

**SANDY TOWNSHIP
ZONING
RESOLUTION
TUSCARAWAS COUNTY,
OHIO**

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Updated November 1, 2007

Updated December 22, 2009
To add Riparian Setback Development Regulations

Updated July 26, 2011
Updated Definitions
Updated Regulations of Mobile Homes
Updated Service Fees & Rates

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Updated Service Fees & Rates

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Updated Definitions
Updated Regulation of Temporary Occupancy Certificate
Updated Services Fees & Rates

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PREAMBLE

A resolution of Sandy Township, Tuscarawas County, Ohio enacted in accordance with the provisions of Chapter 519, Ohio Revised Code, dividing the unincorporated portion of the Township into zones and districts, encouraging, regulating, and restricting therein the location, construction, reconstruction, alteration and use of structures and land; promoting the orderly development of residential, business, industrial, recreational, and public area, providing for adequate light, air, and convenience of access to property by regulating the use of land and buildings and the density of structures relationship to surrounding properties; limiting congestion in the public right-of-ways, providing for the compatibility of different land uses and the best appropriate use of land, providing for the administration of this resolution, defining the powers and duties of the administrative officers as provided hereinafter, and prescribing penalties for the violation of the provisions in this Resolution or any amendments thereto, all for the purpose of protecting the public health, safety, comfort and general welfare; and providing for the repeal thereof.

Therefore be it resolved by the Township Trustees of Sandy Township, Tuscarawas County, State of Ohio:

ARTICLE I
GENERAL PROVISIONS
SECTIONS 100-106

ARTICLE I

GENERAL PROVISIONS

100 Title

This Resolution shall be known and may be cited to as the "Sandy Township Zoning Resolution," except as referred to herein, where it shall be known as "this Resolution."

101 Purpose

This Resolution is enacted for the general purpose of promoting the public health, safety, comfort, and welfare of the residents of Sandy Township, Tuscarawas County, Ohio. To protect the property rights of all persons by assuring the compatibility of uses and practices within districts; to facilitate the provision of public utilities and public services; to lessen congestion on public streets, roads, and highways; to provide for the administration and enforcement of this Resolution, including the provision of penalties for its violation; and for any other purpose provided in this Resolution, the Ohio Revised Code, or under common law rulings.

102 Interpretation

In their interpretation and application, the provisions of this Resolution shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and the general welfare. Whenever the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions exist, then the most restrictive, or that imposing the higher standards, shall govern.

103 Uses Exempt from Regulations

A. Agricultural Uses

Nothing contained in these regulations shall prohibit the use of any land for agricultural purpose or the construction or use of buildings or structures incident to the use of agricultural purposes of the land upon which said buildings or structures are located, and no Zoning Certificate shall be required for such use, building or structure. Farm dwellings, however, shall conform to the regulations contained in this Resolution. For the purposes of this Resolution, "agriculture" shall be as defined in Ohio Revised Code 519.21.

B. Public Utilities and Railroads

Nothing contained in these regulations shall prohibit the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement of any buildings or structures of any public utility or railroad, whether publicly or privately owned, or the use of land by any public utility or railroad, or for the operation of its business.

104 Separability

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

105 Repeal of Conflicting Resolutions

All resolutions in conflict with this Resolution or inconsistent with the provisions of this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

106 Effective Date

This Resolution shall become effective from and after the date of its approval and adoption, as provided by law.

ARTICLE II

DEFINITIONS

SECTION 200

ARTICLE II

DEFINITIONS

200 Purpose

For the purpose of this Resolution, words used in the present tense shall include the future; the singular number shall include the plural; the plural number shall include the singular; the word "shall" is mandatory and not discretionary. The word "used" shall include the words "arranged," "designed," "constructed," "altered," "converted," or "intended to be used." A "person" shall mean, in addition to an individual, a firm, corporation, association, or any legal entity, which may own and/or use land or buildings. Any word or term not defined herein shall be given a meaning found in the Webster's Dictionary. For convenience, the male gender is sometimes used herein, and it shall be construed to refer to the female gender where appropriate in the context or circumstances at hand. For the purpose of this Resolution, certain terms are defined hereafter.

Other terms may be defined in other Articles of this Resolution.

In the event terms are defined in other Articles of this Resolution and are also defined in this Article, the definition of such term in the other Article shall control for that Article except as may be specifically provided therein to the contrary.

Accessory Use: A subordinate use of a building, other structure, tract of land, or a subordinate building or other structure, the use of which is located on the same lot and is clearly incidental to the use of the principal building or other structure or use of land, or is customary in connection with the principal building or other structures or use of land.

Abutting: Property adjacent, adjoining, or contiguous, including property separated by an alley. Lots touching at corners only shall not be deemed abutting.

Agriculture: The use or land for agriculture purposes, including farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry.

Alley: A public or private right-of-way less than forty (40) feet wide which affords a means of vehicular access to the side or rear of street properties abutting a street or road.

Alterations: See Structural Alterations.

Auto Wash or Laundry: A building or a portion thereof containing facilities for washing more than two (2) automobiles using production-line methods including, but not limited to, a chain conveyer, blower, steam-cleaning device, or other mechanical devices. It also may include, on the same site, the fueling of automobiles, when such fueling is ancillary and preliminary to the principal function of washing vehicles.

Awning: Any structure made of plastic, cloth or metal or similar material with a frame attached to a building and projecting out from the building when the same is so erected as to permit being raised to a position flat against the building when not in use.

Billboard: Same as Sign. Outdoor advertising.

Board: The Sandy Township Board of Zoning Appeals.

Boarding House: A building other than a hotel, motel, or group home where for compensation, lodging and/or meals are provided for at least three (3) but not more than twenty (20) persons.

Borrow Pit: Same as Quarry.

Broadcast Tower: A structure for the transmission or broadcast of radio, television, radar, or microwaves, which exceeds the maximum height permitted in the district in which it is located.

Buffer Strip The extra space required for the front yard depth, side yard width, or rear yard depth for an industrial or commercial use which abuts a Residential District.

Building: A permanent fabrication or construction, attached or affixed to land, that is intended as a habitation or shelter for people or animals, or a shelter for personal property that has a structural integrity independent of the tangible personal property, if any, that the structure is designed to shelter. For the purposes of this document, Manufactured Homes, Modular Homes, and Mobile Homes, as defined in §612 of this Zoning Resolution shall be considered buildings.

Building, Enclosed. A building enclosed on all sides.

Building, Height: The vertical distance from the finished grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or the mean height level between eaves and ridge of gable, hip or gambrel roof.

Building Line: The line defining the minimum front, side and rear yard requirements outside of which no building or structure may be located, except as otherwise provided herein.

Building, Principal: The building on a lot used to accommodate the primary use to which the premises are devoted.

Building Signs: A sign which identifies the business or profession conducted thereon, or the principal products sold upon the premises.

Campsite: Campsite or campgrounds shall mean a parcel of land intended for temporary occupancy by tent, tent trailer, or recreation vehicle.

Canopy: Any structure, other than an awning, made of plastic, cloth or metal, or similar material with frame attached to a building and projecting out from the building.

Car Port: A covered automobile parking space not completely surrounded by walls or doors. A car port shall be subject to all the regulations prescribed in this Resolution for a private garage.

Church: A permanently located building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body to sustain public worship and church related uses.

Clinic: A building or other structure devoted to the diagnosis, treatment, and care of human outpatients.

Club: A building or facility owned or operated by persons who are associated for a social, educational, or recreational purpose. Such a building or facility is not operated primarily for profit, not to render a service which is customarily carried on as a business, and which is generally restricted to members and their guests using the facility for the purpose for which they have associated. This shall not include a church building or to the occasional accessory use of a private residence as a meeting place.

Commission: The Sandy Township Zoning Commission.

Conditional Zoning Certificate: A certificate issued by the Board to allow a use other than a principally permitted use to be established within the district.

