

ZONING RESOLUTION SOUTH BLOOMFIELD TOWNSHIP MORROW COUNTY, OHIO



Approved by Voters:

November 7, 1972

Amendments Effective:

November 25, 1989

February 23, 1996

November 19, 1996

July 30, 2004

November 14, 2004

June 7, 2008

August 24, 2011

February 3, 2017

EFFECTIVE DATE: October 28, 2020

BOARD OF TRUSTEES

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Robby Lloyd
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FISCAL OFFICER

Dawn Lloyd

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Latest amendments to the Zoning Resolution were facilitated by Plan 4 Land, LLC, P.O. Box 306, Ashley, Ohio 43003 – www.plan4land.net.

DISCLAIMER: The text of this resolution shall prevail when a conflict occurs with illustrations or the appendices of this document which are included for quick reference only and shall not be considered a part of the governing document.

SOUTH BLOOMFIELD TOWNSHIP ZONING RESOLUTION

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RESOLUTION OF THE BOARD OF TRUSTEES

WHEREAS, the voters of South Bloomfield Township, Morrow County, Ohio approved the Township Zoning Resolution on November 7, 1972 in the General Election, in accordance with Ohio Revised Code §519; and

WHEREAS, the Board of Trustees of South Bloomfield Township have determined it necessary to update the Zoning Resolution to promote the public health, safety, comfort and general welfare of the community, to conserve and protect property and property values, to secure the most appropriate use of land and to facilitate adequate but economical provision of public improvements, all in accordance with a comprehensive plan; and

WHEREAS, the Board of Trustees of South Bloomfield Township find it necessary and advisable to regulate the location, area, number and size of dwellings, percentages of lot area which may be occupied, size of yards, courts and other open spaces, density of population, uses of buildings and other structures and the uses of land and for such purposes dividing the area as are deemed best suited to carry out said purpose, providing a method of administration, and proceedings for the administration and enforcement of this Resolution; and

WHEREAS, five (5) persons have been duly appointed by the Board of Trustees of South Bloomfield Township to serve as a Zoning Commission for said Township; and

WHEREAS, said Township Zoning Commission has recommended revisions to the South Bloomfield Township Zoning Resolution on December 7, 2016 and has submitted such amendments to the Board of Trustees of South Bloomfield Township under authority and in accordance with the provisions of §519.12 of the Ohio Revised Code.

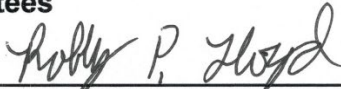
THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF SOUTH BLOOMFIELD, TOWNSHIP, MORROW COUNTY, STATE OF OHIO, hereby adopt the revised Zoning Resolution and Zoning Map on January 4, 2017 under the authority and in accordance with the provisions of the Ohio Revised Code with said amendments becoming effective February 3, 2017; and

FURTHERMORE, all Resolutions or parts of Resolutions in conflict with this Zoning Resolution or inconsistent with provisions are hereby repealed to the extent necessary to give this Resolution full force and effect.

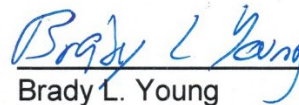
Approved by Board of Trustees



Keith Akers

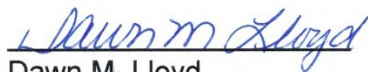


Robby P. Lloyd



Brady L. Young

Attested by Fiscal Officer



Dawn M. Lloyd

Date of Approval

1-4-17

**SOUTH BLOOMFIELD TOWNSHIP BOARD OF TRUSTEES
MORROW COUNTY, OHIO**

**RESOLUTION NO. _____
DATE: 9/28/2020**

**RESOLUTION TO AMEND THE TOWNSHIP ZONING RESOLUTION TO ALLOW
FOR A MAXIMUM 10,000 SQUARE FOOT BUILDING IN THE C-1 DISTRICT**

PREAMBLE

WHEREAS, Carol A. Lessick on behalf of Brian R. Carder and Kari D. Carder, property owners submitted an application to request amendment to the South Bloomfield Zoning Text;

WHEREAS, the Morrow County Regional Planning Commission and South Bloomfield Township Zoning Commission have recommended approval of the text amendment; and

WHEREAS, the Board of Trustees have identified this proposal to be in compliance with the comprehensive plan and future land use recommendations within the Township.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED, by the South Bloomfield Township Board of Trustees, Morrow County, Ohio, to amend Section 504(A) of the South Bloomfield Township Zoning Resolution to increase the maximum permitted square footage of buildings in the Commercial (C-1) district from 5,000 square feet to 10,000 square feet.

Voted on and signed this 28th day of September, 2020 in South Bloomfield Township, Morrow County, Ohio.

BOARD OF TRUSTEES
SOUTH BLOOMFIELD TOWNSHIP,
MORROW COUNTY, OHIO

Voted to Approve:

Brett Yang 9/28/2020
Verma E. Lim 9-28-2020

Voted to Deny:

ARTICLE 1 – TITLE, PURPOSE AND INTERPRETATION

The Board of Township Trustees of South Bloomfield Township, Morrow County, Ohio in accordance with enabling legislation for Township zoning as provided in Chapter 519 of the Ohio Revised Code hereby provide as follow:

SECTION 101 – TITLE

This Resolution shall be known and cited as the South Bloomfield Township Zoning Resolution (herein referred to as “Resolution”).

SECTION 102 – PURPOSE

This Resolution is adopted for the purpose of protecting and promoting the public health, safety, public convenience, comfort, prosperity and general welfare, conserving the values of property, facilitating the economical provision of water, sewage, schools and other public requirements, and lessening or avoiding congestion of public streets and highways.

SECTION 103 – INTERPRETATION

In interpreting and applying the provisions of the Resolution, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity and general welfare, unless otherwise specified.

Where this Resolution imposes a greater restriction than is imposed or required by other provisions of law or by other rules, regulations, Resolutions or restrictions, the provisions of this Resolution shall control; however, where the provisions of this Resolution are less restrictive, the more restrictive provision of other laws, rules, regulations, restrictions or Resolutions shall control.

The Township Zoning Commission, the Township Board of Zoning Appeals and the Board of Township Trustees will, when appropriate, refer to all comprehensive plans, master plans, studies, and treatises affecting the unincorporated areas of the Township and may require inclusion of recommendations in plans or proposals as submitted or approved.

SECTION 104 – EFFECT OF INVALIDITY OF ONE SECTION

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

All Resolutions or parts thereof which are in conflict with the provisions of the Resolution are hereby repealed.

ARTICLE 2 – GENERAL PROVISIONS

The following are provisions of this Resolution provide a general framework for the administration of this Resolution.

SECTION 201 – USES EXEMPTED FROM PROVISION OF RESOLUTION

The following uses are specifically exempted from this Resolution:

- (A) **AGRICULTURAL USES** – The use of land for agricultural purposes 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 shall be permitted in all Zoning Districts established by this Resolution, and no zoning certificate shall be required for any such building or structure.

Agriculture shall be regulated as follows in any platted subdivision approved under Ohio Revised Code sections 711.05, 711.09, or 711.10, or in any area consisting of fifteen (15) or more lots approved under Section 711.131 of the Ohio Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road:

- (1) Agriculture is prohibited on lots of one (1) acre or less.
 - (2) Buildings or structures incident to the use of land for agricultural purposes on lots greater than one (1) acre but not greater than five (5) acres must conform to the setbacks, size and height requirements for the underlying Zoning District. Agriculture is permitted on lots greater than one (1) acre but not greater than five (5) acres, subject to the provisions of Section 201(A)3.
 - (3) Dairying and animal and poultry husbandry are permitted on lots greater than one (1) acre but not greater than five (5) acres until thirty-five (35%) percent of the lots in the subdivision are developed with at least one (1) building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured homes under section 4503.06 of the Ohio Revised Code. After thirty-five (35%) percent of the lots are so developed, ongoing dairying and animal and poultry husbandry shall be considered nonconforming use of land and buildings or structures pursuant to section 519.19 of the Ohio Revised Code. Dairying, poultry and animal husbandry shall be prohibited on all lots within the subdivision after thirty-five (35) percent of the lots are so developed.
- (B) **FARM MARKETS** – Farm markets shall be permitted in any Zoning District provided they derive at least fifty (50) percent of their gross income from produce raised on farms owned or operated by the market owner in a normal crop year are permitted in any Zoning District, subject to the following regulations:
- (1) Buildings less than two hundred (200) square feet must be placed at least fifteen (15) feet outside the road Right-of-Way so as to safely allow for adequate customer off street parking. Seasonal farm markets may use grassed areas for parking.
 - (2) For buildings two hundred (200) square feet or larger, off-street parking must be provided at the ratio of one (1) space for each four hundred (400) square feet of farm market. Seasonal farm markets may use grassed areas for parking.

(3) Permanent farm markets shall have designated parking and provide ingress and egress in accordance with ODOT's safe stopping distance requirements. Setbacks are the same as for any structure in the underlying Zoning District.

(C) PUBLIC UTILITIES & RAILROADS – The location, erection, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement of any building or structure of any public utility or railroad, whether publicly or privately owned, or the use of land by any public utility or railroad for the operation of its business or the use of land for essential services as herein defined shall be permitted in all Zoning Districts established by this Resolution and no zoning certificate shall be required for any building or structure or for the use of any land essential to the operations of a public utility or railroad.

SECTION 202 – ESTABLISHMENT OF ZONING DISTRICTS

The Township is hereby divided into the following Zoning Districts with the stated purposes:

(A) AGRICULTURAL / RESIDENTIAL (AR-1) DISTRICT – Land with limited slopes or gently rolling and is best reserved for agriculture, forestry, and other rural purposes. Standards provide for relatively low density residential development with private and/or public water and sewage facilities.

(B) SPECIAL USE (S-1) DISTRICT – Land suitable for public, semipublic, Mobile Home Parks or institutional land uses with a focus on recreation, conservation and community facilities.

(C) LOCAL BUSINESS (C-1) DISTRICT – Areas for local or neighborhood business providing principally convenience goods and personal or professional services necessary to the convenience and well-being of the adjacent residential community.

(D) LIMITED INDUSTRIAL (M-1) DISTRICT – Areas for light industries with restricted manufacturing operations, research facilities and offices of a nature which will have little or no detrimental effects on neighboring land uses.

SECTION 203 – COMPLIANCE WITH REGULATIONS

The regulations set forth by this Resolution shall apply uniformly to each class or kind of structure or land except as hereinafter provided:

(A) REQUIRED CONFORMITY OF LAND USE – No building, structure or land shall hereafter be used or occupied and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered unless in conformity with all of the regulations herein specified for the Zoning District in which it is located.

(B) CONSTRUCTION & ALTERATIONS – No building or other structure shall hereafter be erected or altered:

(1) to accommodate or house a greater number of families;

(2) to occupy a greater percentage of lot area;

(3) to have narrower or smaller rear yards, front yards, side yards or other spaces; or

(4) in any other manner contrary to the provisions of this Resolution.

- (C) LIMITS OF RETROACTIVITY - No yard or lot existing at the time of passage of this Resolution shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Resolution shall meet at least the minimum requirements established by this Resolution.
- (D) RELIEF – Exceptions to these regulations in specific cases may be authorized by the Township Board of Zoning Appeals where there are practical difficulties of unnecessary hardships in carrying out the strict letter of this Resolution providing such exception is in harmony with the general purpose and intent of the Resolution and in accordance with the procedures and provisions specified in Article 11.
- (E) HEALTH & SAFETY PREREQUISITE – All land uses as set forth in this Resolution shall comply with all other public health and safety standards, including the Morrow County Board of Health regulations. Safe and sanitary facilities meeting all requirements shall be provided when required and a permit for the same obtained from any required office before construction or alteration and occupation of the site is initiated.

SECTION 204 – VIOLATIONS OF THIS RESOLUTION

No building shall be located, erected, constructed, enlarged, changed, maintained, or used, and no land shall be used in violation of any Resolution, or amendment or supplement to such Resolution adopted by any Board of Township Trustees under Sections 519.02 to 519.25, inclusive, of the Ohio Revised Code.

- (A) ENFORCEMENT – Action to prevent violations of zoning regulations; special counsel, in case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used or any land is or is proposed to be used in violation provision adopted by any Board of Township Trustees under such sections, such Board, the Prosecuting Attorney of Morrow County, the Township Zoning Inspector, or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance, or use. The Board of Township Trustees may employ special counsel to represent it in any proceeding or to prosecute any actions brought under this section (Section 519.24 Ohio Revised Code).
- (B) PENALTY – Each day's continuation of a violation of this section may be deemed a separate offense (Section 519.23 Ohio Revised Code). Whoever violates Section 519.01 to 519.25, inclusive, of the Ohio Revised Code shall be fined not more than five hundred (\$500) dollars for each offense (Section 519.99 Ohio Revised Code).

SECTION 205 – ZONING MAP

- (A) PURPOSE – The boundaries of the Districts are shown upon the Zoning Map which is made a part of this Resolution, which map is designated as the “Zoning Map”. The Zoning Map and other information shown thereon are a part of this Resolution. The original Zoning Map is properly attested and is on file with the Fiscal Officer.
- (B) AMENDMENTS – No amendment to this Resolution which involves matter portrayed on the official Zoning Map shall become effective until after such change and entry has been made on the Zoning Map. No changes of any nature shall be made in the official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Resolution.

(C) OFFICIAL MAP – The official Zoning Map, which shall be located in the office of the Fiscal Officer shall be the final authority as to the current zoning status of land and water area, buildings and other structures.

SECTION 206 – DISTRICT BOUNDARIES

The Zoning District boundary lines on the Zoning Map are intended to follow either center lines of thoroughfares or railroads or lot lines. In the case of unsubdivided property, the Zoning District boundary lines shall be determined by the use of the scale appearing on the Zoning Map or by dimensions.

ARTICLE 3 – AGRICULTURAL / RESIDENTIAL (AR-1) DISTRICT

The “Agricultural/Residential District”, abbreviated AR-1, contains property within the unincorporated portions of South Bloomfield Township, as delineated on the Zoning Map.

SECTION 301 – PERMITTED USES

The following uses and no other shall be permitted in the AR-1 Districts.

- (A) RESIDENTIAL DWELLINGS – Single or two (2) family dwellings (limited to one (1) dwelling per parcel, lot or tract) where each lot conforms to the minimum standards of this Zoning District. This includes:
- (1) Accessory buildings and accessory uses including private garages and permanent dwellings for full time domestic help employed on the premises or full time farm labor,
 - (2) Conducting of casual sales of goods in what are commonly referred to as garage sales or yard sales provided that such sales shall not be conducted on more than twelve (12) days in a calendar year or more than three (3) consecutive days,
 - (3) Limited home occupations, as provided in Section 930(A) of this Resolution, and
 - (4) Temporary structures such as mobile or manufactured homes for temporary residential use and temporary structures of a nonresidential character may be used incidental to construction work on the premises or during a period while the permanent dwelling is being constructed. The user of said structure shall obtain a Zoning Permit for such temporary use, which permit shall be valid for twelve (12) months and may be renewed not more than twice. Renewal of the permit shall be at the discretion of the Zoning Inspector on finding of reasonable progress toward completion of the permanent structure or project. The Zoning Inspector may require provisions for sanitary waste disposal, solid waste disposal and water supply, as he deems necessary. Said temporary structure shall be removed immediately after expiration of said permit.
- (B) CONSERVATION AREAS – Projects specifically designed for watershed protection, conservation of soil or water or for flood control, including conservation developments as permitted herein.
- (C) ADULT FAMILY HOMES – Adult Family Homes as provided for and defined in Ohio Revised Code Chapter 5119.70.
- (D) PUBLIC USES – School, college, university, children’s home, public library, public museum, community center, fire station, township hall, publicly owned park, publicly owned playground.
- (E) HEALTH CARE – Hospital, sanitarium or rest home caring for four (4) or more patients, providing that any such hospital, sanitarium or rest home shall have a lot area of not less than five (5) acres and a frontage on a public thoroughfare of not less than three hundred (300) feet.
- (F) RELIGIOUS LAND USES – Church, place of worship, place of religious assembly, religious institution, and parsonage provided there is adequate lot area to accommodate off street parking for all patrons, there is adequate area for water supply and wastewater disposal if located on site, and all aspects of public health, safety and welfare are provided for, including but not limited to compliance with all building codes, life safety codes, electrical codes and all other applicable codes.

- (G) CHILD DAY CARE – Child day care provided in-home for six (6) or fewer children, provided the day care is accessory to the use of the dwelling as a residence, and further provided that such day care qualifies as a “Type B” family day care home” as defined in Ohio Revised Code Section 5104.01.

SECTION 302 – CONDITIONAL USES

Within this Zoning District the following uses may be permitted, subject to the conditions and restrictions imposed by the Board of Zoning Appeals pursuant to the provisions of Article 11 of this Resolution.

- (A) EXPANDED HOME OCCUPATIONS - Expanded home occupations as Section 930(B) of this Resolution.
- (B) CONVALESCENT HOMES - Home for unrelated children or elderly residents provided that the area of the tract is adequate to provide setbacks, parking, and recreational areas prescribed by the Township Board of Zoning Appeals.
- (C) PRIVATE PARKS & CAMPS - Playgrounds, Playfields, Picnic Areas and Summer Camps with adequate off street parking areas, water supply, sanitation facilities, fencing to control accessibility of children to hazardous conditions and any other improvements necessary to protect users from harm or danger.
- (D) PUBLIC OR PRIVATE GOLF COURSES – Country Clubs, hunt clubs, sportsmen's clubs, fishing lakes, or similar recreational uses with all buildings and club houses incident thereto including restaurants to serve members and/or users of the facility.
- (E) MODEL HOMES – Model Homes, the same being defined as residential-type structures used as sales offices by a builder/developer and to display the builder/developer's product. The same may be furnished within, since its purpose is to display to prospective buyers the builder/developer's features (such as exterior siding treatment, roofing materials, interior trim, moldings, floor covering, etc.) in the environment of a completed home. Model homes may be staffed by the builder/developer's sales force. Model homes shall be subject to the following restrictions:
- (1) Lighting: All exterior lighting must be downcast lighting, so that no light shall be cast onto adjoining residential properties. All off-street parking areas must be illuminated. All exterior lighting shall be extinguished at the closing time of the model home.
 - (2) Parking: All model homes shall provide off-street paved parking for the public. Such off-street paved parking shall be located as directed by the Board of Zoning Appeals. The number of required parking spaces shall be six (6) per model home. The driveway of the model home may be utilized for not more than two (2) parking places.
 - (3) Screening and Trash Receptacles: Landscape drawing shall be required and show adequate landscaping and screening from adjoining residential lots, together with the clear marking of the boundaries of the model home lot. Trash receptacles shall be provided around the model home for use by the public.
 - (4) Termination of Use: The use of model homes within a residential subdivision, or within any single phase of a multi-phase subdivision, shall terminate when Zoning Permits have been issued for ninety (90) percent of the lots therein.
- (F) AIR FIELDS - Private landing fields for aircraft for use by the owner of the property and his guests provided that no commercial activities take place on said premises.

(G) VETERINARY & BOARDING FACILITIES – Veterinary Service subject to the following conditions:

- (1) No building or structure used for the purpose of boarding animals shall be located closer than four hundred (400) feet to the lot line of any residence, church, school or any institution of human care;
- (2) Full compliance with Morrow County Board of Health regulations;
- (3) Suitable fencing and/or screening shall be provided as approved by the Township Board of Zoning Appeals;
- (4) Such use can be safely conducted in a manner designed not to cause any interference with the right of quiet enjoyment by the residents of the adjoining properties;
- (5) Minimum lot size is five (5) acres; and
- (6) Outside runs are not within four hundred (400) feet of a residence.

(H) PRIVATE SCHOOLS – Private School or college, with students in residence provided:

- (1) It occupies a lot of not less than one (1) acre per twenty-five (25) day students;
- (2) Adequate land area exists to meet required setbacks, water supply and sewage disposal, and off street parking;
- (3) Adequate area exists for indoor and outdoor recreation; and
- (4) Additional setbacks or buffering as may be necessary to not disrupt the neighboring residential uses.

(I) CEMETERY – Cemetery, subject to the standards listed in Article 9:

(J) ASSOCIATED AGRICULTURAL SALES – Associated Sales as accessory to and in association with an agricultural permitted use. Such associated sales to cease upon cessation of the agricultural activity. This shall include, but is not limited to, garden supplies with a nursery or greenhouse, milk products with a dairy, or imported produce with a permitted produce stand.

(K) BED & BREAKFAST INNS – As provided the following conditions are met.

- (1) No more than three (3) bedrooms are available for overnight lodging;
- (2) Owner or manager must reside in the residence;
- (3) Adequate off street parking and potable water and sewage disposal must be provided;
- (4) Signs must comply with the home occupation sign requirements; and
- (5) Maximum length of stay of lodgers is two (2) weeks.

- (L) TELECOMMUNICATION TOWERS - Provided that all requirements of Section 960 of this Resolution are met.

SECTION 303 – PROHIBITED USES

Any use not specifically permitted or conditionally permitted herein shall be prohibited, including but not limited to the following:

- (A) ALTERNATIVE HOUSING – No motor home, mobile home or camper of any type may be occupied by a guest of the resident owner for more than fourteen (14) days in any six (6) month period, unless properly permitted as temporary housing.
- (B) JUNK – No trash, debris, unused property, discarded materials, junk vehicles, vehicle parts, rags, lumber, building materials, equipment and/or parts thereof, or any other garbage, refuse or junk shall be permitted to accumulate on any lot or portion thereof which creates an eyesore, hazard or nuisance to the neighborhood or general public;
- (C) OBJECTIONABLE USE – Any use found noxious, dangerous or offensive/objectionable by reason of odor, dust, smoke, gas, noise, fumes, flame, vibration or signal disruption of radio or T.V.; and
- (D) ADULT USE – Adult entertainment and adult only entertainment establishments.

