

ZONING RESOLUTIONS

For

Southington

Township

Trumbull County

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Previous Revisions

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TOWNSHIP ZONING COMMISSION

The Board of Southington Township Trustees shall create and establish a Township Zoning Commission. The Commission shall be composed of five members who reside in the unincorporated area of the township, to be appointed by the board, and terms of the members shall be of such length and so arranged that the term of one member shall expire each year. Where there is a county or regional planning commission, the board may appoint qualified members of such commission to serve on the township zoning commission. Each member shall serve until his successor is appointed and qualified. Members of the zoning commission may be removed for nonperformance of duty, misconduct in office, or other cause by the board, upon written charges being filed with the board, and after a copy of the charges has been served upon the member so charged, at least ten days prior to the hearing, either personally, by registered mail, or by leaving such copy at his usual place of residence. The member shall be given an opportunity to be heard and answer such charges. Vacancies shall be filled by the board of trustees and shall be for the unexpired term.

Neither the Southington Township Zoning Inspector nor any Assistant Zoning Inspector, nor Clerk shall, during the term of his or her office, be employed or engaged directly or indirectly, in any building construction for others or for furnishing materials, plans, specifications or equipment for others. Nor shall any duly licensed Real Estate Broker or Salesman be appointed as the Township Zoning Inspector, Assistant Zoning Inspector or Clerk.

ZONING RESOLUTION

A Resolution providing for the zoning of the Southington Township by regulating the location, size, and use of buildings and structures, the area and dimensions of lots and yards, and the use of lands, and for such purposes dividing the township into zones and districts of such number, size and shapes as are deemed best suited to carry out said purposes and providing a method of administration and enforcement of this resolution.

WHEREAS, the Board of Trustees of Southington Township deems it in the interest of the public health, safety, morals, comfort, and general welfare of said township and its residents, to establish a general Zoning plan for the area of Southington Township.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Southington Township:

Section 1: Purpose

For the purpose of promoting 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 provisions of public improvements, all in accordance with a comprehensive plan, the Board of Trustees of Southington Township find it necessary and advisable to regulate the location and size of buildings and other structures, including tents, cabins, and mobile homes, percentage of lot areas which may be occupied, set back building lines, size of yards, courts and other open spaces, the uses of buildings and other structures, including tents, cabins, and mobile homes, and the uses of land for commerce, industry, residence, recreation or other purposes divides the area of the township into districts or zones.

Section 2: Districts

For the purposes of carrying out the provisions of this resolution, the area of the township is hereby divided into the following districts:

- R Residential.
- RA Residential apartments.
- MH Mobile Home Park.
- B Business and commercial.
- I Industrial and manufacturing.
- P.U.D. Planned Unit Development

The location and boundaries of the districts shall be shown on the map entitled Southington Township Zoning map. A certified copy of this map is on file in the office of the Board of Southington Township Trustees and said map and all notations, dimensions, and designations shown thereon are hereby declared to be a part of this Resolution and Ordinance. Also, adoption of Township Maps to identify whole and partial parcels in Zoning Districts are available to be viewed by contacting the Zoning Inspector.

SOUTHINGTON TOWNSHIP INDUSTRIAL ZONE

Consisting of two parcels of land along Baltimore and Ohio Railroad extending from the Southington – Champion Township line on the east to the Southington – Farmington Township line on the north and being bounded on the south by State Route 305 and County Highway 306 and on the west by a line drawn parallel and 2,000 feet westerly from the B&O Railroad and on the north and east by a line drawn parallel and 2,000 feet northerly and easterly from the B&O Railroad.

Section 3: Agriculture

1. Agriculture includes farming; ranching; aquaculture; horticulture; viticulture; animal husbandry including but not limited to the care and raising of livestock, equine, and fur bearing animals; poultry husbandry and the production of poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod or mushrooms; timber, pasturage; any combination of the foregoing; and the processing, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with but are secondary to such husbandry or production.
2. Land in any district may be used for agriculture purposes when located on lots greater than five (5) acres. However, a zoning certificate with a Declaration of Agriculture Use Exemption must be obtained prior to the location, construction or erection of any structure or building. If it is determined by the Zoning Inspector that the use of the structure is for agricultural use, no fee will be charged for the zoning certificate. Any change of use of the structure or building to a non-agricultural use,

after the issuance of the original zoning certificate with Declaration of Agriculture Use Exemption, will require the applicant to reapply for a new zoning certificate to insure that the structure or building is in compliance with the zoning requirements of the district.

3. Pursuant to R.C. 519.21 agricultural use and buildings or structures incident to the use of land for agricultural purposes on lands as specified in R.C. 519.21 and amendments thereto, consisting of platted subdivisions and fifteen (15) or more contiguous lots, are subject to the following:
 - a. On lots of one (1) acre or less, agriculture is a conditionally permitted use in residential districts and subject to the requirements of residential districts. Additional setback requirements may be imposed by the Board of Zoning Appeals, when considering the application, to insure that any agricultural use does not interfere with the adjoining property owners.
 - b. On lots greater than one (1) acre but less than five (5) acres, agricultural use is permitted. However, all buildings or structures incidental to the use of land for agricultural purposes:
 - i. Must comply with the required building setback lines, height and size regulations for any accessory building applicable to the district in which the use is located: and
 - ii. Must be located at least one hundred (100) feet from any building used for human habitation, other than the residence of the property owner on which the agriculture use is located, if the building and structures incidental to the use of land for agricultural purposes is used to confine or house animals: and
 - iii. Must be issued a zoning certificate by the zoning inspector.
4. Notwithstanding any of the sections stated above, the keeping and raising of horses, dog kennels, dairying, animal and poultry husbandry, other than the keeping and raising of household pets, is prohibited in any residential district in platted subdivisions and the lots as designed in R.C. 519.21 and amendments thereto, when at least thirty-five (35) percent of the lots are developed with at least one building, structure or improvement that is subject to real property taxation or that is subject to the tax on manufactured and mobile homes under R.C. 4503.06

Section 4 Classifications of Uses

R District Residential

The following uses and no other shall be deemed class R uses and permitted in all R districts.

- A. Single and two family dwellings for residence purposes and buildings accessory thereto, but excluding tents, cabins, mobile homes, and camping trailers.
- B. The taking of boarders or leasing of rooms by a resident family provided the total number of boarders or roomers does not exceed two, in addition to the members of the family, in a dwelling containing one bathroom and a maximum of four boarders or roomers for each additional bathroom in the dwelling. A maximum of four boarders shall be permitted in any dwelling.

- C. Church, Schools, colleges, universities, public library, public museum, community center, fire station, township hall, publicly owned park, publicly owned playground, Y.M.C.A., Y.W.C.A.
- D. Any person may maintain an office or may carry on a customary home occupation in the dwelling house used by him as his private residence providing such does not involve any extension or modification of said dwelling which will alter its appearance as a dwelling and providing such use does not involve any outward evidence of such use except not more than one sign as authorized in other sections of this resolution.

Home Occupation: an occupation conducted in a dwelling unit or small garage provided that:

- a. No more than 2 persons other than members of the family residing on the premises shall be engaged in such occupation conducted entirely in the dwelling unit, or garages containing 600 square feet or less.
 - b. The use of the dwelling unit of the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25% of the total floor area of the dwelling unit shall be used in the conduct of the home occupation.
 - c. There shall be no change in the outside appearance of the building or premises or other visible evidence of conduct of such home occupation other than one sign as permitted elsewhere in this resolution.
 - d. Sufficient off-street parking shall be provided based on the type of home occupation and such occupation shall not create traffic, parking, sewage, or water use in excess of what is normal in a residential neighborhood.
 - e. No equipment or process shall be used in such occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single family residence, or outside the dwelling unit if conducted in other than a single family residence.
- E. Garage sales are limited to two sales per year, each not exceeding more than 10 days. No permit is required.

The above uses shall conform to the following regulations.

1. All residences must have a continuous permanent foundation, and meet the minimum standards of Trumbull County Building Department.
2. All single family dwellings shall have a space designed and used for living quarters exclusive of basements, porches, garages and breezeways, of at least the following minimum square footage.
 - a. Single story houses must be a minimum of 1200 square feet.
 - b. One and one half-story houses and two story houses must have a minimum 800 square feet on the first floor and a total 1200 square feet.
 - c. Split level houses must have minimum combined living space of the upper two levels totaling 1200 square feet.

3. No duplex dwelling shall have floor space designed and used for living quarters of less than eight hundred (800) square feet per family unit; exclusive of basements, porches, garages and breezeways.
4. Hospital, sanitarium, or rest home, providing that any such hospital, sanitarium or rest home shall have a lot area of not less than five (5) acres and a frontage on a public thoroughfare of not less than five hundred (500) feet and providing that any such hospital, sanitarium, or rest home caring for contagious disease or mental cases also shall have a lot area of not less than one (1) acre per bed additional to the other requirements set forth herein. Set back of the building shall be two hundred (200) feet and adequate parking in the rear. A minimum side lot clearance on each side of said building of not less than 50% of the distance constituting the frontage of the structure.
5. Roadside stands consisting of structures used for the display and sale of agricultural products provided:
 - a. Such stands are not in the road right-of-way.
 - b. Such stands are at least twenty (20) feet back from the traveled portion of the road.
 - c. Adequate facilities are maintained for off the road parking of customer's vehicles.
 - d. More than 50% of the products sold at such roadside stands are agricultural products raised on the premises.
 - e. That such roadside stands be so designed and constructed that it can be removed when not in use, and the same shall be removed from the roadside when not in use for a period of thirty (30) days, or more.
6. A fence or a wall shall be considered a structure (as defined) in this resolution and shall not exceed a height of more than four (4) feet from ground level in the area between the minimum setback building lines and the right-of-way side line from a road or street. In the case of a corner lot, this provision also applies to the line from a road or street. No fences, walls or shrubbery, shall be maintained near a street or intersection so as to interfere with traffic visibility, around a corner.
7. Outdoor residential swimming pools.
 - a. For the purpose of this zoning resolution, an outdoor residential swimming pool is a structure, as defined in the definitions of this zoning resolution; and is here in after referred to as, "pool".
 - b. A zoning permit shall be required for all types of pools that are three hundred (300) square feet or more in area with a depth at any point of two (2) feet or more.
 - c. All types of pools shall be constructed to meet the dimensional requirements of any section of this zoning resolution, and a plot plan showing the size of the pool and its location on the premises shall be submitted upon application for zoning permit. Pool area and location measurements are to be taken from the inside edge of the pool structure.
 - d. All pools of the below ground level type shall be completely enclosed by a fence erected around the periphery of the pool.

The fence shall be at least five (5) feet high and all points of entry shall be equipped with gates of the same height. All gates shall be equipped with self-closing or self-latching devices placed at the top of the gates and made inaccessible to small children. Pools of the above ground level type need not be enclosed by a fence;

however, they must have some type of folding gate, steps, or platform, which makes the pool inaccessible to small children.

