

MONROE TOWNSHIP

KNOX COUNTY, OHIO

MONROE TOWNSHIP ZONING CODE BOOK

Issued, 1958

Revised, 1976

Revised, 1980

Revised, 1982

Revised, 1983

Revised, 1991

Revised, 1995

Revision 7, Effective May 22, 2002

Revision 8, Effective July 24, 2002

Revision 9, Effective July 14, 2009

Revision 10, Effective July 2, 2012

**BY AUTHORITY OF
MONROE TOWNSHIP
BOARD OF TRUSTEES
AND
ZONING COMMISSION**

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ZONING COMMISSION

A. AUTHORITY

The authority for the creation and establishing of the Zoning Commission is contained in the provisions of Section 519.02 to 519.25 inclusive of the Revised Code of the State of Ohio.

B. PETITION

The Board of Trustees of Monroe Township, Knox County, Ohio, did, on the 15th day of January, 1958, receive a petition, signed by a number of qualified voters residing in the unincorporated area of Monroe Township as provided under (B) Section 519.03 of the Revised Code of the State of Ohio, said petition requesting the adoption of a resolution to proceed with township zoning.

C. RESOLUTION

The Board of Trustees of Monroe Township, Knox County, Ohio, did on the 15th day of January, 1958, adopt a resolution to proceed with the township zoning and create and establish a Zoning Commission.

D. ZONING COMMISSION

1. Pursuant to the provisions of Section 519.04 of the Revised Code of the State of Ohio, the Board of Trustees of Monroe Township, Knox County, Ohio, did appoint the five members of the Zoning Commission as follows:

Stanley Beckett –	for a term of five years
Wendell Wolfe -	for a term of four years
Ralph Henwood -	for a term of three years
Lloyd Brown -	for a term of two years
Robert Allen -	for a term of one year

2. The appointed members of the Zoning Commission did, on the 24th day of February, 1958, organize and elect the Chairman and Secretary to serve for a term of one year as follows:

Stanley Beckett, Chairman
Denzal W. Harding, Secretary

3. The Zoning Commission was instructed by the Board of Trustees to proceed with the work in preparation of a zoning plan in accordance with the intent of the Resolution referenced in Paragraph C of the Zoning Plan.

E. RESPONSIBILITIES

After preparation of the Zoning Plan, the function of the Zoning Commission is advisory to the Township Trustees.

The responsibilities of the Zoning Commission are as follows:

1. Propose amendments to the zoning text and map as the need arises.
2. Hold public hearings and make formal recommendations to the Township Trustees concerning zoning amendments and requests for reclassification of land-use requested by property owners.

ARTICLE 1

TITLE, INTERPRETATION, AND ENACTMENT

100. **Title:**

This Resolution shall be known and may be cited to as the “Zoning Resolution of Monroe Township of Knox County, Ohio.”

101. **Provisions of Resolution Declared to be Minimum Requirements:**

In their interpretation and application, the provisions of this Resolution shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and the general welfare. Whenever the requirements of this Resolution conflict with the requirements of any other lawfully adopted rules, regulations, ordinances, or Resolutions, the most restrictive, or that imposing the higher standards shall govern.

102. **Separability Clause:**

Should any section or provision of this Resolution be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Resolution as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

103. **Repeal of Conflicting Resolution, Effective Date:**

All resolutions or parts of Resolutions in conflict with this Resolution or inconsistent with the provisions of this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect. This Resolution shall become effective from and after the date of its approval and adoption. As provided by law.

**ARTICLE 2
ZONING REGULATIONS
DEFINITIONS**

For the purpose of this Resolution, certain terms and words are herein defined as follows:

The words “used for” include “designed for” and vice versa; words used in the present tense include the future; words in the singular number include the plural number and vice versa; the word “building” includes the word “structure”; the word “dwelling” includes the word “residence”; the word “lot” includes the word “plot”; the word “shall” is mandatory and not directory.

1. **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.
2. **Accessory Use:** A use on the same lot with and customarily incidental or subordinate to the principal use on the lot.
3. **Administrative and Business Offices Use:** Uses that are primarily engaged in general administration, management, supervision, purchasing, and accounting. They involve no retail sales and stock no goods for distribution or sale.
4. **Adult Book Store:** An establishment which utilizes 15 percent or more of its retail selling area for the purpose of retail sale or rental, or for the purpose of display by coin or slug operated electronically or mechanically controlled still or motion picture machines, projectors, or other image producing devices, or both, books, magazines, other periodicals, films, tapes and cassettes which are distinguished by their emphasis on adult materials as defined in this Resolution.
5. **Adult Entertainment Business:** An adult bookstore, adult motion picture theater, adult motion picture drive-in theater, or any adult only entertainment establishment as defined by this Resolution.
6. **Adult Material:** Any book, magazine, newspaper, pamphlet, poster, print, picture, slide, transparency, figure, description, motion picture film, phonographic record or tape, other tangible thing, or any service capable of arousing interest through sight, sound, or touch, and:
 - A. Which material is distinguished or characterized by an emphasis on matter displaying, describing, or representing sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination, or
 - B. Which service is distinguished or characterized by an emphasis on sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination.

7. **Adult Motion Picture Drive-In Theater:** An open-air, drive-in theater which is regularly used or utilized 15 percent or more of its total viewing time for presenting, describing, or related to adult material as defined in this Resolution.
8. **Adult Motion Picture Theater:** An enclosed motion picture theater which is regularly used or utilizes 15 percent or more of its total viewing time for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or related to adult material as defined in this Resolution.
9. **Adult Only Entertainment Establishment:** An establishment where the patron directly or indirectly is charged a fee where the establishment features entertainment or services which constitute adult material as defined in this Resolution; or which features exhibitions, dance routines, or gyration choreography or persons totally nude, topless, bottomless; or strippers (male or female); or female impersonators; or similar entertainment or services which constitute adult material.
10. **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 fur-bearing 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, or mushrooms; timber; pasturage; 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.
11. **Airport or Aircraft Landing Field:** Any landing area, runway or other facility designed, used, or intended to be used either publicly or by any person or persons for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie down areas, hangars and other necessary building and open spaces.
12. **Alley:** See Thoroughfare.
13. **Alteration, Structural:** Any change which would tend to prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams, girders, footers or foundations.
14. **Amusement Arcade:** A place of business within a building or outdoor structure or any part of a building having more than five mechanical or electronically operated amusement devices which are used for the purpose of public entertainment through the operation, use, or play of any table game or device commonly as an electronic game which is operated by placing therein any coin, plate, disc, slug, key, or token of value by payment of a fee.
15. **Apartment:** See "Dwelling Unit".
16. **Apartment Hotel:** See "Dwelling Unit".

17. **Apartment House:** See “Dwelling Unit”.
18. **Automotive Repair:** The repair, rebuilding, or reconditioning of motor vehicles or parts thereof, including collision service, painting, and steam cleaning of vehicles.
19. **Automobile Service:** Any premises used for supplying vehicle fuel and oil, at retail direct to the customer, including minor accessories and services for automobiles.
20. **Automotive, Mobile Home, Travel Trailer and Farm Implement Sales:** The sale or rental of new and used motor vehicles, mobile homes, travel trailers, or farm implements, but not including repair work except incidental warranty repair of same, to be displayed and sold on the premises.
21. **Automobile Wrecking:** The dismantling or disassembly of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parties.
22. **Balcony:** A railing enclosed platform projecting from the outer wall of a building.
23. **Basement:** A story partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story if more than one-half of its height is above the average level of the adjoining ground.
24. **Billboard or Poster Panel:** Any sign or advertisement used as an outdoor display for the purpose of making anything known, the origin of point of sale of which is remote from said display.
25. **Board:** Shall mean the Board of Zoning Appeals of Monroe Township, Knox County.
26. **Boarding House:** See “Dwelling Unit”.
27. **Building:** Any structure designed or intended to support, enclose, shelter, or protect persons, animals, chattels or property. The term “building” shall not include such structures as billboards, fences, radio towers or structures with interior areas not normally accessible for human habitation, such as tanks, smokestacks, grain elevators, coal bunkers, oil cracking towers, or similar structures.
28. **Building, Community:** A building for social, educational, and recreational activities of a neighborhood or community, provided any such use is not operated for commercial gain.
29. **Building, Main:** For any given lot or property, the building in which the principal use of the lot is conducted.
30. **Building, Unit Group:** Two or more buildings (other than dwellings) grouped upon a lot and held under one ownership, such as Universities, Hospitals and Institutions.

31. **Building Height:** The vertical distance measured from the adjoining curb grade to the highest point of the roof surface, if a flat roof; to the deck line of a mansard roof; and to the main height level between eaves and ridges for a gable, hip or gambrel roof, provided that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished grade along the front of the building.
32. **Building Line:** See “Setback Line”.
33. **Building, Principal:** See Definition # 29.
34. **Business:** An office or shop engaged in the day-to-day sale of commodities and services to a local area or region, the sales being of retail character, either direct over-the-counter, by mail, by telephone or by contract, or by Internet.
35. **Business, Convenience:** Commercial establishments which cater to and can be located in close proximity to or within residential districts without creating undue vehicular congestion, excessive noise, or other objectionable influences. To prevent congestion, convenience uses include, but need not be limited to, drugstores, beauty salons, barber shops, carry-outs, dry cleaning and laundry pickup facilities, and grocery stores, if less than 10,000 square feet in floor area. Uses in this classification tend to serve day-to-day need in the neighborhood.
36. **Business, General:** Commercial uses which generally require locations on or near major thoroughfares and/or their intersection and which tend, in addition to serving day-to-day needs of the community, also supply the more durable and permanent needs of the whole supermarkets; stores that sell hardware, apparel, footwear, appliances and furniture; department stores; discount stores.
37. **Business, Highway:** Commercial uses which generally require locations on or near major thoroughfares and/or their intersections, and which tend to serve the motoring public. Highway business uses include, but need not be limited to, such activities as filling stations; truck and auto sales and service; restaurants and motels; and commercial entertainment facilities.
38. **Business, Office Type:** Quasi-commercial uses which may often be transitional between retail business and/or manufacturing and residential uses. Office business generally accommodates such occupations as administrative, executive, professional, accounting, writing, clerical, stenographic, and drafting. Institutional offices of a charitable, philanthropic, religious, or educational nature are also included in this classification.
39. **Business Services:** Any profit making activity which renders services primarily to other commercial or industrial enterprises, of which services and repairs appliances and machines in homes and businesses.
40. **Business, Wholesale:** Business establishments that generally sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments, or manufacturing establishments. These commodities are basically for further resale, for use in fabrication of a product, or for use by a business service.

41. **Camp Ground:** See “Tourist Camp”.
42. **Camp, Trailer:** See “Tourist Camp”.
43. **Cemetery:** Land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries if operated in connection with and within the boundaries for such cemetery.
44. **Channel:** A natural or artificial watercourse of perceptible extent, with bed and banks to confine and conduct continuously or periodically flowing water.
45. **Child Day Care Except Type B Family Day Care Homes:** An establishment that administers to the needs of seven or more infants, toddlers, pre-school children, and school children outside of school hours by persons other than their parents or guardians, custodians, or relative by blood, marriage, or adoption for any part of the 24-hour day in a place or residence other than the child’s own home.
46. **Clinic:** A place used for the care, diagnosis, and treatment of sick, ailing, infirm, or injured persons, and those who are in need of medical and surgical attention, but who are not provided with board or room or kept overnight on the premises.
47. **Club:** A building or portion thereof or premises which is not open to the general public, used for a social, literary, political, educational, or recreational purpose primarily for the exclusive use of its members and their guests.
48. **Commercial Entertainment Facilities:** Any profit-making activity which is generally related to the entertainment field, such as motion picture theaters, carnivals, nightclubs, cocktail lounges, and similar entertainment activities.
49. **Commission:** Shall mean the Zoning Commission of Monroe Township, Knox County, State of Ohio.
50. **Comprehensive Development Plan:** A plan, or any portion thereof, adopted by the planning or zoning commission and the legislative authority of Knox County showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major thoroughfares, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the community.
51. **Conditional Use:** A use permitted within a district other than a principally permitted use, requiring a conditional use permit and approval of the Board of Zoning Appeals. Conditional uses permitted in each district are listed in the Official Schedule of District Regulations.
52. **Conditional Use Permit:** A permit issued by the Zoning Inspector upon approval by the Board of Zoning Appeals to allow a use other than a principally permitted use to be established within the district.
53. **Corner Lot:** See “Lot Types”

54. **Court:** An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings.
55. **Court, Inner:** A court other than an outer court. The length of an inner court is the minimum horizontal dimension measured parallel to its longest side. The width of an inner court is the minimum horizontal dimension measured at right angles to its length.
56. **Court, Outer:** A court, which opens onto a required yard, or street or alley. The width of an outer court is the minimum horizontal dimension measured in the same general direction as the yard, street or alley upon which the court opens. The depth of an outer court is the minimum horizontal dimension measured at right angles to its width.
57. **Cul-de-Sac:** See “Thoroughfare”.
58. **Cutoff Type Luminaire:** A unit of illumination with elements such as shield, reflectors, or refractor panels that direct and cut off the light at a cutoff angle less than 90 degrees.
59. **Curb Grade:** The elevation of the established curb in front of the building measured at the center of such front. Where no curb grade has been established, the County Engineer shall establish such curb grade or its equivalent for the purpose of this Resolution.
60. **Dead-End Street:** See “Thoroughfare”.
61. **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 the land devoted to residential uses (excluding public right-of-way).
62. **Dish:** The part of a satellite signal-receiving antenna which is shaped like a saucer or dish, whether it is spherical, parabolic, or similar in shape.
63. **Dish-Type Satellite Signal-Receiving Antennas:** Includes earth stations or ground stations, whether functioning as part of a basic service system, direct broadcast satellite system, or multi-point distribution service system. One or a combination of two or more of the following:
 - A. A signal-receiving device, such as a dish antenna, whose purpose is to receive communications or signals from earth-orbiting satellites or similar sources.
 - B. A low-noise amplifier (LNA) whose purpose is to boost, magnify, store, transfer, or transmit signals.
 - C. A coaxial cable whose purpose is to convey or transmit signals to a receiver.

