

**WASHINGTON TOWNSHIP  
SANDUSKY COUNTY, OHIO  
ZONING RESOLUTION**

*2023 Edition*

Revised 1992  
Revised 3/2/2012  
Revised 8/11/2020  
Revised 7/11/2023

**WASHINGTON TOWNSHIP**

**ZONING RESOLUTION**

A RESOLUTION, for the purpose of promoting public health, safety, morals, comfort and general welfare; 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, this township finds it necessary and advisable to regulate the location, size and use of buildings and other structures, including tents, cabins, and trailer coaches; percentages of lot areas which may be occupied; set-back building lines; sizes of yards, courts and other open spaces; and the use of land for trade, industry residence, recreation or other purposes and for such purposes, divided the area of the township into district of zones.

BE IT RESOLVED BY THE BOARD OF TRUSTEES, WASHINGTON TOWNSHIP,  
SANDUKSY COUNTY, STATE OF OHIO:

**ARTICLE I**

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This resolution shall be known as the Zoning Resolution of Washington Township

**ARTICLE II – DISTRICTS AND GENERAL PROVISIONS**

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**SECTION 1. Districts:**

The Township is hereby divided into districts. The districts as listed below may or may not be included in Washington Township, however, rules and regulations governing the following districts are included in this zoning resolution.

“A-1”	Agriculture District
“S-1”	Special District
“R-1”	Suburban District
“R-2”	Residential District
“R-3”	Multiple Dwelling District
“B-1”	Local Business District
“B-2”	Regional Business District
“M-1”	Restricted Industrial District
“M-2”	Industrial District
“M-3”	Mineral Extraction & Processing District

**SECTION 2. Washington Township Zoning Map:**

The boundaries of Washington Township are shown upon the map which is made a part of this Resolution, which map is designated and other information shown thereon are a part of this Resolution and have the same force and effect as if this map and all the notations references and other information shown thereon were all fully set forth or described herein, the original of which Washington Township Zoning Map is properly attested and is on file with the Washington Township Zoning Commission and Board of Trustees.

**SECTION 3. District Boundaries:**

1. The district boundary lines on said zoning map are intended to follow either streets or alleys or lot lines; and where the districts designated on the map are bounded approximately by such street, alley or lot line shall be constructed to be the boundary of the district, unless such boundary is otherwise indicated on the map. In the case of un-subdivided property, the district boundary lines shall be determined by the use of the scale appearing on the Zoning Map or dimensions.
2. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be the center line of the railroad right-of-way.

**SECTION 4. Compliance with Regulations:**

1. No building shall be erected, converted or altered nor shall any building or land be used except for a purpose permitted in the district in which the building or land is located, except as hereinafter provided. No building shall be erected, enlarged or altered except in conformity with the area regulations, minimum yard requirements and minimum off-street parking space requirements of this Resolution for the district in which such building is located.
2. No part of a yard or other open space required about any building for the purpose of complying with the provisions of this Resolution shall be included as a part of a yard or other open space similarly required for another building.

**SECTION 5. Uses Exempted from Provisions of Resolution:**

1. The use of land for agricultural purposes or the construction or use of buildings or structures incidental to the use for agricultural purposes of the land on which such buildings or structures are located shall be permitted in all districts established by this Resolution, and no zoning certificate shall be required for any such building or structure.
2. The location, erection, construction, reconstruction, change, alternation, maintenance, removal, use or enlargement of any building 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 or the use of land for essential services as herein defined shall be permitted in all districts established by this Resolution and no zoning certificate shall be required for any building or structure of for the use of any land essential to the operations of a public utility or railroad.
3. Lawn and garden utility buildings of 100 square feet or less to be located at least 10 feet from side and rear property lines. Buildings of 101 to 150 square feet require a zoning certificate (above rules clearance apply); Buildings of 150 square feet of more, regular zoning regulations apply.

**SECTION 6. Non-Conforming Uses:**

1. INTENT
  - (a) At the time of the adoption of this Zoning Ordinance, there exist lots of record, structures and uses of structures and land which do not conform to the requirements of this Zoning Ordinance. While such conditions are generally permitted to continue, the purpose of this chapter is to:

- (1) Set forth procedure and requirements controlling the continuation, expansion or alteration of such nonconformities, and in certain cases, to establish specific requirements to eliminate such conditions.
- (2) Encourage the improvement and maintenance of nonconformities in order to maintain the quality and the character of zoning districts.

2. GENERAL COMPLIANCE STANDARDS.

- (a) Nonconforming buildings, structures or uses shall not be extended, enlarged, restored, structurally altered, moved to another zoning lot or relocated within the same lot except in conformance with the regulations of this chapter.
- (b) The change in ownership of a nonconforming building, structure, use or lot of record does not, in itself, require the nonconformity to be corrected.
- (c) Nonconforming uses which have been discontinued or structures containing nonconforming uses removed for a period of eighteen consecutive months shall not be re-established except in conformity with the requirements of this Zoning Ordinance. Nonconforming uses include use of land, structures and/or equipment and fixtures.
- (d) If any nonconforming building, structure or use is damaged to the extent that the use or occupation cannot continue, the right to maintain the nonconformity shall terminate unless it can be re-established or occupied within eighteen months for one-, two-, or three-family dwelling units and their accessory uses/buildings or within twenty-four months for all other structures or uses and re-established in conference with district requirements.

3. NON-CONFORMING LOTS OF RECORD.

Any lot of record at the effective date of adoption of this Zoning Ordinance of any of its subsequent amendments, which does not conform to the lot requirements of the districts in which it is located, is to be considered to be a nonconforming lot of record.

- (a) Where there exists one nonconforming lot of record in single ownership, with frontage along a public right of way, such shall be considered a buildable lot for the district in which it is located. However, any use shall comply with the other requirements pertaining to the use and district.
- (b) Where two or more contiguous, nonconforming, vacant lots of record are in single ownership, the Zoning Inspector may require replatting to minimize the nonconformity. The replatted lots shall be approved by the Planning Commission and once approved, the replatted lots shall be

considered as having met the lot size requirements of this Zoning Ordinance.

4. NON-CONFORMING STRUCTURES.

Where a lawful structure exists, at the effective date of adoption or amendment of this Zoning Ordinance, that could not be built under the terms of this Zoning Ordinance, such structure may be continued so long as it remains otherwise lawful, provided that any enlargement or alteration of nonconforming buildings or structures does not increase its nonconformity. Board approval is required.

5. NON-CONFORMING USES.

Where otherwise uses of land or structures exist at the effective date of adoption of this Zoning Ordinance, or amendments thereto, which would not be permitted by the regulation contained in this Zoning Ordinance, such uses may be continued so long as they remain otherwise lawful, provide:

- (a) Any non-conforming use may, upon approval by the Board of Zoning Appeals be expanded not to exceed thirty percent (30%) of the ground floor square footage as comprised in the original non-conforming use provided that such expansion conforms to all other zoning requirements pertaining to the use as determined by the Board. The expansion of a nonconforming use located within a nonconforming building or structure shall comply with the requirements of this Section.
- (b) A change from one nonconforming use to another may be permitted, provided that the Board of Zoning Appeals determines that the adverse effects of the proposed use do not exceed those of the previous use. In making that determination, the Board shall insure that the proposed nonconforming use will not exceed the existing nonconforming use in terms of traffic generation by employees or customers, parking requirements and any other pertinent criteria.
- (c) The Board of Zoning Appeals shall hold a public hearing to consider the application. The public notice requirements found in Article X Section 3 shall be followed.
- (d) A request for change in the nonconforming use of a lot or structure shall be accompanied by a complete application and fee. Review process shall follow the procedures set forth in Article X Section 3.
- (e) Any use of a specific property which is conditionally permitted in a zoning district in accordance with the provisions of this Zoning Ordinance shall not be considered as a nonconforming use in the zoning district in which it is conditionally permitted. Such conditionally permitted use shall be considered a conforming use on the particular lot on which it is located, if it meets all of the requirements of the district in which it is located.

- (f) Any expansion of a non-conforming use shall not be allowed into adjacent lots purchased after the zoning code made the original building a nonconforming use or into adjacent lots previously owned by the same land owner and used in conformity with the zoning code and which did not qualify as a nonconforming use.

**SECTION 7. Traffic Visibility across corner lots:**

In any district on any corner lot, no fence, structure or planting shall be erected or maintained within twenty (20) feet of the “corner” at a height of more than three (3) feet above curb or street grade, or so as to interfere with traffic visibility across a corner.

**ARTICLE III – USE REGULATIONS**

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The permitted and conditional uses for each district are shown on the accompanying table which is Article III. The interpretation of uses given in categorical terms shall be as defined by the Board of Zoning Appeals. Uses not specifically listed or interpreted to be included categorically under this Article and Article X shall not be permitted except by Amendment to the Resolution.

**SECTION 1.**

Primary uses are authorized in the Districts established by district Section as shown by an "P" in the following table. Where the use is indicated by an "O" the use is permitted as a Special Use Only as provided in the appropriate sections of this Resolution. Where the use is not permitted a dash (-) is entered.

A-1	Agriculture District Special
S-1	District
R-1	Suburban District
R-2	Residential District Multiple Dwelling
R-3	District
B-1	Local Business District Regional Business
B-2	District
M-1	Restricted Industrial District
M-2	Industrial District
M-3	Mineral Extraction & Processing District

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USE	DISTRICT									
	A1	S1	R1	R2	R3	B1	B2	M1	M2	M3
<b><u>RESIDENTIAL USES</u></b>										
Single Family Residence	O	O	P	P	P	O	O	-	-	-
Two-family Dwelling	-	-	-	P	P	-	-	-	-	-
Triplex	-	-	-	P	P	-	-	-	-	-
Multi-family Dwelling	-	-	-	-	P	-	-	-	-	-
Manufactured Home Park	-	-	-	-	O	-	-	-	-	-
Class A Manufactured Home	O	O	P	P	P	O	O	-	-	-
Class B Manufactured Home	-	-	-	-	-	-	-	-	-	-
Class C Manufactured Home	-	-	-	-	-	-	-	-	-	-
Seasonal Residence	O	O	-	-	-	-	-	-	-	-
 <b><u>GENERAL USES</u></b>										
Accessory Uses	P	P	P	P	P	P	P	P	P	P
Agriculture	P	P	P	P	P	P	P	P	P	P
Cemeteries	O	O	O	O	O	-	-	-	-	-
Churches	P	O	O	O	P	P	P	-	-	-
Essential Services	P	P	P	P	P	P	P	P	P	P
Hospitals	-	-	-	-	-	P	P	-	-	-
Non Commercial Swimming Pools	P	P	P	P	P	-	-	-	-	-
Parks	P	P	P	P	P	P	P	-	-	-
Planned Unit Development	P	P	P	P	P	P	P	P	P	P
Plant Cultivation	P	P	P	-	-	-	-	-	-	-
Ponds	P	-	O	O	O	-	-	-	-	-
Public Service Facility	P	P	P	P	P	P	P	P	P	P
Public Uses	P	P	P	P	P	P	P	-	-	-
Satellite Dishes	P	P	P	P	P	P	P	P	P	P
Semi Public Uses	P	P	P	P	P	P	P	-	-	-
Small Wind Conversion systems	P	P	-	-	-	P	P	P	P	P
Solar Small Array	P	P	P	P	P	P	P	P	P	P
Solar Large Array	O	O	-	-	-	O	O	O	O	O



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**BUSINESS USES**

Agriculture Related Business	O	O	-	-	-	P	P	-	-	-
Airport	O	O	-	-	-	O	O	O	O	O
Animal Hospitals of Clinics	-	-	-	-	-	-	O	O	O	O
Automotive Repair	-	-	-	-	-	-	P	-	-	-
Automotive Sales	-	-	-	-	-	-	P	-	-	-
Bed and Breakfast	O	-	-	O	O	P	P	-	-	-
Boarding House/Tourist House	-	-	-	O	O	P	P	-	-	-
Business Services	-	-	-	-	-	-	P	-	-	-
Clinic	-	-	-	-	-	-	P	P	-	-
Club	-	-	-	-	-	O	O	-	-	-
Commercial Billboards	-	-	-	-	-	O	O	O	O	-
Commercial Entertainment Facilities	-	-	-	-	-	-	O	-	-	-
Commercial Schools	-	-	-	-	-	-	P	-	-	-
Day Care Facilities	-	-	-	O	O	O	O	-	-	-
Drive-in Commercial Used	-	-	-	-	-	-	O	-	-	-
Entertainment Facilities	-	-	-	-	-	-	P	O	O	-
Gas Stations	-	-	-	-	-	P	P	-	-	-
Home Occupations	O	O	O	O	O	O	O	-	-	-
Hotels/Motels	-	-	-	-	-	-	P	O	O	-
Local Retail Business	-	-	-	-	-	P	P	-	-	-
Mortuaries	-	-	-	-	-	-	P	-	-	-
Noncommercial Recreation Areas	O	O	-	-	-	O	O	-	-	-
Offices and Banks	-	-	-	-	-	P	P	P	-	-
Overnight Camps	-	-	-	-	-	-	P	-	-	-
Personal Services	-	-	-	-	-	P	P	-	-	-
Professional Services	-	-	-	O	O	P	P	-	-	-
Public Garage	-	-	-	-	-	-	P	-	-	-
Regional Transportation Facility	-	-	-	-	-	P	P	P	-	-
Restaurants	-	-	-	-	-	P	P	-	-	-
Restricted Commercial Services	-	-	-	-	-	-	P	-	-	-
Retail Business	-	-	-	-	-	-	P	O	O	-
Sales or Storage of Building										
Materials	-	-	-	-	-	-	O	-	-	-
Sexually Oriented Business	-	-	-	-	-	-	-	-	-	P
Social Activities	-	-	-	-	-	P	P	O	O	-
Specialized Animal Raising/Care	O	O	O	-	-	-	-	-	-	-
Warehouses	-	-	-	-	-	-	-	O	-	-
Wholesale Business	-	-	-	-	-	-	O	O	-	-

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**MANUFACTURING USES**

Auto and Metal Salvage Operations	-	-	-	-	-	-	-	-	-	O
Food Processing	-	-	-	-	-	-	-	-	P	-
General Manufacturing	-	-	-	-	-	-	-	P	-	-
Industries Utilizing Products of the M-3 District	-	-	-	-	-	-	-	-	-	O
Mineral Extraction, Storage Processing	-	-	-	-	-	-	-	-	-	P
Oil and Gas Wells	O	O	-	-	-	-	-	O	P	P
Restricted Manufacturing	-	-	-	-	-	-	-	-	-	-
Research and Testing Facilities	-	-	-	-	-	-	-	-	-	-
Sand and Gravel Extraction	O	O	O	-	-	-	-	-	P	P

**ARTICLE IV – YARD AND AREA REGULATIONS FOR RESIDENTIAL USES**

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**SECTION 1. Basic Yard and Area Requirements:** The following table establishes the minimum yard and area requirements for special and residential districts.