SECTION 304 – DEVELOPMENT STANDARDS

The following development standards shall apply to all properties in the AR-1 District modified after the effective date of this Resolution, except those approved and developed under Section 305:

- (A) MINIMUM LOT AREA AND WIDTH – The following are minimum standards for lots:

	Lots with Public Sewer & Water		Lots without Public Sewer & Water	
	Minimum Lot Area	Minimum Lot Width	Minimum Lot Area	Minimum Lot Width
Single-Family Dwelling	21,780 square feet (0.5 acres) per dwelling	100 feet	65,340 square feet (1.5 acres) per dwelling	200 feet
Two-Family Dwelling	21,780 square feet (0.5 acres) per dwelling	100 feet	65,340 square feet (1.5 acres) per dwelling	200 feet

In computing lot areas, one-half (1/2) of the road or street Right-of-Way may be included if the lot owner holds title to the same. Exception: Lot designed on a recorded plot and separately owned at the time this Resolution took effect and cannot be enlarged practically to conform with this requirement.

- (B) MAXIMUM LOT DEPTH TO WIDTH – No lot, under ten (10) acres in area, shall be more than three (3) times deeper than its width, with the width being that portion which runs along the public street, road or highway where the front of the principal structure faces or is planned to face. All lots shall maintain two-hundred (200) continuous feet of lot width at least ninety (90) feet from the centerline of all adjoining roadways into the property.
- (C) MINIMUM DWELLING SIZES – No single family one-story dwelling shall be erected with less than one thousand two hundred fifty (1,250) square feet of gross ground floor area, exclusive of breezeways, porches, terraces, basements, and garages with the following exceptions:
 - (1) One thousand two hundred and fifty (1,250) square feet may be reduced to one thousand fifty (1,050) square feet if built over a full basement.

- (2) No single-family multiple-story dwelling shall be erected with less than one thousand three hundred fifty (1,350) square feet of gross floor area per family, exclusive of breezeways, porches, terraces, basements and garages.
 - (3) All two (2) or more multiple family dwellings (including condominiums and apartments) shall conform to Section 304(C)1 and 304(C)2 per individual quarters not to exceed two (2) stories high.
- (D) FRONT SETBACK LINE – No building or structure or any portion thereof shall be erected within ninety (90) feet to the center of the road.
- (E) SIDE LOT CLEARANCE – For every building erected in an “AR-1” Zoning District, there shall be a minimum side lot clearance on each side of said building of not less than fifteen (15) feet, which space shall remain open and unoccupied by any building or structure. Attached garages or accessory buildings connected with the main building by a breezeway or other permanently constructed connection shall be construed to be part of the main building for the purpose of this section. All other accessory buildings shall be a least twenty (20) feet from any dwelling.
- (F) REAR LOT CLEARANCE – For every building erected in an “AR-1” Zoning District and for every dwelling erected in any Zoning District, there shall be a minimum rear lot clearance at the rear of said building of at least ninety (90) feet.
- (G) CORNER LOT CLEARANCE – The setback building line on a corner lot shall be in accordance with the provisions governing the road or highway on which the building faces. If possible, the side lot clearance on the side road shall conform to the setback line for an inside lot on said street or road, but in no event shall said side lot clearance be less than twenty-five (25) feet from the Right-of-Way side line of the street or road.
- (H) TEMPORARY HOUSING – Any manufactured or mobile homes temporarily permitted, must meet the following standards:
- (1) Manufactured or Mobile homes must have one thousand two hundred fifty (1,250) square footage or one thousand fifty (1,050) square footage (living space delivered) and on a full basement. Manufactured or Mobile homes with less square footage must be located in Mobile Home Parks.
 - (2) Minimum finished living area shall be nine hundred (900) square feet delivered dimensions, exclusive of floor area devoted to basements, utility rooms, attached garages, open or enclosed porches, and the like.
 - (3) All mobile homes will be placed on supporting blocks or foundations with wheels off the ground or removed and anchored to the ground for support for safety reason.
 - (4) All requirements as set forth herein for permanent buildings shall apply to mobile homes.
- (I) MODULAR HOMES – Modular homes either pre-constructed wood or metal, trucked to the site or transported on trailer “trucks” and placed on a permanent foundation at the building site shall be considered a permanent dwelling and comply with requirements as set forth herein.

SECTION 305 – OVERLAY CONSERVATION DEVELOPMENT (OCD)

Pursuant to Section 519.021(C) of the Ohio Revised Code, the Overlay Conservation Development, abbreviated OCD, is created to further the purpose of promoting the general public welfare, encouraging the efficient use of land and resources, promoting greater efficiency in providing public and utility services, and encouraging innovation in the planning and building of all types of development. The Overlay Conservation Development achieves this purpose while permanently preserving and integrating open space within farm residential developments; offering landowners alternatives to standard tract use of their land, thereby establishing a less sprawling, more efficient use of land, streets and utilities; preserving natural topography in wooded areas; creating usable and accessible open space, recreational areas, and green corridors for wildlife, walking trails and/or bike paths; and encouraging creativity in design through a controlled process of review and approval of the Development Plan and related documents.

- (A) OVERLAY AREA – The OCD encompasses, includes and overlays all land that is contained within the AR-1 Zoning District as shown on the South Bloomfield Township Zoning District Map. The zoning regulations there under shall continue to apply to all such property unless the Zoning Commission approves an application of an owner of property to subject the owner's property to the provisions of the OCD.
- (B) DESIGN PROCESS & GUIDELINES – A conservation subdivision is an open space development designed with the following design features:
- (1) Dwellings should generally be located along the edges of fields, as seen from existing public roads, rather than in the center to reduce visual impact;
 - (2) Eighty-five (85) percent or more of all house lots should abut open space;
 - (3) Retain or replant native vegetation adjacent to wetlands and surface waters;
 - (4) Preserve existing hedge and tree lines;
 - (5) Preserve scenic views and vistas;
 - (6) Avoid new construction on prominent hilltops or ridges;
 - (7) Protect wildlife habitat areas of species listed as endangered, threatened, or of special concern by the Ohio Department of Natural Resources;
 - (8) Preserve historic or archaeological sites (i.e. earthworks, burial grounds);
 - (9) Front dwellings on internal roads, not on external roads;
 - (10) Landscape or retain vegetation in common areas with native trees and shrubs;
 - (11) Provide active recreational areas in suitable locations;
 - (12) Include a viable pedestrian circulation system; and
 - (13) Protect natural drainage swales and creeks. No construction of buildings inside the one hundred (100) year floodplain.

(C) APPLICATION PROCEDURE – The application process shall involve two (2) required steps:

- (1) A map of existing features for the tract(s) of land to the Township Zoning Commission and schedule an agreeable time to jointly visit the site for an on-on-site walkabout. The applicant and the Zoning Commission shall walk the site, at which time the primary and secondary conservation areas to be saved shall be identified. At the completion of the on-site walkabout or shortly thereafter a very conceptual Development Plan should be published by the applicant or his consultant for impromptu comments from the Township Zoning Commission. No binding decisions or votes are made at the on-on-site walkabout. Based upon such comments, a formal Development Plan can be prepared for public hearing.
- (2) The applicant shall then prepare and submit a formal application and Development Plan, with ten (10) copies and fees, to the Township Zoning Commission who shall schedule a public hearing. Abutting landowners within five hundred (500) feet of the subject tract shall be notified. The Township Zoning Commission's review is administrative; no Zoning Map amendment is required. The Final Development Plan shall include in text and map form the following:
 - (a) A survey plat and legal description signed by a registered Ohio surveyor showing the size and location of the proposed development.
 - (b) The Development Plan shall be to a scale of at least one (1) inch = one hundred (100) feet and shall show the proposed uses of the site, location of buildings and structures, streets and roadways, and parking areas, all required design features, including the following:
 - (i) A grading plan showing all information pertaining to surface drainage.
 - (ii) A landscape plan which depicts and identifies all proposed landscaping features.
 - (iii) An explanation of the method/structure and proposed documentation and instruments to be used in order to perpetually preserve the required open space.
 - (iv) The general development character, design features and the permitted and accessory uses, buildings and structures to be located on the tract including the limitations or controls to be placed on each, with proposed lot sizes, and minimum setback and spacing requirements. Other development features, including landscaping, entrance features, signage, pathways, sidewalks, recreational facilities and open space areas. All commonly owned structures shall be shown in detail which identifies the location, quantity, type and typical section of each. The landscape plan shall identify each plant, shrub or tree, its name, its size at planting and rendering of how that section of the development would look in elevation. The Development Plan shall identify dwelling unit densities, dwelling unit types, the total number of dwelling units proposed for the site, and the method and manner used to calculate density.
 - (v) Primary conservation areas such as the one hundred (100) year floodplain, wetlands, and slopes greater than twenty (20) percent shall be mapped.
 - (vi) No structure (other than approved drainage structures as shown on The Development Plan) shall be constructed within the limits of the one hundred (100) year floodplain as mapped by FEMA on the Flood Insurance Rate Maps for Morrow County.
 - (vii) Locations of stream channels, watercourses, wooded areas and buffer areas shall be designated. Existing topography and drainage patterns shall also be shown. Primary and secondary conservation areas to be conserved and such areas to be impacted or altered shall be identified on the Development Plan.
 - (viii) Architectural design criteria including materials, colors and renderings for all structures and criteria for proposed signs, with proposed control procedures. These shall also include specific renderings of the elevations of structures. Any modification of these

structures shall require re-approval of the Development Plan by the Township Zoning Commission. Materials and colors shall be submitted for approval.

- (ix) The proposed provisions for water, fire hydrants, sewage disposal and surface drainage with engineering feasibility studies or other evidence of reasonableness. Pipe sizes and locations, detention basins and drainage structures shall be drawn.
- (x) A traffic impact analysis by a competent traffic engineer, showing the proposed traffic patterns, public and private streets and other transportation facilities, including their relationship to existing streets and conditions.
- (xi) The relationship of the proposed development to existing and probable uses of surrounding areas during the development timetable.
- (xii) Identification and location of all uses and structures proposed within the site and the location of schools, parks and other public facility sites within or adjacent to the site. This includes a showing of:
- (xiii) The exact location and dimension of private streets, common drives and public street rights-of-way;
- (xiv) Exact location of building footprints or envelopes within which dwelling units are to be constructed, and lot lines with dimensions for all residential units for which individual ownership is proposed;
- (xv) Dimensions of building/unit spacing;
- (xvi) The extent of environmental conservation and change and the exact location of all no cut/no disturb zones;
- (xvii) Designated open space areas and a description of proposed open space improvements; and
- (xviii) The exact location of all utility easements.
- (xix) The proposed time schedule for development of the site including streets, buildings, utilities and other facilities. If the proposed timetable for development includes developing the land (including open space) in phases, all phases shall be fully described in textual form in a manner calculated to give Township officials definitive guidelines for approval of future phases.
- (xx) The ability of the applicant to carry forth this plan by control of the land and the engineering feasibility of the plan.
- (xxi) Detailed list of divergences with individual statements of justification. Except for density and the percentage of required open space, the applicant may request a divergence from the other development standards of this Resolution. An applicant making such a request shall specifically and separately list each requested divergence and the justification therefore on the Development Plan submittals, with a request that the proposed divergence be approved "per plan." Unless specifically supplemented by the standards, the development shall comply with all other provisions of the Resolution.
- (xxii) Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, the improvements thereon, including those areas which are to be commonly owned and maintained as well as the open space.
- (xxiii) Other information, as may be required by the Township Zoning Commission, in order to determine compliance with this Resolution.

(D) PUBLIC HEARING – The Zoning Commission shall hold a public hearing on the request within a reasonable period of time after receipt of the application, Final Development Plan and submission of fees.

(E) STANDARDS FOR APPROVAL – The Zoning Commission shall approve the application and Development Plan provided it finds that:

- (1) The proposed use complies with all purposes, requirements and standards established in this Zoning Resolution and that any divergence is warranted by the design and amenities incorporated in the Development Plan;
 - (2) The design preserves and protects primary conservation areas, and adequately provides useable open space in secondary conservation areas;
 - (3) The proposed use is in accord with applicable plans or policies for the area;
 - (4) The proposed development will be adequately served by essential public facilities and services such as roads, walks, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; and
 - (5) The proposed development is in keeping with the existing land use character and physical development potential of the area. In approving the application and Final Development Plan, the Zoning Commission may impose such conditions, safeguards and restrictions in order to carry out the purpose and intent of this Zoning District.
- (F) SUBDIVISION PLAT – No zoning certificate shall be issued for any structure in any portion of a development until the final subdivision plat for that portion is recorded with the Morrow County Recorder.
- (G) MODIFICATIONS – No modification of the provisions of the Final Development Plan, or part thereof, as finally approved shall be made unless approved by the Township Zoning Commission. The applicant shall submit the subdivision plat to the Zoning Inspector for review in order to assure the notes and agreed conditions on the Development Plan are not compromised by final engineering.
- (H) ZONING CERTIFICATE – After the Final Development Plan is approved and any required final Subdivision Plat is recorded, the Zoning Inspector may issue a zoning permit upon payment of the required fees and submission of the detailed landscaping plan for each platted lot. The zoning permit for a planned development shall be for a period not to exceed three (3) years or that period approved in the Final Development Plan. If no construction has begun within three (3) years after approval is granted the Final Development Plan approval shall be void.
- (I) DEVELOPMENT PLAN STANDARDS – The following are standards for developments in this Zoning District:
- (1) Permitted Uses: Single family detached dwellings; attached two (2) and three (3) unit dwellings; open space; recreation facilities accessory to the development.
 - (2) Minimum tract size: thirty (30) acres.
 - (3) Open Space: At least fifty (50) percent of the gross tract acreage shall be designated as permanent open space, not to be further subdivided. Open space shall be owned, administered and maintained by an approved party. Dedication of land for public purposes approved with the Development Plan including trails, active recreation, spray irrigation fields, etc. may be encouraged by the Township. The decision whether to accept an applicant's offer to dedicate open space for public use shall be within the sole discretion of the Board of Township Trustees. Land dedicated to public purposes may count toward the open space requirement if approved on the Development Plan.

- (a) At least twenty-five (25) percent of the minimum required open space shall be suitable for active recreation purposes, but no more than fifty (50) percent shall be utilized for that purpose, in order to preserve a reasonable proportion of natural open space on the site. The Development Plan shall specify the purposes for which open space areas are proposed. Any recreational facilities proposed to be constructed within open space areas shall be clearly shown on the Development Plan.
 - (b) In calculating open space, the areas of fee simple lots conveyed to homeowners shall not be included.
 - (c) The required open space may be used for underground drainage fields for individual or community septic systems, and for "spray fields" for spray irrigation purposes in a land treatment sewage disposal system as approved per the Development Plan. Spray fields are crop, forage and pasture fields fertilized and irrigated by the nutrient-rich liquid, or mixtures of liquids and manure solids (slurries) from liquid manure storage structures. Primary conservation areas, plus storm water management detention/retention ponds, plus constructed wetlands acting as detention basins, plus sewage treatment ponds may count in their combined aggregate for up to fifty (50) percent of the required open space.
 - (d) Any area of natural open space that is proposed to be disturbed during construction or otherwise not preserved in its natural state shall be shown on the Development Plan and shall be restored with vegetation that is compatible with the natural characteristics of the site. The method and timing of any restoration shall be set forth in the Development Plan.
- (4) Determining Density or "Yield": The permitted density is the number of dwelling units in the development. Applicants shall have two (2) options to establish the legally permitted density. Either:
- (a) Multiply the net developable area (in acres) by seventy-five hundredths (0.75) dwelling unit per net developable acre with on-site septic systems; or
 - (b) Multiply the net developable area (in acres) by one and one-half (1.5) dwelling units per net developable acre with centralized sewer. The result in either case shall be rounded down to the nearest whole number.
- (5) Sewage Disposal: For sites not served by public centralized sewer, sewage disposal feasibility shall be demonstrated by letter from the Morrow County Board of Health, the Ohio EPA, or a licensed sanitary or civil engineer.
- (6) Perimeter Setback: No building shall be constructed within fifty (50) feet of the external boundary of the conservation subdivision.
- (7) Storm Water: No features shall be designed which are likely to cause erosion or flooding.
- (8) Subdivision Standards: Street and drainage improvements shall conform to the subdivision standards for Morrow County, Ohio.
- (9) Paths: Sidewalks or walking paths may be required for subdivisions of more than fifteen (15) lots. Sidewalks/paths shall be separated from the paved street surface by at least five feet (5') of

landscaped or grassed strip. The Zoning Commission may require paved/unpaved walkways to connect residential areas and open spaces.

- (10) Street Trees: Deciduous, broad leaf street trees with a minimum caliper of two inches (2") at planting shall be planted (or retained) at least every fifty (50) lineal feet along at least one side of the street(s).
- (11) Minimum Front Setbacks: dwelling units shall be set back forty (40) feet from the road Right-of-Way. Front load garages shall be setback at least ten (10) feet behind the front building line of the dwelling unit, or may be flush with the dwelling unit front if the dwelling unit sets back at least fifty (50) feet from the road Right-of-Way. Side load garages shall be setback at least forty (40) feet from the road Right-of-Way.
- (12) Minimum Lot Size: Twelve thousand (12,000) square feet for single family detached dwellings on fee simple ownership lots. Attached units or detached condominiums as approved per the Final Development Plan.
- (13) Minimum Lot Width at the Building Line: One hundred (100) feet for single family detached dwelling units on fee simple ownership lots.
- (14) Minimum Side Yards: Twelve and one-half (12.5) feet each side, with no encroachments, including chimneys, air conditioning units, etc., for single family detached dwellings on fee simple ownership lots. In all other cases, the minimum separation between buildings containing dwelling units shall be thirty (30) feet.
- (15) Driveway Setbacks: Two (2) feet from side lot line. Side-load garages shall provide at least twenty-four (24) feet of paved apron, exclusive of the two (2) foot side lot line for single family detached dwellings on fee simple ownership lots. Attached units or detached condominiums as approved per the Final Development Plan.
- (16) Minimum Rear Yard: Thirty (30) feet for single family detached dwellings on fee simple ownership lots and attached garages. Fifteen (15) feet for accessory buildings. Attached units or detached condominiums as approved per the Final Development Plan.
- (17) Building Height Requirement: No principal building in this Zoning District shall exceed thirty-five (35) feet in height.
- (18) Minimum Dwelling Unit Floor Area: Eleven hundred (1100) square feet per dwelling unit.
- (19) Street lighting: All lighting shall be controlled in such a way as to not shine up into the sky or onto any neighboring properties. Examples of ways in which this might be accomplished are:
 - (a) Use of fully shielded cut-off fixtures;
 - (b) Directing light fixtures downward cast rather than upward cast;
 - (c) Shielding the light in such a way that the light emitting portion of the fixture cannot be seen at a reasonable distance;

All outdoor light pole fixtures shall not exceed a maximum height of twenty (20) feet measured from the finished grade established not closer than fifteen (15) feet to the pole. In addition to the

provisions of this Article all outdoor light fixtures shall be installed in conformity with all other applicable provisions of this Resolution.

(20)Landscaping: All yards, front, side and rear, shall be landscaped. All improved common open space shall be landscaped per the approved Development Plan. A landscape plan for the common open space and streetscape within road Right-of-Way shall be prepared by a licensed landscape architect showing the caliper, height, numbers, name and placement of all material, and shall be submitted with and approved as a part of the Final Development Plan.

(21)Parking: Off-street parking shall be provided at the time of construction of each principal structure or building, with adequate provisions for ingress and egress in accordance with the Development Plan. Off-street parking shall otherwise comply with this Resolution.

(22)Signs: All signs shall be in accordance with this Resolution.

(23)Other Requirements: Unless specifically supplemented by the standards, the development shall comply with the requirements of this Zoning District.

(24)Supplemental Conditions and Safeguards: The Zoning Commission may impose special additional conditions relating to the development with regard to type and extent of public improvements to be installed, landscaping, development, improvement and maintenance of open space (whether improved common open space or natural open space), and any other pertinent development characteristics.

(25)Divergences: The Zoning Commission, as a part of Development Plan approval, may grant divergences from any standard or requirement in this Section with the exception of density and the percentage of required open space. An applicant requesting a divergence shall specifically and separately list each requested divergence and the justification therefore on the Development Plan submittals with a request that the proposed divergence be approved "per plan".

(J) OWNERSHIP AND MAINTENANCE OF OPEN SPACE – Common open space within a development shall be owned, administered, and maintained in accordance with the Development Plan requirements.

(K) EXTENSION OR MODIFICATION OF FINAL DEVELOPMENT PLAN – An extension of the time limit for the approved Final Development Plan may be granted by the Zoning Commission provided the Zoning Commission finds that such extension is not in conflict with public interest. In approving such requests, the Zoning Commission may impose such conditions, safeguards and restrictions in order to carry out the purpose and intent of this Zoning District.

ARTICLE 4 – SPECIAL USE (S-1) DISTRICT

The “Special Use District”, abbreviated S-1, contains property within the unincorporated portions of South Bloomfield Township, as delineated on the Zoning Map.

SECTION 401 – PERMITTED USES

Pursuant to Section 519.021 of the Ohio Revised Code, the Special Use District, abbreviated S-1, is created to further the purpose of promoting the general public welfare, encouraging separation of uses and efficient provisions for public and utility services. This Zoning District shall permit public and semi-public uses, Mobile Home Parks, community facilities and other uses found by the Township Zoning Commission to be appropriate.

SECTION 402 – LOCATION & BUFFERING

Such uses shall have direct access to a major thoroughfare and may be constructed and located as the Zoning Map indicates. Where any boundary abuts property which is improved with a permanent residential building located within twenty-five (25) feet of such boundary, or directly abuts unimproved property which may under existing laws and regulations be used for permanent residential construction, a fence, wall or hedge shall be provided along such boundary.

