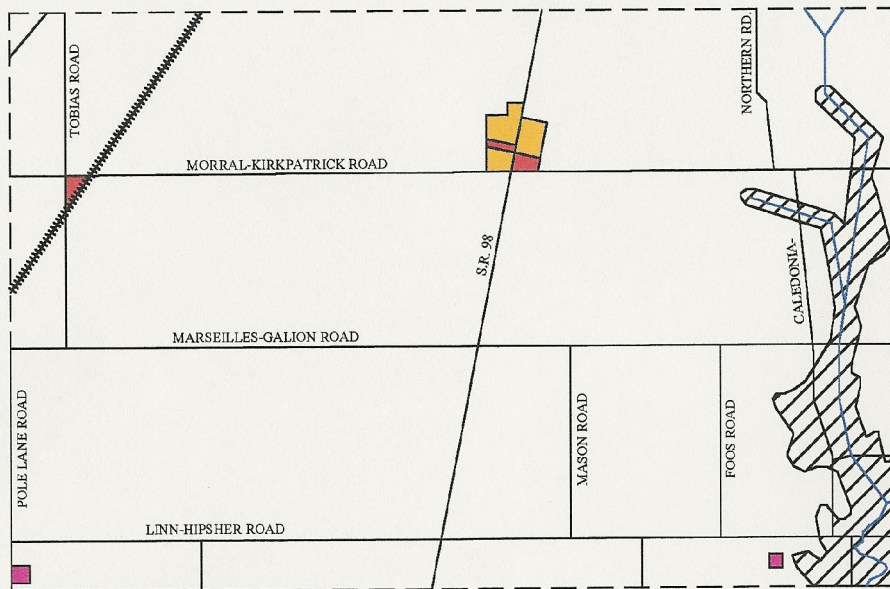








Scott Township Zoning Resolution

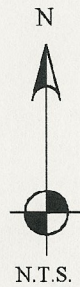
Adopted: May, 1985
Revised: December, 2002
Revised: May, 2004
Revised: July, 2004

SCOTT TOWNSHIP GENERALIZED ZONING MAP



ZONING DISTRICT LEGEND

-  AG / RES, AGRICULTURAL / RESIDENTIAL DISTRICT
-  R, RESIDENCE DISTRICT
-  B, BUSINESS DISTRICT
-  B-I, BUSINESS-INDUSTRIAL DISTRICT
-  I, INDUSTRIAL DISTRICT
-  FP, FLOOD PLAIN DISTRICT (See FIRM Maps)



Map Source: 1977 RPC Marion County Highway Map.

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CHAPTER 1

JURISDICTION AND PURPOSE

1.01 Area of Jurisdiction

The provision of this Resolution shall apply to the territory of Scott Township in which a majority vote therefore is recorded at the next election or at any subsequent election.

1.02 Purpose

In addition to and in support of the general purpose of rural zoning set forth in Section 519.02, Revised Code of Ohio, this Resolution is adopted for the following purposes:

1. To promote the public health, safety, morals, comfort and general welfare of the citizens of Scott Township;
2. To promote orderly development in Scott Township according to the Comprehensive Plan for Marion County;
3. To aid in preserving agricultural land and maintaining the economic viability of agriculture in Scott Township;
4. To conserve the values of property throughout Scott Township, and to protect the character and stability of residential, commercial, and public areas;
5. To provide adequate area for drainage, privacy and convenience of access to property;
6. To provide a pattern and density for the use of land which will lessen the need for substantial future expenditures for public utilities;
7. To provide for the achievement of purposes stated elsewhere herein with relation to the various aspects of growth and development in Scott Township.

CHAPTER 2

GENERAL ZONING DISTRICT PROVISIONS

2.01 Agricultural Exemption (Agriculture Allowed in Every District)

Nothing contained in this Resolution shall prohibit the use of any land for agricultural purposes, as defined in Chapter 14, or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located. No Zoning Permit shall be required for such AG use, building or structure. In addition, the owners or operators of a farm may add to an existing farmhouse by obtaining a permit. Construction of a new farm residence would require a permit to ensure that required setbacks and standards are fairly applied.

2.02 Road Frontage Required For All Lots

Except as permitted by other provisions of this Resolution, each use of land shall be located on a lot, as defined in Chapter 14, which lot shall have frontage on a street or road.

2.03 Required Lot Area or Other Open Space Cannot Be Reduced

No lot, yard, parking area or other open space shall be reduced in area or dimension so as to make the area or dimension less than the minimum required by this Resolution.

2.04 General Zoning District Regulations

Regulations governing the use of land and buildings are hereby established in the several zoning districts as set forth in the following Chapters. Only uses designated as permitted shall be allowed and any use not so designated shall be prohibited except in specific cases where the Board of Appeals is authorized to rule on non-designated uses which it deems to be similar to those which are permitted. In making such ruling the Board may not permit a use which is first listed as permitted or prohibited in a less restricted district.

2.05 Mobile Homes / Manufactured Homes on Individual Lots in the Agricultural / Residential District and the Residential District

Mobile / Manufactured Homes constructed prior to January 1, 1995 must meet all of the requirements of Sections 2.06, 5.03, and 6.03.

2.06 Minimum Residential Dwelling Unit Requirements

All single-family, and two-family dwelling units must meet the following requirements, which shall be construed to be the minimum building requirements.

Manufactured Homes which have a manufacture date of January 1, 1995, or later must meet all of the following requirements.

1. Minimum building width of 24 feet at the narrowest point, exclusive of breezeways, porches, terraces and garages or attachments.
2. Minimum building length of 24 feet at the narrowest point, exclusive of breezeways,

porches, terraces and garages or attachments.

3. The minimum floor area for a single- or two-family dwelling unit shall be 1200 square feet per family if the residential structure has one-story, and 1500 square feet per family if the residential structure has more than one-story.
4. All dwelling units must be affixed to a permanent foundation and connected to appropriate utilities (water, sewer, electric, etc.)
5. All dwelling units must have a pitched roof (HUD approved for manufactured homes), conventional siding, and six inch minimum eave overhang including appropriate guttering.

CHAPTER 3

ZONING DISTRICT AND ZONING DISTRICT MAP

3.01 Zoning District Classification

All parts of the township shall be designated on the Official Zoning District Map as being located in one of the following zoning districts:

- “FP” Flood Plain District
- “AG / RES” Agricultural / Residential
- “R” Residential
- “B” Business District
- “I” Industrial District

Wherever, in this Resolution, the order of Districts as to degree of restrictiveness is referred to, the order shall be as listed above, with the “FP” District being the most restricted, and the “I” District being the least restricted.

3.02 Adoption of Zoning District Map as Part of Resolution

The boundaries of Zoning Districts as set forth are hereby established as shown on the map entitled "Official Zoning District Map of Scott Township, Marion County, Ohio"; dated and certified by said Scott Township Trustees and the Clerk. Said Zoning District Map and all notations, references and other matters thereon are hereby made a part of this Resolution. The Zoning District Map shall be and remain on file in the Office of the Scott Township Inspector.

3.03 Determination of District Boundaries

Except where referenced and noted on the Zoning District Map by a clearly designated line and/or written dimensions, the District boundary lines are intended to follow property lines, lot lines or the center lines of streets, or streams, as they existed at the time of adoption of this Resolution or the extension of such lines. The Zoning Inspector shall interpret the location of boundary lines as shown on the Zoning District Map. When the Zoning Inspector's interpretation is questioned, the boundary lines shall be determined by the Board of Zoning Appeals as prescribed in Chapter 12.

CHAPTER 4

“FP” FLOOD PLAIN DISTRICT

4.01 Purpose

The purpose of the Flood Plain District is to regulate development on Flood Prone land in order to reduce future potential loss of life, and damages to property.

4.02 Flood Plain District Overlay

The Flood Plain District shall be an over-lapping zone with regulations in addition to any other underlying Zoning District.

4.03 Use Regulations

Any uses permitted in the underlying Zoning District shall be allowed with the exception of the storage of potentially hazardous materials which, if subject to flooding may become flammable, explosive, or otherwise injurious to human, animal, or plant life,

4.04 Development Standards

All structures within the Flood Plain District shall meet the existing county Flood Plain Development Standards as enforced by Marion County.

4.05 Establishment of Flood Plain Zone Boundary

The boundaries of the Flood Plain District shall be based on the Flood Hazard Boundary Map provided from the U.S. Department of Housing and Urban Development, Federal Insurance Administration pursuant to the National Flood Insurance Program. Should this map be revised, the Flood Plain District boundaries shall likewise be revised.

4.06 Disclaimer of Responsibility

This Code does not imply that areas outside the Flood Plain District or land uses permitted with such district will be free from flooding or flood damages. This Code shall thus not create liability on the part of Scott Township or officer or employee thereof for any flood damages that result from reliance on this Code.

CHAPTER 5

“AG / RES” AGRICULTURAL / RESIDENTIAL DISTRICT

5.01 Purpose

Land which is level or gently rolling, is well drained or capable of being drained, possesses productive soil characteristics and is best preserved and used for agricultural purposes. Also, low density residential development is permitted in this District. All types of high density urban uses should be discouraged.