- e. The use of a pool prior to the installation of the protective fencing and equipment required therein IS HEREBY PROHIBITED. Use includes the act of filling the pool for any reason.
- 8. No outside privies shall be permitted.
- 9. Rubbish shall not be permitted to accumulate on the premises.
- 10. All residents shall display in a prominent location, so as to be seen from the highway, a house number assigned by the Southington Township Zoning Inspector. All new or replacement numbers shall be reflective.

The above uses shall be permitted only providing such is not noxious, dangerous, or offensive by reason of emission of odor, dust, smoke, gas fumes, noise, flame, or vibration, and adequate facilities for the storage of refuse, waste, junk, objects to be repaired and disposed of are provided and the same are screened from view.

RA District Residential Apartment

The following uses, and no other, shall be deemed class RA uses and permitted in all "RA" districts.

- A. Any use permitted in an R district shall be permitted in a RA district.
- B. Apartment houses and multiple dwellings of all types.

The above uses shall conform to the following regulations.

- 1. A zoning permit, issued by the zoning inspector, shall be secured for the land use of each separate apartment building. As a prerequisite to the issuance of a zoning permit, the owner or his representative must submit a plot plan to the zoning inspector, which plot plan shall indicate the final location of each apartment building as surveyed. The plot shall be designed to clearly indicate the owner's compliance with height and bulk requirements set forth below.
- 2. The minimum requirement of 800 square feet per family unit, with two (2) parking spots of at least two hundred (200) square feet for each apartment and sufficient parking for visitors.
- 3. Rear yard. There shall be a minimum rear yard of not less than forty (40) feet in depth on every lot. For every building more than twenty (20) feet in height, the rear shall be increased in depth one (1) foot for each one (1) foot of height of the building over twenty (20) feet from the established grade level.
- 4. Side yard. There shall be a side yard on each side of every main building. The minimum width of each side yard shall be thirty (30) feet. If any building exceeded twenty (20) feet in height, the width of each side yard shall be increased by one (1) foot for each one (1) foot of height of the building over twenty (20) feet from the established grade level.

5. In order to satisfy the minimum requirements of square footage per family, each apartment building, must be constructed on a separate lot as defined in this resolution, whose dimensions satisfy the square footage minimum requirements and allowing for height and bulk requirements.
6. As a further condition of the issuance of a zoning permit for the land use of apartment buildings, the zoning inspector shall require the owner or his representative to file a proposed plot plan with Trumbull County Recorder in accordance with the procedure established by law for the recording of plot plans.
7. Upon discovery of any variation from the plot plan submitted, the Zoning Inspector shall commence a lawsuit in the appropriate court to enjoin the land use, which is in violation of these requirements.
8. The owner or his representative, as evidence of his good faith, shall notify the Zoning Inspector when construction commences on each building after the issuance of a zoning permit.
9. A fence or a wall shall be considered a structure as defined in this resolution and shall not exceed a height of more than four (4) feet from ground level in the area between the set back building line and the right-of-way side line for a road or street. In the case of a corner lot, this provision also applies to the line for a road or street, no fence, wall or shrubbery shall be maintained near a street or intersection so as to interfere with traffic visibility around a corner.
10. Outdoor residential swimming pools. The location and construction of pools in an RA district shall be governed by the same regulations set forth under paragraph 7 of R districts.

Other buildings constructed in RA districts shall be subject to the rest of the provisions of the Southington Township Zoning Resolution, including minimum lot widths, composition of buildings, minimum floor space, minimum lot area per family, setback building lines, corner lots, rear houses, parking facilities, zoning permits, zoning amendments, definitions, validity and in Board of Appeals action.

MH District Mobile Home Parks

The following uses and no other shall be deemed MH district uses and shall be permitted in all MH districts:

- A. All uses permitted in R and RA districts subject to regulations applicable thereto.
- B. Mobile Home Parks and accessory uses.

The above uses shall conform to the following regulations.

1. No Mobile Home Park classification shall be granted for a tract of land having a total area of less than twenty (20) acres.
2. The maximum number of Mobile Homes permitted on a tract of land classified as a MH district Mobile Home Parks shall be six (6) units per acre, exclusive of land area required and used for streets, walks, recreation, common parking and sales displays, resident management, etc.

3. A minimum of eight percent of the total area of the Mobile Home Park shall be reserved for recreation area for the use of the residents within the park, and generally provided in a central location. No recreation area shall contain less than five thousand (5000) square feet of area with practical dimensions.
4. No Mobile Home lot shall be less than six thousand (6000) square feet in area; and no mobile home shall be placed on such a lot until and appropriate concrete pad is constructed. Tie-downs shall be able to sustain a minimum load of forty eight hundred (4800) pounds.
5. Each mobile home lot shall have a minimum width at the set back line of forty (40) feet.
6. Set back building lines shall be at least ten (10) feet from any street right-of-way. In the case of a corner lot, a minimum of at least ten (10) feet from any street right-of-way.
7. No mobile home or accessory building thereto, shall be placed closer than five (5) feet to any side lot and there shall be a minimum distance of ten (10) feet between mobile homes.
8. No mobile home or accessory building thereto, shall be placed closer than five (5) feet to any rear lot line.
9. No mobile home shall be permitted in the mobile home park if it has less than five hundred (500) square feet of living area.
10. At least one (1) paved access way of not less than thirty six (36) feet in width shall be provided as a means of ingress and egress to the mobile home park from a public thoroughfare.
11. All mobile homes shall be located at least fifty (50) feet from any public road or street right-of-way, and at least fifteen (15) feet from all other mobile home park boundary lines. A mobile home park located adjacent to industrial or commercial land uses shall provide screening such as fences or natural growth along the mobile home park boundary line.
12. All streets within the mobile home park shall be paved and shall be at least twenty four (24) feet in width.
13. No parking shall be permitted on road and streets within the mobile home park.
14. Parking for visitors and residents shall be provided at various convenient locations throughout the mobile home park. A minimum of two (2) parking spaces is required for each mobile home unit. All spaces are to be nine (9) feet wide and twenty (20) feet long.
15. The following accessory uses and buildings shall be permitted within the mobile home park.

- a. A permanent dwelling for one (1) family, office and maintenance facilities for management of the mobile home park.
 - b. Mobile homes offered for sale by the operator of the mobile home park; provided no more than three (3) mobile homes are displayed, in a designated sales display area.
 - c. Recreation facilities for the residents of the mobile home park as provided in item b, paragraph 3 above.
16. Each mobile home park shall provide an adequate, safe and potable supply of water for each mobile home, which has been approved by local health authorities. The water supply system shall be capable of providing a minimum of one hundred fifty (150) gallons per day to each mobile home.
 17. A common walk system shall be provided and maintained by the mobile park owner between locations where pedestrian traffic is concentrated. Such common walks shall be paved and have a minimum width of three and one half (3-1/2) feet.
 18. An adequate and safe sewage system shall be provided in all mobile home parks for the conveying and disposing of all sewage, and shall be constructed and maintained under the supervision of local health and sanitation authorities, subject to county or state regulations.
 19. An adequate method of handling surface and storm water shall be provided in all mobile home parks so as to reasonably eliminate the possibility of flooding, subject to county or state regulations.
 20. The collection, storage and disposal of refuse, in the mobile home park shall be conducted in such a manner as to prevent health hazards, rodent harborage, insect breeding area, accident or fire hazards, or air pollution, and shall be maintained under the supervision of local health and sanitation authorities, subject to county or state regulations.
- C. The person, corporation, partnership or other legal entity, and their heirs, devisees, successors, or assigns, to whom a zoning permit has been issued under this use classification, shall provide adequate supervision to maintain the mobile home park, its grounds, facilities and equipment in good repair and in a clean and sanitary condition. They shall notify all residents in writing of the regulations set forth in this ordinance together with their duties and responsibilities hereunder.
 - D. The enlargement of any mobile home park, which was in existence as a nonconforming use at the time of the enactment of this supplement to the Southington Township Zoning Resolution, shall be subject to the provisions of this use classification wherever applicable.
 - E. No person, corporation, partnership or other legal entity shall begin construction on, or alteration of, a tract of land classified as MH DISTRICT unless a valid zoning permit has been issued by the Southington Township Zoning Inspector. A zoning permit application must contain the following information:
 1. Name and address of owner, and legal capacity of person filing the application.

2. Location and legal description of the proposed Mobile Home Park, or enlargement or alteration of existing park.
3. Complete engineering plans and specifications of the proposed Mobile Home Park, alteration or enlargement, indicating the following:
 - (a) The area and dimensions of the tract of land.
 - (b) The number, location and size of all mobile home lots.
 - (c) The location and width of streets and walkways.
 - (d) The location and dimensions of recreation area, public parking areas, the resident management area, and the sales display area.
 - (e) Working drawings showing the location of sanitary and surface water sewer lines, water supply lines and risers.
 - (f) The plans and specifications of all buildings to be constructed within the mobile home park.
 - (g) The location and details of lighting and electrical systems.
 - (h) The names of all streets within the park and the proposed method, if any, of numbering of the mobile home lots on such streets for location in case of fire or other emergency.
- F. Transfer of ownership of an individual mobile home lot from a tract of land zoned as MH DISTRICT (Mobile Home Park) shall cause the zoning use classification of the transferred lot to revert to R DISTRICT (Residential), and there after, the transferred lot shall be subject to all regulations of this Ordinance pertaining to R DISTRICT residential use. The existence of a mobile home, mobile home pad, or other facility designed to serve a mobile home, on such a transferred lot, shall not constitute a nonconforming use for the intent and purpose of this paragraph.

B District (Business and Commercial)

The following uses and no other shall be deemed class B uses and permitted in all B districts.

1. Any use permitted in an R district or RA district shall be permitted in a B district.
2. Apartment house, rooming house, hotel, living quarters over a business establishment, restaurants, lunch rooms, garage, tavern, or motel.
3. Retail stores or shop, repair shop, beauty shop or beauty parlor, barbershop, funeral home, office or office building, mercantile establishment, or studio.
4. Dairy plant, dairy store or roadside stand.

5. Lodge hall.
6. Gasoline filling and service station providing storage tanks are underground and covered with earth and conform to State code.
7. Indoor theater, bowling alley, dance hall, and roller rink.
8. Job printing, newspaper printing plants.
9. Builders supply, plumbing and heating supply.
10. All buildings designated or contemplated for commercial or industrial uses must be constructed in accordance with the State Building Code covering these types of construction.

All buildings in commercial districts must conform to a setback line of fifty (50) feet minimum to permit for future street widening.

Commercial building to be completed in two (2) years.

The above uses shall be permitted only providing such is not noxious, dangerous or offensive by reason of emission of odor, dust, smoke, gas fumes, noise, flame or vibration, and adequate facilities for the storage of refuse, waste, junk, objects to be repaired and disposed of are provided and the same are screened from view.