SECTION 403 – DEVELOPMENT PLAN REQUIREMENT

Any development or modifications to property located in the S-1 Zoning District require prior approval of a Development Plan by the Township Zoning Commission. The level of detail of such plans shall be sufficient to demonstrate compliance with the standards herein. The Township Zoning Commission may require additional details to adequately demonstrate such compliance. The Zoning Inspector shall not issue a zoning permit in the S-1 Zoning District, unless such is compliant with the approved Development Plan.

SECTION 404 – MOBILE HOME PARK

(A) STANDARDS – The Mobile Home Park shall conform to the following requirements:

- (1) The Mobile Home Park shall provide Mobile Home Spaces, and each such space shall be clearly defined or delineated. Each space shall have an area of not less than four thousand five hundred (4,500) square feet; provided, however, that Mobile Home Parks which, at the time of the adoption of this ordinance, existed lawfully with Mobile Home Spaces that do not comply with any of the foregoing minimum area and width or minimum average area and average width requirements, may continue to operate and shall be excused from such compliance, but if any such non-conforming use is voluntarily discontinued for two (2) years or more, any future use of said land shall be in conformity with Sections 519.02 to 519.25, inclusive, of the Ohio Revised Code.
- (2) Mobile homes shall be so located on each space that there be at least a twenty-five (25) foot clearance between mobile homes; provided, however, that with respect to mobile homes parked end-to-end, the end-to-end clearance may not be less than twenty-five (25) feet. No mobile home shall be located closer than ten (10) feet to any building within the Mobile Home Park or to any property line of the Mobile Home Park which does not abut upon a public street or highway. No mobile home shall be located closer to any property line of the Mobile Home Park abutting upon a public street or highway than twenty-five (25) feet or such other distance as may be established by ordinance or regulation as a front yard or set back requirement with respect to conventional buildings in the Zoning District in which the Mobile Home Park is located.

- (3) Walkways not less than thirty (30) inches wide shall be provided from the Mobile Home Spaces to the service buildings.
- (4) All driveways and walkways within the Mobile Home Park shall be hard surfaced and lighted at night.
- (5) An electrical outlet supplying at least 100-115/220-250 volts, 100 amperes shall be provided for each Mobile Home Space.
- (6) Each Mobile Home shall be provided with two (2) off-street parking spaces and no parking on the street shall be permitted.

(B) WATER SUPPLY – An adequate supply of pure water for drinking and domestic purposes shall be supplied by pipes to all buildings, if provided, and Mobile Home Spaces within the Mobile Home Park, to meet the requirements of the Mobile Home Park. Each Mobile Home Space shall be provided with a cold water tap at least four (4) inches above the ground.

(C) SERVICE BUILDINGS - Service buildings housing sanitation facilities shall be permanent structures complying with all applicable Resolutions and statutes regulating buildings, electrical installations and plumbing and sanitation system.

- (1) The service buildings shall be well lighted at all times of the day and night, shall be well ventilated with screened opening, shall be constructed of such moisture-proof material, which may be painted woodwork, as shall permit repeated cleaning and washing, and shall be maintained at a temperature of least sixty-eight (68) degrees Fahrenheit during the period from October 1st to May 1st. The floors of the service buildings shall be of water impervious material.
- (2) All service buildings and the grounds of the Mobile Home Park shall be maintained in a clean, slightly condition and kept free of any condition that menaces the health of any occupant or the public or constitute a nuisance.

(D) SEWAGE AND REFUSE DISPOSAL

- (1) Waste from showers, bath tubs, flush toilets, urinals, lavatories and slop sinks in service and other buildings within the Mobile Home Park shall be discharged into a public sewer system in compliance with applicable Resolutions or into a private sewer and disposal plant or septic tank system of such construction and in such manner as will present no health hazard.
- (2) Each Mobile Home Space shall be provided with a sewer at least four (4) inches in diameter, which shall be connected to receive the waste from the shower, bath tub, flushed toilets, lavatory and kitchen sink of the mobile home harbored in such space and having any or all of such facilities. The sewer in each space shall be connected to discharge the mobile home waste into a public sewer and disposal plant or septic tank system of such construction and in such manner as will present no health hazard.
- (3) All sewage and refuse disposal shall comply with the specifications and rules of the State of Ohio Department of Health and those of the Morrow County Board of Health.

(D) GARBAGE RECEPTACLES – Garbage cans with tight-fitting covers shall be provided in quantities adequate to permit disposal of all garbage and rubbish. Garbage cans shall be located on the Mobile Home Space. The cans shall be kept in sanitary condition at all times. Garbage and rubbish shall be

collected and disposed of as frequently as may be necessary to issue that the garbage cans shall not overflow.

- (E) FIRE PROTECTION – Every Mobile Home Park shall be equipped at all times with fire extinguishing equipment in good working order, of such type, size and number and so located within the Mobile Home Park as to satisfy applicable reasonable regulations of the fire department. No open fires shall be permitted at any place which may endanger life or property. No fires shall be left unattended at any time. The Mobile Home Park shall be serviced by local area fire protection organization.

(F) PERMITS

- (1) It shall be unlawful for any person to maintain or operate a Mobile Home Park within the limits of South Bloomfield Township unless such person shall first obtain a license therefore, except that the maintenance or operation of a Mobile Home Park in existence of the effective date of this ordinance may be continued under a temporary permit for such period of time and under such conditions as are hereinafter prescribed.
- (2) A temporary permit, upon written request therefore, shall be issued by the Zoning Inspector for every Mobile Home Park in existence upon the effective date of the Resolution, permitting the Mobile Home Park to be maintained and operated during the period ending one hundred eighty (180) days after the effective date of this Resolution, without being subject to the provisions of this ordinance, except such of the provisions as are made expressly applicable to permittees.
- (3) The term of the temporary permit shall be extended, upon written request, for not to exceed one (1) additional period of one hundred eighty (180) days, if
- (a) The permittee shall have filed application for a license in conformity with Article 4 of this Resolution within ninety (90) days after the effective date of this ordinance,
 - (b) The Mobile Home Park plans and specifications accompanying the application for license comply with all provisions of this Resolution and all other applicable Resolutions and statutes,
 - (c) The permittee shall have diligently endeavored to make the existing Mobile Home Park conform fully to the plans and specifications submitted with the application, and
 - (d) Failure to make the existing Mobile Home Park conform fully to such plans and specifications shall have been due to causes beyond the control of the permittee.

- (G) LICENSE & TEMPORARY PERMIT FEES – The annual license fee for each Mobile Home Park transfer of license fees and temporary permit fees shall be determined by the Board of Township Trustees.

(H) APPLICATION FOR LICENSE

- (1) Application for initial Mobile Home Park license shall be filed with the Zoning Inspector. The application shall be in writing, signed by the applicant and shall include the following:
- (a) The names and address of the applicant,
 - (b) The location and legal description of the Mobile Home Park,

- (c) A complete plan of the Mobile Home Park in conformity with the requirements of this ordinance,
 - (d) Plans and specifications of all buildings, improvements and facilities constructed or to be constructed within the Mobile Home Park; in accordance with Ohio Revised Code 3733,
 - (e) Such further information as may be requested by the Zoning Inspector to enable determination if the proposed Mobile Home Park will comply with legal requirements. The application and all accompanying plans and specifications shall be filed in quadruplicate. The designated official shall investigate the applicant and inspect the application and proposed plans and specifications. If the proposed Mobile Home Park will, when constructed or altered in accordance with such plans and specifications, be in compliance with all provisions of this ordinance and all other applicable ordinances and statutes, the Zoning Inspector shall approve the application, and upon completion of the Mobile Home Park according to the plans shall issue the license.
- (2) Upon application in writing by a licensee for renewal of a license and upon payment of the annual license fee the Zoning Inspector shall issue a certificate renewing such license for another year.
 - (3) Upon notification in writing for transfer of license the Zoning Inspector shall issue a transfer.
- (I) REVOCATION OF LICENSE - The officer as designated by the Board of Township Trustees may revoke any license to maintain and operate a Mobile Home Park when the licensee has been found guilty by court of competent jurisdiction of violating any provision of this ordinance. After such conviction, the license shall be reissued if the circumstances leading to conviction have been remedied and the Mobile Home Park is being maintained and operated in full compliance with the law.
 - (J) POSTING OF LICENSE AND TEMPORARY PERMIT - The license certificate or temporary permit shall be conspicuously posted in the office or on the premises of the Mobile Home Park at all times.
 - (K) SEPARABILITY OF PROVISIONS - Should any Section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.
 - (L) PENALTY - Whoever violates Section 519.18 to 519.25 inclusive of the Ohio Revised Code shall be fined not more than five hundred (\$500) dollars for each offense. (Section 519.99 Ohio Revised Code)

ARTICLE 5 – LOCAL BUSINESS (C-1) DISTRICT

The “Local Business District”, abbreviated C-1, contains property within the unincorporated portions of South Bloomfield Township, as delineated on the Zoning Map.

SECTION 501 – PERMITTED USES

Permitted uses are:

- (A) Retail Stores primarily engaged in selling of merchandise for personal or household consumption and rendering services incidental to the sale of goods including hardware stores, grocery stores, meat and seafood markets, fruit stores and vegetable markets, candy stores, nut and confectionary stores, dairy product stores, retail bakeries, drug and proprietary stores, liquor stores, carry outs, florists, eating and drinking places, self-service Laundromats, laundry and dry-cleaning shops, beauty shops, health spas, barber shops, shoe repair or shining shops or any other like retail establishment consistent with the above listed uses.
- (B) Office facilities for the providing of personal service such as insurance agencies, insurance brokers, real estate offices, law offices, offices of physicians, dentists, osteopaths, chiropractors, podiatrists or other allied medical, dental or optical fields, accountants, architects and engineers.
- (C) Offices of credit agencies, personal credit institutions or loan offices provided that no drive-in windows are provided.
- (D) Offices of Veterinarians provided that the practice of said veterinarian is limited to small domestic animals, that no animals are boarded on the premises and that no outside runs or exercise areas are provided.
- (E) Other business, similar in nature or character, as determined by the Township Board of Zoning Appeals.

SECTION 502 – CONDITIONAL USES

Conditional uses requiring Board of Zoning Appeals approval are: drive-thru businesses, gasoline stations, automobile sales and service, animal hospital and clinics, sales and storage of building materials, printing and publishing, motel and hotel services, commercial recreational facilities, wholesale business and dry cleaning plants.

SECTION 503 – PROHIBITED USES

Any use not specifically permitted or conditionally permitted herein shall be prohibited.

SECTION 504 – DEVELOPMENT STANDARDS

Any use in this Zoning District must meet all of the following standards:

- (A) BUILDING SIZE – No structure in this Zoning District shall contain more than ten thousand (10,000) square feet of floor space per floor devoted to any permitted or conditional use.
- (B) LOT SIZE – No minimum lot size shall be required; however, the lot size shall be adequate to provide the yard spaces and off street parking as herein required.

- (C) LOT WIDTH – No minimum lot width shall be required; however, all commercial tracts shall have access to approved streets and shall be of such width as to provide required yard spaces and off street parking.
- (D) BUILDING HEIGHT – No building shall exceed two (2) stories or thirty-five (35) feet in height measured from the finished grade established not closer than fifteen (15) feet to the exterior wall of the structure.
- (E) FRONT BUILDING SETBACK – No building or use shall be located less than one hundred and fifty (150) feet from the centerline of any adjacent public or private road.
- (F) SIDE YARD – Side yards shall be required adjacent to residential Zoning Districts not less than one-fourth (1/4) of the sum of the height and depth of the buildings but in no case less than fifty (50) feet from the adjacent residential Zoning District.
- (G) REAR YARD – Rear yards of not less than fifty (50) feet shall be required when commercial areas are adjacent to residential areas.
- (H) SCREENING – All commercial and office areas shall provide a screening of shrubbery or artificial fencing so as to hide trash collection areas and service areas from view. All such shrubbery shall be properly trimmed and all screening shall be maintained in a neat and tidy manner.
- (I) PARKING – Off street parking shall be provided within this Zoning District in strict compliance with this Resolution.
- (J) SIGNS – Signs identifying or advertising uses within this Zoning District shall be in strict compliance with the regulations of this Resolution.
- (K) LIGHTING – Exterior lighting fixtures shall be so shaded, shielded or directed that the light intensity or brightness shall not be objectionable to surrounding areas.
- (L) FREIGHT LOADING AREA – When any use within this Zoning District requires the pickup or delivery of merchandise or supplies, an adequate loading area for such activity shall be provided on the lot occupied by the use. No such loading area shall be located on any public street or alley. Such loading area, as provided shall be adequate in size to accommodate tractor-trailer (semi) units with adequate room to permit entry to such loading area without interfering with traffic on adjacent streets or highways.

SECTION 505 – SEPARATION OF USES

Non-residential or business buildings shall not be located nor constructed within fifty (50) feet of property within the AR-1 Zoning District.

ARTICLE 6 – LIGHT INDUSTRIAL (M-1) DISTRICT

The “Light Industrial District”, abbreviated M-1, contains property within the unincorporated portions of South Bloomfield Township, as delineated on the Zoning Map.

SECTION 601 – PERMITTED USES

Only the following uses, developed in accordance with all other provisions of this Resolution, shall be permitted:

(A) LIGHT MANUFACTURING

- (1) Rebuilding of existing homes or other buildings;
- (2) Manufacturing and assembly of apparel, appliances and associated components, electrical equipment, footwear, specialty vehicles (low volume – one hundred (100) units or less per month), robotics, cabinetry and millwork, plastics products, glass & glass products, architectural & structural metals, machine development, computer & electronic products, motor vehicle specialty parts, aerospace product and parts, pharmaceutical, spring & wire product, fabricated metal products, industrial and commercial machinery, measuring and analyzing instruments and transportation equipment;
- (3) Research & development, research laboratories, research assembly services, research testing facilities;
- (4) Printing and publishing facilities, except for paper manufacturing;

(B) OTHER PERMITTED USES

- (1) Business offices;
- (2) Outdoor advertising / billboards, as regulated in Article 8;
- (3) Agricultural sales and services;
- (4) Service or repair facilities provided all business-related activities are performed entirely within an enclosed or screened structure, including the parking and storage of customer and business-owned equipment.

SECTION 602 – CONDITIONAL USES

Any other businesses similar in nature or character as those listed as permitted uses, as determined by the Board of Zoning Appeals, may be permitted as a conditional use.

SECTION 603 – PROHIBITED USES

Any use not specifically permitted or conditionally permitted herein shall be prohibited.

SECTION 604 – DEVELOPMENT STANDARDS

Any use in this Zoning District must meet all of the following standards:

- (A) BUILDING SIZE – No structure in this Zoning District shall contain more than ten thousand (10,000) square feet of floor space per floor devoted to any permitted or conditional use.

- (B) LOT SIZE – No minimum lot size shall be required; however, the lot size shall be adequate to provide the yard spaces and off street parking as herein required.
- (C) LOT WIDTH – No minimum lot width shall be required; however, all commercial tracts shall have access to approved streets and shall be of such width as to provide required yard spaces and off-street parking.
- (D) BUILDING HEIGHT – No building shall exceed fifty (50) feet in height measured from the finished grade established not closer than fifteen (15) feet to the exterior wall of the structure.
- (E) FRONT BUILDING SETBACK - No building or use shall be located less than one hundred and fifty (150) feet from the centerline of any adjacent public or private road.
- (F) SIDE YARD – Side yards shall be required adjacent to residential Zoning Districts not less than one-fourth (1/4) of the sum of the height and depth of the buildings but in no case less than one hundred (100) feet from the adjacent residential Zoning District.
- (G) REAR YARD – Rear yards of not less than one hundred (100) feet shall be required when commercial areas are adjacent to residential areas.
- (H) SCREENING – All industrial areas shall provide a screening of shrubbery or artificial fencing so as to hide trash collection areas and service areas from view. All such shrubbery shall be properly trimmed and all screening shall be maintained in a neat and tidy manner.
- (I) PARKING – Off street parking shall be provided within this Zoning District in strict compliance with this Resolution.
- (J) SIGNS – Signs identifying or advertising uses within this Zoning District shall be in strict compliance with the regulations of this Resolution.
- (K) LIGHTING – Exterior lighting fixtures shall be so shaded, shielded or directed that the light intensity or brightness shall not be objectionable to surrounding areas.
- (L) FREIGHT LOADING AREA – When any use within this Zoning District requires the pickup or delivery of merchandise or supplies, an adequate loading area for such activity shall be provided on the lot occupied by the use. No such loading area shall be located on any public street or alley. Such loading area, as provided shall be adequate in size to accommodate tractor-trailer (semi) units with adequate room to permit entry to such loading area without interfering with traffic on adjacent streets or highways.

SECTION 605 – SEPARATION OF USES

Non-residential or business buildings shall not be located nor constructed within one hundred (100) feet of property within the AR-1 Zoning District.

ARTICLE 7 – NON-CONFORMING USES

SECTION 701 – STATUTE OF LIMITATIONS

Non-conforming use of buildings and land not affected by zoning. The lawful use of any dwelling, building, or structure and of any land or premises, as existing and lawful at the time enactment of a zoning Resolution or amendment, but if any such non-conforming use is voluntarily discontinued for two (2) years or more, any future use of said land shall be in conformity with Sections 519.02 to 519.25 inclusive, of the Ohio Revised Code. The Board of Township Trustees shall provide in any zoning Resolution for the completion, restoration, reconstruction, extension, or substitution of non-conforming uses upon such reasonable terms as are set forth in the zoning Resolution. (Ohio Revised Code 519.19)

SECTION 702 – STRUCTURES UNDER CONSTRUCTION

Any building arranged, intended or designed for non-conforming use, the construction of which has been started at the time of the passage of this Resolution, but not completed, may be completed and put to such non-conforming use, providing it is done within six (6) months after this Resolution takes effect.

SECTION 703 – INVOLUNTARY DESTRUCTION

Any building or structure, existing as non-conforming use at the time this Resolution takes effect, which is destroyed by fire or the elements, may be reconstructed and restored providing the same is done within one (1) year from the date of said destruction.

SECTION 704 – LIMITS OF IMPROVEMENTS

Any building or structure, existing as non-conforming use at the time this Resolution takes effect may not be altered or enlarged so as to extend said non-conforming use.

SECTION 705 – CHANGE OF USE

Whenever a non-conforming use has been changed to more restricted use or to a conforming use, such use shall not thereafter be changed to less restricted or non-conforming use.

ARTICLE 8 – OUTDOOR ADVERTISING & SIGN STANDARDS

SECTION 801 – INTENT & PURPOSE

The intent of this Article is to provide a system of sign regulations for South Bloomfield Township that recognizes the necessity and desirability of communication by outdoor signs while promoting planned graphic signage systems that eliminate visual clutter and confusion within the physical environment. The purpose is to protect property values and the safety and general welfare of the public within South Bloomfield Township by encouraging compatibility between the design and functional nature of the sign and its location within the physical environment, thus reducing the propensity for traffic accidents and personal hazards caused by distractions, sight obstructions, and unsafe structures.

SECTION 802 – GENERAL PROVISIONS & SAFETY REQUIREMENTS

- (A) **REQUIRED ADDRESS SIGN** – Prior to occupancy, each building within South Bloomfield Township shall be identified with street address numbers in numeral form.
- (B) **RESIDENTIAL SIGNS** – Single-family homes shall be identified with reflective address numbers, not less than three (3) inches in height, posted on both sides of the mailbox for that building. Address numbers may also be posted on the principal residential structure. For residences located on a Common Access Drive, address numbers shall be located at the split of the drive and also at the street.
- (C) **COMMERCIAL SIGNS** – Commercial buildings shall be identified with street numbers not less than six (6) inches in height, which shall be posted on the structure no more than three (3) feet from the main entrance. Large buildings containing multiple units shall place the address on the fronts of the building facing the street to show unit numbers contained within that building. These addresses will also be located on the mailboxes.
- (D) **GENERAL REQUIREMENTS** – All signs erected or located within South Bloomfield Township shall be in conformance with the following requirements:
- (1) Signs shall not be erected within nor project into any public Right-of-Way unless otherwise specified.
 - (2) Signs shall not prevent free ingress to or free egress from any door, window, or fire escape.
 - (3) Signs shall not obstruct free and clear visibility at any intersection.
 - (4) Signs shall not be located or designed so as to interfere with, obstruct the view of, or be confused with any authorized traffic control sign, signal, or device.
 - (5) Signs shall not make use of rotating, fluctuating, blinking, flashing, or intermittent lights.
 - (6) Signs shall not be posted, attached, or otherwise applied to trees, bus shelters, utility poles, benches, trash receptacles, newspaper vending machines or boxes, or any other unapproved supporting structure.
 - (7) Signs shall not be erected or located upon any property or building without the consent of the owner(s) or an authorized representative.

- (8) All lighting, indirect or internal, shall consist of constant illumination which is uniform in intensity. All lighting shall be properly directed so as to not create a nuisance to surrounding properties because of glare.
- (9) All freestanding signs shall be set back a minimum of ten (10) feet from the edge of the contiguous street Right-of-Way.
- (10) No part of any freestanding sign shall exceed an above grade height of eight (8) feet.
- (11) Wall signs shall not extend above the junction of any roof and wall.
- (12) Signs shall not make use of the words "STOP," "LOOK," "DANGER," or other similar words that may mislead or confuse traffic.
- (13) The date each temporary sign is first displayed and the time period for which the temporary sign will be displayed shall be legibly marked on the sign.
- (14) All temporary signs shall be located at the site or location of the event being promoted.
- (15) There shall be not more than three (3) types nor more than four (4) sizes of lettering used for any sign including characters or trademarks used for identification.