Condominium: Joint ownership of real estate, including land, structure, and improvements as is defined in the Ohio Revised Code.

Contiguous: In contact with, touching or adjacent, abutting, including across roads and streets.

Convalescent Home: A "rest home" or "boarding home" is any abode, building, institutional residence, or home that is used for the reception and care, for a consideration, of three (3) or more persons, by reason of age or mental or physical infirmities, who are not capable of properly caring for themselves or who are age 65 years of age or older, and for which a license has been issued by the State.

County: County of Tuscarawas, Ohio.

Court: An open, unoccupied space, other than a yard on the same lot with a building or group of buildings, which is bounded on two (2) or more sides, by such building or buildings, every part of which is clear and unobstructed from its lowest point to the sky.

Day Care Center: The keeping or care taking of five or more children other than those residing on the premises, with or without compensation, shall constitute a day care center.

Density: The number of families residing on, or dwelling units to be developed on, a gross acre of land.

Discarded Motor Vehicles: Any inoperable motor propelled vehicle or accessory to same, outside a building, which is in the process of being dismantled or stored and not used, or which does not have a license thereon which is valid during some part of the preceding thirty (30) day period.

District: A section or sections of unincorporated territory of Sandy Township, Tuscarawas County, Ohio, for which the regulations governing the use of buildings and premises or the height and area of buildings are uniform.

Dwelling: Any residential building or portion thereof which is designed or used primarily for one-family residence, but not including hotels, motels, boarding houses, lodging houses, and tourist dwellings.

Dwelling, Two Family: A building, arranged, intended, or designed to be occupied as the residences of two families living physically independent of each other.

Easement: A right to use a portion or all land of another for another special purpose, such as public utilities, streets, highways, etc.

Efficiency Unit: A dwelling unit consisting of one (1) or more rooms, exclusive of bathroom, kitchen, hallway, closets, or dining alcove directly off the principal room.

Excavation or Cut: The removal, stripping or disturbance of soil, earth, sand, rock, gravel or other similar mineral or non-mineral substances from the ground.

Family: Any number of individuals living together who are interrelated by bonds of blood, marriage, or legal adoption, on a premise as a single housekeeping unit with a common and single set of culinary facilities. This is distinguished from a group occupying a boarding house, lodging house, hotel, tourist home, group home, sorority, or fraternity. The persons thus constituting a family may also include temporary non-paying guests and domestic servants. The following persons shall also be considered related for the purpose of this title:

1. A person residing with a family for the purpose of adoption.
2. Not more than six (6) persons under nineteen years of age or older residing with a family for the purpose of receiving foster care licensed or approved by the State or its delegate.
3. Any person who is living with a family at the direction of a court.

Fence: A barrier constructed whether or not it contains or enclosed an area as either a protective measure or screening device.

Fence, Open: A fence, including gates, which has for each one foot wide segment extending over the entire length and height of the fence, fifty (50) percent or more of the surface area in open spaces which affords a direct view through the fence.

Fence, Solid: A fence, including gates, which has for each one foot wide segment extending over the entire length and height of the fence, five (5) percent or less of the surface area in open spaces which affords a direct view through the fence.

Filling: The depositing or dumping of any matter on or into the ground, except the deposits resulting from common household gardening or deposits on farms for agricultural use.

Flood Plain: Those lands, which are subject to a one (1) percent or greater chance of flooding in any given year.

Flood Easement: Those lands which are subject to easements obtained by Army Corps of Engineers for the purpose of flood control.

Floor Area: The sum of the gross horizontal areas of all floors of a building, measured from the exterior faces of exterior walls or from the centerline of common walls separating two (2) buildings. Floor area for the purpose of these regulations shall not include unfinished basement, garage, elevator, stair, attic space, terraces, breezeways, open porches, and uncovered steps.

Floor Area Ratio: A mathematical expression determined by dividing the total floor area of a building by the area of the lot on which it is located.

Frontage: Frontage shall mean the length of the property on one side of a street between two street intersections (crossing or terminating) measured along the property line at the street, or if the street is dead ended, the length of the property abutting on one side between an intersecting street and the dead end of the street.

Front Lot Line: The dividing line between the road, street or highway and the lot.

Garage, Auto Service: See Service Station.

Garage, Auto Service Shop: A building or portion of a building in which repairs are made to motor vehicles, and in which there is no painting of cars or body and fender work done.

Garage, Private: Building or an accessory portion of the main building, enclosed on all sides and designed or used for the shelter or storage of motor vehicles owned and used by the occupants of the building to which it is an accessory. The garage shall be located on the same lot or on contiguous lots as the dwelling to which it is an accessory.

Garage, Public: A building or portion of a building, in which more than four (4) motor vehicles are, or are intended to be, housed by patrons renting or leasing such space and in which no repair work is carried on.

Garden Center: A building or premises used partially for the rental or sale of items useful in the culture, display, or decoration of lawns, gardens, or indoor plants, including books, appliances, and tools, but not including power tools or tractors.

Gasoline Service Station: See Service Station.

Grade, Elevation: Grade elevations are defined as follows:

1. For the building having walls adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street.
2. For buildings having walls adjoining more than one street, the average of the elevation of the sidewalk at the center of all walls adjoining the streets.
3. For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building.
4. Any wall approximately parallel to and not more than five (5) feet from a street line is to be considered as adjoining the street and where no sidewalk exists, the sidewalk grade shall be established.

Grade, Natural: The elevation of the undistributed natural surface of the ground prior to an excavation or fill.

Gross Area: Land area, measured on the horizontal plane, and occupied by all natural and man-made features of the landscape.

Group Home: A facility in which more than two (2) but less than ten (10) persons who are unrelated by blood, marriage, or adoption reside while receiving therapy or counseling, but not nursing care, for any of the purposes listed below. Such facility shall be licensed by the State.

1. Adaptation to living with, or rehabilitation from, the handicaps of physical disability.
2. Adaptation to living with, or rehabilitation from, the handicaps of emotional or mental disorder.
3. Rehabilitation from the effects of drug or alcohol abuse.
4. Supervision while under a program of alternatives to imprisonment, including, but not limited to, pre-release, work-release, or probationary programs.

Health Care Facilities: A building, or structure, licensed by the State and used as a hospital; convalescent or nursing home; a facility in which ten (10) or more people reside while receiving therapy, counseling, or rehabilitation for physical, emotional or mental disease or disability; a facility for out-patient physical, occupational, or vocational therapy or rehabilitation; or public health clinics and facilities. Health care facilities do not include doctors' or dentists' professional offices and private clinics.

Home Occupation: Any use or profession customarily conducted entirely within a dwelling and carried on only by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof.

Hospital: Any building in which lodging is provided incidental to health care and offered to the public for compensation and which is open to transient guests, as distinguished from a boarding house or a lodging house.

Industrialized Unit: (previously known as ‘Factory Built Home’) a building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site of intended use. “Industrialized Unit” includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. “Industrialized Unit” does not include a manufactured home as defined by division (C)(4) of this section or a mobile home as defined by division (O) of section 4501.01 of the Revised Code.

Institution: A building occupied by a nonprofit corporation or a nonprofit establishment for public use.

Junk Yard: The use of more than fifty (50) square feet of any land whether for private and/or commercial purposes, where waste, discarded or salvage materials, used lumber, used glass, discarded motor vehicles, paper, rags, rubber, cordage, barrels or other materials are sold, stored, bought, exchanged, baled, packed, sorted, disassembled, dismantled or handled. Two or more automobiles or trucks which are not in operating condition shall be deemed a junkyard. Automobile dismantling shall not include the incidental storage of inoperable or disabled vehicles in connection with the legal operation of an auto repair garage and body and fender shop. No vehicles shall be stored on site more than sixty days.

Kitchen: An enclosed place equipped with cooking or culinary facilities.

