

ZONING RESOLUTION  
RICHFIELD TOWNSHIP

MARCH, 1988

*Approved Nov. 8, 1988*

TABLE OF CONTENTS

ARTICLE 1 - Authorization, Purpose, and Enactment Clause. . . . .	1
SECTION 101 - Long Title. . . . .	1
SECTION 102 - Short Title . . . . .	1
SECTION 103 - Authorization . . . . .	1
SECTION 104 - Purpose . . . . .	1
SECTION 105 - Effective Date. . . . .	2
 ARTICLE 2 - Interpretatio.. . . . .	 3
SECTION 201 - Interpretation & Applications . . . . .	3
SECTION 202 - Validity & Separability . . . . .	3
 ARTICLE 3 - General Regulations . . . . .	 4
SECTION 301 - Purpose. . . . .	4
SECTION 302 - Permitted Uses . . . . .	4
SECTION 303 - Prohibited Uses. . . . .	4
SECTION 304 - General Lot Area Regulations . . . . .	5
SECTION 305 - General Yard Requirements. . . . .	5
SECTION 306 - Height Exceptions. . . . .	6
SECTION 307 - Building Regulations . . . . .	7
SECTION 308 - Uses Not Specifically Controlled by District Regulations . . . . .	8
SECTION 309 - Annexation. . . . .	8
SECTION 310 - Establishment of Districts . . . . .	8
SECTION 311 - Zoning Districts Map . . . . .	9
SECTION 312 - Interpretation of District Boundaries. . . . .	9
SECTION 313 - Front Yard Requirements. . . . .	9
SECTION 314 - Conformity With Other Rules and Regulations. . . . .	9
 ARTICLE 4 - District Regulations. . . . .	 10
SECTION 401 - Agricultural District. . . . .	10
SECTION 402 - Suburban Residential District. . . . .	13
SECTION 403 - RM Multi-family Residential Dist.. . . . .	14
SECTION 405 - General Commercial District. . . . .	14
SECTION 406 - Industrial District. . . . .	18
 ARTICLE 5 - Parking and Loading Regulations . . . . .	 19
SECTION 501 - Off-street Parking & Loading Requirements . . . . .	19
SECTION 502 - Required Off-street Loading Space. . . . .	23
 ARTICLE 6 - Sign Regulations. . . . .	 23
SECTION 601 - outdoor Advertising. . . . .	24
 ARTICLE 7 - Conditional Zoning Certificates . . . . .	 25
SECTION 701 - Purpose. . . . .	25
SECTION 702 - Procedures for Making Application. . . . .	25
SECTION 703 - Standards and Requirements for Conditional Use. . . . .	27

ARTICLE 8 - Non-Conforming Uses . . . . .	33
SECTION 801 - Purpose . . . . .	33
SECTION 802 - Regulations . . . . .	34
ARTICLE 9 - Amendments . . . . .	35
SECTION 901 - Procedure for Amendments. . . . .	35
ARTICLE 10 - Enforcement . . . . .	36
SECTION 1001 - Administration . . . . .	36
SECTION 1002 - Violations . . . . .	37
ARTICLE 11 - Board of Zoning Appeals . . . . .	38
SECTION 1101 - Authority. . . . .	38
SECTION 1102 - Composition, Appointment, & Org. . . . .	38
SECTION 1103 - Quorum . . . . .	38
SECTION 1104 - Meetings . . . . .	38
SECTION 1105 - Powers and Duties. . . . .	39
SECTION 1106 - Appeals. . . . .	39
ARTICLE 12 - Definitions . . . . .	41

ARTICLE 1

TITLES, AUTHORIZATION, PURPOSE AND ENACTMENT CLAUSE

101 LONG TITLE

A resolution providing for regulating the location, size, height and use of buildings and structures, the area and dimensions of lots and yards, and the use of lands, and for such purposes, dividing the unincorporated portion of the Township into zones or districts of such number, sizes and shapes as are deemed best suited to carry out said purposes, and providing for a method and proceedings for the administration and enforcement of this resolution.

WHEREAS, the Board of Trustees of Richfield Township, deem it in the interest of the public health, safety, morals, comfort and general welfare of said township and its residents to adopt a zoning plan.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Richfield Township, Henry County, Ohio, that the Zoning Resolution of Richfield Township read as follows:

102 SHORT TITLE

This Resolution shall be known as the Zoning Resolution of Richfield Township, Henry County, Ohio.

103 AUTHORIZATION

This Resolution is authorized by Chapter 519 of the Revised Code of the State of Ohio.

104 PURPOSE

For the purpose of promoting public health, safety, morals, comfort and general welfare; to conserve and protect property and property values; to secure the most appropriate use of the land, and to facilitate adequate but economical provisions for public improvements, the Board of Trustees of this Township finds it necessary and advisable to regulate the location, height, bulk, number of stories and size of buildings and other structures, including tents, cabins, trailer coaches and the use of land for trade, industry, residence, recreation or other purposes, and for such purposes have divided the unincorporated area of the Township into districts or zones as shown on the official Zoning Map of Richfield Township, Henry County, Ohio.



105 EFFECTIVE DATE

This Resolution shall become effective from and after the date of its approval and adoption, as provided by law.

PASSED \_\_\_\_\_

ADOPTED \_\_\_\_\_

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Trustee

ATTEST \_\_\_\_\_

## ARTICLE 2

### 201 INTERPRETATION AND APPLICATION

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

It is not intended by this Resolution to repeal, abrogate, annul, or in any way impair or interfere with any existing provisions of law, or any rules, resolutions or regulations previously adopted or issued pursuant to law relating to the construction and use of buildings or premises; provided however where this Resolution imposes a greater restriction upon the use of buildings or premises than are imposed or required by such existing provisions of law, resolutions, regulations, covenants, or agreements, the provisions of this Resolution shall control, but nothing herein shall interfere with, abrogate, or annul any easements, covenants, deed restrictions, or agreements between parties which impose restrictions greater than those imposed by this Resolution.

### 202 VALIDITY AND SEPARABILITY

It is hereby declared to be the legislative intent that, if any provisions of this Resolution, or the application thereof to any zoning lot, building or other structure, or tract or land, are declared by a court of competent jurisdiction to be invalid or ineffective in whole or in part, or to be inapplicable to any person or situations the effect of such decision shall be limited to the provision or provisions which are expressly stated in the decision to be invalid or ineffective to the zoning lot, building or other structure or tract of land immediately involved in the controversy. All other provisions of this Resolution shall continue to be separate and fully effective, and the application of any such provision to other persons or situation shall not be affected.

### ARTICLE 3

301 PURPOSE - General regulations apply to all districts. Where requirements of a general regulation and a district regulation differ, the more restrictive requirements shall prevail.

#### 302 - PERMITTED USES

Land in any district may be used for agricultural purposes. No zoning certificate shall be required for the construction of buildings incident to the use for agricultural purposes of the land on which buildings shall be located.

No building shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or land be used, designed, or arranged for any purpose other than that specifically permitted in the district in which the building or land is located. The Zoning Commission may issue Conditional Zoning Certificates for any of the conditionally permitted uses listed under the conditionally permitted use section of any district.

#### 303 PROHIBITED USES

303.01 - No inoperable automotive vehicle, with or without parts removed shall be permitted to stand neglected and/or allowed to deteriorate on any premises, in any district except as provided in the Industrial District, provided that nothing herein shall prevent the parking or storage as such vehicles in a fully enclosed garage or similar permanent structure.

303.02 - The following uses shall not be allowed in any zoning district:

1. Coaches, bus bodies, vans and street cars and railroad cars used for dwellings. Any of the aforementioned heretofore and presently used for dwelling purposes, as a non-conforming use, that become un-occupied or abandoned for a period of thirty (30) days must be torn down or otherwise removed from the premises.
2. Dumping, storing, burying, reducing, disposing of or burning garbage, refuse, scrap metal, rubbish, offal or dead animals, except as resultant from normal domestic use of the premises, unless such dumping is done at a place recommended by the Zoning Commission and provided by the Township Trustees or County Commissioners for such specific purpose.

### 304 GENERAL LOT AREA REGULATIONS

No parcel of land shall hereafter be so reduced or divided so as to provide less than the minimum lot size required in the district in which such land is situated.

#### 304.01 - Lot Area Exception for Existing Certain Substandard Lots

Any lot or parcel of land under one ownership and of record at the time of adoption of this Resolution and where no adjoining land was under the same ownership on said date, may be used as a building site even when less area or width than that required by the regulations for the district in which located. No building or addition to a building shall be constructed within ten (10) feet of any side of property line of original plot or within twenty (20) feet of the front property line.

### 305 GENERAL YARD REQUIREMENTS

Except as herein provided, every required yard shall be open and un-obstructed and shall not be reduced or diminished in area so as to be smaller than prescribed by this Resolution.

#### 305.01 - Yard For Single Building

No required yard or other open space around one building shall be considered as a yard or open space for any other building. No required yard or other required open on an adjoining lot shall be considered as providing the yard of open space on the lot whereon a building is to be erected or established.

#### 305.02 - Yard Measurements

A. The minimum front yard depth shall be measured on the perpendicular from the street right-of-way line to the building setback line. Streets having no established right-of-way shall have such right-of-way established by classifying the streets according to classifications in the sub-division regulations, or if such sub-division do not exist, by assuming the street has a (50) foot right-of-way, with the center of the traveled portion of the street being the center of the right-of-way. All front and side street yards shall be measured from the right-of-way lines so established.

B. The minimum side yard width and rear yard depth shall be measured on the perpendicular from the lot lines to the nearest point of any structure.

C. Corner and double frontage lots shall comply with the minimum front yard depth on both streets.

305.03 - Clear View of Intersection Streets

In all zones which require a front yard, no obstruction in excess of two (2) feet in height shall be placed on any corner lot within a triangular area formed by the street property lines or the projected point of intersection of the street property lines and a line connecting points thirty-five (35) feet from the intersection of the street property lines or the projected point.

305.04 - Yard Exceptions-Fence, Hedges, and Walls

In all districts, except industrial, fences, and walls may be constructed to a maximum height of six (6) feet in any required side or rear yard, and to a height of three (3) feet in any required yard abutting a street. Fences or walls required to surround and enclose public utility installations are not limited as to height in any district.