SECTION 803 – SIGNS PERMITTED BUT NOT REQUIRING A PERMIT

The following signs shall be permitted in South Bloomfield Township. No Zoning Permit shall be required for any of the following types of signs constructed or erected under the terms of this Resolution:

- (A) AGRICULTURAL PRODUCT SIGNS (NOT EXEMPT BY SECTION 201(A) – Signs identifying the sale of agricultural products such as vegetables, eggs, straw, hay, and seeds grown or produced upon the premises may be temporarily erected upon any lot during the season in which they are available. The maximum sign area permitted for an agricultural product shall be six (6) square feet per side. All signs shall be set back from the edge of the contiguous street Right-of-Way a minimum of ten (10) feet.
- (B) COMMUNITY EVENT SIGNS – Community events and programs which last for a time period of fourteen (14) days or less and which are sponsored by nonprofit, public, educational, religious and charitable organizations may display four (4) signs during the event for a time period of fourteen (14) days immediately preceding the commencement of the event. One (1) sign may be located at the site of the event provided it does not exceed twenty-four (24) square feet in size. All off-site signs shall not exceed eighteen (18) square feet in size. Each sign shall be placed at a different site and shall be removed not later than forty-eight (48) hours after the scheduled activity. If the program or event is for a continuing period of time in excess of fourteen (14) days, only one (1) sign, not larger than ten (10) square feet is permitted and such sign must be located either at the site of the event or program or at the location of the sponsoring organization.
- (C) TEMPORARY REAL ESTATE SIGNS – Signs identifying a property for sale, for rent, or lease may be placed on-site until ten (10) days after the property has been closed, sold, rented, or leased. Real estate signs shall not exceed six (6) square feet in area per side. Such signs shall not be illuminated and shall be set back at least twelve (12) feet from all property lines when not attached flat against a building.

- (D) **POLITICAL SIGNS OR POSTERS** – Such signs involving any candidate for public elective office or any issues and similar matters to be decided by public election may be erected for a period not to exceed thirty (30) days before or three (3) days after an election. Political signs shall be permitted as freestanding signs in all Zoning Districts, and shall not be attached to any structures including telephone poles, light poles and fences or located in any manner destructive to public property. The maximum sign area shall be six (6) square feet per side within the AR-1 District and twenty (20) square feet per side upon private property in any other District. Political signs shall not be located in the contiguous public street Right-of-Way.
- (E) **SPECIAL BUSINESS PROMOTIONS** – Signs not greater than four (4) square feet in size which promote special business sales, promotions, or occasions may be displayed for not more than ninety (90) days per calendar year or for more than thirty (30) continuous days. The date each sign is first displayed and the time period for which the sign will be displayed shall be legibly marked on the sign.
- (F) **YARD OR MOVING SALES** – A sign advertising the sale of personal property at a garage, yard, porch or moving sale may be temporarily erected on the same lot as the sale.
- (G) **EXEMPT SIGNS** – The following signs shall be permitted in South Bloomfield Township. No Zoning Permit shall be required for any of the following types of signs constructed or erected under the terms of this Resolution:
- (1) Governmental signs for control of traffic and other regulatory purposes, street signs, warning signs, railroad crossing signs, and signs of public service companies for the purpose of safety provided that such signs contain no supplementary advertising;
 - (2) Flags, emblems and insignia of any governmental agency or political subdivision;
 - (3) Historical signs, commemorative plaques, or corner-stones placed by recognized historical agencies, provided that such signs are less than nine (9) square feet in area and not illuminated;
 - (4) Address and name of occupant of premises for a residential structure, not to include designations as to employment or home occupation, and to be limited in size to two (2) square feet; and
 - (5) Directional or other incidental signs pertaining to vehicular or pedestrian control on private property provided the said signs are located outside the Right-of-Way of any public street or road, do not exceed two (2) square feet of area per side and do not interfere or obstruct visibility when entering or leaving said property.
 - (6) Temporary signs

SECTION 804 – SIGNS PERMITTED REQUIRING A PERMIT

The erection or location of any sign within South Bloomfield Township shall require a permit unless otherwise specified within this Resolution. Each application for a permit to erect a temporary or permanent sign shall be accompanied by a drawing showing the design proposed, the size, style, and color of letters, lines and symbols, and method of illumination. In addition, the details and specifications for construction shall be described including the exact location of the sign in relation to the building and property.

- (A) **PERMANENT IDENTIFICATION SIGNS FOR NON-RESIDENTIAL USES** – Identification signs shall display only the same address and/or use of the premises upon which the sign is located or to which

it is affixed. Identification signs shall not contain any advertising of products or changeable copy, nor shall they be portable signs on wheels. Planned Developments and Community Business Districts -

(1) Each principal commercial business, office, warehouse, or industrial structure shall be entitled to one (1) identification sign, freestanding, wall or window. Each separate commercial business, office, warehouse, or industrial use within the principal structure shall be entitled to one (1) identification sign, either a wall or a window sign.

(a) The following types of permanent identification signs are permitted:

(i) Wall;

(ii) Freestanding; and

(iii) Window.

(2) The maximum sign area per visible side for a wall identification sign shall be one (1) square foot per linear foot of lot frontage up to a maximum of one hundred (100) square feet per visible side.

(3) The maximum sign area for a freestanding identification sign shall be twenty-five (25) square feet per side with the total sign area limited to fifty (50) square feet per sign.

(4) Window identification signs shall be limited to one (1) sign per window. Such signs may occupy up to twenty-five (25) percent of the total area of the window but in no case shall such sign exceed ten (10) square feet in area.

(B) PERMANENT IDENTIFICATION SIGNS FOR RESIDENTIAL SUBDIVISIONS – Recorded residential subdivisions may be permitted freestanding identification signs as a conditional use subject to the following:

(1) Such signs shall be limited to one (1) to two (2) entrances along major thoroughfares and shall not obstruct the visibility at any intersection;

(2) Such signs shall contain only the name of the subdivision that they identify, shall not exceed six (6) feet in height, and shall be landscaped;

(3) The applicant shall submit a plan for the perpetual maintenance of such signs, identifying the responsibilities of the applicant, the public, the landowner, or other parties. Such plan shall be subject to approval by the Board of Zoning Appeals;

(4) The Board of Zoning Appeals may limit the size of such signs so as to ensure the scale of such signs is compatible with the residential character of the area. The maximum size of such a sign shall not exceed twenty (20) square feet per side;

(C) NON-RESIDENTIAL USES WITHIN RESIDENTIAL DISTRICTS – Identification signs shall be attached to the structure that houses the use or uses identified on the sign. Such signs shall be non-illuminated and shall not exceed two (2) square feet in area. No freestanding identification sign shall be used for a nonresidential use within any residential Zoning District except as provided herein.

(D) ADVERTISING SIGNS – Advertising signs direct attention to a use, commodity, or service. Such signs may be located on or off the premises where services are sold.

- (1) An advertising sign located on the premises where services are sold must conform to the following requirements:
 - (a) Such a sign must be either a wall or window advertising sign;
 - (b) One advertising sign shall be permitted for each principal structure; and
 - (c) The sign shall not exceed ten (10) square feet in area.
- (2) An advertising sign located off of the premise where such services are sold must conform to the following requirements:
 - (a) Such a sign must be a freestanding sign;
 - (b) Not more than one (1) advertising sign shall be permitted per Lot;
 - (c) The sign shall not exceed forty-eight (48) square feet in area; and
 - (d) Any existing sign larger than forty-eight (48) square feet in area that has been erected prior to the enacting of this code amendment shall be permitted to remain as a nonconforming use.

(E) BULLETIN BOARDS – Bulletin Boards with changeable copy shall be permitted for the following uses provided such signs shall meet the other requirements of this Article and not exceed thirty-two (32) square feet per side with total sign area limited to sixty-four (64) square feet per sign:

- (1) Churches;
- (2) Public parks, playgrounds and community centers;
- (3) Publicly owned and operated buildings and facilities;
- (4) Schools and colleges for academic instruction; and
- (5) Golf courses, Clubs, and other recreational facilities.

(F) TEMPORARY SIGNS REQUIRING A PERMIT

- (1) Construction signs - Signs identifying a construction project may be temporarily erected upon the same Lot as the project. Such signs shall be permitted only for the length of the construction project or for one (1) year, whichever is shorter. Any extension past the one (1) year time shall be subject to approval by the Board of Zoning Appeals. Construction signs shall contain only the name of the construction project, the construction firm(s), the engineer, the architect, and/or the subcontractors involved in the project. Only one (1) construction sign shall be permitted per project. Maximum sign area permitted shall be three (3) square feet for each dwelling unit for residential structures up to a maximum of twenty (20) square feet per side for all principal structures. All signs shall be set back from the edge of the contiguous street Right-of-Way a minimum of fifteen (15) feet.
- (2) Special Event Signs – Information signs advertising a grand opening, a seasonal event, a special sale, or any other similar special event may be temporarily located upon the premises on which the event is to take place for a period not to exceed seven (7) days within any thirteen (13) week

period. The maximum sign area permitted for special event signs shall not exceed a display area of one hundred (100) square feet. All signs shall be set back from the edge of the contiguous street Right-of-Way a minimum of ten (10) feet.

- (3) Real Estate Signs – On parcels exceeding fifteen (15) acres, one (1) sign not to exceed twenty (20) square feet per side is allowed. Where a parcel has frontage on two (2) or more roads, one (1) sign may be permitted on each road on review of the Zoning Inspector. Such signs shall not be illuminated and shall be set back at least twelve (12) feet from all property lines when not attached flat against a building.
- (4) Subdivision Sale Signs – Signs providing information on the sale of Lots within an approved and recorded subdivision may be placed upon the property until such time as ninety (90) percent of the Lots within the subdivision are sold. Subdivision sale signs shall contain only the name of the subdivision, the name of the owner, the name of the developer, and information regarding the price, terms, and the location and phone number of the sales office. All such signs shall be set back a minimum of ten (10) feet or the total number of square feet of sign area, whichever is greater. The maximum sign area shall be twenty (20) square feet per side.
- (5) Model Home Signs – Signs identifying a properly permitted model home unit where a sales office is operating and information on the sale of lots is provided may be placed upon the property until such time as the model home is sold and reconverted for use as a residential structure. Model home signs shall contain only the name of the subdivision and model home or information center general identification, information regarding the hours of operation and other pertinent contact information, including the phone number of the sales office. All such signs shall be set back a minimum of ten (10) feet or the total number of square feet of sign area, whichever is greater. The maximum sign area shall be twenty (20) square feet per side.

SECTION 805 – NONCONFORMING SIGNS

- (A) EXEMPTION – The continuance of an existing sign that does not meet the regulations and requirements of this Resolution shall be deemed a nonconforming sign that shall terminate upon abandonment.
- (B) ABANDONED SIGNS – A sign shall be considered abandoned:
 - (1) When the sign is associated with an abandoned use;
 - (2) When the sign remains after the termination of a business. A business has ceased operations if it is closed to the public for at least two (2) years;
 - (3) When the sign together with all supports, braces, guys and anchors is not kept in a proper state of preservation or repair; or
 - (4) When the sign and the immediately surrounding premises is not maintained by the owner or person in charge thereof in a clean, sanitary and inoffensive condition free and clear of all obnoxious substances, rubbish and weeds.
- (C) MODIFICATIONS – A nonconforming sign shall not be structurally relocated or replaced unless it is brought into compliance with the provisions of this section
- (D) MAINTENANCE – A nonconforming sign shall be maintained or repaired in accordance with the following provisions:

- (1) The size and structural shape shall not be changed or altered. The copy may be changed provided that the change applies to the original nonconforming use associated with the sign and that the change is made by the owner of the sign at the time the sign becomes nonconforming; the copy area shall not be enlarged. Any subsequent owner or user shall bring the sign into compliance within thirty (30) days.
- (2) In case damage occurs to the sign to the extent of fifty (50) percent or more of either the structure or the replacement value of the sign, the sign shall be brought into compliance. Where damage to the sign is less than fifty (50) percent of the structure or its replacement value, the sign may be repaired within sixty (60) days. If not repaired, it must be removed.

SECTION 806 – PROHIBITED SIGNS

- (A) Streamers, spinners, banners, strings of lights, and other similar devices are prohibited.
- (B) Changeable copy shall be prohibited on any sign except as permitted on bulletin boards.
- (C) Portable signs that can be moved from one (1) location to another without any change in its structural components or members, including trailer signs are prohibited.
- (D) Message centers, flashing signs, moving signs, and the animation of signs are prohibited.
- (E) Outdoor advertising displays and/or billboards are prohibited except for those advertising devices regulated by Section 519.20 of the Ohio Revised Code.
- (F) Signs mounted upon the roof of any building or structure are prohibited.
- (G) The use of building walls for display of advertising is prohibited.
- (H) “A” frame signs are prohibited.
- (I) Air activated attraction devices are prohibited.
- (J) Signs or advertising erected and maintained on trees or painted or drawn upon rocks or other natural features are prohibited.
- (K) Signs painted directly upon the roof of any building or structure are prohibited.
- (L) Projecting signs are prohibited.

SECTION 807 – REMOVAL OF SIGNS

All signs erected within South Bloomfield Township under this Zoning Resolution are subject to inspection, whether a permit is required or not prior to erection.

The Zoning Inspector or designee shall cause to be removed: any sign that endangers the public safety by reason of its location and placement; an abandoned sign that no longer applies to the property on which it is situated; a dangerous or materially, electrically or structurally defective sign; or a sign for which no required permit has been issued; or a sign installed or placed in violation of this Resolution.

ARTICLE 9 – SUPPLEMENTAL REGULATIONS

The following are general standards that shall apply to all properties in the Township.

SECTION 901 – ARCHITECTURAL PROJECTIONS

Open structures such as porches, decks, canopies, balconies, platforms, carports and covered patios, and similar architectural projects shall be considered parts of the building to which attached and shall not project into the required setbacks for front, side or rear yard.

SECTION 904 – CEMETERIES & CREMATORIES

The following standards shall apply to the development and construction of cemeteries and crematories:

- (A) ACCESS – The site proposed for a Cemetery shall not interfere with the development of a system of collector and larger streets in the vicinity of such site. In addition, such site shall have direct access to a road which the Township Board of Zoning Appeals determines is adequate to serve the size of facility proposed.
- (B) LOT AREA – Any new Cemetery shall be located on a site containing not less than twenty (20) acres.
- (C) SETBACKS – Internment shall not be within three hundred (300) feet of a dwelling, unless the owner of such dwelling gives his consent, or unless the entire tract appropriated is a necessary addition to or enlargement of a Cemetery already in use, as further provided in Ohio Revised Code, Section 1721.03. A mausoleum shall not be within three hundred (300) feet of any property line. A crematory or other structure shall not be within one thousand (1,000) feet of any property line.
- (D) PLAT – Every Cemetery company or association shall cause a plat of its grounds and of the lots laid out by it to be made and recorded or filed in the offices of the Morrow County Recorder in accordance with Ohio Revised Code, Section 1721.09.
- (E) MAINTENANCE – All required yards shall be landscaped and maintained in good order. A plan for perpetual care of the grounds shall be required.

SECTION 905 – CHURCHES

The following standards shall apply to the development and construction of churches and their accessory uses within South Bloomfield Township:

- (A) LOT AREA – The minimum lot area shall be five (5) acres and the minimum lot width shall be three hundred (300) feet. The lot area shall also be adequate to accommodate the required off-street parking space requirements of the church in accordance with Article 9. In no event shall parking be permitted on adjacent roads or within the road Right-of-Way.
- (B) SETBACKS – The church building shall be set back from any adjacent residential property line a distance equal to or greater than the height of the structure exclusive of the steeple or spire or the setbacks prescribed herein, whichever is larger. Or minimum setbacks and side and rear yard requirements will be the following (whichever is greater):
 - (1) Minimum Front Yard Parking Setback = seventy-five (75) feet
 - (2) Minimum Side Parking & Drive Setback = twenty-five (25) feet

(3) Minimum Rear Parking & Drive Setback = seventy-five (75) feet

(4) Minimum Building Setback = one hundred (100) feet

(C) ACCESS – The church lot shall be directly accessible to a major arterial road.

(D) RESIDENTIAL USE – Accessory living quarters may be provided on the church lot as a conditional use subject to location, density, and additional lot area requirements approved by the Township Board of Zoning Appeals, except in the S-1 Zoning District where such facilities are permitted without conditional use approval.

(E) RECREATION – Accessory recreational uses may be provided on the church lot as a conditional use subject to approval by the Board of Zoning Appeals, except in the S-1 Zoning District where such facilities are permitted without conditional use approval.

(F) SCHOOLS – Accessory private school buildings associated with a church may be located on a church lot subject to a conditional use approval being granted by the Township Board of Zoning Appeals, except in the S-1 Zoning District where such schools are permitted without conditional use approval, provided that said institution occupies not less than twenty (20) acres and adequate parking areas for faculty, staff, and students in accordance with this Article. A site plan shall be prepared and submitted for consideration and shall provide screening adjacent to residential areas.

SECTION 920 – GENERAL STANDARDS

No use shall be conducted which fails to maintain the following standards:

(A) AIR POLLUTION – No emission of air pollutants shall be permitted which violate the Clean Air Act Amendments of 1977 or later amendments as enforced by the Ohio Environmental Protection Agency.

(B) GLARE, HEAT & EXTERIOR LIGHT – Any operation producing intense light or heat, such as high temperature processing, combustion, welding, or other, shall be performed within an enclosed building and not be visible beyond any lot line bounding the property where on the use is conducted.

(C) DUST OR EROSION – Dust or silt shall be minimized through landscaping or paving in such a manner as to prevent their transfer by wind or water to points off the lot in objectionable quantities. Applicants shall meet the required standards of the Morrow County Engineer.

(D) FIRE AND EXPLOSION HAZARDS – All activities, including storage involving flammable, explosive or hazardous materials shall include the provisions of adequate safety devices against the hazard of spill, fire and/or explosion. All standards enforced by the Occupational Safety and Health Administration shall be adhered to. Burning of waste materials in open fire is prohibited, as enforced by the Ohio Environmental Protection Agency.

(E) LIQUID OR SOLID WASTES – No discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply or interfere with bacterial processes in sewage treatment, shall be permitted. The standards of the Ohio Environmental Protection Agency shall apply.

(F) ODORS – No use shall be operated so as to produce the continuous, frequent, or repetitive emission of odors or odor-causing substances in such concentrations as to be readily perceptible at any point at or beyond the lot line of the property on which the use is located. The applicable standards of the Environmental Protection Agency shall be adhered to.

(G) VIBRATIONS – No uses shall be located and no equipment shall be installed in such a way as to produce intense earth shaking vibrations which are discernible without instruments at or beyond the property line of the subject premises.

(H) BUSINESS HOURS – Any business activities potentially visible to neighboring property owners, must be limited to between the hours of 7:00 a.m. to 7:00 p.m. including home occupations. Home occupation business activities shall be further limited from noon until 7:00 p.m. on Sundays.

SECTION 925 – HEIGHT RESTRICTION EXEMPTIONS

The height limitations contained in the official Schedule of District Regulations, do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, wind turbines or other appurtenances usually required to be placed above the roof level and not intended for human occupancy, EXCEPT that they may not be constructed to a height greater than the distance from the center of the base thereof to the nearest property line of said lot.

SECTION 930 – HOME OCCUPATIONS

(A) LIMITED HOME OCCUPATION (PERMITTED) – A home occupation is permitted in Zoning Districts, as specified, if they meet all of the following conditions, without exception:

- (1) The owner of the premises must reside in the dwelling unit used for the home occupation;
- (2) No person or persons, other than the owners of the premises shall operate a home occupation;
- (3) Not more than one (1) on-site worker in addition to the owner shall be employed in a home occupation;
- (4) All home occupations shall be conducted entirely within the dwelling unit, and the use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants;
- (5) Not more than twenty (25) percent or five hundred (500) square feet of the gross Floor Area, whichever is less, of any dwelling unit shall be used for a home occupation;
- (6) Home occupations shall not be permitted in any accessory building within any Zoning District, though accessory buildings may be used for the parking of vehicles affiliated with the home occupation;
- (7) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one (1) sign, not exceeding two (2) square feet in area, non-illuminated, and mounted flat against the wall of the building in which the home occupation is located;
- (8) There shall be no goods or services sold directly to customers on the premises;
- (9) Traffic generated by the home occupation shall in no case be in a greater volume than would normally be expected in a residential neighborhood;
- (10) Outdoor storage of vehicles, equipment, supplies, or other materials associated with such home occupation shall be limited to not more than one (1) commercial vehicle not being stored entirely within a building and not visible from the road or any another surrounding property;

(11) Equipment or processes shall not be used in such home occupations which create noise, vibrations, illumination, fumes, odors, or electrical interference detectable off the lot. No equipment or process shall be used which creates visual, audible or electrical interference in any radio or television receiver or computer terminal off the premises, or causes fluctuations in voltage off the premises; and

(12) There shall be no increased burden placed upon existing public services provided to the residence as a result of a home occupation.

(13) The property occupying the home occupation must be compliant with current zoning standards and shall not include violations and/or non-conformities; and

(14) No activity shall be conducted or permitted which creates a nuisance to neighboring properties.