Landfills: Any premises used primarily for disposal by abandonment, discarding, dumping, reduction, burial, incineration, or any other means and for whatever purpose of garbage, sewage, trash, refuse, waste material of any kind, junk, discarded machinery, vehicles or parts thereof, offal, or dead animals, toxic chemicals and radioactive waste.

Landscaping: An area devoted to and maintained for the growing of trees, shrubbery, lawns, floral, and other plan materials.

Land Use and Thoroughfare Plan: The long-range plan for the development of the Township and its environs as officially adopted and amended by the Board of Trustees, if any.

Loading Space: An off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or

unloading merchandise or materials and which abuts upon a street, alley or other appropriate means of access.

Lodging Houses: See Boarding Houses.

Lot: A piece, parcel, or plot of land occupied or intended to be occupied by a principal building or a group of such buildings and storage shed, or utilized for a principal use and uses accessory thereto, together with such open spaces and access to or frontage on a fifty (50) foot wide minimum public street, as required by these regulations.

Lot, Area of: The computed area contained within the lot line where the lot has been conveyed or easements granted to the center of the street; the area of the lot lying within the established street right-of-way shall not be included as part of the lot area for the purpose of these regulations.

Lot, Corner: Any lot at the junction of and abutting on two (2) or more intersecting streets.

Lot Coverage: The portion of the lot area that is covered by any buildings.

Lot, Depth of: The mean horizontal distance from the right-of-way line of the street and the rear lot line.

Lot, Double Frontage: A lot having a frontage of two (2) non-intersecting streets, as distinguished from a corner lot.

Lot Line: The lines defining the limits of a lot.

Lot Line, Front: The line separating a lot from the street's right of way on which the lot fronts.

Lot, Interior: A lot other than a corner lot.

Lot Line, Rear: The lot line opposite and most distant from the front lot line.

Lot Line, Side: Any lot line other than a front or rear lot line; a side lot line separating a lot from a street is called a side street lot line; a side lot line separating a lot from another lot or lots is called an interior side lot line.

Lot of Record: A lot, which is a part of a subdivision, a map of which has been recorded in the office of the Recorder of Tuscarawas County, or a parcel of land, the deed of which was of record on or prior to the effective date of this Resolution.

Lot, Platted: A lot which is a part of a subdivision the plat of which, or the appropriate permit for which, has been legally approved and recorded in the office of the Recorder of the County of Tuscarawas.

Lot, Width of: The width of the lot measured along the building line.

Magazine: Any building or other structure used for the storage of explosives or materials used in the manufacture of fireworks.

Major Thoroughfare: A road defined as a major thoroughfare by the Commission or indicated as a major thoroughfare on the Land Use and Thoroughfare Plan if any.

Manufacture: The process of making something from raw or semi-finished materials whether by hand or by mechanized process. The word "making" in these regulations also includes producing, assembling, fabricating, alloying, and metal and chrome plating.

Manufactured Home: A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the secretary of housing and urban development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974," 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable federal construction and safety standards. Manufactured Homes shall also comply with the following standards.

- a) "Permanent Foundation" means permanent masonry, concrete, or a footing or foundation approved by the manufactured homes commission pursuant to Chapter 4781. of Revised Code, to which a manufactured or mobile home may be affixed.
- b) "Permanently sited manufactured home" means a manufactured home that meets all of the following criteria:
- c) The structure is affixed to a permanent foundation and is connected to appropriate facilities;
- d) The structure, excluding any addition, has a width of at least twenty-two feet at one point, and a total living area excluding garages, porches, or attachments, of at least nine hundred square feet;
- e) The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering;
- f) The structure was manufactured after January 1, 1995;
- g) The structure is not located in a manufactured home park as defined by section 3733.01 of the Revised Code.

Manufactured Home Park: Any tract of land upon which two or more manufactured homes used for habitation or intended to be are parked, either free of charge or for revenue purposes, and includes any roadway, building structure, vehicle or enclosure used or intended for use as a part of the facilities of such a park. Also includes a tract of land which is subdivided and the individual lots are not for rent or rented, but are for sale or sold for the purpose of installation of manufactured homes.

Minimum Building Setback Line: A line parallel to the street right-of-way line and at a distance therefrom equal to the required depth of the front yard, and extending across the full width of the lot. Where the established right-of-way line, if any, cannot be ascertained, it shall be deemed to be thirty (30) feet from the center of the line of the existing roadway. Where a

major thoroughfare or collector thoroughfare is designated the setback line shall be measured from the proposed or actual right-of-way line.

Minimum Living Floor Area: Floor area for dwellings shall consist of areas such as living room, bedroom, bathroom, dining room, rooms for cooking, den, library, and family rooms, but shall not include such areas as porches, breezeways, terraces, garages, and unfinished basements.

Mobile Home: See Section 612, 1, C

Mobile Home Park: A tract or parcel of land open to the public upon which spaces for trailers or trailer coaches are provided for a consideration whether overnight, by the day, week, month, or year.

Modular Home: See Section 612, 1, D

Motor Vehicle: Any vehicle which is self-propelled by a combustion engine.

Motor Vehicle, Commercial: Vehicle classified by the Manufacturer's Ratings exceeding one and one-half (1 1/2) ton capacity and trailers, semi-tractors and trailers, busses and trucks, except motor vehicles used for strictly personal recreational purposes.

Multi-Family Dwelling: A building or portion thereof, arranged, designed and intended to contain three (3) or more units independent of each other.

Net Area: The land area of any lot or plot of ground after deducting that portion within the right-of-way of any street, alley, or road.

Non-Conforming Use: The use of any building, structure, or land which lawfully existed on the effective date of this Resolution or any amendment or supplement thereto which does not conform to the Use Regulations of the District in which it is located.

Nursery: See Day Care Center.

Nursery, Plant: An establishment devoted to the raising and care of trees, shrubs, or similar plant materials.

Nursing Homes: See Convalescent Home.

Office Building: A building designed for or used as the office of professional, commercial, industrial, religious, institutional, public, or semi-public persons or organizations, provided no goods, wares, or merchandise shall be prepared or sold on any premises except that an office building may be occupied and used as a drugstore, barbershop, beauty parlor, shoeshine shop, cosmetologists shop, cigar stand, or newsstand when such uses are located entirely within the public building with no entrances from the street, are not visible from the exterior, and no sign or display is visible from the outside of the building indicating the existence of such use. Broadcast stations, offices, and studios shall be considered as office buildings.

Open Burning: The burning of any materials wherein air contaminants resulting from combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber.

Open Space: An area of land which is in its natural state, or is developed only for the raising of agricultural crops, or for public outdoor recreation.

Parking Lot: An area consisting of six or more parking spaces for the storage of automobiles, together with a driveway connecting the parking area with a street or alley and permitting ingress and egress from an automobile, provided that there shall be no storage of automobiles for the purpose of sale or resale.

Parking Space: An off-street space or berth for the temporary parking of a vehicle for a period longer than required to load and unload persons or goods and having an area not less than two hundred (200) square feet and a width of not less than nine (9) feet. See also Section 602.

Planned Unit Development: A planned, integrated development where minimum lot size and building types may be modified somewhat to achieve particular design objectives and the economical provision of open space and utilities and while maintaining the same overall density limitations of the district in which the development is located and the other pertinent requirements of this Resolution and site design requirements of the Zoning Committee.

Premises: A tract of land, consisting of one platted lot or irregular tract, provided such lots or tracts are under common ownership and contiguous.

Professional Office: A building containing one (1) or more offices, where there is no display of stock or wares in trade, nor commodity sold, nor any commercial use conducted other than professional services as herein defined. For the purpose of this Resolution, "professional offices" include but are not limited to the office of a doctor, dentist, optometrist, chiropractor, osteopath, lawyer, architect, engineer, minister of religion, insurance agent or a real estate agent.

Publicly Owned: Owned and maintained at public expense.

Public Utility: Any person, firm, corporation, or governmental agency or board lawfully authorized to furnish to the public, electricity, gas, steam, telephone, telegraphy, water, sewage disposal, or any other similar utilities.