I District Industrial and Manufacturing

The following uses and no other shall be deemed class (I) uses and permitted in all (I) District:

- A. Any use permitted in an (R) District, and (RA) District or a (B) District shall be permitted in an (I) District.
- B. All new industry, manufacturing plants or new expansions must have a building setback of fifty (50) feet minimum from any street, and conform to the State Building Code.
- C. Any normal industrial or manufacturing use, providing such use is not noxious, dangerous or offensive by reason of emitting odor, dust, smoke, gas, noise, fumes, flame or vibration, except uses specifically prohibited in these resolutions.

The following uses are prohibited in all (I) Districts:

1. Dumping, storing, burying, reducing, disposing of, or burning garbage, refuse, scrap metal, rubbish, offal or dead animals, except such as result from normal use of premises, shall be prohibited, unless such dumping is done at a place provided by the township trustees for such specific purposes.
2. Junk yards and automobile graveyards.
3. Places for the collection of scrap metal, paper, rags glass, rubber, used construction materials or equipment and any other used or salvaged material shall be permitted only in (I) Districts, providing, however, and located upon the same property occupied by the plant using said items. That further they shall be properly concealed from public view

securely fenced for public safety and located a minimum distance of two hundred (200) feet from any road right-of-way.

3. Business and industries which are a public nuisance or undesirable shall not be permitted, such as:
 - a. Metallic powder works.
 - b. Chemical Plant.
 - c. Distilling of bones, fat, or glue, or gelatin manufacturing.
 - d. Outdoor theaters.

Section 5: Prohibited Uses

The following uses shall be deemed to constitute a nuisance and shall not be permitted in any (R), (RA), (B), or (I) District:

1. Amusement park.
2. Aviation field.
3. Brewery.
4. Cellar dwellings
5. Commercial zoos or Zoological parks.
6. Dangerous pets.
7. Massage parlors, or any sauna establishment.
8. Outdoor privies.
9. Slaughter houses.
10. Sawmills on a particular site for more than 6 months.
11. Bulk petroleum station with tanks above ground; distilling or cracking plants or plants used in refining gasoline and oil products.
12. Distilling of bones, fat or glue, glue or gelatin manufacturing.
13. Manufacturing or storage of explosives, gun powder or fire works.
14. Dumping, storing, burying, reducing, disposing of or burning garbage, refuse, scrap, metal, rubbish, offal, dead animals, or any other unsightly or unsanitary materials. (This section shall not be applicable to the normal care of individual lawns or gardens or pursuits incidental to agricultural purposes.)
15. Junk yards and automobile graveyards.
16. Places for the collection or sale of scrap metal, salvaged automobile parts, paper, rags, glass, rubber, tires, used construction materials or equipment, and any other used or salvaged material shall be permitted only in (I) Districts, providing, however, and located upon the same property occupied by the plant using said items. That further they shall be properly concealed from public view securely fenced for public safety and located a minimum distance of two hundred (200) feet from any road right-of-way.
17. Trailer or mobile homes except as provided for elsewhere in these resolutions. However, under no circumstances shall the axle, tongue, or any other conveyance apparatus be removed from the mobile home nor shall the title to the trailer or mobile home vehicle be modified in any way.
18. The parking or storing of an abandoned, dismantled, wrecked, inoperable, unused and or unlicensed motor vehicle, trailer, aircraft, or piece of farm equipment, or any accumulation or combination thereof, unless parked or stored in a garage, barn, or other structure, and not exposed to public view.
19. Group homes, halfway houses, or structures for the purpose of housing persons for penal purposes, including, but not limited to drug and alcohol rehabilitation programs.

20. The spreading, disposing, placing, burying or otherwise processing or handling of human, animal, business, or industrial waste or waste products except for farm procedures using only locally produced farm waste.
21. Any business engaged in the dissemination or display of pornographic materials as defined by local community standards.
22. Any activity considered by the trustees as being offensive or a nuisance to the well being or pertaining to the safety of the community.

Section 6: Nonconforming uses

1. A nonconforming use existing at the time this resolution takes effect may be continued, except that if it is voluntarily discontinued for one (1) year or more, it shall then be deemed abandoned, and further use must be in conformity with the uses permitted in such district.
2. Any building or structure, existing as a nonconforming use at the time this resolution takes effect, which is destroyed by fire or the elements, may be reconstructed and restored providing the same is done in conformity with the zoning resolution within one (1) year from the date of destruction.
3. A building or structure devoted to a nonconforming use at the time this resolution takes effect may not be altered or enlarged so as to extend said nonconforming use more than 10% in area, and is limited to one alteration or enlargement.
4. When a nonconforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to less restricted or nonconforming use.
5. Trailer parks which are a nonconforming use hereunder, shall be treated as follows: existing trailer parks which have no existing pads and separate sanitary facilities for each trailer coach shall not permit a vacated trailer spot to be filled until such facilities are installed.
6. When a nonconforming house or trailer or mobile home use has been removed from a parcel of land or lot where it was stationed, no other house trailer or mobile home shall be permitted to be stationed upon such land or lot, unless there is a replacement and continued use of such house trailer or mobile home space upon the same land or lot by the same owner of said land and house trailer or mobile home, and then only if such new trailer or mobile home is of equal or more value than the replaced house trailer or mobile home. This section shall not apply to mobile home parks.
7. In any area where house trailers are permitted, there shall be no more than one (1) house trailer situated on any one lot. All house trailers and other movable enclosures must conform to the building setback line requirements.
8. For any renewal, reconstruction, enlargement or other change of any nonconforming use, the owner of the premises must make an application to the Township Zoning Inspector for a Zoning permit.

Section 7: Outdoor Advertising

For the purpose of this resolution, outdoor advertising shall be classified as a business use and shall be permitted in all "B" and "I" Districts and on all lands used for agricultural purposes and in "R" Districts are herein provided for, subject to the regulations contained in this resolution:

1. Signs not larger than thirty-two (32) square feet in area shall be permitted in any district provided they are not located within the road right-of-way. Sign areas, as set forth in this paragraph, shall be measured at the extremities of the sign.
2. In "B" and "I" Districts, a sign of twenty (20) feet maximum length and/or a maximum of eighty (80) square feet in area shall be permitted in connection with a business operating on the same premises, providing the sign is elevated to at least ten (10) feet above the level of the highest point of the road adjoining said premises. The dimensions of the support of the sign shall be no greater than necessary with the support not being used for advertising. Sign area, as set forth in this paragraph, shall be measured at the extremities of the sign.
3. An outdoor advertising sign or billboard shall be deemed a structure and shall require a zoning permit before being erected, constructed, or replaced.
4. Any outdoor advertising sign except those mentioned in paragraph one (1) and paragraph two (2) of this section must meet the minimum setback building line of said street or road.
5. The number of signs per property shall be limited to one, unless otherwise approved by the Zoning Inspector.
6. No outdoor advertising sign, except those mentioned in paragraph one (1) and paragraph (2) of this section shall be located within one hundred (100) feet of any intersection unless affixed to a building.
7. Any illuminated sign shall be so shaded as not to interfere with the vision of persons on the highway, or to annoy neighbors.
8. All signs erected within one hundred (100) feet of any intersection must be erected so as not to obstruct view or cause traffic hazards.
9. Billboards shall be constructed of good material and kept well maintained and painted. Wood posts shall be at least the size of 4" x 4" and placed in ground at least three (3) feet, the portion of the post in the ground shall be treated; other materials may be used with the approval of the Zoning Inspector. Braces must be at least 2" x 4". The construction and maintenance of the billboards or any outdoor advertising signs shall be under the direct control of the Zoning Inspector and he shall notify the landowner and lessee of any violations and they must be corrected, or torn down and removed from the premises.
10. Garage sale signs and signs for events sponsored by non-profit organizations will be permitted but must be removed on the last day of sale. No fee shall be charged for signs in this paragraph.

Section 8: PUBLIC UTILITIES AND RAILROADS

This resolution shall not apply to public utilities or railroads.

Section 9: MINIMUM LOT AREA PER FAMILY

1. No single family dwelling shall be erected or building altered to accommodate one family as a residence on less than 100' x 200' lot area unless such lot is designated on a recorded plot or separately owned at the time this resolution took effect and cannot practically be enlarged to conform with this requirement.
2. No two family or multiple dwelling shall be erected or building altered for dwelling purposes to accommodate more than one (1) family on less than 1/2 acre of lot area per family.
3. No apartment house or living quarters over a business establishment shall be erected or building altered into apartments to accommodate more than one family for each 14,000 square feet of lot area.
4. In computing the lot area, property within the road or street right-of-way may not be included, in spite of the fact that lot owner holds title to the same.
5. In all instances covered in this section wherein a septic tank is installed, county and state health codes regarding land area requirements must be met.

Section 10: MINIMUM LOT WIDTH

No dwelling shall be erected in any district on a lot having a width of less than one hundred (100) feet unless such lot was designated on a recorded plot or separately owned at the time this resolution took effect and cannot practically be enlarged to comply with this requirement. All lot width is defined as frontage on a dedicated road as per current zoning resolution. Minimum corner lot size shall be two hundred (200) feet by two hundred (200) feet. No minimum lot width shall be required in a "B" or "I" District for uses other than to dwellings except such as is necessary for yard and lot area or parking facilities.

Section 11: SETBACK BUILDING LINES

Minimum Setback Building Lines. No building, structure, or any portion thereof, except steps, fences and uncovered porches less than ten (10) feet in width shall be erected within 50 feet of the right of way of the road or street. If there is no established right-of-way for any street or road, said line shall be deemed to be thirty (30) feet from the center of the road. Property owners, whose houses set further from the road than the minimum setback line, can build structures between the minimum setback building and the building line. Structures in this area are not limited to the fence height restriction. See drawing next page.

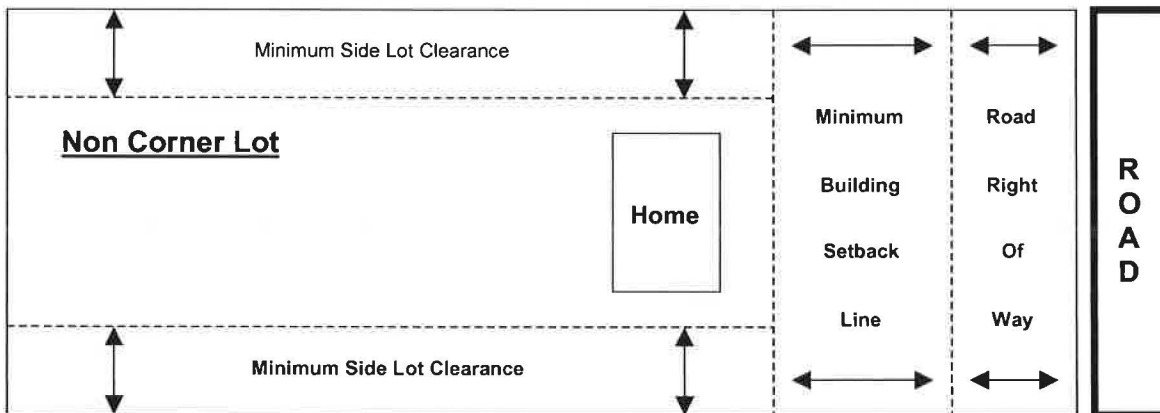
Section 12: SIDE YARDS

For every building erected in an "R" District or any dwelling erected in any district there shall be a minimum side lot clearance of not less than ten (10) feet, which space shall remain open

and unoccupied by any building or structure, excluding fences which must have a minimum of two (2) feet clearance for the purpose of maintenance. Attached garages or accessory buildings connected with the main building by a breezeway or other permanently constructed connection shall be construed to be a part of the main building for the purposes of this section.