(B) EXPANDED HOME OCCUPATION (CONDITIONAL USE) – A person may apply for a Conditional Use Permit for a home occupation in the AR-1 Zoning District that does not comply with the requirement of Section 930(A). The criteria for the issuance and maintenance of such a permit for a home occupation are as follows:

(1) The owner of the premises must reside in the dwelling unit used for the home occupation;

(2) There shall be no more than two (2) non-residential on-site employees or volunteers to be engaged in the proposed use, in addition to the owners;

(3) Retail sales may be permitted within an accessory building on-site if they are incidental and relative to the home occupation;

(4) No outdoor storage of vehicles, equipment, supplies, or other materials associated with such home occupation without being stored entirely within a building and not visible from the road or any another surrounding property;

(5) Not more than thirty-five (35) percent of the gross floor area of any residence and/or architecturally compatible accessory buildings shall be devoted to the proposed home occupation;

(6) The external appearance of the structure in which the use is to be conducted shall not be altered and not more than one (1) sign no larger than two (2) square feet which shall be either mounted flush to the wall of the structure, no higher than six (6) feet, or otherwise appropriately placed on the property, no higher than four (4) feet, in accordance with the application;

(7) Minor or moderate alterations in accordance with the Zoning Resolution may be permitted to accommodate the proposed use but there shall be no substantial construction or reconstruction;

(8) Equipment or processes shall not be used in such home occupations which create noise, vibrations, illumination, fumes, odors, or electrical interference detectable off the lot. No equipment or process shall be used which creates visual, audible or electrical interference in any radio or television receiver or computer terminal off the premises, or causes fluctuations in voltage off the premises;

- (9) No more than four (4) additional parking places may be proposed in conjunction with the home occupation, which must meet parking standards and shall not be located in a required front yard. Outside of business hours, no more than two (2) commercial vehicles shall be permitted to be stored outdoors, others shall be enclosed within a building or moved off-site;
- (10)Waste materials, solid or liquid, shall not be created on the premises at a level greater than normal to the residential use;
- (11)A stopping distance exhibit must be prepared for all driveways used for the home occupation demonstrating compliance with current ODOT standards;
- (12)The property occupying the home occupation must be compliant with current zoning standards and shall not include violations and/or non-conformities; and
- (13)No activity shall be conducted or permitted which creates a nuisance to neighboring properties.

SECTION 932 – INSECURE & UNSAFE STRUCTURES

Any building or structure declared unfit for human habitation in any Zoning District by the Morrow County Board of Health or any building or structure in the Township declared insecure, unsafe, or structurally defective by the Fire Department, the State Building Department or other authority responsible under Chapter 3781 of the Ohio Revised Code for the enforcement of building regulations shall be removed or repaired to a safe and structurally sound condition. The enforcement shall be accomplished through the procedures outlined in Section 505.86 of the Ohio Revised Code.

SECTION 935 – JUNK

No trash, debris, litter, rubbish, unused property, discarded materials, junk vehicles, vehicle parts, rags, lumber, building materials, equipment and/or parts thereof, or any other garbage, refuse or junk shall be permitted to accumulate on any lot or portion thereof which creates an eyesore, hazard, or nuisance to the Township or general public.

SECTION 940 – KINDERGARTENS

Kindergarten, also known as Child Day Care Type A, facilities may be conditionally permitted in any District provided the following conditions are met:

- (A) COMPATIBLE – The building occupied by the kindergarten is compatible with neighborhood structures in dimension, size, and architecture.
- (B) PLAY AREA – There shall be an outdoor play area of eighty-five (85) square feet or more per child. Such play area shall be enclosed with a chain link fence or its equivalent in strength and protective character to a height of five (5) feet to control accessibility of children to adjoining hazardous conditions such as streets, ponds, etc., or adjacent yards.
- (C) DROP-OFF AREA & PARKING – A drop-off area is provided so that children do not have to walk through the parking lot to enter the facility. Parking spaces are provided as specified in Article 9.

SECTION 950 – NATURAL RESOURCES

The mining of sand, gravel, or clay, mineral ore deposits, and the drilling for oil or gas shall be permitted in zoned area provided:

- (A) **RESIDENTIAL SETBACKS** – Such operations are at least eight hundred (800) feet from an established residential development. Such operations are at least eight hundred (800) feet from an established single isolated residence, provided such residence is not on the land where the operation is performed.
- (B) **PERMIT** – Application for such operations shall be made to the Zoning Inspector who shall issue a certificate for same on receipt any applicable fee adopted by the Board of Township Trustees. Certificate shall be valid for one (1) year and renewable annually on receipt of any applicable fee adopted by the Board of Township Trustees.
- (C) **TERMINATION** – Upon termination of operations, 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 termination date.

SECTION 955 – PARKING STANDARDS

The purpose of this section is to promote traffic safety by minimizing conflicts between pedestrians, vehicle movement and parking. Furthermore, it is intended to provide for adequate parking facilities in all land uses, to reduce environmental nuisance from dust, and to prevent nuisance and conflicts between uses that abut parking and loading facilities. Nothing in this section shall be deemed to prohibit the parking of agricultural vehicles which are being used in conjunction with the agricultural use of the property where the agricultural vehicle is parked.

- (A) **RESIDENTIAL PARKING STANDARDS** – Off-street parking shall be required on any lot with a dwelling unit. Off-street parking in this section is meant to include driveways and other areas used or designated as parking spaces. No building or structure shall be erected, substantially altered, or its use changed in any Zoning District except for agricultural uses without providing off street parking and or loading spaces. A valid driveway permit may be required for the installation of any driveway or off-street parking and / or loading area.

The following materials are approved for use in the construction of any residential driveway or off-street parking area.

- 8" crushed aggregate base, or
- 2" asphalt concrete over a 6" crushed aggregate base, or
- 6" concrete (reinforcing recommended)

- (B) **NON-RESIDENTIAL PARKING STANDARDS** – All parking and loading areas must be constructed of concrete or asphalt. If any additions or alterations are made to an existing building or property that require additional parking, any and all existing parking and loading spaces must also be renovated to comply with this Article. All parking and/or loading areas shall be maintained in good condition.
- (C) **PARKING & STORAGE OF INOPERABLE MOTOR VEHICLES** – No person shall park or keep an inoperable motor vehicle in any Zoning District. As used in this section "park or keep an inoperable motor vehicle" shall mean the storing, maintaining, collecting, depositing, reserving, allowing to stand, or permitting to remain, one (1) or more inoperable motor vehicles at any place other than in an enclosed garage. For purposes of this section, a motor vehicle shall be deemed inoperable when any of the following conditions exist:
 - (1) One (1) or more wheels are missing;
 - (2) One (1) or more tires are missing;
 - (3) Two (2) or more tires are flat;

- (4) One (1) or more windows are missing or broken;
- (5) The windshield is shattered or missing;
- (6) Parts necessary for the operation of the vehicle are missing; or
- (7) A license with a distinctive number and valid for the current year is not displayed thereon.

(D) PARKING & STORAGE OF COMMERCIAL MOTOR VEHICLES & TRAILERS – On any property which is less than five (5) acres in size, the property owner may park only one (1) commercial vehicle. On any property, the property owner must park commercial vehicle(s) behind the front building line. The parking and storage of a commercial motor vehicle and/or trailer shall be prohibited forward of the front building line.

(E) PARKING HAZARDOUS MATERIALS – The parking and/or storage, in any District, of a vehicle that is placarded for the transport or storage hazardous material is strictly prohibited.

(F) LANDSCAPING & CONSTRUCTION EQUIPMENT – The parking and storage of landscaping and construction equipment (including but not limited to lawn mowers / earth moving and grading equipment, etc.) must be stored inside a structure that is enclosed on at least three (3) sides so as not to be visible from the roadway or have proper landscaping and buffering between property lines cannot park forward of the front building line unless there is active work or construction on the property.

(G) LOCATION OF PARKING – The following regulations shall govern the location of off-street parking spaces and areas:

- (1) Parking spaces for all detached residential uses shall be located on the same lot as the use which they are intended to serve;
- (2) Parking spaces for commercial, industrial, or institutional uses shall be located not more than seven hundred (700) feet from the principal use.
- (3) Parking spaces for apartments, dormitories, or similar residential uses shall be located not more than three hundred (300) feet from the principal use.

(H) MINIMUM DISTANCE & SETBACKS – No part of any parking area for more than five (5) vehicles shall be closer than twenty (20) feet to any dwelling unit, school, hospital, or other institution for human care located on an abutting or adjoining lot, unless separated by a solid wood privacy fence or other approved constructed screen of between four (4) and six (6) feet in height. If on the same lot with a single family residence and consisting of a lot area of less than one and one-half (1 ½) acre, the parking area shall not be located within the front yard required for such building. In no case shall any part of a parking area be closer than four (4) feet to any established street or alley Right-of-Way.

(I) REQUIREMENT FOR THE INSTALLATION OF WHEEL BLOCKS – Whenever a parking area extends to a property line, wheel blocks or other suitable devices shall be installed to prevent any part of a parked vehicle from extending beyond the property line.

(J) ACCESS – The frequency of access points along thoroughfares in South Bloomfield Township is to be minimized to reduce vehicle and pedestrian conflict and improve traffic flow. Access drives (driveways) leading to and from a street shall be developed according to the standards required by the Township and/or County Subdivision Regulations:

- (1) Side Lot Lines - An access drive, exclusive of curb returns, shall be located no less than ten (10)

feet from the side lot line, except that an access drive for a residential use may be within three (3) feet of a side lot line. Access drives for any uses utilizing a common drive may be adjacent to and intersecting with a side lot line.

- (2) Quantity Permitted - The number of access drives shall be kept to a minimum to promote safe and reasonable access, improve the convenience and ease of movement of travelers, and permit reasonable speeds and economy of travel while maintaining roadway capacity.
- (K) SURFACE – The required number of parking and loading spaces, together with driveways, aisles, and other circulation areas, shall be surfaced with stone aggregate, concrete, asphaltic concrete, premixed asphalt pavement, blacktop, or brick so as to provide a durable and dustless surface. Off-street parking area designs shall be reviewed and approved by the Zoning Inspector prior to issuance of a Certificate of Zoning Compliance. All access driveway aprons shall be graded for proper drainage and surfaced with concrete. Access driveway and apron designs shall be reviewed and approved by the Zoning Inspector prior to construction.
- (L) DRAINAGE – All parking and loading areas shall provide for proper drainage of surface water to prevent the drainage of such water onto adjacent properties or walkways.
- (M) MAINTENANCE – The owner of property used for parking and/or loading shall maintain such area in good condition without holes and free of all dust, trash, and other debris.
- (N) LIGHTING – Any parking area which is intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property.
- (O) SHARED PARKING – Where two (2) or more uses are provided on the same lot, including principal and supplementary uses, the total number of spaces required shall be reduced. In order to determine the number of parking spaces required, take the sum of the individual requirements and multiply by seventy-five (75) percent. Two (2) or more non-residential uses may jointly provide and use parking spaces when their hours of operation do not normally overlap, provided that a written agreement approved by the Township Zoning Commission shall be filed with the application before a certificate of occupancy is issued. The calculation of parking spaces shall be to the next highest whole number where a fractional space results. Whenever a building or use is constructed or enlarged in gross floor area, by number of employees, by number of dwelling units, by seating capacity or otherwise after the effective date of this Resolution such as to create a requirement under this chapter for an increase of thirty (30) percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change.
- (P) PARKING SPACE DIMENSIONS – All parking spaces shall be not less than nine (9) feet in width and nineteen (19) feet in length as minimum rectangular dimensions.
- (Q) SCHEDULE OF PARKING SPACES – The minimum number of off-street parking spaces, exclusive of ADA requirements, shall be as set forth in the following schedule. For uses not specifically named herein, the requirement shall be the same as required for a listed use similar in nature, as determined by the Zoning Inspector.

USE	REQUIRED PARKING SPACES
Automobile service station	1 for each 3 pumps plus 1 for each service bay
Automobile repairs	1 for each 300 sq. ft. of gross floor area
Assembly hall, club room, place of amusement or similar place of assembly without fixed seating	1 for each 250 sq. ft. of gross floor area used by the public (Changed from 1,000)
Banks, savings and loans, business and administrative offices	1 for each 400 sq. ft. of gross floor area
Bed and breakfast inns	1 for each guest room
Bowling alleys, tennis courts or similar place of intensive public activity	1 for each alley, court or similar activity area

USE	REQUIRED PARKING SPACES
Business, technical and trade school, college and university	1 for each 3 students
Business and Professional Offices not elsewhere specified	1 for each 200 sq. ft. of office space
Dance halls and assembly halls without fixed seats, exhibition halls except church assembly rooms in conjunction with auditorium	1 for each 250 sq. ft. of gross floor area used for assembly or dancing
Day care centers, children's nurseries and pre-schools	2 for each classroom but not less than 5 per center
Drive-up window service or fast-food restaurants, with seating,	1 for each 150 sq. ft. of gross floor space
Drive-up window service or fast-food restaurants, without seating	1 for each 250 sq. ft. of gross floor area
Driving range	1 for each 2 playing locations
Dwellings, Other than multi-family	2 for each dwelling unit
Dwellings, Multi-Family	2 for each dwelling unit
Eating and drinking establishments with no drive-up window service	1 for each 100 sq. ft. of gross floor space
Electronic products store – retail	1 for each 500 sq. ft. of gross floor space
Funeral homes, mortuaries	1 for each 150 sq. ft. of floor area in slumber rooms, parlors, or service rooms
Furniture and appliance stores, household equipment or furniture repair shop	1 for each 400 sq. ft. of gross floor area
Golf course	2 for each hole plus 1 space for each 2 employees on combined work shifts
Health care maintenance and emergency services	1.5 for each treatment room plus one for every employee on the largest shift
Hospitals	.5 for each bed
Indoor swimming pool or natatorium	1 for each 5-person capacity (1 person/1,000 gallons of pool capacity) plus 1 for each 4 seats or 30 sq. ft. of seating floor area
Indoor sales exclusively of motor vehicles, aircraft, watercraft, lumber, plants and furniture	1 for each 1,000 sq. ft. of sales area
Libraries, museums or art galleries	1 for each 500 sq. ft. of gross floor area
Manufacturing, warehousing, wholesaling, or similar establishments	1 per 1,000 sq. ft. of gross building area
Medical and dental offices and clinics	1 for each 200 sq. ft. of gross floor area
Miniature golf course	2 spaces for each hole plus 1 for each 2 employees on combined work shifts
Motels and hotels (not including restaurant facilities)	1 for each living or sleeping unit plus one space for each two employees
Outdoor display and sales	1 for each 1,000 sq. ft. of display area
Outdoor swimming pool	1 for each 5-person capacity (1 person/500 gallons) plus space for supplementary uses
Personal services such as barber shop or beauty shop	1 space for every chair plus 1 space for each employee (increased from 1)
Personal and Consumer Services not elsewhere specified	1 for each employee plus 1 for each 400 sq ft of office space
Recreational uses not elsewhere specified	1 for each 3 patrons plus 1 space for each 2 employees
Restaurants and bars	1 for each 100 sq. ft. of gross floor area
Retail sales or services not elsewhere specified	3 for first 1,000 sq. ft. plus 1 for each additional 500 sq. ft. of gross floor area
Sanitariums, convalescent homes, children's homes	1 for each 2 beds
Schools, Elementary and Middle	1 for each teacher and staff member, plus 1 for each student up to three (3) percent of the student body
Schools, High	1 for each 3 students
Service-related uses such as printing or plumbing shops	1 for each 2 employees plus 1 for every 2 vehicles used for service or delivery
Shopping centers including supermarkets	3 for each 1,000 sq. ft. of gross floor area
Sports arenas, auditoriums, theaters, assembly halls, churches, or similar place with fixed seating	1 for each 4 seats
Video rental store	1 for each 300 sq ft of gross floor area

SECTION 956 – RESIDENTIAL CARE FACILITIES

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

- (A) LIMIT – With the exception of foster homes no more than two (2) residential care facilities of any type may be permitted in any one (1) census tract.
- (B) FOSTER HOMES – Foster Homes for children or adults who for various reasons cannot reside with their natural family may be permitted within any residential dwelling provided such homes possess a valid, appropriate license.
- (C) FAMILY CARE HOMES – Family care homes may be permitted as a conditional use within an adequately sized unattached residential dwelling within any Zoning District provided that:
 - (1) The home shall possess a valid license from appropriate state and/or local agencies.
 - (2) The home shall be required to meet the District regulations applicable to single-family residences within the District in which such home is located.
 - (3) The home shall provide adequate off street parking for each resident and/or resident supervisor who is permitted to own or operate an automobile.
 - (4) The Zoning Permit shall be limited to the operator to whom it is originally issued and is not transferable to any subsequent operator.
- (D) GROUP CARE HOMES – Group Care Homes may be conditionally permitted within an adequately-sized unattached residential dwelling within designated residential Zoning Districts subject to the following criteria:
 - (1) No Group Care Home may be permitted unless the agency supervising such a facility satisfies the Board of Zoning Appeals that the home complies with all state and/or local licensing requirements.
 - (2) The home shall not be located closer than twenty thousand (20,000) feet to another Family Care Home or Group Care Home. Variances of more than ten (10) percent of this requirement may not be considered.
 - (3) The home shall be reasonably accessible, by reason of location or transportation provided by the operator, to necessary medical, psychiatric, recreational, or other services required by the residents.
 - (4) Every room occupied for sleeping purposes within the home shall contain a minimum of eighty (80) square feet of habitable floor Area for each occupant.
 - (5) The operator or agency applying for a Conditional Use Permit to operate such a facility shall provide the Board of Zoning Appeals with a plan that documents the following:
 - (1) The need for the home in relation to the specific clientele served;
 - (2) A description of program objectives and the nature of other community-based residential social service facilities operated by such operator or agency; and
 - (3) A list of the licensing agencies' standards and the sponsoring agency's standards for the operation of the desired facility.

- (6) The home shall provide adequate off-street parking area for each resident supervisor and/or resident who is permitted to own or operate an automobile.
 - (7) The proposed use of the site as a group care home shall be compatible with the present character of the neighborhood, considering noise, traffic, lights, exterior alterations of the structure, or other potentially offensive characteristics.
 - (8) The Conditional Use Permit shall be limited to the operator to whom it is originally issued and is not transferable to any subsequent operator.
- (E) RECREATION – Suitable space shall be provided for indoor and/or outdoor recreational activities for the clientele served, based upon generally accepted recreational standards or those specified by the licensing authority.
- (F) ALTERATIONS – No exterior alterations of the structure shall be made which depart from the residential character of the building. All new structures proposed shall be of compatible residential design with the surrounding neighborhood, to the degree possible.
- (G) LIGHTING – All exterior lighting shall be downcast and shielded to not glare or shine on to neighboring properties or roadways.
- (H) FINDINGS OF FACT – In its review of each proposed facility, the Board of Zoning Appeals shall make specific findings of fact relative to the following criteria. Specifically, the Board shall determine that the proposed facility:
- (1) Is in fact a Residential Care Facility and, if required, is licensed by the appropriate authority to provide such service within the State of Ohio (and the respective jurisdiction);
 - (2) Is in fact a needed facility in the location proposed, based upon evidence acceptable to the Board of Zoning Appeals;
 - (3) Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or officially planned uses of the general vicinity and that such use will not change the essential character of the same area. In this regard, it does not contribute to a concentration of such facilities in the respective area;
 - (4) Will not be hazardous or disturbing to existing or officially planned future neighboring uses from the standpoint of noise, lights, congestion or traffic generation which would be incompatible with the neighborhood environment;
 - (5) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
 - (6) Will not involve uses, activities and conditions of operation that will be detrimental to any persons, property, or the general welfare;
 - (7) Will have vehicular approaches to the property that shall be so designed as not to create an interference with traffic on surrounding public thoroughfares; and
 - (8) Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

SECTION 957 – SWIMMING POOLS

Swimming Pools are permitted in any District, provided the following provisions are met:

- (A) INTENT – The pool is intended solely for the enjoyment of the occupants and guests of the principal use of the property on which it is located;
- (B) LOCATION – It may not be located closer than ten (10) feet to any property line and may not encroach upon any required front yard, side yard, or any required on-site wastewater leaching areas;
- (C) ACCESS – The swimming pool shall be walled or fenced in order to prevent uncontrolled access by children from any street or adjacent property. Any such fence shall not be less than four (4) feet in height and maintained in good condition with a gate and lock; and
- (D) LIGHTING – Exterior lighting shall be shaded wherever necessary in order to avoid casting direct light upon any other property or any public street.

SECTION 960 – TELECOMMUNICATION TOWERS

The purpose of this section is to regulate telecommunications towers as defined in Ohio Revised Code Section 519.211(B)(1) which are proposed to be located in the area zoned for residential use.

An applicant proposing to construct a telecommunication tower as defined in Ohio Revised Code Section 519.211(B)(1) in an area zoned for residential use shall provide documentation to the Board of Trustees that notice has been provided in accordance with Section 519.211 of the Ohio Revised Code. If a timely notice from any person entitled to object under Ohio Revised Code Section 519.211(B) is made, then the applicant shall be subject to the requirements set forth in this Resolution. Upon receipt of such notice, the proposed telecommunication tower shall be deemed to be classified as a prohibited use in the area zoned for residential use unless permitted under this Article.

Telecommunication towers meeting the following conditions shall be deemed a permitted use in areas zoned for residential use:

- (A) STANDARDS – The applicant proposing to construct the telecommunication tower in an area zoned residential shall provide documentation that notice has been provided in accordance with Ohio Revised Code Section 519.211. If a timely notice from any person entitled to object is made, then the applicant shall comply with the remaining criteria:
 - (1) Applicant shall document the nature and location of all existing approved towers within range of the proposed equipment and certify to the Board of Township Trustees or the Township Board of Zoning Appeals support documentation that one (1) or more of the following conditions exist:
 - (a) Planned equipment would exceed the structural capacity of existing and approved towers;
 - (b) Existing towers do not have space on which a new antenna could function in parity with similar equipment in the area;
 - (c) The fees and/or costs for shared use are unreasonable.
 - (2) New telecommunication towers shall be located on a site of sufficient size so as to contain on-site all ice-fall or debris from tower failure and preserve the privacy of abutting properties, particularly if those properties are single family residences.
 - (3) New telecommunication towers shall be designed to collapse downward and inward in the event of failure instead of over and outward so as ensure safety of adjacent structure and properties.

