels or Hotels.
- l. Off-Street Parking Lots.
- m. Outdoor Commercial Recreation Facilities.

- n. Restaurants, Drive-In.
- o. Retail Nursery.
- p. Veterinary Services with Kennels or Outside Keeping of Animals
- q. Agritourism as regulated in Section 535 if the property is enrolled in CAUV for a minimum of three years..

415.5 Minimum Dimensional Requirements:

As shown in Section 424.

All access road dimensions shall be in accordance with the requirements of Greene County, Ohio.

SECTION 419 HB HIGHWAY BUSINESS DISTRICT

419.1 Intent and Purpose: The purpose of the Highway Business District is to isolate and provide areas for automobile oriented businesses and commercial recreation types of uses which serve a large regional market as well as the traveling motorist. It is also intended for uses which require outdoor storage. In addition, it is intended that this district be placed at strategic points along major thoroughfares several miles apart with immediate access to regional transportation arteries. It is not intended that strips along major roads be placed in this district. A plan submitted and approved by the Greene County Health Department and/or the Ohio Environmental Protection Agency for water and sewer for the proposed location shall be obtained prior to the issuance of a Zoning Permit.

A 3% (max) Lodging Tax to businesses located within the Highway Business District within Jefferson Township to supplement the income of Jefferson Township to provide services in the interest of the public health and safety of the residents of Jefferson Township in accordance with the Ohio Revised Code, Lodging Tax, shall be levied.

A 3% (max) additional Lodging Tax to supplement the Jefferson Township's General Fund for businesses located within the Highway Business District located within Jefferson Township in accordance with the Ohio Revised Code, Lodging Tax, shall be levied.

The cumulative total of the Lodging taxes assessed businesses located within the Highway Business District shall not exceed 6% in accordance with the Ohio Revised Code, Lodging Tax.

419.2 Permitted Principal Uses: Public water supply and sanitary sewer service shall be available to the site or all present proof that proposed on-site water and/or sewage disposal facilities have been approved by the Greene County Health Department and/or the Ohio Environmental Protection Agency before any Zoning Permit shall be issued to such use.

- a. Reserved
- b. Agricultural implement sales and service.

- c. Auction houses.
- d. Automobile and truck sales and rentals.
- e. Automobile washing facilities.
- f. Boat and marine equipment sales, rental and repair.
- g. Contract construction enterprises.
- h. Funeral services.
- i. Lumber and buildings materials sales.
- j. Mobile home and recreational vehicle sales.
- k. Monument sales.
- l. Motorcycle sales and service.
- m. Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments, the location of which has been fixed by studies. Such facilities, include but are not limited to: parks, water storage facilities, water and wastewater pumping stations, fire stations, police stations, public administrative offices, public maintenance garages and community centers.
- n. Essential services (ie: police, fire, etc.).
- o. Places of worship.
- p. Automobile Service Stations.
- q. Candy and Ice Cream Stores.
- r. Farm Supply Stores.
- s. Indoor Commercial Entertainment Facilities.
- t. Restaurants, Sit Down Service.
- u. Motels or Hotels.
- v. Veterinary Services, Without kennels or the Outside Keeping of Animals.

419.3 Permitted Accessory Uses:

- a. Reserved.
- b. Accessory off-street parking and loading spaces as regulated in Article 6.
- c. Accessory signs as regulated in Article 7.
- d. Accessory storage of supplies or merchandise normally carried in stock in connection with a permitted use subject to applicable screening regulations.
- e. Temporary buildings as uses as regulated in Section 502.

419.4 Conditional Uses:

- a. Manufacturing of goods for sale at retail on the premises which have a high value-to-bulk ratio, do not involve extensive mechanization and are normally associated with a permitted use.
- b. Outdoor commercial recreation facilities
- c. Recreational vehicle parks and campgrounds as regulated in Section 514.
- d. Billboards as regulated in Article 7.
- e. Auto Repair Station
- f. Restaurants, Drive -In or Drive-Through.
- g. Veterinary Services With Kennels, or Outside Keeping of Animals.
- h. Agritourism as regulated in Section 535 if the property is enrolled in CAUV for a minimum of three years.

419.5 Minimum Dimensional Requirements:

As shown in Section 424.

SECTION 420 LI LIGHT INDUSTRIAL DISTRICT

420.1 Intent and Purpose: The purpose of the Light Industrial District is to provide space for those industrial uses which operate in a clean and quiet manner and generate only light to moderate amounts of traffic. This district is not intended for the use of industries which deal with hazardous elements or emit noise, glare, dust, odor, smoke or possess other offensive characteristics detrimental to surrounding land uses such as large traffic generators. The intent is to create and protect efficient light industrial areas by insuring careful design, placement and grouping of industries which will promote the protection of any adjacent residential or business activities. Land to be placed in this district is intended to have level topography, public utilities, and major transportation facilities readily available.

420.2 Permitted Principal Uses: Manufacturing or industrial uses including, but not limited to, the following uses provided that by the nature of the materials, equipment or processes utilized, such use is not objectionable by reason of odor, radiation, noise, vibration, cinders, gas, fumes, dust, smoke, refuse matter or wastewater generation. Public water supply and a public sanitary sewer system shall be available to the site or the owner shall present proof that proposed on-site water and/or sanitary sewer system plan has been approved by the Ohio Environmental Protection Agency before any Zoning Permit shall be issued to such use.

- a. Fabrication, processing, packaging and/or assembly of articles or merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, horn, leather, paint, paper, plastics, precious or semi-precious metals or stones, textiles, tobacco, wax, wood and yarn.
- b. Fabrication, processing, packaging and/or manufacture of food products and condiments (excluding slaughter houses) and rendering and refining of fats, oils, fish, vinegar, yeast and sauerkraut.
- c. Manufacturing, assembling or repairing of electrical and electronic products components and equipment.
- d. Machine shops and tool and die shops.
- e. Lumber yards including incidental millwork, coal, brick and stone.
- f. Recycling center collection points, provided materials are kept in an enclosed building.
- g. Warehouses and warehouse distribution centers,
- h. Research and engineering laboratories.
- i. Cold storage and frozen food lockers,
- j. Publishing and printing.
- k. Automobile repair and painting but no commercial

- wrecking, dismantling or salvage yard,
1. Auto service station.
 - m. Parcel post delivery stations.
 - n. Radio and television stations.
 - o. Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments, the location of which has been fixed by studies. Such uses include but are not limited to: wastewater pumping and storage facilities; sanitary landfills as regulated in Section 523; fire stations; police stations; parks; and public maintenance facilities.

420.3 Accessory Uses:

- a. Off-street parking and loading spaces regulated in Article 6.
- b. Signs as regulated in Article 7.
- c. Temporary buildings as regulated in Section 525.
- d. Storage of materials within an enclosed building normally utilized in connection with a permitted use.
- e. Accessory landing areas as regulated in Section 532.

420.4 Conditional Uses: The following uses shall be permitted only in accordance with Article 10, Section: 1002:

- a. Mineral extraction operations as regulated in Section 524.
- b. Manufacturing or industrial enterprise operations or processes similar to any permitted principal use, provided that any resulting cinders, dust, flashing, fumes, gas, noise, odor, refuse matter, smoke, vapor or vibration is no greater or more detrimental to the neighborhood than the above specified uses, that no extra fire hazard is created and that the proposed use is determined by the Board of Zoning Appeals to be of the same general character as the above uses.
- c. Billboards as regulated in Article 7.
- d. Private sanitary landfills in accordance with Section 523.
- e. Alternative Energy Systems (see Section 534 for requirements).
- f. Agritourism as regulated in Section 535 if the property is enrolled in CAUV for a minimum of three years.

420.5 Minimum Dimensional Requirements:

As shown in Section 424.

SECTION 421 HE HEAVY INDUSTRIAL DISTRICT

- 421.1 Intent and Purpose: The purpose of the Heavy Industrial District is to create and protect areas for industries which require large sites and should be isolated from other land uses by virtue of their external effects such as heavy traffic generation, open storage material and possible emission of noise, glare, dust, odor, smoke or other offensive characteristics. This district is intended to insure proper design, placement and grouping

of all types of industries of this nature within the Township so as not to create a nuisance to other surrounding land uses. Land to be placed in this district is intended to have level topography, sufficient public utilities and major transportation facilities readily available.

421.2 Permitted Principal *Uses*: Manufacturing or industrial uses including but not limited to the following uses. Public water supply and a public sanitary sewer system shall be available to the site or the owner shall present proof that proposed on-site water and/or sewage disposal facilities have been approved by Greene County Health Department and/or the Ohio Environmental Protection Agency before any Zoning Permit shall be issued to such use.

- a. Any principal use permitted in the LI Light Industrial district.
- b. Automotive, tractor, trailer, farm implement assembly or manufacture.
- c. Boiler shops, machine shops, structural steel fabricating shops or metal working shops.
- d. Manufacturing of cement products, including ready mix concrete batching plants.
- e. Contractor sales, storage and equipment yards.
- f. Flour or grain mills.
- g. Manufacture of glass products, pottery, figurines or similar products using previously pulverized clay.
- h. Truck terminals provided that truck entrances and exits are on two streets where pavement width is at least thirty (30) feet.
- i. Mobile home and recreational vehicle storage.
- j. Manufacture and storage of building materials.
- k. Sanitary landfills as regulated in Section 523.
- l. Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments, the location of which has been fixed by studies. Such uses include, but are not limited to: water treatment, pumping and storage facilities; wastewater treatment and pumping facilities; sanitary landfills, in accordance with Section 523; fire stations; police stations; parks and public maintenance facilities.
- m. Essential services.

421.3 Accessory Uses:

- a. Indoor or outdoor storage of materials normally utilized in connection with a permitted use.
- b. Off-street parking and loading spaces as regulated in Article 6.
- c. Signs as regulated in Article 7.
- d. Temporary buildings or uses as regulated in Section 525.
- e. Accessory landing areas as regulated in Section 532.

421.4 Conditional Uses: The following uses shall be permitted only in accordance with Article 10, Section 1002:.

- a. Mineral extraction operations as regulated in Section 524.
- b. Storage facilities for fuels, coal, chemicals or other flammable or toxic materials.
- c. Manufacture of asphalt and asphalt products.
- d. Manufacture and storage of fertilizer and compost.
- e. Solid waste reduction and/or recycling facilities.
- f. Junk yards as regulated in Section 522.
- g. Manufacturing or industrial enterprises, operations or processes similar to any permitted principal use provided that any resulting cinders, dust, flashing, fumes, gas, noise, odor, refuse matter, smoke, vapor or vibration shall not be greater or more detrimental to the neighborhood than the above specified uses and that no extra fire hazards be created.
- h. Billboards as regulated in Article 7.
- i. Agritourism as regulated in Section 535 if the property is enrolled in CAUV for a minimum of three years.

421.5 Minimum Dimensional Requirements:

As shown in Section 424.

SECTION 422 FP FLOOD PLAIN OVERLAY

422.1 Intent and Purpose: The purpose of the Flood Plain Overlay is to prevent the loss of property and life, to prevent the creation of health and safety hazards, to prevent the disruption of commerce and governmental services, to prevent the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and to prevent the impairment of the tax base by:

- a. Regulating or prohibiting certain uses, activities, and developments which, acting alone or in combination with other existing or future uses, activities, and developments, will cause unacceptable increases in flood heights, velocities and frequencies;
- b. Restricting or prohibiting certain uses, activities, and developments from locating within areas subject to flooding;
- c. Requiring all those uses, activities, and developments that occur in flood-prone areas to be protected and/or flood proofed against flooding and flood damage; and
- d. Protecting individuals from buying lands and structures which are unsuited for intended purposes because of flood hazards.

This overlay encompasses underlying zoning districts and imposes additional requirements above that required by the underlying zoning districts. The degree of flood protection required by this Resolution is considered

reasonable for regulatory purposes and is based upon the Flood Insurance Study for the Unincorporated Areas of Greene County, Ohio prepared by the Federal Emergency Management Agency. The Flood Insurance Study, with accompanying maps and any revisions thereto, is adopted by reference and declared to be a part of this Resolution. Where detailed studies of the Floodway and Floodway Fringe have not been made available within the Flood Insurance Study, the following sources of data may be used to determine the necessary elevations for the purposes of this Resolution:

- a. Corps of Engineers-Flood Plain Information Reports.
- b. U.S. Geological Survey-Flood Prone Quadrangles.
- c. U.S.D.A., Soil Conservation Service-Flood Hazard Analyses Studies and County Soil Surveys (Alluvial Soils).
- d. Ohio Department of Natural Resources-Flood Hazard Reports and Flood Profile Charts.
- e. Known high water marks from past floods.
- f. Other sources acceptable to the Board of Zoning Appeals.

This Resolution does not imply that areas outside of the Flood Plain overlay as designated on the Official Zoning District Map or land uses permitted within such overlay will be free from flooding damages. This Resolution shall not create liability on the part of Jefferson Township or any official or employee thereof for any flood damages that result from reliance on this Resolution.

422.2 Permitted Principal Uses: The following open space uses shall be permitted provided that they do not require the open storage of materials and equipment, or any fill material or permanent structures which project above the existing ground elevation, except as provided for under Conditional Uses in this section.

- a. Agriculture - not including the spreading, accumulation, feeding or use of garbage in any manner on the open surface of the ground.
- b. Forests and wildlife preserves.
- c. Private and public outdoor recreational activities including such uses as golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, boat and canoe launching ramps, swimming areas, parks, hunting areas, fishing areas, hiking trails, horseback riding trails and open amphitheaters.
- d. Residential open space uses such as lawns, gardens, woodlands and play areas.
- e. Plant material nurseries.
- f. Public uses which are supported in whole or in part by taxes or special public assessments, the location of which has been fixed by studies. Such uses include, but are not limited to: parks; playgrounds; water treatment, pumping and storage facilities; and waste water treatment and pumping facilities.
- g. Open parking and loading areas as regulated in Article

- h. Airport approach zones and landing strips as regulated in Section 532.
- i. Essential services.
- j. Temporary, transient and portable activities such as religious services, bazaars, carnivals or circuses provided the requirements of Section 525 are met.

422.3 Permitted Accessory And Conditional Uses:

Uses shall be that of the underlying district.

422.4 Conditional Uses: The following uses may be permitted provided they meet the requirements set forth both in this Section and Article 10, Section 1002 of this Resolution.

- a. Structures accessory to permitted agricultural uses.
- b. Structures accessory to permitted private and public outdoor recreational activities.
- c. Structures required in the provision of essential services.
- d. Mineral extraction operations as regulated in Section 524.
- e. Fill material required to elevate permitted structures above the 100 year regional flood elevation as regulated by the U.S. Army Corps of Engineers under Section 404 of the Federal Water Pollution Control Act (PL 92-500, 86 Stat. 816.)
- f. The alteration or extension of any non-residential structure presently located outside of the Flood Plain District into the Flood Plain District.
- g. Hold for future use.
- h. Private Recreation Facilities as regulated in Section 514.
- i. Billboards as regulated in Article 7.

422.5 Prohibited Uses: The following uses shall be expressly prohibited from locating within the Flood Plain Overlay.

- a. Structures for human habitation.
- b. The location of structures or fill material which will raise the elevation of the 100-year flood level more than one (1) foot at any point calculated by the engineering principle "equal reduction of conveyance".
- c. Structures, fill or storage of materials and/or equipment.
- d. Uses which require below ground placement of material.
- e. Uses that adversely affect the efficiency or restrict the capacity of the channels or floodways of any tributary to the main stream, drainage ditch or other drainage facility or system.
- f. Channel modifications that increase flow and/or reduce the storage capacity and/or increases velocity.

422.6 Minimum Dimensional Requirements:

As shown in Section 424.