<u>District</u>	<u>Minimum Depth of ( in feet ) Yard</u>		<u>Minimum Side Yard Widths</u>		<u>( in feet ) Each Side</u>	<u>Minimum Lot Width (in feet)</u>	<u>Minimum Lot Area</u>
	<u>Front</u>	<u>Rear</u>	<u>Rear</u>	<u>Yard</u>			
“A-1”	85’		75’		30’	150’	1 acre
“S-1”	85’		75’		40’	200’	3 acres
“R-1”	60’		60’		10’	100’	1 acre
“R-2” Individual Sewage Disposal Systems							
One Family	60’		60’		10’	100’	1 acre
Two Family	60’		60’		10’	120’	1 acre
Combined Sewage Disposal System & Central Water System							
One Family	40’		35’		10’	85’	15,000 sq ft.
Two Family	40’		35’		10’	100’	18,000 sq ft.
“R-3” : Combined Sewage Disposal System & Central Water System							
One Family	40’		30’		10’	70’	12,000 sq ft.
Two Family	40’		30’		10’	100’	15,000 sq ft.

NOTE: When purchasing land under land contract, the complete parcel must be included. No division of land for developing or building purposes will be

permitted. For example, under the 3-acre minimum requirement in the “S-1” District, all three acres must be either deeded or purchased under land contract. Single family homes, when permitted as a conditional use in B Districts, shall meet all requirements for residences as noted in the “R-1” District.

**SECTION 2. Apartments and Multiple Dwellings:**

1. No apartment or multiple dwelling site shall have an area less than 30,000 square feet in a “R-2” District and not less than ½ acre in an “R-3” District.
2. Apartments and multiple dwellings shall utilize an approved community sewage disposal system and a central water system.
3. No more than one apartment building may be permitted on a single site without approval of the site plan by the Township Zoning Commission.
4. The following yard and area requirements shall apply to the erection of apartment buildings and multiple dwellings:

Minimum Side Yard Widths  
( in feet )

<u>District</u>	Minimum Depth of ( in feet )			Sum of Side <u>Yard</u>	Minimum Lot Width (in feet)	Minimum Lot Area <u>Per Family</u>
	<u>Front Yard</u>	<u>Rear Yard</u>	<u>Either Side</u>			
“R-2”	50	40	15	30	150	7,500 sq. ft.
“R-3”	40	40	10	25	125	5,000 sq. ft.

**SECTION 3. Combined Sewage Disposal Systems:**

In Districts where collective sewers connecting with a sewage system are to be utilized by new dwellings, the collective and disposal system or water system shall be one approved by the appropriate County and State officials having jurisdiction and the Washington Township Commission.

**SECTION 4. Residential Floor Area Requirements:**

1. The floor area for a single dwelling, two family dwelling or multiple dwelling erected on any lot shall not be less than that established by the following table:

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<u>District</u>	<u>Minimum</u>		<u>Minimum</u>	
	<u>No. of Stories</u>	<u>Ground Floor Area</u>	<u>Ground Floor Area</u>	<u>Floor Area Per Family</u>
“S-1”	Less than two	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.
	Two or more	900 sq. ft.	1,000 sq. ft.	1,200 sq. ft.
“R-1”	Less than two	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.
	Two or more	900 sq. ft.	1,000 sq. ft.	1,200 sq. ft.
“R-2”	Less than two	800 sq. ft.	800 sq. ft.	800 sq. ft.
	Two or more	720 sq. ft.	800 sq. ft.	900 sq. ft.
“R-3”	Less than two	720 sq. ft.	720 sq. ft.	720 sq. ft.
	Two or more	600 sq. ft.	720 sq. ft.	720 sq. ft.
“A-1”	Less than two	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.
	Two or more	900 sq. ft.	1,000 sq. ft.	1,200 sq. ft.

2. The floor area for dwelling units in an apartment building erected on any lot shall not be less than 600 square feet per family in an “R-2” District and 500 square feet in an “R-3” District.
3. The minimum floor area for a dingle family mobile home shall be 720 square feet.

**SECTION 5. Special Yard Regulations:**

1. Lots having frontage on more than one street shall provide the required front yard for the District in which it is located and two-thirds of this distance for all side yards.
2. No accessory building shall be located in any front yard except under unusual circumstances where such activity shall not conflict with the intent and purposes of this Resolution; or, where enforcement shall result in extreme hardship. Either exception shall require approval of the Board.
3. Front yard requirements for new residences on lots of record existing at the effective date of this Resolution and where one or more of the lots of record are occupied by existing dwellings within two hundred (200) feet of the lot on which the new dwelling is to be erected may be modified, subject to Board approval, to conform to the set back line of the existing dwelling or dwellings provided the front yard so established is not less than thirty (30) feet.
4. The required lot frontage for lots fronting on a cul-de-sac or on a curved street shall be measured at the building line as determined by the front yard requirement.

5. Garage or utility buildings in “R-1” may be located at the back of the lot a distance of 6 feet from alley right-of-way. Regular zoning regulations shall apply.

**SECTION 6. Architectural Projections:**

1. Cornices, eaves, belt courses, sills, canopies or similar architectural projections may extend or project into required side yard not more than two (2) inches for each one (1) foot of width of such side yard, and may extend or project into a required front or rear yard not more than thirty (30) inches. Bay windows and chimneys may project into a required front, side or rear yard not more than eighteen (18) inches provided the side yard is not reduced to less than eight (8) feet.
2. Covered structures such as porches, balconies, or platforms shall be considered a part of the building to which attached and shall not project into the regular minimum front, side or rear yard.

**SECTION 7. Set-Back of Buildings on Principal highways:**

Along any State or U.S. numbered highway no building or accessory building shall be located within seventy-five (75) feet from the existing right-of-way of such highway or any proposed right-of-way line thereof shown on the County Master Plan of Highways or on any map adopted by the Ohio Department of Highways. All buildings for agricultural uses along all other roads shall be set back a minimum of fifty (50) feet. Where there is on officially established public right-of-way for a road open to public all buildings shall be set-back at least seventy-five (75) feet from the centerline of the traveled roadway.

**SECTION 8. Planned Unit Development:**

Zoning certificates may be issued for a planned unit development even though the use of the land, area of lots and depth of yards do not comply in all respects to the provisions of this Resolution providing:

1. A complete plan including all lots, proposed uses, densities, propose buildings, and open spaces for the area have been approved by the Board of Township Trustees after review by the Township Zoning Commission and a public hearing;
2. The tract of land to be developed is not less than ten (10) acres in area;
3. The property adjacent to the area will not be adversely affected;
4. The average lot area, including all other improvements except streets, is not less than area requirements of the district in which the plan is located;
5. The use of land shall be similar to the uses permitted in the district in which the plan is located unless approved otherwise.

**SECTION 9. Flag Lots**

Development of flag lots will be allowed as a Conditional Uses provided all the following criteria are met:

1. Flag lots will only be allowed in an A-1 or S-1 district
2. No flag lot frontage will be allowed within 1000' feet of another flag lot frontage.
3. No flag lot will be adjacent to another flag lot.
4. For purposes of the determination of lot area and setbacks, the flag pole will be not be considered.
5. The front lot line will be established where the lot width increases to the minimum required by the zoning resolution for that use in that district.
6. The lot will comply with standard width, depth, yard, and setback requirements at the front, rear, and side lines of the building.
7. The flag pole will be no narrower than 30 feet at any point.
8. It is recommended that driveways be built and maintained in a manner sufficient for safe access by public safety vehicles.
9. Flag lots may not be used to circumvent the Sandusky County Subdivision Regulations or any similar regulations.

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Applicants will follow the procedure in Article X, Section 2.3 and meet all requirements set forth in that section. Once this process is completed, the Township Zoning Inspector may certify to Sandusky County that the proposed lot split is not contrary to Washington Township Zoning.

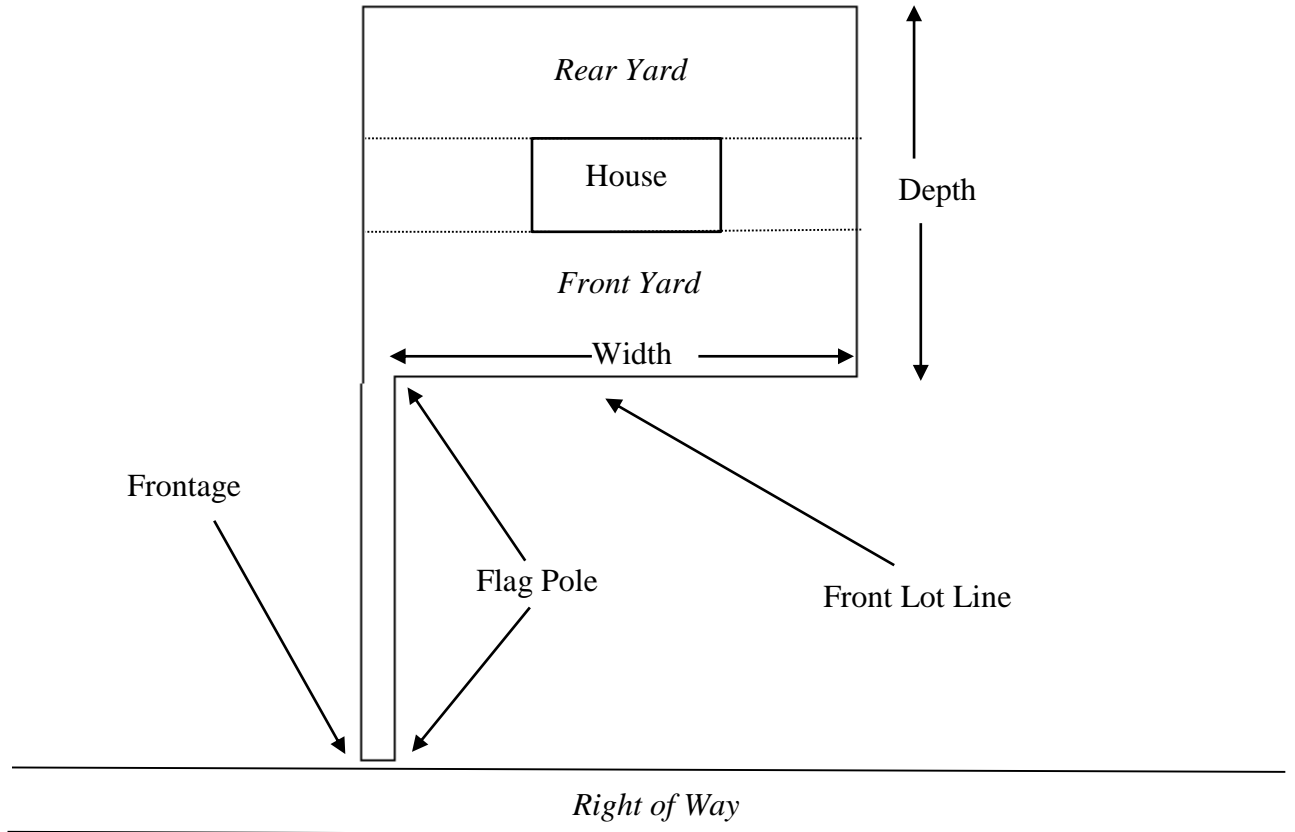


Diagram IV-A

**ARTICLE V – REGULATIONS FOR BUSINESS AND INDUSTRIAL USES**

**SECTION 1. Front, Rear Yard and Area Requirements:** The following table establishes the yard, area and lot coverage regulations for all uses permitted in business and industrial districts, except as provided in Section 5 of Article II.

<u>District</u>	<u>Minimum Depth of (in feet)</u>		<u>Minimum Side Width Each Side Yard (in feet)</u>	<u>Minimum Lot Width (in feet)</u>	<u>Minimum Lot Area</u>	<u>Maximum Percent of lot Coverage</u>
	<u>Front Yard</u>	<u>Rear Yard</u>				
“B-1”	50	15	none	none	none	35%
“B-2”	60	40	20	100	20,000 sq. ft.	30%
“M-1”	75	50	25	200	2 acres	25%
“M-1”	85	40	20	150	1 acre	25%
“M-3”	( See Special Provision of Section 9 in Article VIII )					

**SECTION 2. Side and Rear Yard Requirements for Non-Residential Uses Abutting “S” or “R” Districts:**

1. Minimum Yard Requirements: Non-residential buildings or uses shall not be located more conducted closer to any lot line of any other lot in an “S” or “R” District than the distance specified in the following schedule, except as provided in Paragraph 2 of this Section.