- (4) The following setback requirements must be met:
- (a) The base of the tower shall be setback from all abutting property not less than fifty (50) percent of the height of the tower and not less than one hundred (100) percent of the height of the tower from any dwelling.
 - (b) Guy wire anchors shall be setback from all abutting property not less than fifty (50) feet.
 - (c) Accessory buildings shall be set back from all abutting property not less than the required setback for the Zoning District in which the tower is located.
- (5) The applicant or its successor shall, within thirty (30) days of ceasing operation at the site of the telecommunication tower, give notice to the Board of Township Trustees. Facilities shall be removed within twelve (12) months of ceasing operation.

SECTION 965 – TEMPORARY STRUCTURES

Temporary buildings, canopies, construction trailers, equipment and materials used in conjunction with construction work only may be permitted in any Zoning District during the period construction work is in progress, but such temporary facilities shall be removed within fourteen (14) days of completion of the construction work unless a six (6) month extension is granted by the Township Board of Zoning Appeals. All temporary facilities shall require a Zoning Permit from the Zoning Inspector and meet applicable building setback and clearance standards.

In Residential Zoning Districts, tents and canopies for entertainment and play may be erected for no more than fourteen (14) days in each calendar year.

SECTION 980 – VEGETATION & JUNK VEHICLES

Any property not maintained by the property owners and found to be a nuisance containing noxious weeds, vegetation, garbage, refuse and/or junk vehicles that is dangerous, unhealthy, and unsightly may be cleaned up and maintained by South Bloomfield Township. Expenses for such shall be assessed on the tax duplicate of the subject property. The enforcement shall be accomplished through the procedures outlined in Section 505.87 of the Ohio Revised Code.

SECTION 990 – WATER IMPOUNDMENTS

Ponds or other water impoundments may be excavated as a permitted use in any Zoning District provided the following standards are met:

- (A) SWCD: Morrow Soil and Water Conservation Development (SWCD) must review and approve proposed construction site with landowner. The (SWCD) shall be responsible for approvals of pond design and doing site inspections during construction to assure that the pond is constructed according to the approved plan.
- (B) NRCS: The pond shall be designed in accordance with NRCS (Natural Resource Conservation Service) Standards and Specifications along with USDAS (United States Department of Agricultural Services) Engineering Field Manual for Conservation Practices. Tile found in working order on site must be rerouted around proposed pond. Soil must be spread in a manner not to encroach on adjacent properties.

- (C) SETBACKS: Fifty (50) feet from road Right-of-Way to high water mark and thirty (30) feet from high water mark to side and rear lot lines. The pond outlet must be designed not to encroach on adjacent property.
- (D) LOT SIZE: The minimum lot size for a property to contain a pond is two (2) acres. All ponds shall be at least a quarter (0.25) of an acre in size.
- (E) CONSTRUCTION: All construction of ponds within the Township shall be accomplished in a manner consistent with maintenance of good surface and subsurface drainage.

SECTION 995 – WIND TURBINES

No wind turbine shall be erected, altered or re-erected without a permit from the Zoning Inspector demonstrating compliance with this Resolution, except wind projects of 5MW or more. Such exempt projects shall be required to submit an application with the Ohio Power Siting Board (OPSB) at the Public Utilities Commission of Ohio (PUCO) and are required to meet OPSB regulations. Small wind projects less than 5MW and used solely for agriculture will be exempt from these zoning regulations as an agricultural use.

Any proposed construction, erection, or siting of a small wind project less than 5MW including the wind turbine generator or anemometer or any parts thereof shall be a permitted use in the AR-1 Zoning District exclusively.

(A) HEIGHT – The height of any turbine shall comply with the following:

- (1) Turbines mounted on the ground: The maximum height of any turbine shall be one hundred and twenty-five (125) feet. For purposes of this Resolution, maximum height shall be considered the total height of the turbine system including the tower, and the maximum vertical height of the turbine's blades. Maximum height therefore shall be calculated by measuring the length of a prop at maximum vertical rotation to the top surface of natural/undisturbed grade of ground at the tower foundation.
- (2) Turbines mounted on a structure: The maximum height of any such turbine shall not exceed the permitted height of the structure, plus fifteen (15) feet.

(B) SETBACKS – Any turbine erected on a parcel of land shall be setback two (2) times the greatest of the following:

- (1) Turbines mounted on the ground: The height of the tower, from the finished grade to the tallest tip of the blade,
- (2) Turbines mounted on a structure: The total height of the tower from the finished grade of the structure, on which it is mounted,
- (3) Turbines mounted on the ground or on a structure: The established "clear fall zone", from all road right-of-way lines, above ground utility lines and neighboring property lines. A turbine shall be erected and placed in such a manner that if it were to fall, whatever direction the fall occurs would be contained solely on the property where the turbine is located.

(C) MAINTENANCE – Wind turbines must be maintained in good working order. The owner shall within thirty (30) days of permanently ceasing operation of a wind turbine, provide written notice of abandonment to the Zoning Inspector. An unused wind turbine or small wind project may stand no

longer than twelve (12) months following abandonment. All costs associated with the demolition of the wind turbine and associated equipment shall be borne by the owner. A wind turbine is considered abandoned when it ceases transmission of electricity for thirty (30) consecutive days. Wind turbines that become inoperable for more than twelve (12) months must be removed by the owner within thirty (30) days of issuance of zoning violation. Removal includes removal of all apparatuses, supports, and or other hardware associated with the existing wind turbine.

- (D) DECIBEL LEVELS – Decibel levels shall not exceed seventy (70) decibels, by design or at the location of the tower.
- (E) SHADOW FLICKERING – Wind turbines shall be sited in a manner that does not result in significant shadow flicker impacts. Significant shadow flicker is defined as more than thirty (30) hours per year per property on existing buildings, decks, patios, porches, pools, etc. The applicant has the burden of proving that the shadow flicker will comply with such standard. Potential shadow flicker will be addressed either through siting or mitigation measures. Calculation inputs should include turbine location, potential receptor locations, sun’s movement, hub height, rotor diameter, wind direction frequency distribution and monthly average sunshine hours.
- (F) WIRING AND ELECTRICAL APPARATUSES – All wires and electrical apparatuses associated with the operation of a wind turbine unit shall be located underground and meet all applicable local, state, and federal codes including the Residential Building Code of Ohio.
- (G) SIGNS – No signs shall be permitted on turbines except that required by FAA, ODOT or other regulatory agencies.
- (H) LIGHTING – No lighting shall be permitted on turbines except that required by FAA, ODOT or other regulatory agencies.
- (I) PERMITS – All Small Wind Projects and parts thereof shall obtain all applicable permits, including a Zoning Permit and those permits required from the State of Ohio.
 - (1) A permit shall be required before construction can commence on an individual wind turbine project.
 - (2) As part of the permit process, the applicant shall inquire with the State of Ohio as to whether or not additional height restrictions are applicable due to the unit’s location in relation to any local airports or runways.
 - (3) Applicant shall then provide the Township Zoning Inspector with the following items and or information, in addition to appropriate application form and fee, when applying for a permit:
 - (a) Location of all public and private airports and runways in relation to the location of the wind turbine.
 - (b) A report demonstrating the total size and height of the unit, the construction details of any structural foundation, a list and or depiction of all safety measures that will be on the unit including anti-climb devices, grounding devices, and lightning protection, braking systems, guy wiring & anchors, data specifying the kilowatt size and generating capacity in kilowatts of the particular unit, the maximum decibel level of the particular unit and a containment and disposal plan for any known hazardous materials.

- (c) A site drawing showing the location of the unit in relation to existing structures on the property, roads and other public road Right-of-Ways, and neighboring property lines, as well as soil and bedrock data.
- (d) Evidence of established setbacks and “clear fall zone.”
- (e) A maintenance schedule as well as a dismantling plan that outlines how the unit will be dismantled shall be required as part of the permit.

ARTICLE 10 - ZONING INSPECTOR AND CERTIFICATES

SECTION 1001 – ZONING INSPECTOR

The position of Township Zoning Inspector is hereby created. He/she shall be appointed by the Board of Township Trustees and shall receive such compensation as the Trustees shall provide. He/she shall keep records of all applications of Zoning Certificates and the action taken thereon.

SECTION 1002 – PERMIT REQUIRED

Before construction and building (excluding buildings incident to agricultural purposes), changing the use of, or altering any building or structure (including accessory buildings or changing the use of any premises), application shall be made to the Township Zoning Inspector for a Zoning Certificate. The applicant shall indicate the exact location of the proposed construction and submit a readable diagram showing the proposed location and dimensions and the proposed use.

SECTION 1003 – REVOCATION OF PERMIT

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

SECTION 1004 – EXPIRATION OF PERMIT

A Zoning Certificate shall expire twenty-four (24) months 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 Certificates.

SECTION 1005 – FEES REQUIRED

Application for Zoning Certificates shall be accompanied by the applicable fees as adopted by the Board of Township Trustees.

SECTION 1006 – PERMIT EXEMPTIONS

No permit shall be required for minor alterations, remodeling or repairs on any building, providing that the foundation or roof line is not changed. No permit shall be required for temporary removable structures erected as part of construction project, nor for construction of roads, sewers, service lines, utility lines or driveways (except as specified in Section 965). This does not exempt such improvements from complying with standards herein.

ARTICLE 11 – APPEALS, VARIANCES AND CONDITIONAL USES

The Board of Zoning Appeals shall consist of five (5) members who shall be residents of the unincorporated territory in South Bloomfield Township. The terms of all members shall be such length and so arranged that the term of one (1) member will expire each year. Each member shall serve until his successor is appointed and qualified. Members shall be removable for the same causes and in the same manner as provided by Section 519.04 of the Ohio Revised Code. Vacancies shall be filled by the Board of Township Trustees and shall be for the unexpired term. The members may be allowed their expenses, or such compensation, or both, as the Board of Township Trustees may approve and provide. The Board of Zoning Appeals may within the limits of the monies appropriated by the Board of Township Trustees for these purposes, employ such executives, professional, technical, and other assistants as it deems necessary. (Section 519.13 Ohio Revised Code)

At the beginning of each calendar year, the Board of Zoning Appeals will hold an organizational business meeting adopt rules to govern their operations,

SECTION 1101 – POWERS OF TOWNSHIP BOARD OF ZONING APPEALS

The Township Board of Zoning Appeals shall have the following powers:

- (A) ADMINISTRATIVE APPEALS – To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of Sections 519.02 to 519.25, inclusive, of the Ohio Revised Code, or of any Resolution adopted pursuant thereto;
- (B) VARIANCES – To authorize, upon appeal, in specific cases, such variance from the terms of the Zoning Resolution as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the Resolution will result in unnecessary hardship, and so that the spirit of the Resolution shall be observed and substantial justice done;
- (C) CONDITIONAL USE PERMITS – To grant conditional Zoning Certificates for the use of land, buildings or other structures if such certificates for specific uses are provided for in the Zoning Resolution. In exercising the above-mentioned powers, such Board, may, in conformity with such sections, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from, and may make such order, requirement, decision, or determination as ought to be made, and to that and shall have all powers of the officer from whom the appeals are taken. (Section 519.14 Ohio Revised Code.)

SECTION 1102 – ADMINISTRATIVE APPEALS

Appeals to the Board of Zoning Appeals may be taken by any person aggrieved or by any officer of the Township affected by any decision of the Zoning Inspector. Such appeal shall be taken within twenty (20) days after the decision by filing, with the Zoning Inspector, a notice an appeal specifying the grounds for such appeal.

- (A) RESPONSIBILITY OF THE ZONING INSPECTOR – The Zoning Inspector shall transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appeals from was taken. The Zoning Inspector shall at his or her earliest convenience issue a notification to all effected parties that the action of the Zoning Inspector is temporarily suspended, revoking any issued zoning certificates or violations, until the appeal is decided by the Board of Zoning Appeals.

(B) RESPONSIBILITY OF THE BOARD OF ZONING APPEALS – The Board of Zoning Appeals shall fix a reasonable time for the public hearing of the appeal, give at least ten (10) day notice in writing to the parties in interest, give notice of such public hearing by one (1) publication in one (1) or more newspapers of general circulation in Morrow County at least ten (10) days before the date of such hearing and decide the appeal within a reasonable time after it is submitted. Upon the hearing, any person may appear in person or by attorney. In exercising its responsibilities, the Board of Zoning Appeals shall use the same criteria for review as prescribed for the Zoning Inspector and shall have the ability to reverse, affirm wholly or partially or may otherwise modify the decision of the Zoning Inspector, based on temporary use of the authority of the Zoning Inspector. (Section 519.15 Ohio Revised Code)

(C) OUTCOME OF APPEAL – The decision of the Board of Zoning Appeals shall take effect immediately. The Zoning Inspector shall enforce the decision of the Board of Zoning Appeals and shall issue such decision to all effected parties at his or her earliest convenience after such decision is presented in writing by the Zoning Secretary.

SECTION 1103 – VARIANCES

Any property owner may seek a variance from any standard of the Zoning Resolution for their property by making application to the Zoning Inspector.

(A) APPLICATION REQUIREMENTS – The application for a variance shall include the following:

- (1) The specific provisions of the Zoning Resolution upon which the Variance is requested.
- (2) A legal sketch and description of the property.
- (3) The special circumstances or conditions applying to the land or structure and applying generally throughout the Township.
- (4) Why the granting of the application is necessary to the preservation and enjoyment of substantial property rights.
- (5) How special conditions and circumstances do not result from the action of the applicant.
- (6) If granting of the variance will materially affect the health or safety of persons residing or working in the neighborhood of the proposed use, and will not be materially detrimental to the public welfare, or injurious to property or improvements in such neighborhood.
- (7) If the proposed variance is consistent with the purpose, intent and general standards of the Zoning Resolution. Other information required for appropriate action by the Board of Zoning Appeals.

(B) FACTORS TO REVIEW A VARIANCE – The following factors must be considered before a variance can be granted. A positive or negative finding to any of these factors shall not individually constitute grounds for approval or denial, but the Board of Zoning Appeals shall use the collective findings to make its determination on a variance application.

- (1) Whether the property will yield a reasonable return or whether there beneficial use of the property without the variance.
- (2) Whether the variance is substantial.

- (3) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
- (4) Whether variance would adversely affect the delivery of governmental services.
- (5) Whether the property owner purchased the property with the current restrictions in place.
- (6) Whether the property owner's predicament can be remedied through method other than a variance.
- (7) Whether the spirit and intent of the zoning requirement would be observed and whether substantial justice would be done by granting the variance.

(C) **STIPULATIONS OF AN APPROVED VARIANCE** – In granting any variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Resolution and punishable under this Resolution.

(D) **OUTCOME OF VARIANCE** – The decision of the Board of Zoning Appeals to grant a variance shall take effect immediately. The Zoning Inspector shall enforce the decision of the Board of Zoning Appeals after such decision is presented in writing by the Zoning Secretary. Any variance shall generate a legal non-conforming use or building as regulated by Article 7.

SECTION 1104 – CONDITIONAL USE PERMITS

Any property owner may seek a Conditional Use Permit (CUP), if such proposed use is specifically herein listed as a conditional use in the current Zoning District for their property, by making application to the Zoning Inspector.

(A) **APPLICATION REQUIREMENTS** – Application for a conditional use permit shall include the following:

- (1) A narrative statement discussing the details of the proposed use, including the effect of such elements as noise, odor, and fumes on adjoining property; a discussion of the general compatibility with adjacent and other properties in the Zoning District; and the relationship of the proposed use to the comprehensive plan.
- (2) A Development Plan for the entire subject property, containing the following:
 - (a) The location of all buildings (existing and proposed);
 - (b) Parking, loading, and storage areas;
 - (c) Traffic access points and circulation routes;
 - (d) Parking areas including the location and number of spaces proposed;
 - (e) Landscaped areas and other open spaces;
 - (f) Lighting (location, type and wattage)
 - (g) Refuse and service areas;
 - (h) Location of existing utilities and proposed utility expansion areas;
 - (i) Location of signs (does not exempt application from sign permit requirements);
 - (j) Other such information as the BZA may determine needed to determine if the proposed conditional use meets the requirements of the Resolution.

(B) **FACTORS TO CONSIDER** – The following conditions shall be considered in the public hearing and employed in the review of an application for a Conditional Use Permit:

- (1) Whether the proposed use is in accordance with the general objectives and specified objectives of the Zoning Resolution.

- (2) Whether the proposed use will be designed, constructed, operated and maintained so as to be compatible and appropriate in appearance with existing or intended character of the neighborhood and Zoning District.
- (3) Whether the proposed use will create an undue burden on public facilities and services and whether it will be detrimental to the economic welfare of the community.
- (4) Whether the proposed use will be hazardous or disturbing to existing or future permitted uses or entails a use, structure or condition of operation that constitutes a nuisance.
- (5) No Conditional Use Permit shall be issued for a property where there is an existing violation of this Resolution or the Ohio Revised Code, unless such is the subject of the proposed conditional use.

(C) WRITTEN FINDINGS – Before any conditional use shall be issued, the Board of Zoning Appeals shall make written findings certifying compliance with the specific rules governing individual conditional uses and that satisfactory provisions and arrangements have been made concerning the following, where applicable:

- (1) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
- (2) Off-street parking and loading areas where required, with particular attention to the items above.
- (3) The economic, noise, glare, or odor effects of the conditional use on adjoining properties and properties generally in the Zoning District.
- (4) Refuse and service areas, with particular reference to the items in (1) and (b) above.
- (5) Utilities, with reference to locations, availability, and compatibility.
- (6) Screening and buffering with reference to type, dimensions, and character.
- (7) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the Zoning District.
- (8) Required yards and other open space.
- (9) Proposed hours of operation
- (10) General compatibility with adjacent properties and other property in the Zoning District.
- (11) Additional information as requested by the Board of Zoning Appeals to make an accurate determination on the application

(D) CONDITIONS IMPOSED – This Resolution confirms to the Board of Zoning Appeals the powers to set forth conditions as part of an approved Conditional Use Permit. These conditions are meant to uniquely address how a conditioned use co-exists with adjoining and surrounding properties to ensure continued harmony. The Board of Zoning Appeals may set conditions addressing including but not limited to:

- (1) Current and future size of Conditional Use Permit operation
- (2) Number of employees

- (3) Number of buildings, along with size and setbacks
- (4) Noise, as measured in decibels
- (5) Require the site plan to be attached to the Conditional Use Permit, as a condition, for the purpose of evaluating issues that may arise in the future
- (6) Number of vehicles or equipment related to the conditional activity
- (7) Hours of operation, including days of the week
- (8) Type of drive (i.e. stone, paved, etc...)
- (9) Type and height of screening (i.e. trees, mounding, etc...)
- (10) Storage of materials used in the Conditional Use Permit activity
- (11) Drainage
- (12) A phasing plan including deadlines for compliance, if necessary
- (13) And other conditions to address the unique aspects of the conditioned use to ensure compatibility with surrounding properties

(E) SUPPLEMENTARY CONDITIONS AND SAFEGUARDS – In granting any conditional use, the Board may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violations of such safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this Resolution.

(F) OUTCOME OF THE CONDITIONAL USE PERMIT – A Conditional Use Permit shall be deemed authorized for only one particular conditional use and shall expire if the conditional use shall cease for more than one (1) year for any reason. A Conditional Use Permit must be reviewed for compliance ninety (90) days after issued and within three (3) years of issue date by the Zoning Inspector. The Zoning Inspector can review a conditional use at any time. The Board of Zoning Appeals must set a review timeframe of no more than three (3) years, from date of issue for a Conditional Use Permit. As part of this review process the Board of Zoning Appeals may modify a current Conditional Use Permit to account for changes in the activity granted under the Conditional Use Permit. This modification may occur during the review period or at the request of the property owner holding the Conditional Use Permit.

(G) TRANSFERABILITY – If the property is sold, the new owner shall come before the Board of Zoning Appeals to review the Conditional Use Permit thereby acknowledging the conditions imposed on the property. Failure of the new owner to appear before the Board of Zoning Appeals may lead to the Board of Zoning Appeals voiding the CUP requiring application for a new CUP.

(H) REVOCATION OF A CONDITIONAL USE PERMIT – The BZA may revoke a Conditional Use Permit, in accordance with Ohio Revised Code 519, for reasons including but limited to:

- (1) repeated violations of Conditional Use Permit
- (2) change in the nature of the activity beyond the extent of the Conditional Use Permit
- (3) nature or size of activity becomes intrusive to neighbors or community
- (4) the approved use is discontinued for a period of more than one (1) year

ARTICLE 12 – AMENDMENTS

SECTION 1201 – AMENDMENTS OR SUPPLEMENTS TO ZONING RESOLUTION; PROCEDURE REFERENDUM

Amendments or supplements to the Zoning Resolution may be initiated by motion of the Township Zoning Commission, by the passage of a Resolution therefore by the Board of Township Trustees or by the filing of an application therefore by one (1) or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment or supplement with the Township Zoning Commission. The Board of Township Trustees shall upon the passage of such Resolution certify it to the Township Zoning Commission.

The Board of Township Trustees shall establish a Township Zoning Commission, consisting of five (5) citizens of the Township appointed by the Board of Township Trustees. The Trustees may appoint two (2) additional citizens of the Township to serve as alternates. None of the members shall concurrently serve as a member of the Board of Zoning Appeals. The terms of the members shall be of such length and so arranged that the term of one (1) member will expire each year. Each member shall serve until his successor is appointed and qualified. Members of the Township Zoning Commission shall be removable for the same causes and in the same manner as provided by Section 519.04 of the Ohio Revised Code. Vacancies shall be filled by the Board of Township Trustees and shall be for the unexpired term. The members may be allowed their expenses, or compensation, or both, as the Board of Township Trustees may approve and provide. The Township Zoning Commission may, within the limits of the monies appropriated by the Board of Township Trustees for these purposes, employ such executives, professionals, technical, and other assistants as it deems necessary. (Ohio Revised Code 519.13)

The Township Zoning Commission shall elect its own officers and adopt rules necessary for the conduct of its affairs in keeping with the provisions of this Resolution. Meetings shall be held at the call of the Chair and at other times as the Township Zoning Commission may determine. The Chair, or in their absence the Acting Chair, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

The Township Zoning Commission shall keep minutes of its proceedings and shall keep records of its examinations and other official actions, all of which shall be a public record. Public records are available for inspection to any person at all reasonable times during regular business hours (Ohio Revised Code 149.43(B) (1)).