Provided, however, that an accessory building located twenty (20) or more feet to the rear of the main building may be erected not less than ten (10) feet from the side lot line, except on corner lots provided it will be not less than twenty (20) feet distance from an existing residence on adjacent property. An accessory building is a subordinate building customarily incidental to and located on the same lot with main building.

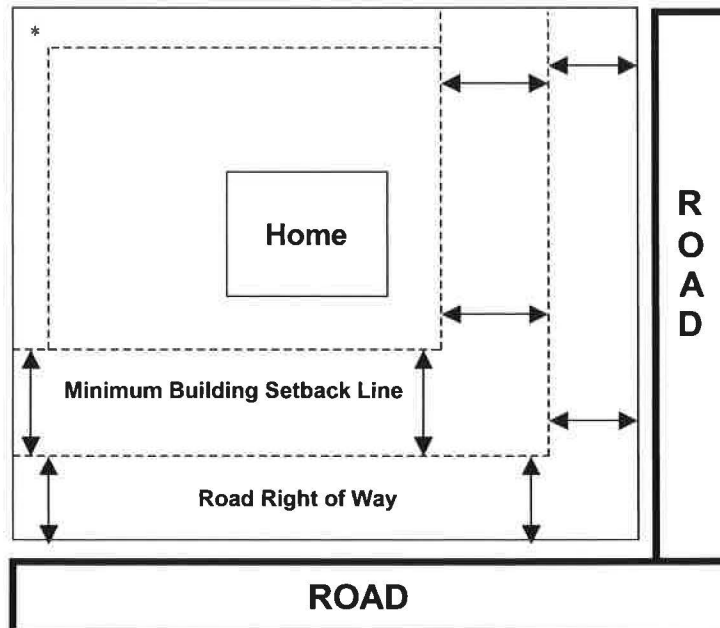
No side yard clearance shall be required for commercial or industrial building in "B" or "I" District; provided however, that such buildings abutting residential districts or residential dwellings, side yard clearance as set forth above in this section shall be applicable to such buildings. (Except any building used to house domesticated animals must be forty (40) feet from any lot line or dwelling.)



Section 13: CORNER LOTS

In the case of corner lots, no building, structure or any portion there of, except steps, fences and uncovered porches less than 10 feet in width, shall be created within 50 feet of the right-of-way of the main road or street, or within 50 feet of the right-of-way side of a side road or street. If there is no established right-of-way for a road or street, said line shall be deemed to be 30 feet from the center of the road.

* = Minimum Side Lot Clearance



Section 14: REAR YARDS

For every building erected in an "R" District and for every dwelling erected in any district, there shall be a minimum rear lot clearance at the rear of said building of at least ten (10) feet which space shall remain open and unoccupied by any building or structure, excluding fences which must have a minimum of two (2) feet clearance for the purpose of maintenance.

Section 15: REAR HOUSES

No dwelling or apartment house shall be erected or altered or used if located to the rear of another dwelling on the same lot and has no immediate street frontage.

Section 16: COMPOSITION OF BUILDING

- A. All structures in "R", "RA", "MH", "B" and "I" Districts, except dwellings, shall be constructed in accordance with the Ohio State Building Code and/or the Trumbull County Building Codes requirements for the structure and evidence of State or County approval of plans must be submitted with the request for a Zoning Permit.
- B. A residence shall be covered with a conventional type of siding, of a good grade of material, which shall exclude an asphalt base shingle, tarpaper and rolled asphalt base imitation brick and stone siding. Finished exterior shall be of good workmanship. Chimney or flue must be constructed as to conform to the recommendations of the Underwriters Laboratory, Inc., or the National Board of Fire Underwriters for the type of heating unit or units connected to the chimney or flue.
- C. A building or structure moved upon a parcel of land in Southington Township shall be considered the same as a building originally constructed thereon, and shall meet all the requirements in this ordinance before said structure is occupied or used. Any structure 12' X 12' or larger shall require a zoning permit.
- D. No Zoning permit for structures, which require a sanitary permit from the Trumbull County Health Department, may be issued until proof is presented to the Southington Township Zoning Inspector that the applicant has obtained a sanitary permit from the Trumbull County Health Department.

Section 17: PARKING FACILITIES

1. Any dwelling and apartment houses shall provide parking space with means of ingress and egress thereto, for not less than two (2) motor vehicle per dwelling unit or apartment. No less than two hundred (200) square feet area shall be deemed necessary for each such vehicle.
2. All Class "B" uses shall provide parking off the road or street outside the public right-of-way and not more than three hundred (300) feet distant from an entrance to said establishment of an area of not less than two hundred (200) square feet for each one hundred (100) square feet of area of the first floor establishments which it serves.
3. Every theater, auditorium, stadium, arena, building or grounds used for the assembling of

persons to attend theatrical performances, shows, exhibitions, contests, concerts, lectures, entertainment and similar activities, shall provide off the street or road and outside of the public right-of-way not less than two hundred (200) square feet of space, suitable for parking automobiles and other vehicles, for every four (4) persons to be accommodated. Such parking space shall be within four hundred (400) feet of the main entrance to such use, shall provide adequate means of ingress and egress and shall be available for the use of such patrons.

4. All class "B" and "I" uses shall provide adequate parking spaces off the road or street and outside of the public right-of-way for vehicles delivering to, unloading or taking away for said user; goods, material, supplies, or waste in connection with said business or use.

Section 18: BOARD OF ZONING APPEALS (ORC 519.14)

The Board of Township Trustees shall appoint a Township Board of Zoning Appeals of five members who shall be residents of the unincorporated territory in the Township included in the area zoned. The terms of all members shall be of such length and so arranged that the term of one member will expire each year. Each member shall serve until his successor is appointed and qualified. Members shall be removable for the same causes and in the same manner as provided by section 519.04 of the Revised Code. Vacancies shall be filled by the Board of Township Trustees and shall be for the unexpired term.

The Board of Zoning Appeals may within the limits of the monies appropriated by the Board of Township Trustees for the purpose, employ such executives, professional, technical, and other assistants as it deems necessary.

The Township Board of Zoning Appeals may:

- A. Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement of Sections 519.02 to 519.25 of the Revised Code, or of any resolution adopted pursuant thereto:
- B. Authorize, upon appeal, in specific cases, such variance from the terms of these Zoning Resolutions as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the resolution will result in unnecessary hardship, and so that the spirit of the Resolution shall be observed and substantial justice done.
- C. Grant Conditional Zoning Certificates for the use of land, buildings, or other structures if such certificates of specific uses are provided for in the Zoning Resolution. Since a Conditional Zoning Certificate is not one of hardship, but a convenience to the person or persons filing the appeal, a two hundred and fifty (\$250) dollar fee shall be paid upon filing. It may be in the form of cash, bank check, money order or certified check. Such Conditional Zoning Certificate will be granted for a period of time not exceed (two) 2 years.
- D. Revoke an authorized variance or Conditional Zoning Certificate, if any condition of the variance or Certificate is violated. The Board shall notify the holder of the variance or Certificate by certified mail of its intent to revoke the variance or Certificate under

division (D) of this Section and of his right to a Hearing before the Board within thirty (30) days of the mailing of the notice, if he so requests. If the holder requests a Hearing, the Board shall set a time and place for the Hearing and notify the holder. At the Hearing, the holder may appear in person, by his Attorney, or other representative, or he may present his position in writing. He may present evidence and examine witnesses appearing for or against him. If no Hearing is requested, the Board may revoke the variance or Certificate without a Hearing. The authority to revoke a variance or Certificate is in addition to any other means of Zoning enforcement provided by law.

In exercising the above mentioned powers, such Board may, in conformity with such sections, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appeal from and may make such order, requirement, decision, or determination as ought to be made, and to that end has all powers of the officer from whom the appeal is taken.

The Township Board of Zoning Appeals shall organize, and adopt rules in accordance with the provision of these Zoning Resolutions. Meetings of the Board of Zoning Appeals shall be held at the call of the Chairman and at such times as the Board may determine. The Chairman, or in his absence the acting Chairman, may administer oaths and the Township Board of Zoning Appeals may compel the attendance of witnesses. All meetings of the Board of Zoning Appeals shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed both in the office of the Board of Township Trustees, and with the Chairman of the Zoning Board, and shall be a public record.

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

The Board of Zoning Appeals shall fix a reasonable time for the public Hearing of the appeal; give at least ten days notice in writing to the parties in interest, give notice of such public hearing by one publication in one or more newspapers of general circulation in the county at least ten days before the date of such hearing and decide the appeal within a reasonable time after it is submitted. Upon the hearing, any person may appear in person or by Attorney.

The filing of an appeal from any decision of the Southington Township Zoning Inspector with the Southington Township Board of Zoning Appeals shall suspend any action by the Zoning Inspector or other authority in a Court of competent jurisdiction to enforce the provisions put in question by said appeal, except that the Southington Township Zoning Inspector may bring an action in injunction to enjoin the appellant from further construction or use during the pendency of his appeal.

Any appeal which has been resolved by the Southington Township Board of Zoning Appeals may not be re-filed nor will said Board entertain the same within six (6) months from the time of the resolution of the original appeal.

Any future changes of the Ohio Revised Code will automatically apply to the procedure written herein and supersede the same.

All applications for a zoning classification amendment or supplement, except those initiated by the Township Zoning Board or Township Trustees, when filed shall be accompanied by a deposit of one hundred fifty dollars (\$150.00) in the form of cash, bank check, money order, or certified check.

Section 19: ZONING PERMITS (CERTIFICATE)

The position of Township Zoning Inspector is hereby created. The Township Zoning Inspector and such assistants as may be determined necessary, shall be appointed by the Board of Township Trustees and shall receive such compensation as the Board of Township Trustees may provide. The Zoning Inspector shall keep records of all applications for zoning certificates and the action taken thereon.