Quarry: Any use of land for the removal of any mineral or material, including open or strip mining and shaft mining.

Recreational Facilities: Facilities used primarily for participation by the public in athletic activities such as tennis, handball, racquet ball, basketball and other court games, jogging, track and field, baseball, football, soccer and other field games, skating, swimming, or golf. Recreational facilities shall include country clubs and athletic clubs; it shall not include facilities

accessory to a private residence used only by the owner and guests nor shall it include arenas or stadiums used primarily for spectators to watch athletic events.

Recreational Vehicle: A vehicle not exceeding forty (40) feet in overall length, eight (8) feet in width or twelve (12) feet in overall height primarily designed as temporary living quarters for recreational camping or travel use having either its own motive power or designed to be mounted on or drawn by an automotive vehicle. A recreational vehicle includes a motor home, truck camper, and travel trailer, camping trailer, a fifth wheel. This definition shall include a boat mounted on a trailer, together not exceeding forty (40) feet in body length, eight (8) feet in width, nor twelve (12) feet in overall height.

Restaurant: An establishment selling prepared food and drink for consumption on premises but not providing dancing or entertainment.

Restaurant, Drive In: A building or structure where prepared food and drink are sold for consumption on or off the premises by order from, and service to, vehicular passengers outside the structure (i.e. drive thru).

Retail: The business of selling small quantities of personal property directly to the ultimate consumer for any purpose other than for resale.

Right of Way, Road: A dividing line between a lot tract or parcel of land and a contiguous road. Where the lot, tract, or parcel of land has been conveyed to the center of the road, the road line then becomes the inside line of land reserved for road purposes.

Roadside Stands: A removable structure used or intended to be used solely by the owner or tenant of a property on which it is located for the sale of seasonal agricultural products produced on the premises.

School: Public, private, or parochial schools offering a general education course of study.

Service Station: Service station shall mean any building which provides for the retail sale of gasoline, oil, tires, batteries, and accessories for motor vehicles and for certain motor vehicle services, including washing, tire changing, and repair service.

Sign: Any structure or natural object such as a tree, rock, bush, the ground itself or part thereof or device attached thereto, or painted, or represented thereon which shall be used to attract attention to any object, product, place, activity, person, institution, organization or business, or which shall display or include any letters, word, banner, flag, pennant, insignia, device, representation used as, or which is in the nature of an announcement, direction, or advertisement. For the purpose of this Resolution, the word "sign" does not include the flag, pennant, badge, or insignia of any government, or governmental agency or any charitable, religious, educational or similar organization.

Sign, Area of: That area which is normally visible from any one direction, and is the length time's width. Signs which require other signs to display full meaning, such as individually

displayed letters of the name of an establishment or adjacent pictorial displays, shall be considered one sign. Sign supporting structures, which by size or ornate have been designed to attract attention shall be considered part of the sign square footage.

Signs, Illuminated: Any sign which has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes.

Sign, Portable: A freestanding sign not permanently anchored or secured to either a building or the ground, such as, but not limited to, “A” frame, “T” shaped or inverted “T” shape sign structures, and truck trailer, or vehicle-mounted signs.

Sign, Projecting: Any sign which is attached to a building or other structure which extends beyond the line of the said building or structure or beyond the surface of the portion of the building or structure to which it is attached.

Sign, Temporary: A sign which is intended to advertise community or civic projects, construction projects, real estate for sale or lease, other special events, political candidates or public issues to be voted upon at an official election. Or on a temporary basis.

Sign, Wall: Any sign painted on, attached to, or erected against the wall of a building or structure with the exposed face of the sign in a plane parallel to the plane of said wall.

Site Plan: A plan prepared to scale showing all the uses proposed for a specific property. The plan shall show all buildings, structures, signs, off-street parking layout, loading spaces, landscaping areas, points of ingress and egress, fences, walks, define setback locations, and any additional information which may be necessary to clearly define the intended use of the property.

State: State of Ohio.

Storage Shed: Any permanent or temporary edifice attached, affixed, or set upon land, the primary purpose of which is to store or shelter personal property. Any storage shed, or combination of two or more storage sheds on one lot, having a total floor area of 120 square feet or less shall not be considered a “Building” for the purposes of determining compliance with the height, area, and set-back requirements found in Chapter 500 of this Zoning Resolution. Any storage shed with, or combination of two or more storage sheds on one or more lots, having a total floor area of more than 120 square feet, shall be considered a “Building” for the purposes of determining compliance with the height, area, and set-back requirements of the R-2: Single Family Residential District found in Chapter 500 of this Zoning Resolution.

Story, Height Of: The vertical distance from the top surface of the floor to the surface of the next above. The height of the topmost story is the distance from the top surface of the floor to the top surface of the ceiling joist.

Street, Private: A collector or local street which has not been dedicated, easement granted or deeded to a governmental entity for public use and which affords principal access to abutting property.

Street, Public: A public collector or local street which has been dedicated or deeded to the public for public use and which affords principal access to abutting property.

Structure: Anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground including advertising signs, billboards, pergolas, but not including fences or walls used as fences.

Structural Alterations: Any change in the supporting members of a building such as bearing walls or partitions, columns, beams, or girders, or any increase in the area of cubical contents of the building.

Swimming Pool, Commercial: A body of water in an artificial receptacle or other container whether located indoors or outdoors, used or intended to be used for public, semi-public or private swimming by adults or children, or both adults and children. This applies whether or not any charge or fee is imposed upon adults or children, operated and maintained by any license, or concessionaire, exclusive of a family pool as defined herein and shall include all structures, appurtenances, equipment, appliances, and other facilities appurtenant to and intended for the operations and maintenance of a swimming pool. It also applies to all swimming pools operated and maintained in conjunction with or by clubs, motels, hotels, and community associations.

Swimming Pool, Family: A swimming pool used or intended to be used solely by the owner or lessee thereof and family, and by friends invited to use it without payment or any fee.

Warehouse: A place for the storage of merchandise or commodities.

Warehouse, Mini: A storage facility designed to serve families and small businesses only.

Wholesale: The selling of goods and merchandise to retailers or jobbers for resale to the ultimate customer.

Wild Animals: Any wild, exotic, dangerous, or non-domestic animal including but not limited to mammals, fowl, fish, or reptiles.

Yard Sale: Side yard shall extend between front line and rear yard line. There shall be only one required side yard on a corner lot.

Zone: See district.

Zoning Certificate: A document issued by the Zoning Inspector authorizing the use of lots, structures, uses of land and structures and the characteristics of the uses.

ARTICLE III

ADMINISTRATION

SECTIONS 300 – 308

ARTICLE III
ADMINISTRATION

300 Purpose

This article sets forth the powers and duties of the Zoning Commission, the Board of Zoning Appeals, Board of Township Trustees, and the Zoning Inspector with respect to the administration of the provisions of this Resolution.

301 General Provisions

The formulation, administration and enforcement of this Zoning Resolution are hereby vested in the following offices and bodies within the Township of Sandy government:

1. Zoning Inspector
2. Zoning Commission
3. Board of Zoning Appeals
4. Township Trustees
5. County Prosecutor

302 Zoning Inspector

A Zoning Inspector designated by the Board of Township Trustees shall administer and enforce this Resolution. He or she may be provided with the assistance of such other persons as the Board of Township Trustees may direct.

303 Responsibilities of Zoning Inspector

For the purpose of this Resolution, the Zoning Inspector shall have the following duties:

1. Enforce the provisions of this Resolution and interpret the meaning and application of its provisions.
2. Respond to questions concerning applications for amendments to this Resolution next and the Official Zoning District Map.
3. Issue Zoning Certificates and Certificates of Occupancy as provided by this Resolution, and keep a record of them with a notation of any special conditions involved.
4. Act on all applications upon which he or she is authorized to act by the provisions of this Resolution within the specified time or notify the applicant in writing of refusal or disapproval of such application and the reasons therefor. Failure to notify the applicant in case of such refusal or disapproval within the specified

time shall entitle the applicant to submit his request to the Board of Zoning Appeals.

