

**COLLEGE TOWNSHIP
KNOX COUNTY, OHIO
ZONING RESOLUTION**

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PART ONE

ARTICLE ONE: TITLE, PURPOSE, ADOPTION AND APPLICATION

1.1 TITLE:

This resolution shall be known as and shall be cited and referred to as the “Zoning Resolution of College Township, Knox County, Ohio“.

1.2 PURPOSE:

This Resolution is enacted in accordance with the Ohio Revised Code, Section 519.01.

The purposes and scope of the College Township Zoning Resolution are to safeguard and promote the health, morals, safety and general welfare of the community. In pursuit of these purposes, the College Township Trustees and the College Township Zoning Commission have undertaken to achieve a delicate balance between the individual property rights of the citizens and the protection of public health, safety and general welfare of all residents of College Township.

It is the objective of College Township to make no provision for business, industrial or manufacturing districts and commercial use. The area encompassed by College Township, outside the Village of Gambier, is quite small and the current Zoning Districts of Agricultural, Conservation, Rural Residential, and Special Use, are appropriate for the size of the township and its character, in conjunction with the College Township Plan.

1.3 ADOPTION AND EFFECTIVE DATE:

This Resolution shall become effective upon approval by the College Township Zoning Commission and the College Township Board of Trustees as set forth in Section 519.12 of the Ohio Revised Code. Upon adoption of this Resolution all previous zoning resolutions now in effect shall be deemed to be repealed.

1.4 INTERPRETATION AND APPLICATION:

In their interpretation and application, the provisions of this Resolution shall be held to be minimum requirements. Where this Resolution imposes a greater restriction than is imposed by other provisions of law, or by other rules or regulations or resolution, the provisions of this Resolution shall control.

It is not intended by this Resolution to interfere with, abrogate, or annul any easements, covenants or other agreements between parties which do not violate this Resolution. Where any specific provisions of this Resolution conflict, or conflicts with any other lawfully adopted rules, regulations, or resolutions, the most restrictive or those imposing a higher standard shall apply.

1.5 SEPARABILITY CLAUSE:

The invalidation of any clause, sentence, paragraph or section of this Resolution by a court of competent jurisdiction shall not effect the validity of the remainder of this Resolution either in whole or in part.

ARTICLE TWO: DEFINITIONS

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

All words used in the present tense include the future tense. All words in the singular include the plural and all words in the plural include the singular. The word “shall” is mandatory and not directory. The word “used” shall be deemed to include designed, intended or arranged to be used.

Abutting/adjoining/adjacent: Having a common border with, or being separated from, such common border by a street or easement or right-of-way.

Accessory Structure: Any improvement to the property other than the main building(s), with the exception of landscaping, is an accessory structure. If a temporary building is placed on a property to provide extra space for expansion of a use, the temporary building shall also be an accessory structure.

Accessory Use or Building: A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building, which cannot be made up of parts of a motor vehicle, such as “truck bed“ or “trailer“.

Active Recreation: Leisure time activities characterized by repeated and concentrated use of land, often requiring equipment and taking place at prescribed places, sites or fields. Examples of active recreation facilities include golf courses, tennis courts, swimming pools, softball, baseball and soccer fields. For the purpose of these regulations, active recreation facilities do not include paths for bike riding, hiking, and walking and picnic areas.

Agriculture: The use of land for agriculture purposes, including farming, ranching, aquaculture, apiculture, horticulture, viticulture, animal husbandry, including but not limited to, the care and raising of livestock, equine, and furbearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, mushrooms, timber, pasturage, or any combination of the foregoing; the processing, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production. This is the definition of agriculture from R.C. 519.01, which is controlling the township zoning.

Alley or Lane: A public way not more than 20 feet wide affording only secondary means of access to abutting property.

Airport: A tract of land or water with facilities for the landing, takeoff, shelter, supply and repair of aircraft.

Association: A legal entity operating under recorded land agreements or contracts through which each unit owner in a conservation development is a member and each dwelling unit is subject to charges for a proportionate share of the expenses of the organization's activities such as maintaining common open space and other common areas and providing services needed for the development. An association can take the form of a homeowner's association, community association, condominium association or other similar entity.

Automobile Wrecking: The dismantling or disassembly of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, obsolete or wrecked vehicles or their parts.

Basement or Cellar: A story whose floor line is below the main floor and wholly or partly below the surface of the ground.

Beginning of Construction: The incorporation of labor and material within the walls of the building or buildings; the incorporation of labor and materials where land is to be used for the purpose other than construction of a building; the moving of dirt which alters the natural topography and drainage patterns of the area.

Board: The Board of Zoning Appeals for College Township.

Boarding or Lodging House/Bed and Breakfast: A dwelling or part of a dwelling, where meals and/or lodging are provided to persons for compensation.

Buffer: A designated area between uses or adjacent to the perimeter of natural features designed and intended to provide protection and which shall be permanently maintained:

1. Land Use Buffer: Land area used to separate or visibly shield and/or screen one use from another.
2. Riparian Buffer: A naturally vegetated area located adjacent to streams and rivers that is intended to stabilize banks and limit erosion.
3. Wetlands Buffer: An area of undisturbed natural vegetation located adjacent to the perimeter of the wetlands.

Building: Any permanent structure used for residential or agricultural, or other public or private purposes, or accessory thereto.

Building Envelope: An area within a conservation development that is designated as a location within which a dwelling unit is to be placed in compliance with the building setback and spacing requirements established by the township zoning regulations. A building envelope may or may not be located within a sub-lot and may or may not have frontage on a public street.

Cemetery: Land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes.

Clinic: A building used for diagnosis and treatment, as in connection with a medical school or a hospital.

Club: A non-profit association of persons organized for some common purpose, but not including a group organized solely or primarily to render a service customarily considered a commercial enterprise.

Commission: The College Township Zoning Commission.

Common Area: Any land area, and associated facilities, within a conservation development that is held in common ownership by the residents of the development through a Homeowners' Association, Community Association or other legal entity, or which is held by the individual members of a Condominium Association as tenants-in-common.

Conditional Use: A use of land and/or building which is not a principally permitted use (or otherwise permitted as a matter of right) in certain districts, but which may be permitted after BZA review of an application to make such use. That use may be conditioned upon compliance with certain terms of this Resolution. Permission to make a use of land and/or buildings which is listed as a conditional use requires an application for and granting of a permit by the Board of Zoning Appeals.

Conservation Development: A contiguous area of land to be planned and developed as a single entity, in which housing units are accommodated under more flexible standards, such as building arrangements and setbacks, than those that would apply under AG, R-R (Rural Residential District) regulations, allowing for the flexible grouping of houses in order to conserve open space and existing natural resources.

Conservation Easement: A legal interest in land which restricts development and other uses of the property in perpetuity for the public purpose of preserving the rural, open, natural or agricultural qualities of the property, as authorized by Ohio Revised Code 5301.67 through 5301.70.

Conventional Development: A major or minor subdivision, as defined by the Ohio Revised Code, in which property is subdivided into lots having the minimum front, side and rear yards as specified by this Zoning Resolution and with each lot having the requisite frontage on a dedicated public street. Such developments are to be considered a conditional use and must be approved by the College Township Zoning Board of Appeals.

Demolish/Demolition: The substantial deterioration or complete or substantial removal or destruction of any building or structure within any district whether by affirmative action taken or by passive action such as neglect.

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

A. Gross Density: The number of dwelling units per acre of the total land to be developed (including public right-of-way).

B. Net Density: The number of dwelling units per acre of land when the acreage involved includes only land devoted to residential uses (excluding public right-of-way, floodplain, wetlands, steep slopes, etc.).

Development: The construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structures or buildings; or any use or change in use of any building or land; any extension of any use of land or any clearing, grading, or other movement of land, for which a permit or certificate may be required pursuant to this Resolution.

Development Plan: A proposal including drawings and maps for a conservation development, prepared in accordance with these regulations, illustrating the proposed design, layout and other features for the development and including all elements set forth in these Resolutions.

Discontinued: To break the continuity of or abandon a use or building; to cease to operate, use, or produce on a parcel.

Display Sign: A structure that is arranged, intended, designed or used as an advertisement, announcement or direction, including a sign, sign screen, billboard and advertising devise of any kind.

District: A portion of the territory of the College Township within which certain uniform regulations and requirements or various combinations apply.

Dwelling: A permanent building used primarily for human habitation but not including facilities or the housing of transient residents and not including manufactured (mobile) homes.

- A. **Dwelling, Single Family:** A permanent building separate and free standing, in itself providing living accommodations for one family.
- B. **Dwelling, Two Family:** A permanent building designed exclusively for occupancy by two families.
- C. **Dwelling, Multi-Family:** A permanent building or portion thereof providing separate living accommodations for three or more families.

Dwelling, Attached Single-Family: Dwelling units that are structurally attached to one another, side by side, and erected as a single building, each dwelling unit being separated from the adjoining unit or units by a shared wall without openings extending from the basement floor to the roof with each unit including separate ground floor entrances, services and attached garages.

Dwelling, Cluster Single-Family: A building that is designed and used exclusively by one family and separated from all other dwelling units by air space from ground to sky, which is grouped with other dwellings on a site and which may be located on its own subdivided lot without a front, side and/or rear yard in compliance with the standard zoning district regulations.

Dwelling, Detached Single-Family: A building designed for, or used exclusively for, residence purposes by one family situated on a parcel having a front, side and rear yard.

Dwelling, Group: A group of two or more attached dwellings located on a parcel of land in one ownership and having any yard or court in common.

Dwelling, Manufactured Home: A building unit or assembly of closed construction fabricated in an off-site facility, that conforms with the federal construction and safety standards established by the Secretary of Housing, Construction, and Safety Standards Act of 1974, and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards.

Dwelling, Mobile Home: A detached dwelling unit designed to be repeatedly transported on highways, and when arriving at the site for placement involving only minor and incidental unpacking, assembling and connection operations, but which involves no substantial reconstruction which would render the unit unfit as a conveyance on the highway. The unit shall be considered as real property if such reconstruction is undertaken.

Dwelling Unit: Space within a dwelling, comprised of living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one family and its household employees and having its own means of entrance which can be distinguished from other dwellings.

Easement: Authorization by a property owner for the use by another, for a specified purpose, of any designated part of his/her property.

Essential Services: The erection, construction, alternation, or maintenance by public utilities or municipal or governmental agencies of underground gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems or sites, including poles, wires, mains, drains, sewer pipes, traffic connection therewith, but not including buildings, which are reasonably necessary for the furnishing of adequate services by such public utilities or municipal or other governmental agencies or for the public health, safety or general welfare.

Family: One or more persons occupying a dwelling and living as a single housekeeping unit, as distinguished from persons occupying a boarding house, lodging house, or hotel, as herein defined. Private household workers employed and housed on the premises may be considered as included in the family occupying said premises.

Fence: Any structure composed of wood, metal, stone, brick, or other material erected in such a manner and position as to enclose, partially enclose, or divide any premises or any part of any premises. Trellises or other structures supporting or for the purpose of supporting vines, flowers, or other vegetation when erected in such a position as to enclose, partially enclose, or divide any premises or any part of any premises shall also be considered a fence. Also may be called a wall.

FEMA (Federal Emergency Management Agency): The agency with the overall responsibility for administering the National Flood Insurance Program.

Flood: A general temporary inundation of lands not normally covered by water that are used or usable by man. Concurrent mudslides shall be deemed to be included in this definition.

Flood Hazard Area: The maximum area of the floodplain which is likely to be flooded once every one hundred (100) years or for which mudslides can be reasonably anticipated. These areas are defined by the Corps of Engineers.

Floodplain: An area, usually a relatively flat or low land area adjoining a river, stream, or water course, which has been in the past, or can be reasonably expected in the future, to be covered temporarily by a flood; any land susceptible to being inundated by water from any source. Base Flood is the flood that has a one percent or greater chance of being equaled or exceeded in any given year.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Frontage: All the property abutting on one side of the street, between intersecting or intercepting streets, or between a street and right-of-way, waterway, and of a dead-end street, or boundary measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.

Garage: An accessory building or portion of a principal building for the parking or temporary storage of automobiles, travel trailers, and/or boats of the occupants of the premises.

Green Space or Open Space: An area that is intended to provide light and air. Open space may include, but is not limited to, meadows, wooded areas, and waterbodies.

Home Occupation: Any use conducted entirely within a dwelling or accessory building of the dwelling by the owner/occupant of the dwelling and as a secondary use which is clearly incidental to the use of the dwelling for residential purposes.

Hospital or Skilled Nursing Facility: A building or a portion thereof used for the accommodation of sick, injured, or infirm persons, including Santeria, Sanatoria.

Industry: Any enterprise other than home-occupation.

Junk: Any worn-out, cast-off or discarded article which is ready for destruction or has been collected or stored for salvage or conversion to some other use. Any article or material which, unaltered or unchanged and without further rezoning, can be used for its original purpose as readily as when new, shall not be considered junk. Also, old scrap copper, brass, rope, rags, trash, waste, batteries, paper, rubber, iron, steel, and other old or scrap ferrous or nonferrous materials, but not including scrap (unwanted or discarded) tires. Cross-reference: O.R.C. 4737.05(A) and 3734.01(Z).

Junk Motor Vehicle: Any motor vehicle that:

A. Is left on private property (with or without permission of the landowner), a public street, a right-of-way, a parking lot or other property open to the public for travel for 48 hours or longer;
And one of following;

B. Is extensively damaged (including but not limited to missing wheels, tires, motor, body parts); OR

C. Is apparently inoperable; OR

D. Has a fair market value of One Thousand, Five Hundred Dollars (\$1,500.00) or less and no current registration.

Vehicle must be in an enclosed structure.

Cross-reference: O.R.C. 4513.63.

Kennel: Any private lot or premises on which four (4) or more dogs more than four (4) months of age are kept.

Land Trust: A non-profit, tax-exempt entity whose primary purpose includes the preservation of open space, natural land, rural land, or agricultural land, and which is permitted to hold conservation easements under ORC 5301.68.

Lot Frontage: The front of a lot shall be considered to be the portion nearest the street. Minimum frontage requirements must be continuous road frontage.

Lot Measurements: Lot measurements are defined as follows:

A. Depth: The average horizontal distance between the front and rear lot lines.

B. Width: The distance between the lines connecting front and rear lot lines at each side of the lot. The minimum lot width must be maintained throughout the entire parcel.

Lot/Parcel: A piece, parcel, or plot of land as shown and recorded in the land records of the Knox County Recorder which is occupied or may be occupied by one principal building and its accessory buildings including the open spaces required under this Resolution.

Lot of Record: Any lot existing prior to zoning adoption or changes.

Manufactured Home: A building unit or assembly of closed construction for human habitation that is fabricated in an off-site facility and constructed in conformance with federal construction and safety standards and is designed to be transported to another site for fixture. Cross-reference O.R.C. 3781.06(C)(4).

Mobile Home: A building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five (35) body feet in length or, when erected on site, is three hundred twenty (320) or more square feet, is built on a permanent chassis, is transportable in one or more section, and does not qualify as a manufactured home. Cross-reference: O.R.C. 4501.01(O).

Mineral: Any chemical compound occurring naturally as a product of inorganic processes.

Natural Feature: An existing component of the landscape maintained as a part of the natural environment and having ecological value in contributing beneficially to air quality, erosion control, groundwater recharge, noise abatement, visual amenities, the natural diversity of plant and animal species, human recreation, reduction of climatic stress, and energy costs.

Non-Conforming Use: A use of building or land lawful at the time of enactment of this Resolution that does not conform with the “permitted use” provisions of this Resolution.

Nuisance: Any condition or use of premises, building, or any substance or material which is or may become noxious, offensive, injurious, or dangerous to the public health or safety; or, that activity which arises from unreasonable, unwarranted, or unlawful use by a person of his own property, which occasions obstruction or injury to a right of another or to the public.

ORC: Ohio Revised Code.

Open Space or Green Space: An area that is intended to provide light and air. Open space may include, but is not limited to, meadows, wooded areas, and waterbodies.

Ordinary High Water Mark: The term “ordinary high water mark” means that line on the shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.