<u>Minimum Side or Rear Yard Abutting and “S” Or “R” District</u>	<u>Use</u>
25 feet	Off Street parking spaces access drives for non-residential uses.
50 feet	Churches, schools and public or semi-public buildings.
80 feet	Recreation facilities, entertainment facilities, motels, trailers and mobile home parks, all commercial uses and billboards.
150 feet	Outside sale or storage of building material or construction equipment, all industrial uses, except those listed below.
500 feet	Auto and metal salvage operations.



2. Landscaping or Screening Provisions: For non-residential uses abutting “S” or “R” Districts the minimum yard may be reduced to fifty percent of the above requirements if acceptable landscaping or screening, approved by the Zoning Inspector, is provided. Such screening shall be a masonry or solid fence between four and six feet in height maintained in good condition and free of all advertising or other signs. Landscaping, provided in lieu of such wall or fence shall consist of a strip of land not less than fifteen feet in width planted with an evergreen hedge, or dense planting of evergreen shrubs not less than four feet in height.

**SECTION 3. Regulations for Permitted and Conditional Uses in the “M-1” Restricted Industrial District:**

The following regulations, conditions and procedures shall apply to the development of properties for permitted and conditional uses in Restricted Industrial Districts:

1. General Provisions:
  - (a) The owner of a tract of land located in any district where or near where a proposed restricted industrial area shown on the future land use plan, containing not less than five acres, may submit to the Commission for its review a preliminary plan for the use and development of such tract for industrial uses permitted in accordance with the provisions of this Resolution.
  - (b) In accepting such plan for review the Commission must be satisfied that the proponents of the office or industrial development are financially able to carry out the proposed projects; that they intend to start construction within one year of the approval of the project and intend to complete it within a reasonable time as determined by the Commission.
2. Location and Character of Development:
  - (a) The proposed office and industrial development shall be located so that reasonably direct traffic access is supplies from principal thoroughfares and when congestion will be eliminated by presently projected improvements where such congestion will be eliminated by presently projected improvements of access thoroughfares, by demonstrable provision in the plan for proper entrances and exits, and by internal provisions for traffic and parking.
  - (b) The plan shall provide of an office or industrial development consisting of one or more buildings of integrated and harmonious design, together with adequate and property arranged traffic and parking facilities and landscaping, which will be an attractive

development and which will fit harmoniously into and will have no adverse effects upon, the adjoining or surrounding development.

3. Permitted Uses: The uses permitted in the “M-1” District shall be those office buildings and industrial and related uses listed in Article III.
4. Regulations: The following regulations shall apply to office and industrial developments in “M-1” Districts:
  - (a) Building Heights: No building shall exceed two (2) stories or forty-five (45) feet in height, except as modified by Section 1 or Article VI of this Resolution.
  - (b) Yards: No building shall be less than seventy-five (75) feet distant from any boundary of the tract on which the office or industrial development is located. Loading and storage shall be permanently screen from all adjoining properties located in any “R” District by building walls, or a solid wall or compact evergreen hedge at least six (6) feet in height. All intervening spaces between the street pavement and the right-of-way line and intervening spaces between the buildings, drives, parking area and improved areas shall be landscaped with trees and plantings and properly maintained at all times.
  - (c) Tract Coverage: The ground area occupied by all the buildings shall not exceed twenty-five percent of the total area of the lot or tract unless otherwise specified.
  - (d) Parking Spec: Notwithstanding any other requirements of this Resolution, there shall be provided one off-street space for each two employees on the maximum working shift. Parking areas will not be located closer than twenty-five (25) feet to any adjoining lot line in any “S”, “R”, or “B” District and shall be set back at least twenty-five (25) feet from the street right-of-way line. The parking area shall be graded for proper drainage and improved so as to provide a durable and dust-free surface.
  - (e) Loading Space: Notwithstanding any other requirements of this Resolution, there shall be provided off-street loading and unloading space sufficiently in area and vertical clearance to accommodate the maximum number of trucks and tractor-trailers anticipated at any one time.
  - (f) Access Drives and Illumination of Parking Areas: Access drives and illumination of parking areas shall conform to the requirements of Article VII.

- (g) Signs: Signs for office and industrial developments shall be limited to wall-type signs on the principal building except that a small free standing identification and directional sign not over fifteen (15) square feet in area may be erected at entrances to the office and industrial development. If signs are illuminated the source of light shall not be visible.

5. Submission and Approval of Final Development Plan:

- (a) Upon Determination by the Commission that the proposed office or industrial development, as shown by the preliminary plan, appears to conform to the requirements, of this Section and all other applicable requirements of this resolution, the proponents shall prepare and submit a final development plan, which shall incorporate any changes or modifications required or suggested by the Commission.
- (b) If the final development plan is found to comply with requirements set forth in this Section and other applicable provisions of this Resolution, the Commission shall submit said plan with its report and recommendations, together with the required application for a Zoning Certificate to the Board of Washington Township Trustees which shall hold a public hearing on the proposed development plan.
- (c) Following a public hearing, the Board of Washington Township Trustees may modify the plan, consistent with the intent and meaning of this Resolution and authorize the issuance of a Zoning Certificate.
- (d) After the final development plan has been approved by the Board of Washington Township Trustees and in the course of carrying out this plan, adjustments or rearrangements of buildings, parking areas, entrances, heights, or yard may be requested by the proponents, and, provided such requests conform to the standards established by the final development plan and this Resolution, such adjustments or rearrangements may be authorized by the Commission.

**ARTICLE VI – HEIGHT REGULATIONS**

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**SECTION 1.**

Building with a height in excess of thirty-five (35) feet above the average ground level at the foundation walls shall be permitted in all districts provide the required front, side and rear yards are each increased by one (1) foot for each foot of additional building height above thirty-five (35) feet, except that no building shall exceed a maximum height of sixty (60) feet without prior approval of the Board of Zoning Appeals.

**SECTION 2.**

The height regulations prescribed herein shall not apply to television and radio towers, church spires, belfries, monuments, water tanks and fire towers, stage towers or scenery lofts, cooling towers, ornamental towers and spires, chimneys, silos and similar structures for bulk storage grain elevators, mineral extraction and procession structures, elevator bulkheads, smokestacks, conveyors, and flagpoles, except where the height of such structures will constitute a hazard to the safe landing and take-off of military, public, commercial and private aircraft at an established airport.

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**ARTICLE VII – OFF STREET PARKING AND LOADING REQUIREMENTS**

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**SECTION 1. Off-Street Parking Requirements:**

1. General Requirements: In all districts, in connection with every industrial business, institutional, recreational, residential or other use there shall be provided, at any time any building or structure is erected or is enlarged or increased in capacity, off-street parking spaces for automobiles in accordance with the following requirements:
  - (a) Each off-street parking space shall have an area of not less than one hundred sixty (160) square feet exclusive of access drives or aisles, and shall be of usable shape and condition.
  - (b) There shall be adequate provision for ingress and egress to all parking spaces. Where a lot does abut on a public or private alley or easement of access, there shall be provided an access drive not less than eight (8) feet in width in the case of a dwelling, and not less than eighteen (18) feet in width in all other cases, leading to the parking or storage area or loading or unloading spaces required hereunder.
2. Number of Space Required: The number of off-street parking spaces to be provided shall be not less than the following:

<u>Use</u>	<u>Parking Spaces Required</u>
Residential	Two per housekeeping unit
Rental Units	One per rented room or unit
Church or School	One for each four seat in principal gathering room
Private club or lodge	One for each four members
Country Club	One for each four members
Theater	One for each four seats
Offices, wholesale establishments, business service	One for every 250 square feet of floor space plus One space for each two employees
Retail Store, personal service establishment or restaurant	One for each 75 square feet of floor space

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Industrial uses	One for each two employees on the maximum working shift
Hospital, sanitarium Or convalescent home	One for every three beds and one for each two employees on the maximum working shift
Clinics	One for each 150 square feet plus one space for each employee
Dance hall, assembly or exhibition hall, night club café or similar recreation establishment	One for each 75 square feet of floor space
Bowling Alley	Seven for each alley
Mortuary or Funeral home	One for each 75 square feet of floor space

3. Interpretation: The following rules shall govern the determination of spaces required:
  - (a) “Floor area” shall mean the gross floor area of the specified use.
  - (b) Fractional numbers shall be increased to the next whole number.
  - (c) Spaces shall be provided in connection with the expansion of any building or use in accordance with the expanded floor area, increased number of employees, beds or seats, or the increased number of residential units.

**SECTION 2. Special Parking Provisions:**

1. Two 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 County Prosecutor and accepted by the Board of Washington Township Trustees, shall be filed with the application for a Zoning Certificate.
2. Parking spaces may be located on a lot other than that containing the principal use with the approval of the Board of Appeals provided a written agreement, approved by the County Prosecutor and accepted by the Board of Washington Township Trustees, shall be filed with the application for a Zoning Certificate.

3. Surfacing: Any off-street parking area for more than five (5) vehicles shall be graded for proper drainage and surfaced so as to provide a durable and dustless surface.
4. Lighting: Any lighting used to illuminate any off-street parking area shall be so arranged as to reflect the light away from adjoining premises in any "R" District.

**SECTION 3. Off Street Loading Requirements:**

1. In any district, in connection with every building or part thereof hereafter erected and having a gross floor area of five thousand (5,000) square feet or less, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly requiring the receipt or distribution of vehicles of material or merchandise, there shall be provided and maintained on the same lot with such building, at least one (1) additional such loading space for each ten thousand (10,000) square feet or major fraction thereof of gross floor area so used in excess of five thousand (5,000) square feet.
2. Each loading space shall be not less than twelve (12) feet in width, forty (40) feet in length, and fourteen (14) feet in height.
3. Subject to the limitation in Section 3 of this Article, such space may occupy all or part of any required yard or court space.
4. No such space shall be located closer than fifty (50) feet to any other lot in any "R" District, unless wholly within a completely enclosed building or unless enclosed on all sides by a wall or uniformly painted fence is located not closer than ten (10) feet from a lot in an "R" District which intervening area shall be landscaped and properly maintained at all times.

**ARTICLE VIII – SPECIAL PROVISIONS**

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**SECTION 1. Performance Requirements for Uses in All Districts:**

1. Requirements: No land or building in any district shall be used or occupied in any manner so as to create dangerous, injurious, noxious or otherwise objectionable element or condition unless the following performance requirements are observed:
  - (a) Fire Hazards: Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate firefighting and fire suppressive equipment and by such safety devices as are normally used in the handling of any such material.
  - (b) Radioactivity or Electrical Disturbance: No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.
  - (c) Noise: Noise which is objectionable as determined by the Board due to volume, frequency or beat shall be muffled or otherwise controlled, except during construction operations. Air raid sirens and related apparatus used solely for public purposes are exempt from this requirement.
  - (d) Vibration: No vibration shall be permitted which is discernible without instruments on any adjoining lot or property.
  - (e) Smoke: Smoke shall not be emitted for longer than eight (8) minutes in any hour which is of a shade equal to or darker than No. 3 on the Standard Ringleman Chart as issued by the U.S. Bureau of Mines.
  - (f) Odors: No malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.
  - (g) Air Pollution: No pollution of air by fly ash, dust, vapor, or other substance shall be permitted which is harmful to health, animals, vegetation or other property or which can cause soiling.
  - (h) Glare: No direct or reflected glare shall be permitted which is visible from any property or from any public street, road, or highway.



- (i) Erosion: No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties.
- (j) Water Pollution: Pollution of water shall be subject to the requirements and regulations established by the State Sanitary Water Board.

2. Enforcement Provisions:

- (a) All uses existing on the effective date of this Resolution shall conform to these performance requirements within two (2) years, provided, however, that an extension of up to six (6) months may be granted by the Board. Extensions may be granted by the Board if the owner or operator of the use can demonstrate that compliance would create an unreasonable hardship.
- (b) The Zoning Inspector shall refer any proposed use which is likely to violate performance requirements to the Board for Review. The Board, prior to the issuance of a zoning certificate, may require the submission of statements and plans indicating the manner in which operations are to be controlled so as to conform with the performance requirements herein set forth.
- (c) Measurement Procedures: Methods and procedures for the determination of the existence of any dangerous and objectionable elements shall conform to the applicable standards Association, Inc., New York; the Manufacturing Chemists' Association, Inc., Washington, D.C.; and the United States Bureau of Mines.

**SECTION 2. Manufactured Homes, Travel Trailers, and Mobile Home Parks.**

- 1. Manufactured homes shall be permitted as a permanent residence or in a manufactured home park providing all other district requirements are met.
- 2. Travel trailers may be used as a temporary accessory building or living quarters during the construction or remodeling of a principal building or dwelling upon the issuance of a temporary permit by the Zoning Inspector. Such temporary permit may be granted for a period of one (1) year with a six (6) month extension given for hardship cases. In no instance shall such a temporary permit be valid for a period of longer than eighteen (18) months.
- 3. One manufactured home, in the "A" or "S" District, is permitted to be used on a lot for the living quarters of a relative in addition to the principal dwelling. In an agricultural situation, the permitted manufactured home

may be used to house and employee of the agricultural operations. A permit for the occupancy of such manufactured home shall be required which will contain such certification necessary upon the part of the applicant that such occupancy meets the criteria established above. All yard requirements and sanitary regulations shall be met.