5. Conduct inspections of buildings and uses of land to determine compliance with this Resolution, and in the case of any violation, to notify in writing the person(s) responsible specifying the nature of the violation and ordering corrective action.
6. Maintain in current status the Official Zoning District Map which shall be kept on permanent display in the Township offices.
7. Maintain permanent and current records required by this Resolution, including but not limited to, Zoning Certificates, inspection documents, and records of all variances, amendments and special uses.
8. Make such records available for the use of the Township Trustees, the Zoning Commission, the Board of Zoning Appeals, and the public.
9. Review and approve site plans pursuant to this Resolution.
10. Determine the existence of any violations of this Resolution, and cause such notifications, revocation notices, stop orders, or tickets to be issued, or initiate such other administration or legal action as needed, to address such violations.
11. Prepare and submit a quarterly report to the Township Trustees and Zoning Commission on the administration of this Resolution, setting forth the following information:
 - a. The content and present status of any request for a Zoning Certificate
 - b. Recommendations concerning the schedule of fees;
 - c. Proposed changes to the Zoning Resolution; and,
 - d. Such other information as may be of interest and value to the Zoning Commission.

304 Zoning Commission

1. A Zoning Commission is hereby created and shall have all of the powers and duties proscribed by law and by this Resolution.
2. The Commission shall consist of five (5) members, appointed by the Township Trustees in accordance with the terms of Ohio Revised Code 519.04. Each resident shall be a resident of the unincorporated area of the Township.

3. The initial terms of each Commission Member shall be as follows:

Member:	Term Commencing:	Term Ending:
Commissioner 1	December 1, 2000	December 31, 2001
Commissioner 2	December 1, 2000	December 31, 2002
Commissioner 3	December 1, 2000	December 31, 2003
Commissioner 4	December 1, 2000	December 31, 2004
Commissioner 5	December 1, 2000	December 31, 2005

Upon completion of the initial term, each vacant Commission Membership shall be filled through appointment of the Trustees for a term of five (5) years, commencing on January 1, and ending on December 31 of the fifth year. In the event that a Commission Member dies, is removed for cause, or resigns from the Zoning Commission, the Trustees shall appoint an individual to fill the former Commission Member's unexpired term.

4. The Zoning Commission shall annually elect a Chair, Vice-Chair, and Recording Secretary from among its membership at the first meeting of the calendar year. The prior officers shall serve in their leadership capacity until such time as such an election takes place.
5. The Zoning Commission may proscribe rules for the conduct of its affairs which are not in conflict with the terms of the Ohio Revised Code or this Zoning Resolution.
6. The Zoning Commission shall hold regularly scheduled meetings at the call of the Chair. The Chair shall set the agenda and preside over the proceedings. In the event that the Chair is absent, the Vice-Chair is empowered to act as the Chair. The Recording Secretary shall keep minutes of all proceedings of the Zoning Commission, reflecting the vote or abstention of each Commission Member upon each question as well as the content of any discussion among the Commission Members. Such minutes shall be reduced to written format, filed in the office of the Trustees, and shall become public record.
7. Three (3) Commission Members shall constitute a quorum at all meetings. A majority vote shall be necessary to take any action.

305 Zoning Appeals

1. A Zoning Board of Appeals is hereby created and shall have all of the powers and duties proscribed by law and by this Resolution.
2. The Board shall consist of five (5) members, appointed by the Township Trustees in accordance with the terms of Ohio Revised Code 519.13. Each resident shall be a resident of the unincorporated area of the Township.

3. The initial terms of each Board Member shall be as follows:

Member:	Term Commencing:	Term Ending:
Board Member 1	December 1, 2000	December 31, 2001
Board Member 2	December 1, 2000	December 31, 2002
Board Member 3	December 1, 2000	December 31, 2003
Board Member 4	December 1, 2000	December 31, 2004
Board Member 5	December 1, 2000	December 31, 2005

Upon completion of the initial term, each vacant Board Membership shall be filled through appointment of the Trustees for a term of five (5) years, commencing on January 1, and ending on December 31 of the fifth year. In the event that a Board Member dies, is removed for cause, or resigns from the Zoning Board of Appeals, the Trustees shall appoint an individual to fill the former Board Member's unexpired term.

4. The Zoning Board of Appeals shall annually elect a Chair, Vice-Chair, and Recording Secretary from among its membership at the first meeting of the calendar year. The prior officers shall serve in their leadership capacity until such time as such an election takes place.
5. The Zoning Board of Appeals may proscribe rules for the conduct of its affairs which are not in conflict with the terms of the Ohio Revised Code or this Zoning Resolution. The Board shall further be empowered to compel the attendance of witnesses in all matters coming within the purview of the Board.
6. The Zoning Board of Appeals shall hold regularly scheduled meetings at the call of the Chair. The Chair shall set the agenda, preside over the proceedings, and be empowered to administer oaths. In the event that the Chair is absent, the Vice-Chair is empowered to act as the Chair. The Recording Secretary shall keep minutes of all proceedings of the Zoning Board of Appeals, which shall reflect the following information:
- a. The vote or abstention of each Board Member upon each question;
 - b. The content of any discussion among the Board Members; and
 - c. The testimony of any witness before the Board.
- Such minutes shall be reduced to written format, filed in the office of the Trustees, and shall become public record.
7. Three (3) Board Members shall constitute a quorum at all meetings. A majority vote shall be necessary to take any action.

306 Duties of Zoning Inspector, Board of Zoning Appeals, Legislative Authority and Courts on Matters of Appeal

It is the intent of this Resolution that all questions of interpretation and enforcement shall be first presented to the Zoning Inspector; and that such questions shall be presented to the Board of

Zoning Appeals only on appeal from the decision of the Zoning Inspector, and that recourse from the decisions of the Board of Zoning Appeals shall be to the courts as provided by law. It is further the intent of this Resolution that the duties of the Board of Township Trustees in connection with this Resolution shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this Section and this Resolution.

307 Board of Township Trustees

The powers and duties of the Township Trustees pertaining to the Zoning Resolution are as follows:

1. Approve the appointments of members to the Zoning Commission.
2. Approve the appointments of members to the Zoning Board of Appeals.
3. Initiate or act upon suggested amendments to the Zoning Resolution text or Official Zoning District Map. Final action upon a suggested zoning amendment shall be undertaken at a public hearing.
4. Under this Resolution the Board of Township Trustees shall only have the duties of considering and adopting or rejecting proposed amendments or the repeal of this Resolution as provided by law, of establishing a schedule of and charges as stated in Section 308 of this Resolution, and as otherwise provided in this Resolution.

308 Schedule of Fees

The Board of Township Trustees shall by Resolution establish a schedule of fees for Zoning Certificates, amendments, appeals, variances, conditional use permits, plan approvals, and other procedures and services pertaining to the administration and enforcement of this Resolution after considering the recommendations of the Zoning Inspector with respect to actual administrative costs, both direct and indirect. The schedule of fees shall be posted in the office of the Zoning Inspector, and may be altered or amended only by the Board of Township Trustees. Until all such appropriate fees, charges, and expenses have been paid in full, no action shall be taken on any application, appeal, or administrative procedure.

ARTICLE IV

ESTABLISHMENT OF DISTRICTS

SECTIONS 400-406

ARTICLE IV

ESTABLISHMENT OF DISTRICTS

400 Purpose

The purpose of this article is to establish zoning districts in order to realize the general purposes set forth in the preamble of this Resolution, to provide for orderly growth and development, and to protect the property rights of all persons by assuring the compatibility of uses and practices within districts.