SECTION 1202 – SCHEDULING ZONING COMMISSION HEARING

Upon the adoption of such motion, or the certification of such Resolution or the filing of such application, the Township Zoning Commission shall set a date for a public hearing thereon, which date shall not be less than twenty (20) nor more than forty (40) days from the date of the certification of such Resolution or the date of adoption of such motion, or the date of the filing of such application. Notice of such hearing shall be given by the Township Zoning Commission by one (1) publication in one (1) or more newspapers of general circulation in the Township at least fifteen (15) days before the date of such hearing.

SECTION 1203 – FEES REQUIRED

The Board of Township Trustees may require that the owner or lessee of property filing an application to amend or supplement the Zoning Resolution pay a fee therefore to defray the cost of advertising, mailing and other expenses. If the Board of Township Trustees require such a fee, it shall be required generally, for each application.

SECTION 1204 – NOTICE & REVIEW REQUIREMENTS

If the proposed amendment or supplement intends to re-zone or re-Zoning District ten (10) or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Township Zoning Commission, by First Class Mail, at least twenty (20) days before the date of the public hearing to all owners of property within the contiguous to and directly across the street from such area proposed to be re-zoned or re-Zoning Districted to the address of such owners appearing on the Morrow County Auditor's current tax list or the Morrow County Treasurer's mailing list and to such other list or lists that may be specified by the Board of Morrow County Commissioners. The failure of delivery of such notice shall not invalidate any such amendment or supplement. The published and mailed notices shall set forth the time and place of the public hearing, the nature of the proposed amendment or supplement and a statement that after the conclusion of such hearing the matter will be referred for further determination to the Board of Morrow County Commissioners or Regional Planning Commission and to the Board of Township Trustees as the case may be.

(A) APPROVAL CRITERIA – Factors to consider when hearing and deciding an amendment or supplement:

- (1) Whether the property owner purchased the property with the current zoning restrictions in place.
- (2) Effects adoption of the proposed amendment might have on future land uses in the area.
- (3) Long-term effects of the proposed change.
- (4) How the proposed change relates to existing public facilities and services such as water, sewer, police, fire protection and schools.
- (5) The present character of the area in terms of existing land use and physical characteristics. Will the character of the neighborhood be substantially altered, or adjoining properties suffer a substantial detriment as a result of the amendment?
- (6) Factors that make the location well suited for the purposes in the proposed amendment request.
- (7) Effect of rezoning on property values.
- (8) Effect of rezoning on volume of traffic. Can existing roads accommodate this traffic?
- (9) If the proposed amendment is consistent in all respects with the purpose, intent and general standards of the South Bloomfield Township Zoning Resolution.
- (10) If there is a zoned area that could meet the needs of the request.

SECTION 1205 – REGIONAL PLANNING NOTICE

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

SECTION 1206 – REGIONAL PLANNING RECOMMENDATION

The Morrow County Regional Planning Commission shall recommend the approval or denial of the proposed amendment or supplement or the approval or some modification thereof and shall submit such

recommendation to the Township Zoning Commission. Such recommendation shall be considered at the public hearing held by the Township Zoning Commission on such proposed amendment or supplement.

SECTION 1207 – ZONING COMMISSION RECOMMENDATION

The Township Zoning Commission shall, within thirty (30) days after such hearing, recommend the approval or denial of the proposed amendment or supplement, or the approval of some modification thereof and submit such recommendation together with such application or Resolution, the text and map pertaining thereto and the recommendation of the Morrow County Regional Planning Commission thereon the Board of Township Trustees.

SECTION 1208 – SCHEDULE TRUSTEE HEARING

The Board of Township Trustees shall, upon receipt of such recommendation set a time for a public hearing on such proposed amendment or supplement, which date shall not be more than thirty (30) days from the date of the receipt of such recommendation from the Township Zoning Commission. Notice of such public hearing shall be given by the Board of Township Trustees by one publication in one (1) or more newspapers of general circulation in the Township, at least fifteen (15) days before the date of such hearing.

SECTION 1209 – NOTICE OF TRUSTEE HEARING

The published notice shall set forth the time and place of the public hearing and a summary of the proposed amendment or supplement.

SECTION 1210 – DECISION OF TRUSTEES

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

SECTION 1211 – EFFECTIVE DATE OF DECISION

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

SECTION 1212 – EFFECT OF REFERENDUM

No amendment or supplement for which such referendum vote has been requested shall be put into effect, unless a majority of the vote cast on the issue is in favor of the amendment. Upon certification by the Board of Elections that the amendment has been approved by the voters it shall take immediate effect. (Section 519.12 Ohio Revised Code)

SECTION 1213 – RATIFICATION OF AMENDMENTS TO TOWNSHIP ZONING PLAN

All amendments or supplements to a Township zoning plan adopted by a Board of Township Trustees prior to the effective date of the act, except those amendments or supplements which a Court of competent jurisdiction has declared unlawful or unreasonable or which are the subject of an action now pending in such a Court are hereby rectified and shall be valid amendments or supplements to such

zoning plans regardless of the procedure followed with respect to such amendments or supplements prior to this adoption by a Board of Township Trustees, except that no right of appeal on the issue of the unlawful or unreasonable character of an amendment or supplement shall be lost by the provision of this section. (Section 519.121 Ohio Revised Code)

ARTICLE 15 – SUBDIVISION REGULATIONS

The following standards are intended to supplement the Morrow County Subdivision Standards. In the event of a conflict, the most permissive standards shall apply.

SECTION 1501 – SUBDIVISION REGULATIONS

- (A) All subdivisions shall have a minimum of two (2) means of egress. The entrances and exits shall connect with Federal, State or County roads. The means of egress shall be separated by at least seven hundred and fifty (750) feet and be located on two (2) or more separate roads where possible.
- (B) The means of egress may be approved by the Board of Township Trustees to utilize Township roads provided that the developer of the subdivision upgrades the roads to the Morrow County standards. The upgrade shall extend in each direction to the nearest intersection with a maximum distance of a quarter (0.25) of a percent of a mile in each direction. This means that if the intersection is less than a quarter (0.25) of a percent of a mile away, the developer only upgrades the road to the intersection. If the intersection is more than a quarter (0.25) of a percent of a mile away, the developer must upgrade to Morrow County standards the first quarter (0.25) of a mile in both directions from the entrance to the subdivision. There shall be no cost the Township for any upgrading. The costs for upgrading the roads will be paid by the developer for the subdivision. This upgrading of the roads shall be completed before the first building lot is sold.
- (C) All subdivision roads shall be constructed to the Morrow County standards and approved by the Morrow County Engineer prior to any home site development. Utilities such as water, sewer, electric, gas, etc. may be located in the Right-of-Way during the road construction phase.
- (D) All subdivisions shall be served by underground utilities. No above ground devices or equipment other than pad mount transformers, gas, electric, and water meters, telephone junction boxes, etc. shall be allowed.
- (E) Paragraph 1501(D) is not intended to prevent the home owner from installing and using above ground equipment such as pools, game courts, T.V. satellites, etc.
- (F) All homes constructed in the subdivision shall be single family dwellings. The minimum lot size for homes with private sewage systems will be one and a half (1.5) acres. These homes will be constructed on lots with a frontage ratio of two (2) to one (1) depth to width ratio. This means that the depth cannot exceed two (2) times the width of the lot that is along the public road or highway. If public sewage is available, then lot size can be reduced to a half (0.5) acre. However, the half (0.5) acre lots must still meet the frontage ratio of two (2) to one (1).
- (G) All subdivisions with private septic systems shall have ground borings done prior to installations by a private testing company at the expense of the builder. The Morrow County Health Department must approve all borings.
- (H) All subdivisions shall preserve a minimum of twenty (20) percent of the total area of the subdivision as a “green zone”. The “green-zone” shall consist of old forest, ponds, and wetland or other natural areas deemed acceptable by the Board of Township Trustees. They shall be generally square or round and located to provide usual and sound blocking, where possible, for existing residential homes. No more than two (2) such “green zones” shall be considered in calculating the required twenty (20) percent.

- (I) All subdivisions shall maintain an owners' association which shall carry liability insurance covering all green space.
- (J) Prior to beginning development, the developer will submit a watershed study to the following departments: The South Bloomfield Board of Township Trustees, the Morrow County Engineer's Office, the Morrow County Health Department, and the Morrow County Conservation Department. The developer will comply with all recommendations and suggestions from these departments. Only after the completion of improvements as suggested by the above departments on watershed issues will construction be permitted.

SECTION 1502 – WATER AND WASTE WATER

- (A) All subdivisions shall be provided with public drinking water.
- (B) No waste water shall cause damage or harm to any other dwelling or property.

SECTION 1503 – FIRE PROTECTION/EMS

- (A) There shall be no dead end roads allowed in any subdivision. All cul-de-sacs must be one hundred and fifty (150) feet wide at turn around unless State specifications are larger. The road width leading into a cul-de-sac must meet Morrow County regulations.
- (B) Approved fire hydrants shall be installed throughout the subdivision along the roads as directed by the Fire District serving the area. In no case shall the hydrants be located further than one (1) for every eight (8) houses if available with public water.
- (C) All roads including driveways shall be designed to support, without damage, the weight of fully loaded public safety vehicles. The design weight shall be no less than fifty thousand (50,000) pounds.
- (D) All recommendations, suggestions and orders of the Fire District shall be considered mandatory and incorporated in the initial design of the subdivision.

SECTION 1504 – PROTECTION OF EXISTING ROADS AND INFRASTRUCTURE

- (A) The developer shall post a bond with the Morrow County Engineer to cover the cost of any improvements or repairs necessary to existing County and Township roads. The amount of that bond shall be determined by the Morrow County Engineer.
- (B) Construction traffic shall be routed on roads selected and approved by the Board of Township Trustees.
- (C) The Township shall have authority to require a bond or bonds from the subdivision developer to protect the Township from any costs that may be incurred for road or other repairs made necessary by the developer's activities.
- (D) Prior to the beginning of construction, the developer will forward to the Board of Township Trustees a map of all roads that will be used in the project. This requirement is limited to roads located in South Bloomfield Township. Construction debris, mud or other material from the subdivision shall be cleaned off all roads at least twice per day or as directed by the Township. Failure to comply shall result in forfeiture of the bond required in Section 1504(C).

SECTION 1505 – INSURANCE

The developer shall maintain all insurance coverage as required by Federal, State, and County regulations. In addition, the developer shall maintain minimum liability coverage of five million (\$5,000,000) dollars U.S. Copies of all insurance policies in effect shall be provided to the Township and any changes immediately reported to the Board of Township Trustees.

SECTION 1506 – INSPECTIONS

The Township reserves the right to hire, at the expense of the developer, experts such as engineers, surveyors, environmental consultants, archeologist, etc. as may be considered necessary to insure the safe and proper construction of the subdivision.

SECTION 1507 – ARTIFACTS

Ohio is known to have many historical sites containing valuable artifacts. Uncovering any artifact must be reported immediately to the Township and all work in the involved area must stop pending investigation by Ohio Historical Society.

SECTION 1508 – COMMON ACCESS DRIVEWAYS

Common Access Drives (CAD) provide an alternative to construction of public or private streets for accessing small numbers of lots and reduce the number of driveways along public roads. CADs may be permitted as a variance by the Township Board of Zoning Appeals based upon a case-by-case evaluation of the site and project specific characteristics such as, but not limited to: access management and traffic safety, slopes, drainage, preservation of environmentally sensitive areas, access, and maneuvering room for firefighting vehicles, and compliance with local zoning codes. CADs must be designed by an engineer or surveyor in accordance with these regulations.

A Common Access Driveway (CAD) is a privately constructed, privately owned, and privately maintained driveway located within an ingress/egress easement serving more than one (1) lot (or parcel) but not more than five (5) lots (or parcels) engineered and installed with at least twelve (12) foot wide gravel drive able to support eighty thousand (80,000) pounds of vehicle weight. Adequate pull-over area(s) shall be provided at the discretion of the Township Board of Zoning Appeals.

And for which Morrow County and South Bloomfield Township accept no responsibility for maintenance, dispute, or liability either initially or at any time in the future. A Common Access Drive provides an alternative to construction of public or private streets for accessing small numbers of lots and reduces the number of driveways along public roads. All lots as part of a Common Access Driveway shall have the required road frontage on the adjacent road or on the CAD.

The sub-divider is responsible for constructing the CAD in accordance to standards and restrictions and any additional or more restrictive standards required by the sub-divider's engineer or surveyor, Zoning Inspector, fire official or County Engineer.

ARTICLE 20 – DEFINITIONS

SECTION 2001 – OFFICIAL DICTIONARY

All words used in this Resolution shall have their customary meanings as defined in Webster’s New World Dictionary most recent published edition, except those specifically defined in Section 2002 or elsewhere in this Resolution. Unless the context otherwise requires, words used in the present tense include the future tense; the singular number includes the plural; the term “shall” is mandatory; the term “may” is permissive, the phrase “used for” shall include, without limitation, the phrases “arranged for”, “designed for”, “intended for”, “maintained for” and “occupied for”; the word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

SECTION 2002 – SPECIFICALLY DEFINED TERMS

(A) INTENT - The following terms shall have, throughout this text, the meaning given herein:

- (1) The word “shall” is to be interpreted as mandatory and not directory; the word “may” is permissive.
- (2) All words used in the singular shall include the future tense, unless the context clearly indicates the contrary.
- (3) The word “Township” shall mean South Bloomfield Township, Morrow County, Ohio, the term “Commission” shall mean the Zoning Commission of said Township, the term “Board” shall mean the Board of Zoning Appeals of said Township, the term “Trustees” shall mean the Board of Township Trustees of said Township.

(B) AREAS

- (1) Area of Buildings - the area at the ground level of the main building and all accessory building (excluding unenclosed porches, terraces and steps) measured from the outside surface of exterior walls.
- (2) Area of Lot - The total horizontal area within the lot boundary lines of a zoning lot.

(C) BUILDINGS AND STRUCTURES

- (1) Structure - that which is constructed, located more or less permanently on the ground or attached to something located on the ground.
 - (a) Including building, barriers, bridges, bulkheads, coal bunkers, public seating facilities, platforms, pools, poles, tanks, tents, towers, roadside stands, sheds, signs, and wall.
 - (b) Excluding trailers and other vehicles whether on wheels or other supports.
 - (c) Fences - Setback lines, lot clearances, and corner lot regulations shall not apply, but a zoning permit shall be required.

For the purpose of this Resolution, a fence is defined as a boundary device either permanent or temporary, consisting of posts, wire and /or rail enclosing lots, yards, drives, or fields for the

purpose of protection, privacy or decoration. More permanent or solid devices constructed of stone, brick, or masonry and used for the above purposes shall be defined as wall.

- (2) Building - a structure which is permanently affixed to the land, has one (1) or more floors and a roof, is bounded by either open space or lot lines, and used as a shelter or enclosure for persons, animals, and/or property. This term shall be used synonymously with "structure" unless otherwise noted, and shall be constructed as is followed by the words 'or parts thereof'.
- (3) Main Building - the building occupied by the chief use or activity on the premises, all parts of which are connected in a substantial manner by common walls or a continuous roof.
- (4) Accessory Building - a subordinate building detached from, but located on the same zoning lot as the main building, the use of which is customarily incident to that of the main building or use.
- (5) Building Line - (Synonymous with setback line) a line established by this Resolution, generally parallel with a lot line, defining the limits of a yard in which no building or structure above ground may be located, except as otherwise provided herein.

(D) COMMERCIAL VEHICLE – A commercial vehicle is any vehicle containing advertisement or business identification, a vehicle used primarily for business purposes and/or licensed by the State of Ohio as a Commercial Vehicle.

(E) DWELLINGS AND OTHER LIVING ACCOMMODATIONS

- (1) Dwelling Unit - space, within a dwelling, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for bathing and toilet facilities - all used by only one (1) family.
- (2) Dwelling - a building designed or occupied exclusively for non-transient residential use (including one-family, two-family, or multi-family buildings).
- (3) One-Family Dwelling - a building consisting of one (1) dwelling unit only, detached or separated from other dwelling units by open space.
- (4) Two-Family Dwelling - a building consisting of two (2) dwelling units which are either attached side by side or one above the other, and each unit having either a separate or combined entrance(s) including duplex and flats.
- (5) Rooming House - a building operated by a resident family accommodating for compensation, one (1) to four (4) (inclusive) persons by the week, or for a more extended period of time.
- (6) Tourist House - a one-family dwelling operated by a resident family in which only overnight guests are lodged for compensation.

(F) FAMILY – Either an individual, two (2) or more persons who live together in one (1) dwelling unit and maintain a common household, related by blood, marriage, or adoption.

(G) HOME OCCUPATIONS AND PROFESSIONAL OFFICES

- (1) Home Occupation - a gainful occupation clearly incidental and secondary to the use of the dwelling for residential purposes, conducted wholly within a dwelling, or in a building accessory thereto, only by members of the resident family.
- (2) Home Professional Office - a secondary office clearly accessory to and located in the dwelling occupied by a person practicing in any of the recognized professions (including accountant, architect, artist, engineer, lawyer, musician, physician).

(H) JUNK OR AUTO WRECKING YARD

- (1) Land used to dismantle more than one (1) motor vehicle or trailer, or land used to store, sell or dump partly dismantled, obsolete or wrecked vehicles or their parts, secondhand building materials, junk, paper, containers or other salvaged materials.

- (I) LICENSEE – any person licensed to operate and maintain a Mobile Home Park under the provisions of this Resolution.

(J) LOT

- (1) Zoning Lot – a single tract of land abutting a dedicated street, occupied or intended to be occupied by a use, building or group of buildings and their accessory use. The term lot is use synonymously with zoning lot throughout this Resolution.

- (2) Corner Lot – A lot abutting on two (2) streets at their intersections, where the interior angle or intersection is not more than one hundred thirty-five (135) degrees.

- (3) Interior Lot – A lot other than a corner lot or through lot.

- (4) Front Lot Line – The lot line separating an interior lot from the street upon which it abuts; or the shortest lot line of a corner lot which abuts a street.

- (5) Lot Depths – The mean horizontal distance of a lot measured between the front and rear lot lines.

- (6) Lot Widths – The horizontal distance of a lot measured along the building front and rear lot lines.

- (K) MANUFACTURED HOME – a building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance 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”, 88 Stat. 700, 42 U.S.C.A. 5401, 5403 and has a permanent label or tag affixed to it, as specified in 43 U.S.C.A.5415 certifying compliance with all applicable federal construction and safety standards.

- (L) MOBILE HOME – any vehicle or similar portable structure having been constructed with wheels (whether or not such wheels have been removed) and having no foundation other than wheels, jacks, or skirting and so designed or constructed as to permit occupancy for dwelling or sleeping purposes.

- (1) DEPENDENT MOBILE HOME – a mobile home without inside toilets and bath is prohibited in a Mobile Home Park as defined in the Resolution.

- (2) MOBILE HOME PARK – any plot of ground upon which three (3) or more mobile homes, occupied for dwelling or sleeping purposes, are located, regardless of whether or not charge is made for such accommodation.
- (3) MOBILE HOME SPACE – a plot of ground within a Mobile Home Park designed for the accommodation of one (1) mobile home.

(M) NONCONFORMING BUILDING AND USE

- (1) Nonconforming Buildings – a building existing lawfully at the time this Resolution, or an amendment thereto, became effective but which does not conform to the area or yard regulations of the Zoning District in which it is located.
- (2) Nonconforming Use – The use of a building or land existing lawfully at the time this Resolution, or an amendment thereto, became effective but which does not conform to the use regulations of the Zoning District in which it is located.

(N) PERMITTEE – any person to whom a temporary permit is issued to maintain or operate a Mobile Home Park under the provisions of this ordinance.

(O) PERSON – any natural individual, firm, trust, partnership, association or corporation.

(P) ROADSIDE STAND – A removable structure used only, or intended to be used only for the sale of seasonal agricultural produced on the premises.

(Q) SIGNS

- (1) Sign – A structure or part thereof, or any devise attached to a structure or painted or presented on a structure, which shall display or include any letter, word, model, banner, pennant, insignia, device or representation used as, or which is in the nature of, an announcement, or advertisement.
- (2) Business Sign – A sign which directs attention to a business, commodity, service or profession conducted, sold or offered upon the same lot.
- (3) Real Estate Sign – A “for sale” or “for rent” sign relating to and located on the zoning lot.
- (4) Advertising Sign – A sign which directs attention to a business, commodity, service or entertainment conducted, sold, or offered elsewhere than upon the same zoning lot (including a billboard).

(R) STREET – An existing public way shown upon a plat approved by official action and duly filed and recorded and affording the principal means of access to abutting property.

(S) TRAILERS

- (1) House Trailers – A self-propelled or non-self-propelled vehicle so designed, constructed, or added to by means of accessories in such manner as will permit the use and occupancy therein for human habitation whether resting on wheels, jacks, or other foundations and used or so constructed as to permit its being used as a conveyance upon the public highways.

- (2) Trailer Park or Tourist Camp – Any premise occupied by more than one (1) family in house trailers, tents, camp cars, or similar facilities and shall include roadway, structure, vehicle, or enclosure used or intended for use as a part or such house trailer park.

- (T) USE – Any purpose for which buildings, other structures or land may be arranged, designed, intended, maintained, or occupied; or any occupation, business, activity, or operation carried on in a building, other structure or on land.
 - (1) Main Use – The principal purpose or activity of a building, other structure or Zoning Lot.
 - (2) Accessory Use – A use located on the same lot with the main use of building or land, but incidental to the main use of main building or land.