4. Manufactured home parks where permitted shall observe the following requirements:
  - (a) No manufactured home park shall have an area less than ten (10) acres, nor an average grass area per occupied trailer of less than three thousand (3,000) square feet.
  - (b) Every occupied manufactured home shall be connected to a sanitary sewer and an approved sewage disposal system within the manufactured home park area. A centralized water system shall also be provided from within.
  - (c) In any manufactured home park, no unoccupied manufactured home including boat trailer and boat stored thereon shall be located less than twenty (20) feet on all sides from any occupied manufactured home nor shall any unoccupied manufactured home be located less than three (3) feet on all sides, from unoccupied manufactured home.
  - (d) A safe, usable recreation area shall be conveniently located in every manufactured home park and shall not be less in area than ten percent (10%) of the gross area of the manufactured home park.
  - (e) No manufactured home shall be located less than fifty (50) feet from any abutting property.
  - (f) The park shall be permanently landscaped and maintained in good condition.
5. Manufactured homes used as a residence shall be set on a permanent foundation, a perimeter enclosure, anchored, skirted, with fireproof material within sixty (60) days of placement and shall have a minimum floor area of seven hundred twenty (720) square feet
6. Manufactured Homes Outside a Manufactured Home Park.
  - (a) Intent: It is the intent of this section to encourage the provision of alternative modest housing in residential areas by permitting the use of manufactured housing. This section applies only to manufactured homes located outside of any manufactured homes located outside of any manufactured home park.

- (b) Classification of Manufactured Homes. Classification of manufactured homes shall be as is provided in Article XIII.
- (c) Replacement. A manufactured home deemed a nonconforming use may be replaced by a manufactured home, provided the replacement is as follows: A Class C home may be replaced with a Class A or Class B; a Class B home may be replaced with a Class A or Class B; a Class A home may be replaced with another Class A.
- (d) All replacements shall meet the following requirements:
  - 1) Meet all requirements for lot, yard, building and other requirements for the district in which it is located.
  - 2) Be affixed to a permanent foundation.
  - 3) Use a permanent perimeter enclosure.
  - 4) Be anchored to the ground in accordance with the manufacturer's specifications.
  - 5) Have all wheels, axles and hitch mechanisms removed.

**SECTION 3. Motel Regulations:**

- 1. No motel shall have a lot area less than two (2) acres nor a lot area per sleeping unit of less than two thousand (2,000) square feet.
- 2. Motels shall utilize collective sewers connecting with an approved community or individual sewage disposal system.
- 3. Front, side and rear yards of the motel shall be permanently landscaped and maintained in good condition.

**SECTION 4. Signs and outdoor Advertising Structures:**

- 1. General Provisions:
  - (a) Real estate signs not exceeding twelve (12) square feet in area and advertising the sale, rental or lease of the premises on which the sign is located shall be permitted on any property.
  - (b) Signs for home occupations and professional activities where permitted shall not exceed eight (8) sq. ft. in R districts and twenty-four (24) sq. ft. in all other districts. Electronic or illuminated signs are not permitted in R districts, whether it be internal or external lighting.

- (c) Bulletin boards and signs for a church, school, community or other public or semi-public institutional building and permitted conditional uses shall be permitted provided the area of such bulletin board of sign shall not exceed twenty (20) square feet in area per face side.
- (d) Wall signs pertaining to a non-conforming use shall be permitted if on the same premises of such use, provided the area of such sign does not exceed one-half (1/2) square feet per lineal foot with a maximum of thirty-two (32) square feet.
- (e) No building wall shall be used for display of advertising, except that pertaining to the use carried on within such building.
- (f) Temporary signs not exceeding in the aggregate fifty (50) square feet, announcing the erection of a building, the architect, the builders, contractors, etc., may be erected for the period of sixty (60) days, plus the construction period not to exceed on one (1) year after date of issuance of permit after which the sign shall be removed from the premises.
- (g) All signs shall be maintained in good appearance and repair.
- (h) The following shall be exempt from obtaining a zoning certificate:
  - (1) Any sign erected and maintained from any governmental function or regulation.
  - (2) Non-illuminated, residential nameplates not greater than two (2) square feet, mounted on the residence.
  - (3) Signs, such as “Enter” or “Exit”, warning or directing the viewer of action to be taken on private property, if not located in a public right-of-way and less than nine (9) square feet. All other “Enter” or “Exit”, signs shall require a zoning certificate.
  - (4) Temporary non-illuminated real estate signs advertising the sale, rental or lease of the property on which they are located in a public right-of-way.

2. Business District Signs:

- (a) In a business district each business shall be permitted one (1) flat or wall sign. Projections of wall signs shall not exceed two (2) feet measured from the face of the main wall of the building.
- (b) The area of all permanent advertising signs for any signal business enterprise shall be limited according to the widths of the building

or part of building occupied by such enterprise. For the purposes of this section, width shall be measured along the building face nearest parallel to the street line. In the case of a corner lot, either frontage may be used in determining width, but the frontage selected shall be considered the front wall of the building for the purposes of determining maximum area of the sign.

- (c) The area of all permanent advertising signs for any single business enterprise may have an area equivalent to one and one-half (1 ½) square feet of sign area for each lineal foot of width of a building, or part of a building occupied by such enterprise, but shall not exceed a maximum area of one hundred (100) square feet.
  - (d) Free standing signs over thirty (30) feet in height, having a maximum total sign area of one hundred (100) square feet and located not closer than ten (10) feet to any street line, and not closer than one hundred (100) feet to any adjoining lot line may be erected to serve a group of business establishments.
  - (e) Pole signs of symbolic design shall be permitted for automobile service stations and other similar business establishments provided:
    - 1) No part of such sign shall project into the right-of-way of any street or highway;
    - 2) The support of such sign shall be set back at least three (3) feet from any public right-of-way;
    - 3) The maximum area of any face of such sign shall not exceed twenty-five (25) square feet;
    - 4) The pole support of the sign shall not be less than fifty (50) feet from any lot in any District.
3. Setback Requirements: Signs and outdoor advertising structures where permitted shall be set back twenty feet from pavement or outside of right of way whichever is greater except for the following modifications:
- (a) At the intersection of any state or federal highway with a major or secondary street, the sign or outdoor advertising structure shall not be less than three hundred (300) feet from any intersecting highway or street.
  - (b) At the intersection of any County or Township road with any other public roadway, the sign or outdoor advertising structure shall not be less than two hundred (200) feet from an intersecting highway or street in an “A-1”, “S-1”, “R-1”, or “M-3” Districts; or one hundred (100) feet in any other District.

- (c) Real estate signs and bulletin boards for a church, school or other public or semi-public, religious or educational institution may be erected within two (10) feet of the established right-of-way line of any street or highway provided such sign or bulletin board does not obstruct traffic visibility at street or highway intersection.
4. Special Yard Provisions: The following special provisions shall be observed in the erection or placement of signs and outdoor advertising structures:
- (a) No such sign or advertising structure shall be permitted which faces the front or side lot line of any lot in any “R” District within one hundred (100) feet of such lot line, or which faces any public parkway, public square or entrance to any public park, public or parochial school, library, church or similar institution, within three hundred (300) feet thereof.
  - (b) Signs and advertising structures where permitted shall be erected or placed in conformity with the side and rear yard requirements of the District in which located except no sign or advertising structure shall be erected or placed closer than within fifty (50) feet to a side or rear lot line in any District.
5. Illumination: The following provisions shall be observed in the illumination of signs and advertising structures:
- (a) All signs and advertising structures except as hereinafter modified may be illuminated internally or by reflected light provided the source of light is not visible and is so arranged to reflect away from the adjoining premises and provided that such illumination shall not be so placed as to cause confusion or a hazard to traffic or conflict with traffic control signs or lights.
6. Permits: A separate permit shall be required for the erection of signs regulated in this resolution, except that no permit shall be required for temporary real estate signs with an area of twelve (12) square feet for the sale or lease of property and for small announcement signs with an area of less than two (2) square feet. Announcement signs shall be removed by the person or persons responsible for posting same within thirty (30) days after erection.

Each application for a sign permit shall be accompanied by drawing to scale, showing the design proposed, the size, character and color of letters, lines and symbols, method of illumination; the exact location of the sign relative to the building and property, and details and specifications for construction.

Signs erected in violation of these regulations shall be removed. The Zoning Inspector shall give written notice of the violation to the property owner of the land on which the violation occurs. The property owner shall have fifteen (15) days to remove the sign or request relief for the regulations in writing. If no response is made, the Zoning Inspector has the authority to remove the sign, or cause it to be removed.

7. Signs Prohibited in All Districts:

The following signs are forbidden in any district:

- (a) Signs that incorporate flashing or moving lights, except message center signs and time/temperature signs.
- (b) Signs attached to any utility pole, tree, hedge or fence.
- (c) Signs that are unsafe or constitute a traffic hazard as determined by the Zoning Inspector.
- (d) Projecting signs that exceed to or into the public right-of-way.
- (e) Temporary signs that are provided with electrical power.
- (f) Temporary signs, other than those mentioned above, constructed of metal and hard plastic that are not securely fastened to a permanent structure or are not securely anchored to the ground as determined by the Zoning Inspector.
- (g) Abandoned signs.

**SECTION 5. Integrated Shopping Areas or Centers:**

1. General Provisions:

- (a) The owner of a tract of land located in any district at or near where a proposed shopping center is shown on the Land Use Plan, containing not less than two acres in the case of a neighborhood shopping center (B-1 District type) and not less than fifteen (15) acres in case of a community shopping center (B-2 District type) may submit to the Commission for its review a preliminary plan. the use and development of such tract of land for an integrated shopping center.
- (b) In accepting such plan for review the Commission must be satisfied that the proponents of the integrated neighborhood or community shopping center are financially able to carry out the proposed project; that they intend to start construction within one year of the approval of the project and necessary change in zoning, and intend to complete it within a reasonable time as determined by the Commission.

2. Location, Size and Character of Development:

- (a) The need for the proposed development has been demonstrated by means of market studies and such other studies and such, other evidence as the Commission may require.
- (b) The proposed shopping center is located so that reasonably direct traffic access is supplied from principal thoroughfares and where congestion will not likely be created by the proposed center; or where congestion will be obviated by presently projected improvement of access thoroughfares, by demonstrable provision in the plan for proper entrances and exits, and internal provisions for traffic and parking.
- (c) The plan provides for a shopping center consisting of one or more groups of establishments in buildings of integrated and harmonious design, together with adequate and properly arranged traffic and parking facilities and landscaping, which will be an attractive and efficient shopping center, convenient, pleasant and safe to use, and which will fit harmoniously into, and will have no adverse effects upon, the adjoining or surrounding development.

3. Permitted Uses: The Uses permitted in an integrated neighborhood shopping center shall be those retail businesses, commercial and service uses permitted in the B-1 District and the uses permitted in an integrated community shopping center shall be the same kinds of uses as permitted in the B-2 District. No industrial uses shall be permitted, or any use other than such as is necessary or desirable to supply with goods or services the surrounding neighborhood or community.

4. Regulations: The following regulations shall apply to an integrated neighborhood or community shopping center:

- (a) Building Heights: No building shall exceed two stories or twenty-five feet in height, except as modified by Section 1 of Article VI of this Resolution.
- (b) Yards: No building shall be less than one hundred (100) feet distant from any boundary of the tract on which the shopping center is located. The center shall be permanently screened from all adjoining properties located in any "R" District by a solid wall or compact evergreen hedge at least six feet in height. Such wall or hedge shall be placed at least five feet from the property line and wall or hedge shall



be properly and permanently landscaped and properly maintained at all times. A bordering strip of at least thirty feet in width adjacent to the property line along streets on which the center has frontage, except for necessary entrances and exits, shall be landscaped with trees and plantings. Any intervening space between the street pavement and the right-of-way line, except for the necessary entrances and exits shall also be improved, landscaped and properly maintained subject to any regulations governing such street area of the lot or tract.

- (c) Tract Coverage: The ground area occupied by all the buildings shall not exceed in the aggregate twenty-five percent of the total area of the lot or tract.
- (d) Customer Parking Space: Notwithstanding any other requirements of this Resolution, there shall be provided one off-street space: each one hundred and twenty-five (125) square feet of rental floor space, not including basement storage space, in an integrated neighborhood shopping center; and one off-street parking space for each sixty (60) square feet of rental floor space, not including basement storage space in an integrated community shopping center.
- (e) Loading Space: Notwithstanding any other requirements of this Resolution, there shall be provided one off-street loading or unloading space for each ten thousand (10,000) square feet or fraction thereof of aggregate floor space of all buildings in the center. At least one third (1/3) of the spaces required shall be sufficient in area and vertical clearance to accommodate trucks of the tractor-trailer type.
- (f) Access Drives and Illumination of Parking Areas: Access drives and illumination of parking areas shall conform to the requirements of Article VII.
- (g) Signs: Each center shall be permitted two free standing signs not over thirty (30) feet in height, having a maximum total area of one hundred (100) square feet and located not closer than ten (10) feet to any street line and not closer than one hundred (100) feet to any adjoining lot line. A single identification pylon or similar structure of a height in excess of thirty (30) feet and in harmony with the design of the buildings shall be permitted in a community shopping center. All signs within the center shall be controlled by written agreement between the owners and tenants of the center, or otherwise, to avoid excessive

advertising and ensure a harmonious appearance to the center as a whole. In a neighborhood shopping center, all signs shall only be directly illuminated, and in both a neighborhood or community center, all signs shall conform to the distance requirements from property lines for the buildings in the center.

5. Submission and Approval of Final Development Plan:
  - (a) Upon determination by the Commission that the proposed integrated neighborhood shopping center or community shopping center, as the case may be, as shown by the preliminary plan, appears to conform to the requirements of this Section and all other applicable requirements of this Resolution, the proponents shall prepare and submit a final development plan, which plan shall incorporate any changes or modifications required or suggested by the Commission.
  - (b) If the final development plan is found to comply with requirements set forth in this Section and other applicable provisions of this Resolution, the Commission shall submit said plan with its report and recommendations, together with the required application by the proponents of the necessary change in zoning classification of the site of the proposed center, to the Board of Township Trustees which shall hold a public hearing on both the development plan and application for a change in zoning.
  - (c) Following a public hearing, the Board of Township Trustees may modify the plan, consistent with the intent and meaning of this Resolution, and may rezone the property to the Classification permitting the proposed center, for development in substantial conformity with the final plans as approved by the Board.
  - (d) After the final development plan has been approved by the Board of Township Trustees and in carrying out this plan, adjustments or rearrangements of buildings, parking areas, entrances, heights, or yards, may be requested by the proponents, and, provided such requests conform to the standards established by the final development plan and this Resolution, such adjustments or rearrangements may be authorized by the Commission.