305.05 - Yard Exceptions One Story Garages or Accessory Buildings

In residential districts one (1) story detached garages or other accessory building may be located five (5) feet from side and rear property lines when located in back of the principal building.

305.06 - Sale, Lease, or Use of Required Yard Space

No space needed to meet the width, yard, area, coverage, parking or other requirements of this Resolution for a lot or building may be sold, leased, or used from such a lot or building unless other space is available to comply with said requirements.

306 HEIGHT EXCEPTIONS

No structure shall be erected, converted, enlarged, reconstructed, or structurally altered to exceed the height herein-after established for the district in which the structure is located, except that: (1) roof structures for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the building, and fire or parapet walls, sky light, towers, steeples, stage lofts, and screens chimneys, smoke stacks, water tanks, or similar structures may be erected to exceed by not more than fifteen (15) feet the height limits of the district in which is located; provided that such structure shall not have a total area greater than twenty (20) percent of the roof area of the building and shall not be used for any residential purposes; (2) radio, television, and wire-less aeriALS, or masts and flag poles may be erected to any height.

### 307 BUILDING REGULATIONS

No building shall be erected, converted, enlarged, reconstructed, or structurally altered to: (1) exceed the maximum height; (2) accommodate a prohibited use or house a greater number of families; (3) occupy a greater percentage of lot area; and (4) have narrower or smaller rear, front, or side yards, that are specified herein for the district in which such building is located.

#### 307.01 - Principal Building

No more than one principal building shall be permitted on any one lot unless otherwise specifically stated in this Resolution.

#### 307.02 - Accessory Building and Ponds

An accessory building, unless attached to and made structurally a part of the main building shall not be closer than five (5) feet to the main building.

All ponds that are not used one hundred (100) percent for agricultural purposes shall meet the same setback requirements as an accessory building does. In addition, these ponds shall not be built within forty (40) feet of the top park of an open drainage ditch.

#### 307..03 - Building Under Construction Prior to the Resolution

Nothing in this Resolution shall be deemed to require any change in the plans, construction, or designated uses of any building upon which actual construction was lawfully begun prior to the adoption of this Resolution and provided further that such building shall be completed within two (2) years from the date of passage of this Resolution.

#### 307.04 - Town House, Multi-family, & Commercial Development

When more than one (1) town house, multi-family, commercial, or industrial building is located on one lot, the buildings shall be considered as one (1) building for the purpose of determining front, side, and rear yard requirements.

#### 307.05 - Building Permit or Zoning Certificate

No building permit or zoning certificate shall be issued without evidence that the Health Department has approved the proposed sanitary sewage disposal and water facilities for the use which the building permit or zoning certificate has been requested.

#### 307.06 - Minimum Living Floor Area Per Family

In any rural or urban residential district, the minimum floor area for living purposes per family shall not be less than seven hundred twenty (720) square feet.

#### 307.07 - Frontage Required for Building

No principal building shall be erected on a lot which does not abut on at least one (1) street. All future streets, public or private, shall have a minimum right-of-way of fifty (50) feet. All turn arounds shall have a minimum radius of fifty (50) feet.

#### 308 USES NOT SPECIFICALLY CONTROLLED BY DISTRICT REGULATIONS

##### 308.01 - Official Notices Exempt

This Resolution shall not apply to signs established by any court or public body exclusively for legal or official notice, directional warning, or for public information.

##### 308.02 - Temporary Building

Temporary buildings or uses for purposes incidental to construction work shall be permitted provided such buildings or uses shall not be continued as permanent structures or uses. The period of continuance shall be six (6) months. An additional extension of six (6) months may be granted upon application to the Zoning Commission. A zoning permit shall be required for temporary buildings. Temporary buildings do not have to meet the minimum square footage requirements as described in Section 307.06.

#### 309 ANNEXATION

All property annexed by a municipality shall be regulated by the zoning regulations which govern the property prior to annexation, until the legislative authority of said municipal corporation shall officially adopt zoning regulations for such territory.

#### 310 ESTABLISHMENT OF DISTRICTS

For the purpose of promoting the public health, safety, morals convenience, comfort, prosperity, and general welfare of the community, the following districts are hereby established: Rural Residential District; Suburban Residential District; RM Multi-family Residential District; Highway Commercial District; General Commercial District; Industrial District; and Commercial Recreation Areas.

311 ZONING DISTRICTS MAP

The districts established in Section 310 are bounded and defined as shown on a map entitled "Zoning Districts Map of Richfield Township, Henry County, Ohio", and said map with all the notations, references, and other pertinent material shown thereon are hereby declared as part of this Resolution.

312 INTERPRETATION OF DISTRICT BOUNDARIES

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

A. Where districts boundaries are indicated as approximately following the center lines or right-of-way lines of streets, the center lines of right-of-way lines of highways, such lines shall be construed to be such district boundaries.

B. Where district boundaries are indicated as approximately following lot lines, these lot lines shall be construed to be said boundaries.

C. Where district boundaries are indicated as approximately parallel to the center lines or right-of-way lines of streets, the center lines or right-of-way alley lines, or the center lines or right-if-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the map. If no distance is given, such dimensions shall be determined by the use of the scale shown on said zoning map.

313 FRONT YARD REQUIREMENTS

For existing dedicated Township, County, and state thoroughfares.

Right-of-way	Setback
40' - 49'	70'
50' - 59'	65'
60' - 99'	60'
100' and over	40'

314 CONFORMITY WITH OTHER RULES AND REGULATIONS

All construction and land use shall be in conformity with applicable existing or future rules, regulations, laws or requirements contained in the Ohio Revised Code, state and County Health Regulations, Ohio Environmental Protection Agency Regulations, County Subdivision Regulations, or other similar applicable state and County requirements.



## ARTICLE 4

### DISTRICT REGULATIONS

#### 401 AGRICULTURAL DISTRICT

##### 401.01 - PURPOSE

The purpose of this district is to preserve and protect the decreasing supply of prime agricultural land. This district is also established to control the indiscriminate infiltration of urban development in agricultural areas which adversely affects agricultural operators.

##### 401.02 - USES

###### A. PERMITTED USES

1. Agriculture; including dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce, provided, however that: any such accessory use shall be secondary to that of normal agricultural activities.
2. Farm Residences.
3. Utilities.
4. Migrant Labor camps used for seasonal farm labor. Not for permanent dwellings.

###### B. CONDITIONALLY PERMITTED USES

1. Single family housing, subject to Article 7 and the following conditions:
  - a. state and local health regulations.
  - b. Any residential structure shall be at least five hundred (500) feet from existing feed lots, hog pens, chicken coops, or similar agricultural activities.
  - c. Buffer strips such as bushes, trees, or other visual barriers are provided to separate residential uses from adjacent agricultural, commercial or industrial uses as may be required by the board of appeals.
  - d. such residential development is compatible with adjacent agricultural and/or commercial activities.
2. Private or government owned and/or operated park, playground, or golfcourse subject to ARTICLE 7, Section 703.02, Subsections 102, 103, 104, 105, 106, 107, and 117.

3. Cemetery subject to ARTICLE 7, Section 703.02, Subsection 102 and 104.
4. Church and other buildings for the purpose of religious worship subject to ARTICLE 7, Section 703.02, Subsection 102 and 104.
5. Public Utilities or government owned and/or operated buildings or facilities subject to ARTICLE 7, Section 703.02, Subsections 102, 109, 110, and 112.
6. Strip mining, soil removal, and gravel extraction operations subject to ARTICLE 7, Section 703.02, Subsections 110, 111, 113, 114, and 115.
7. Oil and/or gas drilling and operations necessary for their extraction and skimming subject to ARTICLE 7, Section 703.02, Subsection 112, 113, 114, and 115.
8. Home Occupations subject to ARTICLE 7, Section 703.02, Subsection 119.
9. Mobile Homes subject to ARTICLE 7, Section 703.02, Subsection 119.
10. House trailers to be used as a temporary dwelling only; for use by a sick or aged parent, relative, or exceptions as approved by the Zoning Commission. A temporary permit is required and may be issued by the Zoning Inspector, Subject to the same fees as a building permit. A trailer may not be installed closer than 5 feet from the main building or within 5 feet from the side or rear lot lines, with any exceptions to be reviewed by the Zoning Commission. Trailers used as temporary dwellings need not meet the 720 sq. ft. minimum living area, and must be removed when specific use for which permit has been issued is no longer valid.
11. House trailers may be used as a temporary dwelling when used with the intent to build a permanent housing structure. A starting date of construction must accompany application for permit. A permit is required with the same fee as a building permit. Trailers used for temporary dwellings need not meet the 720 sq. ft. minimum living area, but must be removed when dwelling is moved into. A permit will be issued for a maximum of 3 years, with an option of renewal by the Zoning Commission.

12. House trailers used as dwellings may be replaced with new or used trailers that meet the 720 sq. ft. living area requirement of new buildings. House trailers or Accessory buildings used for Home Occupations may be replaced with the provisions that they must be at least the same size or larger than the building or trailer to be replaced; as in the case of condemned or burned out buildings, or replacement to improve property. A permit is required, Without fee, and may be obtained from the Zoning Inspector.

401.03 - REQUIREMENTS

<u>LOT REQUIREMENTS</u>	<u>NET AREA PER DWELLING UNIT</u>
A. Minimum Lot Area	Forty three thousand five hundred sixty (43,560) s.f.
B. Minimum Lot Width	One hundred fifty (150) ft.
C. Minimum Lot Frontage One Hundred Twenty-Five (125) ft. (at right-of-way line)	

401.04 - YARD REQUIREMENTS

A. Minimum Front Yard Depth	Ninety (90) feet from the center of the traveled portion of the road. See table in Section 313.
B. Minimum Rear Yard Depth	Fifty (50) feet
C. Minimum Side Yard Depth on each side	Twenty (20) feet

401.50 - ADDITIONAL REQUIREMENTS

- A. All fences, trees, and shrubs in the agricultural district shall be constructed, placed, or planted so as not to interfere with agricultural operations and shall not extend on to any adjacent property.
- B. Agreements between adjacent property owners on the construction, placement, and planting of fences, trees, or shrubs shall not be cancelled by this Resolution provided that all other township, county, and state regulations are met.