422.7 Required Conditions:

- a. All applications for a conditional Use Permit within the Flood Plain Overlay shall be accompanied by a report and recommendation bearing the seal of a professional surveyor registered in the State of Ohio certifying the elevation of the 100 year regional flood on the property, the location and elevation of existing and proposed fill and/or structures not elevated above the 100 year regional flood elevation.
- b. Upon consideration of the application for a Conditional Use Permit, the Board of Zoning Appeals may attach conditions to such uses as it deems necessary to further the purposes of this Section. Such conditions may include but not be limited to the following:
 1. Requirements for the elevation of structures of a minimum of eighteen (18) inches above the one hundred year flood elevation;
 2. Modification of waste disposal and water supply facilities to the satisfaction of the Greene County Health Department and/or the Greene County Sanitary Engineer;
 3. Limitations on periods of use and operations;
 4. Imposition of operational controls, sureties and deed restrictions;
 5. Requirements for construction of channel modifications, dikes, levees and other protective measures; and/or.
 6. Flood proofing measures such as the following may be required and shall be designed consistent with the regional flood protection elevation for the particular area, flood velocities, durations, rate of rise, hydrostatic and hydrodynamic forces and other factors associated with the regional flood. The Board of Zoning Appeals shall require that the applicant submit a plan or document certified by a registered professional engineer that the flood proofing measures are consistent with the regional flood protection elevation and associated flood factors for the particular area. The following flood proofing measures may be required:
 - a. Anchorage to resist flotation and lateral movement;
 - b. Installation of watertight doors, bulkheads and shutters or similar methods of construction;
 - c. Reinforcement of walls to resist water pressures;
 - d. Use of paints, membranes or mortars to reduce seepage of water through walls;
 - e. Addition of mass or weight to structures to resist flotation;
 - f. Installation of pumps to lower water levels in structures.
 - g. Construction of water supply and waste

treatment systems so as to prevent the entrance of flood waters;

- h. Pumping facilities or comparable practices for sub-surface drainage systems for buildings to relieve external foundation wall and basement flood pressures;
- i. Construction to resist rupture or collapse caused by water pressure or floating debris;
- j. Installation of valves or controls on sanitary and storm drains which will permit the drains to be closed to prevent back up of sewage and storm waters into the buildings or structures. Gravity drainage of basements may be eliminated by mechanical devices;
- k. Location of all electrical equipment, circuits and installed electrical appliances in a manner which will assure they are not subject to flooding and to provide protection from inundation by the regional flood; and/or
- 1. Location of any structural storage facilities for chemicals, explosives, buoyant materials, flammable liquids or other toxic materials which could be hazardous to public health, safety and welfare in a manner which will assure that the facilities are situated at elevations above the height associated with the regional flood protection elevation or are adequately flood proofed to prevent flotation of storage containers which could result in the escape of toxic materials into flood waters.

c. In passing upon such applications, the Board of Zoning Appeals shall consider the following relevant factors:

- 1. The danger of life and property due to increased flood heights or velocities caused by encroachments.
- 2. The danger that materials may be swept on to other lands or downstream to the injury of others.
- 3. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
- 4. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the owner.
- 5. The importance of the services provided by the proposed facility to the community.
- 6. The requirements of the facility for a waterfront location.
- 7. The availability of alternative locations not

- subject to flooding for the proposed use.
8. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
 9. The relationship of the proposed use to Perspectives: A Future Land Use Plan for Greene County, Ohio.
 10. The safety of access to the property in times of flood for ordinary and emergency vehicles.
 11. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site.
 12. Other factors which are relevant to the purposes of this Resolution.

Section 424

MINIMUM DIMENSIONAL REQUIREMENTS: Minimum dimensional requirements for each district shall apply as shown in the following table:

Zoning District	Permitted Principal Uses	Minimum Lot Area per Family or Per Prindpal Structure On Site			Minimum Lot Frontage	Minimum Lot Corner Frontage (b)	Minimum Yard Requirements			Maximum Height.....	Maximum Lot Coverage	
		Water/Sewer On Site (a)	Water/Sewell On Site (a)	Water/Sewer On Site (a)			One Side	Total Both	Rear			
A-2	Article 4, Section 403.2	3 Acres	3 Acres	Acres	300 Feet	300 Feet	50 Feet	20 Feet	50 Feet	25 Feet	35 Feet	10%
RS-2	Article 4, Section 4062	1 Acre	1 Acre	20,000	100 Feet	125 Feet	40 Feet	10 Feet	25 Feet	50 Feet	35 Feet	20%
RM-8	Two Family <u>Dwellings</u>	Not Permitted	Not Permitted	6,000 Sq. Feet	100 Feet	125 Feet	35 Feet	10 Feet	25 Feet	30 Feet	35 Feet	30%
	Multiple Family <u>Dwellings</u>	Not Permitted	Not Permitted	5,090 q. Feet	130 Feet	130 Feet	35 Feet	29 Feet	40 Feet	30 Feet	35 Feet	30%
	<u>All Other Permitted Uses</u> In Article 4, Section 411.2	Not Permitted	Not Permitted	1 Acre	150 Feet	150 Feet	35 Feet	20 Feet	40 Feet	30 Feet	35 Feet	30%
R-MH	<u>As Regulated</u> in Article 4, Section 413											
TB	Article 4, Section 415.2	2 Acres	2 Acres	1 Acre	200 Feet			15 Feet	30 Feet	50 Feet	35 Feet	30% Bldgs, 75% Total
HO	Article 4, Section 419.2				See F&G	See F&G	See F & G	See F & G	See F & G	See F & G	35 Feet	30% Bldgs, 85% Total
U	Article 4, Section 420.2	2 Acres	2 Acres	2 Acres	200 Feet			15 Feet	30 Feet	50 Feet	35 Feet	30% Bidgs, 75% Total
HI	Article 4, Section 421.2	5 Acres	5 Acres	5 Acres	300 Feet	300 Feet	70 Feet	30 Feet	60 Feet	100 Feet	35 Feet	40% Bidgs, 85% Total
FP	Article 4, Section 422.2	3 Acres	3 Acres	3 Acres	200 Feet	200 Feet	50 Feet	20 Feet	50 Feet	50 Feet	35 Feet	Subject to approval of the Board of Zoning Appeals
AEB	Article 4, Section 402.0	2 Acres	2 Acres	2 Acres	200 Feet	200 Feet	200 Feet	15 Feet	30 Feet	50 Feet	35 Feet	

PUD Planned Unit Development Districts:
As Regulated In Article 4, Section 423

- (a) Lot size shown is the required minimum. Final lot size shall be subject to approval by the Greene County Health Department or the Ohio Environmental Protection Agency, whichever is applicable, +
- (b) A minimum setback of seventy (70) feet shall be required along major thoroughfares or where off-street parking is provided within the front yard.
- (c) Side yards abutting residential districts shall be a minimum of fifty (50) feet. However, where some natural barrier such as a railroad, stream or limited access highway intervenes, the BZA may reduce this requirement
- (d) Side yards and rear yards abutting residential districts shall be a minimum of two hundred (200) feet for U District and two hundred (200) feet for the HI District.
- (e) The back yard shall not be less than two hundred (200) feet when abutting a residential district. However where some natural barrier such as a railroad, stream or limited access highway intervenes, the BZA may reduce this requirement.
- (f) Minimum lot dimensions, frontage and yard requirements to be commensurate with the applicable business.
- (g) Access road dimensions shall be in accordance with the requirements of Greene County.

Article 5
Supplementary
District Regulations

SECTION 501 GENERAL PROVISIONS: The following supplementary regulations are applicable to all Zoning Districts within Jefferson Township unless otherwise modified by the requirements of a specific Zoning District.

SECTION 502 PUBLIC STREET FRONTAGE REQUIRED: No new lot shall be created nor shall any building be erected upon a lot which does not possess the required minimum frontage upon a public street established for the district in which such lot is located.

SECTION 503 PRINCIPAL BUILDINGS PER LOT: No more than one principal building or structure may be constructed upon any one lot for the purposes of this Resolution. The construction of more than one principal building or structure upon any one lot shall require the approval of a variance from the Board of Zoning Appeals.

SECTION 504 REDUCTION OF AREA OR SPACE: No lot, yard, court, parking area or other space shall be reduced in area or dimension, thus making said area or dimension less than the minimum required by this Resolution; and if said area or dimension is already less than the minimum required by this Resolution, it shall not be further reduced.

SECTION 505 ARCHITECTURAL PROJECTIONS INTO REQUIRED YARDS: All architectural projections shall be in accordance with the following provisions.

505.1 Chimneys, flues, sills, pilasters, cornices, eaves, gutters and other similar architectural features may project into any required yard a maximum of twenty-four (24) inches.

505.2 Unroofed porches and steps may extend from the dwelling into the required front yard a maximum of ten (10) feet. Open structures such as roofed porches, canopies, balconies, decks, platforms and carports shall be considered parts of the building to which attached and shall not project into any required yard.

505.3 No structure may project into a required side yard except in the case of a single non-conforming lot of record which is of insufficient width to meet the side yard requirements of this Resolution. The Board of Zoning Appeals may grant a minimum specified variance to permit the construction of a one-family residence in such a case.

SECTION 506 EXCEPTIONS TO HEIGHT REGULATIONS: The height limitations contained in the 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 to the safe landing and take-off of aircraft at an established airport.

SECTION 507 ACCESSORY BUILDINGS: All accessory buildings shall be in conformance with the following provisions:

- 507.1 No garage or other accessory building shall be erected within a required side yard or front yard within any Agricultural District or any Residential District.
- 507.2 When located at least sixty (60) feet from the front property line and completely to the rear of the main dwelling, the accessory building(s) may be erected not less than ten (10) feet from the side or rear lot lines nor less than ten (10) feet from the main building.
- 507.3 When located less than sixty (60) feet from the front property line and not completely to the rear of the dwelling, garages shall be constructed as a part of the main building or connected thereto by a covered breezeway.
- 507.4 No detached accessory building in any Residential District shall exceed fifteen (15) feet in height.

SECTION 508 CONVERSION OF DWELLINGS TO MORE UNITS: A structure may not be converted to accommodate an increased number of dwelling units unless the following requirements are met:

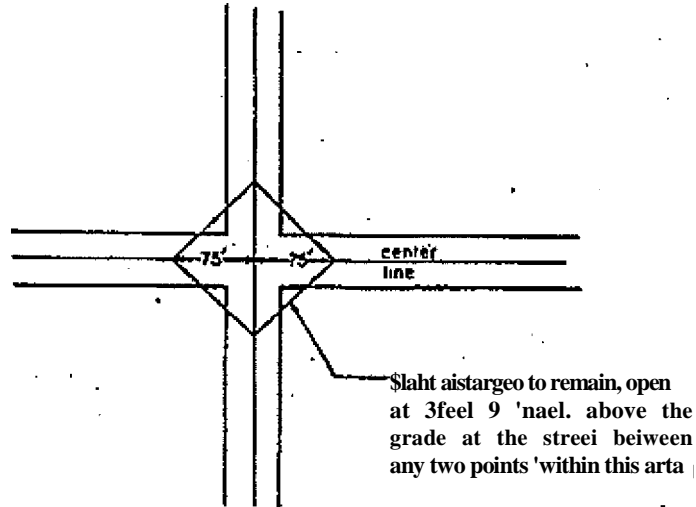
- 508.1 The district is properly zoned for an increase in dwelling units.
- 508.2 The yard dimensions still meet the yard dimensions required by the Resolution for new comparable structures in such district.
- 508.3 The lot area shall be adequate to accommodate the required off-street parking for the converted unit as provided within Article 6.
- 508.4 The lot area per family equals the lot area requirements for new structures in such district.
- 508.5 The floor area per dwelling unit is not reduced to less than that which is required for new construction in such district.
- 508.6 The conversion is in compliance with all other applicable Federal, State and local codes.

SECTION 509 SETBACK REQUIREMENTS FOR CORNER LOTS OR THROUGH LOTS: On a corner lot or through lot, the principal building and all 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 510 FENCES, WALLS AND VEGETATION: The location and height of all fences, walls and vegetation shall be in accordance with the following provisions:

510.1 VISIBILITY AT INTERSECTIONS: No structure, fill or vegetation shall be erected, placed, planted or allowed to grow on any corner lot so as to create a sight impediment within seventy-five (75) feet of the intersecting centerlines of any two or more streets. In determining if any sight impediment exists, the zoning inspector shall measure the sight distance between the centerlines of such streets at a height of three feet, nine inches (3.0'-9.0") above the actual grades of the streets. (See Illustration)

SECTION 511 REQUIRED TRASH AREAS: All commercial, industrial and multifamily



residential uses that provide trash and/or garbage collection areas shall have such areas enclosed on at least three sides by a solid wall or fence adequate in height to screen the containers, if such area is not within an enclosed building or structure. Provisions for adequate vehicular access to and from such area or areas for collection of trash and/or garbage as determined by the Zoning Inspector shall be required.

SECTION 512 OUTDOOR STORAGE AND WASTE DISPOSAL: All outdoor storage and waste disposal shall be in accordance with the following provisions:

512.1 Highly flammable or explosive liquids, solids or gases shall not be stored in bulk above ground except within an (HI) Heavy Industrial District or as otherwise approved by the appropriate fire officials. The storage areas of such materials shall be completely enclosed by a solid wall or fence adequate to ensure the safety of surrounding land uses. Fuel products stored for use on bona-fide farms are excluded from this provision.

512.2 The storage of hazardous or toxic materials shall not be permitted without documented approval by the Ohio Environmental Protection Agency (OEPA).

- 512.3 All outdoor storage areas shall be adequately screened from view from any residential district by an appropriate wall, fence or vegetative planting in accordance with Section 515.
- 512.4 Materials or wastes which might cause fumes or dust, which constitute a fire hazard, or which may be edible or attractive to rodents or insects shall be stored outdoors only in closed containers constructed of impervious material.
- 512.5 No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by wind, flood or natural causes or forces.

SECTION 513 PRIVATE ACCESSORY SWIMMING POOLS: Private accessory swimming pools may be permitted in any district, provided the following provisions are met:

- 513.1 The pool is intended solely for the enjoyment of the occupants and guests of the principal use of the property on which it is located.
- 513.2 It may not be located closer than ten (10) feet to any property line and may not encroach upon any required front yard, side yard or any required on-site wastewater leaching areas or replacement areas designated by the Greene County Health Department.
- 513.3 The swimming pool shall be walled or fenced in order to prevent uncontrolled access by children from any street or adjacent property. Any such fence shall not be less than five (5) feet in height and maintained in good condition with a gate and lock.
- 513.4 Exterior lighting shall be shaded wherever necessary in order to avoid casting direct light upon any other property or any public street.

SECTION 514 PRIVATE RECREATION FACILITIES: All private recreation facilities shall be in accordance with the following provisions in addition to any conditions required by the Board of Zoning Appeals:

- 514.1 Community swimming pools may be permitted provided the following conditions are met.
- a. The pool and accessory structures, including the areas used by the bathers and the required parking areas, shall not be located closer than fifty (50) feet to any residential district and must be screened in accordance with Section 515.
 - b. The swimming pool and all of the areas used by bathers shall be walled or fenced in order to prevent uncontrolled access by children from the streets or adjacent properties. Said fence or wall shall not be less than six (6) feet in height and maintained in good condition.

- C. Loudspeakers, juke boxes, public address systems and electric amplifiers shall be permitted insofar as they do not create a nuisance and/or disturb the peace of persons on any other properties within any district.
- d. Exterior lighting shall be shaded wherever necessary in order to avoid casting direct light upon any other property or a public street.

514.2 Recreational vehicle parks and campgrounds may be permitted as a conditional use within any designated district in accordance with the following minimum provisions:

- a. The minimum total area of the park or campground shall be five (5) acres. The maximum density of the park or campground shall be established by the Board of Zoning Appeals but in no case shall the overall density exceed twelve (12) campsites per acre. In determining the overall density limit, the capability of the land to accommodate adequate campsites with a minimum of 1,500 square feet of nearly level and well drained area shall be considered.
- b. The thoroughfare upon which the park or campground is located shall be of adequate width and base to accommodate the type of traffic generated by such park or campground, as determined by the Board of Zoning Appeals. No entrance or exit from the park or campground shall require movement of traffic through a residential district.
- c. Each campsite within the park or campground shall be provided with a minimum of one adequately sized parking space for the type of vehicle intended to use the site. In order to guarantee stability, the parking pad shall be composed of concrete, gravel or other approved material.
- d. All recreational vehicle sites, other camping sites and all off-street parking spaces shall be located a minimum of twenty feet from any side or rear property line and the minimum front yard setback from any public street. The minimum side or rear setbacks shall be fifty feet when adjacent to any residential district.
- e. The Board of Zoning Appeals may require fencing, walls, landscaping, earth mounds or other suitable efforts in accordance with Section 515, where it is determined that buffering or screening is necessary to minimize land use conflicts and or protect the public safety.
- f. Management structures, recreational facilities, toilets, showers/dumping stations or other similar uses shall be located within the park or ' campground in such a manner that they will not attract customers other than occupants of the park or campground.
- g. The park or campground shall provide water supply and wastewater disposal facilities which meet the needs of the intended clientele, either independent recreational vehicles or dependent campers

and primitive campsites. At a minimum, a service building with showers and toilets shall be required where not provided separately. All water supply, wastewater disposal and refuse disposal facilities shall be located and designed subject to the approval of the Greene County Health Department.