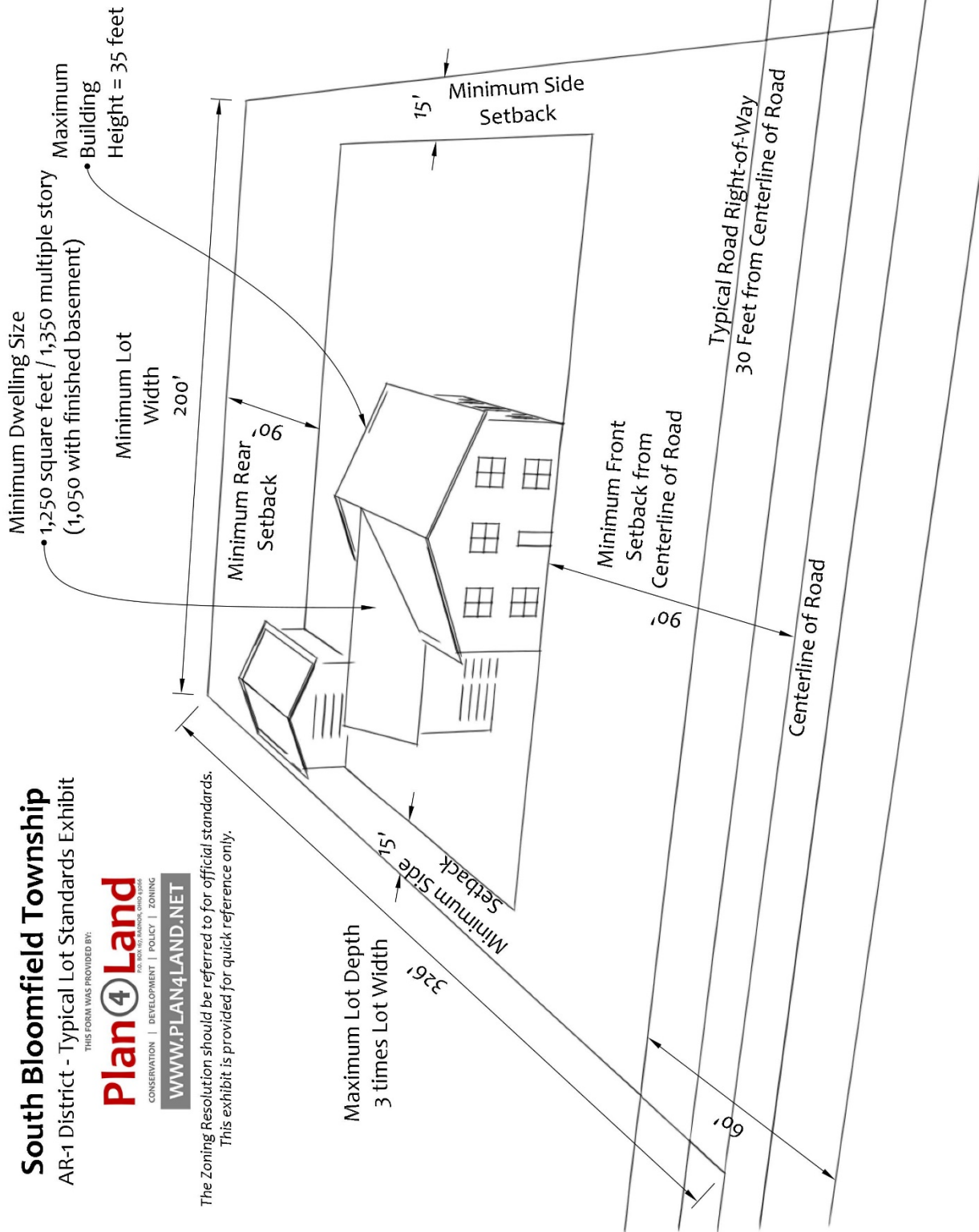
- (U) VARIANCE – A modification of this Resolution permitted in instances where a literal application of these provisions would result in undue hardship as a result of some unique or peculiar condition or circumstance pertaining only to the zoning lot in question.

South Bloomfield Township
AR-1 District - Typical Lot Standards Exhibit

THIS FORM WAS PROVIDED BY:



The Zoning Resolution should be referred to for official standards.
This exhibit is provided for quick reference only.



South Bloomfield Township

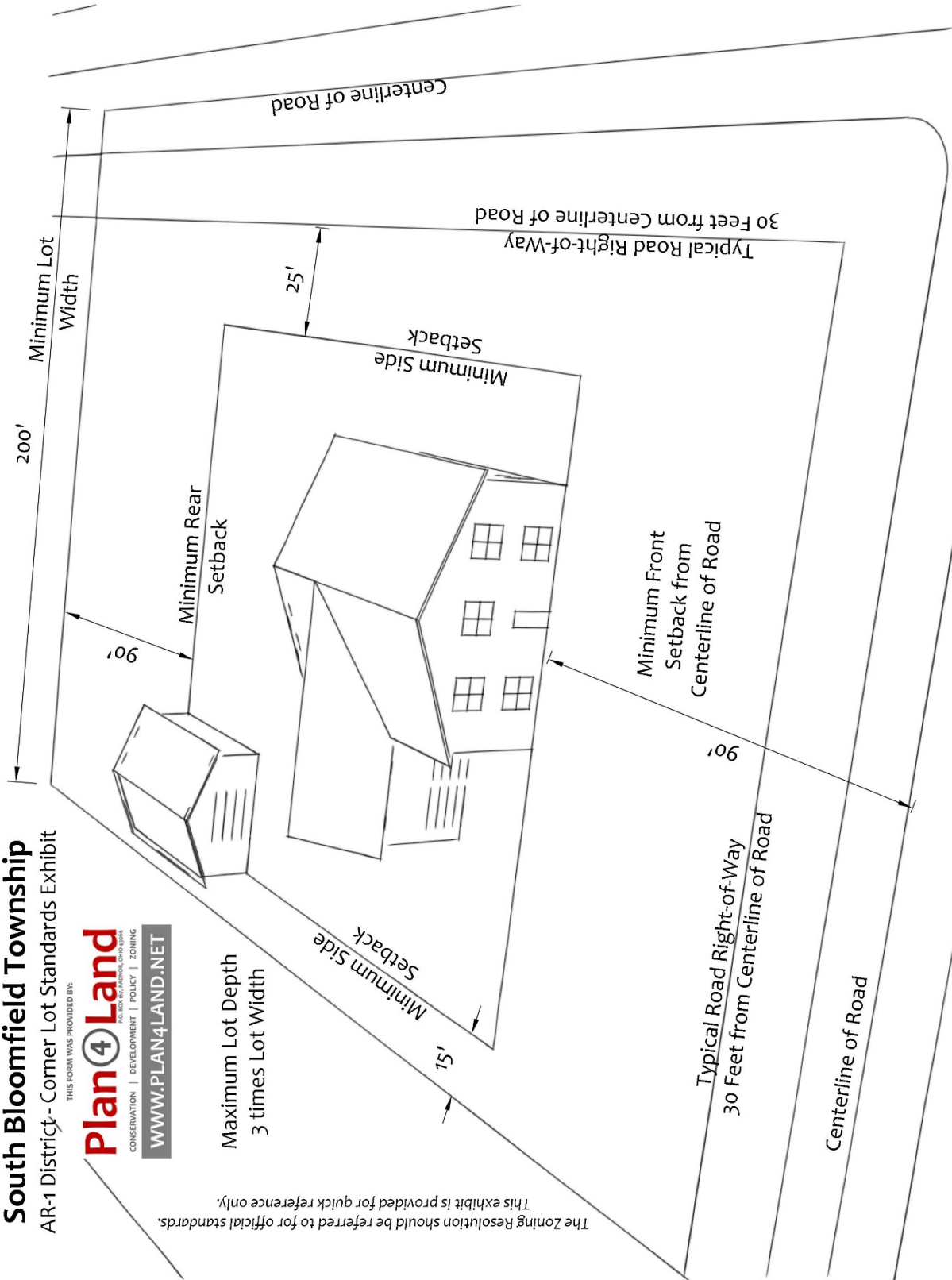
AR-1 District - Corner Lot Standards Exhibit

THIS FORM WAS PROVIDED BY:



Maximum Lot Depth
3 times Lot Width

The Zoning Resolution should be referred to for official standards.
This exhibit is provided for quick reference only.



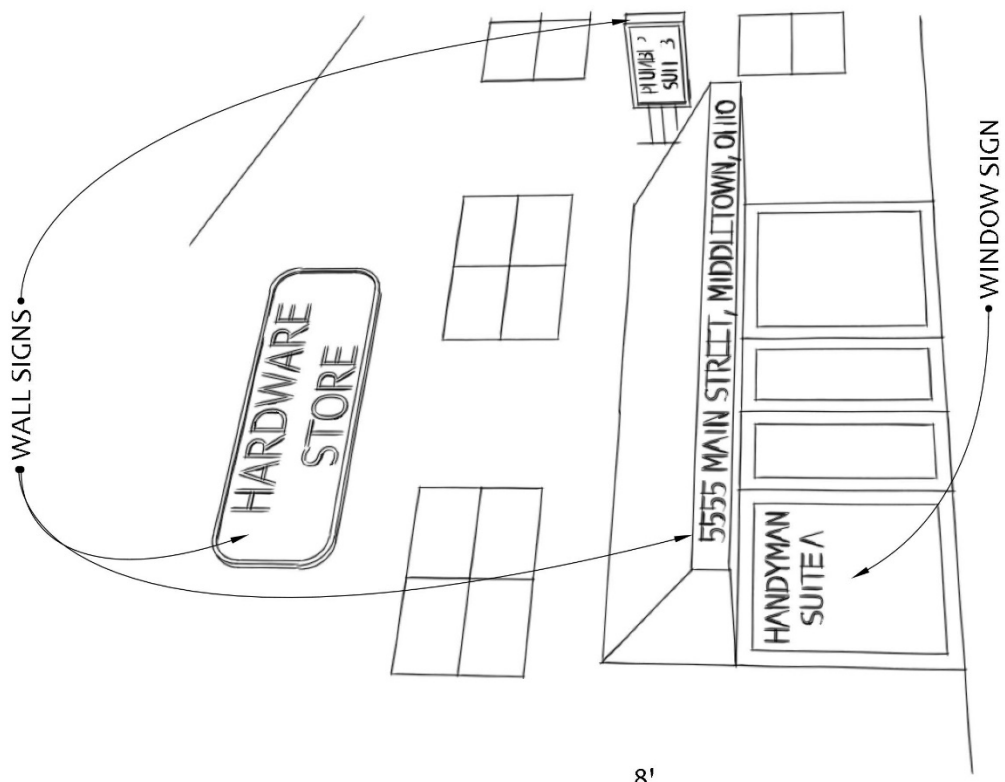
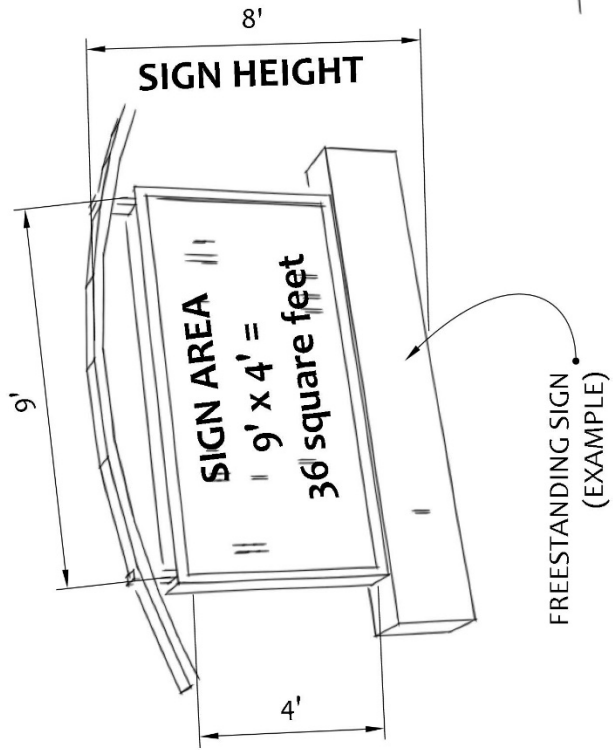
South Bloomfield Township

Signage Standards Exhibit

THIS FORM WAS PROVIDED BY:



The Zoning Resolution should be referred to for official standards.
This exhibit is provided for quick reference only.



South Bloomfield Township
Development Patterns Exhibit

THIS FORM WAS PROVIDED BY:



The Zoning Resolution should be referred to for official standards.
This exhibit is provided for quick reference only.

EXAMPLE SITE

GROSS LOT AREA = 60 ACRES

NET DEVELOPABLE ACREAGE = 47.5 ACRES

60 GROSS ACRES

SUBTRACT 9.0 ACRES ROADS & UTILITIES

SUBTRACT 3.5 ACRES < 20% SLOPES, FLOODPLAIN & WETLANDS

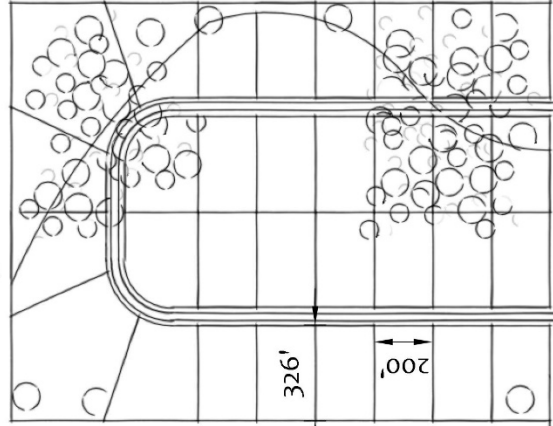
EQUALS 47.5 NET DEVELOPABLE ACRES

MULTIPLY BY 0.75 = 35 DWELLING UNITS PERMITTED

TRADITIONAL DEVELOPMENT PLAN

DEVELOPMENT PLAN

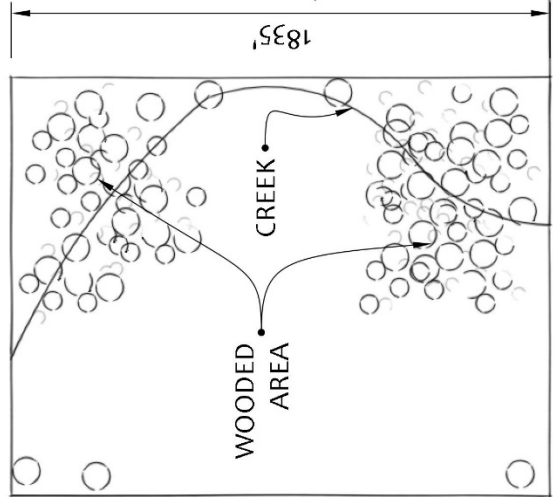
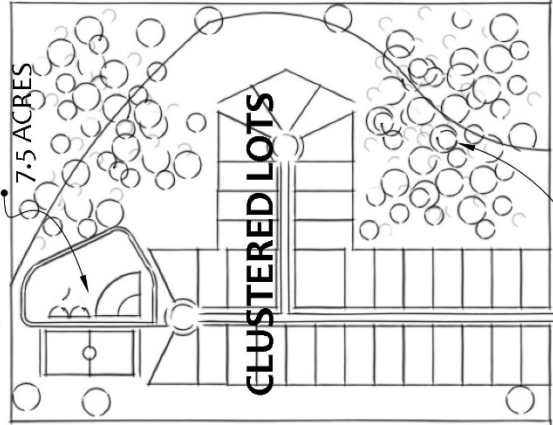
32 LOTS



OVERLAY CONSERVATION DEVELOPMENT PLAN

DEVELOPMENT PLAN

35 LOTS ACTIVE PARK



1424'

1835'

326'

200'

OPEN SPACE
30 ACRES

KEY DEVELOPER BENEFITS
Potential for a few more lots.
Less infrastructure to build.

HISTORY OF ZONING IN SOUTH BLOOMFIELD TOWNSHIP

The first meeting of the South Bloomfield Zoning Commission was held on January 20, 1972 to review a draft Zoning Resolution. The resolution and zoning map were initiated for adoption on March 8, 1972. A public hearing was held by the Zoning Commission on May 3, 1972 and the resolution and map were recommended for adoption. The Morrow County Regional Planning Commission made a subsequent recommendation for approval. A hearing was then held by the Board of Trustees where the resolution and map were approved and put on the November 1972 ballot where it passed, becoming the first zoning resolution in Morrow County.

In early 1975, amendments were adopted to clarify the role of the Board of Zoning Appeals and clarify the basement exemption from minimum square footage requirements for residential dwellings.

Amendments were proposed, reviewed, approved and took effect on November 25, 1989. Amendments included modifications to the required residential lots size and modifications to permitted size of commercial advertising signs.

Amendments were proposed, reviewed, approved and took effect on February 23, 1996. Amendments included:

- The definition of agriculture was updated with a reference to CAUV standards.
- Temporary living permits were removed from the code except for the event of fire or sickness.
- Required residential road frontage was increased from 125' to 200'
- Exempted agricultural lots over 10 acreage from width to depth ratio requirements.
- Required new mobile homes to be placed in mobile home parks only.
- Removed temporary visitors zoning certificate reference.

These amendments were subject of a referendum which was placed on the November 5, 1996 ballot. Modifications were approved by voters 356 to 225. Amendments then took effect on November 19, 1996.

Amendments were proposed, reviewed, approved and took effect on July 30, 2004. Amendments included:

- Added a 1,500 foot setback for sexually-oriented businesses from the residential zoning district.
- Prohibited landfills and other dumping.
- Modified the definition of manufactured home.
- Clarified minimum lot area language.
- Specified that required lot width must be maintained to the front setback line.

Amendments were proposed, reviewed, approved and took effect on November 14, 2004. Amendments included:

- Included subdivision regulations.
- Modified regulations on apartments and family dwellings.

Amendments were proposed, reviewed, approved and took effect on June 7, 2008. Amendments included:

- Include application requirements and Board of Zoning Appeals review criteria for variances.

- Include language regarding how the Zoning Commission is formed and their decision making criteria.
- Increased zoning penalty to \$500 per offense to comply with state law changes.
- Add language governing telecommunication towers in residential zones.
- Extend the term of zoning certificates to allow for 24 months prior to expiration prior to construction commencing.
- Remove references to fee schedule from the Zoning Resolution and generate a separate fee schedule.

Amendments were proposed, reviewed, approved and took effect on August 24, 2011. Amendments included:

- Clarification of permitted uses in commercial districts.
- Modified minimum lot size to 1.5 acres to comply with county subdivision regulations.

Amendments were proposed, reviewed, approved and took effect on February 3, 2017. Amendments included:

- **AGRICULTURAL EXEMPTION:** The agricultural exemption on lots larger than five (5) acres remains recognized and some basic standards were otherwise provided for smaller lots and farm markets.
- **COMMON ACCESS DRIVEWAYS:** The subdivision standards were revised to allow for the development of a limited number of homes that can have frontage on a single gravel driveway with Board of Zoning Appeals approval.
- **CONDITIONAL USE PERMITS:** Specific review criteria and processes were outlined for Conditional Use Permits (CUPs) and more uses were specified as being permitted as CUPs.
- **CONSERVATION SUBDIVISIONS:** Provides the opportunity for larger land owners to cluster lots and preserve open space instead of traditional development.
- **DEFINITIONS:** Definitions were consolidated into one article and a reference was given to a standard dictionary for any undefined terms.
- **FEE SCHEDULE:** The reference to fees were removed from the Zoning Resolution and added to new application forms where they are more convenient for applicants.
- **HISTORY:** The historical references to amendments were removed from the text and an appendix will be provided highlighting the history of zoning modifications in South Bloomfield Township.
- **HOME OCCUPATIONS:** Standards were added to permit certain home occupations in residential districts without rezoning to commercial and provide for expanded home occupations to be heard by the Board of Zoning Appeals.
- **LEGAL UPDATES:** Various amendments were made to address legislative updates and legal concerns with the enforceability of the prior code in the interest of protecting property owner rights.
- **PROHIBITED USES:** Removed overall prohibited use listing for Township and listed them within each district, apart from the Special Use District (S-1) where other uses can be considered.

- REFERENCES: References were cleaned up throughout the code to be uniform, more insightful and accurate.
- SIGN STANDARDS: Expanded sign standards were provided to provide for more flexibility in signage types and styles.
- SUBDIVISION REGULATIONS: The subdivision regulations were amended to clearly be a supplement to the Morrow County Subdivision Regulations.
- SUPPLEMENTAL REGULATIONS: Standards for various specific uses, including but not limited to parking, ponds, wind turbines, were considered and included to provide up front standards versus arbitrary Board stipulated standards that would have been applied during Township review.
- ZONING DISTRICTS: Prior districts were consolidated into four (4) main zoning districts; Agricultural/Residential (AR-1), Commercial (C-1), Industrial (M-1) and Special Uses (S-1). Most notably, this includes a combination of the prior Agricultural and Residential Districts, since the standards were identical.
- ZONING MAP: The zoning map was updated to consider the Zoning Resolution Amendments, use the new Morrow County GIS system and provide for various C-1 and S-1 zoned properties that are highlighted in individual maps.
- OTHER: The code was otherwise reformatted and reorganized to be more user friendly. Illustrations were prepared and included to also make the code more user friendly.

Amendments were proposed, reviewed, approved and took effect on October 28, 2020. Amendments included:

- C-1 BUILDING SIZE: Amend Section 504(A) of the Zoning Resolution to increase the maximum permitted square footage of buildings in the Commercial (C-1) district from 5,000 square feet to 10,000 square feet.