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ZONING RESOLUTION
OF
LIBERTY TOWNSHIP

A RESOLUTION PROVIDING A ZONING PLAN FOR THE UNINCORPORATED AREA OF LIBERTY TOWNSHIP, PUTNAM COUNTY, OHIO TO CONSERVE THE VALUE OF PROPERTY AND TO THE END THAT ADEQUATE LIGHT, AIR, CONVENIENCE OF ACCESS, AND SAFETY FROM FIRE AND OTHERS DANGERS MAY BE SECURED: THAT CONGESTION IN THE PUBLIC STREETS AND HIGHWAYS MAY BE LESSENED OR AVOIDED: AND THAT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE MAY BE PROMOTED IN A MANNER WHICH RECOGNIZES THE NEEDS OF INDUSTRY AND BUSINESS IN THE GROWTH OF THE TOWNSHIP AND WHICH WILL ENCOURAGE THE DEVELOPMENT OF SURROUNDINGS FOR FAMILY LIFE IN THE RESIDENTIAL NEIGHBORHOODS: ALL IN ACCORDANCE WITH A MASTER PLAN DESIGNED TO ASSURE EFFICIENCY AND ECONOMY IN THE PROCESS OF DEVELOPMENT OF THE TOWNSHIP, AND FOR THE PURPOSE OF:

- (1) Classifying, regulating and limiting the height, area, bulk and use of buildings and premises hereinafter to be erected;
- (2) Regulating and determining the yard areas and of open spaces;
- (3) Regulating and determining the use and intensity of use of land and lot areas;
- (4) Classifying, regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designed for specified uses;
- (5) Dividing the Township into districts of such kind, character, number, shape and area as may be deemed necessary to carry out the purposes of this resolution;

AND FURTHERMORE PROVIDE FOR ITS ADMINISTRATION AND FOR PENALTIES FOR THE VIOLATION OF ITS PROVISION: CREATING A BOARD OF ZONING APPEALS, AND PROVIDING FOR REVIEW OF THE DECISIONS OF SUCH BOARD BY THE COURT:

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF LIBERTY TOWNSHIP, PUTNAM COUNTY, OHIO:

Article I * IN GENERAL

IDENTIFICATION: Wherever the word "Township" appears in this resolution, it shall be deemed to mean the Township of Liberty, Ohio, and wherever the word "County" appears in this resolution, it shall be deemed to mean the County of Putnam, Ohio.

INTERPRETATION: In interpreting and applying the provisions of this resolution, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, morals, convenience and general welfare.

NON-INTERFERENCE WITH GREATER RESTRICTIONS OTHERWISE IMPOSED: It is not intended by this resolution to interfere with, or abrogate or annul any easements, covenants or other agreements between parties,

nor to interfere with, or abrogate or annul any provision of law or rules or regulations, other than expressly repealed hereby, and not in conflict with any of the provisions of this resolution, or which shall be adopted or provided, except that where this resolution imposes a greater restriction upon the use of buildings or land, or greater lot area per family, than are required by or imposed by such easements, covenants or agreements between parties, the provisions of this resolution shall control.

Article II * APPLICATION

AGRICULTURE: This resolution shall not apply to the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes or the land on which such buildings or structures are located, and no zoning certificate shall be required for any such building or structure.

PUBLIC UTILITIES OR RAILROADS: This resolution shall not apply in respect to the location, erection, construction, reconstruction change, alteration, maintenance, removal, use, or enlargement of any buildings or structures 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.

MISCELLANEOUS BUSINESS: This resolution shall not apply in respect to the use of any land for the construction of a building, or the reconstruction, change, alteration, maintenance, enlargement, or use of any building for the maintenance and operation of any mercantile or retail establishment, drugstore, hotel, lunchroom, restaurant, or place of entertainment in any area zoned for trade or business.

Article III * DISTRICTS AND ZONE MAPS

DISTRICTS: The Township of Liberty, Putnam County, Ohio is hereby divided into one or more of five districts in order to carry out the purposes of this resolution. The districts shall be known and designated throughout this resolution as follows:

Name of District	Designated Hereinafter
Single Family Residential	Color-Code-White
Multiple Family Residential	Color-Code-Orange
Limited Business	Color-Code-Violet
General Business	Color-Code-Brown
Industrial	Color-Code-Black

ZONE MAPS: The Zone Maps, dated as of the date of this resolution being filed with the Putnam County Board of Election, are hereby declared to be a part of this resolution. The Zone Maps show the area included in the above districts. Notations, references, indications and other matters shown on the Zone Maps are as much a part of this resolution as if they were fully described in the text of this resolution. The Zone Map is in one portion: Part A-the entire

Township.

DETERMINATION AND INTERPRETATION OF DISTRICT BOUNDRIES: In determining the boundries of districts, and establishing the regulations applicable to each district, due and careful consideration has been given to existing conditions, the character of buildings erected in each district, the most desirable use for which the land in each district may be adapted, and the conservation of property values throughout the Township.

(a) Where uncertainty exists as to the exact boundries of any district as shown on the Zone Map, the following rules shall apply:

1. Unless otherwise indicated, the district boundries (lines) are the Township Section, Half-Section or Quarter-Section demarcation lines, the center lines of streets, roads, or railroad right-of-ways, or such lines extended, as they exist as of the effective date of this resolution; other lines within given areas are rear or side lot lines, or such lines extended.
2. In the case of further uncertainty, the Board of Zoning Appeals shall interpret the intent of the Zone Map as to the location of the boundry in question.

Article IV * GENERAL PROVISIONS AND SPECIFICATIONS

USE: No building or land shall be used and no building shall be erected, reconstructed or structurally altered, which is arranged, intended or designed to be used for any purpose other than a use which is permitted and specified in a district in which such building or land is located.

HEIGHT: No building shall be erected, reconstructed or structurally altered to exceed the height limits established and specified for the use and the district in which such building is located.

YARDS: No building shall be erected, reconstructed or structurally altered so as to encroach or reduce any of the dimensions or restrictions provided in the district wherein such building is located.

LOTS: Every building hereafter erected shall be located on a lot which fronts a street, highway or road.

VEHICLE PARKING SPACE: Every building hereafter erected shall provide off-street parking facilities for motor vehicles and loading and unloading berths for business and industrial concerns as specified hereinafter for the use to which the building is to be devoted.

SPECIFICATIONS: The specifications which follow the text of this resolution are hereby declared to be a part of this resolution:

- (a) SPECIFICATION * A. Definitions
- (b) SPECIFICATION * B. Residential Uses
- (c) SPECIFICATION * C. Business Uses
- (d) SPECIFICATION * D. Industrial Uses
- (e) SPECIFICATION * E. Contingent Uses
- (f) SPECIFICATION * F. Conditional Uses
- (g) SPECIFICATION * G. Vehicle Parking Space
- (h) SPECIFICATION * H. Unit Development Plan

Article V. * NONCONFORMING USE SPECIFICATIONS

CONTINUATION THEREOF: The lawful use of any dwelling, building or structure and of any land or premises, as existing and lawful at the time of the passage of this resolution or amendment thereto, may be continued, although such use does not conform with such resolution or amendment, but if it is voluntarily discontinued for two (2) years or more, any future use of the land shall be in conformity with the applicable specifications of the district wherein the said land is located.

INCOMPLETED STRUCTURES: Any building arranged, intended or designed for a nonconforming use, the construction of which has been started at the time of passage of this resolution, but not completed, may be completed and put to such nonconforming use, PROVIDED it is done within one (1) year after this resolution takes effect.

EXTENSION: A nonconforming use may be extended throughout a building PROVIDED no structural alterations are made therein, except those required by law, which will extend such nonconforming use more than 15% in area.

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

ERECTION AND RE-ERECTION OF BUILDINGS: No building shall be erected upon premises devoted to a non-conforming use, and no building located upon any such premises which has been damaged by fire or other causes to the extent of more than seventy-five (75) per cent of its appraised value, shall be repaired or rebuilt unless the same shall be done within one (1) year from the date of its destruction.

TEMPORARY PERMITS: The Board of Zoning Appeals may authorize, by written permit, in a residential district for a period of not to exceed one (1) year from its date, a temporary building for commercial development of said district.

NONCONFORMING USE CREATED BY AMENDMENT: These provisions apply in the same manner to a use which may become a nonconforming use due to a later amendment to this resolution.