401 Establishment of Districts

The following zoning districts are hereby established for the Township of Sandy, Tuscarawas County, Ohio:

R1	Agricultural and Rural Residential
R2	Single-Family Residential
R3	Manufactured Home Park District
CG	Commercial General District
I1	General Industrial District
FE	Flood Easement

Nothing in this Article shall be construed to require the actual location of any district on the Official Zoning District Map, as it is the intent of this Resolution to provide the flexibility in its administration to allow future expansion and amendments.

402 Official Zoning District Map

The districts established in Section 401, as shown on the Official Zoning District Map, which, together with all data, reference, explanatory material and notations thereon, are hereby officially adopted as part of this Resolution and hereby incorporated by reference herein, thereby having the same force and effect as if herein fully described in writing.

403 Official Zoning District Map Legend

There shall be provided on the Official Zoning District Map a legend which shall list the name of each zoning district and indicate the symbol for that district. A color, combination of colors, or black and white patterns may be used in place of symbols to identify the respective zoning districts in such legend. In addition to such legend, the Official Zoning District Map shall provide sufficient space for compliance with Section 406.

404 Identification of Official Zoning District Map

The Official Zoning District Map shall be properly identified by the signature of the Chairman of the Board of Township Trustees, as attested by the Township Clerk, and bearing the official seal.

The Map shall be maintained by the Zoning Inspector, and shall remain on file in the office of the Clerk. The Official Zoning District Map shall control whenever there is an apparent conflict between the district boundaries as shown on the Map and the description(s) as found in the text of this Resolution or any other Resolution. The Official Zoning District Map shall be a reproducible document, and copies shall be made available to the public upon request and upon payment of a fee as established by Resolution. Within 30 days of Map amendments, the Map shall be re-certified by the Chairman and the Clerk.

405 Interpretation of District Boundaries

The following rules shall be used to determine the precise location of any zoning district boundary unless such boundary is specifically indicated on the Official Zoning District Map.

1. Where district boundaries are so indicated as approximately following the center lines of thoroughfares or highways, street lines, or highway right-of-way lines, such centerlines, street lines, or highway right-of-way lines shall be construed to be said boundaries;
2. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries;
3. Where district boundaries are so indicated that they are approximately parallel to the centerlines or street lines of streets, or the centerlines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the Official Zoning District Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Official Zoning District Map;
4. Where the boundary of the district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line;
5. Where the boundary of a district follows a stream, lake, or other body of water, said boundary line shall be at the middle of the stream, lake or other body of water unless otherwise indicated;
6. Where district boundaries are so indicated that they follow or approximately follow the limits of any municipal corporation, such boundaries shall be construed as following such limits.
7. Whenever any street, alley, or other public way is vacated by official Board of Township Trustees action, the zoning district adjoining each side of such street, alley, or public way shall automatically be extended to the center of such vacation, and all areas within that vacation shall thenceforth be subject to all regulations appropriate to the respective extended districts.

All questions and disputes concerning the exact location of zoning district boundaries shall be resolved by the Board of Zoning Appeals.

8. District boundaries of the Flood Easement Districts are intended to and shall follow the Flood Easement boundary determination of the U.S. Army Corps of Engineers. The Official Zoning District Map was prepared with the best available information concerning the extent of the easements. In the event the Flood Easement boundary on the Official Zoning Map does not coincide with the Flood Easement boundary determinations of the Army Corps of Engineers, the determination of the Army Corps of Engineers shall prevail. Flood Easement District boundaries shall be construed to be the flood easement boundaries as determined by the U.S. Army Corps of Engineers and the Official Zoning District Map is subject to this construction.

406 Official Zoning District Map Amendments

Within fifteen (15) days of the effective date of any change of a zoning district classification or boundary, the Zoning Inspector shall amend the Official Zoning District Map to reflect such change, and shall note the effective date of such change, together with appropriate reference to the Resolution authorizing such change. The official Zoning District Map shall then be signed by the Chairman of the Board of Trustees and attested to by the Clerk within thirty (30) days.

ARTICLE V
DISTRICT REGULATIONS
SECTIONS 500 - 510

ARTICLE V

DISTRICT REGULATIONS

500 Compliance with Regulations

The regulations for each district set forth by this Resolution shall be minimum regulations and shall apply uniformly to each class of kind of structure or land, except as hereinafter provided:

1. No buildings, structure, or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located;
2. No building or other structure shall be erected or altered:
 - a. to provide for greater height or dimensions;
 - b. to accommodate or house a greater number of families;
 - c. to occupy a greater percentage of lot area;
 - d. to have narrower or smaller rear yards, front yards, side yards, or other open spaces;other than herein required, or in any other manner be contrary to the provisions of this Resolution.
3. No yard or lot existing at the time of passage of this Resolution shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Resolution shall meet at least the minimum requirements set forth herein.
4. No Zoning Certificate shall be issued for any residence structure unless it has first been established to the satisfaction of the Zoning Inspector, that the structure will not alter substantially the esthetic appearance of the immediate neighborhood.

501 Official Schedule of District Regulations Adopted

District regulations shall be as set forth in the Official Schedule of District Regulations hereby adopted and declared to be a part of this Resolution and in Article VI of this Resolution, "Supplementary District Regulations."

502 Identification of the Official Schedule of District Regulations

The Official Schedule of District Regulations shall be identified by the signature of the Chairman of the Board of Township Trustees.

503 R-1 Agricultural and Rural Residential

Within an R-1 District, no building, structure or premises shall be used, arranged to be used, or designated to be used except for one or more of the following uses:

1. Permitted Uses:
 - a. Agriculture and the usual buildings and structures related to the same.
 - b. Single-family dwelling.
 - c. Accessory buildings incidental to the principle use and which do not include any activity conducted as business except that are roadside stands offering for sale only agricultural products, which are produced on the premises, is permitted. Such stands shall not be erected closer than 20 feet from the road right of way nor closer than 30 feet from any lot line.
 - d. Signs as regulated by Article VI hereof.
 - e. Parking as regulated by Article VI hereof.
2. Conditional Uses:
 - a. Sand and Gravel Extraction (Section 908)
 - b. Nursing Home or Residential Care Facility (Section 909)
 - c. Day Care Center (Section 910)
 - d. Church/Place of Religious Worship (Section 912)
 - e. School (Section 913)
 - f. Library, Museum and Community Center (Section 914)
 - g. Camp (Section 915)
 - h. Adult Group Home (Section 916)
 - i. Wireless Communication Facilities (Section 918)
 - j. Cemeteries (Section 919)

3. Distance and Size Limitations:
 - a. Setbacks from the Right of Way:
 - i. Thoroughfare 75 ft.
 - ii. Collector 75 ft.
 - iii. Local Street 50 ft.
 - iv. Side yard/backyard 30 ft.
 - b. Frontage: 130 ft.
 - c. Lot size: 40,000 sq. ft. minimum.
 - d. Minimum floor area: 1,200 sq. ft.
 - e. Maximum height limit: 35 ft.
 - f. Garage maximum height: 20 ft.
 - g. Storage shed maximum height: 20 ft.

504 R-2 Single Family Residential

Within an R-2 District, no building, structure or premises shall be used, arranged to be used, or designated to be used except for one or more of the following uses:

1. Permitted Uses:
 - a. Single-family dwelling.
 - b. Signs as regulated by Article VI hereof.
 - c. Parking as regulated by Article VI hereof.
2. Conditional Uses:
 - a. Day Care Center (Section 910)
 - b. Church/Place of Religious Worship (Section 912)
 - c. School (Section 913)
 - d. Library, Museum and Community Center (Section 914)
 - e. Adult Group Homes (Section 916)

3. Distance and Size Limitations:

a. Setbacks from the Right of Way:

- i. Thoroughfare 75 ft.
- ii. Collector 50 ft.
- iii. Local Street 30 ft.
- iv. Side yard/backyard 10 ft.

b. Frontage: 80 ft.

c. Lot Size:

- i. Group water and sewer 13,500 sq. ft.
- ii. Group sewer only 20,000 sq. ft.

d. Minimum floor area: 1,200 sq. ft.

e. Maximum height limit: 35 ft.

f. Garage maximum height: 20 ft.

g. Storage shed: 20 ft.