5.02 Use Regulations

1. Principal Permitted Uses

Agriculture
Public Uses
Recreation facilities, private
Semi-public uses
Single- and two-family dwelling units
Storage and/or sales of fertilizer, agricultural anhydrous ammonia and agricultural chemicals

2. Conditional Permitted Uses (Subject to approval by the Board of Appeals)

Nurseries, lawn, and garden centers (limited to this use)
Specialized animal raising and care
Veterinary clinic or hospital
Sand and gravel extraction
Recreation facilities, Limited Commercial
Tourist camps, motels, inns and other dining places
Seasonal dwellings
Cemeteries
Airports
Mineral extraction
Petroleum drilling and extraction
Topsoil removal
Penal and correctional institutions
Temporary Living Space (See Section 8.08)

3. Accessory Permitted Uses and Buildings

Private Garages
Swimming pools, garden houses, tool houses, play houses
Living quarters of persons employed on the premises
Boarders and roomers (limited to 2)
Home Occupations
Required off-street parking space
Stables (not part of a farm)
Roadside stands on farms
Other accessory uses as defined in Chapter 14

Accessory signs (See Section 8.0215)
Temporary buildings

5.03 Area and Dimensional Standards

All structures shall comply with the dimensional and area requirements as set forth in the following schedule:

<u>USE</u>	<u>MINIMUM LOT SIZE*</u>		<u>MINIMUM YARD DIMENSIONS</u>			<u>MAXIMUM BLDG. HGHT.</u>		<u>MAXIMUM COVERAGE OF LOT</u>
	Width (Feet)	Depth (Feet)	Front (Feet)	Side (Feet)	Rear (Feet)	(Feet)	(Stys)	(Percent)
Single & Two Family Dwellings	250	250	80	50	50	30	2.5	-
Schools	350	350	80	50	50	30	2.5	20
All Other Uses	250	250	80	50	50	30	2.5	20

* Lot Depth is Measured from Center of Road Right-of-Way as Defined in Chapter 14.

Accessory Buildings

Accessory non-agricultural uses such as accessory buildings shall be located at least ten (10) feet from an interior side lot line or rear lot line, and shall not be located in a required front or corner side street yard. If an accessory use is attached to the principle building, it shall be so placed as to meet all yard requirements for a principal building.

Off-Road Development

In cases where development of a dwelling off the road is at least 500 feet, the width of the lot 80 feet in front of the building site may be reduced to 50 feet for a lane (owned with the lot). The total lot area must consist of three (3) acres or more but this includes the acreage taken by the lane. The width measured at the building line must still be 250 feet and the depth and front side and rear yard requirements must still be met for all buildings. The owner will be responsible for his own access on the 50 (or greater) foot lane as well as for property upkeep. Only one single-family dwelling will be permitted per lot.

5.04 Number of Lots

5.041 Purpose

Recognizing the growing concerns relating to farmland preservation, and the need to control premature development the following restrictions involving the number of lots which may be subdivided shall apply within the "AG / RES" Agricultural / Residential District:

1. Any parcel or lot of record on February 1, 2003 may be subdivided, if also in accordance with the Marion County Subdivision Regulations, to provide only up to four (4) residential lots.
2. A residential lot is defined as any lot under ten (10) acres with a home either in use, planned, or potential use.

CHAPTER 6

“R” RESIDENTIAL DISTRICT

6.01 Purpose

Areas where one- and two-family residential development is desirable at densities made possible by the presence of or potential possible provision of public sewer or water facilities.

6.02 Use Regulations

1. Principal Permitted Uses

Agriculture
Single-family and two-family dwelling units
Public uses
Semi-public uses

2. Conditional Permitted Uses (Subject to approval by Board of Appeals)

Rooming, boarding, or lodging house
Nursery schools and day nurseries
Sanitariums, convalescent homes and rest homes
Cemeteries adjacent to or in extension of existing cemeteries
Recreation facilities, private
Business and Professional offices in buildings having the external appearance of residential structures, not including the manufacture, sale or storage of goods, and located on a street that the Board of Appeals judges adequate to easily handle any additional traffic.
Private clubs or lodges
Mobile Home Parks
Temporary Living Space (See Section 8.08)

3. Accessory Permitted Uses and Building

Private garages
Swimming pools, garden houses, tool houses, playhouses
Boarders and roomers
Home Occupations
Living Quarters for persons employed on the premises
Accessory signs (See Section 8.0215)
Other accessory uses as defined in Chapter 14

6.03 Area and Dimensional Standards

<u>USES</u>	<u>MINIMUM LOT SIZE</u>		<u>MINIMUM YD. DIMENSIONS</u>			<u>MAXIMUM BLDG. HGT.</u>		<u>MAXIMUM COVERAGE OF LOT</u>
	AREA (SQ. FT.)	FRONTAGE (FEET)	FRONT (FEET)	SIDE (FEET)	REAR (FEET)	(FEET)	(STRY)	(PERCENT)
Single & Two Family Dwellings*								
- Without public sewer or water	43,560	100	70	10	50	30	2.5	-
- With public sewer ONLY	16,000	80	70	10	50	30	2.5	-
- With water ONLY	43,560	100	70	10	50	30	2.5	-
- With both public sewer and water	12,000	80	70	10	40	30	2.5	-
Schools	5 acres	200	80	25	50	30	2.5	10
All Other Uses	Sufficient to comply with yard & parking requirement		70	20	40	30	2.5	20

*In the case of existing lots of record created before the effective date of this zoning Resolution, see Sections 8.011, 8.012, 8.013, and 8.014 for possible exceptions.

6.04 Requirements For Accessory Structures

An accessory building may be erected detached from the principal building or may be erected as an integral part of the principal building, or it may be connected by a breezeway or similar structure. No accessory building shall be erected in any required yard other than a rear yard, except as hereinafter provided. Any accessory building not in a rear yard whether detached from or connected with the principal building shall be so placed as to meet all yard requirements for a principal building. If located in a rear yard, both detached and connected accessory structures shall be subject to the requirements set forth in the following paragraphs:

- A. The distance of such buildings from other separate buildings on the same lot shall be at least six (6) feet, except that a breezeway, at least six (6) feet in length, may connect an accessory building with a principal building.
- B. No accessory building in a rear yard shall be less than five (5) feet from an interior side lot line or rear lot line.

CHAPTER 7

“B” BUSINESS DISTRICT

7.01 Purpose

The purpose of the “B” Business District is to provide for various types of commercial development at appropriate locations.

7.02 Use Regulations

1. Principal Permitted Uses

Agriculture

Public Uses

Financial Institutions

Schools

Semi-Public Uses

Lodging, including Motels

Retail business whose principal activity is the sale or rental of new or used merchandise or equipment, if not elsewhere prohibited. Not including the sale or rental of new and used automobiles, trucks, mobile or manufactured homes, tractors, boats, or flea markets.

Service establishments such as barber shops, photography, studios, dry cleaning, blueprinting, etc.

Restaurants, taverns, cafes, etc.

Recreational facilities, general commercial

Workshop types of services such as electrical repair, locksmiths, or repair of other goods permitted to be sold within the district

Professional, business or industrial offices

Gasoline service stations

Mini warehousing, that is storage of residential furniture and belongings in enclosed buildings provided, however that such buildings shall be limited to one story in height (building height shall not exceed 12 feet in height from floor to ceiling). Such storage shall be completely restricted to the interior of such buildings and no outside storage or warehousing of any kind or nature shall be permitted. No other activity including any selling of goods, workshops, or flea markets shall be permitted on the site.

2. Conditional Permitted Uses (Subject to approval by the Board of Zoning Appeals)

Commercial uses determined by the Board of Zoning Appeals to be of the same general character as the above principally permitted uses.

Retail business whose principal activity is the sale or rental of new or used merchandise or equipment, if not elsewhere prohibited, without limitations.

Adult-only entertainment establishments (see definitions below) if all of the following applies (Effective 1/03)

1. DEFINITIONS:

Adult-only Entertainment Establishments:

Section 1: For purposes of the Resolution, “adult entertainment business” means a business or enterprise which present material or performances whose tendency is the selling, showing, exhibition, or presenting entertainment involving nudity or semi nudity.

Section 2: For purpose of this Resolution, “nudity” means the appearance of a human bare buttock, anus, male genitals, female genitals, or areola of the female breast.

Section 3: For purposes of this Resolution, “semi-nude” or “semi-nudity” means a state of dress in which clothing covers no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices.

2. CONDITIONS:

1. The site is a minimum of 1,500 linear feet from any residential dwelling unit.
2. The site is a minimum of 1,500 linear feet from the lot line of any school, church, park, or public cemetery, or other commercial business.

3. Accessory Permitted Uses

1. Accessory Signs (8.0215)
2. Off-street parking and loading.
3. Any use customarily incidental to an allowed use.

7.03 Area and Dimension Standards

All structures shall comply with the dimensional requirements hereunder:

1. Minimum Front Yard Depth

The minimum front yard depth shall be ninety (90) feet.

2. Minimum Side and Rear Yard

- A. If both the side or rear lot line abuts land which is within the Business or Industrial District, no minimum side or rear yard is required.
- B. If either the side or rear lot line abuts land within the Agricultural / Residential or Residential District, that yard (or both) shall have a setback equal to the height of the building, but not less than twenty-five (25) feet.

CHAPTER 7A

“I” INDUSTRIAL DISTRICT

7.01A Purpose

The purpose of the “I” Industrial District is to provide for various types of industrial development at appropriate locations.

7.02A Use Regulations

1. Principal Permitted Uses

Agriculture

Public Uses

Workshop types of services such as electrical repair, locksmiths, etc.

Professional, business or industrial offices

Gasoline service stations

Blending, packaging and storage of previously manufactured products, such as chemical products, feed, grain and industrial compounds

Manufacturing of household, business or industrial products if not elsewhere prohibited or regulated

Non-manufacturing activities such as transportation terminals, warehousing, research testing laboratories, fuel dealers, etc.

Building supply dealers

2. Conditional Permitted Uses (Subject to approval by the Board of Zoning Appeals)

Industrial uses determined by the Board of Zoning Appeals to be of the same general character as the above principally permitted uses.