64. **Drive-In or Drive-Through:** An establishment that, by design of physical facilities or by services or packaging procedures, encourages or permits customers to receive a service or obtain a product that may be used or consumed in a motor vehicle on the premises or be entertained while remaining in an automobile.
65. **Dwelling:** Any building or structure that contains one or more dwelling units.
66. **Dwelling Unit:** Space, within a dwelling, comprising 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.
67. **Dwelling, Single-Family:** A dwelling consisting of a single dwelling unit only, separated from other dwelling units by open space.
68. **Dwelling, Two-Family:** A dwelling consisting of two dwelling units which may be either attached side-by-side or one above the other, and each unit having a separate entrance.
69. **Dwelling, Multiple-Family:** A dwelling consisting of three or more dwelling units, including condominiums with varying arrangements of entrances and party walls.
70. **Dwelling, Industrialized Unit:** An assembly of materials or products, comprising all or part of a total structure which, when constructed, is self-sufficient or substantially self-sufficient and when installed, constitutes a dwelling unit, except for necessary preparations for its placement, and including a modular or sectional unit, but not a mobile home.
71. **Dwelling, Rooming House (Boarding House, Lodging House, Dormitory):** A dwelling or part thereof, other than a hotel, motel, or restaurant where meals and/or lodging are provided for compensation, for three or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.
72. **Easement:** Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.
73. **Essential Services:** The erection or construction, alteration, or maintenance by public utilities or municipal or other 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, sewers, pipes, traffic signals, hydrants; or other similar equipment and accessories in connection therewith which are reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.
74. **Existing Use:** The use of a lot or structure at the time of enactment of a zoning resolution.

75. **Facilities of an Educational, Religious, Charitable, Philanthropic, or Non-Profit Nature:** Facilities of an educational, religious, charitable, philanthropic or nonprofit nature” under this ordinance shall not include any buildings used for imprisonment or rehabilitation, including but not limited to any prison, jail, workhouse, penal institution, reformatory, correctional institution, penitentiary, juvenile detention home, juvenile community rehabilitation center, any facility created under Chapter 341, Sections 2151.65, Sections 753.02 et seq., or Sections 5145.01 et seq. of the Ohio Revised Code, or any similar facility.
76. **Family:** Defined as one or more persons living together as a single housekeeping unit in a dwelling unit, as distinguished from a group occupying a rooming house, motel or hotel, dormitory, fraternity or sorority house, provided that “family” shall not include more than four persons unrelated to each other by blood, marriage, or legal adoption.
77. **Family Day Care Home-Type B:** A permanent residence of the provider in which child day-care is provided for one to six children at one time and in which no more than three children are under two years of age at one time. In counting children for the purposes of this division, any children under six years of age who are related to the provider and who are on the premises of the type B home shall be counted. “Type B family day care home” does not include a residence in which the needs of children being administered to are siblings of the same immediate family and the residence is the home of the siblings. Type B family day care homes do not include any child day camp.
78. **Farm:** A parcel of land, ten (10) qualifying acres or more in area, devoted to agricultural purposes.
79. **Farm Vacation Enterprises (Profit or Non-Profit):** Farms adapted for use as vacation farms, picnicking and sporting areas, fishing waters, camping, scenery, and nature recreation areas; hunting areas; hunting preserves; and watershed projects.
80. **Fence:** Any structure composed of wood, metal, stone, brick, or other material erected in such 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.
81. **Flood or Flooding:** A general and temporary condition of partial or complete inundation of normally dry land areas from:
- A. The overflow of inland or tidal waters, and/or
 - B. The unusual and rapid accumulation or runoff of surface waters from any source.
82. **Flood Base:** The flood having a 1 percent chance of being equaled or exceeded in any given year. The base flood may also be referred to as the 100-year flood.
83. **Flood Insurance Rate Map (Firm):** An official map on which the Federal Emergency Management Agency had delineated the areas of special flood hazard.

84. **Flood Insurance Study:** The official report in which the Federal Emergency Management Agency has provided flood profiles, floodway boundaries, and the water surface elevations of the base flood.
85. **Flood Plain:** The area of land adjoining the channel of a river, stream, watercourse, lake, or similar body of water, which will be inundated by a flood which can be reasonably expected for that region during any 100-year period.
86. **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 one (1) foot.
87. **Floor Area, Business and Manufacturing:** For the purpose of computing the minimum allowable floor area in a business and manufacturing structures, the sum of the horizontal areas of each floor of the building shall be measured from the exterior walls. The floor area measurement is exclusive of the areas of basements, unfinished attics, breezeways, and enclosed or unenclosed porches.
- a. **Floor Area, Residential:** For the purpose of computing the minimum allowable floor area in a residential dwelling unit, the sum of the horizontal areas of each floor of the building shall be measured from the interior faces of the exterior walls. The floor area measurement is exclusive of the areas of unfinished basements, unfinished attics, breezeways, and unenclosed porches.
- b. **Floor Area, Useable:** For the purposes of computing parking requirements of non-residential buildings, the floor area is the area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows, fitting rooms, hallways, and similar areas.
88. **Frontage:** All the property fronting on one (1) side of a street between the two nearest intersecting streets, or other natural barriers.
89. **Garages, Private:** 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.
90. **Garages, Public:** A principal or accessory building, other than a private garage, used for parking or temporary storage of passenger automobiles and in which no service shall be provided for remuneration.
91. **Governmental Buildings:** Buildings owned or operated by federal, state or local governments or departments and/or subdivisions thereof, which buildings are used for administrative, ministerial, public service, safety, health, public utility or recreational purposes. "Governmental buildings" under this ordinance shall not include any buildings used for imprisonment or rehabilitation, including, but not limited to, any prison, jail, workhouse, penal institution, reformatory, correctional institution, penitentiary, juvenile detention home, juvenile community rehabilitation center, any facility created under Chapter 341 Sections 2151.65, Sections 753.02 et seq., or Section 5145.01 et seq. of the Ohio Revised Code, or any similar facility.

92. **Group Care Facility or Group Residential Facilities:** A group of individuals not related by blood, marriage, adoption, or guardianship living together in a dwelling unit as a single housekeeping unit under supervision of on-site management which is compensated by payment to provide organization and stability to those individuals. For six (6) to sixteen (16) individuals.
93. **Guest House:** Living quarters within a detached accessory building located on the same premises with the main building, for use by temporary guest of the occupants of the premises; such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling.
94. **Home Occupation:** An accessory use which is an activity, profession, service, craft or revenue enhancing hobby which is clearly incidental and subordinate to the use of the premises as a dwelling, by conditional use permit. Activities such as teaching, tutoring, babysitting, tax consulting and the like shall involve not more than three receivers of such services at any one time. Home occupations are subject to a conditional use permit.
95. **Hotel or Motel and Apartment Hotel:** A building in which lodging or boarding are provided and offered to the public for compensation as a short-term arrangement and is separately defined from a boarding house, rooming house, lodging house, or dormitory.
96. **Hospital:** A building or a portion thereof used for the accommodation of sick, injured, or infirm persons, including santeria, sanitoria.
97. **Industry:** Storage, repair, manufacture, preparation or treatment of any article, substance or commodity.
98. **Institutional Home:** See “Group Care Facility or Group Residential Facilities”.
99. **Junk Yard:** A place, structure or lot where junk, waste, discarded, salvaged or similar materials such as old iron or other metals, wood, liquid waste, timber, glass, paper, rags, cloth, bagging, cordage, barrels, containers, etc. are bought, sold, exchanged, baled, disassembled, or handled, including auto wrecking yards, used lumber yards, house wrecking yards, and places or yards for use in accumulation of salvaged house wrecking and structural steel materials and equipment including recycling yards, collection centers and processing centers related to recycling.
100. **Kennel:** Any lot or premises on which four (4) or more dogs, more than four (4) months of age, are kept.
101. **Loading Space:** An off-street space or berth on the same lot with a building, or continuous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street or other appropriate means of access.

102. **Lot:** A parcel of land occupied or intended to be occupied by one or more dwellings in a residential district or a permitted building or use in a commercial or industrial district, intended as a unit for transfer of ownership, together with accessory buildings and uses customarily incident thereto. A lot includes open spaces and minimum area provisions as are required by this Resolution for the district in which the lot is situated.
103. **Lot Coverage:** The ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.
104. **Lot Frontage:** The front of a lot shall be considered to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under “Yards” in this section.
105. **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, measured at the building setback line.
106. **Lot, Minimum Area of:** The area of a lot inclusive of any portion of the right-of-way of any public or private street.
107. **Lot of Record:** A lot which is part of a subdivision recorded in the Office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been recorded.
108. **Lot Types:** Terminology used in this Resolution with reference to corner lots, interior lots, and through lots is as follows:
- a. **Corner Lot:** A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost point of the lot meet at an interior angle of less than 135 degrees.
 - b. **Interior Lot:** A lot with only one frontage on a street.
 - c. **Through Lot:** A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
 - d. **Reversed Frontage:** A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.
109. **Maintenance and Building Facilities:** Land, buildings and structures devoted primarily to the maintenance and storage of construction equipment and material.
110. **Major Thoroughfare Plan:** The portion of comprehensive plan adopted by the Regional Planning Commission indicating the general location of recommended arterial, collector, and local thoroughfares within the appropriate jurisdiction.

111. **Manufactured Home:** Any non-self-propelled vehicle transportable in one or more sections which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.
112. **Manufactured Home Park:** Any tract of land upon which two or more manufactured homes used for habitation are parked, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park. A tract of land which is subdivided and the individual lots are not for rent or rented, but are for sale or sold for the purpose of installation of manufactured homes on the lots is not considered a manufactured home park even though three or more manufactured homes are parked thereon, if the roadways are dedicated to the local government authority. "Manufactured Home Park" does not include any tract of land used solely for the storage or display of manufactured homes.
113. **Manufacturing, Extractive:** Any mining, quarrying, excavating, processing, storing, separating, cleaning or marketing of any mineral natural resource.
114. **Mechanical or Electronically Operated Amusement Device:** Any machine, device, or instrument which, by the payment of a fee or other things of value, or by the insertion of a coin, plate, disc, slug, key, or token, operates or may be operated as a game, contest, or amusement, and which contains no automatic payoff device for the return of money, coins, tokens or merchandise or check redeemable in money or anything of value. Mechanical or electronically operated amusement devices include, but are not limited to mechanical baseball games, mechanical football games, pinball machines, any table game, or device commonly known as an electronic game, and other similar types of devices provided, however, that this definition is not intended to, nor shall it be construed to include merchandise vending machines or coin operated mechanical or electrical musical instruments or devices.
115. **Mobile Home:** Any non-self propelled vehicle so designed, constructed, reconstructed, or added to by means of accessories in such manner as will permit the use and occupancy thereof for human habitation, when connected to utilities, whether resting on wheels, jacks, blocks, or other temporary foundation and used or so constructed as to permit its being as a conveyance upon the public streets and highways and exceeding a gross weight of 4,500 pounds and an overall length of 30 feet, and not in compliance with the Federal Manufactured Housing Construction and Safety Standards Act of 1974.
116. **Mobile Home Park:** Any tract of land upon which two or more mobile homes used for habitation are parked, either free of charge or for revenue purposes, and include any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park. A tract of land which is subdivided and the individual lots are not for rent or rented, but are for sale or sold for the purpose of installation of mobile homes on the lots, is not considered a mobile home park even though three or more mobile homes are parked thereon, if the roadways are dedicated to the local government authority. "Mobile Home Park" does not include any tract of land used solely for the storage or display of mobile homes.

117. **Modular Home:** Factory- built home certified as meeting the State Building Code as applicable to modular housing. Once certified by the state, modular homes shall be subjected to the same standards as site-built homes.
118. **Motel or Motor Hotel:** A series of attached, semi-attached, detached sleeping or living units, for the accommodation of transient guest.
119. **Multiple-Section Manufactured Home:** A factory built home constructed to the design and specifications standards of a manufactured home as is set forth in the **Code of Federal Regulations Title 24, Parts 3280, 3282, and 3283, and 42 U.S.C. 5401 ET. seq.**
120. **Non-Conforming Building:** A building or structure or purpose thereof lawfully existing at the time this Resolution became effective, which was designed, erected, or structurally altered for a use that does not conform to the use regulations of the district in which it is located.
121. **Non-Conforming Use:** A use which lawfully occupied a building or land at the time this Resolution and/or amendments thereto became effective and which does not conform to the use regulation of the district in which it is located.
122. **Nude or Nudity:** The showing, presentation, or depiction of human male or female genitals, pubic area, or buttocks with less than full, opaque covering of any portion thereof, or female breast(s) with less than a full, opaque covering of any portion thereof below the top of the nipple, or of covered male genitals in a discernibly turgid state.
123. **Nuisance Factor:** An unpleasant, offensive, or obnoxious thing or practice contributing to an annoyance, especially a continuous or repetitive invasion, across property lines, of people or things such as noise, dust, smoke, heat, odor, glare, fumes, flashes, vermin, vibration shock wave, electronic or atomic radiation, objectionable effluent, pedestrian traffic or vehicular traffic.
124. **Nursery:** “See Child Day Care”.
125. **Nursery Plant Materials:** Land, building, structure, or combination thereof for the storage, cultivation, or transplanting of live trees, shrubs, or plants offered for retail sale on the premises, including products used for gardening or landscaping.
126. **Nursing Home:** A home or facility for the care and treatment of three or more persons who are living on the premises, that are infirmed and not normally capable of leaving the premises without assistance from caregivers who are in attendance at the nursing home at all times.
127. **Occupancy Permit or Certificate of Occupancy:** A document issued by the Zoning Inspector allowing the occupancy or use of a building and certifying that the structure or use has been constructed or will be used in compliance with all the applicable regulations contained herein in this Zoning Resolution.

128. **Open Space:** An area substantially open to the sky, which may be on the same lot with a building. The area may include along with the natural environmental features, water areas, swimming pools, and tennis courts, and other recreational facilities that the zoning commission deems permissive. Streets, parking areas, and buildings are not included as open space.
129. **Overlay District:** A district described by the zoning map within which, through superimposition of a special designation, further regulations and requirements apply in addition to those of the underlying districts to which such designation is added.
130. **Parking Space, Off-Street:** For the purpose of this Resolution, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or alley right-of-way.
131. **Parking Area, Private:** An open area, other than a road, street, or alley, used for the parking of automobiles of occupants of a dwelling or building.
132. **Parking Area, Public:** An area, other than a private parking area, road, street or alley, used for the parking of automobiles and available for public or quasi-public use.
133. **Parking Space:** Space within a building or a private or public parking area for the parking of one (1) automobile.
134. **Performance Bond or Surety Bond:** An agreement by a subdivider or developer with the County or Township Agency for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement.
135. **Personal Services:** Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repair, barber shops, beauty parlors, and similar activities.
136. **Planned Unit Development or Planned Neighborhood District:** 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 would normally apply under these regulations.
137. **Premises:** A house or building, together with its land and outbuildings occupied by a business or a residence.
138. **Professional Activities:** The use of offices and related spaces for such professional services as are provided by medical practitioners, lawyers, architects, and engineers, or similar professions.
139. **Public Uses:** Public parks, schools, administrative and cultural buildings and structures, not including public land or buildings devoted solely to the storage and maintenance of equipment and materials and public service facilities.