505 R-3 Manufactured Home Park District

Within an R-3 District, no building, structure or premises shall be used, arranged to be used, or designated to be used except for one or more of the following uses:

1. Permitted Uses:

- a. Manufactured home, as a single-family residence.
- b. Manufactured Home Park, as licensed and regulated by the Ohio Department of Health, and subject further to the requirements of these regulations.
- c. Accessory uses and structures incidental to the principal use which does not include any activity conducted as a business, except for the management and maintenance of a manufactured home park.

2. Conditional Uses:

There will be no conditional uses permitted in this District.

506 CG: Commercial General District

Within a CG District, no building, structure or premises shall be used, arranged to be used, or designated to be used except for one or more of the following uses:

1. Permitted Uses:

- a. Establishments engaged primarily in the fields of finance, insurance and real estate, e.g.:
 - i. Bank
 - ii. Credit agency other than a bank
 - iii. Investment firm
 - iv. Insurance carrier
 - v. Real estate and insurance company
- b. Establishments engaged in providing a variety of services to individuals and business engagements, e.g.:
 - i. Personal services such as barber and beauty shops, tailor, shoe repair, laundries and dry cleaning
 - ii. Miscellaneous business services such as advertising news syndicates and employment agencies
 - iii. Medical and other health services
 - iv. Engineering and architectural services
 - v. Legal services
 - vi. Accounting, auditing and bookkeeping services
 - vii. Nonprofit professional, charitable and labor organizations
 - viii. Dance studio and school
 - ix. Bowling alley
 - x. Motion picture and theatrical playhouse
 - xi. Veterinarian hospital or clinic
- c. Establishments engaged in retail trade, e.g.:
 - i. Drug store
 - ii. Book and stationary store
 - iii. Apparel store
 - iv. Florist shop
 - v. Antique store
 - vi. Sporting goods store
 - vii. Jewelry store
 - viii. Optical goods store
 - ix. Furniture, home furnishing and office equipment and office supplies store
 - x. Beverages

- xi. Restaurant
 - xii. Food stores including supermarkets
 - d. Accessory uses clearly incidental to the principal uses permitted on the same premises.
 - e. Signs as regulated by Article VI hereof.
 - f. Parking as regulated by Article VI hereof.
2. Conditional Uses:
- a. Nursing Home or Residential Care Facility (Section 909)
 - b. Church/Place of Worship (Section 912)
 - c. Library, Museum and Community Center (Section 914)
 - d. Drive-thru Facilities (Section 917)
 - e. Wireless Communication Facilities (Section 918)
 - f. Fuel and Auto Service Stations (Section 920)
 - g. Self-Storage Facility (Section 921)
3. Distance and Size Limitations:
- a. Setbacks from the Right of Way:
 - i. Thoroughfare 75 ft.
 - ii. Collector 75 ft.
 - iii. Local Street 50 ft.
 - iv. Side yard/backyard 30 ft.
 - b. Frontage: 130 ft.
 - c. Maximum height limit: 35 ft.

507 I-1: Industrial General District

Within a I-1 District, no building, structure or premises shall be used, arranged to be used, or designated to be used except for one or more of the following uses:

1. Permitted Uses:

- a. Parking lot and garage
- b. Plant greenhouse
- c. Warehouses
- d. Wholesale establishments
- e. The following types of manufacturing, processing, cleaning, servicing, testing or repair activities, which will not be materially injurious or offensive to the occupants of adjacent premises or the community at large by reason of the emission or creation of noise, vibration, smoke, dust or other particulate matter, toxic and noxious materials, odors, fire or explosive hazards, glare or heat or electromagnetic disturbances.
 - i. Bakery goods, candy, cosmetics, pharmaceuticals, toiletries and food products; except fish or meat products, sauerkraut, yeast and rendering or refining of fats or oils.
 - ii. Products from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, fiber, fur, glass, hair, horn, leather, plastics, precious or semi-precious metals or stones, metal, shell, textiles, tobacco, wax and wood (where saw and planing mills are employed within a completely enclosed building).
 - iii. Pottery or figurines, using previously pulverized clay and kilns, fired only with gas and electricity.
 - iv. Musical instruments, toys, novelties, rubber metal stamps and other small rubber products.
 - v. Electrical and electric appliances, instruments and device, television sets, radios, phonographs, household appliances.
 - vi. Laboratories and processing – including film or testing provided no operation shall be conducted or equipment used which would create hazards, noxious or offensive conditions.
- f. The following uses provided that storage is within an enclosed building or an area on all sides by a solid masonry wall or fence with openings no greater than fifteen (15) percent.
 - i. Building materials, sales yard, and lumber yard including millwork when within completely enclosed building.

- ii. Contractor's equipment storage yard or plant, or storage yard or plant, or storage and rental of equipment commonly used by contractors.
 - iii. Fuel, food and goods distribution station, warehouse and storage, but excluding coal and coke. Inflammable liquids, if located not less than three hundred (300) feet from any R-District.
 - iv. Public storage garage and yards.
 - v. To include: cans, cartons, containers, pallets, equipment, finished goods, work in progress, raw materials and distressed materials must be enclosed.
- g. The following uses may be conducted not closer than one hundred (100) feet of any R-District where the I-District is separated from any R-District by a street, the width of the street may be considered as part of the required setback.
- i. Bag, carpet and rug cleaning, provided necessary equipment is installed and operated for the effective precipitation or recovery of dust.
 - ii. Blacksmith, welding or other metal working shops, including machine shop operations of the tool, die and gauge types.
 - iii. Carpenter, cabinet, upholstering, sheet metal, plumbing, heating, roofing, air conditioning, sign painting, painting and other similar establishments.
 - iv. Ice manufacturing and cold storage plant; creamery and bottling plant.
 - v. Laundry, cleaning and dyeing plant.
 - vi. Repair service for machinery and equipment including repair garages and specialty establishments such as motor, body and fender, radiator, motor tune-ups, muffler shops, tire repairing sales and service including vulcanizing.
 - vii. Stone or monument works not employing power tools, or if employing such tools, then within completely enclosed building.
- h. Accessory uses clearly incidental to the principal uses permitted on the same premises.
- i. Signs as regulated by Article IV hereof.
- j. Parking and loading as regulated by Article V hereof.

2. Conditional Uses:
 - a. Sexually Oriented Business (Section 911)
 - b. Church/Place of Religious Worship (Section 912)
 - c. Library, Museum and Community Center (Section 914)
 - d. Drive-thru Facilities (Section 917)
 - e. Wireless Communication Facilities (Section 918)
 - f. Self-Storage Facility (Section 921)

3. Distance and Size Limitations:
 - a. Setbacks from the Right of Way:

i.	Thoroughfare	75 ft.
ii.	Collector	75 ft.
iii.	Local Street	75 ft.
iv.	Side yard/backyard	75 ft.

 - b. Frontage: 200 ft.

508 FE: Flood easement

The purpose of this district is to identify areas subject to flood easements owned or controlled by the United States of America. The flood easements are enforced by the U.S. Army Corps of Engineers. Building new structures on and filling land subject to flood easements is generally prohibited and the Corps of Engineers requires owners to remove any new structures and fill.

509 Site Plans Required

All permitted uses proposed to be developed, expanded, modified, or otherwise established in any existing or to be zoned R1, R2, R3, CG, I1, and FE Districts shall be permitted and Zoning Certificates issues only after site plans, as specified herein have been submitted for review and approval by the Zoning Inspector. All conditionally permitted uses proposed to be developed, expanded, modified or otherwise established in any existing or to be zoned districts shall be permitted only after site plans, as specified in Article IX, have been submitted for review and approval by the Board.