The fabrication of structural steel, heavy machinery and transportation equipment

Punch presses and stamping operations

The processing or manufacturing of food products

Sawmills, mixing of cement, bituminous or asphaltic concrete topsoil removal

Advertising signs (See Section 8.0216)

The following uses, which shall not be located within one thousand (1000) feet of existing residence or residential district.

1. Chemical and/or fertilizer manufacturing plant.
2. Distilling of bones, fat or glue, or gelation manufacturing.
3. Dumping, storing, burying, reducing, disposing of or burning garbage, refuse, scrap metal, rubbish, offal or dead animals.
4. Refining or processing crude petroleum.
5. Sanitary / Construction Debris Landfill.
6. Bulk storage of flammable liquids.
7. Manufacturing explosives, ammunition, fireworks, matches.
8. Refining or processing crude petroleum.
9. Airports.
10. Junk or salvage yards if surrounded by screened fence 6 feet high.
11. Food locker plant, including the cutting and packaging of meat, fowl, fish,

or game, sale at retail, delivery of individual home orders, renting of individual lockers of home-customer storage thereof.

12. Slaughter houses or stock yards

3. Accessory Permitted Uses

1. Accessory Signs (See Section 8.0215)
2. Off-street parking and loading.
3. Any use customarily incidental to an allowed use.

7.03A Area and Dimension Standards

All structures shall comply with the dimensional requirements hereunder:

1. Minimum Front Yard Depth

The minimum front yard depth shall be ninety (90) feet.

2. Minimum Side and Rear Yard

- A. If both the side or rear lot line abuts land which is within the Business or Industrial District, no minimum side or rear yard is required.
- B. If either the side or rear lot line abuts land within the Agricultural / Residential or Residential District, that yard (or both) shall have a setback equal to the height of the building, but not less than twenty-five (25) feet.

CHAPTER 8

SPECIAL USE REGULATIONS

8.01 Exceptions to Application of Area Dimension Standards

8.011 Exceptions to Lot Width and Area Requirements

- A. In a District where it is permitted, a single family dwelling may be erected on a lot which is non-conforming as to lot area or width, provided however, that, where three or more abutting lots of record were held in one ownership at the effective date of this Resolution, and where one or more of such lots are non-conforming, the exception in this paragraph shall not apply.
- B. In the AG / RES Agricultural / Residential District, existing parcels or contiguous parcels of land in common ownership as of the effective date of this Resolution with not less than 300 feet nor more than 400 feet of frontage on a public road may have the lot width requirement for new parcels reduced to 150 feet per lot if approved by the Zoning Board of Appeals as a Special except under Section 12.032. The required lot depth must be met. The Board may reduce the required side yard dimensions by up to twenty-five (25) percent.
- C. In the AG / RES Agricultural / Residential District existing parcels or contiguous parcels of land in common ownership as of the effective date of this ordinance with more than 400 feet but less than 500 feet of frontage on a public road may have the lot width requirement for new parcels reduced to 200 feet per lot if approved by the Zoning Board of Appeals as a Special Exception under Section 12.032. The required lot depth must be met. The Board may reduce the required side yard dimensions by up to fifteen (15) percent.
- D. See Section (5.03) for off-road development

8.012 Front Yard Exceptions and Modifications

A. Exceptions for existing Alignment

Where the average of existing front yard depths for lots located on the same side of the street within one hundred(100) feet of both sides of a lot in question is greater or less than the required front yard specified in this Chapter, such average of depths shall be required depth for such lot, provided that no front yard shall be required to exceed one hundred and five(105) feet in depth, and shall not be less than forty (40) feet, both measured from the center of the road.

In deriving the average depth of existing front yards the following rules shall be observed.

- (1) A lot which is only partially within one hundred(100) feet of the lot in question shall be included in the average if any part of the

principal building thereon is located within said one hundred (100) foot distance.

(2) Any vacant lot within said one hundred(100) feet shall be considered as having the minimum required front yard depth in computing the average.

B. Front yards Required in Non-Residence Districts along Residential

District Boundary Lines. In any block which includes both residential and non-residential districts along the same side of the street, the front yard requirements of the non-residential district shall be either the requirements set forth for such district or the requirement set forth for the Residential District in such block, whichever is greater.

8.013 Side Yard Exceptions, Application and Adjustments

A. Side Yard Exceptions for Narrow Lots

In case of a lot which is existing and of record at the time of the effective date of this Resolution, if the owner of record does not own any adjacent property one and one-half(12) inches may be deducted from the required least width for each foot by which the lot is narrower than the required width. Such deductions shall not apply to buildings higher than two(2) stories. In no case shall any side yard be narrower than five(5) feet.

B. Side Road Side Yard

Any corner lot in an Agricultural or Residential District, having an abutting interior lot fronting on its side road shall have a minimum required side yard on the side road equal to the required front yard depth of the District in which it is located; provided however, that this requirement shall not be applied to a lot which was of record at the time this Resolution became effective so as to reduce the buildable width to less than twenty-five(25) feet.

C. Adjustments for Irregular Side Yards

Where the side wall of a building is not parallel with the side lot line or where the side yard has an irregular width due to broken alignment of side wall or side lot line, the side yard shall be such that its total area is equal to the side yard area which would result if the required least width were applied to a building of equal length and height having an unbroken wall parallel with an unbroken side lot line, provided that such side yard shall at no point be narrower than one half (2) of the required least width or five(5) feet, whichever is greater.

8.014 Rear Yard Exceptions of Shallow Lots

For a lot which was of record at the time this Resolution became effective,

which lot is in a Residence District and has a depth of less than one hundred ten(110) feet, the depth of the rear yard need not exceed twenty five(25) percent of the depth of the lot, but shall not be less than fifteen(15) feet in any case.

8.015 Uses and Projections Permitted in Yards

The following accessory uses and structural projections shall be permitted within any required yard, with limitations as specified.

- A. Off-street loading and parking space in required front yards in a Business-Industrial District, to within fifteen(15) feet of the street line.
- B. Fuel pumps in required front yards in connection with conforming service station, to within twenty(20) feet of the street line.
- C. Fences, walls or landscaping, but if in a front yard limited to 6 feet in height for a chain link fence 3 1/2 feet for other types.
- D. Eaves, cornices, window sills and belt course may project into any yard a distance not to exceed three(3) feet.
- E. Accessory buildings in rear yards, in accordance with the provisions of the district in which it is located.
- F. Steps, terraces or uncovered porches may project into any yard, provided they are not over three and one-half (3 1/2) feet above the average finished grade at the adjacent building wall and distant at least three (3) feet from every lot line.

8.016 Height Limit Exceptions

- A. The height limits of this Resolution shall not apply to churches, schools, hospitals and such public buildings as a library, museum, auditorium, art gallery, fire station or public buildings of a cultural, recreational or administrative nature.
- B. Church spires, belfries, cupolas, domes, monuments, fire and hose towers, chimneys, smokestacks and flag poles may exceed the height limits.
- C. Water tanks, bulkhead, grain elevators, gas holders, radio and television transmission and receiving towers and similar structures auxiliary to permitted principal uses in a district may exceed the height limits.

8.017 Public Utilities

This Resolution shall not apply to public utilities or railroads. However, Section 519.221 of the Ohio Revised Code permits townships to regulate cellular communication towers owned by public utilities in areas zoned for residential use.

The following regulations shall be met whenever a public utility tower is to be located, erected, constructed, reconstructed, or any other situation as defined in Section 519.211 (A) of the Ohio Revised Code:

Telecommunication or cellular towers shall be a minimum of 1000 feet from any residential dwelling unit.

Telecommunication or cellular towers shall be a minimum of one and one-half (1 1/2) tower heights (including base height if applicable) from any buildings, roads, alleys, utility lines, etc.

Any site where a telecommunication or cellular tower is constructed, shall be landscaped and maintained in keeping with the decor of the area in which the tower is located.

Telecommunication or cellular towers shall be a minimum of 5280 feet from any public or private airport.

Because of existing runway glide paths for the Marion Municipal Airport, no telecommunication or cellular towers shall be permitted in Scott Township Sections 13, 23, 24, 25, 26, 27, 34, 35, 36.

8.02 Sign Regulations

8.021 General Provisions

Signs of all types as defined in Chapter 14, shall comply with the regulations set forth in this Section. In addition to the standards and requirements set forth in succeeding sub-sections, the following provisions shall apply to signs of all types.

8.0211 Traffic Hazards

No sign shall be erected in such a manner as to obstruct free and clear vision, or at any location where, by reason of position, shape or color it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device, or which makes use of the words "stop", "look", "danger" or other word, phrase or symbol in such manner as to interfere with or mislead or confuse motorists or pedestrians. Light sources for illuminated signs shall not be of such brightness as to constitute a hazard to pedestrian or vehicular traffic.

8.0212 Exempted Signs

The following signs are not subject to the provisions of this Section:

1. Governmental signs for control of traffic and other regulatory purposes, street signs, warning signs, railroad crossing signs, and signs of public utility

companies for the purpose of safety.

2. Commemorative plaques placed by recognized historical agencies.

8.0213 Prohibited Signs

No signs shall be attached or otherwise applied to trees, bus shelters, utility poles, trash receptacles; newspaper vending machines or boxes, or any other unapproved supporting structure, or otherwise placed in the public right-of-way except as specifically permitted by this Section.

8.0214 Sign Responsibility, Maintenance and Removal

A. Owners Responsibility

1. The owner of any sign and the owner of the premises on which it is located shall be responsible for keeping it in repair and in proper state of preservation.
2. The owner of any sign and the owner of the premises on which it is located shall be responsible for the removal of such sign if and when it is abandoned or becomes no longer functional. Such removal shall include the complete blocking out of painted wall signs, such removal shall be carried out within a period of time as follows:

Permanent signs: thirty (30) days

Temporary signs: fourteen (14) days

B. Enforcement

In the case of non-compliance with the provisions of A-1 and A-2 hereinbefore, the Zoning Inspector shall notify, in writing, the owner of the abandoned or non-functional sign in question, or the owner of the premises on which such sign is located. If such order is not complied with within thirty(30) days after the date of such order, the Zoning Inspector shall remove such sign at the expense of the owner of the real estate.