- h. No recreational vehicle shall be used as a permanent place of residence or business within the park or campground. Continuous occupancy for longer than any ninety (90) day period within any twelve (12) month period shall be deemed permanent occupancy.
- i. All traffic into and out of the park or campground shall be through entrances and exits designed for safe and convenient movement of traffic. No entrance or exit shall require an acute angle turn for vehicles moving into or out of the park. The radii of curbs and pavements at intersections shall facilitate easy turning movements. No material impediment to visibility shall be created or maintained which violates the requirements of Section 510.3.

514.3 Other private recreation facilities shall be in accordance with the following:

- a. Loudspeakers, juke boxes, public address systems and electric amplifiers shall be permitted insofar as they do not create a nuisance within any district.
- b. Exterior lighting shall be shaded wherever necessary in order to avoid casting direct light upon any other property or a public street.
- c. Firing lines used by gun clubs shall be located a minimum of five hundred (500) feet from the nearest property line. All target areas shall be protected by natural or artificial embankments approved by the Board of Zoning Appeals.
- d. All water activities shall be adequately protected by fences, walls or other suitable barriers in order to prevent uncontrolled access by unauthorized persons.

SECTION 515 SCREENING: No buildings or structures shall be erected, altered or enlarged nor shall land for any non-residential use on a lot that adjoins or faces any Residential District be used nor shall any multiple family use be established adjoining any single family development until a plan for screening has been submitted and approved by the Zoning Inspector (or the Board of Zoning Appeals in case of Conditional Uses) except in accordance with the following provisions:

515.1 Screening shall be provided for one or more of the following purposes:

- a. A visual barrier to partially or completely obstruct the view of structures or activities.
- b. As an acoustic screen to aid in absorbing or deflecting noise.
- c. For the containment of debris and litter.

- 515.2 Screening may be one of the following or a combination of two or more, as determined by the Zoning Inspector.
- a. A solid masonry wall.
 - b. A solidly constructed decorative fence.
 - c. Louvered fence.
 - d. Dense evergreen plantings.
 - e. Landscaped mounding.
- 515.3 Whenever any non-residential use abuts a residential district, a visual screening wall, fence, planting and/or a landscaped mound shall be erected or placed beside such mutual boundary lines, except where the Zoning Inspector has determined that a traffic hazard will be created.
- 515.4 Height of screening shall be in accordance with the following:
- a. Visual screening walls, fences, plantings or mounds shall be a minimum of five and one half (5-1/2) feet high in order to accomplish the desired screening effect, except in required front yards when maximum height shall be not greater than two and one half (2-1/2) feet. Exception to the height of screening in the front yard may be provided for by the Board of Zoning Appeals.
 - b. A dense evergreen planting with a minimum height of four (4) feet at planting and a mature height of at least five and one half (5-1/2) feet or greater or a solidly constructed decorative fence shall be permanently maintained along the mutual boundary of an accessory parking area and adjacent land zoned for residential uses, except for the portion of such boundary located within a required front yard.
- 515.5 Screening for purposes of absorbing or deflecting noise shall have a depth of at least fifteen (15) feet of dense planting or a solid masonry wall in combination with decorative plantings.
- 515.6 Whenever required screening is adjacent to parking areas or driveways, such screening shall be protected by bumper blocks, posts or curbing to avoid damage by vehicles. All screening shall be trimmed, maintained in good condition and free of advertising or other signs.

SECTION 516 DRIVE-IN SERVICE: Establishments, which by their nature create lines of customers waiting to be served within automobiles, shall provide off-street storage areas in accordance with the following requirements:

- 516.1 Photo pick-ups, restaurants, drive-thru beverage docks and other similar commercial establishments that can normally serve customers in three minutes or less shall provide no less than five (5) storage spaces per window. Drive-in restaurants and other similar uses which require an additional stopping point for ordering shall provide a minimum of five (5) storage

spaces for each such stopping point.

- 516.2 Commercial establishments which require a transaction time in excess of three (3) minutes such as banks, savings and loan offices or other similar money windows shall provide no less than seven (7) storage spaces per window.
- 516.3 Self-serve automobile washing facilities shall provide no less than five (5) storage spaces per stall. All other automobile washing facilities shall provide a minimum of ten (10) storage spaces per entrance.
- 516.4 Automobile service stations shall provide no less than two (2) storage spaces for each accessible side of a gasoline pump island. Gasoline pumps shall not be located closer than fifteen (15) feet to any street right-of-way line, nor within fifteen (15) feet of a reserved sight distance area as required in Article 5, Section 510.

SECTION 517 PARKING AND STORAGE OF MOBILE HOMES AND VEHICLES OTHER THAN PASSENGER CARS: The parking and/or storage of mobile homes, recreational vehicles or other vehicles other than passenger cars upon any lot shall be in accordance with the following provisions:

- 517.1 Mobile Homes: Mobile homes shall not be stored or parked outside of any mobile home park unless the storage of mobile homes is a permitted or a conditional use within such a district. No living quarters shall be maintained or any business conducted within any mobile home located outside of any Mobile Home Park District.
- 517.2 Recreational Vehicles: The outdoor storage or parking of any recreational vehicle shall not be permitted within any front yard within any district in which residential dwellings are permitted. No dwelling unit shall be maintained and no business shall be conducted within any recreational vehicle while such vehicle is parked outside of any approved camping area. The wheels or any similar transporting devices of any recreational vehicle shall not be removed except for repairs, nor shall any recreational vehicle be permanently attached to the ground.
- 517.3 Construction Equipment Within Residential Districts: Outdoor storage or parking of backhoes, bulldozers, well rigs and other similar construction equipment, other than equipment temporarily used for construction upon the site, shall not be permitted within any residential district.
- 517.4 Construction Equipment Within Agriculture Districts: The outdoor storage or parking of backhoes, bulldozers, well rigs and other similar construction equipment may be permitted as a conditional use within any Agricultural District. In considering such requests, the Board of Zoning Appeals shall consider the size of the lot, location, topography, screening, road condition and surrounding land uses and may limit the number of

equipment pieces and where they are stored.

- 517.5 Other Vehicles: The storage or parking of any vehicle having a gross vehicle weight rating greater than 10,000 pounds or an overall vehicle length greater than 21 feet shall not be permitted within any Residential District, excluding vehicles making temporary service or delivery calls.

SECTION 518 COMMUNITY BASED RESIDENTIAL SOCIAL SERVICE FACILITIES:

Residential facilities providing resident services for the care and/or rehabilitation of groups of individuals who require protective supervision within a residential environment shall be permitted only in accordance with the following provisions:

- 518.1 Foster Homes may be permitted within any district in which residential dwellings are permitted, provided such homes possess a valid, appropriate license.
- 518.2 Family Care Homes may be permitted within an adequately sized unattached residential dwelling, provided that:
- a. The home shall possess a valid license from the appropriate state agency.
 - b. The home shall be required to meet the district regulations applicable to single family residences within the district in which such home is located.
 - c. The home shall provide an adequate off-street parking area for each resident and/or resident supervisor who is permitted to own or operate an automobile.
 - d. The Zoning permit shall be limited to the operator to whom it is originally issued and is not transferrable to any subsequent operator.
- 518.3 Group Care Homes may be permitted within an adequately sized unattached residential dwelling within designated residential districts subject to the Board of Zoning Appeals. The Board of Zoning Appeals shall determine whether to permit such requests and any conditions which it feels may be necessary to insure compatibility with the neighborhood, using the following criteria as a minimum:
- a. No group care home may be permitted unless the agency supervising such a facility satisfies the Board of Zoning Appeals that the home complies with all licensing requirements of the State of Ohio.
 - b. The home shall not be located closer than 20,000 feet to another Family Care Home, Group Care Home, Home for Adjustment or Institution. Variances of more than ten percent (10%) of this requirement may not be considered.
 - c. The home shall be reasonably accessible by reasons of location or transportation provided by the operator to necessary medical, psychiatric, recreational or other services required by the residents.
 - d. Every room occupied for sleeping purposes within the home shall contain a minimum of eighty (80) square feet of habitable floor area for each occupant.
 - e. The operator or agency applying for a conditional

use permit to operate such a facility shall provide the Board of Zoning Appeals with a plan which documents the need for the home in relation to the specific clientele served, describes the program objectives and nature of the facility, identifies the location and type of other community based residential social service facilities operated by such operator or agency and lists the standards of the State of Ohio and the sponsoring agency for the operation of the desired facility.

- f. The home shall provide an adequate off-street parking area for each resident and/or resident supervisor who is permitted to own or operate an automobile.
- g. The proposed use of the site as a group care home shall be compatible with the present character of the neighborhood considering noise, traffic, lights, exterior alterations of the structure or other potentially offensive characteristics.
- h. The conditional use permit shall be limited to the operator to whom it is originally issued and is not transferable to any subsequent operator.

518.4 Homes for Adjustment may be conditionally permitted within an adequately sized unattached residential structure subject to the approval of the Board of Zoning Appeals. The Board of Zoning Appeals shall determine whether to permit such requests and any conditions which it feels may be necessary to insure compatibility with the neighborhood, using the following criteria as a minimum:

- a. No Home for Adjustment may be permitted unless the court or agency supervising such a facility satisfies the Board of Appeals that the home complies with all licensing requirements of the State of Ohio.
- b. The home shall not be located closer than 20,000 feet to another Family Care Home, Group Care Home, Home for Adjustment or Institution. Variances of more than ten percent (10%) of this requirement may not be considered.
- c. The home shall be reasonably accessible by reason of location or transportation provided by the operator to necessary medical, psychiatric, recreational or other services required by the residents.
- d. Every room occupied for sleeping purposes within the home shall contain a minimum of eighty (80) square feet of habitable floor area for each occupant.
- e. The operator or agency applying for a conditional use permit to operate such a facility shall provide the Board of Zoning Appeals with a plan which documents the need for the home in relation to the specific clientele served, describes the program objectives and nature of the facility, identifies the location and type of other community-based residential social service facilities operated by such operator or agency and lists the standards of the State of Ohio and the desired facility.
- f. The home shall provide an adequate off-street parking area for each resident and/or resident supervisor

- who is permitted to own or operate an automobile.
- g. The proposed use of the site as a home for adjustment shall be compatible with the present character, of the neighborhood considering noise, traffic, lights, exterior alterations of the structure or other potentially offensive characteristics.
 - h. The conditional use permit shall be limited to the operator to whom it is originally issued and is not transferrable to any subsequent operator.

518.5 Institutions may be conditionally permitted in an unattached structure within any designated district, subject to approval by the Board of Zoning Appeals.

SECTION 519 AGRIBUSINESS OPERATIONS: No conditional use permit shall be issued for any agribusiness operation unless the following conditions have been satisfied:

- 519.1 The agribusiness establishment shall be incidental and necessary to the conduct of agriculture within the agricultural district and shall not be a business which is not dependent upon the surrounding agricultural community.
- 519.2 The minimum distance permitted between the agribusiness establishment and any existing dwelling unit or existing residential district shall be established by the Board of Zoning Appeals based upon the character of the agribusiness.
- 519.3 The agribusiness establishment shall have approval from the Ohio Environmental Protection Agency (OEPA) for any on-site water supply and/or wastewater disposal system.
- 519.4 The agribusiness shall not emit noise, odor, dust or chemical residues which result in the creation of a nuisance or trespass to surrounding properties.
- 519.5 The agribusiness shall be located upon a thoroughfare which the Board of Zoning Appeals determines is adequate to accommodate any traffic which is generated by the agribusiness establishment.

SECTION 520 EXOTIC/DANGEROUS ANIMALS: Exotic animals or any species deemed dangerous or potentially harmful, such as mammals and/or various species of large breed cats such as, but not limited to , lions, tigers and panthers. Additionally, bears of various species, reptiles such as poisonous snakes, constrictors or other reptiles, pets or any other exotic species capable of inflicting serious physical harm or death shall be housed, raised, sold, kept or bred within the boundaries of Jefferson Township, Greene County, Ohio under an annual Conditional Use Permit/Exotic Animals.

- 520.1 Exotic non-traditional farm animals that are legally maintained for the soul pleasure of the owner(s) or for meat production shall not be hindered if they meet all legal requirement(s) and permit(s) from all governmental agencies.
 - a. These shall include but are not limited to: Llama/Alpaca, Buffalo, Ostrich/Emus.

520.2 Other non-farm animals deemed as dangerous shall be required to meet the Annual Conditional Use permit as follows:

a. Obtaining a Conditional Use Permit (renewed annually) with the initial fee of the permit set by the Jefferson Township Trustees.

b. Possession of the appropriate and current certification(s), license(s) and other governmental requirements must be satisfied and maintained current as required by any and all government agencies, including the Ohio Department of Natural Resources and any and all Federal and/or State of Ohio inspecting agencies.

c. The applicant, or persons harboring the species deemed Exotic or Dangerous and/or the property owner where the species are located that request the Conditional Use Permit for Exotic and/or Dangerous Animals shall agree to allow the Jefferson Township Zoning Inspector permission to enter the property where such animal(s) are harbored and he shall not be hindered from inspecting, examining, documenting by recording or electronic means, all areas where the animal(s) are fed, housed, bred or kept.

d. Proof of proper liability insurance, listing the specific species involved, must be submitted annually to the Jefferson Township zoning Inspector.

e. Applicants must demonstrate proof of proper credentials that clearly certifies their training and expertise in keeping the species involved under the Conditional use Permit.

f. In order to protect the safety of the public, adequate housing, fencing and other precautionary boundaries to prevent the escape of the species must be approved by the Jefferson Township Zoning Inspector and any other regulatory agency having proper jurisdiction over the species involved. The area must also provide necessary room for proper movement and exercise of the species and provide needed protection from adverse weather elements where warranted.

g. Failure to abide by the conditions in this section or allowing the species to create an unkempt appearance of the property, foul smells or odors and/or acts deemed cruel or unsafe shall void the Conditional Use Permit.

h. Renewal: The person(s) applying for a Conditional Use Permit for Exotic/Dangerous animals shall annually submit a certified copy of the required liability insurance to the Jefferson Township Zoning Inspector. The policy must list the animals that are to be harbored and shall be submitted at least 30 days prior to the expiration of the current Conditional Use Permit. Failure to re-apply and/or violations of the agreement shall forfeit the owner's right to harbor the exotic/dangerous animal(s)/mammal(s)/reptile(s), species, etc. within the boundaries of Jefferson Township.

i. Violations or failure to maintain a current Conditional Use Permit shall constitute a public nuisance and safety issue

and will give the right to have the exotic, dangerous animals/species removed at the expense of the owner or caretaker by the Township, County or State authorities.

j. Additional requirements may be directed from the Zoning Board of Appeals, Jefferson Township.

SECTION 521 JUNK: The accumulation of trash, junk vehicles, vehicle parts, rags or any other debris in any district shall be a nuisance per se and shall be prohibited outside of an approved junk yard. The purpose of this section is to promote the health, safety and welfare of Jefferson Township by eliminating environments for breeding of vermin, rodents, insects and infestations.