**SECTION 6. Gas and Oil Wells:** Oil and gas wells and storage areas permitted shall be located a minimum of 500 feet from any other lot in any district. The site shall be maintained in good condition and structures shall harmonize, in so far as possible, with the character of the structures in the district in which it is located.

**SECTION 7. Swimming Pools:**

1. Private Swimming Pools: A private swimming pool as regulated herein, shall be any pool or open tank not located within a completely enclosed building, and containing or normally capable of containing water to a depth at any point greater than one and one-half (1 ½) feet. No such swimming pool, exclusive of portable swimming pools with a diameter less than twelve (12) feet or with an area of less than one hundred (100) square feet, shall be allowed in any district except as a an accessory use and unless it complies with the following requirements:
  - (a) A zoning certificate is required
  - (b) The swimming pool is intended and is to be used solely for the enjoyment of the occupants of the property on which it is located and their guests
  - (c) It may not be located, including any walks or paved areas or accessory structures adjacent thereto, closer than twenty (20) feet from any adjacent property line.
  - (d) The pool or entire yard in which the pool is located shall be walled or fenced to prevent uncontrolled access by children from the street or adjacent properties. The fence or wall shall be not less than four (4) feet in height and maintained in good condition with a gate or lock.
  - (e) Approved Fence. An approved fence for a swimming pool shall be constructed so that the horizontal members are on the pool side of the enclosure and vertical members are not more than four inches apart. A building or existing wall may be used as part of such enclosure and all gates and doors shall be designed to self-close and self-lock and shall be kept locked when the pool is not in actual use or is left unattended. When the pool is above ground and the sides of the pool are forty-eight (48) inches high, or higher, and if all ladders are removed when not in use, they may serve as meeting the four (4) foot fence requirements.
  - (f) The required fencing shall be in place within thirty (30) days after the swimming pool is constructed and filled.
2. Community or Club Swimming Pools: A community or club swimming pool shall be any pool constructed by an association or property owners, or by a private club for use and enjoyment by members of the association or club and their families. Community and club swimming pools shall comply with the following conditions and requirements:

- (a) The pool is intended solely for the enjoyment of the members and families and guests of members of the association or club under whose ownership or jurisdiction the pool is operated.
- (b) The pool and accessory structures thereto, including the areas used by the bathers, shall not be closer than one hundred (100) feet to any property line of the property on which located.
- (c) The swimming pool and all of the area used by the bathers shall be so walled or fenced as to prevent uncontrolled access by children from the street or adjacent properties. The said fence or wall shall not be less than six feet in height and maintained in good condition. The area surrounding the enclosure, except for the parking spaces, shall be suitable landscaped with grass, hardy shrubs and trees and maintained in good condition.

3. Retention Basins:

- (a) Retention Basins shall be conditionally permitted in as a special use in all districts.
- (b) All retention basins shall have a minimum interior side slope horizontal to vertical at a ratio of 4:1 or greater. Exterior side slopes shall be constructed at no less than a 4 to 1 ratio.
- (c) All retention basins shall meet all minimum setback requirements for the district in which they are located.
- (d) All retention basins shall be constructed in accordance with the design requirements of a professional engineer.
- (e) All retention basins shall either be seeded or some other approved planting or paving.
- (f) Refilling: The refilling of an area which has been excavated for the development of retention shall be considered waste disposal and shall meet the requirements as set forth by the Sandusky County Board of Health for solid waste disposal under 3737.05 O.R.C.

4. Ponds:

- (a) Ponds shall be permitted in Agricultural and Special Districts. Ponds are conditionally permitted in the R-1, R-2 and R-3 Districts as a part of the overall design of a subdivision containing at least five (5) acres of land.
- (b) Ponds shall be conditionally permitted in a commercial or industrial district as part of the overall design of a plant or park containing at least three (3) acres.
- (c) Minimum surface area for conditionally permitted ponds shall be one-half (1/2) acres. Maximum surface area shall not exceed 25 percent of the net acreage of the parcel.
- (d) The side slope of a pond shall be horizontal to vertical at a maximum ratio of 2: 1. The ratio shall be maintained to minimum depth of seventeen (17) feet. Ponds that do not meet this ratio are required to be enclosed with a six (6) foot fence.
- (e) To prevent adverse effects of drainage to adjoining properties, a drainage system shall be installed to accommodate overflows and surface drainage from pond development, and then diverted to suitable outlet or drainage ditch.
- (f) Ponds in all Districts shall have one hundred (100) feet minimum setback from any street right-of-way.
- (g) Ponds on parcel of five (5) acres or less shall have a side yard setback of not less than ten percent (10%) of the width of the parcel, with a minimum setback of twenty-five (25) feet.
- (h) A pond shall be located no closer than one hundred (100) feet to a septic tank or leach field.
- (i) The refilling of an area which has been excavated for the development of a pond shall be considered waste disposal and shall meet the requirements as set forth by the Sandusky County Board of Health for solid waste disposal under 3734.05 O.R.C.

**SECTION 8. Temporary Buildings:** Temporary buildings or trailers other than trailers for living purposes in conjunction with construction work only may be permitted in any District during the periods that the construction work is in progress, but such temporary buildings shall be removed upon completion of the construction work. Permits for temporary buildings shall be used for a one (1) year period and must be removed for their continued use.

**SECTION 9. Extraction and Processing of Minerals:** The extraction and processing of minerals in an “M-3” District shall be conducted in accordance with the requirements of this section and other sections of this Resolution inconsistent with this section shall have no application to mineral extraction and processing in an “M-3” District.

1. Existing Operations: The provisions of this section shall not apply to existing buildings, structures and areas utilized for the extraction and processing of minerals prior to the enactment of this Resolution except that the extension of any existing extraction operations shall not be conducted closer than two hundred fifty (250) feet to any lot line in an “R”, “B”, or “M-1” District and not closer than fifty (50) feet to any lot line in an “S”, “A”, or “M-2” District except that in no case shall extraction operations be conducted within two hundred fifty (250) feet of a structure used for human occupancy unless written permission is granted by the adjacent property owners. Owners of buildings, structures and excavations on tracts of land where no further extractions or processing is contemplated shall comply with the requirements of paragraph four (4) of this section.
2. Control of Objectionable Elements: The owners and operators of existing and proposed extraction industries shall minimize the harmful effects of smoke, fly ash, noise and vibration upon surrounding properties in accordance with the customary and accepted practices of the extraction industry.
3. New Operations and Major Expansion of Existing Operations:
  - (a) The operator of a proposed extraction and processing operation in an area outside an established "M-3" District or the operator of an existing extraction and processing' operation where an expansion is contemplated beyond the established limits of an "M-3" District, shall submit to the Township Planning commission for approval, copies of plans showing the proposed location and type of building, or structures to be erected and the areas from which minerals are to be extracted. The plans shall show the type of restoration or reuse contemplated for the land upon completion of the extraction and processing operation.
  - (b) Proposed operations and major expansion of existing operations for the extraction and processing of minerals shall provide off street parking and loading facilities sufficient to meet personnel and operating requirements at all times.

- (c) Buildings and structures used for the processing of minerals shall be located at a minimum distance of five hundred (500) feet from any "A", "S" or "R" District. Mineral extraction operations shall not be conducted closer than 250 feet to any lot line in an "R", "B" or "M-1" District and not closer than 50 feet to any lot line in an "A", "S" or "M-2" District except that in no case shall extraction operations be conducted within 250 feet of a structure adjacent property owners. All excavations shall be fenced with a six (6) foot high fence and be maintained in good condition. Owners of buildings, structures and excavations on tracts of land where no further extractions or processing is contemplated shall comply with the requirements of paragraph 4 of this section.
  - (d) Upon determination by the Commission that proposed buildings and structures and the extraction and processing of minerals as shown on the submitted plans conforms to the requirements of this section and other applicable provisions of this Resolution, the Commission shall submit the plans and the application for a zone change, together with its report and recommendations to the Washington Township Trustees which shall hold a public hearing on both the proposal as shown by the plans and the application for any required change in zoning.
  - (e) Following the public hearing, the Washington Township Trustees may require modifications in the plan, consistent with the intent and meaning of this Resolution and may approve any required rezoning of property to an "M-3" classification.
4. Abandoned Buildings, Structures and Excavations: Buildings and structures for which no further use is contemplated in the extraction and processing of minerals and for which no other acceptable use is practicable or feasible shall be demolished. Excavated areas shall be regraded to remove abrupt and precipitous slopes and quarry banks and planted with appropriate plant material. The excavated area shall be enclosed by a six-foot fence which shall be maintained in good condition.
5. The erection of dwellings for human occupancy, in other than residential districts ("R-1", "R-2" and "R-3"), adjoining an existing "M-3" District shall not restrict the future right to excavate in said "M-3" District up to a minimum distance of fifty (50) feet.

6. The operator of a proposed industry which uses the products of the mineral extraction and processing industry in its manufacturing process, and therefore desires to locate in an "M-3" District adjacent to an existing processing plant in order to have direct delivery from such processing plant by conveyor belts or otherwise, shall submit a plan of the proposed development to the Board for approval.

**SECTION 10. Migrant Farm Labor Housing:** Residences for migrant farm labor shall conform to County Health Standards and shall conform to the front and rear yard requirements of the district in which is located. The length of residence shall not exceed six (6) months or exceed more than thirty (30) days beyond the harvest season.

**SECTION 11. Summer Cottages and Shooting Club Houses:** Summer cottages and shooting club houses shall have a minimum floor area of 400 square feet and shall have a minimum lot area of 5,000 square feet per family. The cottages and club houses shall conform to County Health Standards.

**SECTION 12. Small Wind Energy Systems:**

1. Purpose: The purpose of this Section is to promote the safe, efficient use of small wind energy systems, and to establish standards and procedure for the installation and operation of these systems within the Township.
2. Permitted Use: Small Wind Energy Systems shall be a permitted use in an Agricultural Zoning District subject to the following requirements:
  - (a) TOWER HEIGHT. Tower heights of up to 140 feet shall be allowed on parcels of less than five acres. For property sizes of five acres or more, there is no limitation on tower height, except as imposed by the FAA regulations, provided that the application includes evidence that the proposed height does not exceed the height recommended by the manufacture or distributor of the system.
  - (b) The system shall comply with all applicable Federal Aviation Administration requirements, including but not limited to, Part 77 of Title 14 of the Code of Federal Regulations regarding installations close to airports.
  - (c) SETBACKS. All parts of the system must meet normal setback requirements. The outer and innermost guy wires must be marked and clearly visible to a height of six feet above the guy wire anchors. The setback for the tower and wind turbine shall be the combined height of the tower and wind turbine plus ten percent.



- (d) COMPLIANCE WITH NATIONAL ELECTRIC CODE. All zoning permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electric Code.
- (e) COMPLIANCE WITH THE OHIO BUILDING CODE OR UNIFORM BUILDING CODE. All zoning applications for small wind energy systems shall include standard drawings and an engineering analysis of the wind turbine structure, including the tower, base and footings. An engineering analysis of the tower showing compliance with the Ohio Building Code or Uniform Building Code and certified by a licensed professional engineer shall also be submitted. However, a wet stamp shall not be required, provided that the application demonstrates that the system is designed to meet the most stringent wind requirements.
- (f) NOISE. Decibel levels for the system shall not exceed 60 dB(A) or in excess of 5dB(A) above the background noise, whichever is greater, as measured at the property line, except during short-term events such as utility outages and sever windstorms.
- (g) UTILITY NOTIFICATION. No small wind energy system shall be installed until evidence has been given that the utility company has been informed of the property owner's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
- (h) AESTHETICS. Wind turbines and towers shall be painted white, off-white, or light gray to minimize visual impact upon the surrounding property owners. Neither the wind turbine nor the tower shall be used as a billboard or as an advertising device. In addition, access to the wind turbine tower shall be restricted to authorized persons. All applications shall show a site plan for the wind turbine tower illustrating the fencing, signage, and color of the tower and wind turbine.

**SECTION 13. Solar Facilities and Arrays:**

1. PURPOSE:

- (a) This section governs solar facilities under 50 Megawatts or any solar arrays and facilities that do not fall under the jurisdiction of Ohio Power Siting Board (OPSB) but do not qualify as Small Solar Arrays as defined in this resolution.

2. AREA BULK AND HEIGHT REGULATIONS:

- (a) **SETBACK:** All structures affiliated with the operation, including the solar panels shall meet or exceed the following requirements:
  - (1) Solar modules shall have a minimum setback from non-participating parcel boundaries of 150 feet.
  - (2) Solar modules shall have a minimum setback of 300 feet from non-participating residents existing as of application filing date.
  - (3) Solar modules shall have a minimum setback from the edge of pavement of any Township, County or State road within or adjacent to the project area of 150 feet.
- (b) **MINIMUM ACREAGE:** The minimum lot area shall be 5 acres.
- (c) **HEIGHT:** The maximum height of all structures affiliated with the operation, including the solar panels shall not exceed 20 feet above ground level.