Original Tract: Any lot in existence as of August 12, 2006 shall be considered an original tract for the purpose of this section. Thereafter this original tract may be subdivided only in accordance with the requirements of this section.

Permanent Foundation: A foundation that is of continuous building block, poured cement or concrete, or any other acceptable foundation material.

Permanently Sited Manufactured Home: (1) The structure is affixed to a permanent foundation and is connected to appropriate facilities, (2) the structure, excluding any addition, has a width of at least 22 feet at one point, a length of at least 22 feet at one point, and a total living space of at least 900 square feet, (3) the structure has a minimum 3:12 roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering, (4) the structure was manufactured after January 1, 1995, (5) the structure is not located in a manufactured home park.

Planned Unit Development: An area of land in which a variety of housing types are accommodated in a pre-planned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that normally apply under these regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles, and landscaping plans.

Prefabricated Building, Modular: A completely assembled and erected building or structure, including the service equipment, of which the structural parts consist of prefabricated individual units or subassemblies using ordinary or controlled materials, and in which the service equipment may be either prefabricated or on-site constructed and placed on a permanent foundation.

Private Street: A local private way which provides vehicular access to two or more residential structures that is not and will not be dedicated to public use, but which is owned and maintained by an association.

Private Swimming Pool: “Private Swimming Pool” means a swimming pool used only by the owner of the pool and his/her invitees as an additional accessory use at a private residence.

Professional: When used in connection with “use” and “occupancy,” a use or occupancy by persons generally engaged in rendering personal, executive, sales, or administrative services or activities, including accountants, architects, professional engineers and land surveyors, doctors, lawyers, insurance offices, real estate offices, religious organizations, stock brokers, and administrative agencies considered professional in character. The term does not include repair or sale of tangible personal property stored or located within the structure, nor any use which would create any loud noises or obnoxious odors.

Project Boundary: The boundary defining the tract or tracts of land that are included in a development project to meet the minimum required project area for a conservation development. The term “project boundary” shall also mean “development boundary.”

Public Improvement: Any roadway, sidewalk, pedestrian way, tree lawn, lot improvement, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or that may affect an improvement for which responsibility by the local government is established.

Public Utilities: Public service structures such as power plants or substations, water lines, treatment plants or pumping stations, sewage disposal systems and treatment plants, or such similar operation publicly or privately owned, furnishing electricity, gas, rail transport, communications, or related services to the general public.

Public Water and Sewage Disposal: The water and sewage disposal systems owned and operated by the city, township and municipality, serving three (3) or more families.

Recreational Uses: Any use of land involving passive (not requiring development of or on land) rest and relaxation activities such as fishing, boating, picnicking, or hunting.

Residential Use: Any place, building, or establishment used in whole or in part as a dwelling.

Restricted Open Space: Open Space within a conservation development that is of sufficient size and shape to meet the minimum zoning requirements, that is restricted from further development according to the provisions of the conservation article.

Right-of-Way: Access over or across particularly described property for a specific purpose or purposes.

Rubbish: Shall include but shall not be limited to wire, bottles, broken glass, crockery, tin, cast or wooden ware, boxes, rags, weeds, paper, circulars, handbills, books, discarded or abandoned iceboxes, refrigerators, washing machines or any other airtight or semi-airtight containers or building materials not being utilized in building construction, and all residue from building construction.

Setback: The required distance between a building and a lot line, street right-of-way, pavement, stream or riverbank, wetland or other delineated site feature.

Setback Line Front: A line established by the zoning resolutions generally parallel with and measured from the centerline of the public or private street, defining the limits of a yard in which no building may be located above ground, except as may be provided in such codes.

Setback Line Rear: A line established by the zoning resolutions generally parallel with and measured from the rear lot line, defining the limits of a yard in which no building may be located above ground, except as may be provided in such codes.

Setback Line Side: A line established by the zoning resolutions generally parallel with and measured from the side lot lines, defining the limits of a yard in which no building may be located above ground, except as may be provided in such codes.

Sign: Any object, device, display, structure, or part thereof, situated outdoors or visible from outdoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, home, product, service, event, or location by any means, including words, letters, figures, designs, fixtures, colors, illumination, or projected images, except as may be modified by O.R.C. 519.20. Signs do not include the flag or banner of any nation, state, city, or religious organization.

Sign, Area of: The total exterior surface computed in square feet of a sign having but one exposed exterior surface, 1/2 the total of the exposed exterior surface computed in square feet of a sign having more than one surface.

Sign, Home Occupation: A sign directing attention to a product, commodity, or service available on the premises, but which product, commodity, or service is clearly a secondary use of the dwelling.

Sign, Outdoor Advertising: A structural poster panel or painted sign, either free standing or attached to a building, for the purpose of conveying information, knowledge, or ideas to the public about a subject unrelated to the premises upon which it is located.

Sign Structure: A structure composed of a single pole or multiple poles which is located on the ground which supports no more than two (2) signs.

Signs Structure, Facing: The surface of the sign upon, against, or through which the message of the sign is exhibited, not including architectural trim and structural supports.

Signs, Temporary: Any sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard, or other materials with or without frames intended to be displayed for a period of not more than thirty (30) consecutive days.

Site Plan: The proposal for a development or a subdivision including all covenants, grants, or easements and other conditions relating to use, location, and bulk of buildings, density of development, common open space, public facilities, and such other information as is required in applicable sections of this Resolution.

Standard Subdivision: A major or minor subdivision, as defined by the Ohio Revised Code, in which property is subdivided into lots having the minimum front, side and rear yards as specified by the College Township Zoning Resolution and with each lot having the requisite frontage on a dedicated public street.

Stream Bank or River Bank: The ordinary high water mark of the stream or river, otherwise known as the bank full stage of the stream or river channel. Indicators used in determining the bank full stage may include changes in vegetation, slope or bank materials, evidence of scouring, and stain lines.

Street: Any public or private way dedicated to public travel. The word “street” shall include the words “roads,” “highway,” and “thoroughfare”

Structure: Anything constructed, whether stationary or moveable, or an attachment to something having a permanent location on the ground.

Structural Alteration: Any change in the structural members of a building such as walls, columns, beams, or girders, whether by demolition or construction.

Subdivision:

- A. The division of a parcel of land into three (3) or more parcels for the purpose of transfer of ownership.
- B. If a new street is involved, the division of any parcel of land.
- C. The term subdivision includes the following: (1) resubdivision; (2) the process of subdividing; and (3) the property being subdivided.
- D. Any property which falls within the definitional standards of (A), (B), and (C) above, must comply with the provisions of this Zoning Resolution for recordation purposes.
- E. The term “Subdivision” shall not include a single division of a lot or parcel for the purpose of sale or gift to a member of the immediate family of the owner. Only one such division shall be allowed per family member, and shall not be for the purpose of circumventing the provisions of the subdivision resolution. Plat of the division is required.

Swimming Pool: A fixture or structure, either permanent or portable, filled or capable of being filled with water to a depth of thirty or more inches at any point therein and used or designed to be used for swimming or recreational bathing.

Telecommunications Tower: Any free-standing structure, or any structure to be attached to a building or other structure, that meets all of the following criteria and is to be filed under the “Special Use“ section of the Zoning Resolutions:

- A. The free-standing or attached structure is proposed to be constructed on or after the effective date of this resolution.
 - B. The free-standing or attached structure is proposed to be owned or principally used by a public utility engaged in the provision of Telecommunications services.
 - C. The free-standing or attached structure is proposed to be located in an unincorporated area of a township, in an area zoned for residential use.
 - D. The free-standing structure is proposed to top at a height that is greater than either the maximum allowable height of residential structures within the zoned area as set forth in the applicable zoning regulations, or the maximum allowable height of such a free-standing structure as set forth in any applicable zoning regulations in effect immediately prior to the effective date of this amendment or as those regulations subsequently are amended.
 - E. The free-standing or attached structure is proposed to have attached to it radio frequency transmission or reception equipment.
- Temporary residence : rv, camper ,motorhome, travel trailer, tent. house trailer.

Thoroughfare, Primary or Secondary: An officially designated federal or state numbered highway or county or other road, street, or the like, open at both ends.

Tourist Home/Bed and Breakfast: A building or part thereof, other than a hotel, boarding house or motel, where lodging is provided by a resident family in its home for compensation, mainly for transients.

Townhouse: A unit separated from adjacent units by a vertical wall with no openings, providing a dwelling for a single-family, in which separate access to the outside is provided, and in which the major orientation of the unit is vertical rather than horizontal, or any condominium unit of similar physical character, appearance, and structure.

Township Zoning Commission: See “Commission”.

Travel Trailer: A vehicular, portable structure built on a chassis, designed to be used as a temporary occupancy for travel, recreation, or vacation. Such shall not be for permanent residence and residency shall not exceed sixty (60) days.

Unnecessary Hardship: A detriment to the applicant or landowner that means he/she cannot make use of the property for any of the purposes or uses for which it is zoned without variance from the regulations of this Resolution. This detriment must not be of the landowner's making or creation and must not have been entered into willfully, but must be a function of the characteristics of the land. If a use for which the property is zoned is possible without variance, no hardship exists.

Use: The purpose or activity for which a building, structure, or land is occupied or maintained.

Use, Accessory: A subordinate use, customarily incidental to and located upon the same lot occupied by the main use.

Variance: A relaxation of the terms of the Zoning Resolution where such variance will not be contrary to the public interest and where, owing to the conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the Resolution would result in an unnecessary hardship, and so that the spirit of the Resolution shall be observed and substantial justice done. As used in this Resolution, a variance is authorized only for height, area, and size of structure or size of yards and open spaces. Cross-reference: O.R.C. 519.14(B).

Wetland: An area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. The three criteria that must exist on a site for an area to be designated a wetland are hydric soils, hydrophobic vegetation, and wetland hydrology.

Yard: A piece of enclosed ground adjoining or surrounding a house or other building, or surrounded by it.

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

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

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

Zoning Certificate: A document issued by the College Township Zoning Inspector authorizing building structures and signs with uses consistent with the terms of the College Township Zoning Resolution and for the purpose of carrying out and enforcing its provisions.

Zoning Inspector: The College Township Zoning Inspector, or his/her authorized representative.

Zoning Map: The districts and boundaries thereof are established as shown on the College Township Zoning Map, which map, together with all notations, references, dates, district boundaries and other information shown thereon, shall be part of this Resolution.

PART TWO: ADMINISTRATION AND ENFORCEMENT

ARTICLE THREE: ADMINISTRATIVE BODIES AND THEIR DUTIES

3.1 ZONING INSPECTOR:

Position of Zoning Inspector Established: The Zoning Inspector, appointed by the Board of Township Trustees, shall enforce the Zoning Resolution. All officials and/or employees of the Township shall assist the Zoning Inspector by reporting any new construction, reconstruction, or apparent violations to this Resolution.

Relief From Personal Liability: The Zoning Inspector, acting in good faith and without malice in the discharge of his/her duties during enforcement of this Resolution is relieved of all personal liability for any damage that may accrue to persons or property as a result of such acts of alleged failure to act. Further, he/she shall not be held liable for the costs in any action, suit or proceeding that may be instituted against him/her as a result of the enforcement of this Resolution.

Duties of Zoning Inspector: For the purposes of this Resolution, the Zoning Inspector shall have the following duties:

- A. Enforce the Zoning Resolution and take all necessary steps to remedy conditions found in violation by ordering, in writing, the discontinuance of illegal uses or work in progress, and direct cases of noncompliance to the Board of Zoning Appeals or other appropriate entity for action.
- B. Issue zoning certificate(s) when the provisions of the Zoning Resolution have been met, or refuse to issue same in the event of noncompliance.
- C. Collect designated fees as, established by separate resolution, for zoning certificates, appeals, variances and conditional uses.

- D. Make and keep all records necessary and appropriate to the office including records of issuance and denial of zoning certificates and receipt of complaints of violation of the Zoning Resolution and action taken on same.
- E. Inspect any buildings or lands to determine whether any violations of the Zoning Resolution have been committed or exist.
- F. Regional Planning Commission meetings.

3.2 BOARD OF ZONING APPEALS:

Establishment:

There is hereby established a Board of Zoning Appeals, which shall have the authority as specified in **Sections 519.13** through **519.15** of the **Ohio Revised Code**, subject to such rules of a procedural nature as said Board may adopt and promulgate for the purposes of acting on matters properly before it.

The Board of Zoning Appeals shall consist of five (5) members appointed by the Board of Township Trustees. Every member shall be a resident of the unincorporated territory of College Township, and Knox County, Ohio. The terms of members shall be of such length and so arranged that the term of one member shall expire each year; however, each member shall serve until his/her successor is appointed. Vacancies shall be filled by resolution of the Board of Township Trustees for the unexpired term of the member affected.

Removal of Members:

Members of the Board of Zoning Appeals shall be removable for non-performance of duty, misconduct in office, or other cause by the Board of Township Trustees, after public hearing and notification, following the procedures specified for the Zoning Inspector in Article Three above.

Proceedings:

The Board shall organize annually and elect a Chairman and Co-Chairman.

Meetings of the Board shall be held at the call of the Zoning Secretary, and at other such times as the Board shall determine. The Board shall adopt, from time to time, such rules and regulations as it may deem necessary to implement the provisions of this Zoning Resolution. All meetings of the Board shall be open to the public.

The Zoning Secretary shall keep minutes of its proceedings, showing the vote of each member upon each question; or, if absent or failing to vote, indicating such fact; and shall keep records of its examinations and other official action, all of which shall be public record and immediately filed in the Township offices.

The Board shall have the power to subpoena witnesses, administer oaths and may require the production of documents, under such rules as it may establish.

3.3 PROCEDURE:

The College Township Zoning Appeals Board shall organize and adopt rules for its own government and in accordance with this resolution. Meetings of the College Township Zoning Appeals Board shall be held at the call of the chairman and at such other times as the College Township Zoning Appeals Board may determine. The chairman, or in his/her absence, the Acting Chairman, may administer oaths and the College Township Zoning Appeals Board may compel the attendance of witnesses. All meetings of the College Township Zoning Appeals Board shall be open to the public. The College Township Zoning Appeals Board shall keep minutes of its proceedings, showing the vote of each member upon each question or if absent or failing to vote indicating such act, and shall keep records of its examinations and other official actions, all of this shall be immediately filed in the office of the College Township Trustees and shall be public record.

Three (3) members of the College Township Zoning Appeals Board shall constitute a quorum. The College Township Zoning Appeals Board shall act by resolution and a concurring vote of three (3) members of the College Township Zoning Appeals Board shall be necessary to reverse an order of determination of the College Township Zoning Inspector or to decide in favor of an applicant in any matter of which the College Township Zoning Appeals Board has original jurisdiction under this resolution or to grant any variance from the requirements stipulated in this resolution. The College Township Zoning Appeals Board shall call upon the township departments for assistance in the performance of its duties and it shall be the duty of such departments to render such assistance to the College Township Zoning Appeals Board as may reasonably be required.

3.4 POWERS OF ZONING INSPECTOR, BOARD OF ZONING APPEALS AND BOARD OF TOWNSHIP TRUSTEES ON MATTERS OF APPEAL:

It is the intent of this Resolution that all questions of interpretation and enforcement shall first be presented to the Zoning Inspector. Such questions shall be presented to the Board of Zoning Appeals only on appeal from the decision of the Zoning Inspector, and recourse from the decisions of the Board of Zoning Appeals shall be only to the courts as provided by law. It is further the intent of this Resolution that the powers of the Board of Township Trustees in connection with this Resolution shall not include hearing and deciding questions of interpretation and enforcement that may arise. The Board of Township Trustees shall not have the authority to override the decisions of the Board of Zoning Appeals and/or the Zoning Inspector on matters of appeal or variance. Nonetheless, nothing in this Resolution shall be interpreted to prevent any official of the Township from appealing a decision of the Board of Zoning Appeals to the courts pursuant to Chapters 2505 and 2506 of the Ohio Revised Code. Such appeal shall be made within ten (10) days of the Board's written decision.