140. **Public Way:** An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway right-of-way, road, sidewalk, street, subway, tunnel viaduct, walk, bicycle path, or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.
141. **Public Utility:** A duly authorized commodity such as gas, electricity, communications, water supply, sewerage, waste disposal and the like that is supplied by a public organization.
142. **Receiver:** The apparatus whose purpose is to obtain a signal from a cable or other like source and transform it to a television signal.
143. **Recreation Camp:** An area of land on which two or more recreational vehicles, tents, or other similar temporary recreational structures are regularly accommodated with or without charge, including any building, structure, or fixture of equipment that is used or intended to be used in connection with providing such accommodations.
144. **Recreational Facilities:** Commercial or non-commercial facilities that offer non-passive recreational services to a group of people or the general public. Included in this definition are outdoor recreational facilities, such as golf courses, driving ranges, gaming clubs, riding clubs, tennis courts, swimming pools, and indoor recreational facilities in which all activities are conducted indoors. This definition could also include a combination of indoor and outdoor recreational services.
145. **Recreational Vehicle:** A vehicular type portable structure without permanent foundation which can be towed, hauled, or driven and designed as temporary living accommodation for recreational, camping, and travel use and including but not limited to travel trailers, truck campers, camping trailers, and self-propelled motor homes.
146. **Research Activities:** Research, testing and related facilities including operation of prototype, pilot plant or semi-works processes which are no larger than normal version of process, exposure of product to weather and all other tests relating to code and other product performance requirements, and fabrication or assembly operations which process materials or equipment for market development and other uses, provided that such operations shall be conducted within a building or be visually screened or located more than 200 feet from adjacent property lines.
147. **Restaurant:** An establishment that serves food and beverages primarily to persons seated within the building. This includes cafes, tea rooms, and outdoor cafes.
148. **Restaurant, Fast Food:** An establishment that offers quick food service, which is accomplished through a limited menu of items already prepared and held for service, or prepared, fried, griddled quickly, or heated in a device such as a microwave oven. Orders are generally not taken at the customer's table, and food is generally served in disposable wrapping or containers.
149. **Retail Stores Uses:** A business use primarily engaged in selling merchandise for personal and household consumption and rendering services clearly incidental to the sale of such goods.

150. **Right of Way:** A general term denoting land, property, or the interest therein, usually in the configuration of a strip, acquired for or devoted to transportation purposes. It shall include the roadway, shoulders or berm, ditch, and slopes to the limits established for a thoroughfare as reflected on the township zoning map.
151. **Roadside Stand:** A temporary structure designed or used for the display or sale of agricultural and related products.
152. **Roadway:** That portion of a thoroughfare, improved, designed, or ordinarily used for vehicular travel, except the berm or shoulder.
153. **School:** An institution which offers instructions in the several branches of learning and study required to be taught in the public schools by the Ohio School Code, High schools include Junior and Senior.
154. **Service Station:** See “ Automobile Service Station”.
155. **Setback Line:** A line established by the Zoning Resolution, generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory buildings, or structure may be located above ground, except as may be provided in said code.
156. **Sewers, Central or Group:** An approved sewage disposal system, which provides a collection network, and disposal system and central sewage treatment facility for a single development, community, or region.
157. **Sewers, On-Site:** A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.
158. **Sexual Activity:** Sexual conduct or sexual contact, or both.
159. **Sexual Contact:** Any touching of an erogenous zone of another, including without limitation to the thigh, genitals, buttocks, pubic region, or if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.
160. **Sexual Excitement:** The condition of the human male or female genitals, when in a state of sexual stimulation or arousal.

161. **Sign:** Any device designated to inform or attract the attention of persons not on the premises on which the sign is located.

SIGN TYPES / SPECIFIC DEFINITIONS / REGULATIONS

<u>TYPE</u>	<u>DEFINITION ---- ON-SITE</u>	<u>DEFINITION ----- OFF-SITE</u>
WALL SIGN	A sign attached to a building, not to protrude more than 6" from the building wall to which it is attached.	NOT PERMITTED
FREE STANDING SIGN	A sign, maximum of two (2) sides, mounted on a firm base. Maximum depth shall not exceed 6" on each side.	A sign, maximum of two (2) sides, mounted on a firm base. Maximum depth shall not exceed 6" on each side.
STACKED FREE STANDING SIGN	A free standing sign system designed to display two (2) or more sign elements, one above the other, on one unit. A maximum of two (2) sides mounted on a firm base. Maximum height shall not exceed 16 feet and the bottom of the sign shall not exceed three (3) feet above grade. Maximum depth shall not exceed 6" on each side. The maximum square footage of each sign element shall not exceed 16 square feet and any one dimension of the sign element cannot be less than 50% of the other dimension.	NOT PERMITTED
TEMPORARY	A sign, designed to be temporary, securely mounted or attached to a base of temporary nature. Sign not to exceed being displayed more than 30 days unless otherwise designated or contacting the zoning inspector for approval. The date each sign is first displayed and the time period for which the sign will be displayed shall be legibly marked on the sign.	A sign, designed to be temporary, securely mounted or attached to a base of temporary nature. Sign not to exceed being displayed more than 30 days unless otherwise designated or contacting the zoning inspector for approval. The date each sign is first displayed and the time period for which the sign will be displayed shall be legibly marked on the sign.
BANNERS	A non-rigid cloth, plastic or canvas sign typically related to a special event or promotion. Permitted as a temporary sign. Maximum size 24 square feet.	A non-rigid cloth, plastic or canvas sign typically related to a special event or promotion. Permitted as a temporary sign. Maximum size 24 square feet.

LIGHTED SIGN

A sign with lighting devices either interior or exterior, designed to illuminate the sign for greater visibility. The lighting device must be designed and installed to illuminate the sign only so as not to impede nor distract motor traffic or provide disturbance to adjoining properties. Flashing, pulsating or other light movements are not permitted.

A sign with lighting devices either interior or exterior, designed to illuminate the sign for greater visibility. The lighting device must be designed and installed to illuminate the sign only so as not to impede nor distract motor traffic or provide disturbance to adjoining properties. Flashing, pulsating or other light movements are not permitted.

PERMANENT SIGN

Requires design approval by the zoning inspector for adherence to zoning regulations before permanent signs can be mounted. Placement must also be approved to adhere to regulations to not to impede traffic flow, etc.

Requires design approval by the zoning inspector for adherence to zoning regulations before permanent signs can be mounted. Placement must also be approved to adhere to regulations to not to impede traffic flow, etc.

SIGN PERMIT

Requires zoning inspector permit; may or may not require a fee imposed.

Requires zoning inspector permit; may or may not require a fee imposed.

- 162. **Stables, Private:** Housing of animals only owned by the property owner and/or residents of that location.
- 163. **Story:** That portion of a building included between the surface of any floor and the surface of the next floor above it, or, if there be no floor above it, then the space between such floor and ceiling next above it.
- 164. **Story, Half:** A story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than two (2) feet above the floor of such story.
- 165. **Street:** See Thoroughfare, Street, Road or Alley.
- 166. **Structure:** Anything constructed or erected, the use of which requires location on the ground, or attachment of something having a fixed location on the ground. Structures include but are not limited to buildings, mobile homes, walls, fences, parking lots, and billboards.
- 167. **Supply Yards:** A commercial establishment storing and offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods.
- 168. **Swimming Pool:** A pool, pond, lake, or open tank having a span of at least six feet and intended for human recreational use and maintained by the owner or manager.
 - a) **Private Pool:** Exclusively used without paying an additional charge for admission by the residents and guests of a single household, a multiple-family development, or a community, the members and guests of a club, or the patrons of a motel or hotel; an accessory use.
 - b) **Community Pool:** Operated with or without a charge for admission and is open to the general public for recreational use.

169. **Temporary Use of Building:** A building or use permitted by the Board of Appeals or the Zoning Inspector, to exist during the period of construction of the main building or use, or for special events.
170. **Terrace:** A raised platform supported on one or more sides by a wall or a bank of earth.
171. **Thoroughfare, Street or Road:** The full width between right-of-way lines and binding every public way, with a part thereof to be used for vehicular traffic. All thoroughfares, streets, or roads are designated as follows:
- a) **Alley:** A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.
 - b) **Arterial Street:** A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route.
 - c) **Collector Street:** A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
 - d) **Cul-De-Sac:** A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.
 - e) **Dead-End Street:** A street temporarily having only one outlet for vehicular traffic and intended to be extended or continued in the future.
 - f) **Local Street:** A street primarily for providing access to residential or other abutting property.
 - g) **Loop Street:** A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the 180 degree system of turns are not more than 1,000 feet from said arterial or collector street, nor normally more than 600 feet from each other.
 - h) **Marginal Access Street:** A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street.)
172. **Topless:** The showing of a female breast with less than a full opaque covering of any portion, thereof, below the top of the nipple.
173. **Tourist Camp:** Land used or intended to be used by campers or for trailers, tents, or movable sleeping or living units. Two (2) or more trailers, whether parked or supported on foundations, shall constitute a tourist camp.

174. **Tourist Court:** A group of attached or detached sleeping or living units containing less than three hundred (300) square feet floor area for each unit and which are provided for transient guests, the term “Tourist Court” including auto courts, motels and motor lodges.
175. **Tourist Home:** A building in which board or rooming, or both are offered to the traveling public for compensation, and open to transient guests, in contradistinction to a hotel, boarding or rooming house.
176. **Trailer:** A non-self propelled vehicle, on wheels, designed to be used or so constructed as to permit its use, when drawn by an automobile or truck, for conveying living facilities, equipment, construction materials, and other commodities, on public roads and streets. The term includes: “Trailer coach, house trailer, truck trailer and semi-trailer.
177. **Trailer Camp:** Same as “Tourist Camp.”
178. **Use:** The purpose for which land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied or maintained.
179. **Variance:** A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the resolution, would result in unnecessary and undue hardship. As used in this resolution, a variance is authorized only for height, area, and size of structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning district or uses in an adjoining zoning district.
180. **Veterinary Animal Hospital or Clinic:** A place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals and those who are in need of medical or surgical attention and may include overnight accommodations on the premises for the treatment, observation, and/or recuperation. It may also include boarding that is incidental to the primary activity.
181. **Vicinity Map:** A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the general area in order to better locate and orient the area in question.
182. **Walkway:** A public way for pedestrian use only, whether along the side of a road or not.
183. **Wall:** “See Fence”.
184. **Wholesaling and Storage Uses:** Associated with transporting, storing, handling, or selling merchandise primarily to retailers, industrial, institutional, or professional uses, or to other wholesalers, or acting as agents in buying merchandise for such persons to organizations.
185. **Wireless Telecommunications Equipment Shelter:** A structure in which electronic receiving and relay equipment for a wireless telecommunications facility is housed.

186. **Wireless Telecommunications Facility:** A facility consisting of the equipment and structures involved in receiving telecommunications or radio signals from a mobile radio communication source and transmitting those signals to a central switching computer which connects the mobile unit with land-based telephone lines.
187. **Wireless Telecommunications Tower:** A structure intended to support equipment used to transmit and/or receive telecommunications signals including monopoles, guyed and lattice construction steel structures.
188. **Yard:** Any open space located on the same lot with a building, unoccupied and unobstructed from the ground up, except for accessory buildings, or such projections as are expressly permitted in these regulations. The minimum depth or width of a yard shall consist of the horizontal distance between the lot line and the nearest point of the foundation wall of the main building.
- A. **Yard, Front:** A yard extending across the full width of lot abutting the street of legal address to the front of main building.
- B. **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 main building.
- C. **Yard, Side:** A yard extending from the main building to the side lot line on both sides of the main building between the lines establishing the front and rear yards.
189. **Yard Requirement:** The open space between a lot line and the building area within which no structure shall be located except as provided in the Zoning Resolution.
190. **Zero Lot Line Development:** An arrangement of housing on adjoining lots in which one required side yard is reduced to zero.
191. **Zoning Map:** Refer to the Official Zoning of the Township of Monroe which is part of this Zoning Resolution to delineate the boundaries of Zoned districts.
192. **Zoning Inspector:** The person designated by the Board of Trustees to administer the Zoning Resolution and issue zoning permits.
193. **Zoning Certificate:** A document issued by the Zoning Inspector authorizing the use of lots, use of structures, uses of land and structures and the characteristics of the uses as proposed by the applicant.

ARTICLE 3
ZONING PLAN

A. GENERAL ZONING PLAN

300. DISTRICTS:

Monroe Township, Knox County, Ohio, shall be divided into six (6) districts as follows:

Symbol	Name
A-1	Agricultural District
A-2	Suburban Residential District
C-1	General Commercial District
M-1	Limited Industrial District
M-2	Medium Industrial District
R-C	Recreational and Conservation District

301. DISTRICT LOCATION:

Each district is defined in **Article 3, Section 300** of the Zoning Plan, December 4, 2000. Each district is located on the map entitled “Monroe Township Zoning Plan”. A certified copy of this map is on file in the office of the Board of Trustees of Monroe Township, and said map, all notations, dimensions and designations shown thereon are hereby declared to be part of the Zoning Resolution.

302. OFFICIAL ZONING MAP:

The districts established in **Article 3, Section 300** of this Resolution as shown on the Official Zoning Map which, together with all explanatory matter thereon, are hereby adopted as part of this Resolution.

303. IDENTIFICATION OF THE OFFICIAL ZONING MAP:

The Official Zoning Map shall be identified by the signature of the Chairman of the Board of Township Trustees, attested by the Township Clerk.

304. INTERPRETATION OF DISTRICT BOUNDARIES:

The Board of Zoning Appeals has the authority to interpret the Official Zoning Map and shall follow the following rules:

1. Where district boundaries are indicated as approximately following the center lines of thoroughfares or highways, streetlines, or highway right-of-way lines, such center lines, street lines, or highway right-of-way lines shall be construed to be such boundaries.
2. Where district boundaries are so indicated that they approximately follow lot lines, such lot lines shall be construed to be said boundaries.
3. Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or the center or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and such distances therefrom as indicated on the Official Zoning Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Official Zoning Map.
4. Where the boundary of a district follows a stream, lake, or other body of water, said boundary line shall be deemed to be at the limit of the jurisdiction of the Township unless otherwise indicated.