3. APPLICATION:

- (a) Applicants must hold a local public meeting 90 days before submitting application or material amendment to Washington Township. Notice of this meeting will be given in a newspaper in general circulation in the Township at least 14 days before the public meeting. The meeting shall be held within Washington Township.
- (b) Applicant must notify all impacted boards of county commissioners and township trustees.
- (c) At the meeting, applicant must provide type of facility, maximum nameplate capacity and map of proposed boundaries. (R.C. 303.61)
- (d) Within 90 days of public meeting, the board of county commissioners may adopt a resolution that prohibits the construction of the proposed facility or limits the boundaries of the facility. If no resolution is adopted, the application may proceed. (R.C. 303.62)
- (e) County commissioners can designate all or part of the unincorporated area of a county as a restricted area; no applications or amendments may be filed for a facility in the restricted area if the facility type is prohibited in that restricted area. (R.C. 303.58)
- (f) Application approval from the National Utilities Regulatory Commission (NURC), Federal Energy Regulatory Commission (FERC) and Pennsylvania, New Jersey, Maryland (PJM) for and interconnection and fees have been paid shall be submitted to Washington Township.
- (g) Federal papers permit completed and fees paid shall be submitted to Washington Township

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- (h) Written permit and fees paid showing an interconnection with the local utility shall be submitted to Washington Township.
- (i) SITE PLAN: Applicant shall develop a site plan showing as a minimum the following:
  - (1) Solar panel locations on each parcel of land.
  - (2) Structures to be located on the properties.
  - (3) Power line below and above ground.
  - (4) Adjacent property owners.
  - (5) Zoning of the property and the adjoining property.
  - (6) Roadway within the property and access point.
  - (7) Security fence location.
  - (8) Storm water plan.
  - (9) Safety and security procedures.
  - (10) Emergency management plan.
  - (11) Sign locations.
- (j) An appropriate security fence with a minimum height of 6 feet from ground level (height and material to be specified in the site plan permit process) shall be placed around the perimeter of the solar facility.
- (k) Appropriate warning signage (height, area, and material to be established through the site plan permit process) shall be placed at the entrance and perimeter of the solar facility project.
- (l) NOISE: No operating solar power plant shall produce noise that exceeds any of the following limitations:
  - (1) Fifty dBA, as measured at the property line of any neighboring residentially zoned lot
  - (2) Sixty dBA, as measured at the property lines of the project boundary
- (m) A Road Use Maintenance Agreement (RUMA) shall be required to be signed by the owner and property owner with Washington Township to repair roads damaged by the project
- (n) DECOMMISSIONING: At least 60 days prior to construction, applicant must submit a decommissioning plan, prepared by a registered engineer, to Washington Township Trustees for review. The plan must include parties responsible for decommissioning, schedule for decommissioning activities and

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an estimate of decommissioning costs, which must be recalculated every five years.

- (o) The applicant must post a performance bond in the amount of 150% to ensure funds are available for decommissioning and it shall be submitted to Washington Township. The bond shall be adjusted every five years based on the decommissioning cost. The Bond shall never decrease even if the estimated costs decrease.

4. LANDSCAPING AND BUFFERING:

- (a) A detailed plan for Landscaping and buffering shall be submitted with Application for Special Permit.

5. GLINT AND GLARE IMPACT:

- (a) A detailed study of the potential glint and glare impacts shall be submitted with the Application for Special Permit. This shall be done with a standard methodology, which shall be referenced in the study.

6. ENVIRONMENTAL IMPACT STUDY

- (a) A detailed study on the Environmental Impact of proposed project shall be submitted with the Application for Special Permit. This study shall include the following:
  - (1) NOXIOUS WEED CONTROL PLAN: or explanation of why this is not deemed necessary.
  - (2) DRAINAGE MANAGEMENT PLAN: with a scaled map of current drainage tiles and any proposed changes, and any proposed driveways of any material and the anticipated impact of driveways on surface and sub-surface rainwater drainage. Applicants shall develop a storm water drainage plan to show sediment ponds, erosion protection and runoff control for the property
  - (3) POLLINATOR IMPACT STUDY: to include details of any proposed pollinator habitats to be included in project.
  - (4) POLLUTION PREVENTION PLAN: to include consideration of any chemical that would be present, including oil. Controls shall be commensurate to expected quantities.

7. DECOMMISSIONING AND RECLAMATION:

- (a) Any solar facility which has reached the end of its useful life or has been abandoned shall be removed. The owner or operator shall physically remove the installation within 150 days after the date of discontinued operations. The owner or operator shall notify the Washington Township Zoning Inspector by certified mail of the proposed date of discontinued operations and plans for removal.

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Absent a notice of a proposed date of decommissioning, the solar facility shall be considered abandoned when it fails to operate at more than 50% of the original designed capacity for two years without the extension approval of the Board of Zoning Appeals and ORC 505.86 regarding the removal of buildings or structures will be pursued.

Decommissioning shall consist of:

- (1) Physical removal of all ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
- (2) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- (3) Stabilization or re-vegetation of the site as necessary to minimize erosion. The Township may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

### 8. SMALL SOLAR ARRAYS (SSA):

- (a) A Small Solar Array (SSA) may be allowed as an accessory use in conjunction with a lawful principle use. Like all accessory uses it must be subordinate and related to the principle use on the lot.
- (b) SSAs must comply with all regulations regarding accessory uses including lot coverage, location, height and permitting.
- (c) SSAs must produce power primarily for use on site.
- (d) SSAs must be installed in accordance with the manufacturers' recommendations.
- (e) If an SSA becomes nonfunctional or damaged, it will be removed or repaired within 90 days. Any array that produces less than 50% of its rated output will be considered nonfunctional. When an SSA is removed, all visible support structures will be removed as well.
- (f) In residential districts, side yard setbacks will be doubled.

**ARTICLE IX – ENFORCEMENT**

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**SECTION 1. Zoning Inspector:**

1. It shall be the duty of the Zoning Inspector, who shall be appointed by the Washington Township Trustees, to enforce this resolution. It shall also be the duty of all officials and employees of the Township to assist the Zoning Inspector by reporting to him/her upon new construction, reconstruction, or land uses, or upon seeming violations.
2. Appeal from the decision of the Zoning Inspector may be made to the Board of Appeals, as provided in Article X.

**SECTION 2. Zoning Certificates:**

1. It shall be unlawful for an owner to use or to permit the use of any structure, building or land, or part thereof, hereafter created, erected, changed, converted or enlarged, wholly or partly, until a zoning certificate shall have been issued by the Zoning Inspector. It shall be the duty of the Zoning Inspector to issue a certificate, provided the Inspector is satisfied that the structure, building or premises, and the proposed use thereof conform with all the requirements of this Resolution. No permit for excavation, construction or reconstruction shall be issued by the Zoning Inspector unless the plans, specifications and the intended use conform to the provisions of this Resolution. No Zoning Certificate shall be required for mineral excavation operations in established "M-3" Districts provided such operations are conducted in accordance with the provisions of Section 9 of Article VIII.
2. Upon written request from the owner or tenant, the Zoning Inspector shall issue a zoning certificate for any building or premises existing at the time of enactment of this Resolution certifying, after inspection, the extend and kind of use make of the building or premises and whether such use conforms to the provisions of this Resolution.

**SECTION 3. Conditions Under Which Certificates are Required:** A Zoning Certificate shall be required for any of the following; except as herein provided:

1. Construction or alteration of any building, including accessory buildings.
2. Change in use of an existing building or accessory building to a use of a different classification.
3. Occupancy and use of vacant land.
4. Change in the use of land to a use of a different classification.

5. Any change in the use of a non-conforming use.

**SECTION 4. Application and Issuance of Zoning Certificate:**

1. Written application shall be made for a zoning certificate for the construction of a new building or for the alteration of an existing building. Said certificate shall be issued within ten (10) days after a written request for the same has been made to the Zoning Inspector or his agent, provided such construction or alteration is in conformity with the provisions of this Resolution.
2. Written application for a zoning certificate for the use of vacant land, or for a change in the use of land or of a building, or for a change in a non-conforming use, as herein provided, shall be made to the Zoning Inspector; if the proposed use is in conformity with the provisions of this Resolution, the certificate therefore shall be issued within fifteen (15) days after application for same has been made.
3. Every application for a zoning certificate shall be accompanied by a plot plan and such other plans as may be necessary to show the location and type of buildings to be erected or alterations to be made. Where construction or physical improvement of land is involved, the lot and location of the buildings to be erected thereon shall be staked out on the ground before construction is started, and all dimensions on filed plans shall be based on an actual survey. Zoning Certificates shall be valid for a period of one (1) year. If no construction activity has commenced within this time, the certificate shall be void.

**SECTION 5. Fee for Zoning Certificates:**

1. A fee, as determined by the Board of Township Trustees, shall accompany each application for a Zoning Certificate.
2. The Zoning Inspector shall forthwith deposit all fees with the Washington Township Clerk who shall credit such fees to the credit of the General Revenue Fund of the Township.
3. The Washington Township Board of Trustees may amend the specified fees, or adopt new fees, from time to time when necessary.
4. Every zoning certificate shall state that the building or the proposed use of a building or land complies with all provisions of law. A record of all zoning certificates shall be kept on file in the office of the Zoning Inspector or his agent and copies shall be furnished on request to any person having proprietary or tenancy interest in the building affected.

**SECTION 6. Violation and Penalties:** It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change maintain or use, any building or land in violation of any regulation in or any provisions of this Resolution or any amendment or supplement thereto adopted by the Washington Township Zoning Commission. Any person, firm or corporation violating any regulation thereto, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than one hundred (\$100.00) dollars. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance, or uses continues, may be deemed a separate offence.

**SECTION 7. Violations – Remedies:** 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 of this Resolution or any amendment or supplement thereto, the Zoning Inspector, the County Prosecutor, or any adjacent or neighboring property owner who would be specially damaged by such Violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action, actions, proceeding or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.



**ARTICLE X – BOARD OF ZONING APPEALS**

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**SECTION 1. Organization and Procedures:**

1. Creation of the Board of Zoning Appeals: There shall be created and maintained a Board of Zoning Appeals in accordance with Section 51.9.13 of the Ohio Revised Code, and shall consist of five (5) members.
2. Organization and Procedures: The Board of Zoning Appeals shall organize and adopt rules for its own government as provided by Section 519.15 of the Ohio Revised Code and in doing so shall elect a chairman and secretary at its annual organization meeting.
  - (a) Quorum: A quorum shall consist of three members of the Board of Zoning Appeals.
  - (b) Voting: The concurring vote of at least four (4) members of the Board of Zoning Appeals shall be required to reverse any order of the Zoning Inspector or to grant a variance or conditional use under the terms of this Resolution. Other matters may be decided by the concurring vote of three members.
  - (c) Meetings: All meetings and hearing of the Board of Zoning Appeals shall be open to the public. The Board of Zoning Appeals shall keep minutes of it meetings and shall have the power to compel the attendance of witnesses, administer oaths, and require the production of documents as it deems necessary. When a public hearing is required for action by the Board, the procedure noted in this Article of the Resolution shall apply.

**SECTION 2. Powers and Duties of the Board of Zoning Appeals:**

1. Appeals:
  - (a) The Board of Zoning Appeals has the power to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Inspector in the enforcement of this Resolution under the following conditions:
    - (1) An appeal to the Board of Zoning Appeals may be taken by any person aggrieved or an 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 and the Board of Zoning Appeals a notice of appeal specifying the grounds for the appeal. The Zoning Inspector shall transmit a copy to the Board of all papers constituting the record upon which the action appealed from was taken; and

- (2) An appeal shall stay all proceedings in furtherance of the action appealed from unless, in the determination of the Zoning Inspector, a stay would cause imminent peril to life or property; in this case proceedings shall not be stayed otherwise than by order of the Board of Zoning Appeals or the courts with due cause shown.

2. Variances:

- (a) The Board of Zoning Appeals has the power to authorize, upon application, in specific cases, such variance from the terms of this Resolution as will not be contrary to the public interest. Such a variance may be granted where, due to special circumstances, a literal enforcement of this Resolution will result in unnecessary hardship but that the spirit and intention of this Resolution will be preserved and substantial justice done. The Board of Zoning Appeals may grant a variance after consideration of the following items:
  - (1) That there are unique physical circumstances or conditions applicable to the property (including irregularity, narrowness, or exceptional physical conditions) which make reasonable development difficult or impossible under the terms of this Resolution;
  - (2) That such unnecessary hardship has not been created by the applicant;
  - (3) That the variance, if authorized, will not alter the essential character of the neighborhood nor be detrimental to adjacent properties and property values; and
  - (4) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of this Resolution.

- (b) In addition to the above consideration, the Board shall specifically have the right to grant the following:
- (1) Permit the extension of a district where the boundary line of a district divides a lot or tract held in a single ownership at the time of the passage of this Resolution.
  - (2) Interpret provisions of this Resolution in such a way as to carry out the intent and purpose of the plan, as shown upon the map fixing the several districts, accompanying and made a part of this Resolution where the street layout actually on the ground varies from the street layout, as shown on the map aforesaid.
  - (3) Permit the reconstruction of a non-conforming building which has been damaged by explosion, fire, act of God, or public enemy.
  - (4) Waive or reduce the parking and loading requirements in any of the districts whenever the character or use of the building is such as to make unnecessary the full provision or parking or loading facilities, or where such regulations would impose an unreasonable hardship on the use of the lot, as contrasted with merely granting an advantage or a convenience.
  - (5) Permit land within three hundred (300) feet of a multiple dwelling to be improved for the parking spaces required in connection with a multiple dwelling, but only when there is positive assurance that such land will be used for such purpose during the existence of the multiple dwelling.
  - (6) Determine whether an industry should be permitted within the "M-1" Industrial District because of the methods by which it would be operated and because of its effect upon uses within surrounding zoning districts.
  - (7) Permit a variation in the yard requirements of any district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions, provided such variation will not seriously affect any adjoining property or the general welfare.