3.5 ZONING COMMISSION:

Establishment:

There is hereby established a Zoning Commission, which shall have the authority as specified in Sections 519.13 through 519.15 of the Ohio Revised Code, subject to such rules of a procedural nature as said Commission may adopt and promulgate for the purposes of acting on matters properly before it.

The Zoning Commission shall consist of five (5) members appointed by the Board of Township Trustees. Every member shall be a resident of the unincorporated territory of College Township, and Knox County, Ohio. The terms of members shall be of such length and so arranged that the term of one member shall expire each year; however, each member shall serve until his/her successor is appointed. Vacancies shall be filled by resolution of the Board of Township Trustees for the unexpired term of the member affected.

Removal of Members:

Members of the Zoning Commission shall be removable for non-performance of duty, misconduct in office, or other cause by the Board of Township Trustees, after public hearing and notification, following the procedures specified for the Zoning Inspector in Article Three above.

Proceedings:

The Commission shall organize annually and elect a Chairman and Co-Chairman.

Meetings of the Commission shall be held at the call of the Zoning Secretary, and at other such times as the Commission shall determine. The Commission shall adopt, from time to time, such rules and regulations as it may deem necessary to implement the provisions of this Zoning Resolution. All meetings of the Zoning Commission shall be open to the public.

The Zoning Secretary shall keep minutes of its proceedings, showing the vote of each member upon each question; or, if absent or failing to vote, indicating such fact; and shall keep records of its examinations and other official action, all of which shall be public record and immediately filed in the Township offices.

The Commission shall have the power to subpoena witnesses, administer oaths and may require the production of documents, under such rules as it may establish.

ARTICLE FOUR: ENFORCEMENT AND PENALTY

4.1 ENFORCEMENT BY THE COLLEGE TOWNSHIP ZONING INSPECTOR:

There is hereby established the position of College Township Zoning Inspector. It shall be the duty of the College Township Zoning Inspector to enforce this resolution in accordance with the administrative provisions of this resolution. All departments, officials and public employees of the College Township vested with the duty or authority to issue permits and licenses shall conform with the provisions of this resolution and shall issue no permit or license for any use, building, or purpose in conflict with the provisions of this resolution. Any permit or license issued in conflict with the provisions of this resolution shall be null and void.

4.2 FILING PLANS:

Every application for a zoning certificate shall be accompanied by plans in duplicate drawn to scale in black or blue line print, showing, (on the basis of survey) the actual location, shape and dimensions of the lot to be built upon or to be changed in its use in whole or in part; the exact location, size and height of any building or structure to be erected or altered; the existing and intended use of each building or structure or any part thereof; the number of families or housekeeping unit the building is designed to accommodate; and when no buildings are involved, the location of the present use and proposed use to be made of the lot; such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this resolution. One copy of such plans shall be returned to the owner when such plans have been approved by the College Township Zoning Inspector, together with such zoning certificate as may be granted.

The lot and the location of the building thereon shall be staked out on the ground before construction is started. In every case where the lot is not provided and is not intended to be provided with public water and/or the disposal of sanitary waste by means of public sewers, the application shall be accompanied by a Certificate of Approval by the Health Department of Knox County of the proposed method of water supply and/or disposal of sanitary waste.

4.3 ACCESS MANAGEMENT PERMIT:

The State Highway Department is responsible for state highway access permits.

The Knox County Engineer is responsible for county road access permits.

The College Township Zoning Inspector is responsible for township roads.

The College Township Zoning Inspector, in consultation with the owner, will establish a satisfactory location to be devised for the driveway. Under the Knox County Residential Access Management Plan, a township access permit shall be applied for with the Zoning Inspector, for township roads.

4.4 ZONING CERTIFICATE:

It shall be a violation of these regulations for an owner to use or to permit the use of any structure, building, land or outdoor business sign or part thereof thereafter created, erected, changed, converted, or enlarged wholly or partly, until a zoning certificate has been issued by the College Township Zoning Inspector. Such zoning certificate shall show that such building or premises, or part thereof, are in conformity with the provisions of this resolution. It shall be the duty of the College Township Zoning Inspector to issue a zoning certificate provided that he/she is satisfied that the structure, building or premises and the proposed use thereof, and the proposed methods of water supply and disposal of sanitary waste conform with all the requirements of this resolution.

No permit for the excavation and construction shall be issued by the College Township Zoning Inspector unless the plans, specifications and the intended use conform with the provisions of this resolution.

Any work or construction for which a zoning certificate is required must be completed within the below specified times or said Zoning Certificate will be considered void. Permits are needed for:

- 1. New structure or additions and expansions of
Existing structures: 2 years
- 2. Swimming polls requiring excavation: 1 year
- 3. Signs: 6 months
- 4. Temporary Visitors Zoning Certificate: 30 days
- 5. Agriculture Structures: 2 years
- 6. Cell Towers: 6 months
- 7. Property Owner Temporary Residence: 1 year

4.5 INFORMATION NEEDED FOR ATTACHMENT TO APPLICATION FOR ZONING PERMIT:

- A. Three (3) copies of application.
- B. Three (3) copies of Knox County Health Department Water and Sanitation approved permit.
- C. Three (3) copies of Access Management Permit.
- D. Three (3) copies of Plat.
- E. Three (3) copies of footprint of structures on the building parcel.
- F. Three (3) copies of drawing of lot lines, setbacks, structures, and dimensions.
- G. Three (3) copies of Storm Water and Erosion Permit from the Knox County Regional Planning Office.

4.6 FEES FOR ZONING CERTIFICATE:

The College Township Trustees shall pass by resolution a schedule of fees included in this resolution which are posted with the College Township Zoning Map in the Gambier Firehouse and which is also available from the College Township Zoning Inspector.

4.7 VIOLATIONS AND PENALTIES:

It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain or use any building or land in violation of the provisions of this resolution or any amendment or supplement thereto adopted by the College Township Trustees. Any person, firm or corporation violating any of the provisions of this resolution of any amendment or supplement thereto shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than \$500.00, this amount established by ORC 519.99. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use continues may be deemed a separate offense.

4.8 VIOLATION REMEDIES:

In case any building is, or is supposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used, or any land is or is proposed to be used in violation of this resolution, or any amendment or supplement thereto, the College Township Trustees, the Prosecuting Attorney for Knox County, the College Township Zoning Inspector, or any adjacent or neighboring property owner who would be specifically damaged by such violation in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or other appropriate action or actions, proceeding or proceedings to prevent, enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance, or use. The College Township Trustees may employ special counsel to represent it in any proceeding or to prosecute any action brought under this Article.

ARTICLE 5: NONCONFORMITIES

5.1 EXISTING NONCONFORMING USES- CONTINUATIONS:

Except as hereinafter specified, the lawful use of a building or premises existing at the time of the adoption or amendment of this Resolution may be continued although such use, building or structure does not conform with the provisions of this Resolution for the district in which it is located.

5.2 NONCONFORMING USES OF BUILDINGS- ENLARGEMENT, SUBSTITUTION, ETC.:

Existing building or premises devoted to a use not permitted by this Resolution in the district in which such building or premises is located, except when required to do so by law or order, shall not be enlarged, extended, reconstructed, substituted or structurally altered, unless approved by the College Township Zoning Appeals Board and excepted as follows:

Substitution: When authorized by the College Township Zoning Appeals Board in accordance with the provisions of Article 9 the substitution for nonconforming use of another not more objectionable nonconforming use.

Nonconforming Use Made to Conform: Whenever a nonconforming use has been changed to a conforming use, such use shall not thereafter be changed to a nonconforming use.

5.3 DISCONTINUANCE OF USE:

No building, structure, or premises where a nonconforming use has been discontinued for a period of twenty-four (24) months or more shall again be put to a nonconforming use.

5.4 REPAIRS AND ALTERATIONS:

Repairs and maintenance work as required to keep it in sound condition may be made to a nonconforming building or structure.

5.5 REPLACING DAMAGED BUILDINGS:

Any nonconforming building or structure, or one or more of a group of nonconforming buildings or structures related to one industry and under one ownership which has been or may be damaged by fire, flood, explosion, earthquake, war, riot, or act of God, may be reconstructed and used as before, if it is done within twelve (12) months of such calamity. If 75% or more of the building or structure has been damaged, rebuilding will not be permitted.

ARTICLE SIX: DISTRICT CHANGES AND AMENDMENTS

6.1 INITIATION OF AMENDMENTS OF SUPPLEMENTS:

Amendments or supplements to the Zoning Resolution may be initiated by motion of the College Township Zoning Commission, by the passage of a resolution by the College Township Trustees, or by the filing of an application by one or more of the owners or lessees of the property within the area (i.e. Specific zoning classification), proposed to be changed or affected by the proposed amendment or supplement with the College Township Zoning Commission. The College Township Trustees shall upon the passage of such resolution, certify it to the College Township Zoning Commission.

6.2 PROCEDURE FOR CHANGE:

Applications for amendments or supplements to this Resolution shall be submitted to the College Township Zoning Commission and shall be accompanied by such data or information that shall be subscribed for that purpose by the Zoning Commission so to assure the fullest practical presentation of facts for the permanent record. Each application shall be verified by at least one of the owners of the property within the area (i.e. specific zoning classification) proposed to be changed or affected, attesting to the truth and correctness of the facts and information presented with the application.

6.3 NAMES AND ADDRESSES OF PROPERTY OWNERS:

Any person or persons desiring amendments or supplements to this Zoning Resolution shall file with the application for such change a statement giving the names of all owners of property within a contiguous area proposed to be reclassified or redistricted, the addresses of such owners appearing on the current tax roll.

6.4 PUBLIC HEARING BY ZONING COMMISSION:

Upon the adoption of such motion or the certification of such resolution or the filing of such application, the Zoning Commission shall set a date for a public hearing thereon, which date shall not be less than twenty (20) days nor more than forty (40) days from the date of the certification of such resolution or the date of adoption of such motion or the date of the filing of such application. Notice of such hearing shall be given by the Zoning Commission by one publication in one or more newspapers of general circulation in the Township at least fifteen (15) days before the date of such hearing.

6.5 WRITTEN NOTICE:

Written notice of the hearing shall be mailed by the College Township Zoning Commission Secretary to all owners of property within and contiguous to the area (i.e. Zoning District) proposed to be reclassified or redistricted by certified mail fifteen (15) days before such hearing to the addresses of such owners appearing on the current tax roll, list, or duplicate of the County or to the address of the property. The failure of delivery of such notice shall not invalidate any amendment or supplement.

6.6 TRANSMITTAL TO REGIONAL PLANNING COMMISSION:

Within five (5) days after the adoption of such motion, or the certification of such resolution, or the failure of such application, the College Township Zoning Commission shall transmit a copy thereof together with text and map pertaining thereto to the Regional Planning Commission.

6.7 ACTION BY REGIONAL PLANNING COMMISSION:

The Regional Planning Commission shall recommend the approval or denial of the proposed amendment or supplement or the approval of some modification thereof and shall submit such recommendation to the College Township Zoning Commission. Such recommendation shall be considered at the public hearing by the College Township Zoning Commission on such proposed amendment or supplement.

6.8 RECOMMENDATION BY ZONING COMMISSION TO TOWNSHIP TRUSTEES:

The College Township Zoning Commission shall, within thirty (30) days after such hearing, recommend the approval or denial of the proposed amendment or supplement, or the approval of some modification thereof, and submit such recommendation of the Regional Planning Commission thereon to the College Township Trustees.

6.9 PUBLIC HEARING BY TOWNSHIP TRUSTEES:

The Township Trustees shall, upon receipt of such recommendation set a time for a public hearing on such proposed amendment or supplement, which date shall not be more than thirty (30) days from the date of the receipt of such recommendation from the Zoning Commission. Notice of such public hearing shall be given by the College Township Trustees by one publication in one or more newspapers of general circulation in the Township, at least fifteen (15) days before the date of such hearing.

6.10 SUBMISSION TO STATE HIGHWAY DISTRICT:

Before any zoning permit is issued affecting any land within three hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certification to local officials by the State Highway Director or any land within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Zoning Inspector shall give notice by registered or certified mail to the Highway Director. The Zoning Inspector shall not issue a zoning permit for one hundred twenty (120) days from the date the notice is received by the Highway Director. If the Highway Director notifies the Zoning Inspector that he/she shall proceed to acquire the land needed, then the Zoning Inspector shall refuse to issue the zoning permit. If the Highway Director notifies the Zoning Inspector that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Highway Director and the property owner, the Zoning Inspector shall, if the application is in conformance with all provisions of this resolution, issue the zoning permit.

6.11 WRITTEN NOTICE:

Written notice of the hearing shall be mailed by the College Township Zoning Commission Secretary to all owners of property within and contiguous to the area proposed to be reclassified or redistricted by certified mail fifteen (15) days before such hearing to the addresses of such owners appearing on the current tax roll, list or duplicate of the County or to the address of the property. The failure of delivery of such notice shall not invalidate any amendment or supplement.

Within twenty (20) days after such public hearing, the College Township Trustees shall either adopt or deny the recommendations of the College Township Zoning Commission or adopt some modification thereof. In the event the Trustees deny or modify the recommendation of the College Township Zoning Commission, the unanimous vote of the College Township Trustees shall be required.

6.12 EFFECTIVE DATE OF AMENDMENT OR SUPPLEMENT:

REFERENDUM: Such amendment or supplement adopted by the College Township Trustees shall become effective in thirty (30) days after the date of such adoption unless within thirty (30) days after the adoption of the amendment or supplement, there is presented to the College Township Trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the Township equal to not less than 8% of the total vote cast for all candidates in such area at the last preceding general election at which a governor was elected, requesting the College Township Trustees to submit an amendment or supplement to the electors of such area for approval or rejection at the next primary or general election.

6.13 RESULT OF REFERENDUM:

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

**ARTICLE SEVEN: APPEALS
APPLICATIONS, APPEALS, HEARINGS AND STAY OF
PROCEEDINGS:**

7.1 APPLICATIONS: WHEN AND BY WHOM TAKEN:

An application, in cases on which the College Township Zoning Appeals Board has original jurisdiction under the provisions of this resolution, may be filed by any property owner, including a tenant or by a governmental official, department, board or bureau of College Township. Each application or appeal shall be accompanied by a check payable to the Clerk of College Township or cash payment sufficient in amount to cover the cost of publishing and/or posting and mailing the notices of the hearing or hearings.

7.2 APPEALS- WHEN AND BY WHOM TAKEN:

An appeal to the College Township Zoning Appeals Board may be taken by any person aggrieved or by any officer of the Township affected by any decision of the College Township Zoning Inspector. Such appeal shall be taken within twenty (20) days after the decision by filing with the College Township Zoning Inspector and with the College Township Zoning Appeals Board, a Notice of Appeal specifying the grounds thereof. The College Township Zoning Inspector shall forthwith transmit to the College Township Zoning Appeals Board all papers constituting the record upon which the action appeals from was taken.

7.3 HEARINGS:

The College Township Zoning Appeals Board shall fix a reasonable time for the hearing of the application or appeal, given 10 days notice to the parties in interest, give notice of such public hearings by one (1) publication in one or more newspapers of general circulation in Knox County at least fifteen (15) days before the date of such hearing, and decide the same within a reasonable time after it is submitted. At the hearing any party may appear in person or by attorney. A party adversely affected by the decision of the College Township Zoning Appeals Boards may appeal to the Knox County Court of Common Pleas on the grounds that the decision was unreasonable or unlawful.

7.4 DECISION OF THE COLLEGE TOWNSHIP ZONING APPEALS BOARD:

The College Township Zoning Appeals Board shall decide all applications and appeals within 30 days after the final hearing thereon. A certified copy of the College Township Zoning Appeals Board's decision shall be transmitted to the applicant or appellant and to the College Township Zoning Inspector. Such decisions shall be binding upon the College Township Zoning Inspector and observed by him/her and he/she shall incorporate the times and conditions of the same in the certificate to the applicant or appellant whenever a certificate is authorized by the College Township Zoning Appeals Board.. A decision of the College Township Zoning Appeals Board shall not become final until after the expiration of five (5) days from the date such decision is made unless the College Township Zoning Appeals Board shall find the immediate taking effect of such decision is necessary for the preservation of property or personal rights and shall so certify on the records.