ARTICLE 4
ENFORCEMENT

400. GENERAL

Article 4 states the general applicability of this Resolution and stipulates the procedures to be followed in obtaining permits, certificates, and other legal or administrative approvals under this Resolution.

401. ZONING CERTIFICATES REQUIRED

No building or other structure shall be erected, moved, added to, structurally altered, nor shall any building, structure, or land be established, or changed in use without a certificate issued by the Zoning Inspector. Zoning certificates shall be issued only in conformity with the provisions of this Resolution. Charges and fees to be determined by Monroe Township Trustees. See Section 415.

402. YARD AND LOT REQUIREMENTS

No yard or lot existing at the time of passage of this Resolution shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Resolution shall meet at least the minimum requirements set forth herein.

403. CONTENTS OF APPLICATION FOR ZONING CERTIFICATE

The application for zoning certificate shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the certificates shall expire and may be revoked if work has not begun within one year or substantially completed within two years. At a minimum, the application shall contain the following information:

- a) Name, address, and phone number of applicant.
- b) General description of property.
- c) Proposed use.
- d) Sketch of site plan, showing existing buildings and proposed construction or use for which application is made.
- e) Building heights.
- f) Such other matters as may be necessary to determine conformance with and provide for the enforcement of this Resolution.

404. APPROVAL OF ZONING CERTIFICATE

Within 30 days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this Resolution. All zoning certificates shall be conditional upon the commencement of work within one year. One copy of the plans shall be returned to the applicant as either approved or disapproved and attested to same by his/hers signature on such copy. One copy of plans, similarly marked, shall be retained by the Zoning Inspector. The Zoning Inspector shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the use or alteration is in conformance with the provisions of this Resolution.

405. EXPIRATION OF ZONING CERTIFICATE

If the work described in any zoning certificate has not begun within one year from the date of issuance thereof, the zoning certificate shall expire and written notice thereof shall be given to the persons affected. If the work described in any zoning certificate has not been completed within two years of the date of issuance thereof, said certificate shall expire and written notice shall be given to the persons affected. No further work as described in the expired certificate shall proceed until a new zoning certificate has been obtained or extension granted.

406. RECORD OF ZONING CERTIFICATES

The Zoning Inspector shall maintain a record of all Zoning Certificates and copies shall be furnished upon request to any person.

407. FAILURE TO OBTAIN A ZONING CERTIFICATE

Failure to obtain a zoning certificate shall be a violation of this Resolution and punishable under Section 413 of this Resolution.

408. CONSTRUCTION AND USE TO BE AS PROVIDED IN APPLICATIONS, PLANS, AND CERTIFICATES

Zoning certificates issued on the basis of plans and application approved by the Zoning Inspector authorize only the use and arrangement set forth in such approved plans. Any other use, arrangement, or construction contrary to that authorized shall be deemed a violation of this Resolution and punishable as provided in Section 413 of this Resolution.

409. ENTRY AND INSPECTION OF PROPERTY

The Zoning Inspector is authorized to make inspection of properties and structures in order to examine and survey the same, at any reasonable hour, for the purpose of enforcing the provisions of this Resolution. Prior to seeking entry to any property or structure for such examination or survey, the Zoning Inspector shall attempt to obtain permission of the owner or occupant to inspect. If such permission is denied or cannot be obtained, the Zoning Inspector shall request the assistance of the County Prosecutor in securing a valid search warrant prior to entry.

410. STOP WORK ORDER

Subsequent to his determination that work is being done contrary to this Resolution, the Zoning Inspector shall write a stop work order and post it on the premises involved. Removal of a stop work order except by the order of the Zoning Inspector shall constitute a punishable violation of this Resolution.

411. ZONING CERTIFICATE REVOCATION

The Zoning Inspector may issue a revocation notice to revoke a certificate or administrative approval which was issued contrary to this Resolution or based on false information or misrepresentation in the application.

412. NOTICE OF VIOLATION

Whenever the Zoning Inspector, determines that there is a violation of any provision of this Resolution, a warning shall be issued and shall serve as a notice of violation. Such order shall:

- a) Be in writing.
- b) Identify the violation.
- c) Include a statement of the reason or reasons why it is being issued and refer to the sections in this Resolution being violated.
- d) State the time by which the violation shall be corrected.

Service of notice of violation shall be as follows:

- i) By personal delivery to the person or persons responsible, by leaving the notice at the usual place of residence of the owner with a person of suitable age and discretion; or
- ii) By certified mail deposited in the U.S. Post Office addressed to the person or persons responsible at a last known address. If a certified mail envelope is returned with endorsement showing that the envelope is unclaimed, then the warning notice shall be sent by ordinary mail, and the mailing shall be evidenced by a certificate of mailing which shall be filed by the Zoning

Inspector. Service of the warning notice shall be deemed complete when the fact of mailing is entered in the record, provided that the ordinary mail envelope is not returned by the postal authorities with an endorsement showing failure of delivery; and

- iii) By posting a copy of the notice form in a conspicuous place on the premises found in violation.

413. **PENALTIES FOR VIOLATION**

Violation of the provisions of this Resolution or failure to comply with any of its requirements, including violations of conditions and safeguards established in various sections of this Resolution shall constitute a misdemeanor. Any person who violates this Resolution or fails to comply with any of its requirements shall be fined not more than \$500, and in addition shall pay all costs and expenses involved in the case. After receipt of a violation notice, each day the violation continues shall be counted as a separate offense and action shall be taken as described in this Section. The owner or tenant of any building, structure, or premises, or part thereof, and any architect, builder, contractor, agent, or other person, who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the Township from taking such other lawful action as is necessary to prevent or remedy any violation, as defined by the Ohio Revised Code.

414. **ADDITIONAL REMEDIES**

Nothing in this Resolution shall be deemed to abolish, impair, or prevent other additional remedies as provided by law. In the event of a violation of any provision or requirement of this Resolution or in case of an imminent threat of such violation, the Zoning Inspector, the prosecuting attorney, or the owner of any neighboring property who would be especially damaged by such violation may, in addition to other resources provided by law, institute mandamus, injunction, abatement, or other appropriate actions to prevent, remove, abate, enjoin, or terminate such violation.

415. **SCHEDULE OF FEES, CHARGES, AND EXPENSES**

The Board of Township Trustees shall, by Resolution, establish a schedule of fees, charges, and expenses pertaining to the administration and enforcement of this Resolution. The schedule of fees shall be posted in the office of the Zoning Inspector, and may be altered or amended only by the Board of Township Trustees. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

ARTICLE 5

NON-CONFORMITIES

500. INTENT

Within the districts established by this Resolution or subsequent amendments, there exist lots, structures, and uses which were lawful before the Resolution was passed or amended, but which would be prohibited under the terms of this Resolution or future amendments. It is the intent of this Resolution to permit these non-conformities to continue until they are removed voluntarily. The legitimate interest of those who lawfully established these non-conformities are herein recognized by providing for their continuance, subject to regulation limiting their completion, restoration, reconstruction, extension, and substitution.

501. AVOIDANCE OF UNDUE HARDSHIP

To avoid undue hardship, nothing in this Resolution shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Resolution, and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where demolition or removal of an existing building has been deemed to be actual construction.

502. CERTIFICATES FOR NON-CONFORMING USES

The Zoning Inspector may, upon his or her own initiative, or shall upon the request of any owner, issue a certificate for any property that certifies that the property is a valid non-conformity. The certificate shall specify the reason why the use is a non-conformity, the extent of the non-conforming use, structure, or non-conforming dimensional requirements. One copy of the certificate shall be returned to the owner and one copy shall be retained by the zoning administrator, who shall maintain as a public record a file of all such certificates.

503. SUBSTITUTION OF NON-CONFORMING USES

So long as no structural alterations are made, except as required by enforcement of other codes or Resolutions, any non-conforming use may, upon appeal and approval by the Board of Zoning Appeals, be changed to another non-conforming use.

504. **SINGLE NON-CONFORMING LOTS OF RECORD**

In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this Resolution, notwithstanding limitations imposed by other provisions of this Resolution. Such lot must be in separate ownership and not contiguous with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area, width or both, that are generally applicable in the district in which such lot is located. Variances of requirements listed in **Article 8 and 9** of this Resolution, other than lot area or lot width shall be obtained only through action of the Board of Zoning Appeals as provided in **Section 610**.

505. **NON-CONFORMING LOTS OF RECORD IN COMBINATION**

If two or more lots or a combination of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Resolution, and if all or part of, do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this Resolution. No portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this Resolution.

506. **NON-CONFORMING USES OF LAND**

Where, at the time of adoption of this Resolution, lawful uses of land exist which would not be permitted by the regulations imposed by this Resolution, the uses may be continued so long as they remain otherwise lawful, provided:

- a) The non-conforming use may not be enlarged or increased unless approval of the Board of Zoning Appeals has been granted to the applicant.
- b) If a non-conforming use is voluntarily discontinued or abandoned for more than two years (except when government action impedes access to the premises), any subsequent use of such land shall conform to the regulations specified by this Resolution for the district in which such land is located.

507. **NON-CONFORMING STRUCTURES**

Where a lawful structure exists at the effective date of adoption or amendment of this Resolution that could not be built under the terms of this Resolution by reason of restrictions on area, lot coverage, height, yards, its location on the lot, bulk, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise unlawful, subject to the following provisions.

- a) If a structure is non-conforming due to a yard requirement, the structure may be enlarged or increased provided it does not increase its non-conformity. For example, if a structure is non-conforming due to a front yard setback, the structure may be enlarged only to the extent that the previously established front yard setback is not further reduced.
- b) Should a non-conforming structure be destroyed in whole or part by any means, the structure may be rebuilt on the same location within two years of its destruction.
- c) Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulation for the district in which it is located after it is moved.

508. **REPAIRS AND MAINTENANCE**

Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof. Where appropriate, a building certificate for such activities shall be required.

ARTICLE 6

ADMINISTRATION

600. APPOINTMENT OF ZONING INSPECTOR

A Zoning Inspector designated by the Board of Township Trustees shall administer and enforce this Resolution. He or she may be provided with the assistance of such other persons as the Board of Township Trustees may direct. The Zoning Inspector, before entering upon his or her duties, shall give bond as specified in **Section 519.161, Ohio Revised Code**.

601. DUTIES OF ZONING INSPECTOR

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

- a. Enforce the provisions of this Resolution and interpret the meaning and the application of its provision.
- b. Respond to questions concerning applications for amendments to the Zoning Resolution text and the Official Zoning District Map.
- c. Issue Zoning Certificates as provided by this Resolution, and keep a record of same with a notation of any special conditions involved.
- d. Act on all applications upon which the Zoning Inspector is authorized to act by the provisions of this Resolution within the specified time or notify the applicant in writing of his or her refusal or disapproval of such application and the reasons therefore. Failure to notify the applicant in case of such refusal or disapproval within the specified time shall entitle the applicant to submit his or her request to the Board of Zoning Appeals.
- e. Conduct inspections of buildings and uses of land to determine compliance with this Resolution, and in the case of any violation, to notify in writing the person(s) responsible, specifying the nature of the violation and ordering corrective action.
- f. Maintain in current status the Official Zoning District Map which shall be kept on permanent display in the Township Offices.
- g. Maintain permanent and current records required by this Resolution, including but not limited to zoning certificates, inspection documents, and records of all variances, amendments, and special uses.
- h. Review and approve site plans pursuant to this Resolution.
- i. Order discontinuance of illegal uses of land, buildings, or structures.
- j. Order removal of illegal buildings or structures or illegal additions or structural alterations.
- k. Order discontinuance of any illegal work being done.

- l. Prepare and submit an annual report to the Township Trustees and Zoning Commission on the administration of this Resolution, setting forth such information as may be of interest and value in advancing and furthering the purpose of this Resolution. Such report shall include recommendations concerning the schedule of fees.

602. **BOARD OF ZONING COMMISSION CREATED**

A Board of Zoning Commission is hereby created which shall consist of five members to be appointed by the Board of Township Trustees each for a term of five years, except that the initial appointments shall be one member each for one, two, three, four, and five year terms. Each member shall be a resident of the Township. Members of the Board may be removed from office by the Board of Township Trustees for cause upon written charges and after public hearing. Vacancies shall be filled by appointment by the Board of Township Trustees for the unexpired term of the member affected. The Board of Township Trustees may appoint two alternate members to the Township Zoning Commission, for terms to be determined by the Board of Township Trustees. An alternate member shall take the place of an absent regular member at any meeting of the Township Zoning Commission, according to procedures prescribed by resolution by the Board of Township Trustees. An alternate member shall meet the same appointment criteria as a regular member. When attending a meeting on behalf of an absent member, the alternate member may vote on any matter on which the absent member is authorized to vote.

603. **PROCEEDINGS OF ZONING COMMISSION**

A Zoning Commission shall be established in accordance with **Ohio Revised Code Section 519.04**. The Zoning Commission shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this Resolution. Meetings shall be held at the call of the chairperson and at such other times as the Commission may determine. All meetings shall be open to the public. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions all of which shall be a public record and be immediately filed in the office of the Commission.

604. **DUTIES OF ZONING COMMISSION**

For the purpose of this Resolution, the Zoning Commission shall have the following duties:

- a. Initiate proposed amendments to this Resolution.
- b. Review all proposed amendments to this Resolution and make recommendations to the Board of Township Trustees as specified in **Article 7**.

605. **BOARD OF ZONING APPEALS CREATED**

A Board of Zoning Appeals is hereby created in accordance to the **Ohio Revised Code Section 519.13** which shall consist of five members to be appointed by the Board of Township Trustees each for a term of five years, except that the initial appointments shall be one member each for one, two, three, four, and five year terms. Each member shall be a resident of the Township. Members of the Board may be removed from office by the Board of Township Trustees for cause upon written charges and after public hearing. Vacancies shall be filled by appointment by the Board of Township Trustees for the unexpired term of the member affected. The Board of Township Trustees may appoint two alternate members to the Township Board of Zoning Appeals, for terms to be determined by the Board of Township Trustees. An alternate member shall take the place of an absent regular member at any meeting of the Board of Zoning Appeals, according to procedures prescribed by resolution by the Board of Township Trustees. An alternate member shall meet the same appointment criteria as a regular member. When attending a meeting on behalf of an absent member, the alternate member may vote on any matter on which the absent member is authorized to vote.

606. **PROCEEDINGS OF THE BOARD OF ZONING APPEALS**

The Board shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this Resolution. Meetings shall be held at the call of the chairperson and at such other times as the Board may determine. The chairperson, or in his or her absence, the acting chairperson, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of the Board.