Article VI * ADMINISTRATION

ENFORCEMENT BY WHOM: The position of Township Zoning Inspector is hereby created and he is hereby designated and authorized to enforce this resolution. The Township Zoning Inspector, and such assistants as may be determined necessary, shall be appointed by, and serve at the pleasure of, the Board of Township Trustees and shall receive such compensation as the Board of Township Trustees may provide.

PLATS, MAPS AND DESCRIPTIONS: Each application for a building permit shall be accompanied by a plat, map or comprehensive description, in duplicate, drawn to scale, showing the actual dimensions of the lot to be built upon, the size of the building to be erected, reconstructed or structurally altered, and such other information as shall be necessary to provide for the enforcement of this resolution. A careful record shall be kept of all such applications, maps, or comprehensive descriptions, in the office of the Township Zoning Inspector or the office of the Board of Township Trustees.

CERTIFICATE OF OCCUPANCY:

1. No land shall be occupied or used and no building hereafter erected, reconstructed or structurally altered shall be occupied or used, in whole or part, for any purpose whatsoever, until a Certificate of Occupancy shall have been issued by the Zoning Inspector stating that the building and use comply with all the provisions of this resolution applicable thereto.
2. No change in use shall be made in any building or part thereof, now or hereafter erected, reconstructed or structurally altered, without a Certificate of Occupancy having first been issued, and no such permit shall be issued unless the change is in conformity with this resolution.
3. Certificate of Occupancy shall be applied for coincidentally with the application for a Building Permit and shall be issued within ten (10) days after the lawful erection, reconstruction, or structural alteration of such building shall have been completed.
4. A record of all Certificates of Occupancy shall be kept on file in the office of the Township Zoning Inspector or the office of the Board of Township Trustees and copies shall be furnished to all persons having a proprietary or tenancy interest in the land or the premises affected.
5. No Building Permit shall be issued for excavation for or the erection, reconstruction or structural alteration of any building, before application has also been made for a Certificate of Occupancy.

BUILDING PERMIT: Before the location of, construction of, change of use of, or altering any building, including accessory buildings, or changing the use of any premises, and coincidentally with the filing of the map, plat or comprehensive description above mentioned, appli-

cation shall be made for a Building Permit. Within ten (10) days after receiving said application, the Zoning Inspector shall issue a Building Permit if the proposed plat, map or comprehensive description shows compliance with this resolution and the application is accompanied by the proper fee, or shall refuse the same, if it does not comply.

(a) Such Building Permit shall be posted in a conspicuous place about the premises for which it was issued and shall carry no other authorization than that for which the plat, map or comprehensive description called for and upon which the Permit was issued.

FEES: The sum of Ten Dollars (\$10.00) shall accompany each application for a Building Permit. \$5.00 of said sum shall be a fee for processing an application; \$5.00 of said sum shall be for the Building Permit. In the event that the Permit is refused the Five Dollars (\$5.00) for said permit shall be refunded.

The sum of Five Dollars (\$5.00) shall accompany each application for a Certificate of Occupancy. \$2.50 of which sum shall be a fee for processing the application; \$2.50 of which sum shall be for the Certificate. In the event that the Certificate is refused the \$2.50 for said Certificate shall be refunded.

Article VII * BOARD OF ZONING APPEALS

ESTABLISHMENT: A board of Zoning Appeals is hereby established in accordance with Sections 519.13, .14 and .15 of the Revised Code of the State of Ohio.

COMPOSITION AND APPOINTMENT: The Board shall be composed of five (5) members, all of whom shall be residents of the unincorporated territory in the Township. The first five members of said Board shall be appointed as follows:

- 1st member for a term of five (5) years
- 2nd member for a term of four (4) years
- 3rd member for a term of three (3) years
- 4th member for a term of two (2) years
- 5th member for a term of one (1) year

Thereafter, all members of said Board shall be appointed for a term of five (5) years. Each member shall serve until his successor is appointed and qualified. Any member may be removed from office for good cause shown. Any member may resign his office at any time he deems necessary. Vacancies shall be filled by the Board of Township Trustees and shall be for the duration of the term of the member for whom the vacancy arose. The members shall serve without compensation.

ORGANIZATION: At the first meeting of each year the Board shall elect a chairman and a Vice Chairman from among its members. The Clerk of the township Trustees is hereby deemed to be the Secretary for said Board and shall receive compensation for his services as fixed by the Board of Township Trustees. All meetings shall be at the call of the Chairman or in his absence, the Vice Chairman.

RULES OF PROCEDURE: The Board shall adopt rules and regulations as it may deem necessary to effectuate the provisions of this resolution.

MEETINGS AND RECORDS: All meetings of the Board shall be open to the public. The Board shall keep minutes of its meetings showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be filed immediately in the office of the Board of Township Trustees and be a public record.

APPEALS FROM ZONING INSPECTOR: Appeals to the Board may be taken by any person aggrieved or by any officer of the Township affected by any decision of the administrative officer. Such appeal shall be taken within twenty (20) days after the decision by filing, with the officer from whom the appeal is taken and with the Board, a notice of appeal specifying the grounds. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

The Board shall fix a reasonable time for the hearing of the appeal, give ten (10) days notice to the parties in interest, and decide the same within thirty (30) days after submitted. Upon the hearing, any party may appear in person or by attorney. Any person adversely affected by a decision of the Board may appeal to the Court of Common Pleas of the County, on the ground that the decision was unreasonable or unlawful.

POWERS AND DUTIES OF THE BOARD: The Board shall have the following powers and it shall be its duty to

- (a) Hear and determine appeals from and review any order, requirements, decisions or determinations made by the Zoning Inspector, in the enforcement of this resolution or any amendment thereto.
- (b) Hear and decide on permits for conditional uses, development plans or other uses upon which the Board is required to act under this resolution.
- (c) Authorize, upon appeal, in specific cases, such variance from the terms of this resolution as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of this resolution will result in

unnecessary hardship, and so that the spirit of this resolution shall be observed and substantial justice done.

- (d) In exercising the above-mentioned powers, such Board may, in conformity with such resolution and applicable Sections of the Revised Code of the State of Ohio, reverse or affirm, wholly or in part, 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 this end shall have all the powers of the officer from whom the appeal is taken.

RESTRICTIONS ON BOARD ACTION: Every decision of the Board shall be subject to certiorari. No variance in the application of this resolution shall be made by the Board, unless after public hearing the Board shall find that such variance will not

- (a) Permit any use in any district which would conflict with the appropriate use of the district under the terms of this resolution;
- (b) Impair the adequate light and air to adjacent property;
- (c) Increase the hazard of fire, flood and other dangers to said property;
- (d) Diminish the market value of adjacent lands and buildings;
- (e) Increase the congestion in public thoroughfares;
- (f) Otherwise impair the public health, safety, convenience, comfort and general welfare.

Article VIII * AMENDMENTS

AMENDMENTS: The Township Planning Commission shall meet quarterly and may initiate amendments to this resolution from time to time. Amendments may also be initiated by the Board of Township Trustees or by petition by one or more of the owners or lessees of property within the area affected by the amendment being filed with the Planning Commission. If amendment shall be initiated by the Township Trustees the same shall be certified to the Planning Commission.

Upon the certification of such amendment or the filing of a petition, the Township Planning Commission shall hold at least one (1) public hearing thereon, notice of which shall be given by one (1) publication in one (1) or more newspapers of general circulation in the Township at least thirty (30) days before the date of such hearing.

The Township Planning Commission shall, 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, petition or resolution, the text and map pertaining thereto and the recommendation thereon to the Board of Township Trustees.

The Board of Township Trustees shall, upon receipt of such recommendation, set a time for public hearing thereon, which date shall not be less than 30 days from the date of receipt of same from the Planning Commission. Notice of such hearing shall be given and provided in the same manner as that applicable to the Planning Commission. Within 20 days of such hearing the Board of Township Trustees shall either adopt or reject such proposed amendment or supplement or adopt some modification thereof. In the event that said Board rejects or modifies the recommendation of the Planning Commission the unanimous vote of said Board shall be required.

Any person adversely affected by an order of the Board of Township Trustees hereunder may appeal to the Court of Common Pleas of the County on the ground that such action by the Board was unreasonable or unlawful.