## 402 SUBURBAN RESIDENTIAL DISTRICT

### 402.01 - PURPOSE

The purpose of this district is to accommodate existing build up areas, and allow land for projected non-farm residential growth.

### 402.02 - USES

#### A. Permitted Uses

1. Single family dwellings.
2. Two family dwellings.
3. Accessory buildings incidental to the principal use which do not include any activity conducted as a business.

#### B. Conditionally Permitted Uses

1. Private or governmentally owned and/or operated park, playground, or golf course subject to ARTICLE 7, Section 703.02, Subsection 102, 103, 104, 105, 106, 107, and 115.
2. Cemetery subject to ARTICLE 7, Section 703.02, Subsections 102 and 104.
3. Church and other buildings for the purpose of religious worship subject to ARTICLE 7, Section 703.02, Subsections 102 and 104.
4. Public utility, parochial schools, or governmentally owned and/or operated building or facility subject to ARTICLE 7, Section 703.02, Subsections 102, 109, 110, and 112.
5. Home occupation subject to ARTICLE 7, Section 703.02, Subsection 116.
6. Mobile Homes subject to ARTICLE 7, Section 703.02, Subsection 119.

### 402.03 - Lot Requirements

- A. Minimum Lot Area - thirty thousand (30,000) s.f.
- B. Minimum Lot Width at Front yard Setback Line - One hundred (100) feet

- C. Minimum Lot Width at Street Right-of-Way line - Sixty (60) feet.

402.04 - Yard Requirements

- A. Minimum Front Yard Depth from Street Right-of-Way Line- See table in Section 313 or thirty-five (35) feet for new residential streets.
- B. Minimum Rear Yard Depth - Forty (40) feet.
- C. Minimum Side Yard Width on Each Side - Ten (10) feet.

402.05 - Maximum Building Height - Thirty-five (35) feet.

403 RE MULTI-FAMILY RESIDENTIAL DISTRICT

403.01 - Purpose

The purpose of this district is to permit the development of multi-family dwellings, and planned neighborhoods having a variety of dwelling types. Public or community water supply and sewage disposal facilities are required in high density development of this type.

402.02 - Uses

A. Permitted Uses

1. Multi-family dwellings of three (3) or more dwelling units.
2. Accessory buildings incidental to the principal use which do not include any activity conducted as a business.
3. Single family dwelling subject to ARTICLE 4, Subsections 402.03, 402.04, and 402.05.
4. Two family dwellings subject to ARTICLE 4, Subsections 402.03, 402.04, and 402.05.

B. Conditionally Permitted Uses

1. Private or governmentally owned and/or operated park, playground, or golf course subject to ARTICLE 7, Section 703.02, Subsections 102, 103, 104, 105, 106, 107, and 115.
2. Cemetery subject to ARTICLE 7, Section 703.02, subsections 102 and 104.

3. Church and other buildings for the purpose of religious worship subject to ARTICLE 7, Sections 102 and 104.
4. Public Utility, parochial schools, or governmentally owned and/or operated building or facility subject to ARTICLE 7, Section 703.02, Subsections 102, 109, 110 and 112.
5. Home occupation subject to ARTICLE 7, Section 703.02, Subsection 116.
6. Hospital, sanitarium, convalescent home, nursing home, child day care center, and home for the aged subject to ARTICLE 7, Section 703.02, Subsection 101, 102, 103, 104, 106, and 108.

403.03 - Lot Requirements For Multi-Family Dwellings

- A. Minimum Lot Area - Forty thousand (40,000) square feet for the first three (3) dwelling units. Two thousand (2,000) square feet additional area for each dwelling unit over three (3) units.
- B. Minimum Lot Width at the Front Setback Line - Two hundred (200) feet.
- C. Minimum Lot Frontage - One hundred twenty five (125) feet.
- D. Usable Open space - Twenty (20) percent lot area must be devoted to usable open space excluding parking areas, walks, drives, and service facilities.

403.04 - Yard Requirements for Multi-Family Dwellings

- A. Minimum Front Yard Depth - See table in Section 313.
- B. Minimum Rear Yard Depth - Fifty (50) feet.
- C. Minimum Side Yard Width On Each Side - Twenty five (25) feet.

403.05 - Maximum Building Height - Thirty-five (35) feet.

405 GENERAL COMMERCIAL DISTRICT

405.01 - Purpose

The purpose of this district is to encourage integrated groupings of retail stores and personal and professional services.

405.02 - Uses

A. Permitted Uses

1. The following residential and establishments engaged in the following types and intensities of retail trade:
  - a. Single family and two family dwellings subject to ARTICLE 4, Subsections 402.03, 402.04 and 402.05.
  - b. Multi-family dwellings subject to ARTICLE 4, Subsections 403.03, 404.04, and 405.05.
  - c. Apparel
  - d. Office supply, art goods, and books
  - e. Beverages
  - f. Drugs
  - g. Food
  - h. Hardware
  - i. Sporting goods, toys & similar specialty stores
  - j. Appliances
  - k. Variety and department stores
  - l. Similar main uses
2. The following retail services:
  - a. Restaurants and bars
  - b. Soda Fountains
  - c. Laundry and dry cleaning
  - d. Barber shops
  - e. Beauty shops
  - f. Shoe repair shops
  - g. Banks
  - h. Business offices
  - i. Medical offices
  - j. Meeting halls and auditoriums
  - k. Specialty schools such as dancing & music
  - l. Auto wash
  - m. Similar main services
3. Accessory buildings incidental to the principal use.

B. - Conditionally Permitted Uses

1. Church and other buildings for the purpose of religious worship subject to ARTICLE 7, Section 703.02, Subsection 102 and 104.
2. Public utility, parochial schools or governmentally owned and/or operated building or facility subject to ARTICLE 7, section 703.02, Subsections 110 and 112.

3. Gasoline station, subject to ARTICLE 7, Section 703.02, Subsection 117.
4. Hospital, sanitariums, convalescent home, nursing home, child day care center, and home for the aged.
5. The following highway commercial facilities subject to ARTICLE 7, Section :
  - a. New and used car, truck, or farm implement sales and service or rental (cars in operable condition only).
  - b. Mobile home or trailer sales and service.
  - c. Lumber or builder's supply yard and stores.
  - d. Auto wash.

405.03 - Lot Requirements

- A. Minimum Lot Area - Twenty thousand (20,000) sq. ft.
- B. Minimum Lot Width at Front Yard Setback Line - One hundred (100) feet.
- C. Minimum Lot Frontage at Street Right-of-way - Fifty (50) feet.

405.04 - Yard Requirements

- A. Minimum Front Yard Depth - See table in Section 313.
- B. Minimum Rear Yard Depth - Twenty (20) feet.
- C. Minimum Side Yard Width On Each Side - Ten (10) feet.
- D. Side Yards and Rear Yards - Adjacent to residential districts shall meet the side and rear yard requirements of the adjacent residential district.

405.05 - Maximum Building Height - Thirty - five (35) feet.

405.06 - Supplementary Regulations

The grouping together of commercial uses into commercial centers is encouraged. In order to minimize traffic congestion, control driveway approaches to public streets, provide for fire protection, and to protect the surrounding residential areas from adverse activities, a site plan showing the site layout including the locations, and dimensions of vehicular and pedestrian entrances, exits, driveways, walkways, and the vehicular circulation patterns to and from the site; store locations and dimensions, off street parking spaces, landscaped yards, and the location, type, and lighting of signs shall be submitted to, and approved by the Zoning Commission, before a zoning certificate is issued.



The approval of the site plan shall be required whenever two (2) or more commercial uses are to be placed upon a parcel of land under the same ownership, or where two (2) or more commercial structures may be built to best advantage by using common wall construction.

#### 406 INDUSTRIAL DISTRICT

##### 406.01 - Purpose

The purpose of the Industrial District is to provide for (1) certain non-retail commercial uses (2) warehousing and storage (3) manufacturing, assembly and fabricating activities.

##### 406.02 - Uses

###### A. Permitted Uses

1. Permitted uses in the General Commercial District, excluding all residential uses.
2. Warehousing, wholesale establishments and trucking facilities.
3. Administrative offices.
4. Manufacturing, processing, cleaning, servicing, testing, or repair of materials, goods, or products which will not be materially injurious or offensive to the occupants of adjacent premises by reason of the emission or creation of noise, vibrations, smoke, dust, water pollution, or other particular matter, toxic and noxious materials, odors, fire or explosive hazards or glare or heat.

In the interest of the community and other industries within the Industrial District, the Zoning Commission may, in regard to an industrial operation whose effects on adjacent premises are not readily known, seek expert advice on what conditions should be imposed on the particular industrial operation to reasonably modify any injurious or offensive effects likely to result from such an operation. The cost of securing such expert assistance shall be borne by the applicant.

5. sanitary landfill site subject to ARTICLE 7, Section 703.02, Subsection 118.
6. Junk yards subject to ARTICLE 7, 703.02, subsections 109, 110, 112.
7. Outdoor storage may be permitted, provided the area used for storage is located in the rear yard and is in an enclosed structure or wall eight (8) feet in height. No materials shall be stored in such a manner as to project above the wall with

the exception of vehicles and mechanical equipment.

406.03 - Lot Requirements

- A. Minimum Lot Area - Forty thousand (40,000) sq. ft.
- B. Minimum Lot Width at Front Yard Setback Line - One hundred fifty (150) feet.
- C. Minimum Lot Frontage - One hundred twenty five (125) feet.

406.04 - Yard Requirements

- A. Minimum Front yard Depth - See table in Section 313.
- B. Minimum Rear Yard Depth - Twenty (20) feet
- C. Minimum Side Yard With Side Yards and Rear Yards - Adjacent to residential districts shall be one hundred (100) feet from the residential district, and may be used for off-street parking space.

406.05 - Maximum Building Height - None

ARTICLE 5

PARKING AND LOADING REGULATIONS

501 OFF-STREET PARKING AND LOADING REQUIREMENTS

In all zoning districts, off-street parking facilities for the storage or parking of self-propelled motor vehicles for use of occupants, employees, and patrons of the buildings hereafter erected, altered, or extended after the effective date of this Resolution shall be provided and maintained as herein prescribed.