7.5 STAY OF PROCEEDINGS:

An appeal shall stay all proceedings in furtherance of the actions appealed from unless the College Township Zoning Inspector certifies to the College Township Zoning Appeals Board, after Notice of Appeal shall have filed with him/her, that by reason of facts stated in the certificate a stay would in his/her opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by an order which may, on due cause shown, be granted by the College Township Zoning Appeals Board on application after notice to the College Township Zoning Inspector or by judicial proceedings.

7.6 INTERPRETATION OF ZONING MAP:

Where the street or lot layout actually on the ground, or as recorded, differs from the streets and lot lines as shown on the College Township Zoning Map, the College Township Zoning Appeals Board, after notice to the owners of the property or properties concerned, and after public hearing, shall interpret the map in such a way as to carry out the intent and purpose of this resolution. In case of any question as to the location of any boundary line between the zoning districts, a request for interpretation of the College Township Zoning Map may be made to the College Township Zoning Appeals Board and a determination shall be made by such board.

ARTICLE EIGHT: VARIANCES AND ADMINISTRATIVE REVIEW

8.1 ADMINISTRATIVE REVIEW AND VARIANCES:

The College Township Zoning Appeals Board shall have the power to hear and decide appeals filed as hereinbefore provided where it is alleged by the appellant that there is an error in any order, requirements, decision, or grant of refusal made by the College Township Zoning Inspector or other administrative official in the interpretation of the provisions of this resolution.

The College Township Zoning Appeals Board shall have the power to authorize upon appeal in specific cases filed as hereinbefore provided such variances from the provisions and requirements of this resolution as will not be contrary to the public interest, but only in such cases where, owing to special conditions, pertaining to a specific piece of property, the literal enforcement of the provisions and requirements of this resolution would cause undue and unnecessary hardship.

Where, by reason of the exceptional narrowness, shallowness or unusual shape of a specific piece of property on the effective date of this resolution, or by reason of exceptional topographic conditions or other extraordinary situation or condition of such piece of property, or of the use or development of property immediately adjoining the piece of property in question, the literal enforcement of the requirements of this resolution would involve practical difficulty or would cause unnecessary hardship, the College Township Zoning Appeals Board shall have the power to authorize a variance from the terms of this resolution so as to relieve such hardship and so that the spirit and purpose of this resolution shall be observed and substantial justice done. In authorizing a variance, the College Township Zoning Appeals Board may attach thereto such conditions regarding the location, character, and other features of the proposed structure or use as it may deem necessary in the interest of the furtherance of the purposes of this resolution and in the public interest. In authorizing a variance with attached conditions, the College Township Zoning Appeals Board shall require such evidence and guarantee or bond as it may deem necessary to insure that the conditions attached are being and will be complied with.

No such variances in the provisions or requirements of this resolution shall be authorized by the College Township Zoning Appeals Board unless such board finds that all the following facts and conditions exist:

- A. That there are exceptional or extraordinary circumstances or conditions applying to the property in question or to the intended use of the property that do not apply generally to other properties or classes of uses in the same zoning district;
- B. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and in the same vicinity;
- C. That the authorizing of such variance will not be of substantial detriment to adjacent property and will not materially impair the purposes of this resolution or of the public interest.

ARTICLE NINE: CONDITIONAL USES

9.1 CONDITIONAL USES:

The College Township Zoning Appeals Board shall give due regard to the nature and condition of all adjacent uses and structures, within College Township and they shall have the power to hear and decide on applications filed as herein provided for conditional uses, special exceptions, or for interpretation of the College Township Zoning Map. The College Township Zoning Appeals Board is authorized by this resolution to make decisions upon other special questions as needed. In considering an application for a conditional use, a special exception, or interpretation of the zoning map, the College Township Zoning Appeals Board shall give due regard to the nature and condition of all adjacent uses and structures. In authorizing a conditional use or special exception, the College Township Zoning Appeals Board may impose such requirements and conditions, with respect to location, construction, maintenance and operation, in addition to those expressly stipulated in this resolution for the particular conditional use or special exception, which the College Township Zoning Appeals Board may deem necessary for the protection of adjacent properties and the public interest.

In addition to permitting the conditional uses and special exceptions hereinbefore specified, the College Township Zoning Appeals Board shall have the power to permit the following conditional uses and special exceptions:

Non-conforming Uses- Substitution: The substitution of a non-conforming use existing at the time of enactment of this resolution by another non-conforming use, if no structural alterations, except those required by law or resolution are made; provided, however, that any use so submitted shall be of the same or a more restricted classification.

ARTICLE TEN: RESERVED FOR FUTURE USE

PART THREE: ZONING DISTRICTS

ARTICLE ELEVEN: STANDARD ZONING DISTRICT REGULATIONS

11.1 COMPLIANCE WITH REGULATIONS:

No building or structure shall be erected, converted, or altered, nor shall any building or land be used except for a purpose permitted in the district in which the building or land is located, except as hereinafter provided. No buildings or structures shall be erected, enlarged or altered except in conformity with the area regulations, minimum yard requirements, and minimum off-street parking space requirements of this Resolution for the district in which such building is located.

11.2 STREET FRONTAGE REQUIRED:

Except as permitted by other provisions of this Resolution, no lot shall contain any building used in whole or part for residential purposes unless such lot abuts for at least 250 feet on a street, and there shall be not more than one single-family dwelling for such frontage.

11.3 TRAFFIC VISIBILITY ACROSS CORNER LOTS:

In any Rural Residential District on any corner lot, no fence, structure, or planting shall be erected or maintained within 30 feet of the corner (the point of intersection of the right-of-way lines), which interferes with traffic visibility across the corner.

11.4 OFF-STREET PARKING AND LOADING:

In any district, spaces for off-street parking and for off-street loading shall be provided in accordance with the provisions in these Resolutions, Article Twenty-one.

11.5 EMERGENCY SERVICES:

Emergency Services shall be permitted as authorized and regulated by law and the Zoning Resolution of College Township, it being the intention, hereof, to exempt such emergency services from the application of these regulations.

11.6 HOME OCCUPATION:

Home Occupation shall be in the dwelling or accessory building and shall not occupy more than 20% of the structure, maximum of 240 square feet, or accessory building shall not occupy more than 600 square feet total.

11.7 ACCESSORY BUILDINGS:

Truck bodies and trailers are not permitted to be used as accessory buildings.

11.8 NEW CONSTRUCTION UTILITIES:

All new construction utilities MUST be placed underground.

11.9 UNSAFE BUILDINGS:

Nothing in this Resolution shall prevent the strengthening or restoring to a safe condition any part of a building or structure declared unsafe by proper authority (College Township Trustees or the Knox County Board of Health).

11.10 VACATED STREET OR ALLEY:

Whenever any street, alley or other public way is vacated by official action as provided by law, the Zoning District adjoining the side of such public way shall be extended automatically, depending on the side or sides to which such lands revert, to include the right-of-way thus vacated, which shall thenceforth be subject to all regulations of the extended district or districts.

11.11 TRAILER PROHIBITED:

Except: A mobile home, garage, basement or temporary structure may be temporarily used as a residence on a lot while a dwelling or addition is being constructed thereon, but such use shall not be continued for more than 12 months. A separate zoning certificate shall be required for the site of a temporary dwelling quarters.

11.12 TRAILERS-VISITORS:

Not more than one trailer, motor home or camper may be used as a temporary residence by a visitor on occupied property owned, leased, or rented by a resident of College Township for a period of more than 30 days, provided that:

- A. All provisions of the Knox County Board of Health are complied with.
- B. A fee of \$50.00 shall be paid to the College Township Trustees and the Zoning Inspector may issue a "Temporary Visitors Zoning Certificate" after a period of 30 days, no renewal.
- C. Only one per year.

11.13 ACCESSORY BUILDINGS IN RURAL RESIDENTIAL DISTRICT, AGRICULTURAL DISTRICT, AND SPECIAL USE DISTRICT:

Any building, structure, swimming pool, permanent sign, or accessory building shall be at least 6 feet from any dwelling situated on the same lot unless an integrated part thereof; at least 6 feet from any other accessory building, 20 feet from a side lot line in Rural Residential District and 60 feet from rear lot line. **An accessory building cannot be placed in front of the residential setback line.**

11.14 SLOPE:

No building or structure shall be erected in any district with a slope greater than 20%.

11.15 GREEN SPACE OR OPEN RESTRICTED SPACE:

The minimum of 50% of the total acreage in the tract will be devoted to green space or open restricted space in Rural Residential District. A minimum of 80% of the total acreage in the tract will be devoted to green space or open restricted space in an AG District.

11.16 Junk Motor Vehicle:

Any motor vehicle that is left on private property, (with or without the permission of the landowner), a public street, a right-of-way, a parking lot or other property open to public for travel for 48 hours or longer and one of the following:

Is extensively damaged(including but not limited to missing wheels, tires, motor, body parts); OR is apparently inoperable; OR has a fair market value of One Thousand Five Hundred Dollars (\$1500.00) or less and has no current registration.

ARTICLE TWELVE: ZONING DISTRICTS AND DISTRICT MAP

12.1 DISTRICTS:

The College Township is hereby divided into four (4) districts known as:

- C-1: Conservation District**
- AG: Agricultural District**
- R-R: Rural Residential District**
- S-U: Special Use District**

Any building or structure to be erected in any district requires a permit. There will be no fee for AG permits.

12.2 COLLEGE TOWNSHIP ZONING MAP:

The College Township Zoning Map is maintained by the Knox County Regional Planning Commission.

12.3 DISTRICT BOUNDARIES:

The district boundary lines on said map are intended to follow either streets or alleys or lot lines, and, where the districts designated on the map are bounded approximately by such street, alley, or lot lines, the street or alley or lot lines shall be construed to be the boundary of the district, unless such is otherwise indicated on the map. In case of subdivided property, the district boundary lines shall be determined by the use of the scale appearing on the College Township Zoning Map or by dimensions.

ARTICLE THIRTEEN- CONSERVATION DISTRICT (C-1)**13.1 PURPOSE:**

To protect public health, safety and general welfare; to protect persons, private and public property from the hazards of flood water inundation and to protect the community from costs which are incurred when urban development occurs in flood plains. Also to conserve areas which are subject to flood hazard for open land uses, agricultural uses, recreational uses and other uses which do not require construction of extensive buildings within the flood plain..

13.2 FLOOD PLAIN RIVER PROTECTION:

- A. Establishment of Buffer Zone in a Conservation District: To promote the public health, safety and welfare of the township by protecting and preserving this valuable water resource in that protection and conservation of a forest buffer is necessary for filtration and reduction of pollutants, bank stabilization, reduced structural damage caused from ice flows and/or large debris during flood events, reduced levels of runoff and in-stream erosion, maintenance of water temperatures and enhanced water quality provided by trees and natural under story vegetation is of vital concern and interest to the township and its residents.
- B. Boundary: The buffer zone shall be maintained along both sides of the stream channel. The boundary of the buffer area shall be set at 200 feet in a horizontal plane outward from the ordinary high water mark of the stream channel. It shall be preserved in its natural state and shall be adjusted outwards to include sensitive areas such as steep slopes, wetlands and wooded areas adjacent to the stream.
- C. Permitted Uses: Uses or activities shall not significantly affect the natural quality of the area and are limited to the following:
 - (a) Passive uses (i.e. hiking, fishing, bird watching, etc.) No public easement over private property is hereby created.

(b) Selective harvesting of timber where no more than 25% of the crown cover is removed every 15 years and the trees on the immediate stream banks are not harvested. Damaged or diseased trees or those in imminent danger of being uprooted or falling in or along the stream may be removed. The stump and root structure of trees on the stream bank shall be left in place to retard bank erosion.

D. Restrictions on Uses Within the Buffer Zone:

(a) No structural or surface construction of any kind shall be permitted.

(b) No discharge is permitted into any public or private sewer or drain, stream, or onto the ground of any liquids or materials which, because of their toxic properties or temperatures when discharged or placed, would contaminate the stream, river, watershed or groundwater. The Ohio EPA standards shall apply and be met in making a determination as to the propriety of the discharge. Discharges permitted by the Knox County Board of Health and/or the Ohio EPA are not restricted by this section.

(c) No drilling, filling, dredging or dumping of soil, spoil, liquid, construction waste or solid material shall be permitted.

(d) No animal waste storage areas shall be permitted.

(e) The natural vegetation within the buffer area shall remain undisturbed except for the removal of noxious weeds as otherwise permitted or required under the Ohio Revised Code Chapters 5579 and 5589.

13.3 USES PERMITTED IN THE C-1 CONSERVATION DISTRICT:

1. Any customary agricultural use, forestry.
2. Recreational areas such as fishing, lakes, golf courses, golf driving ranges, parks and overnight primitive camping.
3. Water conservation works, including water supply works, flood control and watershed protection, fish and game hatcheries and preserves, hydroelectric power installations.
4. Essential services.

13.4 PERMITTED USES WITHIN THE FLOODWAY:

The following open space uses shall be permitted to the extent that they do not require structures, fill or storage of materials or equipment. No use shall adversely affect the efficiency or unduly restrict the capacity of the channels or floodways of any tributary to the main stream, drainage ditch or other drainage facility or system:

- (a) Agricultural uses such as general farming, outdoor plant nurseries, horticulture, viticulture, truck farming and forestry.
- (b) Private and public recreational uses such as parks, day camps, picnic groves, shooting ranges, golf courses, hunting, fishing and boating provided no principal building is located in this floodway.
- (c) Accessory uses such as lawns, gardens, pervious parking areas, play areas and other uses fulfilling the requirements of this section.

13.5 CONDITIONAL USES WITHIN THE FLOODWAY:

The following uses are conditional uses, provided they fulfill the requirements of this section:

- (a) Extraction of sand, gravel and other materials.
- (b) Public service facilities such as streets, bridges, utilities and transmission lines. No fill, levee, deposit, obstruction, storage of materials or equipment or other use shall be permitted which acting along or in combination with existing or reasonably anticipated uses, impairs the efficiency or capacity of the floodway or unduly increases flood heights. Consideration of the effects of a proposed use shall be based upon the assumption that wherever physically possible there will be an equal degree of buffered area extending for a significant reach on both sides of the stream.

13.6 ADDITIONAL CONDITIONAL USES IN THE C-1 CONSERVATION DISTRICT:

1. Archery courts and other similar uses provided they are not located closer than 700 feet from any R-District or dwelling.
2. Reclamation of lands subject to flooding provided that no filling, draining, construction of levees or other improvements intended to reduce the danger of flood or erosion shall be authorized by the College Township Zoning Appeals Board unless the Board finds that such reclamation work in concert with the objectives of the Land Use Plan, and, that any such work is done in accordance with plans approved by the Knox County Soil and Water Conservation District.

13.7 REQUIRED CONDITIONS:

AG buildings or AG structures authorized in the Conservation District shall not obstruct natural drainage courses and floodways. Equipment, materials and wastes stored in areas subject to flooding shall have a specific gravity substantially heavier than water, or shall be otherwise secured against flooding away and shall not become a source of water pollution or contamination. Further:

1. Engineer's Report: Whenever the College Township Zoning Appeals Board is required to pass on matters of protection of life and property from flood hazards it shall request a report and recommendation thereon from the chief engineer of any conservation district. Such report shall be considered final and conclusive and the Board shall be bound thereby.
2. Changes to Non-conservation District: Changes of district classification from C-1 to any other classification provided by this Zoning Resolution may be initiated in accordance with the requirements of this Resolution, provided that no such change shall be authorized by the College Township Trustees unless the chief engineer of the conservation district certifies to the College Township Trustees that any flood condition existing at the time the C-1 District was originally established does no longer exist or has been remedied to the satisfaction of said engineer, and that the area in question is now reasonably well protected from floods for the intended purpose and occupancy. Prior to recommending a change of zoning to the College Township Trustees, the College Township Zoning Commission shall require completion of all necessary flood works in accordance with the recommendations and specifications in the C-1 District.