8.0215 Accessory Signs

1. Accessory signs must be setback a minimum of 10' from the road right-of-way line.
2. No accessory sign shall be located within one hundred

fifty (150) feet of any road intersection unless affixed to the principal structure.

8.02151 Agricultural / Residential - Residential District

1. A home occupation or business or professional office may have one (1) unlighted sign with a maximum area of four (4) square feet per face.
2. Any other permitted non-residential use may have one (1) sign with a maximum area of thirty-six (36) square feet per face.

8.02152 Accessory Signs in the Business or Industrial District

1. Wall signs on the building shall be permitted and not regulated as to size.
2. One (1) free-standing sign for each commercial or industrial site shall be permitted with a maximum total free-standing sign area of two hundred (200) square feet. Maximum height of sign shall be ten (10) feet.

8.0216 Advertising Signs

1. Advertising signs shall be deemed a conditional permitted use.
2. Advertising signs shall comply with the yard requirements for principal uses in the district in which it is to be located.
3. No advertising sign shall be located within one hundred fifty (150) feet of any road intersection unless affixed to the principal structure.
4. There shall be no more than one (1) advertising sign on any lot having less than two hundred (200) feet of unbroken frontage on a single street or road. A lot having two hundred (200) or more feet of unbroken frontage on a single street or road may have two (2) advertising signs.
5. The maximum total sign area of a single advertising sign shall be three hundred (300) square feet per face.
6. Advertising signs shall be a minimum of three hundred (300) feet from an existing residential building at the time of application.

8.03 Home Occupations

In order to be permitted as an accessory use, a home occupation shall comply with the definition given in Chapter 14. In addition, it shall comply with the following requirements:

- A. There shall be a maximum of one non-resident employee engaged in the home occupation.
- B. No articles produced off the premises may be stored outside.
- C. No mechanical equipment shall be installed or used which will create excessive noise, interference with radio or television transmission or reception, or will be a public nuisance.
- D. The space devoted to such home occupation may not exceed twenty-five(25) percent of the gross floor area of the principal building.
- E. No goods shall be displayed, and there shall be no external evidence of home occupation conducted on the premises except one identification sign which shall be unlighted and no more than four(4) square feet in area.
- F. All other applicable sections of this resolution shall apply including Off-street Parking and Loading Requirements for the specific Home Occupation involved.

8.04 Private Swimming Pools

No private swimming pool shall be allowed in the "R" Residential District except as an accessory use, and unless it complies with the following conditions and requirements: these requirements are not meant to govern farm ponds.

- A. The pool is intended and used primarily for the enjoyment of the occupants of the principal use of the property on which it is located.
- B. It may not be closer than ten(10) feet to any lot line of the lot on which it is located.
- C. The pool shall be completely enclosed by a wall or fence at least 42" in height of sufficient density as to prevent small children from entering.
- D. The pool, together with any structure related thereto, shall comply with the requirements for accessory structures set forth for the district in which it is located.

8.05 Natural Resources

The mining of rocks, minerals, sand and gravel shall be permitted in accordance with the district regulations and provided the following conditions are met:

- 1. Such operations are at least two thousand(2000) feet from a residential district.
- 2. Such operations are at least one thousand(1000) feet from an existing residence (excluding the residence of the owner or operator).
- 3. An application for such operation shall be made to the zoning inspector who shall

issue a permit. And the permit shall expire at the end of one (1) year. A new permit and fee shall be required annually as long as the operation continues or as long as equipment is located at the site of operation. See the Scott Township Zoning Application for permit fee.

4. Upon termination of operation, land shall revert to the original use, all buildings and structures shall be removed at the expense of the operator within six(6) months of the termination date.

8.06 Parking

Businesses, offices, home occupations, industry and other establishments shall provide enough parking spaces for their use to handle parking needs so as to not cause an overflow of automobiles or other vehicles on neighboring properties or public roads.

8.07 Mobile Home Parks

8.071 Application

The owner of a tract of land ten(10) acres or more in area, located within a Residential District may submit a plan for the development and use of such tract as a mobile home park under the provisions of this Section.

8.072 Development Standards

8.0721 Ohio Department of Health

All Mobile Home Parks shall meet the requirements of the Ohio Sanitary Code adopted by the Ohio Department of Health under the authority of the Ohio revised Code Section 3733.02.

8.0722 Subdivision Regulations

All Mobile Home Parks shall meet the requirements of the Sub-division Regulations for Marion County and the City of Marion under the authority of the Ohio Revised Code Section 711 (explained in O.A.G. 72-020).

8.0723 Board of Zoning Appeals

All applications and plans for Mobile Home Parks shall be reviewed by the Board of Zoning Appeals. In reviewing such application and plans for a Mobile Home Park the Board shall determine whether the following requirements are met:

1. The proposed park is ten(10) acres or more in size.
2. The park will be located to assure maximum compatibility with other types of residential development.

3. The park will not be detrimental to the neighborhood.
4. The front yard depth for the park as a whole is at least eighty(80) feet.
5. The minimum floor area of any mobile home used as a dwelling shall be nine hundred eighty (980) square feet.
6. The mobile homes within the park shall be limited to single family occupancy, not including transient or vacationing families or persons.

8.0724 Board of Zoning Appeals Approval

If after review of the application and plans for a Mobile Home Park, the Board finds all requirements have been met, the Board may grant approval. Such approval may, however, be conditioned on the compliance with Sections 8.0721 and 8.0722.

8.08 Temporary Living Space

8.081 Accessory Buildings / Accessory Uses

A manufactured home can be used as an accessory building if it is located on the same lot as an existing dwelling and is used as a temporary living space (with permit) in the case of a hardship. Hardships typically include the care of ill or aged relatives or the need for a temporary living space during the construction of a new, permanent dwelling unit.

8.082 Requirements for Accessory Manufactured Homes or Recreational Vehicles used as Temporary Living Spaces

1. All accessory manufactured homes shall comply with the Marion County Health Department regulations regarding sanitary sewage disposal and water supply.
2. No accessory manufactured home shall be used as a rental unit for the general public.
3. A permit for a temporary living space in an accessory manufactured home will be issued for a period of one (1) year.
4. An extension beyond one (1) year may be granted only by the Board of Zoning Appeals. The Board must specify a time period for any extension.
5. All accessory manufactured homes shall be located in the rear yard behind the principal dwelling or the proposed location of the principal dwelling unit.
6. All manufactured homes shall have skirting installed along the perimeter of the unit.

7. Upon expiration of the zoning permit, the accessory manufactured home shall be immediately removed from the property.

8.09 Site Plan

A. Site Plan Purpose and Procedure

This Site Plan Procedure is to insure that the provisions of this Chapter and other Chapters are carried out in an integrated fashion for a development. A site plan is required for any proposed development involving institutional, commercial, or industrial uses.

Consideration must be given to protecting the health, safety, welfare, and values of surrounding residents and property. The Site Plan may be reviewed in stages or at one time. Four (4) copies shall be submitted to the Scott Township Zoning Commission by the owner or developer for each review. An interim or final review will be accomplished within thirty (30) days.

At any time the Zoning Commission may also seek a recommendation from the Marion County Regional Planning Commission.

Items that pass an interim review may require additional detail for final approval. After the final review, the Zoning Commission will give a written report to the owner/developer and Zoning Inspector as to the approval or denial of the Site Plan. If not approved, the Zoning Commission will specify in the report what is needed for re-submittal and approval. If approved, the Zoning Inspector will sign all copies of the Site Plan and return a copy to the owner or developer. If the owner/developer requires more signed copies, they shall supply the additional final plan copies to the Zoning Inspector. Any changes made after the final plan approval would require a Site Plan Change Review (see Section 8.09 (C)).

B. Preparation Of The Site Plan - Guidelines And Requirements

1. The Site Plan and Surveys must be prepared by Professional Surveyors, Engineers, and / or Architects registered in the State of Ohio.
2. Scale drawn to not more than a 100':1" scale with all locations, distances, dimensions and other features legibly marked. Show scales (written and graphic) and north point.
3. Title Block:
 - a. Name of the development
 - b. Type of business (es)
 - c. Name (s) of the owner or developer
 - d. Name (s) of the architect/engineer/surveyor
 - e. Show completion date of the Site Plan
4. Give projected construction starting Date.
5. Give projected construction finish Date.

6. All distances shall be based on a survey of the outer property lines.
7. Show adjacent land parcels - with names of recorded owners.
8. Show zoning district boundaries - transgressing or adjacent to the site.
9. Show on-site and adjacent easements and right-of-ways; including name, location, dimension, and purpose.
10. Show parking area number and size of parking spaces (Section 8.06).
11. Show internal access flow.
12. Driveways - show location and width.
13. Buildings - show size, location, setback lines, and dimensional distance to the street right-of-way line.
14. Trees and Landscaping - show location and whether existing or proposed.
15. Outside Lighting - show location and type. All light sources (i.e. light bulb(s)) shall be located in such a manner as to not be directly visible to any surrounding properties zoned for residential use.
16. Illustrate Drainage - include location of water impoundments. Wherever feasible, water impoundments shall be located in side or rear yards.
17. Drainage Systems - certificates of approval needed from a licensed engineer showing location, size, and adequacy of proposed drainage plans.
18. Buffer Zones - show location, dimensions, landscaping, and any other construction details. Buffers are necessary to protect Residential Districts when bordering different types of zoning districts.
19. Signs - show location, size, type, and dimensional distance from street right-of-way line.