Article IX * PENALTIES AND REMEDIES

PENALTIES: It shall be unlawful to construct, reconstruct, enlarge, change, maintain or suffer to be done or maintained, or use any building or to use any land in violation of any regulation or any provision of this resolution or amendment thereto. Any person, firm or corporation which violates, or is responsible for those who violate, this resolution or any regulation, provision or amendment thereto shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than One Hundred Dollars (\$100.00). Each and every day during which such illegal erection, construction, reconstruction, enlargement, change, maintenance or use continues shall be deemed a separate offense.

REMEDIES: The Board of Township Trustees, the Prosecuting Attorney of the County, the Township Planning Commission through the Township Zoning inspector, the Township Zoning Inspector or any adjacent or neighboring property owner who would be especially damaged by violation of this resolution, or amendment thereto, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action, actions, proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

Article X * VALIDITY

INVALIDITY OF PORTIONS; Each section, article, sub-section, part, provision, requirement, regulation, restriction or specification established by this resolution or any amendment or supplement thereto, is hereby declared to be independent, and the holding of any part to be unconstitutional, invalid or ineffective for any cause shall not effect nor render invalid the resolution or amendment thereto as a whole or any part thereto except the particular part so declared to be unconstitutional, invalid or ineffective.

WHEN EFFECTIVE: Immediately upon the certification by the Putnam County Board of Election that the resolution was favorably voted upon by a majority of the vote cast on the issue.

Article Xi * AVAILABILITY FOR PUBLIC INSPECTION

DUTY OF: It is hereby directed that this resolution, the specifications, maps and attending data be available for public inspection at all regular hours of the Board of Township Trustees at their office or at call after reasonable notice has been given.

SPECIFICATIONS

- A. Definitions**
- B. Residential uses**
- C. Business uses**
- D. Industrial uses.**
- E. Contingent uses**
- F. Conditional uses**
- G. Vehicle Parking space**
- H. Unit Development plan**

SPECIFICATIONS * A - Definitions

1. Accessory use: A use which is incidental to the main use of the premises.
2. Alley: A public thoroughfare, which affords only secondary means of vehicular access to abutting property, and less than thirty (30) feet in width.
3. Basement: A story partly underground, but having less than one-half of its clear height above the filled ground level, which unless subdivided into rooms and used for tenant purposes, shall not be included as a story for the purpose of height measurements.
4. Board: The Board of Zoning Appeals of the Township of Liberty, Putnam County, Ohio.
5. Boarding House: A building not open to transients, where lodging and/or meals are provided for three (3) or more, but not over twenty (20) persons regularly; a lodging house.
6. Building: A structure having a roof supported by columns or walls, for the shelter, support, enclosure or protection of persons, animals, chattels or property. When separated by party walls, without openings through such walls, each portion of such a building shall be considered a separate structure.
7. Building Area: The maximum horizontal projected area of the principal and accessory building, excluding open steps or terraces, unenclosed porches not exceeding one story in height, or architectural appurtenances projecting not more than two (2) feet.
8. Building, Front line of: The line of that face of the building nearest the front lot line.
9. Building, Height of: The vertical distance measured from the filled ground level to the highest point of the roof on a flat roof; to the deck line of a mansard roof; and to the mean height between eaves and ridges for all other types.
10. Business: The engaging in the purchase, sale, barter or exchange of goods, wares, merchandise or services, the maintenance or operation of offices, or recreational and amusement enterprises for profit.
11. Camp, Public: Any area of land designated to accommodate two (2) or more automobile house trailers, or two (2) or more camping parties, including cabins, tents or other camping outfits.
12. Commercial: See business.
13. District: A portion of the Township of Liberty, Putnam County, Ohio, for which uniform regulations governing the use and/or occupancy of buildings and land, and open areas about buildings are herein established.

14. **Family:** A group of one or more persons occupying a building and living as a single housekeeping unit. No unrelated group living as a single housekeeping unit shall consist of more than six (6) persons, as distinguished from a group occupying a lodging house or hotel.
15. **Garage, Private:** An accessory building with capacity for not more than three (3) motor vehicles for storage only, not more than one (1) of which may be a commercial vehicle of not more than three (3) tons capacity.
16. **Ground Floor Area:** The square foot area of a residential building within its largest dimensions computed on a horizontal plane at the ground level, exclusive of open porches, breezeways, terraces, garages, exterior and interior stairways.
17. **Home Occupation:** An occupation, carried on by a member of the family residing on the premises, in conjunction with which no commodity is sold or stock in trade is kept on the premises; no person is employed other than a member of said family; and no sign, other than a name-plate, not exceeding one square foot in area, is displayed.
18. **Hotel:** A building in which lodging is provided and offered to the public for compensation, and which is open to transient guests, in contradistinction to a boarding or lodging house.
19. **Kennel:** Any lot or premises on which four (4) or more dogs, at least four (4) months of age, are kept.
20. **Lot:** A parcel of land occupied or intended for occupancy by a use permitted in this resolution, including one (1) principal building and its accessories, and the open spaces required by this resolution, and having its principal frontage on a street, or on an officially designated and approved place.
21. **Lot, Corner:** A lot abutting upon two (2) or more streets at their intersection.
22. **Lot Coverage:** The percentage of the lot area covered by the building area.
23. **Lot Depth:** The mean horizontal distance between the front line and the rear line of the lot, measured in the general direction of the side lot lines.
24. **Lot, Interior:** A lot other than a corner lot or a through lot.
25. **Lot, Through:** A lot having frontage on two (2) streets at opposite ends of the lot.
26. **Motel:** A building or group of buildings, in which lodging is provided and offered to the public for compensation, and catering primarily to the public traveling by motor vehicles.
27. **Nonconforming Use:** A building or premises which does not conform in its use or otherwise with all of the regulations of the

district in which such building or premises is located.

28. **Parking Lot:** A parcel of land devoted to unenclosed parking space for five (5) or more motor vehicles for compensation or otherwise.
29. **Story:** That portion of a building, included between the surface of any floor and the surface of the floor or roof next above it.
30. **Street:** A public thoroughfare thirty (30) feet or more in width between the property lines, which affords principal means of vehicular access to abutting property.
31. **Structure:** Anything constructed or erected, the use of which requires more or less permanent location on the ground, or which is attached to something permanently located on the ground.
32. **Structural Alteration:** Anything change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, or any substantial change in the exterior walls or the roof.
33. **Tourist Home:** A dwelling in which overnight accommodations for not more than five (5) transient guests is offered for compensation.
34. **Vehicle Parking Space:** The area required for parking one (1) automobile, which in this resolution is held to be an area nine (9) feet wide and twenty (20) feet long plus seventy (70) square feet of maneuver area for each vehicle parking space.
35. **Vision Clearance on Corner Lots:** A triangular space at the street corner of a corner lot, free from any kind of obstruction to vision between the height of $3\frac{1}{2}$ to 12 feet above established grade determined by a diagonal line connecting two points measured equidistant from the corner along each property line.
36. **Yard, Front:** Horizontal space measured at 90 degrees with the property line, between the front line of the principal building and the property line of the street upon which the building faces, unoccupied other than by steps, walks, terraces, and open, unroofed, unenclosed porches; or architectural appurtenances projecting not more than 30% of the required rear yard.
37. **Yard, Rear:** Horizontal space measured at 90 degrees to the rear lot line, between the rear of the principal building rear line of the lot, unoccupied other than by vehicle parking space, architectural appurtenances, or accessory buildings which do not occupy more than 30% of the required rear yard.
38. **Yard, Side:** Horizontal space measured at 90 degrees to the side lot line between the side of a building and the adjacent side line of the lot, unoccupied other than by architectural appurtenances projecting not more than 24 inches, or open or lattice-enclosed fire escapes, fireproof outside stairs, projecting not over four feet.

39. Zone: Same as district.

40. Outdoor Advertising: For purposes of this resolution, its amendments and supplements, outdoor advertising is hereby declared to be a business use and permitted in only those applicable districts, unless otherwise specifically provided herein.

SPECIFICATION * B - Residential Uses

SECTION I. - Single Family Residential
(Color-Code-White)

DEFINITION: A detached building designed or occupied by one family exclusively.

LOCATION PERMITTED: In all districts, provided it is located:

1. On a lot which was in single ownership or included in a subdivision recorded in the Office of the Recorder of Putnam County, Ohio, on or before the date of passage of this resolution; or
2. On any lot with a minimum in square feet area of 21,780.