13.8 REQUIRED LOT AREA AND LOT WIDTH IN THE C-1 DISTRICT:

A lot having an area of not less than five (5) acres and a lot width of not less than 250 feet, with 250 feet road frontage, **except for public and governmental use. All floodplain restrictions and guidelines shall be met.**

ARTICLE FOURTEEN: AG- AGRICULTURAL DISTRICT

14.1 PURPOSE:

The purpose of the Agricultural District is to provide an area for agricultural pursuits protected from infringement of unguided urban development; to create and preserve a setting for rural small estate residential development; and to conserve areas physically unsuitable for intensive development.

14.2 USES PERMITTED IN THE AG DISTRICT:

1. Agricultural uses, commercial grain storage.
2. One-family residential dwelling, home occupation.
3. Utility and service system buildings and lands, public buildings, picnic grounds, religious and educational institutions.
4. Unlighted signs notifying of sale, rental or lease of land or sale of farm goods on the premises on which the sign is maintained having not over 4 square feet of sign area; signs announcing meeting time and place of civic organizations.
5. Conservation Development.

14.3 CONDITIONAL USES IN THE AG DISTRICT:

1. Real estate, professional, and small announcement signs, subject to provisions of these Resolutions, Article Twenty-two.
2. Uses of land including quarrying and mining of natural resources, sanitary fill and other types of land fill.
3. Cemeteries and golf courses.
4. Mobile or manufactured homes.
5. Conventional Development.

14.4 REQUIRED LOT AREA AND LOT WIDTH IN THE AG DISTRICT:

Each dwelling shall be located on a lot having an area of not less than five (5) acres and a lot width of not less than 250 feet, with 250 feet road frontage. However, the lot depth shall not be more than three (3) times the lot width, and each dwelling shall be located 200 feet or more from any existing agricultural building or buildings.

14.5 HEIGHT REGULATION IN THE AG DISTRICT:

No structure shall exceed 35 feet in height from the highest point of the ground level.

14.6 REQUIRED YARDS IN THE AG DISTRICT:

All dwellings shall have the following minimum yard spaces:

- Front Yard Setback: 200 feet
 Side Yard Setback: 20 feet
 Rear Yard Setback: 60 feet

Corner lots shall provide the minimum front yard requirements on each street side of the lot.

Any building lot of record before October 2000 and 2 acres or less shall have the following setbacks:

- Front Yard Setback: 75 feet,
 Side Yard Setback: 20 feet
 Rear Yard Setback: 60 feet**

14.7 REQUIRED FLOOR AREA IN THE AG DISTRICT:

Any building intended in whole or in part for Single-family residential purposes shall provide a minimum floor area as hereinafter specified. Such building shall not be less than twenty (20) feet in width or depth, whichever is the small dimension.

SINGLE-FAMILY DWELLING: Shall not be less than 20 feet in width or depth, whichever is the smaller dimension. With full basement: 1000 square feet ground floor area; Without full basement: 1200 square feet ground floor area.

14.8 OFF-STREET PARKING REQUIREMENTS IN THE AG DISTRICT:

There shall be provided in the AG District off-street parking in accordance with these Resolutions, Article Twenty. Active AG use and single family residences are exempt.

14.9 AGRICULTURAL STRUCTURES: AREA, WIDTH AND YARD:

Section 519 of the Ohio Revised Code confers no power on any board of township trustees or Board of Zoning Appeals to prohibit the use of any land for agricultural purposes or to prohibit the construction or use of buildings or structures incidental to agricultural uses of the land on which such buildings or structures are located. Zoning certificates shall be required for any such buildings or structures at no cost.

ARTICLE FIFTEEN: R-R- RURAL RESIDENTIAL DISTRICT

15.1 PURPOSE:

The purpose of the Rural Residential District is to provide an area for residential uses and those public and semi-public uses normally considered an integral part of the residential neighborhood they serve.

15.2 USES PERMITTED IN THE RR DISTRICT:

1. One family dwelling, home occupations.
2. Light agricultural uses including nurseries and raising of farm products (not to include livestock). Seasonal products produced on site may be sold on the premises
3. Accessory buildings.
4. Unlighted real estate signs and nonconforming business use signs not having over 4 square feet per side of sign area and subject to the provisions of Article Twenty-two.
5. Conservation Development.

15.3 CONDITIONAL USES IN THE RR DISTRICT:

1. Child Care centers and Group Homes for handicapped or disabled persons.
2. Mobile or manufactured homes.
3. Cemeteries.
4. Multiple family dwelling.
5. Conventional Development.
6. Churches, schools, parks, playgrounds, community centers, public services, utility office buildings

15.4 REQUIRED LOT AREA AND LOT WIDTH IN THE RR DISTRICT:

Each dwelling shall be located on a lot having an area of not less than two (2) acres and a lot width of not less than 250 feet frontage. The depth of the lot shall not exceed three (3) times the lot width.

15.5 REQUIRED FLOOR AREA IN THE RR DISTRICT:

Any building, mobile home or manufactured home on a permanent foundation, intended in whole or part for residential purposes shall provide a minimum floor area as specified:

SINGLE FAMILY DWELLING:

- With full basement: 1000 square feet ground floor area
- Without basement: 1200 square feet ground floor area

15.6 HEIGHT REGULATIONS IN THE RR DISTRICT:

No residential dwelling shall exceed 35 feet in height from ground level.

15.7 REQUIRED YARD IN THE RR DISTRICT:

All structures shall have the following minimum yard spaces:

- Front Yard: 75 feet from the centerline of the roadway.
- Side Yard: 20 feet (each side)
- Rear Yard: 60 feet

Corner lots shall provide minimum front yard requirements on each street side of the lot.

ARTICLE SIXTEEN: RESERVED FOR FUTURE USE

ARTICLE SEVENTEEN: SPECIAL USE DISTRICT

17.1 PURPOSE OF SPECIAL USE DISTRICT:

The purpose of the Special Use District is to provide an area for high-impact usage such as wind farms, quarrying operations, landfills, mobile home parks, cell towers, etc.

Under the proposed approach, an applicant requesting establishment of a permitted use in the Township would require rezoning of that location in to the Special Use (SU) District. At the time of rezoning, the applicant would be required to provide a site plan, an identification and analysis of any adverse impacts, and the development of methods to address those impacts. If such evidence did not demonstrate that the particular use should be accommodated on the site, the application would be denied. The application for rezoning should be made to the Zoning Secretary of College Township.

- A. Required Lot Area and Lot Width in the SU District: Each lot shall have an area of not less than five (5) acres and a lot width of not less than 250 feet, with 250 feet road frontage. However, the lot depth shall not be more than three (3) times the lot width.
- B. All Lots shall have the following minimum yard spaces: Front Yard: 200 foot set back, Side Yard: 20 foot set back, Rear Yard: 60 foot set back. Corner lots shall provide the minimum front yard requirements on each street side of the lot.
- C. Off-Street Parking Requirements shall be provided in Article 20 for the SU District.

ARTICLE EIGHTEEN: SPECIAL PROVISIONS

18.1 Performance Standards: No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable element or condition. The following performance standards will be observed:

1. Fire Hazards: Any activity involving the use of flammable or explosive materials shall be controlled by fire fighting and fire suppression equipment and by safety devices as are normally used in the handling of any such materials.
2. Radioactivity or Electrical Disturbances: No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.
3. Noise: Noise which is objectionable as determined by the Trustees of College Township due to volume, frequency or beat shall be muffled or otherwise controlled, except during construction operations. Air raid sirens and related apparatus used solely for public purposes are exempt from this requirement.
4. Vibration: No vibration shall be permitted which is detectable without instruments on any adjoining lot or property.
5. Smoke: Smoke shall be controlled as much as economically possible as determined by the College Township Trustees.
6. Odors: No malodorous gas or matter shall be permitted which is detectable on any adjoining lot or property.
7. Air Pollution: No pollution of air by fly ash, dust, vapor or other substance shall be permitted which is harmful to health, animals, vegetation or other property or which can cause soiling.
8. Glare: No direct or reflected glare shall be permitted which is visible from any property or from any public street, road or highway.
9. Erosion: No erosion, by either wind or water shall be permitted which will carry objectionable substances onto neighboring properties.
10. Water Pollution: Pollution of water shall be subject to the requirements and regulations established by the Ohio EPA.

11. **Junk Motor Vehicles:** The presence of “junk motor vehicles” will not be allowed in College Township. The law of the State of Ohio in regard to Junk Motor Vehicles shall be enforced in College Township by the College Township Zoning Inspector, through notification by and use of a “Notice of Violation” form. Definition of such vehicles and applicable fines are included in the Notice and in Article 4.7 of this Resolution. A junk motor vehicle is defined as a vehicle which is left on private property not housed in a structure for more than 30 days ,is extensively damaged(including but not limited to missing parts, wheels, tires , motor, body parts or is apparently inoperable or lacks a valid current registration.
12. **Junk and Rubbish:** No person, firm or corporation shall deposit, store, maintain, collect or permit the storage, deposit, maintenance, or collection of any junk or rubbish as defined below in unenclosed areas on his/her premises or any premises under his/her control which are unenclosed open area, or in any other place within the township, except as expressly provided by law.

18.2 Swimming Pools: Requirements for private swimming pools:

1. Permits shall be required for pools that require excavation.
2. The pool may be located anywhere on the premises, provided that it shall not be located closer than 12 feet to any property line or easement and 90 feet from the centerline of any roadway.
3. The swimming pool, its accessory facilities, and all of the area used by the bathers shall be so walled or fenced as to prevent uncontrolled access by children from the street or adjacent properties.

Exemption for private swimming pools: Above-ground swimming pools that have access that can be denied by removable ladder or enclosed stairways or lockable gate.

18.3 Enforcement Provisions: All uses existing on the effective date of this Resolution shall conform to these performance requirements within two (2) years, provided that an extension of up to six (6) months may be granted by the College Township Zoning Appeals Board. Extensions may be granted by the College Township Zoning Appeals Board if the owner or operator of the use can demonstrate that compliance would create an unreasonable hardship. The College Township Zoning Inspector shall refer any proposed use which is likely to violate performance requirements to the College Township Zoning Appeals Board for review.

18.4 Yard or Garage Sales: Yard or Garage Sales on any property within College Township are restricted to a limit of five (5) per calendar year. Signs must be removed within three (3) days of sale's end.

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18.5 Telecommunications Towers:

A. Purpose & Goals: The purpose of this resolution is to establish general guidelines for the siting of towers and antennas. The goals of this resolution are to:

1. Encourage the location of towers in non-residential/non-historical areas and minimize the total number of towers throughout the community.
2. Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively and efficiently.
3. Encourage strongly the joint use of new and existing tower sites.
4. Encourage users of towers and antennas to locate them to the extent possible, in areas where the adverse impact on the community is minimal and encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas.

B. Inventory of Existing Sites: Each applicant for approval of an antenna and/or a tower shall provide the College Township Zoning Inspector an inventory of its existing antennas and towers that are within the College Township area; including specific information about the location, height, and design of each tower or antenna. Applicants are encouraged to submit an inventory of potential future tower sites within College Township. College Township may share such information with other tower applicants intending to locate towers or antennas within College Township. This is provided that College Township is not, by sharing such information, in any way representing or advocating that such sites are available or suitable.

C. Use Regulations for Cellular/Wireless Communication Towers and Antennas: The following uses shall apply to cellular or wireless communication antennas and towers:

1. Installing an antenna on an alternative tower (such as a building, light pole, water tower, utility pole or other free-standing, non-residential structure that is no less than fifty (50) feet in height so long as such addition does not add more than twenty (20) feet to the height of the existing structure and subject to a finding that they do not create hazards to aviation, property or persons.

2. All other uses accessory to the cellular or wireless communications antenna and towers including, but not limited to business offices, maintenance depots and materials and vehicle storage, are prohibited from the site unless otherwise permitted in the College Township zoning district in which the antenna or tower is located. This provision does not prohibit the periodic maintenance or monitoring of equipment and instruments.

3. Any person who plans to construct a telecommunications tower within 1,500 feet of a residential dwelling shall provide a written notice to the property owner and to the person occupying the residence, if that person is not the owner of the residence, stating in clear and concise language the person's intent to construct the tower and a description of the property sufficient to identify the proposed location. The notice shall be sent by certified mail. If the notice is returned unclaimed or refused, the person shall mail the notice by regular mail. The failure of delivery does not invalidate the notice.

D. Cellular or Wireless Communications Tower Standards:

1. The cellular or wireless communication tower applicant is required to provide evidence that it has investigated and exhausted all other possible options for collocation with another facility or attachment to another structure. The applicant is required to provide written proof that it has contacted the owners of all other possible locations including those of other tall structures (smoke stacks, water towers, building antennas, support structures of other cellular or wireless communication companies, other communication towers and roadway light poles) within a one (1) mile radius of the proposed site and asked for permission to install the cellular communications equipment on those structures and was denied for reasons other than economic ones. College Township may deny the application to construct a new cellular or wireless communications tower if the applicant has not made a good faith effort to mount the antenna on existing structures.

2. Setbacks from the Base of the Tower: If a new cellular or wireless communications tower is to be constructed the minimum distance between the base of the tower or any guy wire anchors and any existing off-site residence or previously platted residential lot lines shall be the greater of the following:

a) The minimum setback to the guidewire supports

required in College Township will be 1 1/2 times the height of the tower plus 50 feet from the lot lines and the edge of the road.

b) A distance equal to 1 1/2 times the height of the tower.

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3. Lot Size: The minimum lot size requirement shall be the greater of the following:

a) The minimum size required by the College. Township Special Use zoning district is 5 acres.

b) The minimum lot required to accommodate the setback requirements for the tower and supports.

E. Site Plan and Proposal Requirements: A full site plan shall be required for all proposed cellular or wireless communication sites, at a scale of 1 inch to 100 feet (1"= 100'), indicating the following:

1. Total site area.
2. The existing zoning of the property and all adjacent properties.
3. All public and private right-of-way and easement lines located on or adjacent to the property and the proposed plan for these lines whether they are to be continued, created, relocated or abandoned.
4. Existing topography with a maximum of five (5) foot contour intervals and proposed grading plan with a maximum of five (5) foot contour intervals.
5. The location of all existing buildings and structures and the proposed location of the cellular or wireless communications tower and all support structures including all dimensions, heights and the floor area of any support buildings or structures.
6. The locations and dimensions of all curb cuts, roads, parking and loading areas including number of spaces, spot grades, materials list, drainage and lighting plans.
7. A landscape plan to include all proposed sidewalks, open space, screening, fences, walls and vegetation.
8. All existing and proposed utilities including types and grades.
9. The project schedule.
10. A written statement by the cellular or wireless communications company as to the visual and aesthetic impacts of the proposed cellular communications tower on all adjacent properties and that all FCC and FAA requirements will be met and addressed. A summary explanation of why the proposed facility cannot be located on any other existing structure or tower, and use sound engineering evidence to

demonstrate that the proposed location is necessary in the interest of public safety or a practical necessity to satisfy the necessary function in the cellular or wireless communication grid system.

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11. Evidence that the proposed communications tower is structurally designed to support at least one additional user, and that the applicant provides a statement that the owner of the tower is willing to permit other user(s) to attach communication facilities, on a commercially reasonable basis, which does not interfere with the primary purpose of the tower. Priority for co-location on the proposed tower shall be given to antennas that will serve a public safety need for the community.
12. Storm Water Permit.
13. Access Management Permit.
14. College Township Zoning Application.
15. Rezoned to Special Use District.

Upon submission of a complete application for a site plan review to the College Township Zoning Inspector, it will be determined if the plan meets the purpose and requirements as established in the ordinance and the requirements of the College Township zoning district. No public notice or public hearing shall be required in conjunction with the review, approval, approval with modifications or disapproval of the site plan and proposal.

F. Maintenance:

1. Any owner of property used as a cellular or wireless communications site shall maintain such property and all structures in good condition, maintain landscaping and keep the site free from trash, outdoor storage, weeds and other debris.
2. Any tower found through inspection by the owner or the College Township Zoning Inspector to be structurally unsafe and cannot be brought into compliance within 180 days must be removed at the tower owner's expense.
3. Notice shall be provided to the College Township Zoning Inspector when the tower service has been discontinued. Towers which are not used for a period of six (6) continuous months or more shall be removed by the tower owner or land owner within 120 days of the receipt of notification to that effect. Discontinued shall include to mean the structure has not been properly maintained, has been abandoned, become obsolete or has ceased the daily activities or operations which had occurred.