A. Whenever a use requiring off-street parking is increased in floor area, additional parking space shall be provided in the amounts hereafter specified for that use, if the total parking space does not meet the minimum area to serve the increased floor area.

B. Off-street parking facilities for one and two family dwellings shall be located on the same lot or plot of ground as the building served. Off-street parking shall be within three hundred (300) feet of the building intended to be served. An industry which employs one hundred (100) or more employees may supply off-street parking at a distance greater than three hundred (300) feet from such industry upon approval of the (planning or zoning) commission.

C. The off-street parking requirements for uses not specifically mentioned herein, shall be the same as those required for uses of a similar nature.

D. Collective off-street parking facilities may be provided; however, such facilities shall contain as many spaces as would otherwise be individually required.

E. The amount of off-street parking space required for uses, buildings or additions thereto shall be determined according to the following requirements, and shall be reserved for such use.

F. Parking lots or areas adjacent to public streets, shall have driveways or openings not to exceed twenty-five (25) feet in width at the curb line. All such lots or areas shall have a protective wall or bumper block at least five (5) feet from any sidewalk line and said lots shall be so designed that all vehicles leaving the facility will be traveling forward at a ninety (90) degree angle to approaching traffic.

G. Detailed plans shall be submitted for approval of all cuts or driveway openings in commercial and manufacturing districts before a building permit may be obtained therefore.

H. Entrances, exits, or driveways or maneuvering areas shall not be computed as any part of a required parking lot or area.

I. Off-street parking and loading regulations for commercial and industrial districts are as follows:

1. Any vehicle parking space in a commercial or manufacturing district shall be used for parking only. Any other use of such space, including repair work or servicing of any kind other than in an emergency or the requirement of any payment for the use of such space, shall be deemed to constitute a separate commercial use in violation of the provisions of this Code.
2. No building or structure of any kind shall be erected in any off-street parking space except the parking garage containing parking spaces equal to the requirements of this section or a booth for the parking lot attendant or guard.
3. The vehicle parking space on any lot, as set forth and designated in this Resolution may be deemed to be the required open space on such lot.
4. All parking spaces, drives, and isles shall be surfaced with a bituminous or other dust-free surface and maintained in a condition conducive to public use.

501.01 - Required Space

1. Dwelling units -
  - a. Single family and two family dwellings units - Two (2) parking spaces for each dwelling unit.
  - b. Multi-family dwelling units - Two (2) parking spaces for each unit.
2. Rooming houses, lodging houses, boarding houses - One (1) parking space for each guest room plus two (2) spaces for the permanent occupant.
3. Hotels, motels, tourist homes, or cabins - One (1) parking space for each one (1) sleeping room.
4. Mobile home court - Two (2) parking spaces adjacent to each mobile home site.
5. Business and professional offices and banks - One (1) parking space for each one hundred fifty (150) sq. ft. of floor area, excluding basement and hallways.
6. Office buildings - One (1) parking space for each two hundred (200) sq. ft. of floor area, excluding basement and hallways.
7. Medical and dental offices and clinics - Five (5) parking spaces for each physician or dentist plus one (1) for each employee.
8. Funeral homes and mortuaries - Twenty-five (25) parking spaces.
9. Retail stores, Super markets, etc. - One (1) parking space for each one hundred (100) sq. ft. of floor area.
10. Furniture and appliance stores, builders supply stores, showroom of plumbers, decorator, electrician or similar trades, shoe repair, and other similar uses - One (1) parking space for each eight hundred (800) sq. ft. of floor area.
11. Motor vehicles sales and service - One (1) parking space for each four hundred (400) sq. ft. of floor area of sales room and one (1) additional parking space for each auto service stall in the service room.
12. Auto service station - Eight (8) parking spaces.
13. Beauty parlors and barber shops - Two (2) parking spaces for each beauty or barber shop chair.

14. Laundromats - One (1) parking space for two (2) seats washing machines.
15. Restaurants - One (1) parking space for three (3) seats of seating capacity.
16. Establishments for the sale and Consumption on the premises of foods, alcoholic beverages, or refreshments - one (1) parking space per two (2) seats of seating capacity.
17. Theaters - One (1) parking space for each four (4) seats.
18. Dance halls, skating rinks, private clubs, and other assembly halls without fixed seats - One (1) parking space per one hundred (100) sq. ft. of floor area.
19. Bowling alleys - Four (4) parking spaces for each alley plus one (1) for each two employees.
20. Wholesale establishments - One (1) parking space for each employee.
21. Industrial establishments - One (1) parking space for each total number of employees on any two consecutive shifts having the largest number of employees.
22. Auditorium, stadium, and similar uses - One (1) parking space for each four (4) seats based on maximum seating capacity.
23. Churches - One (1) parking space for each four (4) seats in principal auditorium based on maximum seating capacity.
24. Clubs, lodges, and fraternity houses - one (1) parking space per two hundred (200) sq. ft. of floor space or one (1) parking space per four (4) seating spaces in the assembly room, whichever is greater.
25. Golf clubs, swimming clubs, and similar uses - One (1) parking space for each five (5) members.
26. Libraries and museums - One (1) parking space for each five hundred (500) sq. ft. of floor area.
27. Hospitals - One (1) parking space for each two (2) beds.
28. Sanitariums, children's homes, convalescent homes, one (1) parking space for each six (6) beds.

29. Elementary and junior high schools - One (1) parking space for each teacher, employee or administrator.
30. senior high schools - One (1) parking space for each teacher, employee, or administrator, and one (1) for each ten (10) students.
31. Colleges and universities, or technical training centers - One (1) parking space for each 1.5 students and one (1) for each teacher, employee, or administrator present during daytime Operation.
32. In all commercial districts a minimum area of two hundred (200) sq. ft. per car shall be used in computing the area to be used for parking, excluding driveways.

#### 502 REQUIRED OFF-STREET LOADING SPACE

On the same premises with every building structure, Or part thereof erected and occupied for manufacturing, storage, warehouse goods display, department store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning, or other uses similarly involving the receipt or distribution of vehicles or other materials or merchandise, there shall be provided and maintained On the lot adequate space for standing, loading and unloading services in order to avoid undue interference with public use of streets or alleys. such space, unless otherwise adequately provided for, shall include ten (10) foot by twenty-five (25) foot loading space, with fourteen (14) foot height clearance for every ten thousand (10,000) sq. ft. or fraction thereof in excess of three thousand (3,000) sq. ft. of building floor area or land for the above mentioned purposes.

### ARTICLE 6

#### SIGN REGULATIONS

##### 601 OUTDOOR ADVERTISING

For purposes of this Resolution, its amendments and supplements, outdoor advertising is hereby declared to be a business use and permitted in only those applicable districts, unless otherwise specifically provided herein. Outdoor advertising signs shall meet the same setback and side yard requirements as specified in Section 405 for commercial structures.

##### 601.01 - Exceptions to this are:

- A. One non-illuminated sign advertising the sale, rental or lease of the property or building, not exceeding eight (8) sq. ft. in area on any lot.

- B. Signs incidental to the legal process and necessary to the public safety and welfare.
- C. One non-illuminated accessory sign with a surface area not exceeding two hundred eighty-eight (288) sq. inches which denotes the name of occupant on each lot on which a dwelling unit is located.
- D. One sign with a surface area not exceeding twelve (12) sq. ft., which identifies the use of the premises for each of the following types of conditionally permitted uses in the Conservation and Residential Districts.
  - 1. Cemetery
  - 2. Church and other place of religious worship
  - 3. Private or governmentally owned and/or operated park, playground, and golf course, and riding academy.
  - 4. Institutions for medical care, hospital, clinic, convalescent home, sanitarium, home for the aged, nursing home, and philanthropic institution and child care center.
  - 5. One non-illuminated temporary real estate advertising and the development of the premises upon which it stands or the opening of a new subdivision development where such sign is located at least twenty-five (25) feet from the street right-of-way line.

601.02 - Supplementary Regulations

All signs and boards are subject to the following regulations:

- A. No sign or billboard shall be erected closer than fifty (50) feet to any intersection, with the exception of those signs incidental to the legal process and necessary to the public welfare or those business signs attached to a building or structure.
- B. All signs and billboards erected within two hundred (200) feet of any intersection must be erected so as not to obstruct traffic sign lines at street intersections or railroad grade crossings.
- C. No sign or billboard shall be located in or projecting over a public right-of-way.
- D. Any sign or billboard illuminated with electric lights (including neon or other gaseous typed tubes or incandescent lamps) shall not duplicate in the electric light of such sign any colors appearing in traffic control signals.
- E. Signs and billboards visible from a street or highway shall not contain words as "stop", "go", "slow" or symbols which may resemble highway traffic or directional signals.

## ARTICLE 7

### CONDITIONAL ZONING CERTIFICATES

#### 701 PURPOSE

Until recent years the regulation of all uses of land and structures through zoning has been accomplished by assigning each use to one or more use districts. However, the functions and characteristics of an increasing number of new kinds of land uses combined with conclusive experience regarding some of the older, familiar kinds of uses call for a more flexible and equitable procedure for properly accommodating these activities in the community. It should be recognized that the forces that influence decisions regarding the nature, magnitude, and location of such types of land use activities are many and varied, and are dependent upon the functional characteristics of the use, competitive situations, and the availability of land. Certain kinds of uses need to be reasonably controlled by specific requirements that provide practical latitude for the investor, but at the same time, maintain adequate provision for the security of the health, safety, convenience, comfort, prosperity, or general welfare of the community's inhabitants.

In order to accomplish such a dual objective, provision is made in this Resolution for a more detailed consideration of each conditionally permitted use as it relates to location; design; size; method of operation; and intensity of land use; which in turn, affects the volume of traffic generated and traffic movements, the concentration of population, and the kinds of public facilities and services, it requires. Land and structure uses possessing these particularly unique characteristics are designated as Conditionally Permitted Uses and are permitted through the issuance of a Conditionally Zoning Certificate with conditions and safeguards attached as may be deemed necessary for the protection of the public welfare.