SECTION 522 JUNK YARDS: Junk yards may be permitted as a Conditional Use within specified districts upon the submission of satisfactory proof that such operations will not be detrimental to the neighborhood or surrounding properties. No junk yard shall be located, operated or maintained within Jefferson Township unless it is located within the proper district and the following conditions have been guaranteed by the applicant:

- 522.1 The operator of the junk yard shall possess a license from the Greene County Auditor.
- 522.2 The junk yard operation shall possess a plan for the control of insects, rodents and other disease vectors.
- 522.3 The area of the site used for the storage of junk shall be completely enclosed by a fence or other suitable means to prevent any uncontrolled access by unauthorized persons.
- 522.4 The site shall contain mounding, screening or natural vegetation adequate to obscure the view of junk from any public street or surrounding property as determined by the Board of Zoning Appeals.
- 522.5 Any fence required for screening purposes shall be in accordance with the following requirements:
 - a. It shall be neatly constructed of opaque material.
 - b. It shall not be less than six (6) feet in height.
 - c. It shall be maintained in a condition so as to insure its opaqueness.
 - d. It shall contain no advertising.
- 522.6 All motor vehicles stored or kept in such yards shall be so kept that they will not catch and hold water in which mosquitoes may breed and so that they will not constitute a place or places in which mice or other vermin may be harbored, reared or propagated.
- 522.7 Because of the tendency for junk yards to promote the breeding of mosquitoes and vermin and the potential volatile nature of certain materials, no operation shall be permitted closer than five hundred (500) feet from any established residential district or structure.

SECTION 523 SANITARY LANDFILLS: Sanitary landfills may be permitted as a Conditional Use within specified districts upon submission of satisfactory proof that such operations will not be detrimental to surrounding properties or to the environment. The following conditions shall be guaranteed by the applicant:

- 523.1 All zoning permit applications for sanitary landfills within Jefferson Township shall be accompanied by the following information, at a minimum:
- a. Vicinity maps, drawn at a scale of one (1) inch equal to one thousand (1,000) feet illustrating the proposed site in relation to surrounding existing and proposed land uses, existing and proposed roads, surrounding zoning districts and Perspectives: A Future Land Use Plan for Greene County, Ohio;
 - b. Topographic maps drawn at a scale no greater than one (1) inch equal to two hundred (200) feet with five (5) foot contour intervals, showing the existing and the proposed final physiographic layout of the site;
 - c. A hydrogeologic and surface drainage study of the site, conducted by a qualified professional engineer registered in the State of Ohio, illustrating the various depths, thicknesses and hydro-logic characteristics of underlying geologic deposits and the depth, direction of flow and potential for contamination of the underground water supply;
 - d. A transportation plan for the site illustrating any proposed external routes or access to the landfill site and any proposed internal circulation routes within the landfill site;
 - e. Proposed methods of control for insects, rodents and other disease vectors;
 - f. Proposed methods of controlling odor, dust and/or blowing debris such as paper;
 - g. Proposed methods for screening;
 - h. Proposed hours of operation;
 - i. The location and size of proposed shelters for landfill personnel and equipment; and
 - j. A proposed plan for future use of the site.
- 523.2 All proposed sanitary landfill operations shall be required to secure a "Permit to Install" from the Ohio Environmental Protection Agency(OEPA) prior to the issuance of a Conditional Use Permit.
- 523.3 The site shall contain mounding or screening adequate to obscure the view of the landfill operation from any public street, existing dwelling unit or any residentially zoned property .
- 523.4 The site shall be limited to areas where surface or underground water pollution will not occur.
- 523.5 The site shall not be accessible from any established residential area.
- 523.6 The site shall be so located as to minimize the effects of winds carrying objectionable odors to urbanized or urbanizing areas.

- 523.7 An attendant shall be on duty during the time the sanitary landfill site is open to supervise the unloading of refuse.
- 523.8 Blowing paper shall be controlled by providing a portable fence near the working area. The fence and area shall be policed regularly.
- 523.9 There shall be no open storage or burning of refuse or garbage.
- 523.10 Conditions unfavorable for the production of insects, rodents and other disease vectors shall be maintained by carrying out routine landfill operations promptly in a systematic manner.
- 523.11 Domestic animals shall be excluded from the site.
- 523.12 A compacted layer of at least six (6) inches of suitable cover material shall be placed on all exposed refuse by the end of each working day.
- 523.13 Other conditions which the Board of Zoning Appeals deems necessary to insure that the sanitary landfill operation will not be detrimental to surrounding properties or to the environment.

SECTION 524 MINERAL EXTRACTION OPERATIONS: The purpose of this Section is to insure that the mineral resources of Jefferson Township are properly managed and that all land used for mineral extraction be properly located, screened and reclaimed so as not to create a hazard or nuisance which may adversely affect the health, safety or general welfare of the community, either immediately or in the future. Quarries, sand and gravel operations or other mineral extraction operations may be permitted as a Conditional Use within specified districts upon submission of satisfactory proof that such operations will not be detrimental to the neighborhood or surrounding properties. The following conditions shall be guaranteed by the applicant:

- 524.1 All conditional use applications for mineral extraction operations within Jefferson Township shall be accompanied by the following information, at a minimum:
- a. Vicinity maps drawn at a scale of one (1) inch equal to one thousand (1,000) feet, illustrating the extraction in relation to surrounding existing and proposed land uses, existing and proposed roads, surrounding zoning districts and Perspectives: A Future Land Use Plan For Greene County, Ohio;
 - b. A map at a scale or at least one (1) inch equals one hundred (100) feet showing existing contours at intervals of five (5) feet or less, any existing building structures and any public utilities or easements on the property;
 - c. Name and address of the applicant, including all partner officers of the corporation;
 - d. Name and address of the owner of the surface rights of the property;

- e. The location, description and size of the areas to be excavated during the first year as well as an estimate of the total anticipated area of excavating;
- f. A list of the types of resources or minerals to be extracted;
- g. The proposed method of removal of such resources and whether or not blasting or other use of explosives will be required;
- h. A study of the anticipated depth of excavations and the probable effect to the existing water table conducted by a qualified professional engineer registered in the State of Ohio. If the water table is to be affected, the operator shall provide proof, before permission for excavation is given, that the source of any public or private water supply shall not be adversely affected due to a lowering of the water table or contamination of the supply;
- i. The location of any processing plant to be used and any accessory or kindred operations that may be utilized in connection with the operation of a processing plant by the mining processor or any other firm, person or corporation;
- j. A general description of the equipment to be used for excavating, processing and/or transporting excavated mineral resources
- k. A transportation plan for the site illustrating any proposed external routes of access to the site and any proposed internal circulation routes within the site;
- l. A plan for the rehabilitation and reclamation of the excavated area as specified in this Section; and Any other information the Board of Zoning Appeals may deem necessary in order to determine if the proposed extraction operation will not be detrimental to surrounding land uses and the community in general.

524.2 All proposed mineral extraction operations shall be required to secure a permit for such activities from the Chief of the Division of Reclamation, Ohio Department of Natural Resources prior to the issuance of a Conditional Use Permit.

524.3 Adequate operational controls shall be used to minimize the creation of detrimental ground vibrations, sound, pressure, smoke, noise, odors or dust which would injure or be a nuisance to any persons living or working in the vicinity.

524.4 The location of any storage or processing activities upon the site shall be subject to approval by the Board of Zoning Appeals because of the possible detrimental external effects such as air or water contamination. All such activities shall be naturally or artificially screened from any public street, existing dwelling unit or any residentially zoned property.

524.5 Mineral extraction to a depth not exceeding six (6) feet may be conducted up to one-hundred (100) feet of any residential district, provided the operation is conducted over a temporary period not to exceed twelve (12) months and the operation of equipment is limited to the extraction process. All other

mineral operations shall not be conducted closer than five hundred (500) feet from an existing residential district.

- 524.6 Temporary operational roads shall not be located closer than two hundred (200) feet from any Residential District or any existing dwelling.
- 524.7 Buildings and structures designed and constructed exclusively for mineral extraction, storage, or processing, for which no future use is contemplated and no other use is practical or feasible, shall be demolished and removed at expiration of the Conditional Use Permit.
- 524.8 The operator shall maintain complete records on a daily basis of all blasting operations including records of time, the date, the location and complete description of weather conditions relating to each such blast. Such records shall be available to the Zoning Inspector upon request. At the request of the Board of Zoning Appeals, the operator shall fully cooperate in any investigation by the Board of Zoning Appeals of the conditions of the operation. In the event that it is established as a matter of fact that there has been a failure to adequately comply with the provisions of this section, said operator shall take immediate steps to provide full compliance herewith.
- 524.9 In order to insure adequate lateral support for public roads in the vicinity of mineral extraction operations:
- a. All sand and gravel excavations shall be located at least 100 feet and backfilled to at least 150 feet from a street right-of-way line.
 - b. All quarrying or blasting shall be located at least 100 feet from the right-of-way line of any existing or platted street, road, highway or railway.
 - c. Such excavation or quarrying may be permitted within these limits to the point of reducing the ground elevation to the grade of the existing or platted street, road or highway where officially approved by the authority charged with maintenance of such platted street, road or highway.
- 524.10 All excavations of gravel or sand shall either be:
- (1) made to a depth not less than five (5) feet below a water-producing level or
 - (2) graded and/or backfilled with non-noxious and non-flammable solids, to assure that the excavated area will not collect and retain stagnant water. The graded or backfilled surface shall create an adequate finished topography to minimize erosion by wind or rain and substantially conform with the contours of the surrounding area.
- 524.11 The underwater banks of all excavations which are not backfilled shall be sloped at a grade of not less than 3 feet horizontal to 1 foot vertical a minimum of six (6) feet below the water line. Spoil banks shall be graded to a level suiting the existing terrain and planted with trees, shrubs, legumes or grasses where re-vegetation is possible.

- 514.12 Whenever the floor of a quarry is greater than (5) feet below the average grade of an adjacent public street or any adjacent property, the property containing such quarry shall be completely enclosed by a mound of earth not less than six (6) feet in height and planted with suitable landscaping or a fence not less than six (6) feet in height. All plantings or fences shall be sufficient in either case to prevent persons from trespassing upon the property and shall be subject to approval by the Board of Zoning Appeals. Such mound shall be located not less than twenty five (25) feet from any street right-of-way or boundary of the quarry property. Such barriers may be excluded where deemed unnecessary by the Board of Zoning Appeals because of the presence of a lake, stream or other existing natural barrier.
- 524.13 When any quarrying has been completed, such excavated area shall either be left as a permanent spring-fed lake or the bottom floor thereof shall be leveled to prevent the collection and stagnation of water and to provide proper drainage without excessive soil erosion. Said floor shall be covered with soil of adequate thickness for the growing of turf or other ground cover.
- 524.14 To guarantee the restoration, rehabilitation and reclamation of mined-out areas, every applicant granted permission by the Board of Zoning Appeals to conduct a mineral extraction operation as herein provided shall furnish a reclamation plan and a performance bond running to the Clerk of Jefferson Township, Greene County, Ohio. The amount of the performance bond shall be based upon an estimate of costs to meet the aforementioned requirements prepared by a professional civil engineer registered in the State of Ohio and submitted by the applicant. The amount of the performance bond shall be established by Resolution of the Township Trustees, depending upon the type and extent of restoration required. The performance bond shall be a guarantee that such applicant, in restoring, reclaiming and rehabilitating such land, shall within a reasonable time and to the satisfaction of the Board of Zoning Appeals meet the requirements of this section.
- 524.15 The reclamation plan for the extracted area shall contain, at a minimum, the following information:
- a. A map at a scale of one (1) inch equals one hundred (100) feet showing the existing contours at intervals of five (5) feet or less, any existing buildings or structures and any public utilities or easements on the property.
 - b. The depth of the proposed cover which shall be at least as great as the depth of the unusable overburden which existed at the commencement of operations, but which in no event need be more than 18 inches.
 - c. The angle of slope of all earthen banks, which shall be no greater than one (1) foot vertical to three (3) feet horizontal. In areas where at the commencement of excavation a greater angle existed, the angle of slope shall be no greater than that which existed at

- the commencement of excavation.
- d. The angle of slope of all banks consisting of rock and the required cover.
 - e. The location of fences or effective plantings in those locations where the Board of Zoning Appeals determines that such angles of slope are not physically or economically feasible to reduce.
 - f. The number of trees and shrubs and the type of ground cover to be provided. The type and number per acre of trees, shrubs, ground cover or legume to plant shall be determined in consultation with the Greene County Agricultural Extension Agent.
 - g. The location of proposed ultimate land uses and physical improvements such as roads, drives, drainage courses, utilities and other improvements as determined in consultation with the Regional Planning and Coordinating Commission, the County Engineer, the Sanitary Engineer and the Zoning Commission.
 - h. A statement that vegetation shall be restored by the spreading of sufficient soil and by appropriate seeding of grasses or planting of shrubs and trees in all parts of said reclamation area where the same is not submerged under water.
 - i. A grading plan showing the proposed final topography of the area indicated by contour lines of no greater interval than five (5) feet.

SECTION 525 TEMPORARY USES: The following regulations are necessary to govern the operation of certain uses which are non-permanent in nature. Application for a Temporary Zoning Permit shall be made to the Zoning Inspector containing a graphic description of the property to be utilized and a site plan, a description of the proposed use and sufficient information to determine yard requirements, setbacks, sanitary facilities and parking space for the proposed temporary use. The following uses are deemed to be temporary uses and shall be subject to the specific regulations and time limits which follow and to the regulations of any district in which such use is located;

525.1 Carnivals, Circuses, Tent Meetings, Bazaars, Festivals, Art Shows or Other Similar Public Events may be permitted within any non-residential district and upon church, school or other similar sites within any residential district. No permit shall be issued unless the written consent of fifty-one percent (51%) of the owners of all residentially-used property within four-hundred (400) feet of the temporary use site is first filed with the Zoning Inspector at least forty-eight (48) hours prior to commencement of the event. Such uses shall only be permitted on lots where adequate off-street parking can be provided and shall not be permitted for a period longer than fifteen (15) days.

525.2 Christmas Tree Sales may be permitted within any non-residential district for a period not exceeding thirty-five (35) days.

525.3 Real Estate Sales Offices may be permitted within any district for any new subdivision which has been approved by the Regional Planning and Coordinating Commission

under the Subdivision Regulations for Greene County. Such office shall contain no living accommodations. The permit shall be valid for one (1) year, but may be granted two (2) six-month extensions if conditions warrant such renewal. Such office shall be removed upon completion of sales of the lots therein or upon expiration of the Temporary Zoning Permit, whichever occurs sooner.

- 525.4 Temporary offices for contractors and equipment sheds incidental to a construction project may be permitted within any district. The permit shall not be valid for more than one (1) year but may be renewed for six-month extensions if construction is substantially underway. Such uses shall be removed immediately upon completion of the construction project, or upon expiration of the Temporary Zoning Permit whichever occurs sooner.
- 525.5 The seasonal sale of agricultural produce grown on the premises may be permitted within any district. All structures must be set back from the roadway pavement a minimum of thirty-five (35) feet and the site shall contain adequate off-street parking area so as not to create a traffic hazard.
- 525.6 The temporary placement of a mobile home upon a lot which already contains a residential structure may be permitted where the Board of Zoning Appeals finds that special circumstances or conditions such as fires, wind storms or other similar events which are fully described in the findings of the Board exist, such that the use of a temporary residential structure is necessary in order to prevent an exceptional hardship on the applicant, provided that such a temporary structure does not represent a hazard to the safety, health or welfare of the community.

An applicant for a Temporary Zoning Permit under Sec 525.6 must produce a written statement from the Greene County Health Department approving the water supply and waste water disposal system of the temporary mobile home location. Such permit may be initially issued for nine (9) months, renewable for up to three (3) months time for all permits, not exceeding a total of twelve (12) months.

- 525.7 Temporary sales may be permitted within parking lots within any business district. A temporary Zoning Permit for such sales shall only be issued once within any four (4) month period and shall not exceed a period of seven (7) consecutive days unless otherwise approved by the Board of Zoning Appeals. A temporary use permit shall not be issued if it is determined by the Zoning Inspector that encroachment of more than twenty five percent (25%) of the required storage or parking areas will take place.

SECTION 526 CEMETERIES: The following standards shall apply to the development and construction of cemeteries within Jefferson Township:

- 526.1 The site proposed for a cemetery shall not interfere with the development of a system of collector and larger streets in the vicinity of such site. In addition, such sites shall have direct access to a thoroughfare which the Board of Zoning Appeals determines is adequate to serve the size of facility proposed.
- 526.2 Any new cemetery shall be located on a site containing not less than twenty (20) acres.
- 526.3 All buildings, including but not limited to mausoleums and maintenance buildings, shall respect the required yard setbacks of the district in which it is located.
- 526.4 All graves or burial lots shall be set back not less than twenty-five (25) feet from any street right-of-way line.
- 526.5 All required yards shall be landscaped and maintained in good order in accordance with state and local regulations. A plan for perpetual care of the grounds shall be required.