C. Site Plan Maintenance

1. Any change from the currently approved Site Plan, regarding construction or business operations must be submitted to the Zoning Commission for review (following Section B requirements). Submit prior to making the change.
 - A. Change in construction and / or lot size - Show additions or deletions from the current drawing with a modified current or a new drawing, giving the date of change and the starting date.
 - B. Change in any business operations - Submit in writing a description of the change, including start up and / or shut-down dates.
2. The Zoning Inspector will inspect the site periodically before, during and after construction to insure compliance with the Site Plan, Permits, and all other

applicable Scott Township Zoning Regulations.

8.10 Visible Detractions From Property Appearance

The following will apply to all districts:

- A. Any items such as trucks, tractors, cars, movers, buses, farm or construction equipment, etc., parts of such which because of age, or broken or partly worn out condition is no longer in original intended use, but is maintained for a possibility of future use or for removal of parts, for use on other equipment, if not stored in buildings shall be located in an area which would not be visible so as not to detract from the general appearance of property or where questionable objectionable complaints could be issued by neighboring property owners.
- B. The storage of trash, material for recycling, or waste materials including but not limited to discarded household goods, discarded commercial products, industrial by-products and other similar materials shall not be visible from the property line on which such materials are being stored or placed otherwise. All such materials shall be housed in an appropriate container or enclosure, excepting trash that is properly placed in an appropriate enclosed container at an assigned location for regularly scheduled trash pickup. In all cases, there shall be full compliance with applicable zoning district standards.
- C. There shall be no more than one (1) wrecked, unlicensed or otherwise inoperable automobile allowed per one (1) dwelling unit. Such automobile may be stored only for a period not to exceed 60 days per year and such parking or storage space shall be enclosed by structure, fence or otherwise protected so that the automobile cannot be entered upon or seen from an adjacent lot or street.

CHAPTER 9

NONCONFORMING USES AND STRUCTURES

9.01 Intent

Uses and structures lawfully existing before the adoption of this zoning resolution which do not conform to the restrictions or regulations in this resolution may continue until they are voluntarily removed or changed.

9.02 Non-conformance of Use

A non-conforming use, as defined in Chapter may be continued, subject to exceptions and conditions set forth hereunder.

9.021 Change of Use

No non-conforming use may be changed to another non-conforming use except by approval of the Board of Zoning Appeals in accordance with Section 12.032 of this Resolution. Such change of use shall only be change to a use of the same class or more restrictive class as the previous non-conforming use.

No such change of use may involve a structural alteration, or any change which, in the judgement of the Board, would be more detrimental to the surrounding neighborhood than the existing nonconformity.

9.022 Abandonment

No building, structure or premises where a non-conforming use has ceased for two(2) or more years shall again be put to a non-conforming use.

9.03 Structural Non-conformance

A non-conforming structure, as defined in Chapter 14 may be continued, subject to the following conditions and requirements:

9.031 Structural Alteration, Extension or Repair

A non-conforming structure may be altered, extended or repaired without prior approval of the Board of Zoning Appeals provided that such alteration, extension or repair does not increase the degree of the non-conformity. For example:

- A. If a yard is non-conforming as to its dimension, such dimension shall not be further decreased, nor shall the length or heights of the exterior wall adjoining such non-conforming yard be increased.
- B. If the building height is non-conforming, it shall not be increased.

9.032 Expansion of Use

No non-conforming structure may be changed to provide for an expansion of its use except by approval of the Board of Zoning Appeals, even though such expansion is in accordance with the use requirements of this Resolution. Examples of such expansion include increasing the number of dwelling units or the floor space of a commercial or industrial establishment. In approving an appeal for expansion of use in a non-conforming structure, the Board shall find that such extension will not have a detrimental effect on neighboring property.

9.04 Repairing Non-conforming Damaged Buildings

A non-conforming building or a building occupied by a non-conforming use which is damaged or destroyed by fire, flood, winds, act of God, or other cause beyond the control of the owner may be repaired or reconstructed and the non-conforming use, if any, may be continued, provided that such repair or reconstruction is commenced within a period of one(1) year and diligently prosecuted to completion.

CHAPTER 10

LEGAL PROVISIONS

10.01 Minimum Requirements and Conflict

This Resolution shall be held to be the minimum requirement for the promotion of the public health, safety, convenience, and general welfare. When a provision of this Resolution differs for conflicts with the provisions of any other ordinance, statute, law or regulation, the most restrictive requirement shall apply.

10.02 Conformance Required

Except as provided, no land, building, structure or premises shall be used, and no building or structure or part thereof shall be located, erected, moved, reconstructed, extended, enlarged or altered except in conformity with the regulations specified for the District in which it is located.

10.03 Separability

Should any section, clause or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, such declaration shall not affect the validity of the Resolution as a whole, or part thereof, other than the part so declared invalid.

10.04 Pending Applications

Nothing contained herein shall require any change in the plans, construction, size or designated use of any development, building, structure or part thereof, for which a required building permit has been, or based upon a pending application filed lawfully could have been granted before the effective date of this Resolution provided that construction is begun no later than six(6) months after the effective date of this Resolution and is carried on to completion in a reasonable manner and without un necessary delay.

10.05 Violations, Penalties

It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain or use any building or land in violation of any of the provisions of this Resolution or any amendment thereto. Any violation of the provision of this Resolution shall be a misdemeanor and, upon conviction, shall subject the owner or any person who has assisted in the commission of such violation, or who uses or maintains any building or premises in which such violation exists, to a fine (see Scott Township Zoning Application for fine amount). Each day that a violation is permitted to exist may constitute a separate offense.

10.06 Fines for not having a Zoning Permit

Fines for not having a zoning permit are set by the Scott Township Trustees in the Scott Township Zoning Application.

CHAPTER 11

ZONING COMMISSION

11.01 Organization, Staff Services and General Procedures

11.011 Organization

The Zoning Commission shall be composed of five(5) members, appointed by the Township Trustees, who shall be residents of the unincorporated territory of Scott Township. The terms of all members shall be of such length and so arranged that the of one(1) member will expire each year. Each member shall serve until his successor is appointed and qualified. Members of the Commission shall be removable for non-performance of duty, misconduct in office, or other cause as set forth in Section 519.04 of the Revised Code of Ohio. Vacancies shall be filled by the Township Trustees and shall be for the unexpired term.

11.012 Staff Services

The Township Clerk or such person as the Township Trustees shall otherwise appoint shall be Secretary of the Commission and shall prepare and distribute notices of meetings, keep minutes of meetings and prepare resolutions and other documents relating to the work of the Commission. The Zoning Inspector or his designated representative shall usually attend all Commission meetings.

11.013 General Procedures

The Commission shall organize and adopt rules to govern its activities in accordance with this Resolution. Unless otherwise needed, the Commission shall hold an annual meeting on the third Tuesday in November. Special meetings may be called by the Chairman, or in his absence, by the Vice-chairman. All meetings of the Commission 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 other official actions, all of which shall be filed immediately in the office of the Township Trustees and shall be a public record. Three(3) members of the Commission shall constitute a quorum.

The Commission may call upon the Township departments for assistance in performance of its duties, and it shall be the duty of such departments to render such assistance to the Commission as may reasonably be required.

11.02 Power and Duties

11.021 The Zoning Commission may initiate proposed amendments to this Resolution.

11.022 The Zoning Commission shall review all proposed amendments to this Resolution and make recommendation to the Board of Township Trustees as specified in Section 13.03.

11.023 The Zoning Commission shall have all other responsibilities designated to it by this Resolution and Ohio Law.

CHAPTER 12

BOARD OF ZONING APPEALS

12.01 Establishment, Staff Service and General Procedures

12.011 Establishment

A Board of Zoning Appeals is hereby created. Such Board shall consist of five(5) members, appointed by the Township Trustees, who shall be residents of the unincorporated territory of Scott Township. The terms of one(1) member will expire each year. Each member shall serve until his successor is appointed and qualified. Members of the Board may be removed for the same causes and in the same manner as provided by Section 519.04 of the Revised Code of Ohio. Vacancies shall be filled by the Township Trustees and shall be for the unexpired term.

12.012 Staff Services

The Township Clerk or such person as the Township Trustees shall otherwise appoint shall be Secretary of the Board, and shall prepare and distribute notices of meetings, keep minutes of meetings and prepare resolutions and other documents relating to the work of the Board. The Zoning Inspector or his designated representative shall attend all Board meetings.

12.013 General Procedures

The Board shall organize and adopt rules to govern its activities, in accordance with this Resolution. Meetings of the Board shall be held once each month if there is business, and at such additional times as the Board may determine. The time of the regular monthly meeting shall be specified in the rules. The chairman, or in his absence the Acting Chairman, may administer oaths and the Board may compel the attendance of witnesses. All meetings of the Board 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 filed immediately in the office of the Township Trustees and shall be a public record.

A quorum shall consist of the following. One(1) member shall be a quorum for the purpose of establishing a date and time for the continuance of the meeting. After this is accomplished, and the date is clarified to all present, the member or both members present, whichever is the case shall adjourn the meeting.

Three(3) members of the Board shall constitute a quorum to conduct all other business. The Board shall act by resolution; and the concurring vote of three(3) members of the Board shall be necessary to reverse any order or determination of the Zoning Inspector, to decide in favor of an applicant in any matter of which the Board has original jurisdiction under this Resolution, or to grant any variance from the requirements stipulated in this Resolution.

The Board may call upon the Township departments for assistance in the performance of its duties, and it shall be the duty of such departments to render such assistance to

the Board as may reasonably be required.