#### 702 PROCEDURES FOR MAKING APPLICATION

##### A. Application submitted to the Zoning Commission

An application shall be submitted to the Zoning commission and it shall contain the following data:

1. The form supplied by the Zoning Commission completed by the applicant.
2. A site plan, plot plan, or development plan of the entire property being considered, drawn to a reasonable scale and showing the location of all abutting streets, the location of all existing and proposed structures, the types of buildings and the uses proposed.



3. The fee payment for a conditional zoning certificate shall be as established by the Township Board of Trustees. The zoning Commission may refer the application to qualified consultants when it deems expert advice necessary and the applicant shall pay the cost of said expert advice.

#### 702.01 - Review by Zoning Commission

The Zoning Commission shall review the proposed development as presented on the submitted plans and specifications in terms of the standards established in this Resolution. such review shall be completed and made public within forty-five (45) days of the first regular monthly meeting of the Zoning Commission following the submission of such application. If the application is submitted at regular monthly meeting of the Planning Commission, then the forty-five (45) day period shall begin with date of submittal.

#### 702.02 - Hearing

After adequate review and study of any application the Zoning Commission may hold a public hearing or hearing upon every application after at least one (1) publication in a newspaper of general circulation, at least ten (10) days prior to the date of the hearing. such notices shall indicate the place, time, and subject of the hearing. "All adjacent property owners shall also be notified of the hearing and proposed development at least ten (10) days prior to the date of the hearing".

#### 702.03 - Re-Application

No application for a Conditional Zoning certificate which had been denied wholly or in part by the Zoning Commission shall not be re-submitted until the expiration of one (1) year or more from the date of such denial, except on grounds of newly discovered evidence or proof of changed conditions which would be sufficient to justify reconsideration by the Zoning Commission.

#### 702.04 - Issuance and Revocation of Conditional Zoning Certificate

only upon conclusion of hearing procedures relative to a particular application may the Zoning Commission issue a Conditional Zoning Certificate. The breach of any condition, safeguard, or requirement shall automatically constitute a violation of this Zoning Resolution. Such violation shall be punishable as specified in Section 10.

## 703 STANDARDS AND REQUIREMENTS FOR CONDITIONAL USES

The Zoning Commission shall establish beyond reasonable doubt that both the general standards and the specific requirements pertinent to each conditional use indicated herein shall be satisfied by the establishment and operation of the proposed conditional use. The Zoning Commission may also impose such additional conditions and safeguards as it deems necessary for the general welfare, for the protection of individuals property rights, and for insuring that the intent and objectives of this Resolution will be observed.

### 703.01 - General Requirements

The Zoning Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence that such use of the proposed location:

- A. Will be harmonious with and in accordance with the general objectives or with any specific objective of the comprehensive plan.
- B. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with existing or intended character of the general vicinity and that such issue will not change the essential character of the same area.
- C. Will not be hazardous or disturbing to existing or future neighboring uses.
- D. Will not be detrimental to property in the immediate vicinity or to the community as a whole.
- E. Will be served adequately by essential public facilities and services.
- F. Will be in compliance with the subdivision regulations, the Board of Health Standards, and the Building Code if there are such requirements.
- G. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets or roads.

The Zoning Commission shall require as conditions of approval any other requirements, including guarantees that any conditions will be fulfilled, that it deems necessary to fulfill the purposes and intent of this Resolution.

703.02 - Specific Requirements

- 101 - Sanitariums, convalescent homes, nursing homes, and homes for the aged shall have a net residential density which shall not exceed three (3) times the number of single family dwellings to meeting the district lot sizes on the same size parcel of land.
- 102 - All structures, except minor structures such as utility poles and meters, and activity areas shall be located at least fifty (50) feet from all property lines.
- 103 - Loud speakers which cause a hazard or annoyance shall not be permitted.
- 104 - All points of entrance or exit shall be located no closer than one hundred (100) feet from the intersection of two streets.
- 105 - There shall be no more than one directional identifying sign oriented to each abutting road identifying the activity.
- 106 - No lighting shall constitute a nuisance and shall in any way impair safe movement of traffic on any street or highway.
- 107 - The structure shall not be continued as permanent structures. The period of continuance shall be set by the Planning Commission.
- 108 - The use shall not require costly or uneconomic extensions of utility services at the expense of the community.
- 109 - Site locations that offer natural or manmade buffers that lessen the effect of the intrusion of the use should be selected.
- 110 - A fence eight (8) feet in height shall enclose the operation where there is a safety hazard.
- 111 - Plans shall be submitted indicating the proposed stages of operation and the future uses or rehabilitation to be carried out on the site. A bond or bonds may be required to be posted guaranteeing that the above plans will be carried out.
- 112 - All facilities and equipment such as derricks, pumps, tanks, etc. shall be enclosed or fenced off where their operation creates a potential safety hazard.

- 113 - All areas shall be rehabilitated progressively as they are worked out and left in a condition entirely lacking in hazards, inconspicuous, and blended with the general surrounding ground from so as to appear reasonably natural. All slopes and banks shall be reasonably graded and treated to prevent erosion or any other potential deterioration.
- 114 - Routes for truck movement shall be established and followed in such a way that traffic and other hazards and damage to other properties shall be minimized.
- 115 - All permitted installations shall be maintained in a neat, orderly condition so as to prevent injury to any single property, individual, or to the community in general; a bond may be required to insure that this provision will be met.
- 116 - subject to the following conditions:
- A. All State and Local Health Department regulations are complied with.
  - B. All frontage and setbacks, requirements for the district shall be met.
  - C. The site shall be well-drained
  - D. The housing unit shall be placed on a lot no smaller than one (1) acre in size, excluding street or highway right-of-way.
- 117 - The use shall be permitted under the following conditions
- A. The use shall be for the purpose of servicing motor vehicles under one and one-half (1-1/2) tons rated capacity including the dispensing of fuel and lubricants, cooling system and ignition service, sale and installation of batteries, lamps, fan belts, spark plugs, tires, and accessories not requiring a change in the chassis, body or engine of the vehicle, and the repairing of flat tires.
  - B. All activities, except those required to be performed on fuel pumps, and car washing shall be carried on inside a building; if work is performed on a vehicle, such vehicle shall be entirely within a building.

- C. No more than two (2) driveway approaches shall be permitted directly from any major thoroughfare nor more than one (1) driveway approach from any minor street, each of which shall not exceed thirty (30) feet in width at the property line.
- D. If the property fronts on two or more streets, the driveways shall be located as far from the street intersection as practicable.
- E. At least a six (6) inch pedestrian safety curb shall be installed along all street lines except at driveway approaches.

118 - The use shall be permitted under the following conditions

- A. All sanitary landfill sites shall be subject to approval by the County Health Department.
- B. A topographic map showing the design of the sanitary landfill site at a scale of not over 200 feet to the inch and with five (5) foot contour intervals shall be submitted with the application.
- C. The applicant shall submit information describing the geological characteristics of the site.
- D. The site shall be limited to areas where water pollution will not occur. The Zoning Commission may impose any conditions it deems necessary to prevent water pollution.
- E. The site shall be accessible from at least two directions.
- F. The site shall be so located as to minimize the effect of winds carrying objectionable odors to urbanized or urbanizing areas.
- G. The sanitary landfill site shall be designed by a qualified expert and submitted to the County Health Department for approval.
- H. Suitable shelter for landfill equipment shall be provided.
- I. Suitable shelter and sanitary facilities shall be provided for personnel.

- J. Suitable measures shall be taken to control fires.
- K. An attendant shall be on duty, during the time the sanitary landfill site is open, to supervise the unloading of refuse.
- L. Blowing paper shall be controlled by providing a portable fence near the working area. The fence and area shall be policed regularly.
- M. Sewage solids or liquids and other hazardous materials shall not be disposed on the site.
- N. There shall be no open storage or burning of garbage.
- O. No bulky items such as car bodies, refrigerators, and large tires shall be disposed on the site except by landfill.
- P. Refuse shall be spread and compacted in shallow layers not exceeding a depth of two (2) feet of compacted materials.
- Q. 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 work day.
- R. In all but the final layer of a landfill, a layer of suitable cover material compacted to a minimum depth of one (1) foot shall be placed daily on all surfaces of the fill except those where operations will continue of the following working day.
- S. A layer of suitable cover material compacted to a minimum thickness of two (2) feet shall be placed over the entire surface of each portion of the final lift not later than one (1) week following the placement of refuse within that portion.
- T. Conditions unfavorable for the production of insects and rodents shall be maintained by carrying out routine landfill operations promptly in a systematic manner.
- U. Suitable measures shall be taken whenever dust is a problem.

- V. The entire site, including the fill surface, shall be graded and provided with drainage facilities to minimize run-off on to and into the fill, to prevent erosion or washing of the fill, to drain off rain water falling on the fill, and to prevent the collection of standing water.
- W. An inspection of the entire site shall be made by a representative of the County Health Department before the earthmoving equipment is removed from the site. Any necessary corrective work shall be performed before the landfill project is accepted as completed. Arrangements shall be made for the repair of all cracked, eroded, and uneven areas in the final cover during the year following completion of the fill.

119 - Regulations for mobile or manufactured homes in residential areas:

- A. Mobile and manufactured homes are allowed in single family residential districts, provided that they meet all other requirements for single family homes as stated in this ordinance pertaining to setbacks, frontage, etc.
- B. In addition to the other requirements of this section, the application shall include any other data the Planning Commission may require.
- C. All mobile homes and manufactured housing shall have a minimum floor space of 750 sq. ft. and 14 feet width.
- D. All state and Local Health Department regulations shall be complied with pertaining to the establishment of a residential unit.
- E. The site shall be well drained.
- F. Mobile manufactured housing shall be required to be built upon permanent cement foundations and to be skirted with a material which is specifically designed or manufactured for such a use.
- G. All mobile homes or manufactured housing must be anchored to sufficiently protect it from water, wind, or their damage, according to manufacturer's standards.
- H. No porch, canopy, patio roof, structure for storage or other addition may be attached to a mobile home unless it is a material or type of construction specifically designed and manufactured for such use.