607. **DUTIES OF THE BOARD OF ZONING APPEALS**

In exercising its duties, the Board may, as long as such action is in conformity with the terms of this Resolution, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have the powers of the Zoning Inspector from whom the appeal is taken. The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Inspector, or to decide in favor of the applicant on any matter upon which it is required to pass under this Resolution, or to effect any variation in the application of this Resolution. For the purpose of this Resolution, the Board has the following specific responsibilities:

- a. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, interpretation, or determination made by the Zoning Inspector.
- b. To authorize such variances from the terms of this Resolution as will not be contrary to the public interest, where, owing to the special conditions, a literal enforcement of this Resolution will result in unnecessary hardship, and so that the spirit of this Resolution shall be observed and substantial justice done.

- c. To grant conditional use certificates as specified in the Official Schedule of District Regulations and under conditions specified in **Article 8** and such additional safeguards as will uphold the intent of this Resolution.

608. **DUTIES OF ZONING INSPECTOR, BOARD OF ZONING APPEALS, LEGISLATIVE AUTHORITY, AND COURTS ON MATTERS OF APPEAL**

It is the intent of this Resolution that all questions of interpretation and enforcement shall be first presented to the Zoning Inspector, and that such questions shall be presented to the Board only on appeal from the decision of the Zoning Inspector, and that recourse from the decisions of the Board shall be to the courts as provided by law. It is further the intent of this Resolution that the duties of the Board of Township Trustees in connection with this Resolution shall not include hearing and deciding questions of interpretation and enforcement that may arise. Nothing in this Resolution shall be interpreted to prevent any official of the Township from appealing a decision of the Board to the courts as provided in **Chapters 2505 and 2506 of the Ohio Revised Code**. Any such appeal shall be made within 30 days of the Board's written decision.

609. **TIME LIMITATIONS FOR APPEALS AND VARIANCES**

Appeals to the Board of Zoning Appeals concerning interpretation or administration of this Resolution may be taken by any person aggrieved or by any officer or bureau of the legislative authority of the Township affected by any decision of the Zoning Inspector. Such appeal shall be taken within 20 days after the decision, by filing with the Zoning Inspector and with the Board of Zoning Appeals, a notice of appeal specifying the grounds upon which the appeal is being taken. The Zoning Inspector shall transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken.

610. **STAY OF PROCEEDINGS**

An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Inspector, that by reason of facts stated in the application, a stay would, in his/her opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Zoning Appeals or by a court of record, and so that the spirit of the resolution shall be observed and substantial justice done.

611. **VARIANCES**

The Board of Zoning Appeals may authorize variance from the terms of this Resolution which shall not be contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of this Resolution would result in unnecessary hardship.

612. **APPLICATION AND STANDARDS FOR VARIANCES**

A variance from the terms of this Resolution shall not be granted by the Board of Zoning Appeals unless and until a written application for a variance is submitted to the Zoning Inspector and the Board of Zoning Appeals. The application at a minimum shall include:

- a. Name, address, and phone number of applicants.
- b. Location of property.

- c. Description of nature of variance requested.
- d. A list of all property owners and their addresses that are contiguous to or directly across the street, and may have interest in the variance. See Section 616.
- e. A narrative statement demonstrating that the requested variance conforms to the following standards:
 - i. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
 - ii. That a literal interpretation of the provisions of this Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Resolution.
 - iii. That special conditions and circumstances do not result from the actions of the applicant.
 - iiii. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Resolution to other lands, structures, or buildings in the same district.

613. **SUPPLEMENTARY CONDITIONS AND SAFEGUARDS**

Under no circumstances shall the Board of Zoning Appeals grant an appeal or variance to allow a use not permissible under the terms of this Resolution in the district involved, or any use expressly or by implication prohibited by the terms of this Resolution in said district. In granting any appeal or variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this Resolution and punishable under **Section 413** of this Resolution.

614. **PUBLIC HEARING BY THE BOARD OF ZONING APPEALS**

The Board of Zoning Appeals shall hold a public hearing within 30 days after the receipt of an application for an appeal, variance, or conditional use from the Zoning Inspector or an applicant.

615. **NOTICE OF PUBLIC HEARING IN NEWSPAPER**
Before holding the public hearing required in **Section 614**, notice of such hearing shall be given in one or more newspapers of general circulation of the Township at least 10 days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the specific item to be considered.
616. **NOTICE TO ADJOINING PROPERTY OWNERS AND PARTIES OF INTEREST**
Before holding the public hearing required in **Section 614**, written notice of such hearing shall be mailed by the chairperson of the Board of Zoning Appeals, by first class mail, at least 10 days before the day of the hearing to all adjoining and adjacent property owners and parties in interest as defined in the Ohio Revised Code Section 519.15. The notice shall contain the same information as required of notices published in newspapers, as specified in **Section 615**.
617. **ACTION BY BOARD OF ZONING APPEALS**
Within 30 days after the public hearing required in **Section 614**, the Board of Zoning Appeals shall either approve, approve with supplementary conditions as specified in **Section 612**, or disapprove the request for appeal or variance. The Board of Zoning Appeals shall further make a finding that the reasons set forth in the application justify the granting of the variance that will make possible a reasonable use of the land, building, or structure. Appeals from Board decisions shall be made in the manner specified in **Section 608**.
618. **PROCEDURES AND REQUIREMENTS FOR APPROVAL OF CONDITIONAL USE PERMIT**
Approval of a conditional use shall conform to the procedures and requirements of **Sections 619-626**, inclusive of this Resolution.
619. **GENERAL**
It is recognized that an increasing number of new kinds of uses are appearing daily and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, design, size, method of operation, circulation, and public facilities, that each specific use must be considered individually. These specific uses as they are conditionally permitted under the provisions of **Article 8**, shall follow the procedures and requirements set forth in **Sections 620-626**, inclusive.
620. **CONTENTS OF APPLICATION FOR CONDITIONAL USE CERTIFICATES**
An application for conditional use certificates shall be filed with the Zoning Inspector by at least one owner or lessee of property for which such conditional use is proposed. At a minimum the application shall contain the following information:
- a. Name, address, and phone number of applicant.
 - b. Location of property.
 - c. Description of existing use.
 - d. Zoning district.

- e. Description of proposed conditional use.
- f. A plan of the proposed site for the conditional use showing location of all buildings, parking and loading area, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards, and such other information as the Board may require to determine if the proposed conditional use meets the intent and requirements of this Resolution.
- g. A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, glare, odor, fumes, and vibration on adjoining property; a discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to the comprehensive plan.
- h. A list of all property owners and their addresses that are contiguous to or directly across the street, and may have interest in the variance. See Section 616.

621. **GENERAL STANDARDS APPLICABLE TO ALL CONDITIONAL USES**

In addition to the specific requirements for conditionally permitted uses specified in this Resolution, the Board shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

- a. Is in fact a conditional use as established under the provisions of **Article 8**.
- b. Will be harmonious with and in accordance with the general objectives, or with any specific, objective of the Township's comprehensive plan and/or the Zoning Resolution.
- c. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- d. Will not be hazardous or disturbing to existing or future neighboring uses.
- e. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- f. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- g. Will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
- h. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

- i. Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

622. **SUPPLEMENTARY CONDITIONS AND SAFEGUARDS**

In granting any conditional use, the Board may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violations of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this Resolution and punishable under **Section 413** of this Resolution.

623. **PROCEDURES FOR HEARING NOTICE**

Upon receipt of the application for a conditional use certificate specified in **Section 620**, the Board shall hold a public hearing, publish notice in a newspaper, and give written notice to all parties in interest as defined in Ohio Revised Code, Section 519.15.

Before holding the public hearing required in **Section 614**, written notice of such hearing shall be mailed by the chairperson of the Board of Zoning Appeals, by first class mail, at least 10 days before the day of the hearing to all adjoining and adjacent property owners and parties in interest as defined in the Ohio Revised Code Section 519.15. The notice shall contain the same information as required of notices published in newspapers, as specified in **Section 615**.

624. **ACTION BY THE BOARD OF ZONING APPEALS**

Within 30 days after the public hearing required in **Section 614**, the Board shall either approve, approve with supplementary conditions as specified in **Section 622**, or disapprove the application as presented. If the application is approved or approved with modifications, the Board shall direct the Zoning Inspector to issue a conditional use certificate listing the specific conditions specified by the Board for approval. If the application is disapproved by the Board, the applicant may seek relief through the Court of Common Pleas. Appeals from Board decisions shall be made in the manner specified in **Section 608**.

625. **EXPIRATION OF CONDITIONAL USE CERTIFICATE**

A conditional use certificate shall be deemed to authorize only one particular conditional use. Such permit shall automatically expire if, for any reason, the conditional use has not been implemented within one year of issuance of the certificate or if such use ceases for more than two years.

626. **REVOCAION OF A CONDITIONAL USE CERTIFICATE**

Violation of the conditional use as approved shall be grounds for revocation of the conditional use certificate. For proof that the conditional use does not comply with **Items B or C in Section 621**, written complaints filed with the Zoning Inspector of more than fifty 50 percent of the property owners or authorized tenants within a 300 foot radius shall be required. For other violations, the Zoning Inspector shall be required to furnish appropriate proof of noncompliance. The Board of Zoning Appeals may revoke a conditional use certificate, but only after a public hearing is conducted according to procedures outlined in **Section 614-616**.

ARTICLE 7

AMENDMENTS

700. PROCEDURES FOR AMENDMENTS OR DISTRICT CHANGES

This Resolution may be amended by utilizing the procedures specified in **Section 701-704** inclusive, of this Resolution.

701. GENERAL

Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Board of Township Trustees may, by Resolution, after receipt of recommendation thereon from the Zoning Commission, and subject to the procedures provided by law, amend, supplement, change or repeal the regulations, restrictions, and boundaries of zoning classifications of property in Monroe Township.

702. INITIATION OF ZONING AMENDMENTS

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

1. By adoption of a motion by the Zoning Commission.
2. By adoption of a Resolution by the Board of Township Trustees.
3. By the filing of an application by at least one owner or lessee of property within the area proposed to be changed or affected by said amendment.

703. CONTENTS OF APPLICATION

Applications for amendments to the Official Zoning Map adapted as part of this Resolution by **Section 800** shall contain at least the following information:

1. Name, address, and phone number of applicant.
2. Proposed amending Resolution, approved as to form by the County Prosecutor.
3. Present Use.
4. Present Zoning district.
5. Proposed use.
6. Proposed Zoning district.
7. A vicinity map at scale approved by the Zoning Inspector showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Inspector may require.

8. A list of all property owners and their mailing addresses who are within, contiguous to, or directly across the street from the parcel(s) proposed to be rezoned, and others that may have a substantial interest in the case, except that addresses need not be included where more than ten parcels are to be rezoned.
9. A statement on how the proposed amendment relates to the comprehensive plan.
10. A fee as established by the Board of Township Trustees according to **Section 415**.

Applications for amendments proposing to amend, supplement, change, or repeal portions of this Resolution other than the Official Zoning Map shall include items **(1), (2), (9), and (10)** listed above.

704. **PROCEDURES FOR AMENDMENTS**

All proposed amendments shall be considered and reviewed in accordance with the requirements of the **Ohio Revised Code 519.12**

**ARTICLE 8
DISTRICT REGULATIONS**

800. Intent of District Regulations:

It is the intent of the Article to set forth regulations within each district concerning permitted uses, the conditionally permitted uses, and the general requirements of the district. Uses not specifically defined or stated which cannot reasonably be interpreted by the Zoning Inspector or the Zoning Commission as permitted or conditionally permitted in any district shall be referred to the Board of Zoning Appeals for an order in the determination of such use and the district to which and under what circumstances will prevail as specified in **Article 6, Administration**.

801. A-1 Agricultural District:

The purpose of the Agricultural District is to control the indiscriminate infiltration of urban development into rural areas that are not equipped to provide necessary public services or do not have sufficient roadways to carry increased traffic loads. Lot sizes shall be sufficient for individual water and sewer facilities, but not to exceed one dwelling unit per lot or specified minimum area.

i Permitted uses in the A-1 District are:

1. Agriculture.
2. Single Family Dwellings.
3. Two Family Dwellings
4. Stables, Private.
5. Plant nursery-plant materials produced on location for retail sale at location.
6. Accessory uses and buildings customarily incidental to the above permitted uses.

ii Conditional uses that can be approved in A-1 Agricultural district in accordance with procedures in **Article 6** are:

1. Churches and places of worship provided the land consists of adequate area.
2. Public or private schools offering general educational courses and having no facilities for the housing of students.
3. Child day care centers.

4. Camps, day camps, and campgrounds operated by, and for, membership organizations and not operated for commercial gain.
5. Home occupations.
6. Country clubs.
7. Group care facilities.
8. Cemetery.
9. Veterinary clinic and kennel.
10. Bed and breakfast.
11. Public kennels and stables.
12. Farm and vacation enterprises.
13. Public or private parks and playgrounds.
14. Outdoor and indoor recreational facilities, provided the land consists of adequate area, and are not intended for activities which are noisy or dangerous. Prohibited uses shall include but not be limited to: gun club outdoor shooting ranges, automotive race tracks, motorcycle and/or ATV race tracks.
15. Essential services, public uses, except sanitary landfills.

iii. Development Standards:

1. Minimum lot area: Every lot shall have a minimum width of one hundred fifty (150) feet frontage on a publicly dedicated right of way, a minimum depth of three hundred (300) feet and a minimum area of forty five thousand (45,000) square feet. Lots with less than two thousand (2,000) feet of main road frontage will have a maximum depth at any point along its road frontage of three times (3) times the main road frontage. A lot of less area or width which was so recorded at the time of the adoption of this Resolution and the owner thereof owns no adjoining land, may be occupied by a one-family dwelling.
2. Minimum front yard: There shall be a front yard of not less than fifty (50) feet from the road right of way. Provided however, that where normal lots comprising forty (40) percent or more of the frontage (excluding reversed corner lots) are developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such developed front yards shall establish the front yard for the entire frontage.

3. Minimum side yard: There shall be side yard of not less than ten (10) feet on each side of the building. In case of lots less than fifty (50) feet wide that are already established, the width of the side yard shall not be less than five (5) feet. In case where it is a corner lot, building must be fifty (50) feet from road right of way.
4. Minimum rear yard: There shall be a rear yard of not less than twenty-five (25) feet.
5. Maximum lot coverage: 15 percent for residential uses, 30 percent for all other uses.
6. Dwelling Bulk: Every dwelling hereafter erected, shall have a minimum floor area of not less than one thousand (1,000) square feet with a minimum width of twenty (20) feet exclusive of floor area devoted to basements, utility rooms, attached garage, open or enclosed porches and the like.