- (8) The extension or completion of a building devoted to a nonconforming use upon a lot occupied by such building, or on a lot adjoining, provided that such lot was under the same ownership as the lot in question on the date such building became non-conforming, and where such extension is necessary and incidental to the existing use of such building; provided, however, that the floor areas of such extension shall not exceed in all one hundred (100) percent of the floor area of the existing building or buildings devoted to a non-conforming use.
  
- (9) Authorize upon appeal - Whenever a property owner can show that a strict application of the terms of the Resolution relating to the use, construction or alterations of buildings or structures or the use of land will impose upon him unusual and practical difficulties or particular hardship - such variations of the strict application of the terms of this Resolution as when the Board is satisfied that a granting of such variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a variation from the zoning plans as established by this resolution, and at the same time, the surrounding property will be properly protected.

3. Conditional Uses:

- (a) The Board of Zoning Appeals has the power to grant conditional use permits for the use of land, buildings, or other structures as provided in this Resolution subject to the following conditions (as well as any other requirements in this Resolution):
  
- (b) The Board of Zoning Appeals shall establish beyond reasonable doubt that the general standards pertinent to each conditional use shall be satisfied by the establishment and operational of the proposed conditional use. The Board of Zoning Appeals may also impose such additional conditions and safeguards as it deems necessary for the general welfare, for the protection of individual property rights, and for insuring that the intent and objectives of this Resolution shall be observed, including specific limitations as to future expansion.

(c) The Board of Zoning Appeals shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence that such use in the proposed location:

- (1) Will be harmonious with and in accordance with the objectives of this Resolution and a comprehensive plan;
- (2) Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
- (3) Will not be hazardous or detrimental to existing or future neighboring uses or to the community as a whole;
- (4) Will be served adequately by essential public facilities and services and be in compliance with all other local regulations (e.g. subdivision, health, etc.); and
- (5) Will have vehicular approaches to the property which shall be so designed as not to create interference with traffic on surrounding streets or roads.

(d) The Board of Zoning Appeals shall review applications for conditional use permits which shall contain, at minimum, the following elements:

- (1) Name, Address, and phone number of the applicant
- (2) Legal description of the property;
- (3) Description of the existing use and a description of the proposed conditional use;

- (4) Zoning District;
- (5) A plan of the proposed site for the conditional use showing the location of all buildings, dwellings (with the number of units therein), parking and loading areas, traffic access and circulation, open spaces, landscape, utilities, signs and other such information as the Board of Zoning Appeals may require. The plan submitted shall be considered part of the application and no deviation from this plan shall be permitted without approval of the Board of Zoning Appeals. Alteration of the plan, as determined by the Board of Zoning Appeals, shall cause the application to be voided and the permit revoked.
- (6) Such other information as may be required by the Board of Zoning Appeals.

4. Interpretation responsibility:

- (a) The Board of Zoning Appeals has the power to determine in which district (s) a specific use, not provided for in this Resolution, may be permitted or permitted as a conditional use. In making this determination, the Board of Zoning Appeals shall consider the nature of the use in light of the district (s) where uses of a similar nature are provided. In addition, the Board of Zoning Appeals may require such additional conditions and safeguards as it feels necessary to uphold the intent of this Resolution.

**SECTION 3. Hearings of the Board of Zoning Appeals:**

1. Hearings, Notices, Actions, and Appeals:

- (a) The Board of Zoning Appeals shall hold a public hearing, within a reasonable time, after the receipt of an application for an appeal, variance, or conditional use permit. Before holding the public

hearing, notice of such hearing shall be given in at least one newspaper of general circulation in the Township at least ten (10) days before the date of the hearing. The notice shall state the time and place of the public hearing and the nature of the matter to be considered.

- (1) Before the public hearing, written notice of the hearing shall be mailed, by first class mail, at least ten (10) days before the day of the hearing to all parties of interest. The notice shall contain the same information as in the newspaper notice specified above.
- (2) After the public hearing, the Board of Zoning Appeals within a reasonable time shall, approve, approve with conditions, or disapprove a request for appeal, variance, or a conditional use permit. The Board of Zoning Appeals shall set forth the reasons for the particular decision and transmit a certified copy of the action to the requesting individual (s) and other parties of interest, upon request.
- (3) Any appeal from the decision of the Board of Zoning Appeals shall be made to the Court of Common Pleas.

**SECTION 4. Application and Fees:**

- (1) Application and Fees:
  - (a) The Board of Township Trustees may establish application forms for requests of the Board of Zoning Appeals and may establish fees for said applications to defray the cost of public notices, mailing, etc. as it deems necessary.

**ARTICLE XI – INTERPRETATION, PURPOSE AND CONFLICT**

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SECTION 1. In interpreting and applying the provisions of this Resolution, they shall be held to be minimum requirements for the promotion of the public safety health, convenience, comfort, morals, prosperity and general welfare. It is not intended by this Resolution to interfere with or abolish or annul any Resolution, rules, regulations or permits previously adopted or issued, and not in conflict with any of the provision of this Resolution, or which shall be adopted or issued, pursuant to law relating to the use of buildings or premises and likewise not in conflict with this Resolution; nor is it intended by this Resolution to interfere with or abolish or annul any easements, covenants, or other agreements between parties; provided, however, that where this Resolution imposes a greater restriction upon the use of buildings or premises or upon height of buildings, or requires larger open spaces or larger lot areas than are imposed or required by such other resolutions or agreements, the provisions of this Resolution shall control.



**ARTICLE XII – AMENDMENTS**

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**SECTION 1. General Comments:**

1. General: Whenever the public necessity, convenience, general welfare or good zoning practices require, the Board of Trustees may, by resolution after receipt of a recommendation thereon from the Zoning Commission and subject to the procedures provided by law, amend, supplement, or change the regulations, district boundaries or classification of property, now or hereafter established by this Resolution or amendments thereof. It shall be the duty of the Zoning Commission to submit its recommendation regarding all applications or proposal for amendments or supplements to the Board of Township Trustees.

**SECTION 2. Initiation of Amendments:**

1. Amendments to this Resolution may be initiated in one of the following ways:
  - (a) By adoption of a motion by the Zoning Commission;
  - (b) By adoption of a resolution by the Board of Township Trustees; or
  - (c) By the filing of an application by at least one owner or lesser of property within the area to be changed or affected by the amendment.

**SECTION 3. Procedure for Zoning Amendments:**

1. Applications for any changes of the District boundaries or classifications of property as shown on the Zoning Map, shall be submitted to the Commission, as its public office, upon such forms, and shall be accompanied by such data and information, as may be prescribed for that purpose by the Commission, so as to assure the fullest practicable presentation of facts for the permanent record. Each application shall be verified by at least

one of the owners or lessees of property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presents with the application. The new proposed land shall be specified at the time of the submission of the application for a zoning amendment. No diversion from such specific use shall be permitted unless a new application is submitted and the entire amendment procedure is repeated. After a zoning district is changed, activity towards the development of the approved new land use shall commence within a period of two (2) years after the amendment becomes effective; if no activity has taken place within this two (2) year period, the property will automatically revert back to its original zoning district. Applications for amendments initiated by the Commission shall be accompanied by its motion pertaining to such proposed amendment.

2. Names and Address of Adjacent Property Owners: Any person or persons desiring a change in the zoning classification of property shall file, with the application for such change, a statement giving the names and addresses of the owners of all properties lying within five hundred (500) feet of any part of the property the zoning classification of which is proposed to be changed.
3. Submission to Regional Planning Commission: Within five (5) days after receipt of the amendment request, the Zoning Commission shall transmit a copy of the proposed amendment to the Regional Planning Commission (RPC). The RPC shall review the proposal and make a recommendation to the Zoning Commission for consideration at the public hearing.
4. Public Hearing by Zoning Commission: The Zoning Commission shall schedule a public hearing, or subsequent hearing (s), the Zoning Commission shall discuss the proposal and formulate a recommendation to the Board of Township Trustees.

5. Required Notices – Prior to Zoning Commission Hearing:  
Before holding the public hearing, the Zoning Commission shall give notice of such hearing by publication in at least one newspaper of general circulation in the Township at least fifteen (15) days before the date of the hearing. The notice shall set forth the time and place of the hearing, the nature of the proposed amendment, and a statement that after the conclusion of the public hearing the amendment intends to rezone ten (10) or less parcels of land, written notice of the hearing shall be mailed, at least twenty (20) days before the hearing, to all property owners within five hundred (500) feet of any part of the property proposed to be changed and/or all adjacent property owners. This notice shall contain the same information as required in the newspaper notice. The failure to notify as provided herein shall not invalidate any recommendation adopted hereunder.
  
6. Action of Zoning Commission: Within thirty (30) days after the public hearing, the Zoning Commission may recommend the proposal be granted as requested, or it may recommend a modification of the zoning amendment requested in the application, or it may recommend the application be disapproved. These recommendations shall then be certified to the Board of Township Trustees.
  
7. Public Hearing and Notice by Board of Township Trustees:  
Within thirty (30) days after the receipt of the recommendation of the Zoning Commission, the Board of Township Trustees shall hold a public hearing thereon giving at least fifteen (15) days' notice of the hearing by publication in at least one newspaper of general circulation in the Township. The contents of the notice shall include the time and place of the hearing and a summary of the proposed amendment.

8. Action of the Board of Township Trustees: Within twenty (20) days after the public hearing, the Board of Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. In the event the Board denies or modifies the recommendation of the Zoning Commission, the unanimous vote of the Board of Township Trustees shall be required. In case of a protest against the proposed amendment signed by the owners of twenty (20) per cent or more of those immediately adjacent in the rear thereof extending two hundred (200) feet therefrom, or of those directly opposite thereto, extending two hundred (200) feet from the street frontage of such opposite, such amendment shall not become effective except by the favorable vote of all the members of the Board of Township Trustees.
  
9. Effective Date and Referendum: Such amendment adopted by the Board of Township Trustees shall become effective thirty (30) days after the date of adoption unless a referendum petition is presented to the Trustees as specified in Section 519.12 of the Ohio Revised Code.

**SECTION 4. Application and Fees:**

1. General: The Board of Township Trustees may establish application forms for amendment requests, require specific information on such forms, and set fees for applications to defray the costs of notices, mailing, etc., and amend such fees as deemed necessary.

**ARTICLE XIII – DEFINITIONS**

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**SECTION 1.** For the purpose of this resolution, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural, the singular; the word "building" shall include the word "structure" and the word "shall" is mandatory and not directory.

1. Accessory Use: A use or building, such as a garage, naturally and normally incidental to, subordinate to, and devoted exclusively to the main use of the land and buildings. An accessory use includes a roadside stand as herein defined.
2. Acre: 43,560 square feet.
3. Agriculture: The use of land and buildings which include farming, dairying, pasturage, apiculture, horticulture, viticulture, truck gardening, forestry, the operation of tree or plant nursery, poultry, and animal husbandry. Animal husbandry includes the breeding, raising, judging, care, training, and production of horses, ponies, mules, donkeys, goats, swine, cows or sheep. A private landing strip used in conjunction with the farm operation shall be permitted.
4. Agriculture Related Business: A business establishment that provides direct service to the local agricultural land uses including: grain elevators, seed sales, fertilizer sales and similar establishments.
5. Airport: Any landing area and all necessary appurtenances designed, used, or intended to be used for landing and taking off of aircraft.
6. Automotive Repair: The repair, rebuilding, or recondition of motor vehicles or parts thereof, including collision service, painting and steam cleaning of vehicles.
7. Automotive Sales: The sale or rental of new or used motor vehicles or trailers.

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8. Bed and Breakfast: A private owner occupied residence with one to three guest rooms. The Bed and Breakfast shall be sub-ordinate and incidental to the main residential use of the building. Maximum stay allowable is fourteen consecutive days.
9. Billboard or Signboard: Any sign situated on private premises with an area greater than 100 square feet on which the written or pictorial information is not directly related to the principal use of the land on which such sign is located.
10. Board: The Board of Zoning Appeals of Washington Township, Sandusky County, Ohio.
11. Board of Township Trustees: The Board of Washington Township Trustees, Washington Township, Sandusky County, Ohio.
12. Boarding House: A building other than a hotel where, for compensation and by arrangement, meals or lodging and meals are provided for three (3) or more persons but not exceeding twenty (20) persons.
13. Building, Front Line of: The line of that face of the building nearest the front line of the lot. This face includes sun parlors and covered porches whether enclosed or unenclosed but does not include steps.
14. Building, Height of: The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip and gambrel roofs.
15. Building, Principal: A building in which is conducted the main or principal use of the lot on which said building is situated.
16. Business Services: Any activity conducted for gain which renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes or business.

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17. Clinic: An establishment where patients who are not lodged overnight are admitted for examination and treatment by a group of physicians practicing medicine together.
18. Club: A building or portion thereof or premises owned or operated by a corporation, association, person or persons for a social, education or recreation purpose, but not primarily for profit or to render a service which is customarily carried on as a business.
19. Commission: The Township Zoning Commission of Washington Township, Sandusky County, Ohio.
20. Commissioners, Board of County Commissioners: The Board of County Commissioners of Sandusky County, Ohio.
21. Commercial Entertainment Facilities: Any activity conducted for gain which is generally related to the entertainment field, such as motion picture theaters, carnivals, night clubs and similar entertainment activities.
22. Drive-in Commercial Uses: Any retail commercial use providing considerable off-street parking and catering primarily to vehicular trade such as drive-in restaurants, drive-in theaters and similar uses.
23. Dwelling: Any building or portion thereof which is designed for or used for residential purposes.
24. Dwelling, (Home) Single Family: A building designated for or occupied exclusively by one family.
25. Dwelling, (Home) Two Family: A building designated for or occupied exclusively by two families.
26. Dwelling, Multiple: A building used or designed as a residence for three or more families living independently or each other and doing their own cooking therein, including apartment houses, apartment hotels, flats and group homes.
27. Essential Services: The erection, construction,

alteration, or maintenance, by public utilities or municipal or other governmental agencies, of under-ground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduit cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the Public health or safety or general welfare, but not including buildings.