- I. All mobile home spaces shall abut upon a driveway of not less than twenty (20) feet in width, which shall have unobstructed access to a public street.
  - J. Mobile or manufactured homes in agricultural district shall be placed on a lot no smaller than one (1) acre in size, excluding street or highway right-of-way.
- 120 - The use shall be permitted under the following conditions:
- A. The minimum size for the area shall be 40 acres.
  - B. All state and Local Health Dept. regulations shall be complied with.
  - C. The maximum period of occupancy for any trailer or other camping facility shall not exceed ninety (90) days in any calendar year. There shall not be any permanent occupancy on the area other than for the owner, operator, and caretakers in the area.
  - D. No campsites shall be closer than 200 feet to any adjacent property.
  - E. A store will be permitted to sell supplies to the camp area occupants. The store shall not be closer than 20 feet to any adjacent property or street right-of-way.
  - F. The number of campsites available shall not exceed three (3) campsites or camping trailers for each acre of ground contained in the area.
  - G. Sign Regulations - see ARTICLE 6, Section 602-D-3.

## ARTICLE 8

### NON-CONFORMING USES

#### 801 PURPOSE

The purpose of this section is to (1) define the legal status of buildings of land uses which do not conform to this Resolution, but which were in operation prior to the enactment of this Resolution and (2) to provide either for the conversion of non-conforming uses into conforming uses as soon as reasonably possible or for the eventual and equitable elimination.



## 802 REGULATIONS

The lawful use of any building or land existing prior to the enactment of this Resolution may be continued, although such use does not conform with the provisions of this Resolution: however, to achieve the purposes of this section the following regulations shall apply:

### 802.01 - Alternations

A building or structure containing a non-conforming use may be altered, improved, or reconstructed provided such work is not to an extent exceeding in aggregate cost 80% of the assessed value of the building or structure, unless the building or structure is changed to a conforming use.

### 802.02 - Extension

A non-conforming use shall not be extended, but the extension of a lawful use to any portion of a building or structure which existed prior to the enactment of this Resolution shall not be deemed the extension of such non-conforming use.

### 802.03 - Restoration

Whenever a building, the use of which does not conform to the provisions of this Resolution, is damaged by fire, explosion, or act of God to the extent of sixty (60) percent or more of its assessed value, it shall not be restored except in conformity with the district regulations of the district in which it is located.

### 802.04 - Displacement

No non-conforming use shall displace a conforming use.

### 802.05 - Change in use

A non-conforming use may be changed to another non-conforming use provided that the Board of Appeals determines that the proposed non-conforming use is in the same Zoning District Uses as the prior non-conforming use or in the uses listed as permitted in a more restricted Zoning District.

### 802.06 - Dis-continuance and abandonment

Whenever a non-conforming use has been discontinued for a period of two (2) years or more, such discontinuance shall be considered legal abandonment of the non-conforming use. At the end of that two (2) year period, the non-conforming use shall be re-established, and any further use shall be in conformity with the provisions of this Resolution.

802.07 - A change of zoning districts

Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another of a different classification, the foregoing provisions shall also apply to any non-conforming use existing therein.

802.08 - Construction approval prior to Resolution

Nothing in this Resolution shall prohibit the completion of the construction and use of non-conforming buildings for which a zoning certificate has been issued prior to the effective date of this Resolution, provided that construction is commenced within 90 days after the issuance of such certificate; that construction is carried on diligently and without interruption; and that the entire building shall have been completed within two (2) years after the issuance of said zoning certificate.

802.09 - Non-conforming conditional uses

Uses existing prior to the enactment of this Resolution which are listed as conditional uses in the district in which they are located shall be considered as non-conforming uses until a conditional zoning certificate has been applied for and issued for said use.

ARTICLE 9

AMENDMENTS

901 PROCEDURE FOR AMENDMENTS

Amendments to the Zoning Resolution may be initiated by the Township Trustees, by the motion of the Zoning Commission, or by filing of an application therefore by one or more owners or lessees of property within the area proposed to be changed. No such amendment shall become effective unless the Resolution proposing the same shall first be submitted in writing to the Clerk of the Township Trustees, and then to the Zoning Commission for approval, disapproval, or recommended modifications, and said Commission shall have reasonable time, not less than thirty (30) days and not more than sixty (60) days, for consideration and to report to the Township Trustees. The Township Trustees shall hold a public hearing thereon, and shall give at least thirty (30) days notice of time and place thereof in a newspaper of general circulation in the Township. If the amendment intends to rezone or re-district ten or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the clerk of the legislative authority, by first class mail, at least twenty (20) days before the date of the public hearing to the owners of property within and contiguous to and directly across the street from such parcel or parcels to the addresses of such owners appearing on the county auditor's current tax list or the treasurer's mailing list and to such other list or lists that

may be specified by the legislative authority. The failure of deliver of such notice shall not invalidate any such amendment. During such thirty (30) days the copy of such amendment together with the maps or plans or copies thereof forming part of or referred to in such amendment and the maps, plans, and reports submitted by the Zoning Commission, Board, or Officer shall be filed, for public examination, in the office of the clerk of the legislative authority.

## ARTICLE 10

### ENFORCEMENT

#### 1001 ADMINISTRATION

The provisions of this Resolution shall be administered by the Zoning Commission.

##### 1001.01 - Zoning inspector

A zoning inspector shall be employed to enforce this Zoning Resolution. The term of employment, rate of compensation, and other such conditions shall be set by the Township Trustees. For the purpose of effecting this Resolution, the zoning inspector shall have the powers of a police officer.

##### 1001.02 - Submission of application for zoning certificate

All applications for zoning certificates shall be submitted to the zoning inspector who may issue zoning certificates when all applicable provisions of this Resolution have been met.

##### 1001.03 - Zoning certificates required

A zoning certificate through the zoning committee shall only be required for an addition, expansion, or extension of a building, for a new building or structure, or before constructing or changing the use of any building, including accessory buildings. The application shall include the following information:

- A. A plot plan drawn to scale showing the exact dimensions of the lot to be built upon.
- B. The location, dimensions, height, and bulk of structures to be erected.
- C. The intended use.
- D. The proposed number of sleeping rooms, dwelling units, occupants, employees, and other uses.
- E. The yard, open area, and parking space dimensions.

F. Any other pertinent data as may be necessary to determine and provide for the enforcement of this Resolution.

Within ten (10) days after the receipt of application, the zoning inspector shall issue a zoning certificate if the application complies with the requirements of this Resolution and the application is accompanied by the proper fee as established by the Board of Trustees.

The zoning certificate shall become void at the expiration of one (1) year after date of issuance unless a construction is started. If no construction is started or use changed within one (1) year of date of permit, a new application and permit are required.

If the application is for conditional zoning certificate, the application procedure defined in Section 702-A will be followed in lieu of the above regulations.

#### 1001.04 - Schedule of fees

The Board of Township Trustees shall establish a schedule of fees, charges and expenses and a collection procedure for permits, appeals, requests for zoning amendments, conditional use permits, and other matters pertaining to this Resolution. The schedule of fees shall be posted in the office of the administrative official and may be altered or amended only by the Board of Township trustees.

"The zoning certificate shall be required only for an additional or expansion of a business, industry or residences."

#### 1002 VIOLATIONS

##### 1002.01 - Inspection and correction of violations

It shall be the duty of the zoning inspector to see that any building erected, altered, moved, razed, or converted or any use of land or premises carried on in violation of any provision of this Resolution is inspected and the zoning inspector shall, declare each violation a nuisance and in writing order correction of all conditions which are found to be violation of this Resolution. Any building or land use considered possible violations of the provisions of this Resolution which are observed by any official or citizen shall be reported to the zoning inspector.

##### 1002.02 - Correction period

All violations shall be corrected within a period of thirty (30) days after the written order is issued or for a longer period of time as indicated by the zoning inspector in written order. Any violations not corrected within the specified period

of time shall be prosecuted.

1002.93 - Penalties

Any person, firm, or corporation violating any provisions of this Zoning Resolution or supplements or amendments thereto shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than fifty (50) dollars nor more than one hundred (100) dollars. Each days continuation of a violation of this Resolution shall be deemed a separate offense.

ARTICLE 11

BOARD OF ZONING APPEALS

1101 AUTHORITY

A Board of Zoning Appeals is hereby created and shall have all the powers and duties prescribed by law and this Resolution.

1102 COMPOSITION, APPOINTMENT AND ORGANIZATION

The Board shall consist of five (5) members. Each member shall be appointed for a period of five (5) years and terms shall be so arranged that the terms of one member shall expire each year. Each member shall serve until his successor is appointed and qualified. The Board of Zoning Appeals shall elect a chairman from its membership, shall appoint a Recording Secretary, and shall prescribe rules for the conduct of its affairs. Members of the Board shall be removed for non-performance duty, mis-conduct in office or other cause, after a public hearing has been held regarding such charges. A copy of the charges shall be served upon the members so charged at least ten (10) days prior to the hearing either personally or by registered mail or by leaving same at this usual place of residents. The member shall be given an opportunity to be heard and answer such charges. In the event a vacancy occurs such vacancy shall be filled by appointment for the balance of the unexpired term.

1103 QUORUM

The Board of Zoning Appeals shall require a quorum of three members at all its meetings and a concurring vote of three members shall be necessary to effect an order.

1104 MEETINGS

The Board of Zoning Appeals shall meet at the call of its chairman or two other members and at such other regular times at it may, by Resolution, determine. All meetings of the Board shall be open to the public.

## 1105 POWERS AND DUTIES

- A. To hear and decide appeals where it is alleged there is error in any order requirement, decision or determination made by the zoning inspector in the enforcement of this Resolution.
- B. To authorize upon appeal, in specific cases, variances from the specific requirements of this Resolution as will not be contrary to public interest, where, owing to special conditions, a literal enforcement of the Resolution will result in unnecessary hardship and so that the spirit of the Resolution shall be observed and substantial justice done.
- C. To grant conditional zoning certificates for the use of land, buildings, or other structures as specifically provided for elsewhere in this Resolution.

## 1106 APPEALS

Appeals to the Board of Zoning Appeals may be taken by any person, firm, or corporation, or by any officer, board or department deeming himself or itself to be adversely affected by the decision of the zoning inspector. The applicant shall post security for the cost of all action required for the hearing of the appeal.