HEIGHT OF BUILDINGS: Principal building - normal maximum, 35 feet.

1. Conditional Exception: Height of principal building may be increased above 35 feet but not higher than 45 feet, if two (2) side yards of 20 feet each are provided.

FRONT YARD: No building or structure or any portion thereof, except steps and uncovered porches less than 10 feet in width, fences, underground tanks or other objects incidental to residential uses, shall be erected or placed less than sixty (60) feet from the center line of the street, highway or road, except for a platted sub-division in which case the front lot line shall be 25 feet from the front property line.

SIDE YARD: The sum of the side yards shall equal no less than 25% of the lot width with a minimum of 10 feet for either side yard.

REAR YARD: 10% of the depth of the lot, with a minimum depth of 15 feet.

GROUND FLOOR AREA: Not less than 800 square feet.

LOT COVERAGE: 45% maximum on a corner lot; 40% maximum on interior lots.

ACCESSORY BUILDINGS, USES PERMITTED: As an accessory building there may be a private garage, or storage shed and quarters for bona fide servants employed by occupants of the lot.

PARKING: There shall be at least one off-street parking space provided.

SECTION II. - Multiple Family Residential
(Color-Code-Orange)

Sub-section A. Two Family Dwelling

DEFINITION: A detached building designed for or occupied by two families. A duplex dwelling has one family above the other. A double dwelling has one family beside the other. Included herein is also the type of dwelling commonly called a "twin-single".

LOCATION PERMITTED: Only in the Color-Code-Orange, Color-Code-Violet, Color-Code-Brown and Color-Code-Black districts, provided it is located:

1. On a separate and distinct parcel of land whereon the minimum square feet in area and minimum feet in width are as follows:

Square Feet
2,500 per family

HEIGHT PERMITTED: Principal building - normal maximum, 45 feet.

FRONT YARD: No building or structure or any portion thereof, except steps or uncovered porches less than 10 feet in width, fences, underground tanks or other objects incidental to a residential use, shall be erected or placed less than sixty (60) feet from the right-of-way line of the street, highway or road.

SIDE YARD: The sum of the side yards shall equal no less than 25% of the lot width with a minimum of 5 feet for either side yard.

REAR YARD: 20% of the depth of the lot, with a minimum of 20 feet.

GROUND FLOOR AREA: Not less than 2000 square feet.

LOT COVERAGE: 60% maximum on a corner lot; 50% maximum on an interior lot/

ACCESSORY BUILDING, USES PERMITTED: Private garage, storage, exclusive of industrial or commercial use.

GENERAL PROVISIONS AND CONDITIONAL EXCEPTIONS APPLICABLE TO ALL RESIDENTIAL USES IN DISTRICTS WHERE PERMITTED.

GENERAL PROVISIONS

1. **REAR YARD:** One-half of an alley abutting the rear lot included in the required rear yard.
2. **VISION CLEARANCE ON CORNER LOT:** Eight (8) feet from the intersection of property lines.
3. **VEHICLE PARKING SPACE:** One space on the lot for each family housed in the principal building.
4. **ACCESSORY BUILDINGS:**
 - (a) shall not be permitted prior to the erection of the principal building, except for strictly storage purposes and not for human occupancy;
 - (b) no detached accessory building shall be located closer to a side lot line or a rear lot line than three (3) feet.

- (c) the normal maximum height permitted shall be 18 feet or 1½ stories.

CONDITIONAL EXCEPTIONS

1. Front Yard:

- (a) Where 25% or more of the lots in a block or given area are occupied by buildings, the average setback of such buildings determines the dimension of the front yard therein. In no event shall the front yard exceed a maximum of sixty (60) feet from the center line of the street, highway or road.
- (b) Front yard or set-back lines established in recorded sub-divisions set that dimension therein, except when such set-back may be less restrictive as provided in Article I herein.
- (c) On lots extending through from one street to the next, two front yards shall be maintained.

2. ACCESSORY BUILDING: The height of accessory buildings may be increased to 25 feet or two stories provided the minimum required three (3) feet distance from side and rear lot lines is increased one (1) foot for each two (2) feet of additional height above the normal maximum height permitted.

SECTION III - AMENDMENT

Multiple Family Residential (Color-Code-White)

DEFINITION: Building or combinations of buildings making multi-family dwellings or three or more dwelling units.

LOCATION PERMITTED: Only in the Color-Code White, Violet, Brown and Black.

LOT REQUIREMENTS: Thirty Thousand (30000) feet for the first three dwelling units. Two thousand (2000) square feet additional area for each dwelling unit over three units.

HEIGHT PERMITTED: Principal building - Fifty (50) feet.

FRONT YARD: No building or structure or any portion thereof, except steps or uncovered porches less than 10 feet in width, fences, underground tanks or other objects incidental to a residential use, shall be erected or placed less than sixty (60) feet from the center line of the street, highway or road.

SIDE YARD: The side yard shall equal no less than the minimum of 10 feet unless it is adjacent to a higher zoning classification in which case the minimum side yard shall be forth (40) feet.

REAR YARD: The rear yard shall be a minimum of Twenty five (25) feet unless it is adjacent to a higher zoning classification in which case it shall be a minimum of Forty (40) feet.

ACCESSORY BUILDINGS - USES PERMITTED: Private automobile parking.

GENERAL PROVISIONS

- A. There shall be two parking spaces provided per housing unit with adequate drives thereto.
- B. The exits and entrances to the property shall be limited to two of no greater width than thirty five (35) feet, or the footage permitted by the State Highway Department. The location of the entrances must meet with the approval of the Board of Zoning Appeals.
- C. There must be adequate sewage facilities to the property, either public or private, sufficient to meet the approval of the Department of Health, State of Ohio, regulations which must be also approved by the Board of Zoning Appeals.
- D. There must be adequate water supply to the property.
- E. Construction of the apartments or housing units must meet with and conform to the Ohio Building Code, State of Ohio, before a certificate of occupancy will be issued.
- F. PLOT PLAN - The developer must produce a plot plan development for approval by the Zoning Inspector prior to construction. Any appeals to the decision of the inspector shall be made in accordance with Article VII of this resolution.
- G. Accessory buildings shall not be permitted prior to the erection of the principal building, except for strictly storage purposes and not for human occupancy.
- H. The normal maximum height for accessory buildings shall be 18 feet or 1½ stories.

CONDITIONAL EXCEPTIONS

FRONT YARD:

- A. Where 25% or more of the lots in a block or given area are occupied by buildings, the average set-back of such buildings determines the dimension of the front yard therein. In no event shall the front yard exceed a maximum of sixty (60) feet from the center line of the street, highway or road.
- B. On lots extending through from one street to the next, two front yards shall be maintained.

SECTION IV - AMENDMENT

Residential Mobile Home District

Section 1. A Mobile Home Court may be created in any district upon a petition for an amendment to the zoning resolution and map,

which petition shall be heard and decided by the Planning Commission.

The petition shall provide a plan in complete detail showing the following:

1. Location and legal descriptions;
2. Entrance to and exits from the park;
3. Vehicular roadways, driveways, and pedestrian walks;
4. Design, showing size and arrangements of mobile home lots and stands, location of roadways, service and utility buildings;
5. Areas set aside for recreation, clothes washing and drying, storage, and off-street parking;
6. Fencing and screen planting on the premises;
7. Provisions for trash and garbage removal;
8. Gas, electric and phone service connections to each space; service connections shall be underground;
9. Provisions for the lighting of roadways, driveways, and pedestrian walks;
10. Water and sewer availability and distribution lines to each space;
11. Typical lot plan.

The following standards shall be required of all Mobile Home Parks:

A. Acreage Required and Zoning Variances

1. The minimum free-standing district shall not be less than ten (10) acres and the density of mobile homes shall not be greater than eight (8) to the net acre. Net acreage is defined as the acreage remaining after the deductions of areas set aside for storage, recreation, garbage and trash collection points, utility and service building areas and spaces, roadways, driveways, walkways, and off-street parking.
2. When considering a zone change for mobile home parks, the Planning Commission shall consider the following requirements:
 - a. The district shall be allowed only where there is access to adequate streets and highways.
 - b. Due consideration shall be given to the environmental factors involved in order that livability may be secured and any adverse effects to surrounding uses or property values eliminated.