802. **A-2 Suburban Residential District**

The purpose of the A-2 Suburban Residential District is to permit the establishment of single family dwellings with minimal lot sizes sufficient for individual water and sewer facilities. A-2 areas shall be adjacent to developed areas of Mt. Vernon or other existing residential developed areas of the Township.

- a. Permitted and Conditional Uses:
 - i. Permitted uses in the A-2 Suburban Residential District are the same as the A-1 Agricultural District.
 - ii. Conditional Uses in the A-2 Suburban Residential District are the same as the A-1 Agricultural District, in accordance with procedures in Article 6.
- b. Developmental Standards:
 - i. Lot requirements for each dwelling in the A-2 Suburban Residential District are:
 1. Minimum lot area: Same as A-1 Agricultural District.
 2. Minimum lot width: Same as A-1 Agricultural District.
 3. Minimum front yard: Same as A-1 Agricultural District.
 4. Minimum side yard: Same as A-1 Agricultural District.
 5. Maximum lot coverage: Same as A-1 Agricultural District.

803. C-1 General Commercial District

The purpose of the C-1 General Commercial District is to encourage the establishment of areas for general business uses to meet the needs of a regional market area. All associated commercial activities must be contained within the commercial district boundaries.

- i. Permitted uses in the C-1 General Commercial District after obtaining a valid Zoning Certificate.
 1. All uses permitted in the A-1 & A-2 Agricultural District.
 2. Retail trade, retail stores, professional offices, personal services, consumer services, trade services, automotive services.
 3. Administrative business and professional offices including finance, insurance, real estate, as well as professional activities.
- ii. Conditional Uses that can be approved in the C-1 General Commercial District in accordance with procedures in Article 6.
 1. Amusement enterprises not contained within a completely enclosed building.
 2. Auditorium, arena, stadium and the like.
 3. Tourist Court or trailer camp.
 4. Advertising signs or structures.
 5. Accessory structure and uses customarily incident to any of the above uses when located on the same lot, See Article 11, Section A.
 6. Automobile parking space and loading space shall be provided as required in Article 11, Section D through G.
- iii. Height Limit

No building shall be erected or enlarged to exceed three (3) stories or fifty (50) feet.

iv. Area Requirements

1. Lot area: Buildings used exclusively for dwelling purposes or used partly for dwellings and partly for commercial purposes, shall comply with the lot area requirements of the “A-1” District.
2. Front Yard: The front yard requirements of the “A” District shall apply in the “C-1” District. In no case, however, shall any structure be created, reconstructed or structurally altered nearer to the right-of-way of the road than specified in the “A-1” District.
3. Side Yard: There shall be a side yard the same as required in the “A-1” District. Where the rear of a corner lot abuts a lot in the “A-1” District, the side yard on the street side of the corner lot shall be not less than ten (10) feet. In no case, however, shall any building be erected, reconstructed or structurally altered nearer to the right-of-way of the road than specified in the “A-1” District.
4. Rear Yard: There shall be a rear yard the same as specified in “A-1” District.

v. Dwelling Bulk

Shall be the same as specified for “A-1” District.

804. M-1 Limited Industrial District

The purpose of the M-1 Limited Industrial District is to encourage the development of manufacturing, processing, warehousing, and research and testing operations. These activities require extensive community facilities and reasonable access to arterial thoroughfares. They may have extensive open storage and service areas and generate heavy traffic, but shall be prohibited if they create nuisances beyond the limitations set up by the Zoning Resolution.

- i. Permitted uses in the M-1 Limited Industrial District after obtaining a valid Zoning Certificate.
 1. Any use or conditional use permitted in the “A-1” District, but having no limits on number of employees.
 2. Any of the following uses if conducted within a building or within an area enclosed on all sides with a solid wall or uniformly painted fence not less than six (6) feet in height:
 - a. The manufacture, compounding, processing, packing or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, and food products, but not including the following: fish and meat products, sauerkraut, vinegar, yeast and the rendering or refining of fats and oils.

- b. The manufacture, compounding, assembling, or treatment of articles or merchandise not employing a cooking or boiling process and using previously treated prepared materials of bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, wood (excluding planing mill), yarns and/or paint.
- c. The manufacture of pottery or ceramic products, using only previously pulverized clay, and kilns fired only by electricity or gas.
- d. The manufacture and maintenance of electrical devices, components and the like. i.e.: Assembly of electrical appliances, instruments and devices, including electroplating and the manufacture of small parts such as coils, condensers, transformers, crystal holders, and the like.
- e. Laboratories; experimental photo or motion picture, film or testing.
- f. Laundry, cleaning and dyeing works and carpet and rug cleaning.
- g. Manufacture of musical instruments, toys, novelties, and rubber and metal stamps.
- h. Accessory structures and/or uses customarily incident to any of the above uses when located on the same lot. See Article 11, Section A.
- i. Automobile parking space and loading space shall be provided as required in Article 11, Section D through G.
- j. The manufacture and maintenance of signs, advertising structures and light sheet metal products.

3. Height Limit

Same as specified for “C-1” District.

4. Area Requirements

- a. Lot Area: Same as specified for “C-1” District.
- b. Front Yard: Same as specified for “C-1” District.
- c. Side Yard: Same as specified for “C-1” District.
- d. Rear Yard: Same as specified for “C-1” District.

5. Dwelling Bulk

Same as specified for “C-1” District.

805. **M-2 Medium Industrial District**

The purpose of the M-2 Medium Industrial District is to encourage the development of major manufacturing, processing, warehousing, and major research and testing operations. These activities require extensive community facilities and reasonable access to arterial thoroughfares. They may have extensive open storage and service areas and generate heavy traffic, but shall be prohibited if they create nuisances beyond the limitations set up by the Zoning Resolution.

- i. Permitted uses in the M-2 Medium Industrial District after obtaining a valid Zoning Certificate.
 1. Any use or conditional use permitted in the “M-1” District.
 2. Any of the following uses if conducted within a building or within an area enclosed on all sides with a solid wall or uniformly painted fence not less than six (6) feet in height:
 - a. Automobile painting, upholstering, rebuilding, reconditioning body and fender works; truck repairing or over-hauling, tire re-treading or recapping, battery manufacturing and the like.
 - b. Blacksmith shops and machine shop excluding punch presses over twenty (20) tons rated capacity, drop hammers, and automatic screw machines.
 - c. Building material sales yard, including the sale of rock, sand, gravel and the like as an incidental part of the main business, concrete milling.
 - d. Coal yard.
 - e. Contractors’ equipment storage yard or plant, retail of equipment commonly used by contractors.
 - f. Distribution plants, parcel delivery, ice and cold storage plant, bottling plant, and food commissary or catering establishments.
 - g. Draying, freighting or trucking yard or terminal.
 - h. Feed and fuel yard.
 - i. Foundry casting of light weight non-ferrous metal and such similar uses as do not cause noxious fumes, noise or odors.
 - j. Lumber yard, if saws, planers and other processing machines are contained within a completely enclosed building.
 - k. Poultry or rabbit killing incidental to a retail business on the same premises.

- l. Shops, plumbing, sheet metal, woodworking, and the like only if processing machines are contained within a completely enclosed building.
- m. Small boat building, except shipbuilding.
- n. Stone monument works.
- o. Veterinary or dog or cat hospitals and kennels.
- p. Wholesale business, storage buildings and warehouses.
- q. Accessory buildings and / or uses customarily incident to any of the above uses when located on the same lot. See Article, Section A.
- r. Automobile parking space and loading space shall be provided as required in Article 11, Section D through G.
- s. Any other uses, if first approved by the Zoning Commission.

3. Height Limit

Same as specified for “M-1” District.

4. Area Requirements

- a. Lot Area: Same as specified for “C-1” District.
- b. Front Yard: Same as specified for “C-1” District.
- c. Side Yard: Same as specified for “C-1” District.
- d. Rear Yard: Same as specified for “C-1” District.

5. Dwelling Bulk

Same as specified for “C-1” District.

806. R-C Recreation and Conservation District

i. Uses Permitted

- 1. Recreational facilities such as: fishing lakes, golf courses, golf driving range, and public parks.
- 2. Water conservation works; flood control and watershed protection.
- 3. Accessory buildings maximum of 4, 200 square feet each.

- ii. Conditional uses, as follows, may also be permitted if their location is first approved by the board as provided for in Article 6.
 - 1. Rifle ranges, gun clubs, archery courts, and other similar uses provided they are not located closer than 1000 feet distant from any “A” District.
 - 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 Board unless the Board finds that such reclamation work will concert with the objectives of the Land Use Plan; and, that any such work is done in accordance with plans approved by the County Soil and Water Conservation District.
 - 3. Public assembly or public buildings.

iii. Required Conditions

Buildings or structures authorized in the R-C 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 floating away and shall not become a source of water pollution or contamination.

Engineers Report

Whenever the Township Trustees are required to pass on matters of protection of life and property from flood hazards, it shall request a report and recommendations thereon from the chief engineer of any conservation district. Such report shall be considered final and conclusive and the Township Trustees shall be bound thereby.

Change to another District Classification

Changes of district classification from R-C to any other Commercial classification provided by this resolution may be initiated in accordance with the requirements of this Resolution; provided that no such change shall be authorized by the Township Trustees unless the chief engineer or the jurisdictional agency of the conservation district certifies to the Township Trustees that any flood condition existing at the time the R-C 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 Township Trustees, the Township Zoning Commission shall require proof of completion of all necessary flood revision documentation in accordance with the requirements and specifications of the R-C District.

iv. Required lot area and lot width in the R-C District.

Same as in an “A” District.

- v. Height regulation in the R-C District.
Same as in an “A” District.

**ARTICLE 9
PLANNED UNIT DEVELOPMENT**

A. 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 Articles 8, 9, and 10 and are established and adopted.

B. APPLICATION PROCEDURE FOR ESTABLISHMENT OF A PLANNED UNIT DEVELOPMENT:

Developments may be established by application in accordance with the provisions set forth below. The procedures and conditions set forth for establishing a Planned Unit 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 Monroe Township Zoning Commission and the Monroe Township Trustees. Any application for a Planned Unit Development for any land use or structure permitted under this Resolution shall be submitted in accordance with the following procedure:

1. **Pre-application Conference:** The landowner shall schedule a Pre-application Conference with the Monroe Township Trustees, Monroe Township Zoning Commission, Monroe Township Zoning Inspector, 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 formally with the Monroe Township Trustees, Monroe Township Zoning Commission, Monroe Township Zoning Inspector, 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 formally with public utility companies in order to determine the character and extent of electric power and telephone lines and to determine the most advantageous 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 Pre-application Conference between the landowner and the Monroe Township Zoning Commission, the Monroe Township Zoning Commission shall consider the following principle governing Planned Unit Development in the Township of Monroe: It shall be the duty of the

Monroe Township Zoning Commission to encourage that Planned Unit Development 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 Monroe Township Zoning Commission may, also, arrange meetings with several owners of such small parcels of land or 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 Monroe Township Zoning Commission or 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 Monroe Township Zoning Commission Secretary. A filing fee, in an amount to be set by Monroe Township Trustees shall be submitted to the Secretary.
4. **Data required with Application:** The application for approval of a Planned Development shall include three (3) copies of a development plan, drawn at a scale of 1 inch = 100 feet and include 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 the land, buildings and other structures, including proposed easements for public utilities.
 - g. The provisions for parking of vehicles and the location and width of proposed streets and existing streets abutting the property.
 - h. Statement indicating the required modifications in the regulation in the Township of Monroe 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 of the Planned Unit Development, is to be filed.
 - j. Said application shall also be accompanied by a written statement by the landowner setting forth the reason why, in his/her opinion, the Planned Unit Development would be in the public interest and would be consistent with the specific criteria, if any, theretofore published and adopted by the Monroe Township Zoning Commission.

- 5. **Review by the Monroe Township Zoning Commission Board:** Five (5) copies of every application for a Planned Unit Development received by the Secretary of Monroe Township Zoning Commission shall be promptly delivered to the Monroe Township Zoning Commission. The Monroe Township Zoning Commission shall, as part of its review, consult with the Knox County Engineer's Department, Knox County Health Department, Knox County Soil and Water, ODNR and the City of Mount Vernon (where applicable) concerning the application.

- 6. **Basis of Approval:** The Monroe 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 Monroe 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 Monroe (Focus 2100).
 - c. That the proposed plan provides for the preservation and protection of existing trees, ground cover, top soil, 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 the Articles of this Resolution.

- 7. **Public Hearing:** Upon review and recommendation of an application for a plan, the Monroe Township Zoning Commission shall forward to the Monroe Township Trustees a record of the action taken on the proposed application. The Monroe Township Trustees shall act on the application in accordance with the procedures in Article 6.

- 8. **Effect of Approval:** The plan, if approved by the Monroe 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 as administered by the Knox County Regional Planning Commission. The subdivision plan shall be in accordance with the plan as approved by the Monroe township Trustees.

C. **Permitted Uses in the Planned Unit Development are:**

Single family, two-family and multiple family units and accessory uses incidental to these uses.

D. **Conditional Uses in the Planned Unit Development are:**

- a. With the exception of single family dwellings, permitted uses as in the A-2 Suburban Residential District.
- b. Conditional uses in the A-2 Suburban Residential District.
- c. An office to handle rentals and maintenance of dwelling units within a multiple family development in which the office is located, as an accessory use.
- d. Private swimming pools for the exclusive use of residents of multiple family developments.
- e. Violation of conditional use as approved shall be grounds for revocation of the conditional use permit.

E. **Development:**

1. Lot requirements in the Planned Unit Development:

- a. **Lot area:** No minimum lot area is required, but an area can be considered a Planned Neighborhood District only if a variety of different types of dwelling units or uses are used.
- b. **Yards:** No yard requirements or distances between buildings are established in order to enable creativity in design. The Applicant shall arrange the buildings in such a way that adequate provision is guaranteed for all units to open space, air, light and exposure to sunshine. Zero lot line clusters and variations in building setbacks are encouraged.
- c. The number of units allowed per acre will be determined at the proper time, when the proposed plan and housing location maps are presented following proper procedures and have been presented to all appropriate governing bodies as required.
- d. Single family developments which do not utilize zero lot line clusters or equally creative site design must conform to:

1. Minimum lot area: 8,000 square feet.
2. Minimum lot width: Seventy feet; eighty feet for corner lots located on publicly dedicated street right-of-way.
3. Minimum front yard: Thirty feet; forty feet for structures on lots fronting on major arterials and major collections as designated by the Official Thoroughfare Plan.
4. Minimum side yard: Eight feet for principal buildings and five feet for detached accessory building.
5. Minimum rear yard: Thirty feet; provided, however, that the minimum rear yard shall be twenty-five feet for lots affected by the radius of cul-de-sac turnaround, shall be five feet for accessory buildings.
6. Maximum lot coverage: Thirty five percent (35%).