SECTION 527 HOLD FOR FUTURE USE

SECTION 528 TENANT FARMER DWELLING: A zoning permit is not required for the erection of a tenant farmer dwelling(s), provided the land owner/lessee states in writing to the Zoning Inspector that the purpose of the dwelling is to house a person(s) who is to be engaged in assisting them with farming the land in question and/or maintaining and protecting it in their absence.

SECTION 529 HONE OCCUPATIONS: All home occupations shall be in accordance with the following provisions:

- 529.1 No person or persons shall operate a home occupation or be employed there under other than a resident of the premises and one (1) other person.
- 529.2 All home occupations shall be conducted entirely within the dwellings unit and 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;
- 529.3 Not more than twenty five percent (25%) of the gross floor area of any dwelling unit shall be used for a home occupation;
- 529.4 Home occupations shall not be permitted in any accessory building within any district except the Agricultural District. Where permitted within the Agricultural District, the home occupation shall not be located within an accessory building exceeding 600 square feet in floor area;
- 529.5 There shall be no change in the outside appearance of the building or premises or other visible evidence

of the conduct of such home occupation other than one sign, not exceeding two square feet in area, non-illuminated and mounted flat against the wall of the building in which the home occupation is located;

- 529.6 There shall be no sale on the premises of commodities not produced as the result of the home occupation;
- 529.7 No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this Resolution and shall not be located in a required front yard; and
- 529.8 Equipment or processes shall not be used in such home occupation which create noise, vibrations, glare, fumes, odors or electrical interference detectable off the lot if the occupation is conducted in a single family residence or outside the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receiver off the premises or cause fluctuations in voltage off the premises.

SECTION 530 MINIMUM FLOOR AREA PER DWELLING UNIT: These requirements shall apply to all districts. Minimum floor area for single-family dwellings shall be 1,250 sq. ft. of floor area. Multiple family dwellings shall be as follows: Each unit in a multi-family dwelling unit shall consist of the minimum requirement in the chart below.

	Single Family	Multiple Family Dwellings
0 Bedroom	1,250 sq. ft.	950 sq. ft.
1 Bedroom	1,250 sq. ft.	950 sq. ft.
2 Bedroom	1,250 sq. ft.	1,100 sq. ft.
3 Bedroom	1,250 sq. ft.	1,250 sq. ft.
4 Bedroom	1,400 sq. ft.	1,400 sq. ft.
5 Bedroom	1,550 sq. ft.	1,550 sq. ft. plus 150 sq. ft. for
6+ Bedroom	1,700 sq. ft. plus 150 sq. ft. for each additional bedroom over 6	each additional bedroom over 6.

SECTION 531 CHURCHES WITHIN RESIDENTIAL DISTRICTS: Churches and their accessory uses shall be permitted within residential districts only under the following requirements:

- 531.1 The minimum lot area shall be two (2) acres and the minimum lot width shall be two hundred (200) feet. The lot area shall be adequate to accommodate the required off-street parking requirements of the church.
- 531.2 The church building shall be set back from any adjacent residential property line a distance equal to or greater than the height of the structure exclusive of the steeple or spire.
- 531.3 The church lot shall be accessible to a major thoroughfare in a manner that does not require the passage of traffic through local residential streets.
- 531.4 Accessory living quarters may be provided on the church lot as a Conditional Use. The location, density and the additional lot area required for such uses shall be subject to approval by Board of Zoning Appeals.
- 531.5 Adequate screening shall be provided along all property lines bordering residential lots. Such screening shall be subject to approval by the Board of Zoning Appeals.

SECTION 532 AIRPORTS AND LANDING STRIPS: All airports and landing strips shall be in accordance with the following requirements:

- 532.1 In order to maintain the safety of the occupants of surrounding properties, all private helicopter landing areas shall be located a minimum of five hundred (500) feet from any adjacent property or shall be screened by a wall, solid fence, mound or evergreen planting a minimum of six (6) feet in height. In order to maintain the safety of the occupants of surrounding properties, all such sites shall be approved by the Ohio Department of Transportation, Division of Aviation.
- 532.2 All private landing strips shall be approved by the Ohio Department of Transportation, Division of Aviation and shall be situated so as to not create a nuisance or hazard to residential dwellings or other structures within the vicinity.
- 532.3 Commercial airports may be permitted as Conditional Uses within specified districts subject to the following conditions:
- a. The applicant shall present sufficient evidence to the Board of Zoning Appeals that the design and location of the airport satisfies all of the applicable requirements of the Federal Aviation Administration and the Ohio Department of Transportation, Division of Aviation.
 - b. The applicant shall provide proof to the Board of Zoning Appeals that all appropriate air rights and or easements have been secured from surrounding property owners.
 - c. The location of buildings, hangars or other structures shall meet or exceed the minimum setback requirements of the district in which the airport is located.
 - d. The location and capacity of all off-street parking and loading areas and the location of vehicular access to public streets shall be subject to approval by the Board of Zoning Appeals.
 - e. All airports shall have water supply and wastewater disposal facilities approved by the Ohio EPA.
 - f. Appropriate visual and noise screening of the hanger and terminal areas from existing surrounding developments shall be provided. Such screening shall be subject to approval by the Board of Zoning Appeals.

Section 533 DRAINAGE/STORM WATER MANAGEMENT & LOT OWNER'S RESPONSIBILITY:

- 533.1 The Zoning Inspector shall submit the site plan and related information to the Soil & Water Conservation District for review and comments.
- 533.2 Site inspections may be required prior to construction.
- 533.3 It shall be the responsibility of the property owner(s) to correct, grade, install tile or other measures to address the adequate drainage of the building site.

Section 534 ALTERNATIVE ENERGY SOURCES:

534.1 Purpose: The purpose of this Section is to establish standards and procedures by which the installation and operation of Wind Energy Conversion Systems (WECS) shall be governed within the Township.

534.2 Definition:

a. WECS: A WECS which is electrically connected to the local power utility system and could feed power back into the local electrical power utility system.

b. Survival Wind Speed: The maximum wind speed, as designated by the WECS manufacturer, at which a WECS in Unattended operation (not necessarily producing power) is designed to survive without damage to any structural equipment or loss of the ability to function normally.

c. Tower Height:

1.Horizontal Axis Wind Turbine Rotors: The distance between the ground and the highest point of the WECS, as measured from the ground, plus the length by which the rotor blade on a horizontal mounted WECS exceeds the structure which supports the rotor and blades;

2.Vertical Axis Wind Turbine: The distance between the ground and the highest point of the WECS.

d. Wind Energy Conversion System (WECS)

Shall mean a combination of:

1. A surface area, either variable or fixed, for utilizing the wind for electrical power generation; and

2. A shaft, gearing, belt or coupling utilized to convert the rotation of the surface area into a form suitable for driving a generator, or other electricity producing device; and

3. The generator, alternator or other device to convert the mechanical energy of the surface area into electrical energy; and

4. The tower, pylon or other structure upon which any, all or some combination of the above are mounted.

d. Wind Farm: Clusters (2 or more) of WECS towers placed upon land with the intent to sell or provide electricity to others. Towers shall be owned by the owner of the property upon which the towers are placed.

e. Single WECS for Commercial Purposes: A WECS tower placed upon land with the intent to sell or provide electricity to others. The tower shall be owned by the owner of the property upon which the tower is placed.

- f. Single WECS for ON-Site Service Only: Single WECS of wind energy conversion systems to serve the energy needs of the property owner may be allowed in an Agricultural District as a Conditional Use provided the property upon which the system is to be located is at least three(3)acres in size and subject to the regulations and requirements of this section and the review procedures and standards/criteria of Article X of the Zoning Resolution.
- g. Site Plan Drawing: All applications for a WECS Conditional Use permit shall be accompanied by a detailed site plan drawn to scale and dimensioned, displaying the following information:
 - 1. Lot and size.
 - 2. Location and height of all buildings, structures, towers, guy wires, guy wire anchors, security fencing and other above-ground structures with the WECS.
 - 3. Locations and height of all adjacent buildings, structures and above-ground utilities located within three hundred (300) feet of the exterior boundaries of the site housing the WECS. The boundaries to include the outermost locations upon which towers, structures, fencing, facilities and other items associated with a WECS are placed. Specific distances to other on-site buildings, structures and utilities shall be provided.
 - 4. Existing and proposed setbacks of all structures located on the property in question.
 - 5. Sketch elevation of the premises accurately depicting the proposed WECS and its relationship to all structures within three hundred (300) feet.
 - 6. Access road to the WECS (if applicable) with detail on dimensions, composition and maintenance.
- h. Security Measures: Planned security measures to prevent unauthorized trespass and access.
- i. WECS Maintenance Programs: Provide a description of the maintenance program used to maintain the WECS including removal when determined to be obsolete.
- j. Additional details as required by Conditional Use requirements of this Resolution.
- k. Compliance with the National Building Code: A copy of the manufacturer's installation instruction shall be provided. Included as part , or as an attachment to, the installation instructions shall be standard drawings of the structural components of the wind energy conversion system and support structures, including base and footings provided along with engineering data and

calculations to demonstrate compliance with the structural design provisions of the National Building Code as adopted by the Township. Drawings and engineering calculations shall be certified by a registered engineer licensed to practice in the State of Ohio.

1. Compliance with the National Electrical Code: WECS electrical equipment and connections shall be designed and installed in adherence to the National Electrical Code as adopted by the Township.

2. Design Standards:

a. Height: The permitted maximum height of a WECS shall be two hundred and fifty (250) feet. Towers shall be required to be less than two hundred and fifty (250) feet in height under the following circumstances:

b. Towers near property lines shall be required to be less than two hundred and fifty (250) feet in height through use of the following formula:

1. One (1) foot of height is permitted for every two (2) feet of horizontal distance between the closest property line and the base of the WECS.
2. State or Federal regulations may require a lesser height.
3. As part of the Conditional Use review, a determination is made that tower heights of a lesser height would be more appropriate for a certain area of the community.

c. Setbacks: No part of a WECS (including guy wire anchors) shall be located within or above any required front, side or rear yard setback. WECS towers shall be setback from the closest property line two (2) feet for every one (1) foot of system height. WECS shall not be located within thirty (30) feet of an above-ground utility line.

d. Rotor Clearance: Blade arcs created by the WECS shall have a minimum of thirty (30) feet of clearance over any structure, land or tree within a two hundred (200) foot radius of the tower.

e. Rotor safety: Each WECS shall be equipped with both a manual and an automatic braking device capable of stopping the WECS operation in high winds (40 MPH or greater).

f. Tower Access: To prevent unauthorized climbing, WECS towers shall comply with the following provisions:

1. Tower climbing apparatus shall not be located within twelve (12) feet of the ground.
 2. A locked, anti-climb device shall be installed on the tower.
 3. The WECS shall be enclosed by a locked, protective fence at least six (6) feet high and located at least ten (10) feet from the base of the tower.
- g. Signs: Each WECS shall have at least one sign, not to exceed two (2) square feet, posted at the base of the tower. The sign shall contain the following information:
1. Warning High Voltage.
 2. Manufacturer's name.
 3. Owner's and Manufacturer's emergency phone number.
 4. Emergency shut-down procedures.
- h. Lighting: WECS shall not have affixed or attached any lights, reflectors, flashers or any other illumination except for illumination devices required by Federal regulations.
- i. Electromagnetic Interference: WECS shall be designed and constructed so as not to cause telephone, radio or television interference.
- j. Noise Emissions: Noise emanating from the operation of WECS shall not exceed seventy-five (75) decibels, as measured on the DBA scale, measured at the nearest property line. Estimates for noise levels at all property lines shall be provided by applicant for normal operating conditions.
- k. Utility Company Inter-connection (Interconnected WECS): No WECS shall be interconnected with a local electrical utility company until the utility company has reviewed and commented upon it. The inter-connection of the WECS with the utility company shall adhere to the National Electrical Code as adopted by the Township and all utility company requirements.
- a. Inspection: The Township hereby reserves the right, upon issuing any WECS Conditional Use permit, to inspect the premises on which the WECS is located. If a WECS is not maintained in operational condition and poses a potential safety hazard, the owner shall take expeditious action to correct the situation.

202.147 Abandonment: Any WECS which is not used for six (6) successive be deemed abandoned and shall be dismantled and removed from the property within ninety (90) days of notice, at the expense of the property owner.

Section 535 AGRITOURISM In the interest of the public health and safety, no agritourism operation shall be permitted unless the following conditions have been satisfied:

- 535.1 The agritourism provider shall provide evidence the farm on which the agritourism operation is proposed is ten (10) acres or more in area. If such farm is less than ten (10) acres and more than five (5) acres in size, evidence shall be provided that such farm is currently enrolled in the Current Agricultural Use Value (CAUV) program or produces an average yearly gross income of at least twenty-five hundred dollars (\$2,500) from agricultural production.
- 535.2 The agritourism provider shall identify the educational, entertainment, historical, cultural and/or recreational relationship of the agritourism operation to the existing agricultural use of the property and the surrounding agricultural community in general.
- 535.3 The agritourism provider shall submit a floor plan of the structure to be used for agritourism activities and a site plan of the property illustrating all structures, setbacks from property lines for all structures and any existing or proposed well and/or on-site wastewater disposal system area(s) on the property.
- 535.4 The size and setback for any structure used primarily for agritourism activities shall be determined by the Board of Zoning Appeals per township regulations.
- 535.5 The agritourism operator shall provide off-street parking as determined by the Board of Zoning Appeals per township regulations
- 535.6 The agritourism operator shall provide ingress and egress in a manner necessary to protect public safety.
- 535.7 The following definitions apply to this section:
- a. AGRITOURISM: An agriculturally related educational, entertainment, historical, cultural, or recreational activity, including you-pick operations or farm markets, conducted on a farm that allows or invites members of the general public to observe, participate in, or enjoy that activity
 - b. AGRITOURISM PROVIDER: A person who owns, operates, provides, or sponsors an agritourism activity or an employee of such a person who engages in or provides agritourism activities whether or not for a fee.
 - c. FARM: Land that is composed of tracts, lots, or parcels totaling not less than ten (10) acres devoted to agricultural production or totaling less than ten (10) acres devoted to agricultural production if the land produces an average yearly gross income of at least twenty-five hundred dollars (\$2,500) from agricultural production.
 - d. AGRICULTURAL PRODUCTION: Commercial animal or poultry husbandry, aquaculture, algaculture meaning the farming of algae, apiculture, animal husbandry, or poultry husbandry; the production for a commercial purpose of timber, field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, or sod; the growth of timber for a noncommercial purpose if the land on which the timber is grown is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use; or any combination of such husbandry, production, or growth; and includes the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with such husbandry, production, or growth; land devoted to biodiesel production, biomass energy production, electric or heat energy production, or biologically derived methane gas production if the land on which the production facility is located is contiguous to or part of a

parcel of land under common ownership that is otherwise devoted exclusively to agricultural use, provide that at least fifty per cent of the feedstock used in the production was derived from parcels of land under common ownership or leasehold.

Agricultural production includes conservation practices, provided that the tracts, lots, or parcels of land or portions thereof that are used for conservation practices comprise not more than twenty-five per cent of tracts, lots, or parcels of land that are otherwise devoted exclusively to agricultural use and for which an application is filed under Section 929.02 of the Revised Code.

- e. CONSERVATION PRACTICES: Practices used to abate soil erosion as required in the management of the farming operation, and include, but are not limited to, the installation, construction, development, planting, or use of grass waterways, terraces, diversions, filter strips, field borders, windbreaks, riparian buffers, wetlands, ponds, and cover crops for that purpose.