Before constructing, locating, or altering any buildings, including accessory buildings, application shall be made to the Township Zoning Inspector for a zoning certificate. The application shall indicate the exact location of the proposed construction or alteration and shall include a plot plan, plans and specifications showing proposed location and dimensions of the building, which shall be included in the permanent record of applications. Within ten (10) days after receipt of the application, the Zoning Inspector shall issue a zoning certificate if the proposed construction or alteration is accompanied by the proper fee, or shall refuse the same if it does not comply.

In the event of an emergency, including fire, windstorm, flood or other act destroying totally or partially a dwelling house, building, or structure, making the same uninhabitable or unusable, the Zoning Regulations herein may be temporarily suspended insofar as they may apply at the discretion of the Zoning Inspector, by permitting a temporary structure to be used in the place of such destroyed building while the destroyed building is being repaired or replaced. Under said conditions, the Zoning Inspector may permit the use of tents, trailers or buildings for a six-month (6 mo.) period.

A Zoning Certificate when obtained by an applicant shall not be transferred to another person or to another property and the fee paid thereto shall be nonrefundable.

A Zoning Certificate shall expire at the end of ninety (90) days from the date of issuance, and unless construction, location, change the use of or alteration of any building or premises is not commenced within said ninety-day period, a new application for another Zoning Certificate must be made to the Township Zoning Inspector. For any renewal, reconstruction, or enlargement or other change of any non-conforming use, the owner of the premises must make an application to the Township Zoning Inspector for a Zoning Certificate.

The owner or lessee, his agent, employee, or delegate (including contractors, sub-contractors and individual craftsmen) shall be responsible for obtaining a Zoning Certificate as required by this Section; and a violation of this requirement shall be enforceable against any of the aforementioned persons, corporations, partnerships, or associations, either by civil or criminal action as provided by law.

Fees for Zoning Permits

1. a. Industrial \$.03 per square foot of all floor area, of all floors in building. MINIMUM FEE \$350.00.
- b. Junk yards in conjunction with manufacturing plants. ANNUAL FEE \$1,000.00.
2. Business and commercial \$.03 per square foot of all floor area of all floors in the buildings. MINIMUM FEE \$175.00. No additional minimum fee will apply to any additions to buildings or new structures during the calendar year. Applicant will pay only the square foot charge.
3. FLAT FEES.
 - a. Garages. \$35.00
 - b. All other structures on premises except farm buildings.
 - Greater than 120 sq. ft. \$35.00
 - Less than 120 sq. ft. \$25.00
 - c. All fences greater than 25 feet in continuous length. \$30.00
 - d. Each sign. \$15.00
 - e. Gas wells \$1,000.00
 - f. Telecommunication towers and facilities \$500.00
4. a. Dwelling \$.03 per square foot for all one floor areas, including dwellings and breezeways, porches and carports, enclosed or open and attached garages. MINIMUM FEE \$75.00.
- b. Conversion of any building to a dwelling or apartment, \$.03 per square foot of all floor area. MINIMUM FEE \$50.00.
- c. Additions to any dwelling, \$.03 cents per square foot. MINIMUM FEE \$50.00.
- d. Pool permit includes the fence if required as elsewhere in this resolution. MINIMUM FEE \$40.00.
5. Billboards. ANNUAL FEE \$1000.00.
6. Any business except farming, operating from a plot of ground without office or building. ANNUAL FEE \$50.00.

Builders shall properly display zoning permits in a manner, which is clearly visible from the street or road. The above said fees for zoning permits shall be doubled when issued after construction, additions or alterations have been started by the builder.

In addition to the above fees any actual cost for plans, permits, professional assistance and advice and unusual expense furnished at the request of the builder by the Township Zoning Inspector or the Township Board of Trustees shall be charged to the applicant for a zoning permit. A receipt for all moneys paid by the applicant for a zoning permit shall be issued by the Township Zoning Inspector and in turn such fees shall be turned over to the Township Clerk.

This Resolution shall not be interpreted as interfering with, abrogating or annulling any ordinances, regulations, resolutions or permits previously adopted or issued by the Southington Township Trustees except where such ordinances, regulations, resolutions, or permits are in conflict with this resolution or amendments hereto: in which event this resolution or amendments hereto shall prevail.

SECTION 20: WIRELESS TELECOMMUNICATION TOWERS AND FACILITIES POLICY**Section A. Purpose:**

It is the purpose of this section of the Southington Township Zoning Resolution to regulate wireless telecommunications towers, antennas, dishes and facilities. The regulations and conditions set forth herein are warranted and necessary to:

1. Protect residential and adjacent districts from the potential adverse impacts of wireless telecommunication towers, antennas dishes and facilities.
2. Accommodate the wireless telecommunication towers, antennas, dishes and facilities.
3. Promote collocation as an alternative to building new, wireless telecommunication towers and facilities.

Section B. Permitted Uses:

A wireless telecommunication tower and facilities may be located, erected, constructed, reconstructed, altered, removed or enlarged in commercial and industrial districts as a permitted use subject to the requirements of this resolution and upon issuance of a zoning certificate by the zoning inspector.

Section C. Conditional Uses:

A wireless telecommunications tower, antenna, dish, and facilities must meet the following requirements in addition to the ones in Section B.

1. A security fence not less than (8) feet in height shall fully enclose the base of the tower and facilities. The gate shall be locked at all times.
2. Evergreen trees or shrubbery not less than (8) feet in height shall be planted along the exterior perimeter of the security fence as to screen it from view. Existing vegetation on the site shall be preserved to the maximum possible extent. Landscaping on the site shall be continuously maintained and promptly restored as necessary.
3. A report shall be prepared and submitted by a licensed professional engineer and shall provide proof of compliance with all applicable federal, state, and county regulations. The report shall include a detailed site plan as per section E. of this policy.
4. All towers shall be painted a neutral color to minimize their visibility unless otherwise required by the Federal Communications Commission or Federal Aviation Administration.
5. No advertising signs shall be permitted anywhere on a tower, equipment shelter or anywhere on the site.
6. One warning sign the maximum size of (6) square feet shall be posted on the site as well as an emergency phone number. The applicant shall also provide the fire department, county sheriff's department and the county emergency management agency with information on who to contact, their address, and their telephone number in the event of an emergency.
7. A tower site shall not be lighted except to assure safety as required by the Federal Aviation Administration.

8. The collocation of antennas and dishes on lawfully existing towers shall be preferred over the construction of new tower sites. If there is no technically suitable space for the applicant's antenna, dish and related facilities reasonably available on an existing tower the applicant must demonstrate that a technically suitable location is not reasonably available on another lawfully existing tower. The applicant must also show that they have requested to collocate on an existing tower and the owner of the tower rejected that collocation. In all circumstances owners of existing towers shall respond to requests for collocation within 30 days from the receipt of a written request sent by certified mail (return receipt requested) for collocation. If collocation is rejected the owner must state in detail the technical reasons for rejection. The owner / operator of a free standing monopole tower shall be required to provide for and allow collocation for a minimum of two (2) additional antenna / dish platforms of equal loading capacity for two (2) additional unrelated owner / operators during the original construction of the tower. The owner / operator of a free standing lattice tower shall be required to provide for and allow collocation of five (5) additional antenna / dish platforms of equal loading capacity for five (5) additional unrelated owner / operators during the original construction of the tower. Agreement to this provision must be included in the applicant's lease with the landowner, if different from the owner operator of the tower.
10. There shall be no storage outside of the security fence of equipment of other items on the site except during the construction period, ordinary maintenance, or in times of a power outage.
11. If at any time the use of a tower and it's facilities are discontinued for sixty (60) consecutive days, said facilities shall be deemed abandoned. The zoning inspector shall notify the applicant in writing by certified mail (return receipt requested) and advise that the facility must be reactivated within thirty (30) days or it must be dismantled and removed from the site at the cost of the owner or lessee. If reactivation or dismantling does not occur, the conditional zoning certificate shall be revoked. During any period of discontinuance of said tower and facility, the owner / operator shall be responsible for the exterior maintenance of all equipment and landscaping. A cash or surety bond of not less than one hundred (100) dollars per vertical foot from the natural grade as part of the conditional zoning certificate, to cover the cost of, including but not limited to, the removal of the tower and facilities shall be required. This bond must be filed with the township clerk and proof of the current bond must be supplied on a renewal due date basis.
12. The minimum distance between any towers and their facilities shall be 1250 feet.
13. Freestanding wireless telecommunications towers, antennas, dishes and facilities.
 - a. The maximum height of a freestanding monopole tower, including antennas and dishes, shall not exceed 100 feet.
 - b. The maximum height of a freestanding lattice tower, including antennas and dishes, shall not exceed 200 feet.
 - c. The minimum setback from the nearest lot line to the base of the tower and facilities shall be 50% of the height of the tower within a commercial or industrial zoned district but not closer than 150% of the height to a district zoned residential.
 - d. A tower, dish, facilities and appurtenances shall comply with all zoning regulations of the district of its location.
14. In addition to a fee for, and prior to receiving a zoning certificate, the applicant shall provide proof of one million dollars of liability insurance for claims that may arise against them in respect to the tower or facilities at the subject site. Proof of insurance coverage is to be provided to the township clerk on an annual basis. The applicant shall also be responsible for all expenses incurred by the township for any technical or engineering services deemed necessary by the zoning inspector, board of appeals, or township trustees.

SECTION D. PROHIBITED USES:

- a. The mounting of towers, antennas and dishes to a building for commercial use is prohibited.
- b. The location, construction, erection, alteration and enlargement of wireless telecommunication towers and facilities in residentially zoned districts is prohibited.
- c. Although some wireless service companies are regulated by the PUCO, Public Utilities Commission of Ohio, if they are not considered to be actual public utility by the PUCO they will not be considered so in this resolution and will be subject to all the regulations within it.

SECTION E. SITE PLANS:

In addition to the information required by this resolution for an application for a zoning certificate, a site plan for a tower, antenna(s), dish(s) and facilities shall also require the following items.

1. The site plan shall be prepared by, signed, dated and bear the stamp and registration number of a licensed professional engineer. The plan shall also include all of the following:
 - a. A plan based on a survey, drawn to scale, north arrow, location and dimensions of the tower, appurtenant facilities from all lot lines, buildings, structures and public right-of-ways.
 - b. The height of the tower above grade.
 - c. All required mounting positions for three (3) antenna / dish platforms of equal loading capacity for a monopole tower and all required mounting positions for six (6) antenna / dish platforms of equal loading capacity for a lattice tower.
 - d. Existing easements and proposed easements with dimensions shall be shown.
 - e. A copy of a title examination for the subject premises shall be submitted.
 - f. The shipping weight of the tower, antenna(s), dish(es) and all appurtenant facilities shall be provided. The delivery route shall be given and is subject to review.
 - g. Proof of compliance with Trumbull County Soil and Water Conservation regulations with respect to erosion and storm water runoff shall be submitted.

Section 21: GAS WELLS

This section provides for the regulation of drilling an operation of wells for oil, gas or other hydrocarbons in gaseous or liquid form (or brine disposal) within the boundaries of Southington Township, Trumbull County, Ohio to protect the public health, safety and welfare from problems or effects of such drilling operations.