An appeal shall stay all proceedings in furthermore of the action appealed from, unless the zoning inspector, whose decision is being appealed, shall certify to the Board of Zoning Appeals after the notice of the appeal has been filed, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed by other than a restraining order granted by the Board of Zoning Appeals or by a court having lawful jurisdiction.

Within its powers, the Board of Zoning Appeals may reverse or affirm, wholly or in part or modify the order, requirement, decision, or determination as in its opinion ought to done, and to that end shall have all the powers of the zoning inspector from whom the appeal is taken, and it may issue or direct the issuance of a permit or certificate. The Board of zoning Appeals shall decide all such appeals within a reasonable time.

### 1106.01 - Procedure

The Board of Zoning Appeals shall act in accordance with the procedure specified by law including this Resolution. All appeals and applications made to the Board of Zoning Appeals shall be in writing and on prescribed forms. Every appeal or application shall refer to the specified provision of the Resolution involved, and shall exactly set forth the

interpretation that is claimed, the details of the various that is applied for and the grounds on which it is claimed that the various should be granted as the case may be. Every decision of the Board of Zoning Appeals, shall be by Resolution, each of which shall contain a full record of the findings of the Board of Zoning Appeals will find it necessary to draw upon any planning, legal, engineering, or any other expert testimony, such fee may be charged to the applicant in order to cover all expenses of such expert testimony.

#### 1106.02 - Notice of hearings

When notice of appeal has been filed in proper form with the Board of Zoning Appeals, the Secretary shall immediately place the request appeal upon the calendar for hearing, and shall cause notices stating the time, place, and object of the hearing to be served personally or by mail addressed to the parties making the request for appeal and notice by one publication in one or more newspapers of general circulation in the township, at least ten (10) days prior to the date of the scheduled hearing. All notices shall be sent to addresses given in the last assessment roll. The Board may recess such hearings from time to time, and, if the time and place of the continued hearing be publicly announced at the time of adjournment, no further notice shall be required.

#### 1106.03 - Fees

Any request for an interpretation, variance, or appeal to the Board of Zoning Appeals shall be accompanied by a fee of thirty-five dollars. If the appeal is made to correct an administrative error, and if an error was found to exist by the Board of Appeals, the fee of thirty-five dollars shall be returned to the applicant.

## ARTICLE 12

### DEFINITIONS

ACCESSORY BUILDING OR USE is a building or use, customarily incidental and subordinate to the principal use of building, located on the same lot or premises as the principal use of building.

AGRICULTURE in the use of land for agricultural purposes including farming, dairying, pasturage, agricultural, horticulture, floriculture, viticulture and animal and poultry husbandry, and the necessary accessory uses for packing, treating or storing of produce; provided that the operation of such accessory use shall be secondary to that of the normal agriculture activities, and provided that the above uses shall not include the commercial feeding of garbage or offal to swine or other animals. A use shall be classified as agriculture only if it is the principal or main use of the land.

ALLEY is any public space of thoroughfare which has been dedicated or deeded to the public travel and which affords a secondary means of access to abutting property.

ALTERNATION as applied to a building or structure, is a change or re-arrangement in the structural parts or in the exit facilities, or the enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

APARTMENT HOUSE is a multi-family dwelling for three or more families, living independently of each other, with cooking and toilet facilities in each dwelling unit.

AUTO GRAVEYARD - Synonymous to JUNK YARD.

AUTOMOBILE WRECKING is the dis-mantling or dis-assembling of used motor vehicles, or the storage, sale or dumping of dis-mantled, partially dis-mantled, obsolete or wrecked vehicles or their parts.

BASEMENT a story, suitable for business or habitation, partially below the level of the adjoining street or ground and below the first tier of floor beams or joists. When a basement's floor is less than two (2) feet below the average grade, it will be rated as the first story or ground floor.

BOARDING HOUSE is a building where meals are provided for compensation to more than two (2) boarders, other than members of the proprietor's family.

BUILDING LINE is a line defining the minimum front, side and rear yard requirements.



BUILDING HEIGHT is the vertical dimension measured from the average elevation of the finished lot grade at the front of the building, to the highest point of roof of the top story in the case of a flat roof; to the deck line of a mansard roof; and to the average height between the plate and ridge of a gambrel roof.

BUILDING, PRINCIPAL is the building housing the principal activity performed on any lot.

CAR PORT is a covered automobile parking space not completely enclosed by walls or doors. For the purposes of this Resolution, a car port shall be subject to all regulations prescribed in this Resolution for a private garage.

CENTRALIZED SEWER SYSTEM is where individual lots are connected to a common distribution system whether publicly or privately owned and operated.

CENTRALIZED WATER SYSTEM is where individual lots are connected to a common distribution system whether publicly or privately owned and operated.

CLINIC, OR MEDICAL CENTER is a place used for the diagnoses and treatment of sick, ailing, infirm, and injured persons and those who are in need of medical or surgical attention, but limited to out-patients only.

CLUB is an association of persons for some common non-profit purpose, but not including groups organized primarily to render a service which is customarily carried on as a business.

CONVALESCENT, NURSING OR REST HOME is any dwelling with sleeping rooms where persons are housed or lodged and furnished with meals and nursing care for hire.

COURT is an occupied space, other than a yard, on the same lot with a building, which is bounded on two or more sides by the walls of such building.

DENSITY OF POPULATION is the ratio of population expressed as persons or as families, to a unity of land they occupy expressed in acres or other areal measure.

DWELLING is a building or portion of a building designed for residential purposes, including one-family, two-family, and multi-family dwellings, but not including hotels, motels, boarding houses and lodging houses.

DWELLING, MULTI-FAMILY - See APARTMENT HOUSE

DWELLING UNIT is one or more rooms in a dwelling designed for occupancy by one family for living or sleeping purposes, and having toilet facilities and one kitchen.

EASEMENT is a right to some profit, benefit, or use out of or over the land of another, created by grant or prescription.

ESSENTIAL SERVICE is the erection, construction, alternation, or maintenance by utilities or municipal departments, or commissions, or under-ground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communications, supply or disposal system, including poles, wires, mains, drains, sewers, pipes, conduit, cables, fire alarms boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, but not including buildings reasonable necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions, or for the public health or safety or general welfare.

FAMILY is one or more persons occupying a premise and living as a single housekeeping unit, whether or not related to each other by birth or marriage, as distinguished from a group occupying a boarding house, nursing home, lodging house or hotel as herein defined.

GARAGE, PRIVATE is a building or part thereof accessory to a main building and providing for the storage of automobiles and in which no occupation or business for profit is carried on other than that permitted as a home occupation.

GARAGE, PUBLIC OR STORAGE is a building or part thereof other than a private garage for the storage of motor vehicles and in which service station activities may be carried on.

GASOLINE SERVICE STATION is any area of land, including any structure or structures thereon, that is or are used or designed for the supply of gasoline or oil or other fuel for the propulsion of vehicles. For the purpose of this Resolution there shall also be deemed to be included within this term any area or structure used or designed to be used for polishing, greasing, washing, spraying, dry cleaning or otherwise cleaning or servicing such motor vehicles.

GRADE FINISHED is the completed surfaces of lawns, walks, and roads brought to grades as shown on official plans and designs relating thereto.

GROUP HOUSING DEVELOPMENT are those types of residential structures customarily known as garden apartments, terrace apartments row housing units and those types of housing structures similar in character and density to such group housing.

HOME OCCUPATION is any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling

for dwelling purposes and does not change the character thereof.

HOSPITAL OR SANITARIUM is an establishment which provided accommodations, facilities and services over a continuous period of twenty-four (24) hours, or more, for observation, diagnosis and care, of two (2) or more individuals suffering from illness, injury, deformity or abnormality, or from any condition requiring obstetrical, medical, or surgical services.

HOTEL is a building in which lodging is provided and offered to the public for compensation and which is open to transient guests, as distinguished from a boarding house or lodging house.

INDUSTRIAL PARK is a tract of land subdivided and developed according to a comprehensive plan for the use of a community of industries and containing at least one street, designed solely to provide access to industrial establishments located upon it.

KENNEL is a place where more than three (3) dogs, four (4) months of age or older are kept.

KITCHEN is any room and/or other space used or intended or designed to be used for cooking or for preparation of food for one family.

JUNK YARD is any land or building used for abandonment, storage, keeping, selling, exchanging, packing, collecting, or baling or paper, rags, scrap metals, others scrap or discarded materials, or for abandonment, demolition, dis-mantling, storage, or salvaging of automobiles or other vehicles not in running condition, machinery, or parts thereof.

LIVING SPACE is that area within a structure intended, designed, erected, or used for human occupancy, but excluding any cellar or basement area, or accessory use areas.

LOADING SPACE is an off-street space or berth on the same lot with a building, or contiguous to a group of buildings, 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.

LODGING OR ROOMING HOUSE is a building where lodging only is provided for compensation to more than two (2) lodgers other than members of the proprietor's family.

LOT is a parcel of land in single or undivided ownership used or intended to be used as the site for a main building or structure and accessory buildings and structures, or for some other purpose.

LOT, COVERAGE is the area of a lot occupied by the principal and accessory buildings.

LOT, DEPTH is the main distance from the right-of-way line of the street at the front of the lot to its opposite rear line measured in the general direction of the side lines of the lot; where the right-of-way is not established, it shall be assumed to be sixty (60) feet.

LOT, INTERIOR is lot other than a corner lot.

LOT LINES are the lines defining the limits of a lot.

LOT CORNER is a lot at the point of intersection of and abutting on two or more intersecting streets, the angle of intersection being not more than 135 degrees. It is the land occupied or to be occupied by the corner buildings.

LOT WIDTH is the width measured along the minimum setback line.

LOT, OF RECORD is a lot which is part of a subdivision, the plot, or map of which has been recorded in the Office of the Recorder of Henry County, or a lot described by metes or bounds, the deed to which has been recorded in the Office of the Recorder of Henry County.

MAJOR THOROUGHFARE is a thoroughfare designed as a major thoroughfare on the land use and/or thoroughfare plan duly adopted by the Board of Henry County Commissioners or a Municipal Planning Commission.