- c. In considering livability, recognition shall be given to the setting of mobile homes on lots, the availability of schools and shopping facilities, and the nature of the abutting zone districts.
- d. Any portion of a mobile home district which adjoins a single family residential area shall have at least 100 ft. exclusive of roads or highways between said single family area and the Mobile Home Park. Nor can any Mobile Home Bistrict be nearer than 100 ft. to a single family resident area.

Permitted Uses

No building, structure or land shall be used, and no building shall be erected, structurally altered or enlarged, in said Mobile Home Park, except as provided herein.

1. Uses by Right - The following uses may be operated by right:
 - a. Mobile homes;
 - b. Accessory buildings and uses incidental to and in conformance with the above use;
 - c. There may be enclosed recreational buildings which buildings may not be less than 1,500 square feet;
 - d. There may be an office building not less than 600 square feet;
 - e. Public utility substations.

Mobile Home Park Requirements

1. Minimum Width - 300 feet.
2. Minimum Front Yard Setback - 90 feet from the center of highways of 50 feet from the side of a dedicated street.
3. Minimum Side Yard Setback - 25 feet along interior lot lines; 25 feet along public side streets except if side street.
4. Minimum Rear Yard Setback - 15 feet, except when the rear yard abuts a dedicated public right-of-way which shall require a minimum of 25 feet.

Mobile Home and Mobile Home Lot Requirements

1. Minimum area
 - a. A minimum of 21780 square feet per mobile home lot.
 - b. A minimum of 400 square feet per mobile home.
2. Maximum Hieght of Structures
 - a. Mobile Homes - 16 feet.
 - b. Accessory Buildings - 20 feet.

3. Minimum Front Yard Setback of Lot - Twenty (20) feet.
(This shall mean street side of Lot)
4. Minimum Rear Yard Setback of Lot - Ten (10) feet. (This shall mean opposite side of front yard.)
5. Minimum Side Yard on Entry Side of Mobile Home - Twenty (20) feet.
6. Minimum Side Yard Opposite the Entry Side of the Mobile Home - five (5) feet. (For the corner lot it shall be twelve (12) feet.)
7. No mobile home shall be closer together less than twenty five (25) feet at side yard and twenty (20) feet at rear yard.
8. Minimum size of concrete pad shall be the size of the mobile home it accomodates and all mobile homes must have a pad.

Park Accessory Building Setback

1. Minimum Front Yard - Fifty (50) feet
2. Minimum Side Yard - Twenty Five (25) feet
3. Minimum Rear Yard - Twenty Five (25) feet; except if abutting onto a dedicated public right-of-way, thirty five (35) feet.

General Rules

1. No mobile home shall be parked closer than ten (10) feet to a private interior roadway. All mobile homes must have access to the park roadway system.
2. Entrance and exit roadways shall connect to a dedicated public right of way. Private circulation roadways or driveways shall be continuous, Twenty Eight (28) feet wide minimum and connect to entrance and exit roadways. Interior roadways or driveways shall be hard-surfaced with asphalt or concrete. All individual mobile homes must have their individual exits and entrances on interior drives and not on the main highways.
3. For each mobile home lot there shall be provided:
 - a. Open recreational area in the amount of three hundred (300) square feet; or as required by the state.
 - b. Minimum square footage for office building shall be 960 square feet.
 - c. No additional building structure shall be added to a mobile home, except patio and/or a Florida type structure which shall not be heated.
 - d. Off-street parking; a minimum of two spaces for each mobile home lot.

4. Service and utility buildings, appurtenances, garbage and trash containers, racks and rack locations, rodent and insect control, water and sewage provisions where required or furnished must meet with the approval of the Health Department.

- a. All refuse must be stored in durable, fly-tight, water-tight and rodent proof containers of a size easy to handle, which should be maintained in a clean condition and in good repair at all times. Sufficient capacity should be provided to prevent the overflowing of any container between collections. Each house trailer space will require from five (5) to ten (10) gallons of refuse-storage capacity per day, which may be required to be furnished by the tenants.

Unless collection regulations or disposal methods require the use of separate containers for garbage and rubbish, they may be stored in the same containers. Where separation is required, the containers should be plainly marked "garbage" (food wastes) or "rubbish" (paper, cans, bottles, etc.). The draining and warping of garbage are recommended as this practice helps to eliminate fly-breeding, reduces the frequency of container washing, and minimizes odors.

Container Racks. Permanent locations should be selected for the refuse containers, and satisfactory racks or holders should be provided which will minimize spillage and container deterioration. The racks should have twelve (12) inches of clear space beneath them to facilitate cleaning and to prevent rodent harborage. One rack station should be provided for each two house trailer spaces.

All refuse should be collected by the mobile home operator or by contract at least weekly. If collection service should not be available from municipal or private agencies, the mobile home park operator must arrange for all refuse to be collected and transported to the disposal site in covered vehicles or covered containers, or disposed of in some other sanitary manner. There shall be no burning of trash in the mobile home park.

- b. All utilities, including electric power lines, telephone lines and television lines, shall be underground.
- c. No exterior television or radio antennas shall be permitted in the park other than a community type antenna for the use of the park occupants.
- d. All mobile home parks must meet with the laws and regulations of the State of Ohio and the Department of Health of the county wherein they are located. And if said regulations are of less severity than these enclosed regulations, the regulations herein shall apply.

An individual mobile home may be placed on any parcel of property under the following circumstances:

1. The mobile home complies with the definition under Specification B of the zoning resolution for a residence and a building permit is requested and issued, and all of the other requirements of this resolution regarding housing are complied with.
2. Upon application to the Board of Appeals for a permit, a mobile home may be placed on individual parcels of property under the following circumstances:
 - a. It is to be used as supplemental housing for a dependent or partially dependent member of a family, or the family members providing the care of partial care.
 - b. The mobile home will be placed on or within 200 feet of an existing dwelling occupied by the person or persons responsible for the care of the dependent member of the family.
 - c. The set back lines shall comply with the same set back lines as would be required for housing in a residential district.
 - d. The mobile home shall be placed on a pad sufficient to accommodate its full size, and shall have adequate sewage and water connections as may be required by the County Health Board or any other health boards.
 - e. Said mobile home shall have a square foot area of no less than 400 feet.
 - f. Said mobile home may only be used as supplemental housing during the period of the dependency.
 - g. Said mobile home permit shall be renewed annually at no additional charge by the zoning inspector, if he determines the conditions as stated in paragraph 2., a. still exist.

SPECIFICATION * C - Business Uses

**SECTION I - Limited Business
(Color-Code-Violet)**

DEFINITION: Business uses primarily of a retail or service nature.

LOCATION PERMITTED: Only in the Color-Code-Violet, and the Color-Code-Brown, and in the Color-Code Black districts.

TYPE OF BUSINESS: The following classification of business uses specifically stated or implied are permitted in those districts:

1. Automobile Service, including a filling station, commercial garage, commercial parking lot and sales room;
2. Business Service, including a bank and offices;

3. Clothing Service, including a laundry agency, self-service laundry, and dry cleaning establishment using not more than two clothes cleaning units, neither of which shall have a rated capacity of more than 40 pounds cleaning fluid which is non-explosive and non-inflammable;
4. Equipment Service, including a radio shop, electric appliances shop, record shop, and a TV shop;
5. Food Service, including a grocery, meat market, super-market restaurant, delicatessen, cold storage locker for individual use, bakery and roadside sales stand;
6. Personal Service, including a barber shop, beauty shop, dress-making, millinery, tailor and pressing shop, and shoe repair, reducing salon and photographic studio.
7. Public Service, including a postal station, governmental agency offices, public utilities station such as a telegraph office, telephone office and water and light offices;
8. Rental Service, Retail Stores Generally, including a drugstore, hardware store, stationer, newsdealer, show room for retail sales, commercial greenhouse, not to exceed 1000 square feet in area, apparel shop and flower shop.
9. Commercial Recreational Use (conducted only within buildings so constructed that no noise of any kind produced therein shall be audible beyond the confines of that building), including a theater, bowling alley, billiard room, dancing academy and a tavern or night club, only ; in conformity with requirements of laws or resolution or ordinances governing such use;
10. Hotel;
11. Private Club or Lodge;
12. Advertising Sign or Billboard.