No person, firm, or corporation shall engage in the drilling, operation, production, plugging, or abandonment, of a gas or oil well without obtaining a permit from the Zoning Inspector.

A. REGISTRATION REQUIREMENT: Not less than 30 days prior to the proposed start up of a well site the applicant shall file with the Zoning Inspector:

1. An application for a zoning permit and a payment of the permit fee of \$1000.00.
 2. Road and performance bond in the amount of \$500,000 for township roads.
 3. Plat map, drawn to scale of the township lot showing the location of:
 - a. Well site
 - b. Ingress and egress roads
 - c. All known water supplies within 2500 feet of the well
 - d. Storage tanks
 - e. Separation units
 - f. Power shut offs
 - g. Transmission lines within 1000 feet of the well
 - h. Oil flow shut offs
 - i. Permanent and temporary dikes
 - j. All dikes and swales for erosion control and spill prevention
 - k. All structures within 500 feet of well head
 4. Copies of the following:
 - a. Drilling permit issued by the Ohio Department of Natural Resources
 - b. State approved filing of the spill prevention and control plan
 - c. State approved brine and waste disposal plan
 - d. Proof of Road Bond issued to the Trumbull County Engineer for County Roads
 - e. Certified test results from a State licensed testing laboratory of private water supplies of landowners within 2500' of the drilling site before drilling begins.
 - f. List of emergency telephone numbers for all parties responsible for any work on the tract.
 - g. Schedule of proposed starting and completion date of drilling operations
 - h. Certificate of three million dollars (\$3,000,000) liability insurance (minimum 1 year) for all operations related to drilling, production, storage and transmission of all product, by-products and wastes.
 - i. List of all landowners under lease agreements entered into with the drilling site/plat map. Such list shall include name, address, and phone number.
- B. Roads / Highways (includes access roads and public highways)
1. Storage tanks, separators, well heads or other apparatus shall be located at a distance of 100 feet or more from the edge of the right of way of any public highway.
 2. Access roads during well drilling and permanent roads to tank batteries shall be a minimum of twelve (12) feet wide and sufficient turnaround area shall be paved with suitable road materials to prevent mud deposits on public roads and to provide emergency vehicular access during inclement weather.
 3. All township roads used as ingress and egress for the proposed wells shall be jointly inspected by the Southington Township Road Superintendent and the drilling company shall provide a \$500,000.00 road and performance bond to the Township.
 4. Any dirt and/or mud or debris that accumulates on any public highway shall be cleaned off said highway at once by the drilling company.

5. Before any drilling equipment moves onto the property, the Zoning Inspector and Fire Chief shall be notified to make an inspection of the driveway.
6. Prior to establishing a driveway into the drilling site, the property owner shall contact the township road Supervisor to establish the location and type of casing necessary for said driveway. Said casing to be a minimum of twelve (12) inches or larger in diameter and forty (feet in length with drainage maintained at both ends of said casing. The drilling company shall pay all expenses involved with purchasing and installing the casing.
The casing shall be of sufficient diameter to carry all of the water coursing through the ditch, said casing to be installed in the ditch by the Township road department and covered by the drilling company. The company establishing the drilling operation shall do all of the above work under the supervision and direction of the Township Road Supervisor if permission is obtained in advance.

C. Gates and Fences.

1. Storage tanks, separators, well heads or other apparatus shall be enclosed by a six (6) foot high fence. The fence shall be located a minimum of five (5) feet outside of all tanks, pumps, separators and other miscellaneous apparatus. Sites larger than three hundred (300) square feet shall have two (2) exits remote from each other and all existing gates shall have a minimum opening of four (4) feet.

All gates shall be made up of two sections, each being one half of the exit opening size to facilitate orderly and safe fire fighting operations. All fences and gate installations shall be inspected by the authorized inspector before the producing operation commences. All gates, including the drive entrance gate shall be locked and keyed the same, and a key shall be given to the Fire Department. Fences and gates shall be kept in a good state of repair until the well is abandoned and tanks, separators, and pump equipment are removed.

2. Access roads shall be adequately fenced and have a gate with a locking device and be keyed the same, and a key shall be given to the Fire Department. The gate shall be installed at or near the public road entrance to prevent unauthorized entry from the public road. Gates shall be a minimum of twenty four (24) feet wide with the anchor posts being set in concrete. Exception to the location for the gate shall be only in the instance when the well access road and the property owner's driveways are the same.
In this instance, the gate shall be located where the driveway and the access road no longer are one and the same. No access road to the drilling site shall be nearer than two hundred (200) feet to the intersection of two streets. This gate shall be installed within seventy two (72) hours maximum after access road/driveway is initially opened.

D. Signs.

1. Before the start of drilling operations and through the life of the well, a metal sign shall be posted at the access road entrance and on the well site. The signs shall have the following information:
 - a. Owner of well (company, etc.)
 - b. Address
 - c. Phone number
 - d. Emergency phone number (24 hours)
 - e. Permit number of well
 - f. State Inspector phone number.
 - g. Street number, which would be given by the Zoning Inspector (allows Police and Fire Department to find area when necessary).
2. The company shall continually update the information on the sign. The company shall provide the Zoning Inspector with the name, address, and telephone numbers of all persons or legal entities responsible for the maintenance and operation of each oil and/or gas well site and shall

notify the township immediately of any changes in this information. The Zoning Inspector shall forward this information to the Fire Department and Police Department.

E. Restriction of above ground equipment:

1. There shall be no above ground equipment erected for or maintained for the drilling, production, transmission, or storage or disposal of gas, oil, waste, natural or artificial brines, oil field waters, sewage or any liquid used in or resulting from any drilling or production of any oil or gas well within fifty (50) feet of any side or rear yard or within two hundred (200) feet of any occupied structure or dwelling or within one thousand (1000) feet of a potable water well supply.

The two hundred (200) feet requirement from any occupied structure or dwelling may only be waived by the property owner on which the well is located or dwellings on the well site parcel of ground. A copy of the signed waiver shall be submitted to the Township Zoning Inspector.

2. The one thousand (1000) feet restriction may be waived if the potable well owner within one thousand (1000) feet of the well head signs a waiver of agreement with the drilling company. Copy of said agreement shall be filed with the Township Zoning Inspector. All potable wells within two thousand five hundred (2500) feet of the proposed well head shall be tested with the potable well owner's permission by the drilling company and at the drilling company's expense prior to any on site drilling. A copy of certified test results from a State licensed testing laboratory of private water supplies shall be filed with the Township Zoning Inspector. Test to have included, but not be limited to the presence of barium, calcium, chloride, iron, magnesium, manganese, nitrogen (total), potassium, sodium, strontium, sulfates, and total dissolved solids.
3. When a pump jack is required, the company shall install an electric motor in lieu of a gas motor when the well is located three thousand (3000) feet or less from the closest inhabited dwelling.
4. Muffler shall be required on all gas motors.

F. Blow out preventer:

During drilling of a well, the applicant shall install a blow out preventer with a remote manual preventer control for use in shutting down the system. The blow out preventer must be in good working condition and of sufficient size and rating to control such hydrostatic pressure as would be expected for the deepest pool to be penetrated. Such blow out preventer must be installed on the surface casing prior to drilling below the surface casing.

G. Spill prevention dikes or pits:

1. Any applicant for gas and/or oil well or a brine disposal well whose proposed well shall be within two thousand (2000) feet of any lake or pond, whether natural or man made, river, stream, creek or other such bodies or surface water within Southington Township, shall indicate the same on such form as the Zoning Inspector may require. It shall be the responsibility of the applicant to assure that any said body of water shall not be exposed during drilling, fracturing, production and operation of the well to any danger of erosion, siltation, pollution, contamination, or alteration.

Contingency plans shall be made to avoid contamination of the above waters in the event that any oil, gas, brine, waste, toxic material or other such contaminant spills during the drilling, production or abandonment of any oil and/or gas well. Whenever any well site is proposed to be located within two thousand (2000) feet of the above, the applicant shall submit with the application a proposed procedure to control spills and reduce the risk of contamination.

2. Whenever pits are required, prior to drilling the well, the drilling company shall install standard pit liners, being a minimum of 5 mils thickness. The liners shall be installed in all pits used to confine drilling fluids from the well and at no time shall the holding pit contain more than two thirds (2/3) of the amount of fluid the pit is capable of holding. When the pit obtains a fluid level of two thirds (2/3) capacity, the fluid shall be removed and disposed of in the designated manner.

3. For the health and safety of Township residents, a system of dikes shall be installed around all tank sites and separators. The size and design of such dikes shall be sufficient to contain at least one hundred and thirty three (133) percent of the material stored in the tanks and separators within the dike. Before production begins, the Zoning Inspector and Fire Chief must approve the installation of the completed dike system.

H. Transmission lines:

All buried transmission lines crossing or intersecting any public road shall be bored and shall be marked by a permanent marker on both sides of the road in a location and format acceptable to the Township Road Superintendent. Transmission lines under roadways shall be a minimum of thirty six (36) inches below the surface and shall be at least fifteen (15) feet from any property lines and shall require a standard Township road bore permit. The minimum depth of such lines below perennial or intermittent streams and ditches shall be established by the Township Road Superintendent and Zoning Inspector prior to excavation to install such lines. The applicant shall also coordinate the laying of transmission lines with all public utilities servicing the Township.

I. Completion of well:

After conclusion of the drilling stage, and upon the date when notice is required to be given to the Township of the commencement of production, the applicant shall remove all drilling equipment, temporary tanks and other materials not intended to be permanently placed at well site.

J. Landscaping of well site:

1. All wells shall have a buffer around the entire fenced in area except where gate openings are required. A buffer shall not be required in Industrial Zones except when abutting residential areas.
Buffer means a strip of land reserved for the purpose of blocking the view from a residential area of the abutting commercial or industrial use by landscaping material (trees, shrubs, etc.) or a fence of at least six (6) feet. If a fence is utilized, it must be of a material or design sufficient to obscure a view of the abutting commercial or industrial use, and the best side must be facing the residential use and be finished so as to provide a good cosmetic appearance. Such a fence must also conform to all regulations in this Resolution for Fences. The landscaping material or fence must be located along the inside edge of the buffer strip and not on the property line. The buffer strip shall be clear of any structures or driveways, and no parking or other uses related to the commercial or industrial use shall be permitted within the strip. The regulation for fences within the setback area is modified to allow for a six (6) foot minimum fence, but it shall not be located any closer than thirty (30) feet from the right of way of the street along the property line.
2. All disturbed areas are to be fine graded, seeded and mulched upon completion of drilling and fracturing operation. Between November 1 and March 1, fine mulch only. Temporary mulch is to be removed in areas dressed, seeded and mulched after March 1. Weather permitting, all grading required herein shall be completed within fourteen (14) day after completion of drilling and all landscaping required herein shall be completed within ninety (90) days after completion of drilling.
3. In no event shall grading and landscaping required in this section be completed in excess of one hundred eighty (180) days after completion of drilling.
4. The drilling company and the contractor or contractors who might be involved in such drilling operation shall be equally responsible for restoring the land involved so that it will not be an eyesore to the surrounding community. The Southington Township Zoning Inspector shall be responsible for making the final decision as to what is acceptable. Both the drilling company and the contractor shall be equally responsible to pay all costs associated with the repair of township roads that are damaged by heavy equipment, trucks, drilling rigs, or any other types of equipment related to the drilling operation in the event the road performance bond is not adequate.