MINIMUM BUILDING SET-BACK LINE is a line back of and parallel to, the street right-of-way and at such distance from the street right-of-way line as required by the minimum front yard depth in the district in which it is located. Where the right-of-way line is not established it shall be assumed to be sixty (60) feet.

MOBILE HOME--TRAILER means any self-propelled and non-self-propelled vehicle so designed, constructed, re-constructed, or added to by means of accessories in such manner as will permit the use and occupancy thereof for human habitation whether resting on wheels, jacks or other foundation, and used or so constructed as to permit its being used as a conveyance upon the public streets or highways.

MOBILE HOME LOT a parcel of land for the placement of single mobile and the exclusive use of its occupants.

MOBILE HOME PARK - TRAILER COURT a parcel of land under a single ownership which has been planned and improved for the placement of mobile homes for non-transient use. sometimes termed as a mobile home court.

MOTEL is any building or group of buildings containing sleeping rooms, with or without cooking facilities, designed for temporary use by automobile tourists or transients, with garage attached or parking space conveniently located to each unit, including auto

courts, motel, motor lodges, and tourist cabins.

NON-CONFORMING USE is a building, structure, or use of land lawfully existing at the time of enactment of this Resolution, or any amendment or supplement thereto, and which does not conform to the regulation other than height, area, and yard requirements for the district in which is situated.

OPEN SPACE is an area of land which is in its natural state, or is developed only for the raising of agricultural crops, or for public outdoor recreation.

PARKING is the temporary holding of a vehicle for a period longer than required to load or unload persons or goods.

PLACE is an open occupied space other than a street or alley permanently reserved as a principal means of access to abutting property.

PORCH is a roofed or un-roofed open structure projecting from the front, side or rear wall of a building, and having no enclosed feature of glass, wood, or other material more than thirty-six (36) inches above the floor thereof, except wire screening and the necessary columns to support the roof.

PUBLIC UTILITY is any person, firm, corporation, governmental agency or board fully authorized to furnish and furnishing under municipal regulation, to the public, electricity, gas, steam, telephone, transportation, or water, or any other similar public utilities.

RIGHT-OF-WAY is a street, alley, or other thoroughfare or easement permanently established for passage of persons or vehicles.

SIGN shall mean any word or words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or trademarks, by which anything is made known; and which is affixed to, or painted, or represented directly or indirectly upon a building, structure or place of land and directs attention to an object, place, activity, person, institution, organization or business. The word sign shall include also bill-board, sign-board and display sign.

STABLE is any building, structure or portion thereof which is used for the shelter or care of horses, or other similar animals, either permanently or transiently.

STAND is a structure for the display and sale of products with no space for customers within the structure itself.

STORY, HALF is a space under a sloping roof which has the line of intersection of a roof decking and wall face not more than three (3) feet above the top floor level and in which space not more

than two-thirds of the floor area is finished for the use. A half-story containing independent apartment or living quarters as a full story.

STORY, HEIGHT OF is the vertical distance from the top surface of one floor to the top surface of the next above. The height of the top-most floor is the distance from the top surface of the floor to the top surface of the ceiling joints.

STREET, ROAD LINE OF is a lot line separating a lot from an adjacent street.

STREET, PUBLIC is a public thoroughfare which has been dedicated or deeded to the public for public use and accepted by the County Commissioners and Township Trustees, and which affords principal means of access to abutting property.

STREET, PRIVATE is a thoroughfare which affords principal means of access to abutting property, but which has not been deeded to the public.

STRUCTURE is anything constructed or erected which requires location on the ground, including signs and billboards, but not including fences or walls used as fences.

STRUCTURAL ALTERNATIONS is any change in the supporting members of a building such as bearing walls, columns, beams, or girders, or any substantial changes in the roof and exterior walls.

TANK, STORAGE is in reference to petroleum or chemical products, a closed vessel for the storage of liquid hydrocarbon substances at atmospheric pressure.

TOURIST CAMP is any lot, piece or parcel of ground where two (2) or more camp cottages, tents, camping or travel trailers, house trailers or mobile homes used as living or sleeping quarters are or may be located, said camp being operated for or without compensation.

TOURIST HOME is a dwelling in which over-night accommodations are provided or offered for transient guests for compensation.

USE is the purpose, or activity, for which land or a building or structure is arranged, designed or intended, or for which it is occupied, or may be, occupied or maintained.

USE ACCESSORY - See ACCESSORY BUILDING or USE.

USE, CONDITIONAL is a use which is permitted in a district, or zone, only if a certificate therefore is expressly authorized by the Zoning Commission in accordance with the provisions of this Resolution.

USE: PRINCIPAL PERMITTED is a use which is permitted outright in a district for which a zoning certificate may be issued by the Zoning Official in accordance with the provisions of this Resolution.

USE: SEASONAL is the occupation of any building, or structure, or activity for a period not to exceed more than six (6) months of any one calendar year.

WIDTH, SIDE YARD is the perpendicular distance between the established side lot line and any portion of any structure existing or to be constructed on said lot.

YARD is an open area other than a court, on a lot, un-occupied and un-obstructed from the ground upward.

YARD DEPTH, FRONT is the perpendicular distance between the street right-of-way line and the nearest portion of any structure existing or to be constructed. Where the right-of-way line and the nearest portion of any structure existing or to be constructed. Where the right-of-way is not established it shall be assumed to be fifty (50) feet.

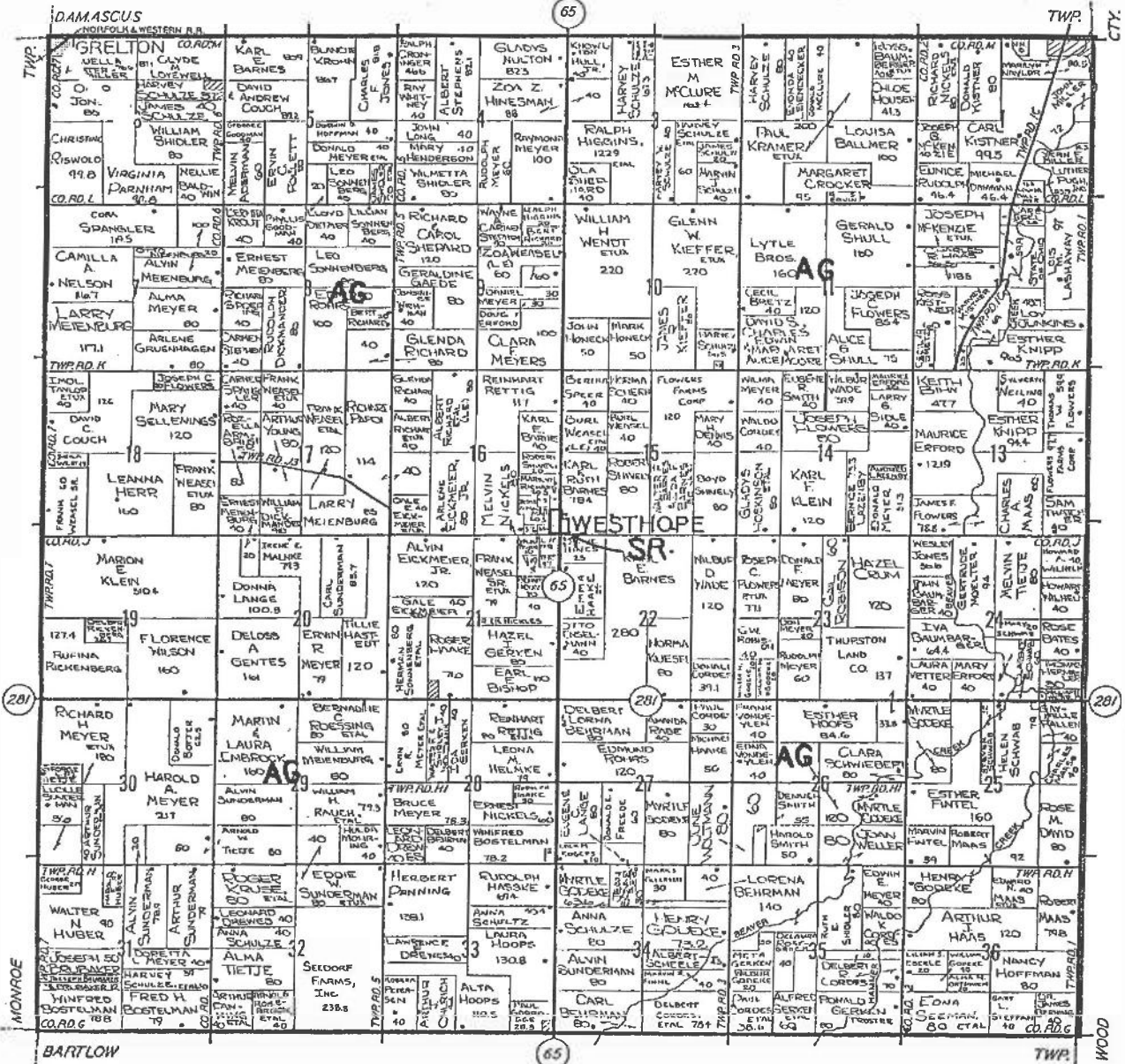
YARD DEPTH, REAR is an open un-occupied space on the same lot with any structure between the rear line of the building and the rear line of the lot and extending the full width of the lot.

ZONES OR DISTRICTS refers to a section of this Resolution for which uniform regulations governing the use, height, area, size, and intensity of use of buildings and land, and open spaces about buildings, are herein established.



# RICHFIELD TOWNSHIP HENRY COUNTY, OHIO

# OFFICIAL ZONING DISTRICT MAP



### DISTRICT DESIGNATIONS

- AG - AGRICULTURAL DISTRICT
- SR - SUBURBAN RESIDENTIAL DISTRICT
- MA - MULTI-FAMILY RESIDENTIAL DISTRICT
- G - GENERAL COMMERCIAL DISTRICT
- I - INDUSTRIAL DISTRICT

### RICHFIELD TOWNSHIP TRUSTEES

- \_\_\_\_\_  
Bert F. Richard
- \_\_\_\_\_  
Richard Shepard
- \_\_\_\_\_  
Robert Flowers
- \_\_\_\_\_  
Ralph Kieffer, Clerk

Adopted: \_\_\_\_\_