G. Tower Safety:

1. The tower owner shall demonstrate that the proposed cellular or wireless communications tower and its antenna are safe and that the surrounding properties will not be negatively affected by tower failure or radio frequency interference. All cellular and wireless communications towers shall be fitted with anti-climbing devices as approved by the manufacturers.
2. A fence shall be required around the cellular or wireless communications tower and its support structures, unless the antenna is mounted on an existing structure. The fence shall be a minimum of eight (8) feet in height and shall be erected to prevent access to non-authorized personnel.

H. Appearance:

1. No commercial advertising shall be allowed on the tower or its related facilities.
2. The color of the tower shall be neutral, except to the extent required by Federal Law, so as to minimize visual impact.
3. Existing vegetation on and around the site shall be preserved to the greatest extent possible, without any noxious or invasive weeds.
4. A landscape buffer and screen shall be installed to provide spatial separation and create a visual block from adjacent properties and roads. A buffer shall be installed around the perimeter of the tower site and all improvements on the site including the tower and guy anchors, any ground buildings or equipment, and security fencing.

ARTICLE NINETEEN: CONSERVATION DEVELOPMENT

19.1 Purpose: These regulations for Residential Conservation Development are designed to encourage site development that is sensitive to the unique rural qualities of our community. In most communities, new residential development is required to be in conventional subdivisions. This type of development results in the land being subdivided into individual lots- open space is exclusively in private back yards.

In contrast, these regulations encourage an alternative approach to managing expected development. It is intended to strike a balance between the development rights of the property owner (developer) and the community's desire to conserve open space

and protect sensitive and/or significant resources. The property owner has the choice to develop according to the conservation development regulations or under conventional zoning. To minimize the length of the standard review process, these regulations treat conservation developments as permitted uses.

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These regulations include three principles:

1. A percentage of a proposed development area must be set aside as open space.
2. In exchange, building spacing requirements are reduced, compared to the standard single-family requirements.
3. Through this location flexibility and open space requirement, buildings and streets are arranged to conserve the site's sensitive and significant features.

At the heart of conservation development is the idea that community resources and open spaces can be conserved while still allowing the construction of houses.

The primary objective of conservation development zoning is to promote the health and safety of the community through the application of flexible land development techniques in the arrangement and construction of dwelling units and roads. Such flexibility is intended to maximize the conservation of open space while accepting development and retaining for the property owner the development rights (the number of residential dwelling units) that are permitted under the existing conventional zoning for the property.

These regulations, ranked in order of importance as follows, are intended to achieve these corollary purposes.

- A. To maximize protection of the community's natural resources by:
 1. Reducing the amount of disturbed land, the conversion of natural areas to landscaped areas for lawns, and the use of invasive vegetation; and
 2. Maintaining natural characteristics (such as woods, hedgerows, natural vegetation, meadows, slopes and streams); and
 3. Avoiding development on and destruction of sensitive natural resource areas; and
 4. Conserving areas of prime agricultural soils, to the extent possible; and
 5. Reducing the quantity and improving the quality of storm water runoff from expected development.

- B. To conserve (within the framework of natural resource conservation) the quality of ruralness in a community which is characterized by:
 1. Natural features such as woodlands, steep slopes, flood-plains, wetlands, stream and river corridors, hedgerows, and rock outcroppings; and

2. Traditional rural settlement patterns characterized by clusters of compact groupings of development in otherwise wide open spaces; and

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3. Significant historic features such as old barns, heritage trees, historic buildings, archeological sites, etc.; and
4. Scenic vistas and rural views; and
5. Appropriate topographic or vegetative screening; and
6. Large, aggregated, undeveloped land areas.

- C. To encourage more efficient use of land and public services through unified development.
- D. To establish development review criteria which promote creative design solutions in a manner which best conserves the area's resources.
- E. To establish a review process which maintains local review and approval of the overall development plan and which results in the timely consideration of an application.
- F. To ensure that the proposed Conservation Development complies with the objectives of College Township as expressed in Comprehensive Plan and Focus 2100 Plan.

19.2 Permitted Uses:

The following uses shall be permitted based on the type of development proposed:

- A. Conservation Development in accordance with the regulations set forth in these Resolutions, inclusive:
 1. Detached single-family dwellings;
 2. Single-family cluster dwellings;
 3. Single-family attached dwellings;
 4. Recreation facilities for use by residents;
 5. Restricted open space as required in Section 20.3.
- B. Standard detached single-family dwellings in accordance with the regulations set forth in these Resolutions.
- C. Agriculture in accordance with these Resolutions.

19.3 Minimum Project Area for Conservation Development: The gross area of a tract of land proposed for development according to the conservation development option shall be a minimum of 15 acres, but shall not include area within any existing public street rights-of-way.

The area proposed shall be in one ownership, or, if in multiple ownership, the application shall be filed jointly by all the owners of the properties included in the conservation development.

19.4 Permitted Density/Restricted Open Space:

A. The minimum restricted open space shall be 50% of the total project area.

B. The maximum density shall be one dwelling unit per acre. The maximum number of dwelling units permitted in a conservation development shall be calculated by:

1. Deducting the following from the total project area:
 - a) Any public right-of-way within the project boundary existing at the time the development plan is submitted; and
 - b) The area of land within a floodway, designated wetland, or existing waterbody that exceeds the minimum acreage required for restricted open space as set forth in Section 20.3A above. Where floodways and wetlands overlap, they shall be counted only once.
2. Multiplying the result of subsection 1 by the maximum density permitted per acre as set forth in this Section above.

19.5 Regulations for Restricted Open Space:

A. General Standards: The restricted open space required in Section 20.3A shall comply with the following:

1. Restricted open space shall be designed and located to conserve significant natural features and historical and cultural elements located on the site.
2. Areas designated for restricted open space purposes may be:
 - a) Preserved in its natural state,
 - b) Designed and intended for the use and/or enjoyment of residents of the proposed development,
 - c) Utilized for farming when authorized in a conservation easement or in the Association's covenants and restrictions.
3. Restricted open space shall be interconnected if possible with open space areas on abutting parcels.
4. Sewage service, stormwater management, and/or water supply facilities may be located partially or entirely with restricted open space areas. Where such facilities are so located, easements satisfactory to the county agency or township district shall be established to require and enable maintenance of such facilities by the appropriate parties.

5. In order to encourage the creation of large areas of contiguous open space, areas that shall not be considered restricted open space include:

- a) Private roads and public road rights-of-way;
- b) Parking areas, accessways, and driveways;
- c) Required setbacks between buildings, parking areas, and project boundaries;
- d) Required setbacks between buildings and streets;
- e) Minimum spacing between buildings, and between buildings and parking areas;
- f) Private yards;
- g) A minimum of 15 feet between buildings and restricted open space; and
- h) Other small fragmented or isolated open space areas that have a dimension less than 100 feet in any direction.

6. Any restricted open space intended to be devoted to recreational activities shall be a usable size and shape for the intended purposes. The maximum percentage of required restricted open space that may be developed for active recreation areas shall be 5% or 2 acres, whichever is greater.

7. Any area within the restricted open space that is disturbed during construction or otherwise not preserved in its natural state, other common areas such as required setback areas, and both sides of new street, shall be landscaped with vegetation that is compatible with the natural characteristics of the site.

8. The restricted open space, including any recreational facilities proposed to be constructed in such space, shall be clearly shown on the general development plan.

B. Prohibition of Further Subdivision of Restricted Open Space: Restricted open space in a conservation development shall be prohibited from further subdivision or development by deed restriction, conservation easement, or other agreement in a form acceptable to the township's Legal Advisor and duly recorded in the office of the Recorder of Deeds of Knox County.

C. Ownership of Restricted Open Space: Subject to such permanent restriction as set forth above, restricted open space in a conservation development may be owned by an association, the township, a land trust or other conservation organization recognized by the township, or by a similar entity, or may remain in private ownership.

1. **Offer of Dedication:** The township may, but shall not be required to, accept dedication in the form of fee-simple ownership of the restricted open space.

2. Associations: Restricted open space may be held by the individual members of a Condominium Association as tenants-in-common or may be held in common ownership by a Homeowners' Association, Community Association, or other similar legal entity. The township's legal advisor shall determine that, based on documents submitted with the development plan, the association's bylaws or code of regulations specify the following requirements:

- a) Membership in the Association shall be mandatory for all purchasers of lots in the development or units in the condominium.
- b) The Association shall be responsible for maintenance, control, and insurance of common areas, including the required open space.

3. Transfer of Conservation Easements: With the permission of College Township, the owner(s) of the common open space may, in accordance with the provisions of ORC 5301.67-70, grant a conservation easement to any of the entities listed in ORC 5301.68, provided that:

- a) The entity is acceptable to College Township;
- b) The provisions of the conservation easement are acceptable to College Township; and
- c) The conveyance contains appropriate provision for assignment of the conservation easement to another entity authorized to hold conservation easements under ORC 5301.68 in the event that the original grantee becomes unwilling or unable to ensure compliance with the provisions of the conservation easement.

4. Private Ownership of Restricted Space: Restricted open space may be retained in ownership by the applicant or may be transferred to other private parties subject to compliance with all standards and criteria for restricted open space herein.

19.6 Development and Site Planning Standards: Buildings, structures, pavement, and streets shall be located in compliance with the following development and site planning standards:

A. Ownership: Any ownership arrangement, including, but not limited to, fee simple lots and condominiums, is permitted in a conservation development.

Regardless of the ownership of the land, the arrangement of the dwelling units shall comply with the spacing requirements of this section.

B. Lot Requirements:

1. Units are not required to be on lots. However, when lots for standard detached single-family dwellings or sub lots for single-family cluster or attached dwelling units are included as part of a conservation development, such lots or sub lots shall be of sufficient size and shape to

accommodate dwelling units in compliance with the spacing requirements of this section.

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2. The applicant shall depict on the development plan the maximum parameters, or building envelopes, to indicate where buildings shall be located, and shall demonstrate that such building locations will be in compliance with the spacing requirements of this section.

C. Perimeter Building Regulations:

1. The minimum setback from an existing public street shall be 75 feet from the centerline of the street.

2. The minimum setback from the project boundary shall be 75 feet.

D. Interior Building Setback/Spacing Regulations:

1. The minimum setback from a proposed local public right-of-way shall be 60 feet.

2. The minimum setback from the edge of the pavement of a private street shall be 60 feet.

3. The minimum separation between dwellings shall be 40 feet

E. Height: The maximum building height shall be 35 feet.

F. Resource Protection Regulations:

1. Floodway Protection: All buildings, structures or land within a floodway shall be used, and buildings or structures hereafter shall be erected, altered, enlarged, repaired or rebuilt, moved, or designed to be used, in whole or in part only for a use listed below.

a) Agriculture;

b) Public or private parks and outdoor recreational facilities including swimming pools, riding academies, playfields, ball fields, courts, trails, etc.;

c) Fencing that allows the passage of water.

d) Off-street parking areas accessory to the above uses provided that such areas are improved with pervious pavement materials, such as pervious asphalt or pervious concrete or combinations of geotextiles with sand, gravel and sod.

2. Wetlands Protection: Wetlands that are required by the Army Corp of Engineers or the Ohio EPA to be retained shall be protected by the following:

a) A buffer area having a width not less than 20 feet, measured from the edge of the designated wetland. The area within this buffer shall not be disturbed and shall be retained in its natural state; and

b) A minimum building and pavement setback of 35 feet, measured from the edge of the designated wetland.

3. Conservation of Riparian Zones:

a) A riparian buffer shall be provided along the entire length and on both sides of a river or perennial stream channel. The buffer area shall have a width not less than 200 feet, measured from the river or stream bank.

b) Pervious walkways may be permitted to be located within riparian buffers when the College Township Zoning Commission determines that such will create minimal change to the riparian buffer.

G. General Street Design Criteria:

1. Street alignments should follow natural contours and be designed to conserve natural features.

2. Locations of streets should be planned to avoid excessive storm-water runoff and the need for storm sewers.

3. The area of the project devoted to streets and related pavement should be the minimum necessary to provide adequate and safe movement through the development.

H. Pedestrian Circulation Systems:

1. A pedestrian circulation system shall be included in the conservation development and shall be designed to ensure that pedestrians can walk safely and easily throughout the development. The pedestrian system shall provide connections between properties and activities or special features within the common open space system and need not always be located along streets.

2. Trails for which public right of passage has been established should be incorporated in the pedestrian circulation system.

I. Sewage Disposal: Development shall be served by individual or public sewage disposal structures consistent with the Knox County systems. Individual sewage disposal systems shall comply with all applicable regulations of the Knox County Health Department and may be located within common open space areas when approved by College Township and the Knox County Health Department.

J. Waivers: In the event the College Township Zoning Commission determines that certain standards set forth in this section do not or should not apply specifically to the circumstances of a particular project and an alternative method of achieving the objectives of the numerical standard is equal to or better than the strict application of the specified standard, the College Township Zoning Commission may relax such standard to an extent deemed just and proper, provided that the granting of such relief shall be without detriment to the health and safety of the community and without detriment to or impairment of the intent of this Section.

19.7 Development Design Criteria: In addition to the development and site planning standards set forth in these regulations, all elements of a conservation development, particularly the restricted open space areas, shall be designed in accordance with the following criteria to ensure that the project is appropriate for the site's natural, historic and cultural features and meets the objectives of this district.

- A. Conservation of Sloping Land: The road system and buildings should be located to minimize changes to the topography and the need for cutting and filling.
- B. Conservation of Woodlands, Vegetation, and other Natural Areas: The design and layout of the development should conserve, maintain and incorporate existing wooded areas, meadows, and hedgerows and treelines between fields or meadows, especially those containing significant wildlife habitats.
- C. Conservation of Wildlife Habitats: Wildlife habitat areas of species listed as endangered, threatened, or of special concern by the U.S. Environmental Protection Agency and/or by the Ohio Department of Natural Resources should be protected.
- D. Conservation of Prime Farmland: Farmland that satisfies the USDA definition of "prime" or "locally unique" farmland should be conserved.
- E. Conservation of Existing Scenic Vistas and Visual Quality of the Environment: Buildings should be located to ensure that scenic views and vistas are unblocked or uninterrupted.
- F. Conservation of Cultural Resources: Sites of historic, archaeological, or cultural value and their environs should be protected insofar as needed to safeguard the character of the feature, including stone walls, spring houses, barn foundations, underground fruit cellars, earth mounds and burial grounds.

19.8 Project Review Procedures: Under the authority established in ORC 519.021, the College Township Zoning Commission shall review and approve development plans for a proposed conservation development according to the procedures set forth in this Section.

- A. Submission of General Development Plan: The applicant shall submit a General Development Plan application (plus 10 copies) to the College Township Zoning Inspector. The application shall include documentation illustrating compliance with the standards and criteria set forth in this Article. The application and documentation shall include, but not necessarily be limited to:

1. Identification of existing site characteristics, including a general depiction of:
 - a) Boundaries of the area proposed for development, dimensions and total acreage;
 - b) Contour lines at vertical intervals of not more than 5 feet, highlighting ridges, rock outcroppings and other significant topographical features;
 - c) Location of wetlands (and potential wetlands), the floodway boundary and floodway elevation as delineated by the Federal Emergency Management Agency, rivers and streams and their related river or stream bank, ponds, and water courses;
 - d) Existing soil classifications;
 - e) Locations of all wooded areas, tree lines, hedgerows, and specimen trees;
 - f) Delineation of existing drainage patterns on the property, existing wells and well sites;
 - g) Description of significant existing vegetation by type of species, health, quality, etc.;
 - h) Existing buildings, structures and other significant man-made features on the site and within 200 feet of the project boundary;
 - i) Description of all structures and areas of known or potential historical significance; and
 - j) Existing view sheds and identification of unique vistas.
2. The preliminary site plan shall be drawn at a scale not less than 1" = 100', except that projects over 200 acres may be drawn at a scale of 1" = 200', and shall include:
 - a) A summary of the proposed development including the total acreage, number of residential units, type of dwellings, density by type of dwelling, and acreage of restricted open space to be conserved;
 - b) A sketch layout of standard single family lots, if any;
 - c) The location of the restricted open space and any proposed recreational facilities;
 - d) Natural features to be conserved and any required buffer areas;
 - e) Natural features to be altered or impacted by the development and areas where new landscaping will be installed, etc.;
 - f) General location of public street rights-of-way; and
 - g) Proposed utility easement locations.