K. Abandoned and plugged wells:

1. All storage tanks, apparatus and other equipment located above ground at a well site shall be removed and abandonment completed within one hundred eighty (180) days after a well stops producing, and the ground shall be restored, to the extent possible, to its original condition prior to drilling of said well, within said one hundred eighty (180) day period.
2. The applicant shall provide the Zoning Inspector with a copy of plug/abandonment permit.

M. Maintenance of producing well:

The applicant shall at all times maintain, repair, repaint, and replace any storage tank on the drilling unit and shall adequately maintain, repair, and replace all fences required under this Zoning Resolution. In the event that the applicant fails to maintain, repair, or replace any fence, tank, dike, or any other structure or apparatus contained on the drilling unit for the purpose of oil and gas well drilling, production or transmission, the same shall be a violation of this Zoning Resolution and the Zoning Inspector may order the applicant to shut down and cap any producing well or see any remedies otherwise available to the Township.

N. Visual records:

Prior to the commencement of any operation as defined in this section the Zoning Inspector shall make a visual record of the Township roadway to be used for any of the above purposes. The applicant shall pay for all related expenses.

Section 22: AMENDMENTS

Amendments or supplements to the Zoning Resolution may be initiated by motion of the Township Zoning Commission, by the passage of a resolution therefore by the Board of Township Trustees or the filing of an application therefore by one or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment or supplement with the Township Zoning Commission at the next regular meeting or a special meeting called for that purpose. The Board of Township Trustees shall upon passage of such resolution certify it to the Township Zoning Commission.

All applications for zoning classification amendment or supplement, except those initiated by motion of the Southington Township Zoning Commission or Southington Township Board of Trustees, when filed shall be accompanied by a fee of one-hundred fifty dollars (\$150.00) in the form of cash, bank check, money order or certified check. Such fee is necessary to pay for the expense of processing such applications. Updated list of actual property owners with addresses and zip codes must accompany original application. This list must be correct within the previous 60 days of the application date.

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

If the proposed amendment or supplement intends to re-zone or re-district ten or less parcels of land, as listed on the tax duplicate, written notice of the hearing, shall be mailed by the Zoning Commission, by first class mail, at least twenty days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from such area proposed to be re-zoned or re-districted to the addresses of such owners appearing

on the county auditor's current tax list or the treasurer's mailing list and to such other list or lists that may be specified by the Board of County Commissioners. The failure of delivery of such notice shall not invalidate any such amendment or supplement.

The published and mailed notices shall set forth the time and place of the public hearing, the nature of the proposed amendment or supplement and a statement that after the conclusion of such hearing the matter will be referred for further determination to the county or regional planning commission and to the Board of Township Trustees as the case may be.

Within five days after the adoption of such motion or the certification of such resolution or the filing of such application the township zoning commission shall transmit a copy thereof together with text and a map pertaining thereto to the county or regional planning commission, if there is such a commission.

The county or regional planning commission shall recommend the approval or denial of the proposed amendment or supplement or the approval of some modification thereof and shall submit such recommendation to the Township Zoning Commission. Such recommendation shall be considered at the public hearing held by the Township Zoning Commission on such proposed amendment or supplement.

The Township Zoning Commission shall, within thirty days after such hearing, recommend the approval or denial of the proposed amendment or supplement, or the approval of some modification thereof and submit such recommendation together with such application or resolution, the text and map pertaining thereto and the recommendation of the county or regional planning commission thereon to the Board of Township Trustees.

The Board of Township Trustees shall, upon receipt of such recommendation, set a time for a public hearing on such proposed amendment or supplement, which date shall not be more than thirty days from the date of the receipt of such recommendation from the Township Zoning Commission.

Notice of such public hearing shall be given by the board by one publication in one or more newspapers of general circulation in the township, at least fifteen days before the date of such hearing.

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

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

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

No amendment or supplement for which such referendum vote has been requested shall be put into effect unless a majority of the vote cast on the issue is in favor of the amendment.

Upon certification by the Board of Elections that the amendment has been approved by the voters it shall take immediate effect.

Any future changes of the Ohio Revised Code will automatically apply to the procedures written herein and supercede the same.

Any petition for a change of zoning classification resolved by the Southington Township Zoning Commission or the Southington Township Trustees may not be re-filed nor will said Boards entertain the same within six months from the time of the resolution of the original petition.

Any fees provided in this resolution may be changed or modified by action of the Board of Township Trustees sitting in regular session. This action shall not be considered part of the amendment procedure but shall be by resolution only and shall be effective immediately upon the advertising of such action within 30 days in a newspaper of general circulation within Trumbull County. Such modification shall not apply to any applications in progress at the time this fee resolution becomes effective.

Section 23: ENFORCEMENT

- A. It shall be unlawful to construct, reconstruct, enlarge, change, maintain or use any building or to use any land in violation of any regulation or any provision of this resolution or amendment thereto.
 - 1. Any person, violating this resolution or any regulation, provision or amendment thereto, shall be deemed guilty of an unclassified misdemeanor and upon conviction thereof, shall be fined not more than two hundred and fifty dollars (\$250.00). Each and every day during which such illegal erection, construction, reconstruction, enlargement, change, maintenance or use continues may be deemed a separate offense.
 - 2. Any firm or corporation violating this resolution or any regulation, provision or amendment thereto, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not more than one thousand dollars (\$1000.00). Each and every day during which such illegal erection, construction, reconstruction, enlargement, change, maintenance or use continues may be deemed a separate offense.
- B. 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 law or of this resolution or any amendment thereto, the Board of Township Trustees, the prosecuting attorney of this county, the Township Zoning Inspector or any adjacent or neighboring property owner who would be especially damaged by such violations, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action, actions, proceedings to prevent, enjoin, abate or remove such unlawful locations, erections, construction, reconstruction, enlargement, change, maintenance or use.
- C. The Township Zoning Inspector may revoke any permit or approval issued under the provisions of this Ordinance or may stop the work for any of the following reasons:
 - 1. Whenever there is a violation of any of the provisions of this Ordinance or any statute of the State of Ohio relating to the same subject matter.

2. Whenever the continuance of any work becomes dangerous to life or property.
 3. Whenever there is a violation of any condition on which issuance of the permit or approval was based.
 4. Whenever any false statement or misrepresentation has been made in application, plans or specifications on which the issuance of the permit or approval was based.
- D. The notice of revocation of the permit shall in every instance, be in writing and shall be served upon the owner, his agent or the person having charge of the work. A revocation notice shall also be posted upon the building in question by the Township Zoning Inspector. After the notice is received and posted, it shall be unlawful for any person to proceed with any operation for which such permit was issued. **NO PART OF THE FEES FOR SUCH PERMIT SHALL BE RETURNED.**

Section 24: PENALTIES

The Zoning Inspector shall have the authority to enforce this provision of the Zoning Resolution. All actions shall be filed within the proper jurisdictions as directed by the township attorney or the office of the prosecuting attorney of Trumbull County.

Any violation of the provisions of this section shall carry a penalty of not less than fifty (50) dollars nor more than one thousand (1000) dollars for each offense. Each day the violation continues shall be a separate violation.

Prior to the commencement of any criminal proceedings under this section the Township Zoning Inspector shall give written notice at the location shown on the permit or the location of the violation. Said notice shall inform the violator that if the correction is not made within ten (10) days, criminal prosecution shall begin.

Section 25: INTERPRETATION

In interpretation and application, the provisions of this resolution shall be held to the minimum requirements adopted for the promotion of public health, safety, morals, comfort and general welfare.

Nothing herein shall repeal, abrogate, annul, or in any way impair or interfere with any provisions of law or any rules or regulations, other than zoning regulations, adopted or issues pursuant to law relating to the construction and use of buildings or premises.

Where this resolution imposes a greater restriction upon the use of buildings or premises or upon the height of buildings or requires larger yards than are imposed or required by other provisions of law, rules, regulations, covenants or agreements, the provisions of this resolution shall control, but nothing herein shall interfere with, abrogate, or annul any easements, covenants, deed restrictions or agreements between parties which impose restrictions greater than those imposed by this resolution.

Section 26: VALIDITY

Each section, subsection, provision, requirement, regulation or restriction established by this resolution or any amendment thereto, is hereby declared to be independent and the holding of any part to be unconstitutional, invalid or ineffective for any cause shall not affect nor render invalid the resolution or amendments thereto, as a whole or any part thereof, except the particular part so declared to be invalid.

Section 27: SEVERABILITY

Any part of this section which is superceded by any section of the Ohio Revised Code or any rules or regulation promulgated thereunder, shall not affect the validity of any other portion of this Resolution, further, any inconsistency with State law shall be automatically conformed to State law and shall not affect the validity of the Resolution.

Section 28: DEFINITIONS

Words used in this resolution in the present tense shall be interpreted to include the future tense, words used in the singular number shall include the plural number, and the plural number shall include the singular number. The word "shall" used in the resolution is mandatory and not directory. The word "structure" shall include the word "building". The masculine gender as used in this resolution shall include the feminine and neuter gender and visa-versa.

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Definitions Appendix – page 1

ACCESSORY USE or ACCESSORY BUILDING for the purpose of this resolution is a use or building customarily incident to and located on the same lot with another use or building.

ALLEY for the purpose of this resolution is defined as a narrow public way, located, designed and dedicated for public use and usually abutting on the rear lot lines.

APARTMENT whenever mentioned in this resolution is a room or suite of rooms in an apartment house which room or suite of rooms is arranged, intended, designed and constructed or reconstructed to be occupied as a residence of a single family, individual, or group of individuals.

APARTMENT HOUSE whenever mentioned in this resolution is a complete permanent building arranged, designed, intended and constructed or reconstructed to be occupied by more than two families living independently of each other and doing their own cooking upon the premises, or by more than two families living independently, but having a common heating system or a general dining room.

APPROVED SEWAGE DISPOSAL PLANT-A plant approved by the State and County Sanitary Officers giving primary and secondary treatment to sewage and operated and maintained by assessments against the property served: said assessment being collected by the County of Trumbull.

BATHROOM whenever mentioned in this resolution is a room within the structure containing at least a washbasin and water basin and water closet and a permanently installed tub or shower bath.