28. Family: One (1) or more persons occupying a dwelling and living as a single housekeeping unit and doing their own cooking on the premises as distinguished from a group occupying a boarding house or hotel, as herein defined.
29. Farm: Land used for agricultural purposes with no less than five (5) acres and annual agricultural receipts of at least one thousand (\$1,000) dollars.
30. Farm Market: A temporary, seasonal business establishment designed primarily for the sale of produce.
31. Filling Station, Service Station: Any building, structure, or land used for the dispensing, sale or offering for sale at retail of any automobile fuels, oils or accessories, including lubrication of automobiles and replacement or installation of minor parts and accessories but not including major repair or installation of minor parts and accessories but not including major repair work, such as motor replacement, body and fender repair or spray painting.
32. Flag Lot: A lot shaped like a flag which does not meet the minimum street frontage or lot width requirements, but is connected to a public street by an access strip of less than the required minimum width.
33. Flag Pole: In the context of a Flag Lot, the narrow portion of the lot connecting the bulk of the parcel to a public road.
34. Food Processing: The preparation or processing of food products.



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35. Frontage: All the property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street - - or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.
36. Garage, Private: An accessory building designed or used for the storage of motor-driven vehicles owned and used by the occupants of the building to which it is accessory. Not more than one of the vehicles may be a commercial vehicle of more than two-ton capacity.
37. Garage, Public: A building or portion thereof, other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling or storing motor-driven vehicles.
38. Gas Station: see "Filling Station":
39. Greenhouse/Nursery: Land, buildings, structures or a combination thereof for the storage, cultivation, or transplanting of live trees, shrubs, or plants (including products used for gardening or landscaping) offered for sale on the premises.
40. Highway, Major: A street or road of considerable continuity and used primarily as a traffic artery for intercommunication among large areas.
41. Home Occupation: An occupation conducted as a secondary activity to a dwelling unit provided that: a.) the area devoted to such activity does not exceed twenty-five (25%) per cent of the total ground area occupied by all permanent buildings on the lot; b.) such use is not objectionable to surrounding properties due to noise, traffic, parking, or hazardous operations; c.) such use employs only members of the family residing on the premises; and d.) the proposed use is properly approved as a conditional use by the Board of Zoning Appeals.
42. Hotel: A building in which lodging or boarding and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through

an inside lobby or office supervised by a person in charge at all hours. As such it is open to the public in contradistinction to a boarding house, a lodging house or an apartment which are herein separately defined.

43. Large Solar Facility: means an electric generating plant that consists of solar panels and associated facilities with a single interconnection to the electrical grid that is a major utility facility. (From ORC/OPSB)
44. Loading Space: A space within the main building or on the same lot therewith, providing for the standing, loading or unloading of trucks, and having a minimum dimension of twelve (12) feet by forty (40) feet and a vertical clearance of at least fourteen (14) feet.
45. Local Business: Any retail establishment which caters to and can be located in close proximity to residential districts without creating undue vehicular congestion, excessive noise or other objectionable influence. To prevent congestion local business uses, include only those enterprises which normally employ less than ten persons. See the definition of Regional Business for other business activities.
46. Lot: A parcel of land occupied or intended for occupancy by a use permitted in this Resolution, including one main building together with its accessory buildings, the open spaces and parking spaces required by this Resolution, and having its principal frontage upon a street or upon a street or upon an officially approved place.
47. Lot Coverage: Percentage of lot coverage shall be the ratio of enclosed ground floor area of all buildings to the horizontally projected area of the lot, expressed as a percentage.
48. Lot of Record: Any lot of which individually or as part of a sub-division has been recorded in the Office of the Recorder of Deeds of the County.
49. Lot, Minimum Area of: The area of lot computed exclusive of any portion of the right-of-way of any public thoroughfare.

50. Lot Width: The width of a lot at the building setback line measured at right angles to its depth.
51. Classification of Manufactured Homes:
- (a) "Class A manufactured home" means a manufactured home certified as meeting either the manufactured home construction and safety standards of the U.S. Department of Housing and Urban Development or the industrialized unit requirements of the Ohio Board of Building Standards; has the same siding materials and pitched shingled roofs as used on newly constructed conventional homes; and is on a permanent foundation.
  - (b) "Class B manufactured home" means a manufactured home certified as meeting either the manufactured home construction and safety standards of the U.S. Department of Housing and Urban Development or the industrialized unit requirement of the Ohio Board of Building Standards; has a bowed metal roof and aluminum siding with the traditional manufactured home appearance; and is on a permanent foundation.
  - (c) "Class C manufactured home" means a noncertified manufactured home.
52. Manufacturing, General: Any manufacturing or industrial process including food processing which by the nature of the materials, equipment and process utilized are not objectionable by reason of odor, noise, vibration, cinders, gas fumes, dust, smoke, refuse matter or water carried waste. Any manufacturing or industrial process permitted in an "M-2" or "M-3" District shall comply with the performance requirements of Article VIII.
53. Manufacturing, Restricted: Any manufacturing or industrial processing which by the nature of the materials, equipment and process utilized are to a considerable measure clean, quiet and free of any objectionable or hazardous element. Restricted industrial uses shall comply with the

performance requirements specified in Article VIII and shall include the industrial uses listed below and any other uses which are determined by the Board to be of the same general character: drugs, jewelry, musical instruments, sporting (goods; processing and assembly of glass products, small household appliances, electronic products and parts for production of finished equipment; research and testing laboratories, printing, engraving plants, tool and die shops, machine shops, and manufacture of plastic products.

54. Mineral Extraction and Processing: Any mining, quarrying or processing of limestone, dolomite, marl or other mineral resources.
55. Manufactured Home Park: Any site or tract of land under single ownership upon which three or more manufactured homes used for habitation are parked, either free of charge or for revenue purpose, including any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park.
56. Non-conforming Use: The use of land or a building, or portion thereof, which does not conform to the use regulations of the district in which it is situated.
57. Nursery School/Day Care Center: A school conducted for profit that provides day care for pre-school children. Nursery school and day care centers are considered the same for purposes of this Zoning Ordinance.
58. Overnight Camps: A park or area of land to provide overnight camping or lodging for recreational vehicles, travel trailers and tents.
59. Permanent Foundation: A structural system for transposing loads from a structure to the earth at a depth below the established frost line without exceeding the safe bearing capacity of the supporting soil. For purposes of this Zoning Ordinance, a "permanent foundation" requires walls at the exterior line of the trailer constructed on footers set below frost line and steel beams across these walls to weld or bolt the manufactured home frame to.

60. Permanent Perimeter Enclosure: A foundation which forms a complete enclosure under exterior walls, and includes a skirting constructed of fire and weather resistant materials, enclosing the entire undercarriage of a manufactured home.
61. Personal Services: Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, valet service, watch repairing, barber shop, beauty parlors and related activities.
62. Planned Unit Development: An area of land in which a variety of housing types, and occasionally including subordinate commercial and industrial facilities, are accommodated in a pre-planned environment under more flexible standards such as lot sizes and setbacks than those restrictions that would normally apply under these regulations. The procedure for approval of such a development contains requirements beyond those of a standard subdivision and shall conform to the regulations herein.
63. Plant Cultivation: The cultivation of crops, fruit trees, nursery stock, truck garden products and similar plant materials.
64. Pond: A body of water, of which none of the excavated material has been removed from the site for commercial purposes and is used for the following purposes: to provide water for livestock, fish, and wildlife, recreational uses, swimming, and/or fire protection.
65. Professional Activities: The use of offices and related spaces for such professional services as are provided by doctors, dentists, lawyers, architects, engineers, Realtors, and accountants.
66. Prosecutor, County Prosecutor: The Prosecutor of Sandusky County.
67. Public Service Facility: The erection, construction, alteration, operation or maintenance of a utility or service by a public utility, railroad whether publicly or privately owned or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water, and sewerage services.

68. Public Uses: Public parks, schools, and administrative, cultural and service buildings, including public land or buildings devoted solely to the storage and maintenance of equipment and material and the Township Hall.
69. Recreational Facilities:
- (a) Non-Commercial Recreational Facilities: Private and semi-public recreational facilities which are not operated for commercial gain, including private country clubs, riding stables, golf courses, game preserves, hunting and trapping, and other private non-commercial recreation areas and facilities or recreation centers including private community swimming pools, marinas, yacht clubs, and overnight camps.
  - (b) Commercial Recreational Facilities: Recreational facilities established and operated for a profit such as commercial golf courses, swimming pools, race tracks, amusement parks, carnivals, overnight camps, and similar commercial enterprises.
  - (c) Restricted Commercial Recreational Facilities: Boat docks and fishing piers, boat launching, maintenance, repair and fueling facilities; concessions buildings for the sale of food, non-alcoholic beverages and boating and fishing supplies and accessories.
70. Regional Business: Services and retail businesses whose predominant number of customers are attracted from all over the County, plus highway travelers from other counties and states. See the definition of Local Business for other business activities.
71. Residential Floor Area: The interior floor area of a dwelling including stairways, halls and closets but not including basements, porches, garages and carports.
72. Seasonal Residence: Summer cottages, shooting club houses, farm labor housing and similar housing occupied less than six (6) months during a year.

73. Semi-Public Uses: Churches, Sunday schools, parochial schools, colleges, hospitals and other institutions of an educational, religious, charitable or philanthropic nature and including airports.
74. Sewage Disposal System - Combined: A combined sewage disposal system shall be one that shall be an approved system which provides for the collection and disposal of sewage from a group of dwellings or commercial or industrial buildings.
75. Sewage Disposal System – Individual: An on-site system for septic tank facilities for the collection and disposal of sewage from a dwelling or building.
76. Sexually Oriented Business: An adult arcade, adult bookstore, adult cabaret, adult entertainment establishment, adult motion picture theater, adult novelty store, adult theater, adult video store, sexual device shop, sexual encounter center, and sexual encounter establishment as defined in sections 2907.40 and 2907.39 of the Ohio Revised Code, but does not include a business solely by reason of its showing, selling, or renting materials that may depict sex.
77. Small Solar Array: A solar array of less than one acre in size that qualifies as an accessory use. This includes ground mounted arrays and arrays installed on existing structures. The power generated by this array must be used on site by a lawful principle or accessory use.
78. Small Wind Energy System: A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 500kW/5MW and which is intended primarily to reduce on-site consumption of utility power by the property owner. Additional criteria:
- (1) Suitable for use by rural farms and/or residences in an Agricultural Zoning District.
79. Social Activities: Any building and land used for private or semi-private club activities, including lodges, fraternities and similar activities.
80. Solar Array: A collection of solar panels, cells, or units that are collocated and used together to generate electricity or heat.

81. Solar Facility: A structure or system that converts solar energy into electricity or heat, and any attached or related structures or infrastructure. A facility may include multiple solar arrays and multiple parcels or sites that connect to the electrical grid at a common point. The output of such a facility shall be calculated at the point where the aggregate parts interconnect with the electrical grid.
82. Specialized Animal Raising and Care: The use of land and building for the raising and care of fur-bearing animals such as rabbits and domestic pets; animal kennels, pigeon raising and raising of any other domestic animals or birds of a similar nature.
83. Story: That portion of a building other than a cellar included between the surface of any floor and the surface of the floor next above it or if there is no floor above it, then the space between the floor and the ceiling next above it.
84. Street Line, Right-of-way Line: A dividing line between a lot, tract or parcel of land and contiguous street.
85. Structure: Anything constructed or erected other than a building, the use of which requires permanent location on the ground, or attached to something having a permanent location on the ground, including - but without limiting -the generality of the foregoing, advertising signs, billboards, backstops for tennis courts and pergolas.
86. Structural Alterations: Any change which would tend to prolong the life of a supporting member of a structure such as bearing walls, columns, beams or girders.
87. Tourist Home: A building other than a hotel where lodging is provided and offered to the public for compensation for not more than twenty individuals and open to transient guests.
88. Travel Trailer: A vehicle or other portable structure forty feet or less in length that is designed to move on the highway and designed or used as a temporary dwelling.
89. Trailer, Small Utility: Any trailer drawn by passenger automobile, used for the occasional transport of personal effects.



90. Turbine: The parts of a wind system including the blades, generator and tail.
91. Tower Height: The height above grade of the fixed portion of the tower, excluding the wind turbine and blades.
92. Yard: An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of the rear yard, the minimum horizontal distance between the lot line and the main building shall be used.
93. Yard, Front: A yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the centerline of the right-of-way and the main building or any projection thereof, other than the projections of the usual uncovered steps, uncovered balconies, or uncovered porch unless otherwise specified herein. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension.
94. Yard, Rear: A yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projection thereof, other than the projections of uncovered steps, unenclosed balconies or unenclosed porches.
95. Yard, Side: A yard between the main building and the side lines of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot and the side of the main building or any projections thereto.
96. Zoning Certificate: The document issued by the Zoning Inspector authorizing the use of the land or buildings.
97. Zoning Inspector: The Zoning Inspector or his authorized representative appointed by the Board of Township Trustees.

98. Zoning Map: The Zoning district map or maps of the Township together with all amendments subsequently adopted.

#### **ARTICLE XIV – VALIDITY**

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If any article, section, subsection, paragraph, sentence or phrase of this Resolution is for any reason held to be invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution.

#### **ARTICLE XV – WHEN EFFECTIVE**

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**SECTION 1.** This amended Code shall become effective from and after the date of its approval and adoption as provided by law and all previously adopted Zoning Resolutions are hereby repealed.