2. Building Requirements in the Planned Unit Development:

a. Maximum Height: No multiple family structures shall exceed thirty-five feet in height and single family and two-family structures shall not exceed thirty feet in height.

b. Minimum floor areas:

Single family: 1,000 square feet.

Two-family: 800 square feet each unit.

Multi-family: 800 square feet each unit.

3. Due to the unique natural landscaping in Monroe Township such as hilly terrain, level areas, waterways, our road patterns, guidelines, etc. the density ratio per acre on each Planned Unit Development will be evaluated on each plan as it is submitted, so as not to disrupt the natural beauty and natural flow of water throughout the township. The following recommendations are based on these thoughts and ideas.
4. To be included with application for zoning review, the requestor to indicate proposed style of residence numbering for the purpose of identification by emergency services. This will be reviewed by the appropriate Emergency Agency for their approval or recommendations.

ARTICLE 10
PLANNED UNIT CONSERVATION DEVELOPMENT

I. 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 developments. 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. These regulations include three (3) 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, floodplains, 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
 - 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 Monroe Township as expressed in Comprehensive plan and Focus 2100 Plan.

II 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 Sections II – VIII, inclusive:
 - 7. Detached single family dwellings;
 - 8. Single-family cluster dwellings;
 - 9. Single-family attached dwellings;
 - 10. Recreation facilities for use by residents;
 - 11. Restricted open space as required in Section III.
- B. Standard detached single-family dwellings in accordance with the regulations set forth in Section VI.
- C. Agriculture in accordance with Section VI.

III 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.

IV PERMITTED DENSITY/RESTRICTED OPEN SPACE:

- A.** The minimum restricted open space shall be:
 - 50% open space in R-C District
 - 50% open space in A-1 and A-2 Districts
- 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 water body that exceeds the minimum acreage required for restricted open space as set forth in Section IV. 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.

V REGULATIONS FOR RESTRICTED OPEN SPACE:

- A.** General Standards: The restricted open space required in Section IV, A 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, storm water 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, access ways, 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 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 required open space.
3. Transfer of Conservation Easements: With the permission of Monroe 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 Monroe Township;
 - b. The provisions of the conservation easement are acceptable to Monroe 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.

VI 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.
 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 combination of geo-textiles 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

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.

VII 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 tree lines 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.

VIII PROJECT REVIEW PROCEDURES: Under the authority established in ORC 519.021, the Monroe 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 Monroe 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. Declination 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 area where new landscaping will be installed etc.;
 - f. General location of public street right-of-ways; and

- g. Proposed utility easement locations.
3. An outline of the method/structure to perpetually preserve the required restricted open space which includes:
 - 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 Monroe 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 Monroe Township Zoning Inspector shall officially accept the application on that date.
- C.** Review of General Development Plan by Others: The Monroe 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 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 Monroe Township, may have appropriate technical expertise.
 3. Appropriate local Monroe Township administrative officials, including the Monroe Township's legal advisor.
 4. Consultants retained by Monroe Township.
- D.** Site Visit: The Monroe 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 Monroe Township: The Monroe Township Zoning Commission shall review the general development plan and the comments received from Section C above. The Monroe 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 Monroe 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 Approval 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 compliance with the approved general development plan.
3. Provide the benchmark for the Monroe Township Zoning Commission to consider and approve amendments to the general development plan when the Monroe 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 dimensions of private streets, common drives and public street right-of-way;
 3. Each 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) and any other final covenants and restrictions and maintenance of all common area, including restricted open space.
 - e. Conditions imposed by other regulatory agencies.
2. Review for Completeness: Within five business days of receiving the application, the Monroe 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 Monroe Township Zoning Inspector shall officially accept the application on that date.
 3. Distribution of Final Development Plan: The Monroe Township Zoning Inspector shall distribute the final development plan application to the Monroe Township Zoning Commission, the Monroe 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 Monroe Township Zoning Inspector and transmitted to the Monroe Township Zoning Commission prior to the time of the Commission's review.
 4. Review by the Monroe Township's Legal Advisor: The Monroe 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 Monroe Township Zoning Commission documenting that the above demonstrates full compliance with the requirements of this Chapter.
 5. Review and Approval by the Monroe Township: The Monroe Township Zoning Commission shall review the final development plan and the comments received from Section B.3 and B.4 above. The Monroe 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 final development plan.

Failure of the Monroe 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 final development plan.

6. The number of units allowed per acre will be determined at the proper time, when the proposed plan and housing location maps are presented following proper procedures and have been presented to all appropriate governing bodies as required.
7. Due to the unique natural landscaping in Monroe Township such as hilly terrain, level areas, waterways, our road patterns, guidelines, etc. the density ratio per acre on each Planned Unit Development will be evaluated on each plan as it is submitted, so as not to disrupt the natural beauty and natural flow of water throughout the township. The following recommendations are based on these thoughts and ideas.

ARTICLE 11
ZONING REGULATIONS
SUPPLEMENTAL REGULATIONS

The following regulations shall apply to:

Accessory Structure

An accessory structure shall be subject to the following requirements:

1. An accessory structure can not be a vehicle formerly used as a trailer, box van, railroad car, school bus, watercraft, or shipping container, and or any other structure not originally intended as a building.
2. A structure on skids three hundred (300) square feet and under does not need a permit, but all structures on skids regardless of square footage must comply with all the rules of accessory structures.
3. The minimum distance from any street, property line, or dedicated right-of-way, shall be ten (10) feet. Provided, however, that when located on a corner lot, the rear of which abuts upon the side of another lot, said accessory structure shall not project beyond the front yard line required on the lot in rear of such corner lot.
4. Accessory building not directly and wholly agricultural related requires a permit.
5. Accessory buildings used for storage shall otherwise meet all other zoning setback, height, area, and percent of lot coverage requirements for the particular use or district in which located, and shall be maintained in good condition.

Noxious, or Dangerous Uses, Practices or Conditions

No land or building in any district shall be occupied or used in any manner which creates or contributes to the existence of conditions which are dangerous, injurious, harmful, noxious, or which may otherwise adversely affect surrounding areas or adjoining premises, except that any use permitted by this Resolution may be undertaken or maintained if acceptable measures and safeguards to reduce any dangerous conditions to acceptable limits, as established in this Section, are properly exercised. Specifically, the occupation or use of land or building in any district shall be in violation of this Resolution if one or more of the following conditions are found to exist at any time:

1. The use or storage of flammable or explosive materials if not adequately protected by fire-fighting and fire-protection equipment or by such safety devices as are normally required for such activities.

2. Activities involving the use and storage of flammable and explosive materials are not removed from adjacent facilities or activities to a distance compatible with the potential danger involved.
3. Radioactivity or air pollution is present in violation of the regulations of the Ohio Environmental Protection Agency.
4. Hazardous wastes are present in violation of the regulations of the Ohio Environmental Protection Agency.
5. Erosion caused by wind or water is carrying objectionable substances onto any adjacent lot or property.
6. Water pollution or contamination is present in violation of the regulation of the Ohio Environmental Protection Agency.

A. Junk

1. The accumulation or storage of junk vehicles, as defined by ORC 505.173, with resolutions provided by ORC 505.871, shall be prohibited outside of any approved junkyard, in order to protect residents from conditions conducive to the infestation and breeding of vermin, insects, or rodents.
2. No person shall permit litter or junk to accumulate on land they own or occupy. Litter or junk shall include: disabled or inoperable machinery, parts, rags, discarded scrap, waste materials or rubble, collected or scattered or littered on one's property.
3. Uncontrolled accumulation of litter is a nuisance and is subject to abatement by the Township or owners of surrounding land as permitted by ORC 505.87.

D. Parking and Storage of Vehicles and Trailers

Automotive vehicles or trailers over 20 feet long and without current license plates shall not be parked or stored on any property other than in a completely enclosed building. A maximum of two boat(s) and/or two unoccupied recreational vehicle(s), with current licenses plates, may be stored in the rear yard or side yard of any property.

E. Parking Space Dimensions

A parking space shall have a minimum rectangular dimensions of not less than 9 feet in width and 19 feet in length for 90 degree parking, 9 feet in width and 23 feet in length for parallel parking, 10 feet in width and 19 feet in length for 60 degree parking, and 12 feet in width and 19 feet in length for 45 degree parking. All dimensions shall be exclusive of driveways, aisles, and other circulation areas.

F. Parking Space Requirements

Residential

Type of Use	Minimum Parking Spaces Required
Single family	Two
Boarding houses, rooming houses, dormitories, and fraternity houses	One for each sleeping room or two for each permanent occupant

Commercial Type of Use	Minimum Parking Spaces Required
Automobile service garage which also provides for repair	Two for each gasoline pump and four for each service bay
Hotels, motels	One for each sleeping room plus one space for each two employees
Funeral parlors, mortuaries, and similar type uses	One for each 100 square feet of floor area in slumber room, parlors, or service room
Retail store	One for each 250 square feet of floor area
Banks, financial institutions and similar uses	One for each 200 square feet of floor area
Offices, public or professional administration, or service building	One for each 400 square feet of floor area
All other types of business or commercial uses permitted in any business district	One for each 300 square feet of floor area

G. Loading Space Requirements and Dimensions

A loading space shall have a minimum dimension of not less than 12 feet in width, 50 feet in length, exclusive of driveways, aisles, and other circulation areas, and a height of clearance of not less than 15 feet. One off-street loading space shall be provided and maintained on the same lot for every separate occupancy requiring delivery of goods and having a modified gross floor area of up to 5,000 square feet. One loading space shall be provided for each additional 10,000 square feet, or fraction thereof.

H. **Improvements:** Every parcel of land hereafter used as a private or public parking area, automobile and trailer sales area, or loading space shall be improved to the following minimum standards:

- a. Gravel or crushed stone surfacing with adequate dust treatment.

- b. Any lights used to illuminate said area shall be so arranged as to reflect the light away from adjoining premises in any District.

I. Drainage

All parking and loading areas shall provide for proper drainage of surface water to prevent the flow of such water onto adjacent properties or walkways.

J. Maintenance

The owner of property used for parking and/or loading shall maintain such area in good condition without holes and free of all dust, trash, and other debris.

K. Tourist Camps and Trailers

No tourist camp, trailer camp, or mobile home park shall be hereafter permitted in any district unless and until the location and site layout is approved by the Zoning Appeals Board and a permit issued by the Knox County Board of Health. The Zoning Appeals Board may revoke any use permit where, in its opinion, the use or health regulations are not being followed.

L. Front Yards

No building shall hereafter be erected, enlarged, or reconstructed to extend nearer than fifty feet to the right of way of the road on the frontage.

M. Driveway Requirements

1. Any driveway providing vehicles ingress and egress to any parcel, in any district, shall require a permit to be issued by the Road Superintendent.
2. The diameter and length of culvert is to be approved by the road superintendent of the road governing body.

N. Nameplates and Signs

1. Refer to table below:

ON PREMISES / PERMANENT & TEMPORARY

TYPE OF SIGN	DISTRICT	SIZE	TYPE	PERMIT REQUIRED	OTHER	DEFINITION
CHURCH / INSTITUTIONAL	All	4 sq. feet temporary, 32 sq. ft. permanent	wall or free- standing	Yes	6 ft. max. height	Designed to provide specific information about the church/ institution located on the premises.
COMMERCIAL	C, M	48 sq. feet max. total all signs. 32 sq. feet Max. per sign	1 wall and 1 free- standing	Yes	6 ft. max. height	Designed to provide specific information about the business located on the premises.
AGRICULTURAL	All	48 sq. feet max. total all signs. 32 sq. feet max. per sign	1 wall and 1 free-standing	Yes	6 ft. max. height	Designed to provide specific information about the business located on the premises including seasonal produce.
SUBDIVISION	All	32 sq. ft.	wall or free- standing	Yes	6 ft. max. height	Designed to identify specific subdivision name. Maintained exclusively by the subdivision HOA or approved third party.
PROFESSIONAL	All	48 sq. feet max. total all signs. 32 sq. feet max. per sign.	1 wall and 1 free-standing	Yes	6 ft. max. height	Designed to identify the person, type of professional service and hours of operation available at that location.
HOME BUSINESS	All	32 sq. ft.	wall or free- standing	Yes	6 ft. max. height	Designed to identify the type of product / service / hours of operation available at that location.
BULLETIN BOARD	All	32 sq. ft.	wall or free- standing	Yes	6 ft. max. height	Designed to post hours of operation, events, and special notes at places of worship and other institutions.
DIRECTIONAL	All	4 sq. ft.	wall or free- standing	No	6 ft. max. height	Designed for the purpose of providing traffic movement instructions - LIMITED TO TWO SIGNS.

RESIDENTIAL, NAMEPLATE OR EVENT	All	6 sq. ft.	wall or free- standing	No	N/A	Designed to identify residential address or advertise personal event.
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OFF-SITE / TEMPORARY

TYPE OF SIGN	DISTRICT	SIZE	TYPE	PERMIT REQUIRED	OTHER	DEFINITION
AGRICULTURAL	All	4 sq. feet - duration 50 days	Free- standing	Yes	6 ft. max. height	Designed to promote home / farm based ag business ventures and/or identify name, product, location, hours of operation, location and / or direction / distance.
DIRECTIONAL -- CHURCH / INSTITUTIONAL	All	4 sq. ft.	Free- standing post, 4 x 4	No	Minimum 6 ft. to bottom of sign	Designed for the purpose of providing type / directional / location / distance information to public.
EVENT	All	4 sq. ft.		No	N/A	Signs indication a specific event and date / time

OFF-SITE / Permanent

The off-site permanent sign must be within the same Zoning District as the subject of the sign. There will be no more the one (1) off-site permanent sign in each direction from the premises. Permission from the land owner in writing shall be filed with the Zoning Inspector as part of permitting. The owner of the sign is responsible for the upkeep of the sign per these regulations.