HEIGHT OF BUILDINGS: Normal maximum in Color-Code-Violet districts shall be 45 feet; normal maximum in Color-Code-Brown or Color-Code-Black districts shall be 65 feet.

FRONT YARD: No building or structure or any loading or shipping docks or portion thereof, including gas pumps, parking space, except steps or uncovered porches less than 10 feet in width, fences, underground tanks or other objects incidental to a limited business use, shall be erected or placed less than 30 feet from the right-of-way line of the street, highway or road.

SIDE YARD: Where the limited business adjoins a residential block or area, the minimum dimension shall be 25 feet; where the limited business adjoins another limited business, or a general business, or an industry, no side yard need be provided; however, if a side yard is provided the minimum dimension shall be five feet.

REAR YARD: 10% of the depth of the lot.

LOT COVERAGE: 90%, but this shall not waive provisions of yards

where required.

**SECTION II. - GENERAL BUSINESS
(Color-Code-Brown)**

DEFINITION: Business and commercial use including wholesale and storage uses conducted within enclosed, substantially constructed buildings.

LOCATION PERMITTED: Only in the Color-Code-Brown and Color-Code Black districts.

TYPE OF BUSINESS: The following classification of business uses specifically stated or implied are permitted in those districts:

1. Local and Business Uses.
2. Department Store
3. Storage Warehouse
4. Wholesale Establishment.
5. Hatchery
6. Motor Bus or Railroad Passenger Station
7. Any Commercial Use not specifically stated or implied else where in this resolution and complying with the above definition.

HEIGHT OF BUILDINGS: Normal maximum in districts where permitted shall be 60 feet.

FRONT YARD: Same as specified under Limited Business above.

SIDE YARD: None required. However, if a side yard is provided the minimum dimension shall be five feet.

REAR YARD: 10% of the depth of the lot.

LOT COVERAGE: 90%, but this shall not waive provisions of yards where required.

GENERAL PROVISIONS AND CONDITIONAL EXCEPTIONS APPLICABLE TO ALL BUSINESS USES IN DISTRICTS WHERE PERMITTED:

GENERAL PROVISIONS

1. **VEHICLE PARKING SPACE:** Parking space shall be provided on the lot, or within 300 feet thereof on a site approved by the Board of Zoning Appeals, as follows:

- | | | |
|---|---|---|
| (a) Limited Business Uses from numbers 30 to 8, incl. |) | |
| (b) Commercial Recreational Uses other than theatres, listed in local business category 9 above |) | One space for each 125 feet of floor area |
| (c) Private Club or Lodge |) | |
| (d) Department Store or other commercial Uses included under General Business Uses |) | |
| (e) Business Service Uses listed in Limited Business category 2 above |) | One space for each 3 employees |

- (f) Wholesale Establishments) One space for each 125
- (g) Theaters) square feet of floor area
- (h) Hotels) One space for each 6 seats
- (i) Motels) One space for each
-) 3 sleeping rooms
-) One space for each
-) 2 sleeping rooms

2. **LOADING AND UNLOADING BERTHS:** Shall be provided on the lots as follows:

USE	Gross Floor	Loading and Unloading Berths
Retail Sales	3000 to 15000	
Department Stores		
Wholesale Establishments		1
Storage Uses	15001 to 40000	2
Other Commercial Uses	each 25000 add 1	1 additional
Hotels & Office	100000 or less	1
Buildings	100000 to 336000	2
	each 200000 add 1	1 additional

- 3. **PAVING:** Open parking area and loading and unloading berths shall be paved with dust-proof or hard surface, meeting the standard specifications of the Township.
- 4. **REAR YARD:** One-half of any alley abutting the rear of a lot may be included in the rear yard to satisfy rear yard requirements, but such alley space shall not be included for loading and unloading berths.
- 5. **VISION CLEARANCE ON CORNER LOTS:** Eight (8) feet from the intersection of property lines.

CONDITIONAL EXCEPTIONS

- 1. **MAXIMUM HEIGHT:** The normal maximum height of structures may be increased as follows:
 - (a) Building may be erected higher than the normal maximum if they are set back, from front to rear property lines, one foot for each two feet of additional height above the normal maximum height.
 - (b) Chimneys, cooling towers, transmission towers, or essential mechanical appurtenances may be erected to any height not prohibited by other laws or ordinances, rules, regulations, or resolutions.

2. VEHICLE PARKING SPACE:

- (a) Groups of uses requiring Vehicle Parking Space may join in establishing group parking areas with capacity aggregating that required for each participating use.
- (b) Vehicle Parking Requirements may be waived by the Board of Zoning Appeals in a block, 50% or more of which, in area, was occupied by business or industrial structures at the time of passage of this resolution.

3. FRONT YARD: Where 25% or more of the lots in a block or given area are occupied by buildings, necessary setback of such building, or buildings, determines the dimension of the front yard in the block or given area, but the maximum front yard need not exceed 90 feet.

SPECIFICATION * D - Industrial Uses

Section I: - Light Industrial Uses

DEFINITION: A Light Industrial Use is one which ordinarily uses only light machinery, is conducted entirely within enclosed, substantially constructed buildings; does not use the open area around such buildings for storage of raw materials or manufactured products or for other industrial uses or purposes, other than loading or unloading operations in the rear; and which is not noxious or offensive by reason of the emission of smoke, dust, fumes, gas, odors, noises or vibrations beyond the confines of the building.

LOCATION PERMITTED: Only in the Color-Code-Brown and Color-Code Black districts.

SECTION II - Industrial Uses

DEFINITION: An Industrial Use is one which requires both buildings and open area for manufacturing, fabricating, processing, heavy repairing, dismantling, storage or disposal of raw materials, manufactured products or wastes, which are not injurious to health or safety of humans or animals or injurious to vegetation; and which are not noxious or offensive by reason of the emission of smoke, dust, gas, fumes, odors, or vibrations beyond the limits of the premises upon which such industry is conducted.

TYPE OF BUSINESS: The requisite conditions must first be met, and proper evidence furnished substantiating thereto, prior to the construction or erection of any portion of any industrial site. That which can fully comply with said requisites in their entirety will be permitted.

1. Included in this classification are all the following:

- (a) Automobile wrecking or junk storage, if fully complying, and provided that the use is confined entirely within substantially constructed buildings or in yards completely enclosed and surrounded by solid

walls at least eight (8) feet in height;

- (b) Poultry slaughtering and wholesaling;
- (c) Veterinary hospital or kennel;
- (d) Bulk storage of inflammable fluids in aboveground tanks, but not oil refinery tanks;
- (e) Railroad freight house;
- (f) Contractor's plant, equipment yard or storage yard.

LOCATION PERMITTED: Only in the Color-Code-Black districts.

GENERAL PROVISIONS AND CONDITIONAL EXCEPTIONS APPLICABLE TO ALL INDUSTRIAL USES IN THE DISTRICTS WHERE PERMITTED:

GENERAL PROVISIONS

1. HEIGHT OF BUILDINGS: Normal maximum in districts were permitted shall be 60 feet.
2. FRONT YARD: Norman minimum shall be twenty-five (25) feet in depth from berm edge of the then existing street, highway or road.
3. SIDE YARD: None required. However, if a side yard is provided, the minimum dimension shall be fifteen (15) feet.
4. REAR YARD: 10% of the depth of the lot with a maximum requirement of twenty (20) feet. (One-half of an alley abutting the rear of the lot may be included in the rear yard to satisfy the rear yard requirements, but such alley space shall not be included for loading or unloading berths).
5. LOT COVERAGE: 90%, but this shall not waive provisions of yards where required.
6. VISION CLEARANCE ON CORNER LOTS: 10 feet.
7. VEHICLE PARKING SPACE: One vehicle parking space for each three employees shall be provided on the lot, or within 300 feet thereof on a site approved by the Board of Zoning Appeals.
8. LOADING AND UNLOADING BERTHS: One (1) berth shall be provided for every 15,000 square feet of gross floor area up to and including the first 45,000 square feet of gross floor area, and one (1) additional berth for every 40,000 square feet of gross floor area thereafter.
9. PAVING: Open parking areas and loading and unloading berths shall be paved with a dust-proof or hard surface, meeting the

standard specifications of the Township.