3. An outline of the method/structure to perpetually preserve the required restricted open space which indicates:
 - a) The structure of the Association;
 - b) Membership requirements;
 - c) Financial responsibilities; and
 - d) The relationship of the entity to public agencies having responsibilities related to the project.
4. A description of the project phasing including the phased construction of open space improvements.

B. Review for Completeness: Within five business days of receiving the application, the College Township Zoning Inspector shall review the application to determine that the application includes all the items required in the section above. If the application is deemed complete and the application fee paid, the College Township Zoning Inspector shall officially accept the application on that date.

C. Review of General Development Plan by Others: The College Township Zoning Inspector shall distribute the general development plan application to the following for review and comment:

1. Regulatory agencies which have statutory authority to subsequently review and approve any aspect of the development, including but not limited to the Knox County Regional Planning Commission, the Knox County Health Department, the Knox County Department of Soil and Water, and the Ohio Highway Road Department.
2. Other agencies which, at the discretion of the College Township, may have appropriate technical expertise.
3. Appropriate local College Township administrative official including the College Township's legal advisor.
4. Consultants retained by College Township.

All comments shall be returned to College Township within 30 days from the date distributed.

D. Site Visit: The College Township Zoning Commission shall, together with the applicant and the applicant's consultant(s), visit the site to gain a thorough understanding of the characteristics of the site.

E. Review and Approval by College Township: The College Township Zoning Commission shall review the general development plan and the comments received from Section C above. The College Township Zoning Commission shall take action on the submitted general development plan by either:

1. Approving the general development plan as submitted; or
 2. Approving the general development plan subject to specific conditions not included in the plan as submitted, such as, but not limited to, improvements to the general building layout or open space arrangement; or
 3. Denying approval of the general development plan.
- Failure of the College Township Zoning Commission to act within 60 days from the date the application was determined complete, or an extended period as may be agreed upon, shall at the election of the applicant be deemed a denial of the general development plan.

F. Significance of Approved Plan: Approval of the general development plan shall:

1. Establish the development framework for the project, including the general location of open space, development areas, densities, unit types, recreational facilities, and street alignments.
2. Be the basis for the application to proceed with detailed planning and engineering in reliance on the approved general development plan.
3. Provide the benchmark for the College Township Zoning Commission to consider and approve amendments to the general development plan when the College Township Zoning Commission determines that the amended plan is equal to or better than the approved general development plan.
4. Authorize the applicant to apply for all other required regulatory approvals for the project or subsequent phases thereof.

G. Final Development Plan: After a general development plan has been approved, an applicant shall submit for review and approval a final development plan. The final development plan may be submitted either for the entire project or for each construction phase. Ten copies must be submitted at each level.

1. Submission Requirements: The final development plan shall include:

a) A site plan drawn at a scale not less than 1" = 100' indicating:

- 1) Boundaries of the area proposed for development, accurate dimensions, and total acreage;
- 2) The exact location and dimension of private streets, common drives and public street rights-of-way;
- 3) Exact location of building footprints or envelopes within which dwelling units are to be constructed, and lot lines with dimensions for all residential units for which individual ownership is proposed;
- 4) Dimensions of building/unit spacing;
- 5) The extent of environmental conservation and change and the exact location of all no cut/no disturb zones; and
- 6) Designated restricted open space areas and a description of proposed open space improvements.

b) A grading plan drawn at a scale of 1" = 100', showing all information pertaining to surface drainage

c) A detailed landscaping plan for new landscaping, including entry features and signs.

d) The Declaration, Articles of Incorporation and either Bylaws (for a Condominium Association) or Code of Regulations (for a Homeowners' Association) and any other final covenants and restrictions and maintenance agreements to be imposed upon all the use of land and pertaining to the ownership, use, and maintenance of all common areas, including restricted open space.

e) Conditions imposed by other regulatory agencies.

2. Review for Completeness: Within five business days of receiving the application, the College Township Zoning Inspector shall review the application to determine that the application includes all the items required in subsection G.1, above. If the application is deemed complete and the application fee paid, the College Township Zoning Inspector shall officially accept the application on that date.

3. Distribution of Final Development Plan: The College Township Zoning Inspector shall distribute the final development plan application to the College Township Zoning Commission, the College Township's legal advisor, and other appropriate administrative departments or professional consultants for review and comment. Any reports, comments, or expert

opinions shall be compiled by the College Township Zoning Inspector and transmitted to the College Township Zoning Commission prior to the time of the Commission's review.

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4. Review by the College Township's Legal Advisor: The College Township's legal advisor shall review the Declaration, Articles of Incorporation and either Bylaws (for a Condominium Association) or Code of Regulations (for a Homeowners' Association) and any other final covenants and restrictions and maintenance agreements to be imposed upon the conservation development. He/she shall provide a written opinion to the College Township Zoning Commission documenting that the above demonstrate full compliance with the requirements of this Chapter.

5. Review and Approval by College Township: The College Township Zoning Commission shall review the final development plan and the comments received. The College Township Zoning Commission shall determine if the final development plan is in compliance with the general development plan and take action on the submitted final development plan by either:

- a) Approving the final development plan as submitted; or
- b) Approving the final development plan subject to specific conditions not included in the plan as submitted, such as, but not limited to, improvements to the general building layout or open space arrangement; or
- c) Denying approval of the general development plan.

Failure of the College Township Zoning Commission to act within sixty days from the date the application was determined complete, or an extended period as may be agreed upon, shall at the election of the applicant be deemed a denial of the general development plan.

ARTICLE TWENTY: PLANNED UNIT DEVELOPMENT

20.1 Purpose: To establish regulations pertaining to the use of land and/or structures and physical development within each of a Planning District, adopted as a District in Article 12 and is established and adopted.

20.2 Application, Procedure for Establishment of a Planned Development: Planned Developments may be established by application in accordance with the provisions set forth below. The procedures and conditions set forth for establishing a Planned Development shall be followed unless a written statement by the applicant shall clearly show that the procedures or conditions do not apply in the specific case. Such statement shall accompany the application to the College Township Zoning Commission and the College Township Trustees.

Any application for a Planned Development for any land use or structure permitted under this Resolution shall be submitted in accordance with the following procedure:

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1. Application Conference: The landowner shall schedule a application conference with the College Township Zoning Commission, Knox County Engineer and the Public Utilities Companies concerned. The landowner, at the conference, shall provide evidence that the following steps have been taken:
 - a. Prior to preparing a development plan, the landowner shall consult informally with the College Township Zoning Commission and Knox County Engineer, in order that he/she may become familiar with the subdivision and zoning requirements, the relationship of his/her property to existing conditions, and to insure conformity and compatibility with and to the development plan of the county with respect to community facilities, utilities and services, excluding police, fire, and other public services.
 - b. The landowner shall, also, consult informally with public utility companies in order to determine the character and extent of electric power and telephone lines and to determine the most advantageous underground routing of these lines and utility easements.
 - c. The landowner shall provide, in the absence of municipal water and sewage, his/her own detailed plans for central water and sewage to be submitted to the Knox County Board of Health for approval.
2. Prior to concluding the application Conference between the landowner and the College Township Zoning Commission, the College Township Zoning Commission shall consider the following principle governing Planned Development in the Township of College: It shall be the duty of the College Township Zoning Commission to encourage that Planned Developments be coordinated with the development of adjacent small parcels of land and, to this end, the Zoning Commission shall require the Landowner to submit sketch plans for such coordinated development, showing how streets can be connected, lot orientations coordinated and open spaces extended. The College Township Zoning Commission may also, arrange meetings with several owners of such small parcels of land or may carry out the intent of this directive by such other means as may be lawful and appropriate.
3. Application to Zoning Commission: An application for a Planned Development shall be submitted to the College Township Zoning Commission on a special form provided for that purpose. The application shall be executed by or on behalf of the landowner and filed in duplicate with the College Township Zoning Commission Secretary. A filing fee, in the amount of Five Hundred Dollars (\$500.00), payable to the College Township Clerk, shall be submitted to the Secretary.

4. Data Required with Application: The application for approval for a Planned Development shall include three (3) copies of a development plan, drawn at a scale of 1"=100' and including the following information:
- A. Location and the size of the area involved and the nature of the landowner's interest in the land proposed to be developed.
 - B. The density of land use to be allocated to parts of the area to be developed.
 - C. The locations, function, ownership and manner of maintenance of Common Open Space Areas.
 - D. The use, approximate height, bulk and location of buildings and other structures.
 - E. The feasibility of proposals for the disposal of sanitary waste and storm water.
 - F. The substance of covenants, grants of easements or other restrictions to be imposed upon the use of land, buildings and other structures, including proposed easements for public utilities.
 - G. The provisions for parking or vehicles and the location and width of proposed streets and existing streets abutting the property.
 - H. Statement indicating the required modifications in the regulations in the Township of College Zoning Resolution otherwise applicable to the subject property. The only allowable modifications will be in the lot area and lot width, and in the yard area.
 - I. In case of plans which call for staging development over a period of time within which applications for final approval of all parts of the Planned Residential Development, is to be filed.
 - J. Said applications shall, also, be accompanied by a written statement by the landowner setting forth the reason why in his/her opinion, the Planned Development would be in the public interest and would be consistent with the specific criteria, if any, thereto fore published and adopted by the College Township Zoning Commission.
 - K. The minimum of 50% of the total acreage in the tract will be devoted to green space in R-R District. A minimum of 80% of the total acreage in the tract will be devoted to green space in an AG District.
5. Review by the College Township Zoning Commission Staff: Five (5) copies of every application for a Planned Unit Development received by the Secretary of College Township Zoning Commission, shall be promptly delivered to the College Township Zoning Commission. The College Township Zoning Commission shall, as a part of its review, consult with the Knox County Engineer's Department, Knox County Health Department, Knox County Soil & Water, ODNR and the City of Mount Vernon (where applicable) concerning the

application.

6. Basis of Approval: The College Township Zoning Commission shall review and take action on the application within sixty (60) days following the date the application was received by the Commission. The College Township Zoning Commission shall base its approval/disapproval of a Planned District on the following considerations:

A. That the plan is consistent in all respects with the purpose, intent and applicable standards of this Resolution.

B. That the proposed development as envisioned on the plan is in conformance with the Comprehensive Plan adopted for the Township of College.

C. That the proposed plan provides for the preservation and protection of existing trees, ground cover, topsoil, streams, rock outcroppings and scenic views from dangers and damages caused by excessive and poorly planned grading for streets and building sites.

D. That the benefits, improved arrangement and the design of the Planned Development justify the deviation from the Standard Zoning District requirements incorporated in this Resolution.

7. Public Hearing: Upon review and recommendation of an application for a plan, the College Township Zoning Commission shall forward to the College Township Trustees a record of the action taken on the proposed application. The College Township Trustees shall act on the application in accordance with the provisions of this Resolution.

8. Effect of Approval: The plan, if approved by the College Township Trustees, shall constitute an amendment to the standard Zoning District regulations as they apply to the land included in the approved amendment. The applicant shall then be required to prepare a subdivision plat of record in accordance with the Subdivision Regulations for the County of Knox. The subdivision plan shall be in accordance with the plan as approved by the College Township Trustees.

Permitted Uses: Only uses designated as Permitted Uses shall be allowed as a matter of right in a Planned Development and any use not so designated shall be prohibited except when in character with the proposed development, such additional uses may be approved as part of the Planned Development.

Development Principles and Standards: The Development Principles and Standards set forth shall be the minimum allowed for development in a Planned Unit Development.

PART FOUR

ARTICLE TWENTY-ONE: OFF-STREET PARKING AND LOADING REGULATIONS

21.1 Off-Street Parking: Surfaced off-street automobile parking shall be provided on any lot on which any of the following uses are hereinafter established; such space shall be provided with vehicular access to a street or alley. For purposes of computing off-street parking area required, the ratio of 250 square feet per parking space shall be used.

21.2 Number of Parking Spaces Required: The number of off-street parking spaces required shall be as set forth in the following:

<u>Use</u>	<u>Parking Spaces Required</u>
Churches & Schools	1 for each 5 seats in an auditorium or 1 for each 12 classroom seats, whichever is greater
Libraries, Museums or Art Galleries	1 for each 250 square feet of floor area

21.3 Development and Maintenance of Parking Areas: Every parcel of land hereafter used as a public or private parking area shall be developed and maintained in accordance with the following requirements:

1. Screening and Landscaping: Off-street parking areas for more than 5 vehicles shall be effectively screened on each side which adjoins premises situated in any R-District with landscaping which shall consist of a strip of land not less than 15 feet in width planted with an evergreen hedge, or dense plantings or evergreen shrubs not less than 4 feet in height.
2. Surfacing: Any off-street parking area for more than 5 vehicles shall be graded for proper drainage and surfaced with a durable hard surface, such as gravel or limestone.
3. Lighting: Any lighting used to illuminate any off-street parking area shall be so arranged as to reflect the light away from adjoining premises in any R-District.
4. Joint Use of Parking Area: Parking spaces shall be located on a lot other than that containing the principal use with approval of the College Township Zoning Board by providing a written agreement, approved by the College Township Zoning Board of Appeals, accepted by the College

Township Trustees and filed with the application for a zoning permit.

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5. Parking Area- Modifications: The College Township Zoning Appeals Board may authorize on appeal a modification, reduction or waiver of the foregoing requirements, if it should find that, in the particular nature of the residential, business, trade, industrial or other use, or in the exceptional shape or condition, would justify such action. No action shall be taken by the College Township Zoning Appeals Board unless and until it has first received the recommendation of the College Township Zoning Commission regarding the appeal.

ARTICLE TWENTY-TWO: DISPLAY SIGNS AND OUTDOOR ADVERTISING

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

22.2 Governmental Signs Excluded: For the purpose of this resolution “sign” does not include signs erected and maintained pursuant to and in discharge of any governmental function, or required by any law, ordinance or governmental regulation.

22.3 General Requirements: The regulations contained in this section shall apply to all signs and all use districts.

1. Any illuminated sign or lighting device shall emit only light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating or moving light or lights. In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination there from to be directed or beamed upon a public street, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.
2. All wiring, fittings, and materials, used in the construction, connection and operation of electrically illuminated signs shall be in accordance with the provisions of the National Electric Code or the local electric code in effect.
3. No projecting sign shall be erected or maintained from the front or face of

a building a distance of more than two (2) feet.

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4. No sign shall be placed on the roof of any building.
5. No portable or temporary sign shall be placed on the front or facing of a building or on any premises except as provided in Article 13.
6. No sign or part thereof, shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners, or other similar moving devices. Such devices, as well as strings of lights, shall not be used for the purpose of advertising or attracting attention when not part of a sign.
7. No sign erected or maintained in the window of a building, visible from any public or private street or highway, shall occupy more than twenty (20%) percent of the window surface.
8. No sign of any classification shall be installed, erected or attached in any form, shape or manner to a fire escape or any door or window giving access to any fire escape.
9. All signs hung and erected shall be plainly marked with the name of the person, firm, or corporation hanging or erecting the sign.
10. Should any sign be or become unsafe, the person maintaining the sign shall, upon receipt of a written notice from the College Township Zoning Inspector, proceed at once to put such sign in a safe and secure condition or to remove the sign.
11. No sign shall be placed in any public right-of-way, except publicly owned signs, such as traffic control sign or "parking" signs for private property but bearing no advertising.
12. No building shall be used for display of advertising except as pertaining to the use carried on within such building.