Article 6

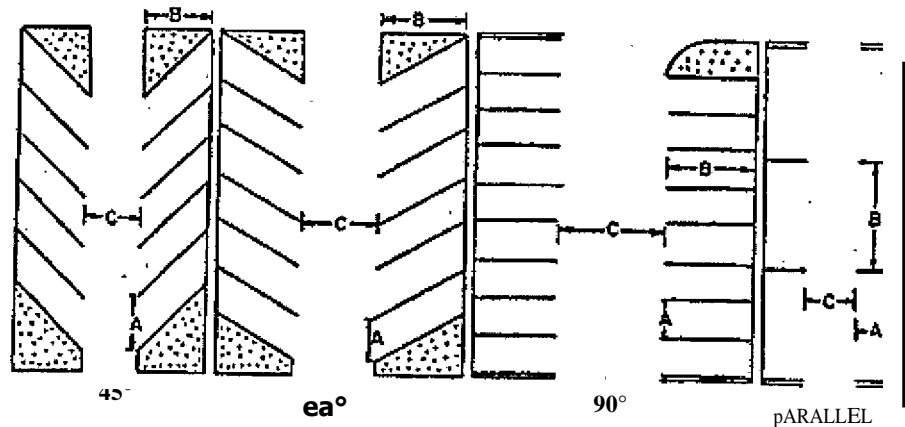
Off-Street Parking & Loading Regulation

SECTION 601 OFF-STREET PARKING AND LOADING REQUIRED: No building or structure shall be erected, substantially altered, changed in use or any land used or changed in use unless adequately maintained off-street parking spaces, either in garages or open parking areas, and off-street loading spaces have been provided in accordance with the provisions of this Article. The provisions of this Article shall not apply to any building, structure or use existing before the effective date of this Resolution or any amendment thereto unless such building, structure or use is altered or changed. However, the number of off-street parking or loading spaces shall not be reduced to an amount less than required for a new land use as specified in this Article.

SECTION 602 REQUIRED PARKING AND LOADING PLAN: A parking and loading plan shall not be required for single-family or two-family residential uses. All other land uses shall submit a parking and loading plan to the Zoning Inspector as a part of the application for a Zoning Permit. The parking and loading plan shall show boundaries of the property, parking spaces, loading areas, circulation patterns, drainage plans, construction plans for any boundary walls or fences, a screening plan and the location of adjacent houses or buildings.

SECTION 603 OFF-STREET PARKING DESIGN STANDARDS: All parking facilities, including entrances, exits, maneuvering areas, and parking spaces shall be in accordance with the following specifications.

603.1 Parking Space Dimensions: All parking spaces shall be in accordance with the following design requirement:



	45°	60°	90°	PARALLEL
A Width of Parking Space		14'	10'	
B Length of Parking Space	21' 6"			20' 23"
C Width of Driveway Aisle		13' 1 7/8"		25' .12'

- 603.2 Access: All parking spaces, except those required for single family or two family uses not fronting upon an arterial or collector street, shall have access to a public street in such a manner that any vehicle leaving or entering the parking area from or into a public street or private interior drive shall be traveling in a forward motion.
- 603.3 Paving: All required parking spaces, other than for single family dwellings, together with driveways and other circulation areas, shall be hard-surfaced with a pavement having an asphalt or concrete binder.
- 603.4 Drainage: All parking spaces, together with drive ways, aisles and other circulation areas shall be graded and drained so as to dispose of surface water which might accumulate within or upon such area and shall be designed to prevent the excess drainage of surface water on to adjacent properties or walkways and damage to public streets.
- 603.5 Barriers: Wherever a parking lot extends to a property line, fencing, wheel stops, curbs or other suitable barriers shall be provided in order to prevent any part of a parked vehicle from extending beyond the property line.
- 603.6 Screening: Screening shall be required as provided in Article 5, Section 515.
- 603.7 Access to Required Trash Areas: Trash and/or garbage collection areas for commercial, industrial and multi-family residential uses that provide such services, shall be enclosed on at least three sides by a solid wall or fence of at least four (4) feet in height if such area is not within an enclosed building or structure. Provisions for adequate vehicular access to and from such areas for collection of trash and/or garbage shall be required.
- 603.8 Other Uses Within Required Parking Areas: No motor vehicle repair work or service of any kind, except emergency repairs, shall be permitted in or associated with any off-street parking area. Display or sales of any merchandise within any parking area shall be permitted only by the Zoning Inspector in accordance with Article 5, Section 525.
- 603.9 Landscaping: All parts of open off-street parking areas which are unusable, either for parking or for traffic, shall be landscaped with plantings of grass, flowers, shrubs and/or trees, which shall be continuously maintained.
- 603.10 Visibility: Access of driveways for parking areas shall be located in such a way that any vehicle entering or leaving such parking area shall be clearly visible for a reasonable

distance by any pedestrian or motorist approaching the access or driveway from a public or private street.

- 603.11 Marking: All parking spaces shall be marked with paint lines, curb stones or in any other manner approved by the Board of Zoning Appeals and maintained in clearly visible condition.
- 603.12 Maintenance: The owner of property used for parking areas shall maintain such areas in good condition without holes and free of all dust, trash or other debris.
- 603.13 Lighting: Any parking area which is intended to be used during non-daylight hours shall be properly illuminated as to avoid accidents. Any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property.
- 603.14 Separation From Right-of-Way: All parking facilities located within required front or side yards shall be separated from sidewalks and streets in public rights-of-way by a strip of land which shall be at least five (5) feet in width and which shall be reserved as open space and planted in grass.
- 603.15 Signs: Where necessary due to multiple curb cuts, the entrances, exits and the intended circulation pattern of the parking area shall be clearly marked.
- 603.16 Joint Use of Facilities: Two or more non-residential uses may jointly provide and use parking spaces when their hours of operation do not normally overlap, provided that such an arrangement is provided within the deeds or other written legal documents approved by the Board of Zoning Appeals.
- 603.17 Collective Parking Areas: Two or more non-residential uses may collectively provide the required off-street parking area, provided the required number of parking spaces shall not be less than the sum of the requirements for the individual uses computed separately.

SECTION 604 PARKING SPACE REQUIREMENTS: For the purposes of this Resolution the following parking space requirements shall apply. The number of parking spaces required for uses not specifically mentioned shall be determined by the Board of Zoning Appeals.

RESIDENTIAL

<u>TYPE OF USE</u>	<u>PARKING SPACES REQUIRED</u>
Single family or two family	Two for each unit which may include the driveway
Apartment hotels, apartments or multi-family dwellings	Two for each unit
Mobile homes	Two for each unit
Boarding Houses, rooming houses, dormitories and fraternity houses which have sleeping rooms	Two for each sleeping room or two for each permanent occupant whichever is greater

COMMERCIAL AND INSTITUTIONAL

<u>TYPE OF USE</u>	<u>PARKING SPACES REQUIRED</u>
Animal hospitals and kennels	One for each 400 square feet of floor area and one for each two employees
Automobile repair station	One for each 800 square feet of floor area and one for each employee
Automobile salesrooms, wholesale stores, machinery or other large item sales and similar uses	One for each 400 square feet of floor area and one for each employee
Automobile service stations	Two for each service stall and two for each service bay
Automobile Washing Facilities	One for each employee
Banks, financial institutions, post offices and similar uses	One for each 200 square feet of floor area and one for each employee
Barber and Beauty shops	Three for each barber or beauty operator
Carry-out restaurants	One for each 200 square feet of floor area and one for each two employees, with a minimum total of eight (8) spaces
Churches and other places of religious assembly	One for each 300 square feet of floor area
Drive-in restaurants	One for each 125 square feet of floor area and one per each two employees

COMMERCIAL AND INSTITUTIONAL (CONTD)

Funeral parlors, mortuaries and similar uses	One for each 50 square feet of floor area in slumber rooms, parlors or service rooms
Hospitals	One for each two beds, one for each staff doctor and one for each two employees
Hotels, motels	One per each sleeping room, one for each employee and one for each 100 square feet used for restaurant, cocktail lounge or similar purpose
Laundromats	One for each washing or dry cleaning machine
Libraries, museums and art galleries	One for each 400 square feet of floor area
Medical and dental offices and clinics	Three for every examination or treatment room and one for each employee
Offices, public or professional administration or service building	One for each 300 square feet of floor area
Restaurants, taverns, night clubs and similar uses	One for each three persons capacity and one for each three employees
Retail Stores	One for each 250 square feet of floor area
Sanitariums, homes for the aged, nursing homes, children's homes and similar uses	One for each two beds

INDUSTRIAL

<u>TYPE OF USE</u>	<u>PARKING SPACES REQUIRED</u>
Manufacturing, storage uses, warehouse and wholesale uses, parcel delivery, freight terminals and similar uses	Two for every three employees on the largest shift for which the building is designed and one for each motor vehicle used in the business and maintained on the premises

SCHOOLS

<u>TYPE OF USE</u>	<u>PARKING SPACE REQUIRED</u>
Business, technical and trade schools	One for each two students and one for each teacher
Colleges and universities	One for each four students
Elementary and junior high schools	Two for each classroom and one for every eight seats in auditoriums or assembly halls
High Schools	One for each two persons capacity of the largest assembly area including: One for every ten students, one for every teacher and one for every other employee or administrator
Kindergartens, child care centers, nursery schools and similar uses	One for each 400 square feet of floor area and one for each employee but not less than six for the building

RECREATIONAL

<u>TYPE OF USE</u>	<u>PARKING SPACES REQUIRED</u>
Bowling alleys	Six for each alley or lane plus one additional space for each 100 square feet used for restaurant, cocktail lounge or similar use
Dance halls, skating rinks	One for each two persons capacity
Swimming pools	One for each two member families or one for each five persons capacity, whichever is greater
Auditoriums, sport arenas, theaters and similar uses	One for each four persons capacity
Golf courses open to the general public	Five for each hole, one for each employee and one space for each 100 square feet of area used for restaurant,

	cocktail lounge or similar purpose
Miniature golf courses	Two for each hole and one for each employee
Private clubs and lodges	One for each three persons capacity
Tennis facilities, racquetball facilities or similar uses	Two for each three playing areas and one for each employee

SECTION 605 OFF-STREET LOADING DESIGN STANDARDS: A permanently maintained area for standing, loading and unloading services shall be provided for on the same lot with every building, structure or part thereof erected and occupied for commercial, institutional and/or distribution of materials or merchandise by vehicles. These off-street loading areas shall be required in order to avoid undue interference with public use of streets and alleys. All loading facilities shall be in accordance with the following specifications:

- 605.1 Loading Space Dimensions: Each loading space shall have minimum dimensions not less than twelve (12) feet in width, fifty (50) feet in length and a vertical clearance of not less than fifteen (15) feet.
- 605.2 Projection Into Yards: Off-street loading spaces may occupy any part of a required rear or side yard but shall not project into any front yard.
- 605.3 Access: All required, off-street loading spaces shall have access to a public street or alley in such a manner that any vehicle leaving or entering the premises shall be traveling in a forward motion. This requirement may be waived upon approval by the Board of Appeals.
- 605.4 Paving: All required loading spaces, together with driveways, aisles and other circulation areas, shall be surfaced with an asphaltic or Portland cement binder pavement in order to provide a durable or dust free surface.
- 605.5 Drainage: All loading spaces, together with driveways, aisles and other circulation areas, shall be designed to prevent the drainage of surface water on to adjacent properties or walk ways and damage to public streets.
- 605.6 Screening: Screening shall be required as provided in Article 5, Section 515.
- 605.7 Lighting: Any loading area which is intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Any lights used to illuminate a loading area shall be so arranged as to reflect the light away from adjoining property.
- 605.8 Distance From Residential Districts: No loading ramp, dock,

door or space, nor any portion thereof, shall be located closer than fifty (50) ft. from any lot zoned for any residential use unless located completely within an enclosed building.

SECTION 606 OFF-STREET LOADING SPACE REQUIREMENTS: The minimum number of Off-street loading spaces shall be provided in accordance with this section unless otherwise approved by the Board of Zoning Appeals. An area adequate for maneuvering, ingress and egress shall be provided in addition to the following required loading spaces:

<u>TYPE OF USE</u>	<u>REQUIRED LOADING SPACES</u>
Retail operations, including restaurant and dining facilities within hotels and office buildings with a total usable floor area of 20,000 square feet or more devoted to such purposes	1 loading berth for every 40,000 square feet of floor area or fraction thereof; 1 loading space for every 20,000 square feet of floor area or fraction thereof
Retail operations and all first floor non-residential uses, with a gross floor area of less than 20,000 square feet and all wholesale and light industrial operations with a gross floor area of less than 10,000 square feet	1 loading space
Office buildings and hotels with total usable floor area of 100,000 square feet or more devoted to such purposes	1 loading berth for every 100,000 square feet of floor area or fraction thereof
Industrial and wholesale operations with a gross floor area of 10,000 square feet or over as follows:	Minimum number of loading berths required

10,000 to 39,999 square feet..	.1
40,000 to 99,999 square feet..	.2
100,000 to 159,999 square feet..	.3
160,000 to 239,999 square feet..	.4
240,000 to 319,999 square feet..	.5
320,000 to 399,999 square feet..	.6
Each 90,000 square feet above	
399,999 square feet	1

Article 7

Signs

SECTION 701 INTENT AND PURPOSE: The intent of this Article is to provide a comprehensive system of sign regulation for Jefferson Township that recognizes the necessity and desirability of communication by outdoor signs while promoting an order to signage which eliminates visual clutter and confusion within the physical environment. The purpose of this article is to protect the safety and general welfare of the public within Jefferson Township by encouraging compatibility between the design and functional nature of the sign and its location within the physical environment thus reducing the propensity for traffic accidents and personal hazards caused by distractions, sight obstructions and unsafe structures.

SECTION 702 ZONING PERMIT REQUIRED: The erection or location of any sign within Jefferson Township shall require a permit unless otherwise specified within this article. Signs erected for the purpose of traffic control, civil defense or other similar public function, signs which cannot be viewed or are not intended to be viewed from any street or other property and signs required by any law, ordinance or governmental regulation shall be exempt from the provisions of this article.

SECTION 703 GENERAL LOCATION AND SAFETY REQUIREMENTS: All signs erected or located within Jefferson Township shall be in conformance with the following requirements:

- 703.1 Signs shall not prevent free ingress to or free egress from any door, window or fire escape.
- 703.2 Signs shall not obstruct free and clear visibility at any intersection in accordance with Article 5, Section 510.
- 703.4 Signs shall not be located or designed so as to interfere with, obstruct the view of or be confused with any authorized traffic control sign, signal or device.
- 703.5 Signs shall not make use of colors, rotating lights, the words "STOP," "LOOK," "DANGER" or other similar words, devices or symbols which may mislead or confuse traffic.
- 703.6 Signs shall not be erected within nor project into any public right-of-way unless otherwise specified and shall not be posted in any manner that is destructive to public property.
- 703.7 Signs shall not be erected or located upon any property or building without the consent of the owner(s) or an authorized representative.
- 703.8 Any illuminated sign which is clearly visible from any residential district shall not be illuminated between the hours of 11 P.M. and 7 A.M. unless it is accessory to a business or commercial use open for business during such hours and located upon the same lot.
- 703.8 Streamers, spinners, banners, strings of lights and other similar devices which do not serve the function of a sign shall not be permitted.
- 703.9 All lighting, indirect or internal, shall consist of constant illumination which is uniform in intensity except for time and temperature displays. All lighting shall be properly directed so as to not create a nuisance

to surrounding properties because of glare.

- 703.10 Changeable copy shall not be permitted on any sign unless specifically permitted in this article.
- 703.11 The bottom of all freestanding signs shall maintain a minimum clearance of eight (8) feet above any pedestrian area and twelve (12) feet above any parking or loading area.
- 703.12 Wall signs shall not extend above the junction of any roof and wall.
- 703.13 Projecting signs shall not project into any right-of-way and not more than thirty-six (36) inches over any setback line.

SECTION 704 REAL ESTATE SIGNS: Signs identifying a property for sale, for rent or for lease may be placed on-site until ten (10) days after the property has been closed, sold, rented or leased. Real estate signs shall not exceed six (6) square feet in area per side within any residential district and shall not exceed twenty (20) square feet within any other district. All such signs shall be set back from the street right-of-way a minimum of ten (10) feet or the equivalent to the number of square feet of sign area, whichever is greater. No zoning permit shall be required for any real estate sign six (6) square feet or less in area.

SECTION 705 SUBDIVISION SALE SIGNS: Signs providing information on the sale of lots within an approved and recorded subdivision may be placed upon the property until such time as seventy-five percent (75%) of the lots within the subdivision are sold. Subdivision sale signs shall contain only the name of the subdivision, the name of the owner, the name of the developer and information regarding the price, terms and the location and phone number of the sales office. All such signs shall be set back a minimum of ten (10) feet or the total number of square feet of sign area, whichever is greater. The maximum sign area shall be twenty (20) square feet.