TYPE OF SIGN	DISTRICT	SIZE	TYPE	PERMIT REQUIRED	OTHER	DEFINITION
CHURCH / INSTITUTIONAL	All	8 sq. feet	free-standing	Yes	6 ft. max.	Designed for the purpose of providing type, location/distance information to the public
COMMERCIAL	All	8 sq. feet	free-standing	Yes	6 ft. max.	Designed for the purpose of providing type, product, hours of operation, location/distance information.
AGRICULTURAL	All	8 sq. feet	free-standing	Yes	6 ft. max.	Designed for the purpose of indentifying name, product, hours of operation, location/distance information.
PROFESSIONAL	All	8 sq. feet	free-standing	Yes	6 ft. max.	Designed for the purpose of providing person, type of service, hours of operation, location/distance information
HOME BUSINESS	All	8 sq. feet	free-standing	Yes	6 ft. max.	Designed for the purpose of providing type of services, hours of operation, location/distance information

2. No nameplate or advertising sign of any other character shall be permitted in any district. Real Estate and Political signs shall be permitted in all districts as regulated by State and local codes.
3. No sign/nameplate shall be placed/erected in any right-of-way.
- 4.

Sign Permits: Permits for signs shall be obtained from the Zoning Inspector. A fee may be required.

5. A maximum of one sign per premises shall be permitted without a zoning variance, except as in paragraph 1. Table, above, paragraph 6, below and directional signage.
6. Signs for multiple businesses at one location: Premises or buildings with two (2) or more occupants which have an individual and separate space for each occupant shall be permitted one wall sign and a sign element of a Stacked Free-Standing Sign per occupant. The maximum total square footage for all signs per occupant will be 40 sq. feet.
7. Unused/Dilapidated Signs: Signs must be kept in clean legible condition at all times. Any sign and entity that is no longer valid or in use or has surpassed its usefulness must be removed in 30 days. Unsightly or unused signs are subject to abatement by the Township or owner of the land.

O. Fences and Walls:

In any applicable residential district, no fence or wall shall exceed six (6) feet in height. No fence shall exceed forty-eight (48) inches in height between the street right-of-way line and the building setback lines. Supporting members for walls and fences shall be installed so as not to be visible from any other property which adjoins or faces the fences or walls being installed. This regulation shall not apply to fences or walls which are designed so that the supporting members are identical in appearance on both sides of the fence or wall. Fences shall be kept in proper repair and maintained so as not to create conditions which endanger the health, comfort, or safety of the public. No fence or wall shall be erected until property lines are identified and so marked with proper property line identification by a Licensed/Certified Surveying Markers.

P. Construction on Embankments:

Where a fence or wall is constructed on an embankment, or where the ground under a fence has been graded to a higher level than, the surrounding ground, the permissible height of the fence, as set forth in Section O shall be reduced by the height of the embankment or grading.

Q. Shrubbery and Hedges:

No shrubbery or hedge shall be planted beyond the property lines. The owner or occupant of realty on which there is shrubbery, hedges, or tree so located as to affect the vision of drivers on the public streets shall keep shrubbery and hedges trimmed to a maximum of 30 inches in height and keep trees trimmed in order to avoid creating traffic hazards.

R. Screening:

Screening or buffering in compliance with the provision of this Section shall be provided for any permitted or conditionally permitted non-residential uses which abut any residential district, in addition to setback and yard requirements provided elsewhere in

this Resolution. Applicants for a zoning permit may request a variance from yard or setback requirements in conjunction with a plan for screening, which the Board of Zoning Appeals may consider by weighing the relationship of the proposed screening plan and the requested dimensional variance with respect to their joint impact upon neighboring properties. Such requested variance for a conditionally permitted use shall be incorporated in the conditional use procedure. The following shall apply with respect to screening:

- a. Screening shall be provided for one or more of the following purposes:
 - i. A visual barrier to partially or completely obstruct the view of structures or activities.
 - ii. An acoustic screen to aid in absorbing or deflecting noise.
 - iii. A physical barrier to contain debris and litter.
- b. Screening may consist of one of the following, or a combination of two or more, as determined by the Zoning Inspector or Board of Zoning Appeals in the event of an appeal, variance, or conditional use:
 - i. A solid masonry wall.
 - ii. A solidly constructed decorative fence.
 - iii. A louvered fence.
 - iv. A dense vegetative planting.
 - v. A landscaped mounding.
- c. Height of screening shall be in accordance with the following:
 - i. Visual screening walls, fences, plantings, or mounds shall be a minimum of 5 ½ feet high in order to accomplish the desired screening effect, except in required front yards where maximum height shall be not greater than 2 ½ feet. Plantings shall be a minimum of 4 feet in height at the time of planting.
 - ii. A dense vegetative planting with a minimum height of 4 feet at planting and a mature height of at least 5 ½ feet or greater or a solidly constructed decorative fence shall be permanently maintained along the mutual boundary of an accessory parking area and adjacent land zoned for residential uses, except for the portion of such boundary located within a required front yard.
- d. Screening for purposes of absorbing or deflecting noise shall have a depth of at least 15 feet of dense planting or a solid masonry wall in combination with

decorative plantings. The height shall be adequate to absorb noise as determined by the Zoning Inspector in relation to the nature of the use.

- e. Whenever required screening is adjacent to parking areas or driveways, such screening shall be protected by bumper blocks, posts, or curbing to avoid damage by vehicles.
- f. All screening shall be trimmed, maintained in good condition, and free of advertising or other signs, except for direction signs and other signs for the efficient flow of vehicles.

S. Garage Sale, Registration, and Permit Required:

Garage sales are permitted in any district and are subject to the following conditions:

- i. Not more than three such garage sales at the same location will be permitted in any one calendar year and not more frequently than one in any month.
- ii. No signs may be posted except on private property advising the public of such sale, and all signs must be removed within 24 hours after the termination of the sale.

A legally permitted garage sale is limited to one sign, not greater than 4 square feet in size and which is located on the sale for a time period of 3 consecutive days. Such sign shall not be located in a public right-of-way or placed on a public utility property, telephone pole, electric pole, road sign, etc.

T. Amusement Arcades:

Amusement arcades shall comply with the following in addition to all other regulations that apply in this Resolution:

- i. An adult who is 18 years of age or over shall supervise the amusement arcade at all times during its hours of operation.
- ii. It shall be the obligation of the exhibitor of an amusement arcade to maintain peace and quiet and order in and about the premises. Failure to do so shall constitute a nuisance.
- iii. Coin or token operated amusement machines shall be placed at least two feet apart and have four feet of free space in front of the machine, separate and apart from walking aisles.
- iv. The applicant shall provide evidence that the structure meets the minimum requirements of the appropriate electrical and fire codes.
- v. If the place of business or premises for which an amusement arcade is proposed is a free standing building, an exterior lighting plan must be approved by the Zoning Board of Appeals.

- vi. In establishments which serve alcoholic beverages, any area containing amusement devices shall be visually separated from that portion or portions of the establishment wherein alcoholic beverages are served or sold for carrying-out of the premises.
- vii. No amusement arcade may be established, operated, or maintained in any place of business or on any premises which is 1,000 feet from any other structure or private property.

The applicant shall be required to file a copy of a license to operate and exhibit amusement devices with the Township.

U. Adult Group Residential Facilities:

In addition to all other applicable provisions of this Resolution, adult group residential facilities shall comply with the following criteria:

- i. Evidence is presented that the proposed facility meets certification, licensing, or approval requirements of the appropriate state agency.
- ii. Evidence is presented that the proposed facility meets local fire safety requirements for the proposed use and level of occupancy.
- iii. No such facility may be located within 600 feet of another such facility.
- iv. The exterior of all such facilities shall not be altered in character, but shall be compatible with other residential dwellings. However, any improvement required by code or necessitated by licensing requirements shall not be deemed incompatible.
- v. Such facility shall be reasonably accessible, by virtue of its location or transportation provided by the applicant, to medical, recreational, and retail services required by its residents, and to employment opportunities, if applicable, and shall be in a relatively safe and stable neighborhood.
- vi. The applicant shall provide a plan indicating the manner in which the facility, will maintain contact with neighborhood residents to include a structured procedure whereby their grievances may be filed and resolved.
- vii. The applicant shall provide documentation indicating the need for the facility, the specific clientele it will serve, and the location and type of similar facilities operated by the applicant.
- viii. Anyone being contained for medical or legal reasons shall be contained by a security fence and monitoring system; approved by Zoning Board of Appeals and monitored by Zoning Inspector that requirements are acceptable.

W. Required Refuse Collection Areas:

The refuse collection areas provided by all commercial, industrial, and multifamily residential uses for the collection of trash, garbage, and other refuse shall be enclosed on three sides by a solid wall or fence of at least 6 feet in height, unless within an enclosed building or structure. Provisions shall be made for regular and adequate vehicular access to such areas for collection purposes, as determined necessary by the Zoning Inspector. In addition, the following requirements shall be met:

- i. The storage of hazardous or toxic materials or wastes shall not be permitted without documented approval of the Ohio Environmental Protection Agency.
- ii. Materials or wastes which might cause fumes or dust or otherwise constitute a fire hazard, or which may attract rodents or insects, shall be stored only in closed containers constructed of impervious materials.
- iii. Storage areas in residential districts shall utilize such additional screening as required in this Resolution.

X. Setback Requirements for Corner Buildings:

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

Y. Visibility at Intersections:

On the corner lot at the intersection of two streets in any district, nothing shall be installed, erected, placed, planted, or allowed in such manner as to impede vision materially between a height of 2 ½ feet and 10 feet above the center line grades of the intersecting streets in the area bounded by the right-of-way lines such corner lot and a line joining points along said street lines 50 feet from the point of intersection. On a corner lot at the intersection of two alleys, or at the intersection of an alley and a street within any district, nothing shall be installed, erected, placed, planted, or allowed to grow in such manner as to impede vision materially between a height of 2 ½ feet and 10 feet above the center line grades of the intersecting alleys, or of the intersecting alley and street, in the area bounded by the right-of-way lines of such corner lot and a line joining points along said alley lines, or alley and street lines 25 feet from point of intersection.

Z. Side and Rear Yard Requirements for Non-Residential Uses Abutting Residential Districts:

Non-residential buildings or uses shall not be located nor conducted closer than 40 feet to any lot line of a residential district, except that the minimum yard requirements may be reduced to 50 percent of the requirements if acceptable landscaping or screening approved by the Zoning Inspector is provided. Such

screening shall be masonry or solid fence between 4 and 8 feet in height maintained in good condition and free of all advertising or other signs. Landscaping provided in lieu of such wall of fence shall consist of a strip of land not less than 20 feet in width planted with an evergreen hedge or dense planting of evergreen shrubs not less than 4 feet in height at the time of planting. Either type of screening shall not obstruct traffic visibility within 50 feet of an intersection.

AA. Architectural:

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

BB. Exceptions to Height Regulations:

The height limitations contained in Article 8 District Regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy, except where the height of such structures will constitute a hazard to the safe landing and take-off of aircraft at an established airport.

CC. Adult Businesses:

In addition to complying with all regulations within the district where they are located, all adult entertainment business shall comply with the following criteria:

No adult entertainment business shall be permitted in a location which is within 1,500 feet of another adult entertainment business.

- i. No adult entertainment business shall be permitted in a location which is within 1,000 feet of any church, any public or private school, any park, any playground, or any social services facility or neighborhood center.
- ii. No adult entertainment business shall be permitted in a location which is within 1,000 feet of any residence or boundary or any residential district.
- iii. No adult entertainment business shall be permitted in a location which is within 1,000 feet of any boundary of any residential district in a local unit of government abutting the Township.

EE. Smoke and Odor Abatement:

In keeping with the intent of the Zoning Resolutions, the use or continued existence of a system or device which produces objectionable smoke and/or odor shall be considered as a violation of the Zoning Regulations. If, after due warning, the owner or operator of any system or device fails to reduce or eliminate smoke and or odor to the satisfaction of the Zoning Appeals Board, he may be prosecuted as herein described.

FF. Sanitary Regulations:

Before a Zoning Certificate can be issued, the applicant must show and receive the approval of the Knox County Board of Health for the design, location and capacity of the sanitary system the applicant proposes to install, must be a copy for residence or Permit to Install (PTI) for commercial.

GG. Subdivision Regulations:

Proposed subdivisions in Monroe Township shall be approved by the Zoning Commission before a valid Zoning Certificate will be issued. Regulations covering subdivisions shall be as prescribed by the Planning Commission having jurisdiction and in accordance with Monroe Township specifications with the following exception:

- 1. In areas where a central sewage system exists at the time of the proposal:*
 - a. Minimum lot size shall be 10,000 square feet.*
 - b. Such lots shall be exempt from the minimum road frontage requirements, but must conform to the 3:1 lot size requirements as described in section 801-iii-1 of this code.*
 - c. Maximum lot coverage shall be 30%.*

HH. Application Regulations:

If any misrepresentation or false statements are made on the application for Zoning Certificate, such act will automatically void the Zoning Certificate.

II. Private Swimming Pools:

No private swimming pools, exclusive of portable pools with a diameter of less than twelve (12) feet or with an area of less than one hundred (100) square feet, shall be allowed in any zoning district in Monroe Township except as a conditionally permitted use and unless it complies with the following conditions and requirements:

1. The pool is intended and is to be used solely for the enjoyment of the occupants of the principal building and their guests.

2. The pool may be located anywhere on the premises except in required front yards, provided it shall not be located closer than ten (10) feet to any property line of the property on which located, and provided, further, that pump and filter installations shall be located no closer than twenty (20) feet to any property line.
3. The swimming pool, or the entire property on which it is located shall be walled or fenced to prevent uncontrolled access by children from the street or adjacent properties. Said fence or wall shall not be less than six (6) feet in height and maintained in good condition with a locked gate.
4. Adequate provisions for draining the pool shall be made subject to the approval of the County Engineer.
5. Any lights used to illuminate the pool area shall be so arranged as to reflect away from adjoining properties.

JJ. SATTELITE ANTENNAS:

Satellite antennas may be located anywhere on the premises except the required front yard providing it complies with the setback rules of an accessory building. In the event the proposed antenna fails to function properly when located to the rear of the setback line an application for a variance shall be required to permit location of the proposed antenna at a specific location on the premises.

KK. OUTSIDE STORAGE:

Storage of any compressed gas tank and/or bulk storage of flammable material must be located at least ten (10) feet from any property line and fifty (50) feet from any road right-a-ways.

Revisions

Revision #8

Renumbered Article #9 - Zoning Regulations, Supplemental Regulations to Article #11

Renumbered Article #10 - Validity and Repeal to Article #12

Added New Article #10 - Planned Unit Development

Added New Article #10 - Planned Unit Conservation Development

Revision #9

Article #2 – Added sign type definitions

Article #11 – Added a nameplate and sign chart

Miscellaneous clerical corrections and definitions

Revision #10

Article #2 – Added sign type definitions

Article #11 – Added a nameplate and sign chart

Miscellaneous clerical corrections and definitions