22.4 Measurement of Sign Area: The surface area of a sign shall be computed as including the entire area within a regular, geometric form combination of regular, geometric forms comprising all of the display area of the sign area and including all of the elements of the matter displayed. Frames and structural members not being advertising matter shall not be included in the computation of surface area

22.5 Signs Permitted in all Districts Not Requiring a Permit:

1. Signs advertising the sale, lease or rental of the premises upon which the sign is located shall not exceed four (4) square feet in area.
2. Professional name plates not to exceed four (4) square feet in area.
3. Signs denoting the name and address of the occupants of the premises, not to exceed two (2) square feet in area.

22.6 Signs Permitted in Any District Requiring a Permit:

1. Signs or bulletin boards customarily incidental to place of worship,

libraries, museums, social clubs, or societies, shall not exceed twenty (20) square feet in area and which shall be located on the premises of such institution.

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2. Any sign advertising a commercial enterprise, including real estate developers or sub dividers, in any district, shall not exceed twenty (20) square feet in area and shall advertise only the names of the owners, trade names, products sold and/or the business or activity conducted on the premises where such sign is located.

22.7 Wall Signs Pertaining to Non-Conforming Uses: Wall signs pertaining to non-conforming use shall be permitted on the same premises of such use, provided the area of such sign does not exceed one square foot and shall not exceed 24” in height.

Sign Setback Requirements: Except as provided in the resolution, signs and outdoor advertising structures where permitted shall be set back from the established right-of-way line of any street or highway at least ten (10) feet, provided such sign or bulletin board does not obstruct traffic visibility at street or highway intersections.

1. Setbacks at the Intersection of Highways: At the intersection of any state or federal highway with an arterial or collector street the setback of any sign or outdoor advertising structure shall not be less than fifty (50) feet from the established right-of-way of each highway or street.

2. Setbacks for Public and Quasi-public Signs: Real estate signs and bulletin boards for church, school or any other public, religious or education institution may be erected not less than ten (10) feet from the established right-of-way of any street or highway provided such sign or bulletin board does not obstruct traffic visibility at street or highway intersections.

22.8 Special Yard Provisions: Signs and advertising structures where permitted shall be erected or placed in conformity with the side and rear yard requirements of the district in which located except that no sign or advertising structure shall be erected or placed closer than fifty (50) feet of a side or rear lot line in any residential district.

22.9 Violations: In case any sign shall be installed, erected, constructed or maintained in violation of any of the terms of this resolution, the College Township Zoning Inspector shall notify in writing the owner or lessee thereof to alter such sign to as to comply with this resolution. Failure to comply with any of the provisions of this Article shall be deemed a violation and shall be punishable under Article 4 of this resolution.

22.10 Temporary Signs: Temporary signs shall not be displayed for more than thirty (30) consecutive days.

22.11 Fees: Fees shall be subject to the provisions of Article 4 of this resolution.

ARTICLE TWENTY-THREE: EXTRACTION OF MINERALS

23.1 General Requirements: Any owner, lessee or other person, firm or corporation having an interest in mineral lands in any C-1 and AG Districts shall file with the College Township Zoning Appeals Board an application for authorization to mine minerals there from, provided, however, that he/she shall comply with all requirements of the District in which said property is located, apply for a Conditional Use Permit, and with the following additional requirements:

1. Distance from Property Lines: No quarrying operation shall be carried on or any stock pile placed closer than 300 feet to any property line unless a greater distance is specified by the College Township Zoning Appeals Board where such is deemed necessary for the protection of adjacent property.
2. Distance from Public Right-of-Way: In the event that the site of the mining or quarrying operations is adjacent to the right-of-way of any public street or road, no part of such operation shall take place closer than 300 feet to the nearest line of such right-of-way.
3. Fencing: Fencing must be erected and maintained around the entire site prior to operations commencing. Such fencing must be, at a minimum, eight foot chain-link. Gates must be lockable and must be locked during all non-working hours.
4. Equipment: All equipment and machinery shall be operated and maintained in such manner as to minimize dust, noise and vibration in accordance with existing Ohio EPA requirements. Access roads shall be maintained in dust-free condition by surfacing or other treatment.
5. Processing: The crushing, washing and refining or other similar processing may be authorized by the College Township Zoning Appeals Board as an accessory use, provided, however, that such accessory use shall not be in conflict with the use regulations of the District in which the operation is located.
6. Building Structures: All buildings and structures shall be no more than 35 feet in height above ground level.
7. Personal Use: Landowner may extract minerals for his/her own personal use on property he or she owns in accordance with the Ohio Revised Code.
8. Requirement: Conform to all State of Ohio permits and regulations.

23.2 Applicant- Financial Ability: In accepting such plan for review, the College Township Zoning Appeals Board must be satisfied that the proponents are financially

able to carry out the proposed mining operations in accordance with the plans and specifications submitted.

23.3 Application- Contents, Procedure:

1. Name of the owner or owners of land from which removal is to be made.
2. Name of the applicant making request for such permit.
3. Name of the person or corporation conducting the actual removal operation.
4. Location, description and size of area from which removal is to made.
5. Location of processing plant used.
6. Type of resources or materials to be removed.
7. Proposed method of removal and whether or not blasting or other use of explosives will be required.
8. Description of equipment to be used.
9. Methods of rehabilitation and reclamation of the mined area.
10. Copy of approved permit from the State of Ohio Department of Natural Resources.

All the above contents of the application shall be forwarded to the College Township Zoning Secretary.

23.4 Public Hearing: Upon receipt of such application, the College Township Zoning Appeals Board shall set the matter for a public hearing in accordance with the provisions of these Resolutions.

23.5 Rehabilitation:

1. Surface Rehabilitation: All excavations shall be made either to a water producing depth, such depth to be not less than 5 feet below the water mark, or shall be graded or backfilled with non-noxious, non-inflammable and non-combustible solids, to secure:
 - a. That the excavated area shall not collect and permit to retain there stagnant water;
 - b. That the surface of such area which is not permanently submerged is graded or backfilled as necessary so as to reduce the peaks and depressions thereof, so as to produce a gently running surface that will minimize erosion due to rainfall and which will be in substantial conformity to the adjoining land area.
2. Vegetation: Vegetation shall be restored by appropriate seeds of grasses or planting of shrubs or trees in all parts of said mining area where such area is not to be submerged under water as hereinafter provided.
3. Banks of Excavations Not Backfilled: The banks of all excavations not backfilled shall be sloped to the waterline 18% or less slope and said bank shall be seeded.

23.6 Additional Requirements: In addition to the foregoing, the College Township Zoning Appeals Board may impose such other conditions, requirements, or limitations concerning the nature, extent of the use and operation of such mines, quarries, or gravel pits as the College Township Zoning Appeals Board may deem necessary for the protection of adjacent properties and the public interest. Any owner, lessee, other person, firm or corporation, will enter into a contract with College Township Trustees guaranteeing the repair of all damage to public property resulting from mining and transportation to sidewalks, waterlines, sewer lines, bridges, culverts, tiles, fireplugs, streetlights, street or traffic signs, drainage facilities and not limited thereto.

23.7 Gas and Oil Wells: The Ohio Department of Natural Resources, Division of Mineral Resources Management has sole and exclusive authority to regulate the permitting, location, spacing of oil and gas wells, and the operating of oil and gas wells within the state, including site restoration and disposal of waste from those wells.

1. Any owner, lessee, other person, firm or corporation, must enter into a contract with College Township Trustees, guaranteeing the repair of all damage to public property resulting from such well or the drilling of sidewalks, water lines, sewer lines, bridges, culverts, tiles, fire plugs, street lights, street or traffic signs or signals, drainage facilities, but not necessarily limited thereto. There shall be the removal of all derricks at the cessation of operation.
2. All transmission line repair and maintenance shall be the responsibility of owners.

ARTICLE TWENTY-FOUR: EXCEPTIONS AND MODIFICATIONS

24.1 Lot of Record: When a lot which is an official lot of record at the time of adoption of the original resolution from June of 1973 does not comply with the area, yard or other requirements of this resolution, such lot may be used as a building site, provided, however, that the yard and other requirements of the district are complied with as closely as possible in the opinion of the College Township Zoning Appeals Board.

Information: Lot size was changed from one (1) acre to five (5) acres, in March 1991 through a revised Zoning Resolution, for Agricultural District. Lot size in Rural Residential District is changed from one (1) acre to two (2) acres in February 23, 2007.

24.2 Exception to Height Limits: The height limitations of this resolution shall not

apply to church spires, belfries, cupolas, flagpoles, monuments and domes not intended for human occupancy.

24.3 Exception to Yard Requirements:

Allowable Projections of Residential Structures into Yards:

Any structure may project into the required front yard if existing structures on both adjacent lots in the same district each have less than the required minimum front yard provided, however, that such projection shall extend no closer to the street than either of the adjacent structures.

Architectural features of residential buildings such as window sills, cornices, roof overhangs, may project into the required setbacks, provided such projection is not more than 4 feet and does not reach closer than 10 feet to any lot line.

The College Township Zoning Inspector shall act upon all such applications on which he/she is authorized to act within the provisions of this resolution within 30 days after the date they are filed in full compliance with all the applicable requirements. He/she shall either issue a zoning certificate within said 30 days or shall notify the applicant in writing of his/her refusal of such certificate and the reasons therefore. In the event of failure to notify the applicant within 30 days, an appeal can be made to the College Township Zoning Commission for further action.

Upon written request from the owners or tenants, the College Township Zoning Inspector shall issue a zoning certificate for any building or premises existing at the time of the enactment of this resolution certifying, after inspection, the extent and kind of use made of the building or premises and whether such use conforms to the provisions of this resolution.

Non-conforming Uses- Extension: The extension of a non- conforming building is prohibited; the grace period having expired in March of 1996. (Refer to 1991 Zoning Resolutions)

Performance Standards Procedure: The College Township Zoning Appeals Board shall have the power to authorize, upon application in specific cases, filed as hereinbefore provided, issuance of a zoning certificate for uses that are subject to Performance Standards procedure as provided in this resolution.

Temporary Structures and Uses: The temporary use of a structure or premises in any district for a purpose or use that does not conform to the regulations prescribed elsewhere in this resolution for the district in which it is located, provided that such use be of a temporary nature and does not involve the erection of a substantial structure. A zoning certificate for such use shall be granted in the form of a temporary and revocable permit, for not more than a 12month period, subject to such conditions as will safeguard the public health, safety, convenience and general welfare.

General: In exercising its power, the College Township Zoning Appeals Board may, in

conformity with the provisions and statutes of this resolution, reverse or affirm wholly or partly or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

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24.4 Performance Standards- Procedure: The Board shall have the power to authorize, upon application in specific cases, filed as hereinafter provided, issuance of a zoning certificate for uses that are subject to Performance Standards provisions under Article 11 of this Resolution, as provided in the following:

1. Application: An application for a zoning certificate for a use subject to performance standards shall be submitted in duplicate on a form prescribed by the College Township Zoning Appeals Board. The applicant shall also submit in duplicate a plan of the proposed construction or development, including a description of the proposed machinery, processes and products, and specifications for the mechanisms and techniques to be used in restricting the emission of dangerous and objectionable elements as set forth in Article 11 in accordance with rules prescribed by the College Township Zoning Appeals Board specifying the type of information required in such plans and specifications. The fee for such application shall include the cost of the special reports that may be required to process the application as set forth in Paragraph 2 below.
2. Report by Specialists: If, in the opinion of the College Township Trustees, the proposed use may cause emission of dangerous or objectionable elements, the College Township Trustees may refer the application to one or more specialists qualified to advise as to whether a proposed use will conform to the applicable performance standards specified in Article 11 for investigation and report. Such consultant or consultants shall report as promptly as possible after his/her receipt of such application. A copy of such report shall be promptly furnished to the applicant.
3. Review by the College Township Zoning Appeals Board: Within 30 days after the College Township Zoning Appeals Board has received the aforesaid application, or the aforesaid report, or within such further period as agreed to by the applicant, the College Township Zoning Appeals Board shall decide whether the proposed use will conform to the applicable performance standards, and on such basis shall authorize or refuse to authorize issuance of a zoning certificate or require a modification of the proposed plan of construction, or specifications, proposed equipment, or operation. Any zoning certificate so authorized and issued shall be conditioned upon, among other things, the following:
 - a. That the applicant's buildings and installations when completed will conform in operation to the applicable performance standards; and
 - b. That the applicant will pay the fees for services of the expert consultant or consultants deemed reasonable and necessary

by the College Township Zoning Appeals Board to advise the Board as to whether or not the applicant's completed buildings and installation in operation will meet said applicable performance standards.

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4. Continued Enforcement: The College Township Zoning Inspector shall investigate any purported violation of performance standards and, if there is reasonable grounds for the same, shall notify the College Township Zoning Appeals Board of the occurrence or existence of a probable violation thereof. The College Township Zoning Appeals Board shall investigate the alleged violation, and for such investigation shall employ qualified experts. The services of any qualified expert employed by the College Township Zoning Appeals Board to advise in establishing a violation is to be paid for by the College Township.

**ARTICLE TWENTY-FIVE
RESERVED FOR FUTURE USE**

PART FIVE

VALIDITY AND REPEAL

Validity: This Resolution and the various Parts, Articles, and Paragraphs thereof, are hereby declared to be severable. If any article, section, subsection, paragraph, sentence or phrase of this Resolution is adjudged unconstitutional or invalid by any court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby.

Authentication: The College Township Clerk is hereby ordered and directed to certify to the passage of this Resolution. This Resolution shall be in effect and be in force from and after its passage, approval and publication.

All other Resolutions of the Township, inconsistent herewith and to the extent of such inconsistently and no further, are hereby repealed.

This Resolution, as amended, shall be in full force and effect, on June 10, 2016, thirty (30) days after a Public Hearing held by the College Township Trustees on July 11, 2016.

Adopted this 10 day of
August, 2016

Board of Township Trustees
College Township
Knox County, Ohio

Charles Woolison

ATTEST: _____
Clerk, College Township

Barry Bowden

Dated: August 10, 2016

Douglas McLarnan

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**CERTIFICATE OF
ZONING
NO. _____**

HAS BEEN ISSUED FOR THE PURPOSE OF:

TO:

NAME

ADDRESS

DISTRICT CLASSIFICATION: _____

CERTIFICATE ISSUED ON: _____

**BOARD OF TRUSTEES
COLLEGE TOWNSHIP
KNOX COUNTY, OHIO**

Roger Yarman, Zoning Inspector

(TO BE POSTED IN CONSPICUOUS PLACE BEFORE THE INITIATION AND DURING THE PROCESS OF WORK)

971.33 Cutting of noxious weeds.

An owner of land, adjacent to a line or partition fence, shall keep all brush, briars, thistles, or other noxious weeds cut in the fence corners and a strip four feet wide on his/her side along the line of a partition fence, but this section does not affect the planting of vines or trees for use.

HISTORY: RS 4240-1; 82 v 181; 97 v 141; GC 5942; Bureau of Code Revision. Eff. 10/1/53.

971.34 Notice to landowner failing to cut noxious weeds.

If the owner or tenant occupying land, neglects or refuses to cut brush, briars, thistles, or other noxious weeds, as provided in Section 971.33 of the Ohio Revised Code, an owner or occupant of land abutting on the line or partition fence, after having given the owner or tenant not less than ten days' notice to cut or remove them, may notify the Board of Township Trustees of the township in which the land is situated, who shall forthwith view the premises, and if satisfied that there is just cause of complaint, shall cause them to be cut, by letting the work to the lowest bidder, or by entering into a private contract therefore.

HISTORY: RS 4240-2; 82 v 181; 97 v 141, 2; GC 5943, Bureau of Code Revision. Eff 10-1-53.

COLLEGE TOWNSHIP FEE SCHEDULE

1. Structures: \$.25 per square foot, minimum of \$25.00.
2. Signs: \$25.00
3. Temporary Residence for property owner: \$50.00 per year, maximum of 1 year.
4. Temporary Residence for visitors: 30 days and a fee of \$50.00, and one visitor per year.
5. PUDs and Conservation Developments: \$500.00 for every 1 to 4 units; \$1000.00 for every 5 to 8 units, etc.
6. Cell Towers: \$500.00
7. Variance/Conditional Use Appeals or Zoning Change: \$500.00
8. All Agricultural Permits: No charge