12.02 Applications and Appeals

The Board shall act in strict accordance with the procedures specified by law and by this Chapter. All applications and appeals made to the Board shall be in writing, and shall be filed with the Secretary at least fourteen(14) days before the meeting at which they are to be heard. Each application or appeal shall refer to the specific provision of the Resolution involved, and shall set forth exactly the interpretation that is claimed, the use for which special exception is sought a clear description of the land involved, or the details of the variance that is applied for and the ground on which it is claimed that the variance should be granted, as the case may be.

12.021 Filing Application

An application to the Board, in cases in which it has original jurisdiction under the provisions of this Chapter may be taken by any property owner or tenant, or by a governmental officer, department, board or bureau affected. Such application, in a form approved by the Board, shall be filed with the secretary.

12.022 Filing Appeals

An appeal to said Board from any ruling of the Zoning Inspector, or other administrative officer administering any portion of this Resolution may be taken by any property owner or tenant, or by any governmental officer, department, board or bureau affected. Appeals to the Board shall be taken within twenty(20) days after a decision of the Zoning Inspector by filing a notice of appeal with the Secretary, in a form approved by the Board, specifying the grounds therefor. The Zoning Inspector shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken, or in lieu thereof certified copies of said papers.

12.023 Hearings; Date and Notices

When an application or appeal has been filed in proper form and with the required data, the Secretary of the Board shall immediately place said application or appeal upon the calendar for hearing and cause notices stating the time, place and object of the hearing to be served. Such notices shall be served personally or by mail at least ten(10) days prior to the day of such hearing, upon the applicant or the appellant, and to such persons as the Board may specify in its rules and regulations, which notices, if by mail, shall be sent to the last known address of the respective property owners. The Board shall also publish notice of such hearing in a newspaper of general circulation in Scott Township at least ten(10) days prior to the public hearing. Any party may appear at such hearings in person or by agent or attorney. Each application or appeal shall be accompanied by a check, payable to Scott Township or a cash payment of the amount as set in Section 13.025. The Secretary shall not accept an application or appeal until such payment is received.

12.024 Adjournment of Hearing

Upon the day for hearing any application or appeal, the Board may adjourn the hearing in order to permit additional information or attendance to be secured, or to cause such further notice as it deems proper to be served upon such other property

owners as it decides may logically be concerned with said application or appeal. In the case of an adjourned hearing, persons previously notified and persons already heard need not be notified of the time of resumption of said hearing unless the Board so decides.

12.025 Decisions of the Board

The Board shall decide all applications and appeals within thirty-five(35) days after completion of the hearing thereon, and such decision shall become effective upon adoption by the Board. The Board's action shall be by resolution, stating the reasons therefore, and setting forth the findings of the Board as to compliance or non-compliance of the application or appeal with the requirements therefor in this Resolution. A certified copy of the Board's decision shall be transmitted to the applicant or appellant. Such decision shall be binding upon the Zoning Inspector and observed by him, and he shall incorporate the terms and conditions of the same in the permit to the applicant or appellant whenever a permit is authorized by the Board. After the Board approves any application or appeal there shall be no further hearings upon such case. However, when the Board has denied an application or appeal is filed within one(1) year of the date of the Board's decision the Secretary shall not schedule any hearing until the Board has received the application or appeal and decided that there is new matter, evidence of facts to be heard by the Board.

12.026 Stay of Proceedings

An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Inspector certifies to the Board, after notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may, on due cause shown, be granted by the Board after notice to the Zoning Inspector or by Judicial proceedings.

12.03 Powers of The Board

12.031 Interpretation of the Zoning Resolution

Upon appeal from a decision by the Zoning Inspector, the Board may hear and decide any question involving the Interpretation of the Zoning Text or Map as follows:

12.0311 In case there is question as to the intended meaning of any provision of the zoning text, the Board may interpret its meaning as it applies to a particular property.

12.0312 Where the street or lot layout actually on the ground, or as recorded, differs from the street and lot lines as shown on the Zoning Map, the Board, after notice of public hearing to the owners of the property, shall interpret the map in such a way as to carry out the intent and purpose of this Resolution for the particular section or district in question. In case of any question as to location of any boundary line between zoning districts, an application or interpretation of the Zoning Map may be made to the Board and a determination may be made by said Board by following the procedure established in Section 12.02.

12.032 Original Jurisdiction Applications for Exception and Conditional Uses

The Board shall have original jurisdiction and may hear and decide, in accordance with the provisions of this Resolution, applications, filed as hereinbefore provided, for special exceptions, conditional uses, or for decisions upon other special questions on which the Board is authorized by this Resolution to pass. In considering an application for special exception or conditional use, the Board shall give due regard to the nature and condition of all adjacent uses and structures and the consistency therewith of the proposed use and development. Before authorizing a use as a special exception or conditional use, the Board shall determine whether the proposed exception or use would be hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood. Upon authorizing a conditional use or exception the Board may impose such requirements and conditions with respect to location, construction, maintenance and operation, in addition to those expressly stipulated in this Resolution for the particular conditional use or exception, as the Board shall deem necessary for the protection of adjacent properties and public interest.

12.033 Appeals for Variances

The Board may authorize upon appeal in specific cases, filed as hereinbefore provided, such variances from the provision or requirements of this Resolution as will not be contrary to the public interest, however, nothing herein contained shall be construed as authorizing the Board of Zoning Appeals to effect changes in the zoning map or to add to the uses permitted in any zoning district. In order to grant a variance, the Board must find:

1. That there are special circumstances or conditions, fully described in the Board's decision, applying to the land or building for which the variance is sought, which circumstances or conditions are such that the strict application of the provisions of this Resolution would result in practical difficulty and unnecessary hardship and deprive the applicant of the reasonable use of the land or building.
2. That the granting of the variance will be in harmony with the general purpose and intent of this Resolution and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. In addition to considering the character and use of adjoining building and those in the vicinity, the Board, in determining its findings, shall take into account the number of persons residing or working in such buildings or upon such land and traffic conditions in the vicinity.
3. That the condition or situation of the specific piece of property, or the intended use of said property, for which the variance is sought -one or the other or in combination- is not of so general or recurrent a nature as to make reasonably practicable the formulation as a part of this Resolution of a general regulation for such condition or situation.
4. That the variance as granted by the Board is the minimum variance that will accomplish the reasonable use of the subject, land or building.

12.034 General Powers

In exercising its powers, the Board, in conformity with the provision of statute and this Resolution, may reverse or affirm, wholly or part or may modify the order, requirement, decision or determination appealed from, and may make such order, requirements, decision or determination as in its judgement ought to be made, and to that end shall have all powers of the office from which the appeal is taken. The Board shall have and shall be limited strictly to the powers and duties prescribed by the Ohio Revised Code and by this Resolution.

12.04 Expiration of Permits For Exceptions, Conditional Uses And Variances

Every permit or variation of the application of the literal provisions of this Resolution allowed or granted, as provided in this Chapter shall expire and be of no force or effect after the expiration of six(6) months from the date thereof, unless:

- A. Within said period, the provisions of said variance or permit have been acted upon and placed in effect, or
- B. Unless the Board at the time of the original grant or allowance of such variation or permit shall have granted a longer period, in which event the expiration thereof. shall be on the date specified by said Board, or
- C. Unless the Board grants an extension of time at a later date.

CHAPTER 13

ADMINISTRATION

13.01 Duties of The Zoning Inspector

13.011 Office of the Zoning Inspector

There is hereby established the Office of Scott Township Zoning Inspector. The Zoning Inspector shall be appointed by the Township Trustees and shall receive such compensation as the trustees shall provide. The Zoning Inspector shall give bond as required by Section 519.161 of the Revised Code of Ohio. It shall be the duty of the Zoning Inspector to enforce the provisions of this Resolution and keep records of all applications for zoning permits and the action taken thereof. Any permit or license issued in conflict with the provisions of this Resolution shall be null and void.

13.012 Applications; Zoning Permits

A Zoning Permit shall be required for the construction or alteration of any building or structure, including accessory buildings, except those relating to Agriculture as exempted (Section 2.01). Every application for a Zoning Permit shall be accompanied by plans in duplicate drawn to scale, showing the actual shape and dimensions of the lot to be built upon or to be changed in its use, in whole or in part; the exact location, size and height of any building or structure to be erected or altered; the existing and intended use of each building or structure or part thereof; the number of families the building is designed to accommodate if any; and, when no buildings are involved, the location information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Resolution.

One(1) copy of such plans shall be returned to the owner when such plans shall have been approved by the Zoning Inspector, together with such Zoning Permit as may be granted. All dimensions shown on these plans relating to the location and size of the lot to be built upon shall be based on actual survey. The lot and the location of the building shall be staked out on the ground before construction is started. In every case where the lot is not provided and is not proposed to be provided with public water supply and/or the disposal of sanitary wastes by means of public sewers, the application shall be accompanied by a Certificate of approval by the Marion County Sanitarian of the proposed method of water supply and/or disposal of Sanitary wastes.

No permit for excavation or construction shall be issued by the Zoning Inspector unless the plans, specifications and the intended use to the provisions of this Resolution.

13.013 Occupancy or Use Permits

13.0131 Occupancy Permits; Where Zoning Permit issued

Upon completion of the work for which a Zoning Permit has been issued in accordance with Section 13.012 the holder of the Permit shall notify the Zoning Inspector of such completion. The Zoning Inspector shall grant such holder an Occupancy Permit if the work has

been performed in accordance with the Zoning Permit.

13.0132 Occupancy Permits; Where no Zoning Permit Required

Before the use of any land or building is changed to another use, when no Zoning Permit is required, an application for an Occupancy Permit shall be filed with the Zoning Inspector. Such application shall show the location of the subject lands or buildings, and such other information as may be necessary to determine if the proposed use is in conformity with the provisions of the Resolution. If so, the Occupancy Permit shall be granted.