CONDITIONAL EXCEPTIONS

1. **MAXIMUM HEIGHT:** The normal maximum height of structures may be increased as follows:
 - (a) Buildings may be erected higher than the normal maximum if they are set back, from front to rear property lines, one foot for each two feet of additional height above the normal maximum height.
 - (b) Chimneys, cooling towers, transmission towers, or essential mechanical appurtenances may be erected to any height not prohibited by other laws or ordinances, rules, regulations or resolutions.
2. **VEHICLE PARKING SPACE:**
 - (a) Groups of uses requiring vehicle parking space may join in establishing group parking areas with capacity aggregating that required for each participating use.
 - (b) Vehicle parking requirements may be waived by the Board of Zoning Appeals in a block or given area, 50% or more of the area of which was occupied by business or industrial structures at the time of passage of this resolution.

SPECIFICATION * E - Contingent Uses

DEFINITION: Uses which are likely or liable, but not certain to occur, and which are not inappropriate to the principal use of the district in which located.

LOCATION PERMITTED AND PARKING SPACE REQUIRED: Contingent uses, as listed herein, are permitted in the districts indicated below. Each use shall provide on the lot, or within 300 feet thereof on a site approved by the Board of Zoning Appeals, parking space open or enclosed - as follows:

CONTINGENT USE	COLOR-CODE-DISTRICT PERMITTED	PARKING SPACE REQUIRED
Boarding or lodging house	all but white	1 for each 3 occupants
Church or temple; college or university; community center or public park recreational area; school public or parochial	all districts	church - one for every 6 seats college - one for every 3 students & staff community center - one for every 6 seats schools - one for every 3 members of staff

Mortuary	all but white	1 for each 6 seats in chapel
Lodge or private club (non-commercial nature)	black, violet, brown,	1 for every 125 sq. ft. of ground floor area
Nursing home or homes for the aged	all	1 for every seven patients
Professional office in residence or practicing professional person	all	2 additional than re- quired in the district
Public library or museum	all	1 for every 125 sq. ft. of ground floor area
Farm vegetable or flower garden, or plant nursery, and general agricultural operations	all	1 additional
Tourist home, motel or trailer court	all but white	1 for every accommo- dation unit
Municipal, County, Town- ship, or other govern- mental building	all	1 for every 125 sq. ft. of ground floor area
Public utilities build- ing or right-of-way, in- cluding purposes essential to their operations, but not including commercial or industrial uses in any residential district nor real yards, shops, stations, or storage yards in any residential district.	all	1 for each 3 employees in the building
Temporary sign, for lease, sale or rent of a building or land	all	none

**GENERAL PROVISIONS AND CONDITIONAL EXCEPTIONS APPLICABLE TO ALL
CONTINGENT USES IN THE DISTRICTS WHERE PERMITTED:**

GENERAL PROVISIONS

1. **PAVING:** Open parking spaces shall be paved with a dust-proof or hard surface meeting the standard specifications of the Township.

CONDITIONAL EXCEPTIONS

1. **PARKING REQUIREMENTS:** A church or temple requiring parking areas at times when nearby uses do not need their parking facilities, may, by agreement approved by the Board of Zoning Appeals, utilize such facilities in lieu of provid-

ing their own parking facilities.

②. HEIGHT PERMITTED:

(a) Normal maximums are as follows:

Color-Code-District	Maximum
white	35 feet
orange and violet	45 feet
brown and black	60 feet

(b) Buildings may be erected to heights in excess of the Normal Maximum Height if they are set back from required front, side and rear yard lines, or property lines where yards are not required, as follows:

Color-Code-District	Setback
white and orange	1 foot for each 1 foot of additional height
violet, brown and black	1 foot for each 2 feet of additional height

(c) In all districts, spires, church steeples, chimneys, cooling towers, elevator bulkheads, fire towers, transmission towers and other essential mechanical appurtenances may be erected to any height not prohibited by other laws or ordinances, rules, regulations, or resolutions.

THE PROVISIONS FOR YARDS, VISION CLEARANCE AND ACCESSORY BUILDING AS THEY PERTAIN TO GROUP HOUSE IN COLOR-CODE-ORANGE DISTRICT, LIMITED BUSINESS IN COLOR-CODE-VIOLET OR BLACK DISTRICTS, OR GENERAL BUSINESS USES IN THE COLOR-CODE-BROWN DISTRICT, SHALL APPLY TO CONTINGENT USES LISTED HEREIN.

SPECIFICATION * F - Conditional Uses

PERMITS FOR CONDITIONAL USES: The following uses, or structural alterations thereto, which are classified as Conditional Uses, may only be permitted in any of the districts by the Board of Zoning Appeals, and only then if in accordance with the procedure specified herein:

1. Airport or aircraft landing field.
2. Amusement park.
3. Cemetary or crematory.
4. Country club or golf course.
5. Fire Station.
6. Hospital.

7. Kindergarten and day nurseries.
8. Lodge or private club.
9. Outdoor theater.
10. Philanthropic or charitable institution.
11. Practice golf driving range.
12. Radio or T.V. transmitting tower.
13. Sanitary fill or refuse dump.
14. Sewage or garbage disposal plant.
15. Trailer or public camp area.
16. Man-made bodies of water.
17. Recreational grounds.

PROCEDURE: Upon receipt of an application for a Conditional use by the Board of Zoning Appeals, it shall be referred to the Township Planning Commission for investigation as to the matter and manner in which the proposed location and character of the Conditional Use will affect the Master Plan of the Township. The Township Planning Commission shall report the results of its study of the proposal to the Board of Zoning Appeals, and if the report is favorable to the proposal the Board of Zoning Appeals may, after public notice and hearing according to law, grant the permit, including the imposition of conditions of use, which the Board deems essential to insure that the Conditional Use is consistent with the spirit, purpose and intent of this resolution, will not substantially and permanently injure the appropriate use of neighboring property, and will substantially serve the public convenience and welfare.

INDUSTRIAL CONDITIONAL USES: The following uses may only be permitted in the Color-Code-Black (Industrial) district, and only then if IN ACCORDANCE with the procedure specified in paragraph "PROCEDURE" above, AND the inclusion of a report by the County Health Officer or the State Board of Health and the State Fire Marshall that the uses applied for will not be injurious to the public health and safety:

1. Acid manufacture.
2. Arsenal.
3. Cement, lime, gypsum or plaster-of-paris manufacture.
4. Distillation of bones, coal or wood.
5. Explosives manufacture or storage.

6. Incineration or reduction of garbage, dead animals, offal or refuse, except for Township or County purposes.
7. Packing plants.
8. Slag, stone, cinder or coal crushing or pulverizing.
9. Any other use which may, under some circumstances, be injurious to public health or safety, but which may, with adequate safeguards, be designed so as to not be injurious in such manner.

SPECIFICATION * G - Vehicle Parking Space

SPECIFIC REQUIREMENTS: The SPECIFICATIONS designated B to E inclusive, described in Article XII of this resolution, specify the off-street parking requirements for each type of use permitted under the provisions of this resolution.

PERMITS FOR PARKING LOTS IN RESIDENTIAL DISTRICTS: In order to meet the requirements for vehicle parking space, where such space is not available on the lot occupied by a building, as specified in SPECIFICATIONS C to E inclusive, the Board of Zoning Appeals may, after receipt of a favorable report from the Township Planning Commission on the proposal, and after public notice and hearing, grant a permit for the establishment of a parking lot in a Color-Code-White or Orange district, PROVIDED that the entire area of the parking lot is within 300 feet of a Color-Code-Violet, Brown or Black district or, in the case of a church or other place of congregation in a Color-Code-White or Orange district, immediately adjacent to such church or other place of congregation, and PROVIDED further that:

1. There shall be no sales, dead storage, repair work, dismantling or servicing of any kind on said parking lot.
2. Entrances and exits shall be approved as to location by the Township Planning Commission.
3. No parking shall be permitted nearer than 5 feet from the front or side lot line.
4. Except for otherwise approved entrances and exits, a curb or rail, not more than two (2) feet in height nor less than eight (8) inches in height, shall be erected so as to conform with the required front lot line and may be required along boundaries of the parking lot as determined by the Township Planning Commission for the protection of adjoining residentially zoned or used property.
5. The lot shall be surfaced with a dust-proof or hard surface, meeting the standard specifications of the Township.
6. No advertising signs shall be erected upon such lot except not more than one (1) sign on each street side to indicate the operation and purpose of the lot, such sign shall not

exceed 20 square feet in area and shall not extend more than 10 feet in overall height above the ground level.