SECTION 706 POLITICAL SIGNS: Signs involving any issue or candidate for public elective office may be temporarily erected for a period not to exceed sixty (60) days before or seven (7) days after an election. Political signs shall be permitted as free standing signs in all districts and shall not be attached to any structures providing essential services or located in any manner destructive to public property. The maximum sign area shall be six (6) square feet within any residential district or public right-of-way and twenty (20) square feet upon private property in any other district. No zoning permit shall be required for political signs. However, each candidate or governmental authority responsible for an issue shall be responsible to insure the removal of the political signs within seven days after the election.

SECTION 707 CONSTRUCTION SIGNS: Signs identifying a construction project may be temporarily erected upon the same lot as the project. Such signs shall be permitted only for the length of the construction project or for one year, whichever is shorter. Any extension past the one year time shall be subject to approval by the Board of Zoning Appeals. Construction signs shall contain only the name of the construction project, the construction firm(s), the engineer, the architect and/or the

subcontractors involved in the project. Only one (1) construction sign shall be permitted per street frontage. Maximum sign area permitted shall be three (3) square feet for each dwelling unit for residential structures up to a maximum of twenty (20) square feet for all principal structures. All signs shall be set back from the street right-of-way a minimum number of feet equal to the square feet of sign area of the sign.

SECTION 708 AGRICULTURAL PRODUCT SIGNS: Signs identifying the sale of agricultural products such as vegetables, eggs, straw, hay and seeds grown or produced upon the premises may be temporarily erected upon any lot during the season in which they are available. The maximum sign area permitted for an agricultural product sign shall be six (6) square feet. All signs shall be set back from the street right-of-way a minimum of ten (10) feet.

SECTION 709 SPECIAL EVENT SIGNS: Information signs advertising a grand opening, a seasonal event, a special sale or any other similar Special event may be temporarily located upon the premises on which the event is to take place for a period not to exceed seven (7) days within any thirteen (13) week period. The maximum sign area permitted for special event signs shall be six (6) square feet in any residential district and twelve (12) square feet in any other district. All signs shall be set back from the street right-of-way a minimum of ten (10) feet.

SECTION 710 BILL BOARDS: Billboards may be erected on free-standing structures only in Agricultural or Industrial Districts and on any side or rear building wall in Agriculture, Business and Industrial Districts. All billboards shall be subject to the following provisions.

710.1 The billboards can be double-faced and each side shall be considered as facing traffic flowing in the opposite direction;

710.2 Billboards on the same street facing the same traffic flow shall not be placed closer together than 1,000 feet;

710.3 No billboard structure shall be located closer than 1,000 feet to another billboard structure facing traffic flowing in the same direction in the vicinity of an intersection;

710.4 The maximum permitted area of a billboard shall not exceed two hundred fifty (250) square feet of total area at the required setback as designated in Section 710.7. Larger signs may be permitted provided that for each additional square foot the required set back shall be increased by three (3) feet.

710.5 Structures for billboards shall be of vertical {cantilever) construction and where the back of the sign is visible it shall be suitably painted or otherwise covered to present a neat and clean appearance;

710.6 All lighting used in the illumination of billboards shall be adequately shielded or shaded and properly directed

so as to not be objectionable to adjacent and surrounding properties;

710.7 All billboards shall be set back from right-of-way lines a minimum distance of one hundred (100) feet along all state highways designated as such on the Official Zoning District Map and the required front yard setback along all other streets; and

710.8 No billboard shall be located closer than one hundred (100) feet to any residential district.

SECTION 711 IDENTIFICATION SIGNS: Signs which identify any residential subdivision, any multiple-family development and/or any non-residential use may be erected upon the same property as such use in accordance with the following provisions:

711.1 Identification signs shall pertain only to the use or uses conducted upon the same property and shall not contain any advertising of products or changeable copy.

711.2 Identification signs shall be considered permanent installations and shall be either freestanding or attached to the structure which houses the use or uses identified on the sign.

711.3 Recorded residential sub-divisions or multiple-family developments may be permitted freestanding identification signs as a Conditional Use subject to the following:

- a. Such *signs* shall be limited to one(1) or two (2) entrances along major thoroughfares and shall not obstruct the visibility at any intersection as regulated in Article. 5, Section 510.
- b. Such signs shall contain only the name of the subdivision or multiple-family development which they identify, shall not exceed six (6) feet in height and shall be landscaped.
- c. The applicant shall submit a plan for the perpetual maintenance of such signs identifying the responsibilities of the applicant, the public, the landowner or other parties. Such plan shall be subject to approval by the Board of Zoning Appeals.
- d. The Board of Zoning Appeals may limit the size of such signs so as to insure the scale of such signs is compatible with the residential character of the area.

711.4 Identification signs for non-residential uses within any residential district shall be attached and shall not project more than fifteen (15) inches from the structure. Such signs shall be non-illuminated and shall not exceed five percent (5%) of the total area of the building elevation upon which the sign is placed.

711.5 Identification signs for non-residential uses within any business or industrial district shall be in accordance with the following:

- a. Each principal structure shall be entitled to two identification signs in the following combinations: one freestanding sign and one wall sign; one projecting sign and one wall sign or two wall signs. Two freestanding signs, two projecting signs or both a projecting and a freestanding sign shall not be permitted upon the same property unless otherwise specified in this Article.
- b. The maximum sign area for a freestanding sign or a projecting sign shall be twenty-five (25) square feet.
- c. The maximum sign area for a wall sign shall be one (1) square foot per linear foot of building frontage up to a maximum of one-hundred (100) square feet.
- d. Freestanding signs shall not exceed sixteen (16) feet in height and shall be set back a minimum of ten (10) feet from any street right-of-way line.

711.6 Identification signs for non-residential uses within any agricultural or flood plain district shall be in accordance with the provisions of Section 711.5 except that each principal structure shall be entitled to only one (1) identification sign.

SECTION 712 REMOVAL OF SIGNS BY THE ZONING INSPECTOR: The Zoning Inspector shall cause to be removed: any sign that endangers the public safety by reason of its location and placement; an abandoned sign that no longer applies to the property on which it is situated; a dangerous or materially, electrically or structurally defective sign or a sign for which no required permit has been issued. The Zoning Inspector shall prepare a notice which shall describe the sign and specify the violation involved and which shall state that if the sign is not removed or the violation is not corrected within ten (10) days, the sign shall be removed in accordance with the provisions of this Section.

- a. All notices mailed by the Zoning Inspector shall be sent by certified mail. Any time period shall be deemed to commence on the date of the receipt of the certified mail.
- b. The notice shall be mailed to the owner of the property on which the sign is located as shown on the last tax assessment roll, if known, or with reasonable care should be known and shall be mailed to or delivered to the occupant of the property.
- c. Any person having an interest in the sign or the property may appeal the determination of the Zoning Inspector ordering removal or compliance by filing a written notice of appeal with the Board of Zoning Appeals within 30 days after the date of mailing the notice or 30 days after receipt of the notice if the notice was not mailed.

Article 8
Nonconformities

SECTION 801 INTENT: Within the districts established by this Reiolution or amendments that may later be adopted, there exist lots, structures or uses of land and structures which were lawful before this Resolution was passed or amended but which would be prohibited or more restricted under the terms of this resolution or amendment thereto. It is the intent of this Resolution to permit these non-conformities to continue until they are removed but not to encourage their continuance. 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 802 NON-CONFORMING LOTS OF RECORD: All non-conforming lots of record shall be in accordance with the following provisions:

- 802.1 Single Non-Conforming Lots of Record: In any district in which single-family dwellings are permitted, a single-family dwelling may be erected on any single lot of record at the effective date of adoption of this amendment, 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. 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. Variance of yard requirements from the required standards shall be obtained only through action of the Board of Zoning Appeals.
- 802.2 Non-Conforming Lots of Record in Combination: If two or more lots, or a combination of lots and portions of lots with continuous frontage in single ownership, are of record at the time of amendment of this Resolution and if all or part of the lots with no buildings do not meet the required established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purpose of this Resolution. All such lots shall be required to be re-platted or re-surveyed, as required, to meet the current area and frontage requirements for the required use before a zoning permit may be issued. 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 made which creates a lot with a width or area below the requirements stated in this Resolution.

SECTION 803 NON-CONFORMING USES OF LAND: Where, at the time of adoption or amendment 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:

- 803.1 No such non-conforming uses shall be enlarged or increased or extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Resolution;
- 803.2 Any non-conforming use maybe extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption of amendment of this resolution but no use shall be extended to occupy any land outside such building.
- 803.3 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 unless it increases conformity with these regulations;
- 803.4 If any such non-conforming uses of land are voluntarily discontinued for a period of more than two (2) years, any subsequent use of such land shall conform to the regulations specified by this Resolution for the district in which such land is located.
- 803.5 Additional structures not conforming to the requirements of this Resolution shall be erected in connection with such non-conforming use of land.

SECTION 804 NON-CONFORMING STRUCTURES: Where a lawful structure exists at the effective date of adoption of this Resolution that could not be built under the terms of this Resolution by reason of restrictions on area, 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 regulations:

- 804.1 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;
- 804.2 Should such non-conforming structure be destroyed by any means for two hundred percent (200%) or more of its most current assessed value as recorded in the Office of the Greene County Auditor, it shall not be reconstructed except in conformity with the provisions of this Resolution;
- 804.3 Should such non-conforming. structure be destroyed, by any means, for less than two hundred percent (200%) of its most current assessed value as recorded in the Office of the Greene County Auditor,

the destroyed portion may be reconstructed provided that the bulk, height and area requirements shall not be in excess of those which existed prior to said damage.

- 804.4 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;
- 804.5 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;
- 804.6 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 nonconforming shall not be increased. Upon the order of any official charged with protecting the public safety, nothing in this Section shall be deemed to prevent the strengthening or restoring to a safe condition any building or part thereof declared to be unsafe by such official;
- 804.7 When a non-conforming use of a structure, or structure and premises in combination, is voluntarily discontinued or abandoned for more than two (2) years, except when government action impedes access to the premises, the structure, or structure and premises in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located and all other applicable provisions of this Resolution.

Article 9
Administrative Bodies
And Their Duties

SECTION 901 TOWNSHIP ZONING INSPECTOR: The Township Trustees shall appoint a Township Zoning Inspector, together with such assistants as the Trustees deem necessary, and designate him as the enforcing officer of this Resolution. Any official or employee of the Township may assist the Zoning Inspector by reporting to him any new construction, reconstruction, land use changes or suspected violation.

901.1 Duties: The Township Zoning Inspector shall be responsible for the following duties:

- a. The Zoning Inspector shall review all applications within the Township for Zoning Permits as outlined in Section 1001 to insure they conform to all applicable provisions of this Resolution are met. Then a Zoning Permit shall be issued and a record of all such permits maintained;
- b. The Zoning Inspector may periodically conduct on-site inspections to insure the actual construction will conform to the Zoning Permit;
- c. The Zoning Inspector, upon finding that any of the pro-visions of this Resolution are being violated, shall notify in writing the person responsible for such violation and order the action necessary to correct such violation;
- d. The Zoning Inspector may order discontinuance of illegal uses of land, building or structures;
- e. The Zoning Inspector may order removal of illegal buildings or structures or illegal additions or structural alterations;
- f. The Zoning Inspector shall review all applicable subdivision plats and lot splits which are submitted to the Regional Planning and Coordinating Commission of Greene County in order to determine if the plat or lot split conforms to all applicable provisions of this Resolution.

SECTION 902 TOWNSHIP ZONING COMMISSION: The Township Trustees shall establish a Township Zoning Commission consisting of five citizens of the Township to be appointed by the Township Trustees. None of the members shall concurrently serve as a member of the Board of Zoning Appeals.

The terms of the members shall be of such length and so arranged that the term of one member will expire each year. Each member shall serve until his successor is appointed and qualified. Members of the Zoning Commission may be removed for non-performance of duty, misconduct in office or other cause by the Township Trustees upon written charges being filed with the Township Trustees, after a public hearing has been held regarding such charges and after a copy of the charges has been served upon the member so charged at least ten days prior to the hearing either personally, by registered mail or by leaving such copy at his usual place of residence. The member shall be given an opportunity to be heard and answer such charges. Vacancies shall be filled by the Township Trustees and shall be for the unexpired term.

902.1 Meetings: The Zoning Commission shall elect its own officers annually and shall adopt the rules necessary for 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 Zoning Commission 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 Zoning Commission shall keep minutes of its proceedings and shall keep records of its examinations and other official actions, all of which shall be a public record.

902.2 Actions: Section 519.21 of the ORC is included in its entirety in this section.

The Zoning Commission shall act by resolution or motion. The concurring vote of three (3) members of the Zoning Commission shall be necessary to pass any motion to recommend the approval, disapproval or modification of any proposed amendment to this Resolution. The results of such resolution or motion shall be forwarded to the Township Trustees for their action, except as may otherwise be provided herein.

902.3 Duties: The Township Zoning Commission shall be responsible for the following duties:

- a. The Township Zoning Commission shall initiate or review all proposed amendments to this Resolution and make recommendations to the Township Trustees in accordance with Section 1004.

SECTION 903 BOARD OF ZONING APPEALS: The Township Trustees shall appoint five (5) residents of the Township to the Board of Zoning Appeals. The terms of all members shall be so arranged that the term of one member shall expire every year. Each member shall serve until his successor is appointed and qualified. Members of the Board of Zoning Appeals may be removed for non-performance of duty, misconduct in office or other cause by the Township Trustees upon written charges being filed with the Township Trustees, after a public hearing has been held regarding such charges and after a copy of the charges has been served either personally, by registered mail or by leaving such copy at his usual place of residence. The member shall be given an opportunity to be heard and answer such charges. Vacancies shall be filled by resolution of the Township Trustees and shall be for the unexpired term.

903.1 Meetings: The Board of Zoning Appeals 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 of Zoning Appeals 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 of Zoning Appeals shall keep minutes of its proceedings showing the vote of each member upon 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 of Zoning Appeals.

903.2 Actions: In exercising its duties, the Board of Zoning Appeals 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 may make such order, requirement, decision, or determination as ought to be made and to that end shall have the power of the Zoning Inspector from whom the appeal is taken. The concurring vote of three (3) members of the Board of Zoning Appeals 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.

903.3 Duties: For the purpose of this Resolution, the Board of Zoning Appeals has the following specific responsibilities:

- a. To hear and decide appeals in accordance with Article 10, Section 1003 where it is alleged there is an error in any order, requirement, decision or determination made by the Zoning Inspector;
- b. Where the applicant has provided sufficient evidence to warrant the granting of a variance, to authorize such variances from the terms of this Resolution as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of this Resolution will result in unnecessary hardship and so that the spirit of this Resolution shall be observed and substantial justice done. The consideration of such variances shall be in accordance with Article 10, Section 1003;
- c. To grant Conditional Use Permits as specified in Article 10, Section 1002 and such additional safeguards as will uphold the intent of the Resolution;
- d. To determine if uses not specifically mentioned in this Resolution are similar to uses permitted within a district in accordance with Section 401;
- e. To determine the exact location of any district boundary in accordance with Article 3, Section 303 if there is uncertainty as to the exact location involved.

SECTION 904 TOWNSHIP TRUSTEES: 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 of Appeals only on appeal from the decision of the Zoning Inspector and that recourse from the decisions of the Board of Appeals 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 Article 10, Section 1003.

904.1 Duties: The Township Trustees shall be responsible for the following duties:

- a. To appoint a Zoning Inspector, members of the Township Zoning Commission and members of the Board of Zoning Appeals;
- b. To establish a schedule of fees for issuing zoning permits, appeals, variances, conditional use permits, processing amendments and any other zoning actions requiring postage, legal advertising, inspections or general process of applications;
- c. To consider and adopt, reject or modify, all proposed amendments to this Resolution as provided in Article 10, Section 1004.

Article 10
Administrative Procedures

SECTION 1001 ZONING PERMIT REQUIRED: No person shall change any use of land, locate, erect, construct, reconstruct, enlarge or structurally alter any building or structure within Jefferson Township without first obtaining a Zoning Permit. No Zoning Permit shall be issued unless the plans for the proposed building or structure or use of land fully comply with the provisions of this Resolution unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal, a variance or conditional use. A Zoning Permit shall be required for all dwellings, all principal structures and uses, all accessory structures unless otherwise specified, all specified accessory uses and all temporary uses. A Zoning Permit shall not be required for the use of land for agricultural purposes, for buildings or structures exclusively used for agricultural purposes or for structures, not including buildings, required in the provision of essential services.