BUFFER wherever mentioned in these Resolutions means a strip of land reserved for the purpose of blocking the view from a residential use of the abutting commercial or industrial use by landscaping material (trees, shrubs, etc.) or a fence to the height of at least six (6) feet. This strip of land shall be at least twelve (12) feet wide in residential zoned districts and twenty-five (25) feet wide in commercial zoned districts. If a fence is utilized, it must be of a material or design sufficient to obscure a view of the abutting commercial or industrial use, and the side facing the residential use must be finished so as to provide a good cosmetic appearance. Such a fence must also conform to all regulations in the Resolution for "fences". The landscaping material or fence must be located along the inside edge of the buffer strip and not on the property line. The buffer strip shall be clear of and structures or driveways, and no parking or other uses related to the commercial or industrial use shall be permitted within the strip. The regulation for fences within the setback area is modified to allow for a six (6) foot minimum fence, but shall not be located and closer than thirty (30) feet from the right-of-way of the street along the front property line.

CONSTRUCTION whenever mentioned in this resolution shall be deemed began when ground is broken for the purpose of the erection of any building falling under the jurisdiction of these resolutions.

CORNER LOT for the purpose of this resolution is a lot, two sides of which are bounded by margins of intersection dedicated public highways.

Definitions appendix – page 2

CUSTOMARY HOME OCCUPATION whenever mentioned in these resolutions shall be considered an occupation, which involves primary rendering a service, and may involve the incidental sale of tangible goods related to that service.

DANGEROUS PETS refers to any wild animal, reptile, bird, fish or insect, which is trained, restrained, confined and cared for in a way which demonstrates ownership and which poses a threat of physical harm to humans or which creates nuisance to the neighborhood.

DEDICATED ROAD whenever mentioned in this resolution is defined as a road/highway that has been accepted as a road/highway by the Trumbull County Engineer the Trumbull County Commissioners and the Trumbull County Planning Commission.

DUPLEX DWELLING: A Duplex Family Dwelling is a dwelling entirely detached and independent from any other principal structure, arranged intended, designed and constructed or reconstructed to be occupied by two families.

EFFECTIVE DATE wherever mentioned in these resolutions means: the date at which time these Southington Township Zoning Resolutions were initially adopted, and any dates of Amendments thereto, as adopted by the Southington Township Trustees.

FAMILY wherever mentioned in this resolution is any number of individuals related by blood, marriage or adoption, living and cooking together on the premises as a single housekeeping unit and including domestic employees.

FENCE is a permanent barrier intended to prevent intrusion or escape, or to mark a boundary. Fences shall be installed with equal or best side toward the neighbor and shall be installed so they can be maintained without leaving the owners property.

FRONT LOT LINE or FRONT PROPERTY FRONTAGE for the purpose of this resolution shall be construed to be coincident with the principal road line of the lot. If there is no established right-of-way sideline for the road or street, said line shall be deemed to be thirty (30) feet from the center of the road.

GARAGE for the purpose of these regulations is a building or space used as an accessory to a main building permitted in any residential district and providing for the storage of motor vehicles and in which no business, occupation or service for profit is in anyway conducted.

GARAGE SALES constitute any sales conducted by the owner of the premises in his garage or yard, porch, lawn or other terminology, which may be applicable, in a residential area. Garage sales are limited to two (2) sales per year, each not exceeding more than ten (10) days. No permit is required.

GREEN AREAS whenever mentioned in these regulations means an area of the parcel or lot that shall be set aside for grass or vegetation to be maintained, exclusive of driveways, parking areas and structures. Whenever parking areas, as required by these Resolutions, create a large area, it is requested that they be broken up by small planter areas, including trees. These planter areas will be included in the mandated green area.

HIGHER USE wherever mentioned in these resolutions is a more restricted use and "lower use" is a less restricted use.

Definitions Appendix – page 3

HOME OCCUPATION whenever mentioned in this Resolution shall mean the functions and processes of the physical service involved; and/or possible incidental sales of said Home Occupation shall be confined entirely within the confines of the dwelling house and the garage if said garage is connected to the dwelling house by a continuous foundation.

For the purpose of this resolution, a Home Occupation sign shall be limited to five (5) square feet and shall be located at the building line or at the fifty (50) foot setback line, whichever is closer to the property right-of-way.

INTERSECTION for the purpose of these resolutions shall be the junction of any two or more dedicated and accepted public streets in Southington Township.

LINE OF A BUILDING or BUILDING LINE wherever mentioned in these resolutions is either the main foundation wall of the line of any covered porch extending outside the main foundation wall, not including steps or walks, whichever is nearer the lot line in question.

LOT as used in this resolution shall be a parcel of land occupied by, or legally capable of being occupied by, a principal building and the accessory building or buildings or uses customarily incident to it and to include such open yard areas as are required by this resolution and such further open areas that are herein permitted to be arranged and designed to be used in connection with such building.

LOWER USE whenever mentioned in this resolution is a less restricted use and "higher use" is a more restricted use.

MANUFACTURED MOBILE HOME means a manufactured, re-locatable, single-family dwelling unit, suitable for year-round occupancy, containing a water supply, waste disposal and heating system, and electrical conveniences.

MANUFACTURED HOME PARK is a tract of land, which has been zoned, planned, improved and developed for the placement of manufactured mobile homes.

MOBILE HOME or MOBILE HOUSE for the purpose of this resolution is any vehicle originally built, manufactured, assembled, constructed or reconstructed to have one or more wheels and is designed, used or intended for use as a temporary or permanent dwelling or shelter for one or more individuals.

MOBILE HOME PARK is a tract of land, which has been zoned, planned, improved and developed for the placement of mobile homes.

NON-CONFORMING USE for the purpose of this resolution is one that does not comply with the regulations established for the particular use district or zone in which it is situated.

PORCH wherever mentioned in this resolution is a roofed or open glass or screen structure projecting from the front, side or rear wall of the building.

PRIVATE ROAD: Any road exclusive of driveways to individual residential units, that has not been dedicated for public use by a recorded public right of way or has not been accepted into the road system by the Trumbull County Commissioners.

Definitions Appendix – page 4

PROFESSIONAL as referred to in Section 4, Classifications of Uses, includes a doctor of medicine, doctor of osteopathy, dental surgeon, oral surgeon, orthodontist, peritonitis, optometrist, doctor of veterinary medicine, chiropractor, podiatrist, audiologist, speech pathologist, attorney, architect, accountant, professional engineer and such other persons who can, upon proper appeal to the Southington Township Board of Zoning Appeals, clearly establish that they practice a profession as opposed to an occupation which is predominately commercial or mechanical in nature.

P.U.D.: Ohio Revised Code 512.021, A Planned Unit Development means a development which is planned to integrate residential use with collateral uses, and in which lot size, setback lines, yard areas and dwelling types may be varied and modified to achieve particular design objectives and make provisions for open spaces, common areas, utilities, public improvements and collateral non-residential uses.

REAR LOT LINE or **REAR PROPERTY LINE** for the purpose of this resolution shall be the property line opposite the front lot line as defined in this resolution. If a lot is not in the form of a rectangle but is irregular in shape, there shall be no rear lot line unless the principle building on said lot faces an angle thereof, the one side of said angle shall be the front lot line and the line opposite said angle shall be the rear lot line.

REAR YARD or **BACK YARD** or **REAR AREA** or **BACK AREA** for the purpose of these resolutions is a space unoccupied by buildings or any structure of any type between the rear lot and the building line nearest thereto on said lot.

RECREATIONAL VEHICLE: a vehicle portable structure designed and constructed to be used as a temporary dwelling for travel, recreational and vacation uses and classed as follows:

1. Travel Trailer – means a non self-propelled recreational wheeled vehicle and includes a tent-type fold out camping trailer.
2. Motor Home – means a self-propelled recreational vehicle constructed with permanently installed facilities for such uses as cold storage, cooking and consuming of food and for sleeping.
3. Truck Camper – a non self-propelled recreational vehicle, without wheels for road use, and designed to be placed upon and attached to motor vehicles.

REPAIR GARAGE for the purpose of these resolutions is a building or space for the storage of storage of motor vehicles at which repairs on any kind of motor vehicle is permitted or at which the sale of accessories and filling station service is permitted.

REST HOME wherever mentioned in this resolution is a structure operated for a profit for the care of aged or infirm persons.

ROADSIDE STAND wherever mentioned in this resolution is a temporary structure used for the display and sale of agricultural products, subject to the limitations as set forth in this resolution.

SET-BACK LINE wherever mentioned in this resolution is the distance between the front lot line in question and the nearest principal building line. It shall be constructed to be coincident with the principal road line of the lot. If there is no established right-of-way

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sideline for the road or street, the line shall be deemed to be thirty (30) feet from the center of the road or street.

SIDE LOT LINE for the purpose of this resolution shall be any lot line which is not a rear line or a front line.

SIDE YARD or SIDE AREA for the purpose of these resolutions is a space unoccupied by a building between a side lot line and the building line nearest hereto-on said lot.

SIGN or BILLBOARD for the purpose of this resolution is any structure or part thereof on which lettered or pictorial matter is displayed for publicity or advertising purposes.

SINGLE FAMILY DWELLING is a dwelling entirely detached and independent from other principal structures, arranged, intended, designed and constructed or reconstructed to be occupied by a single family.

STRUCTURAL CHANGE wherever mentioned in this resolution means any change in the supporting members of a building such as outside bearing walls or columns, beams or girders, excepting such a structural change as may be required for the safety of the building.

STRUCTURE or BUILDING for the purpose of this resolution is anything erected, constructed or reconstructed on a foundation, posts, piles, blocks, skids, sills or any other support whether such foundation, posts, piles, blocks, skids, sills or other support is or is not permanently located in, or attached to the soil.

STRUCTURE SETBACK: is that distance measured from the structure's outside wall to a property line and that the foundation wall shall be used for that measurement. Bow or bay windows, chimneys and overhang of the roof system may extend no more than two (2) feet. Under no circumstances shall the wall of any room project into the setback area regardless of where the foundation wall is placed. A stoop with no walls or roof may extend into the front or rear yard setbacks. No stoop, porch or similar structure may extend into a side yard setback.

SWIMMING POOL, either "Commercial or Outdoor Residential", for the purpose of this zoning ordinance, is defined as a water pool constructed of steel, masonry, concrete, aluminum, plastic or any other material and located out of doors, which has a square foot surface of three (300) square feet or more, a depth at any point of more than two (2) feet, or both.

STREET, ROAD, HIGHWAY or LANE is for the purpose of this resolution considered to be synonymous and each is defined as a public way located, designed and dedicated for public use.

TENT wherever mentioned in this resolution is a temporary structure of canvas or other similar material for adult occupancy and is not intended to include a child's play tent.

VEHICLE: for the purpose of these Regulations shall mean any auto, truck, bus, van, trailer, camper, boat secured to a trailer, and that, which is mobile and has wheels, tracks, etc., for mobility.