7. Lighting facilities, if provided, shall be so arranged as to be reflected away from property residentially zoned or used.
8. If at ANY TIME after the issuance of the required permits any of the provisions of this Section are not complied with, the permits shall be revoked and operation of such lot shall immediately cease.

SPECIFICATION * H - Unit Development Plan

SECTION I - Residential Development Plan.

1. The owner or owners of any tract of land, comprising an area of not less than 10 acres in size, may submit to the Board of Zoning Appeals a plan for the use and development of the land, primarily for residential purposes. The proposed plan shall be submitted to the Township Planning Commission for examination, study and report and for a public hearing. If the Township Planning Commission approves of such plan, the plan, together with recommendations by the Commission, shall be embodied in a report to the Board of Zoning Appeals, stating the reasons for its approval and specific evidence and facts showing that such plan has considered and make provision for the following essential elements;
 - (a) That the appropriate use of adjacent lands will be fully safeguarded;
 - (b) That the plan is consistent with the intent and purpose of this resolution to promote the public health, safety and general welfare.
 - (c) That the buildings will be used primarily for residential purposes, and that the usual accessory buildings are uses such as garages, storage places and community activities; and
 - (d) That the area of the tract, exclusive of street-ways and etc. but including areas for parkways, shall provide the minimum lot area per family which is required for that type of housing as provided under the appropriate specification in this resolution.
2. If the Board of Zoning Appeals approves the proposed plan, building permits and certificates of occupancy shall be issued, even though the use of the land, the location of the buildings to be erected in the area, and the yards and open spaces provided in the plan do not conform in certain respects to the regulations for the district in which the development is to be located.

SECTION 2 - Community Shopping Center Development Plan

1. The owner or owners of any tract of land, comprising an area of not less than 4 acres, may submit, in a similar manner, a development plan for a community shopping center, which shall be processed in a manner the same as that entailed in Section 1 above, and may be approved if the report of the Township Planning Commission shows that:
 - (a) That the commercial uses included in the plan are limited to those permitted in the Color-Code-Violet (Limited Business) district;
 - (b) That the entire development is designed as a single architectural unit, with appropriate landscape treatment as such a unit;
 - (c) That at least twice the gross floor area of the stores to be included, plus one vehicle parking space for every six (6) seats in any theater or place of congregation included as a store in the plan, is provided in off-street parking area, which are integral parts of the design of the plan;
 - (d) That the appropriate use of the adjacent lands will be fully safeguarded; and
 - (e) That the plan is consistent with the intent and purpose of this resolution to promote the public health, safety, and general welfare.
2. If the Board of Zoning Appeals approves the proposed plan, building permits and certificates of occupancy shall be issued as prescribed in Section I, paragraph 2 above.

Respectfully submitted by:

The Liberty Township Planning Commission:

Tom J. Niese
Kenneth A. Niese

Timothy J. Kadler
Terry Leber
Richard L. Schroeder

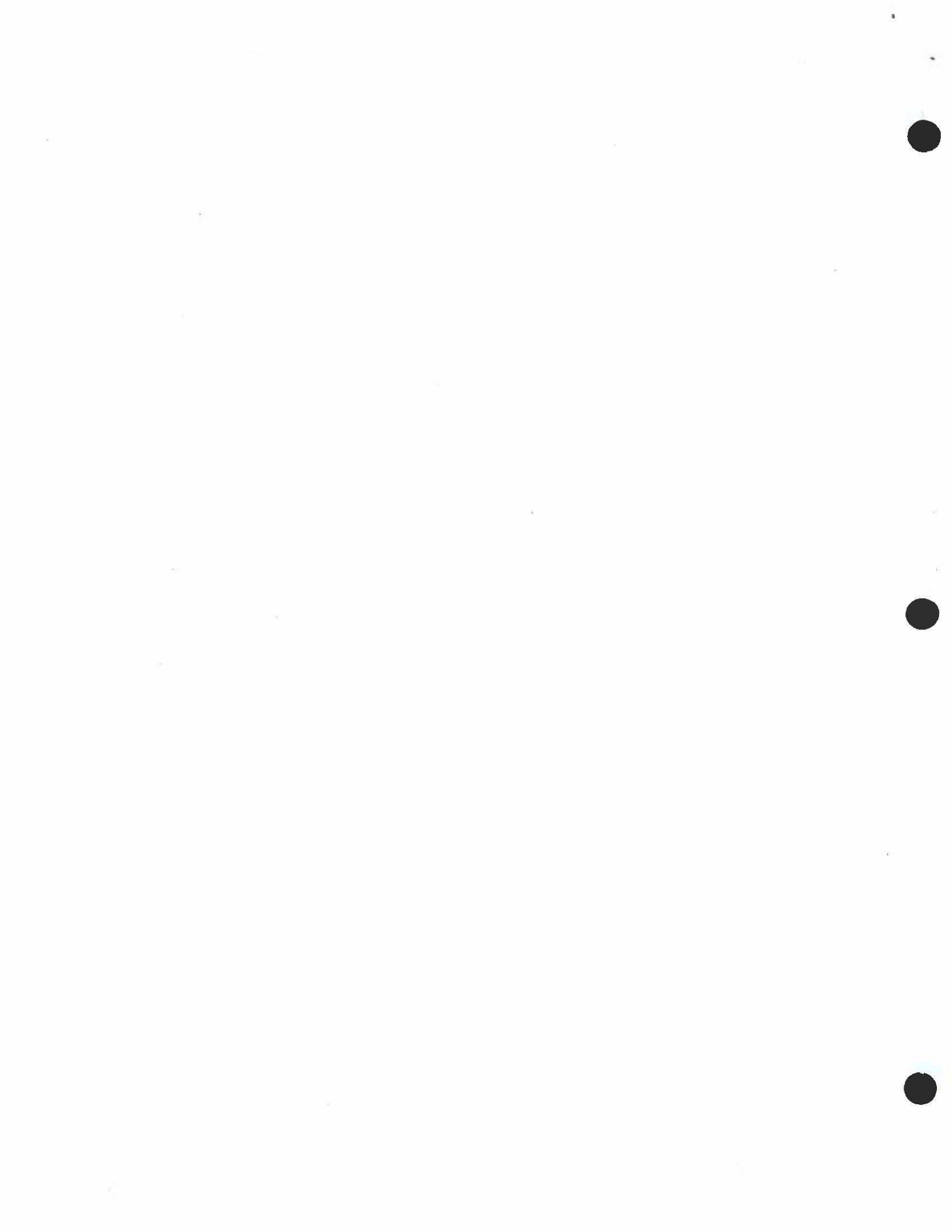
And adopted by the Liberty Township Trustees:

Dennis Ellerbrook
Paul Ward
Virgil F. Niese

ADDITIONAL ZONING FACTS:

Any request for an amendment or change in the Township Zoning Resolution is to be accompanied with a deposit of \$100, to cover necessary expenses involved with the change. Any part of the \$100 not used, will be refunded!

A time limit of one (1) year, with an appeal of one (1) year extension time will be on any change in the Zoning Resolution!



Putnam County Regulations regarding Wind Driven Generators/Windmills

The placing of a wind driven generator and windmill is considered a conditional and accessory use. The structure will be subject to a site plan approval by the Putnam County Planning Commission. The site plan shall be drawn to an appropriate scale and shall provide construction details and show the location of existing roads, existing structures, utility, and other easements, facilities and power lines to be constructed on the site, as well as identifying adjoining property owners. Proof of insurance of erector must be included.

Additional requirements:

- The fall zone must be 10% more than the total height of the tower, thus a 1 to 1.1 ratio would be in effect for the tower to stay away from all road right of ways, property lines and utility easements.
- Standard manufacturer's color for pole and blades
- Guy wires shall fall within standard setback guidelines
- A decibel level not to exceed 60 decibels for sound requirements at adjacent property lines
- No signage permitted on windmill
- No other antennae permitted on windmill except for safety services
- Must comply with Federal Aviation Administration (FAA) regulations
- Windmill shall be removed within ninety (90) days of cessation of operation
- Approval of zoned township required if applicable
- Contractor that erects the windmill must be insured for at least \$1 million
- \$40 Application Fee