13.0133 Temporary Occupancy Permits

Under such rules as may be adopted by the Board of Zoning Appeals the Zoning Inspector may issue a Temporary Occupancy Permit for a part of a building.

13.014 Action on Applications; Time Limit

The Zoning Inspector shall act upon all such applications on which he is authorized to act by the provisions of this Resolution within ten(10) days after these are filed in full compliance with all the applicable requirements. He shall either issue a Zoning Permit within said ten(10) days or shall notify the applicant in writing of his refusal of such permit and the reasons therefore. Failure to notify the applicant in case of such refusal within said ten(10) days shall entitle the applicant to a Zoning Permit unless the applicant consents to an extension of time.

13.015 Zoning Permits; Time Limit

A Zoning Permit shall expire one(1) year after issuance unless the construction or alteration permitted by it has been substantially begun and is thereafter pursued to completion, or unless the land or premises have been put to the use permitted by such permit.

A Zoning Permit shall be revocable, if among other things, the actual use, construction or alteration does not conform to the terms of the application and the permit granted thereof.

13.02 Fees

For Zoning Permit and other required fees see the Scott Township Zoning Application.

13.03 Amendments

It shall be the policy of the Scott Township Government to consider this Zoning Resolution, together with its Zoning District Maps, to be subject to amendment from time to time, in order to recognize changing conditions of land use and development, and to utilize improved practices in zoning. The Resolution will be regarded as a flexible means of encouraging good development and use of land in Scott Township.

To these ends, the Township Trustees, Scott Township Zoning Commission, property owners

or lessees of property may initiate amendments. The procedure for such proposed amendments shall be as set forth in the Ohio Revised Code, Section 519.12.

CHAPTER 14

DEFINITIONS

14.01 Definitions

For the purposes of this Resolution, certain terms are defined. When not inconsistent with the context, words in the present tense include the future; words in the singular number include the plural, and words in the plural number include the singular; the word "structure" includes buildings, the word "occupied" includes designed or intended to be occupied; the word "used" includes designed or intended to be used; and the word "shall" is mandatory and not merely directive. Other words and terms shall have meanings as defined hereunder.

1. Accessory Building or Structure. A subordinate building or structure on the same lot with a principal building; or a portion of the principal building occupied or devoted exclusively to an accessory use, provided that any such building or structure is erected at the same time or after, the construction of the principal building.
2. Accessory Use. A use subordinate to the principal use of a building or premises, and customarily incidental thereto.
3. Agriculture.
 1. Tracts, lots, or parcels of land totaling not less than 10 acres that, during the three calendar years prior to the year in which application is filed under Section 5713.31 of the Revised Code, and through the last day of May of such year, were devoted exclusively to commercial animal or poultry husbandry, aquaculture, apiculture, the production for a commercial purpose of timber, field crops, tobacco, fruits, vegetables, nursery stock, ornamental trees, sod, or flowers, or the growth of timber for a noncommercial purpose, if the land on which the timber is grown is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use, or were devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with an agency of the federal government;
 2. Tracts, lots, or parcels of land totaling less than 10 acres that, during the three calendar years prior to the year in which application is filed under Section 5713.31 of the Revised Code, and through the last day of May of such year, were devoted exclusively to commercial animal or poultry husbandry, aquaculture, apiculture, the production for a commercial purpose of field crops, tobacco, fruits, vegetables, timber, nursery stock, ornamental trees, sod, or flowers where such activities produced an average yearly gross income of at least twenty-five hundred dollars during such three-year period or where there is evidence of an anticipated gross income of such amount from such activities during the tax year in which application is made, or were devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with an agency of the federal government;
4. Animal Raising, Specialized. The use of land and building for the commercial raising,

care and sale of fur-bearing animals such as foxes, mink, rabbits, dogs and domestic pets; also the stabling or care of horses and other animals and birds as an enterprise other than an accessory to agricultural use, as herein defined.

5. Automobile or Trailer Sales Area. An open area used for display, sale or rental of new or used motor vehicles or trailers in operable condition, and where only incidental repair work is done.
6. Board. The Scott Township Board of Zoning Appeals.
7. Boarding Houses. A building or part thereof other than a hotel or restaurant, where meals are served, for compensation, for three (3) or more persons, not transients (See also "Lodging House").
8. Building. Any structure having a roof supported by columns or walls used for shelter or enclosure of persons animals or property.
9. Building, Height of. The vertical distance from the average contact ground level at the front wall of the building to the highest point of the coping of a flat roof or the deck line of a mansard roof or the mean height level between eaves and ridge for gable, hop or gambrel roof.
10. Building, Length of. For the purpose of computing required yard dimension or distance between buildings, the length of a building shall be the total length of the exterior wall or walls which are most clearly parallel to the lot line or other building to which the dimension or distance is measured.
11. Building Wall. For the purpose of computing required yard dimension or distance between building, the building wall includes such wall or parts thereof which is most nearly parallel with the lot line or other building wall to which the dimension or distance is measured.
12. Commission, Zoning. The Scott Township Zoning Commission.
13. Comprehensive Plan. The Comprehensive Plan for Marion County or parts thereof, as and when adopted or amended by the Marion County Regional Planning Commission.
14. Conditional use; Special Exception. A principal use which is subject to conditional approval by the Board of Appeals. A conditional use (or special exception) may be granted by the Board only under one of the following conditions:
 - A. Where there is a specific provision in this Code for such use within the District involved, or
 - B. In case the use in question is not listed as either permitted or prohibited in the District involved, and the Board is specifically authorized to determine whether an unlisted use is similar to others listed as permitted. Such favorable determination may not be made in the case of a use which is first listed as permitted or as prohibited in a less restricted District.
15. Density Residential. A measurement of the intensity of residential use, measured in

terms of the number of dwelling units per net acre of land occupied, excluding streets, alleys and all land not used directly for residential purposes.

16. District, Zoning. A portion of the land within Scott Township within which certain uniform regulations and requirements of various combinations thereof apply under the provisions of this Code.
17. Drive-In Establishment. Any commercial establishment such as a carwash, bank or restaurant, which relies for its principal source of customers or contents on provision for the driving of motor vehicles, with a parking space, window, stall or device at which the sale or service is provided by the establishment or self-service.
18. Drive-through Establishment. A drive-in establishment in which the vehicles are kept in line waiting for service.
19. Dwelling. Any building or portion thereof designed or used as the home of one or more persons or families, but not including a tent, cabin, hotel, motel, trailer or mobile home. This definition shall include a modular dwelling, as defined herein.
20. Dwelling, Fixed. A dwelling permanently fixed to the ground, which shall not include mobile homes.
- 20A. Dwelling, Manufactured. See “Manufactured Home”.
21. Dwelling, Mobile. See “Mobile Home”.
22. Dwelling Modular. See “Industrialized Unit”.
23. Dwelling, Multi-Family. A building or portion thereof designed for or used for residence purposes by three or more families, including an apartment building or town house.
24. Dwelling, Seasonal. A summer cottage, winter lodge or similar lodging occupied less than six(6) months during a year.
25. Dwelling, Single-Family. A building designed for and used exclusively for residence purposes by one family or housekeeping unit.
26. Dwelling, Two-Family. A building designed for and used exclusively by two families or housekeeping units.
27. Dwelling Unit. One or more rooms designed for, intended for or used as a residence by one family with facilities for cooking therein.
28. Family. A person living alone or two or more persons living together as a single housekeeping unit, in a dwelling unit.
29. Filling Station. See “Service Station”.
30. Floor Area. The measurement of floor area for purposes required by this Resolution shall be the sum of the area of the first floor, as measured to the inside of exterior walls, plus that area, similarly measured, of all other stories having eighty-four(84) or more inches of headroom, which are accessible by a fixed stairway, elevator or

escalator, and which may be made usable for the intended occupancy. For residential uses, the floor area of uninhabitable basements, cellars, garages, accessory building, attics, breeze ways, and unenclosed porches shall be excluded.

31. Garage, Private. A detached accessory building or a portion of a principal building used only for the storage of self-propelled vehicles and incidental residential storage.
32. Garage, Public. A building or portion thereof, designed or used for equipping, servicing repairing, hiring, renting, selling or storing self-propelled vehicles.
33. Home Occupation. An occupation which is carried on in the home in a Residential or Agricultural District, provided it is incidental to the residential use, and meets the requirements of Section 8.03 of this Resolution.
34. Hospital. An institution providing health services primarily for in patient medical or surgical care of the sick or injured and including related facilities such as laboratories, outpatient departments, training facilities, central service facilities and staff offices which are an integral part of the facility. The term specifically shall not include tuberculosis, mental, or penal hospitals, rest homes or nursing homes.
35. Hotel, Motel. A building or buildings containing guest rooms to be occupied primarily by transients who are lodged with or without meal service.
- 35A. Industrialized Unit. A building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self sufficient as a unit or as a part of a greater structure, and that requires transportation to the site of intended use. "Industrialized unit" includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. "Industrialized Unit" does not include a manufactured or mobile home.
36. Junk Yard. A place where discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards and place or yards for storage of house wrecking and structural steel materials and equipment. For the purposes of this Resolution two (2) or more unlicensed autos on a lot shall constitute a scrap yard and be subject to the provisions and regulations of a scrap yard.
37. Land Use Plan. The Land Use Plan for Marion County, as adopted and amended by the Marion County Planning Commission.
38. Lodging House. A building or part thereof, other than a hotel or motel, where both meals and lodging are provided for compensation, for three or more persons, not transient, where no cooking or dining facilities are provided in individual rooms. (See also "Boarding House and Rooming House").
39. Lot. A parcel of land occupied or intended to be occupied by a principal building or group of such buildings and accessory buildings, or utilized for a principal use and uses accessory thereto, together with the open space as required by this Resolution and having frontage on a public street.
40. Lot Area. The computed lot area within the lot lines.