1001.1 ACCOMPANYING INFORMATION: A written application and site plan for a Zoning Permit shall be submitted to the Zoning Inspector of Jefferson Township on forms provided by the Zoning Inspector. The following information shall be required:

- a. Name, address and phone number of applicant;
- b. Date;
- c. The name of the subdivision and the lot number or other information necessary to establish the location of the lot;
- d. The actual dimensions of the lot based on actual survey, including square footage and/or acreage, the yard and other open space dimensions thereof and the location and size of any existing structures thereon;
- e. The location on the lot and size of any proposed structure and/or the proposed alteration of any existing structure indicating dimensions and including building height;
- f. The number of proposed dwelling units and the total residential floor area and the number of bedrooms to be included in each dwelling unit;
- g. A permit from the Greene County Health Department or Ohio Environmental Protection Agency for onsite wastewater disposal, where applicable, illustrating the location of primary and secondary leaching field locations;
- h. The proposed parking plan and number and location of proposed off-street parking or loading spaces;
- i. A plan for screening when applicable;
- j. A statement by the applicant attesting to the truth and exactness of all information supplied on the application.
- k. A statement that the permit shall expire and shall be revoked if work has not been started and substantially pursued within one (1) year of its issue date;
- l. Such other information as may be necessary to determine conformance with this Resolution; and
- m. A fee as established by the Township Trustees.

1001.2 Processing of Permit: Within thirty (30) days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this Resolution. If the application is approved, the Zoning Inspector shall issue a Zoning Permit. One copy of the application shall be returned to the applicant by the Zoning Inspector after he shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. One copy of the application, similarly marked, shall be retained by the Zoning Inspector and filed. After the Zoning Inspector issues a Zoning Permit, he 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.

In the event an application involves 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 of local officials by the Director of the Ohio Department of Transportation or any land within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Zoning Inspector shall require a third application for a Zoning Permit and send it to the Director of the Ohio Department of

Transportation by registered mail for review. If the Director of the Ohio Department of Transportation notifies the 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 the Ohio Department 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 the Ohio Department 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 1002 CONDITIONAL USE PERMITS: Conditional uses shall be permitted only upon issuance of a Conditional Use Permit by the Zoning Inspector after approval by the Board of Zoning Appeals. At a minimum, the application shall contain the following information:

1002.1 Application: An application for a Conditional Use Permit by at least one owner of the property is required prior to any authorization by the Board of Zoning Appeals. At a minimum, the application shall contain the following information.

- a. Name, address and telephone number of applicant;
- b. Date;
- c. The lot, name and number or legal description of the property;
- d. Description of existing zoning district;

- e. Description of the proposed Conditional Use;
- f. A site plan of the proposed site for the Conditional Use showing the scale, north arrow, location of all buildings, parking and loading areas, traffic access and traffic circulation, sidewalks, curbs, open spaces, landscaping, refuse and service areas, fire hydrants, utilities, rights-of-way, signs, yards and such other information as the Board of Zoning Appeals may require to determine if the proposed Conditional Use meets the intent and requirements of this Resolution;
- g. A plan for screening when applicable;
- h. A narrative statement discussing the merits of the proposal;
- i. Such other information as may be required by the Board of Zoning Appeals; and
- j. A fee as established by the Township Trustees.

1002.2 Conditional Use Standards: Conditional Uses may be permitted provided that such uses shall be found to comply with the following requirements and all other applicable requirements as set forth in this Resolution:

- a. The use is so designed, located and proposed to be operated so that the public health safety, welfare and convenience will be protected;
- b. The use will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance;
- c. The use will be designed, constructed, operated and maintained so that it shall not cause substantial injury to the value of the property in the area or neighborhood where it is to be located;
- d. The use shall be compatible with adjoining development and the proposed character of the zoning district where it is to be located;
- e. The use will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide any such services adequately;
- f. The use 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;
- g. Adequate landscaping and screening are provided as required under Article .5, Section 515;
- h. Adequate off-street parking and loading is provided and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets; The use conforms with all applicable regulations governing the district in which it is located except as may otherwise be determined for planned unit development;
- j. The use is compatible with the standards, objectives and policies of Perspectives: A Future Land Use Plan for Greene Count Ohio;
- k. The use will not involve uses, activities, processes,

materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odors or vibrations; and

1. Any other supplementary requirements as prescribed by the Board of Zoning Appeals.

1002.3 Processing of Conditional Uses: The Board of Zoning Appeals shall hold a public hearing within twenty (20) days from the receipt of the application. Before holding the public hearing, notice of such hearing shall be given in one (1) or more newspapers of general circulation within 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 Conditional Use. Before holding the public hearing, written notice of such hearing shall be mailed by the Chairman of the Board of Zoning Appeals by first class mail at least ten (10) days before the day of the hearing to all parties in interest. The notice shall contain the same information as required of notices published in newspapers. Within thirty (30) days after the hearing, the Board of Zoning Appeals shall either approve, approve with supplementary conditions or disapprove the application as presented. If the application is disapproved by the Board of Zoning Appeals, the applicant may seek relief through the Court of Common Pleas.

1002.4 Expiration of Conditional Use Permits: A conditional use permit shall be deemed to authorize only one particular conditional use. The Conditional Use Permit shall automatically expire if, for any reason, the conditional use shall cease for more than six (6) months or construction is not begun within the amount of time indicated on the Conditional Use Permit.

SECTION 1003 APPEALS AND VARIANCES: It is the purpose of this Section to establish procedures and requirements for the hearing of appeals and variances. As is specified in Article 9, Section 903, The Board of Zoning Appeals has appellate jurisdiction relative to appeals and variances.

1003.1 DEFINITION: In the day to day administration of the Zoning Resolution by the Zoning Inspector an applicant or resident may not agree with a decision of the Zoning Inspector. When an applicant or resident feels they have been wronged by a decision of the Zoning Inspector, they can appeal that decision to the Board of Zoning Appeals. A "Notice to Appeal" must be filed within twenty (20) days of the Zoning Inspector's decision. The Board of Zoning Appeals will determine the validity of the appeal and proceed with deliberations at a public hearing to arrive at a fair and equitable decision or decide that the Zoning Inspector was correct.

1003.2 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 was taken.

1003.3 Stay of Proceedings: An appeal stays all proceeding in furtherance of the action appealed from unless the Zoning Inspector from whom the appeal is taken certifies to the Board of Zoning Appeals after the notice of appeal is filed with him that by reason of facts stated in the application a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order, which may be granted by the Board of Zoning Appeals, or by a court of record on Application, on notice to the Zoning Inspector from whom the appeal is taken on due cause shown.

1003.4 Variance: The Board of Zoning Appeals may authorize upon appeal in specific cases such variance from the terms of this Resolution as will not be contrary to the public interest or the intent of this Resolution but only where strict interpretation 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.

1003.5 Definition: A variance is a deviation from the strict requirements of the Zoning Resolution to grant relief to a particular property owner from requirements that would otherwise result in an "unnecessary hardship". The variance is intended to serve as a "safety valve" if zoning requirements create a hardship to a property because of unique circumstances. A variance is not intended to grant special favors to one that would not be available to another under similar circumstances, should be considered individually and result from the strict application of the Zoning Resolution and not self-imposed hardship brought on by the property owner.

There are two types of variances the Board of Zoning Appeals may grant, an area variance and a use variance. The area variance is the most common type of variance. It provides relief from the area requirements contained within the Zoning Resolution such as setbacks, lot size, height, structure size, road frontage and the like.

A use variance permits property to be used in a way not expressly allowed by the Zoning Resolution for the Zoning District. A use variance may be granted only when an applicant can demonstrate an unnecessary hardship that would require a use of the land not normally permitted to overcome the hardship.

In cases of a use variance, the proof of unnecessary hardship is placed on the applicant and the following must be demonstrated:

1. The variance requested stems from a condition which is unique to the property at issue and not ordinarily found in the same Zoning District;
2. The hardship condition is not created by actions of the applicant;
3. The granting of the variance will not adversely affect the rights of adjacent owners;
4. The granting of the variance will not adversely affect the public health, safety or general welfare;
5. The variance will be consistent with the general spirit and intent of the Zoning Resolution;
6. The variance sought is the minimum which will afford relief to the applicant; and
7. There is no other economically viable use which is permitted in the Zoning District.

1003.6 Application: In application for area variances, the practical difficulty is normally due to the size, shape or topography of the property; the location of existing structures or the desire to preserve other desirable landscape features. The Board of Zoning Appeals in the case of an area variance must weigh the requested variance against the following criteria:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
2. Whether the variance is substantial;
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
4. Whether the variance would adversely affect the delivery of governmental services (e.g. water, sewer, etc.)
5. Whether the property owner purchased the property with knowledge of the zoning restriction;
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

1003.7 A variance from the terms of this

Resolution shall not be granted by the Board of Zoning Appeals unless the applicant has provided sufficient evidence to warrant the granting of a variance and a written application for a variance is submitted to the Zoning Inspector and the Board of Zoning Appeals containing at a minimum, the following information:

- a. Name, address and telephone number of applicant;
- b. Legal description of the property;
- c. Description of nature of variance requested;
- d. A narrative statement demonstrating that the requested variance conforms to the following standards:

1. 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.
2. 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.
3. That special conditions and circumstances do not result from the actions of the applicant.
4. 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.
5. That an economic hardship, requesting a more intensive use of the property than would normally be permitted, is not the only nor the primary factor for requesting the variance; and

e. A fee as established by the Township Trustees.

1003.8 Granting of Variances: The burden of proof for granting a variance shall rest with applicant. 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 part of the terms under which the appeal or variance is granted, shall be deemed a violation of this Resolution and punishable under Article 10, Section 1005 of this Resolution. 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.

1003.9 Processing Appeals and Variances: 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. Before holding the required public hearing, notice of such hearing shall be given in one or more newspapers of general circulation within 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.

Before holding the required public hearing, written notice of such hearing shall be mailed by the Chairman of the Board of Zoning Appeals by first class mail at

least ten (10) days before the day of the hearing to all parties in interest. The notice shall contain the same information as required of notices published in newspapers.

SECTION 1004 AMENDMENTS and DISTRICT CHANGES: Whenever the public necessity, convenience, general welfare or good zoning practices require, the Township Trustees may, by resolution after receipt of recommendations from the Zoning Commission, and subject to the procedures provided by law, amend, supplement, change or repeal the regulations, restrictions and district boundaries or classification of property.

1004.1 Initiation of Amendments: Amendments to this Resolution may be initiated in one of the following ways:

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

1004.2 Application for Amendments: The application for amendment shall contain at a minimum the following information in triplicate:

- a. Name, address and telephone number of applicant;
 - b. Date;
 - c. Legal description of the property;
 - d. Present use;
 - e. Present zoning district;
 - f. Proposed use;
 - g. Proposed zoning district;
 - h. A vicinity map at a scale approved by the Zoning Commission showing property lines, streets, existing and proposed zoning and such other items as the Zoning Commission may require;
 - i. Proposed amendment to the text;
 - j. A list of all property owners within five hundred (500) feet of, contiguous to and directly across the street from the parcel(s) proposed to be rezoned and others that may have a substantial interest in the case;
 - k. A statement on how the proposed amendment relates to Perspectives: A Future Land Use Plan for Greene County, Ohio; and
1. A fee as established by the Township Trustees.

All applicants submitting requests for change in district boundaries on the Official Zoning District Map shall be required to post a sign upon the property in question within five (5) days after the submission of an application. Such sign shall be clearly visible from the street or, in the case of two or more streets, that street with the greater average traffic flow.

Such sign shall state "THIS PROPERTY IS BEING CONSIDERED FOR REZONING. FOR INFORMATION CALL JEFFERSON TOWNSHIP" and shall also denote the present and proposed zoning district classification for the site. No zoning permit shall be

required. However, the location and size of such sign shall be subject to approval by the Zoning Inspector.

1004.3 Procedure for Amendments: Within five (5) days after the adoption of a motion by the Zoning Commission, transmittal of a resolution by the Board of Township Trustees or the filing of an application by at least one (1) owner or his designee, the Zoning Commission shall transmit a copy of such motion, resolution or application together with the text and map pertaining to the case in question to the Regional Planning and Coordinating Commission of Greene County. The Regional Planning and Coordinating Commission shall recommend the approval, denial or modification to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission.

In the event that a proposed rezoning is located adjacent to another political jurisdiction, an additional copy of the application shall be provided and forwarded to the chairman of the Planning Commission or the Zoning Commission of that jurisdiction. Any comments provided by the adjoining jurisdiction shall be considered at the public hearing of the Zoning Commission.

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

The Zoning Commission shall schedule a public hearing after the adoption of their motion, a transmittal of a resolution from the Board of Township Trustees or the filing of an application for Zoning amendment. Said hearing shall not be less than twenty (20) nor more than forty (40) days from the date of adoption of such motion, transmittal of such resolution or the filing of such application.

Before the required public hearing, notice shall be given by the Zoning Commission by at least one (1) publication in a newspaper of general circulation within the Township at least fifteen (15) days before the date of said hearing. This notice shall set forth the time and place of the public hearing, the nature of the proposed amendment and a statement that after the conclusion of such public hearing the matter will be referred to the Board of Township Trustees for further determination.

If the proposed amendment intends to rezone or redistrict ten (10) or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Zoning Commission by first class mail at least twenty days before the date of the public hearing to all owners of property within five hundred (500) feet of, contiguous to and directly across the street from such area proposed to be rezoned or redistricted to the address of such owners appearing on the County Auditor's current tax list or lists that may be specified by the Board of Township Trustees. The failure to deliver the notice, as provided in this section, shall not invalidate any such amendment. This notice shall set forth the time and place of the public hearing, the nature of the proposed amendment and a statement that after the conclusion of such public hearing the matter will be referred to the Board of Township Trustees for further determination.

Within thirty (30) days after the required public hearing, the Zoning Commission shall forward with reasons for such recommendation to the Board of Township Trustees that the amendment be granted as requested or it may recommend a modification of the amendment requested or it may recommend that the amendment not be granted.

Upon receipt of the recommendation the Zoning Commission, the Board of Township Trustees shall schedule a public hearing. The date of said hearing shall be not more than thirty (30) days from the receipt of the recommendation from the Zoning Commission.

Notice of the required public hearing shall be given by the Board of Township Trustees by at least one (1) publication in a newspaper of general circulation within the Township. Said notice shall be published at least fifteen (15) days before the date of the required hearing. Such notice shall be mailed by the Clerk of the Board of Township Trustees by first class mail at least twenty (20) days before the day of the hearing to all owners of property within five hundred (500) feet of, contiguous to and directly across the street from such area proposed to be rezoned or redistricted to the address of such owners appearing on the County Auditor's current tax list or lists that may be specified by the Board of Trustees. The failure to deliver the notice as provided in this section shall not invalidate any such amendment.

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

Such amendment adopted by the Board of Township Trustees shall become effective thirty (30) days after the date of such adoption unless within thirty (30) days after the adoption of the amendment there is presented to the Board of Township Trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the Township or part thereof included in the zoning plan, equal to not less than eight (8) percent of the total votes cast for all candidates for Governor at the last preceding general election at which a Governor was elected, requesting the Board of Township Trustees submit the amendment to the electors of such area for approval or rejection at the primary or general election.

No amendment for which such referendum vote has been requested shall be put into effect unless a majority of the votes cast on the issue is in favor of the amendment.

Upon certification by the Board of Elections that the amendment has been approved by the voters, it shall take immediate effect.

SECTION 1005 VIOLATIONS AND PENALTIES: 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 including those established by the Board of Zoning Appeals for Conditional Uses shall constitute a misdemeanor. Any person who violates this Resolution or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than five hundred dollars (\$500.00) and, in addition, shall pay all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice shall be considered a separate offense. The owner or tenant of any building, structure, premises or part thereof and any architect, builder, contractor, agent or other person who commits, participates in, assists in or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the Township from taking such other lawful action as is necessary to prevent or remedy any violation.

Whenever a violation of this Resolution occurs or is alleged to have occurred, any person may file a written complaint. Such complaint, stating full 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 thereof as provided in this section.