41. Lot, Corner. A lot abutting upon two(2) or more streets at their intersection or upon two(2) parts of the same street which form an interior angle of less than one hundred thirty-five (135) degrees. The point of intersection of the street lines is the corner.
42. Lot Interior. A lot other than a corner lot.
43. Lot Depth. The mean horizontal distance between the front and rear lot lines, measured at right angles to the street line.
44. Lot Width. The mean horizontal distance across the lot between side lot lines, measured at right angles to the lot depth, provided that the minimum lot widths required by this Resolution shall be so measured at a distance from the front lot line equal to the required depth of the front yard.
45. Lot Lines. The property lines bounding a lot.
46. Lot Line, Front. The front property line, usually the center of street.
47. Lot Line, Rear. The lot line opposite and most distance from the front lot line.
48. Lot Line, Side. Any lot line other than a front or rear lot line. A side lot line of a corner lot, the side property line usually in or adjoining the street is called a side street lot line. A side lot line separating a lot from another lot is called an interior lot line.
49. Lot of Record. A lot which is a part of a recorded plat or a lot described by metes and bounds, the map and/or description of which has been recorded in the office of the Marion County Recorder.
- 49A. Manufactured Home. A building unit or assembly of closed construction fabricated in an off-site facility, that conforms with the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974," and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards.
50. Motel. See "Hotel".
51. Mobile Home. A building unit or assembly of closed construction fabricated in an off-site facility, is more than 35 body feet in length, or, when erected on a site is 320 or more square feet, that is built on a permanent chassis and is transportable in one or more sections, and does not qualify as a manufactured home or industrialized unit as defined in this Chapter. These units were primarily built before 1976 when HUD standards became effective.
52. Modular Home. See "Industrialized Unit".
53. Net Acreage. The area of land, in acres, within the lines of a lot, exclusive of right of way. In this code unless specified, gross acreage is used to denote area, that is including half or part of the street right-of-way if it is a part of the property in question.
54. Non-conforming Structure. A building or structure, lawfully existing at the time of

the effective date of this Resolution, that does not conform to the regulations for the zoning district in which it is located.

55. Non-conforming Use. The use of a building or structure or of a tract of Land, lawfully existing at the time of the effective date of this Resolution that does not conform to the use regulations for the zoning district in which it is located.
56. Opaqueness. The degree to which a wall, fence, structure, or landscape planting is solid or impenetrable to light or vision in a generally uniform pattern over its surface.
57. Open Space. This term, as used in this Resolution, is intended to refer to front, side or rear yards adjoining buildings, or to other land space not occupied by building, required or provide to afford light, ventilation, visibility and other requirements for a healthful environment.
58. Parking Area or Lot. An open area, other than a street or other public way, used for the parking of motor vehicles.
- 58A. Permanent Foundation. Permanent masonry, concrete, or locally approved footing or foundation.
59. Permit, Occupancy. A document issued by the Zoning Inspector which certifies that the completed building, structure or use proposed are consistent with the requirements of this Resolution and for the use applied for.
60. Permit Use. See “Permit, Occupancy”.
61. Permit, Zoning. Any permit which authorizes the construction or alteration of building or structures in accordance with this Zoning Resolution.
62. Principal Building. A building or structure in which is conducted the principal use of the lot on which it is situated.
63. Principal Use. The primary or chief purpose for which a lot or structure is used.
64. Public Uses. All lands, other than streets and highway, owned by and officially designed for continuing public use by a Municipality, Township, County, School District, State of Ohio, United States Government, or any other duly constituted agency of government, such as parks, schools and administrative, recreation, cultural and service buildings.
65. Public Utility Facilities. Land, buildings, equipment, materials, tools and machinery necessary for the erection, construction, alteration, maintenance and repair of public utility systems as defined in Section 519.21 of the Ohio Revised Code and which are exempted from zoning regulations.
66. Recreation Facilities Private. Privately owned recreation facilities which are not operated for the general public for profit, including private country clubs, golf courses, riding clubs, fishing or hunting clubs, game preserves, ski slopes, swimming pools and other similar non-commercial recreation areas or facilities.
67. Recreation Facilities, Limited Commercial. Recreation areas and facilities open to the

public, established and operated for profit, limited to enterprises serving vacationing and or one day customers, including picnicking, camping, fishing and boating, with the sale of goods and services limited to food, beverages, boating, fishing and camping supplies, boat docking and launching, tent and recreational vehicle parking.

68. Recreation Facilities General Commercial. Recreation areas and facilities open to the public established and operated for profit, including commercial golf courses, ski lodges and slopes, swimming pools, ice skating rinks, riding stables, race tracks, amusement parks, carnivals and similar commercial enterprises.
69. Residence. See “Dwelling”.
70. Road. See “Street”.
71. Rooming House. A building or part thereof other than a hotel or motel, where lodging is provided for compensation for three(3) or more persons, not transients, where no cooking or dining facilities or services are provided. (See also “Lodging House”).
72. School. A building used for the purpose of elementary or secondary education which meets the requirements of the compulsory education laws of the State of Ohio, and not providing residential accommodations for students.
73. Semi Public Uses. Land owned by a nonprofit organization or agency which is open to general public use, including but not limited to a cemetery, church, Sunday school, parochial school, college, hospital, site occupied by an auditorium, museum, art gallery or other institutions of an educational, religious, charitable or philanthropic nature but not including any private or semi- private club, lodge, fraternity or other similar activity.
74. Service Station. Buildings or premises, or portions thereof, arranged or designed to be used for the retail sale of all gasoline or other products for the propulsion or lubrication of motor vehicles including facilities for changing and repairing of tires or batteries, polishing, greasing, washing, or minor servicing of such motor vehicles, but excluding high speed automotive washing, steam cleaning, body repairing, major motor, transmission or chassis repairing and body bumping and painting.
75. Sign. Any writing, numerals, pictorial representation, illustration, decoration, emblem, symbol trademark, flag, banner, pennant, streamers, or any other fixtures or object of similar character which:
1. Is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building, column or other structure, or any portable device.
 2. Is used to announce, direct attention to, or advertise.
 3. Is visible from any street, alley, park, or other public area.
76. Sign, Area of. The entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character together with any frame or other material or color forming an integral part of the

display or used to differentiate such sign from the background against which it is placed, excluding the necessary supports or uprights on which such sign is placed. For a sign having more than one(1) display surface, all surfaces shall be included in computing the total of the exposed exterior display surface area. For a sphere or other curved display surface, the area shall be that of the largest plane passing through it at right angles to the principal line of vision.

77. Sign, Accessory. A sign which relates solely to the building or premises on which it is located, in any manner indicated by the definitions hereunder for functional types of accessory sign.
78. Slaughter House. A building used for the slaughtering of animals and the scalding, dressing, butchering and storage of animal carcasses, but not including the rendering, smoking, curing, or other processing of meat, fat, bones, offal, blood or other by-products.
79. Story. That portion of a building between the upper surface of any floor and the upper surface of the floor above, or any portion of a building between the topmost floor and the roof having a usable floor area equal to at least fifty(50) percent of the usable floor area of the floor immediately below it.
80. Story First. The lowest story or ground story of a building which is not defined as a basement.
81. Street. A public right-of-way thirty(30) feet or more in width which existed prior to the time of the effective date of this Resolution. The term "street shall include avenue, circle, road, parkway, boulevard, highway, thoroughfare, or any other similar term."
82. Street, Principal. The street adjoining the front lot line.
83. Street, Side. The street located along the side street lot line of a corner lot; the street adjoining a corner lot which is approximately at right angles to the principal street.
84. Structure. Any constructed or erected material or combination of materials, the use of which requires location on the ground, including but not limited to, buildings, stadia, radio towers, sheds, storage bins, swimming pools walls and fences. No portable storage units (PODS), semi trailers, or similar structures shall be permitted on any lot.
85. Structural Alteration. Any change in the structural members of a building, such as walls, floors, columns, beams or girders.
86. Subdivision Regulations. The Subdivision Regulations for Marion County and the City of Marion, adopted by the Marion County Regional Planning Commission July 27, 1966 and as they may be amended from time to time.
87. Tourist Home. A building or part thereof, other than a hotel, motel, boarding house, lodging house, or rooming house, where lodging is provided for transients by a resident family in its home for compensation.
88. Travel, Vacation Vehicle, Recreation Vehicle. A vehicle, either self propelled or non-

self propelled, so constructed as to permit its continued conveyance upon public streets and highways, and so designed and constructed as to provide sleeping and/or eating accommodations for persons while traveling or vacationing. Any portable vehicle providing such accommodations having a usable length of thirty(30) feet or less shall be included within this definition and shall not be defined as a mobile home. Only one vehicle of this type shall be permitted on any lot.

89. Vessel. Includes every description of watercraft, including nondisplacement craft and seaplanes, used or capable of being used as a means of transportation on water. For the purposes of this Resolution, only one sailboat or powercraft shall be permitted on any lot.
90. Yards, Required. The open space required between lot lines and buildings or structures, which space shall be open, unoccupied and unobstructed except as provided for in this Resolution.
91. Yard, Front. The required open space, extending for the full width of the lot, between the front lot line and any building, measured horizontally at right angles to the front lot line.
92. Yard, Rear. The required open space, extending for the full width of the lot, between the rear lot line and any principal building, measured horizontally at right angles to the rear lot line.
93. Yard, Side. The open space extending from the front yard to the rear yard, between the nearest side lot line and a building.
94. Zoning District; Zoning Use District; Use district. These terms are synonymous with each other. See "District, Zoning".