510 Site Plan Requirements

All applications for Zoning Certificates shall be accompanied by a plan in duplicate, drawn to scale showing the actual dimensions of each lot the size and location of each building erected or

to be erected upon each lot, exterior building plans, and such other information as may be necessary to enable the Zoning Inspector to determine that the structure or proposed structure and use of land will confirm to the provisions of this Resolution. Additionally, a physical site plan is strongly recommended to be developed by the Tuscarawas County Soil & Water Conservation District. A record of such applications and plans shall be kept in the office of the Township Trustees.

District	R-1	R-2	CG	I1
Frontage	130 ft.	80 ft.	130 ft.	200 ft.
Setback				
1	75 ft.	75 ft.	75 ft.	75 ft.
2	75 ft.	50 ft.	75 ft.	75 ft.
3	50 ft.	30 ft.	50 ft.	75 ft.
4	30 ft.	10 ft.	30 ft.	75 ft.
Floor area	1,200 sq. ft.	1,200 sq. ft.	Na	Na
Lot size	40,000 sq.	A=13,500 sq. B=20,000 sq.	Na	Na
Maximum Height	35 ft.	35 ft.	35 ft.	35 ft.
Garage Height	20 ft.	20 ft.	Na	Na
Storage Shed Height	20 ft.	20 ft.	35 ft.	35 ft.

LEGEND

Setback

1. Thoroughfare: A general term denoting a highway primarily for through traffic, carrying heavy loads and large volumes of traffic, usually on a continuous route.
2. Collector: A street which primarily carries traffic from local streets to thoroughfares, including the principal entrance and circulation routes within residential subdivisions.
3. Local Street: A Street primarily for providing access to residential or other abutting property.
4. Side yard/backyard

R-3: Manufactured Home Park District

This District is to provide for well-planned Manufactured Home Parks, as licensed and regulated by the Ohio Department of Health.

Lot Size:

- A. For group water and sewer
- B. For group sewer only

ARTICLE VI
SUPPLEMENTARY DISTRICT REGULATIONS
SECTIONS 600 – 613

ARTICLE VI

SUPPLEMENTARY DISTRICT REGULATIONS

600 General

The purpose of supplementary district regulations is to set specific conditions for various uses, classifications of uses, or areas wherein problems may occur, in order to alleviate or preclude such problems, and to promote the harmonious exercise of property rights without conflict.

601 Off-Street Parking Requirements

Definition: Parking Space, Off Street – For the purpose of this Resolution, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, **but shall be located totally outside of any street or alley right-of-way.**

602 Off-Street Parking Design Standards

All off-street parking facilities including entrances, exists, maneuvering areas, and parking spaces shall be in accordance with the following standards and specifications.

1. Parking Space Dimensions: Each off-street parking space shall have an area of not less than 200 square feet exclusive of access drives or aisles, and shall be of usable shape and condition.
2. Access: There shall be adequate provision for ingress and egress to all parking spaces. Where the lot or parking spaces do not provide direct access to a public street or alley, an access drive shall be provided with a dedicated easement of access, as follows:
 - a. For one residential dwelling, the access drive shall be a minimum of nine (9) feet in width.
 - b. For all other residential uses and all other uses, the access drive shall be a minimum of eighteen (18) feet in width.
 - c. All parking spaces shall have access to a public street or alley in such a manner that any vehicle leaving or entering the parking area from or into a public street or alley shall be traveling in a forward motion.
3. Setbacks: The location of an off-street parking facility shall be located at least fifteen (15) feet from the road edge and/or property line. The fifteen (15) foot strip of land shall be landscaped and appropriately maintained.

4. Paving: Any off-street parking area of more than 2000 sq. ft. shall be graded for proper drainage and surfaced with acceptable material to provide a durable and dust free surface.

All Conditional Zoning Certificate parking lots will be paved.

5. Maintenance: Any Owner of property used for parking areas shall maintain such areas in good condition without holes and free of dust, trash, or other debris.

603 Determination of Required Spaces

There shall be sufficient parking facilities outside the street right-of-way to meet all the parking needs.

604 Lighting

All lighting shall be arranged as to direct light away from adjoining premises or streets and no open light sources such as the stringing of light bulbs shall be permitted. Direct rays of light from the light source shall be shielded to prevent light from entering adjacent properties or streets.

605 Fences and Shrubbery

1. Fences and shrubbery shall be permitted in all Districts. Fences shall be constructed from material that is not dangerous or hazardous. Fences and shrubbery shall not obstruct the visibility of the driver or a motor vehicle at an intersection or driveway entrance. In no event shall any fence exceeding eight (8) feet in height, as measured from the ground level, be erected within the Township.
2. In R-1 and R-2 Districts fences and shrubbery shall not exceed four (4) feet in height on any portion of the property facing the frontage of the property.
3. No Zoning Certificate shall be required to construct and maintain fences or to plant and maintain shrubbery in R-1 and R-2 Districts in accordance with this Resolution.

606 Ponds or Lakes

Public or private ponds or lakes containing over one and one-half (1-1/2) feet of water depth at any point shall conform to all required yard and set back lines. A Zoning Certificate shall be required before construction is started. Ponds or lakes shall meet standards and specifications of the Tuscarawas Soil and Water Conservation District.

607 Pools

Public or private in-ground or above-ground swimming, wading or other pools containing more than four (4) feet of water depth shall be considered a structure for the purpose of this resolution. Pools located on lots containing less than 40,000 square feet shall be enclosed by a wall or fence having a minimum height of four feet for a family pool and eight feet for a commercial pool, and be equipped with a suitable locking device to prevent uncontrolled access. A Zoning Certificate will be required and such pools shall conform to all required yard and set back lines.

608 Parking Disabled Vehicles

No person shall park, store or leave, or permit the parking or storing of any unlicensed motor vehicles or any vehicle in a rusted, wrecked, junk, partially dismantled, inoperative, or abandoned condition, whether attended or not, upon any property within the Township unless the same is completely enclosed within a building.

609 Signs

General.

The purpose of this Article is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor advertising, outdoor advertising signs, and outdoor signs of all types. It is intended to protect property values, create a more visually attractive economic and business climate, enhance and protect the physical appearance of the community, and preserve the scenic and natural beauty of designated areas. It is further intended to reduce sign and advertising clutter, distraction, and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public right-of-way, provide more open space, curb the deterioration of signs which are compatible with their surroundings. Signs erected by Governmental bodies are excluded from this Section.

A. For the Purpose of this Resolution “sign” does not include signs erected and maintained pursuant to and in discharge of any governmental function, or required by any law, resolution, or governmental regulation.

B. General Requirements for All Signs and Districts

The regulation contained in this section shall apply to all signs and all use districts.

1. Any illuminated sign or lighting device shall employ only light emitting a light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights. In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination therefrom to be directed or beamed upon public thoroughfare, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.

2. No sign shall employ any parts or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention. Subsections (1) and (2) of this section shall not apply to any sign performing a public service function indicating time, temperature, stock market quotation or similar service.
3. All wiring, fittings, and materials used in the construction, connection, and operation of electrically illuminated signs shall be in accordance with the provisions of the local electric code in effect, if any.
4. No projecting sign shall be erected or maintained from the front or fact of a building a distance of more than two (2) feet, including those projecting from the face of any theater; hotel, or motel marquee.
5. No sign shall be placed on the roof of any building, except those signs whose supporting structure is screened so the sign appears to be a continuation of the face of the building.
6. No portable or temporary sign shall be placed on the front or face of a building or on any premises, except as provided in Section G herein.
7. No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners, or other similar moving devices. Such devices, as well as strings of lights, shall not be used for the purpose of advertising or attracting attention when not part of a sign.
8. All signs hung and erected shall be plainly marked with the name and telephone number of the person, firm, or corporation responsible for maintaining the sign.
9. Should any sign be or become unsafe or be in danger of falling, the owner thereof or the person maintaining the same shall, upon receipt of written notice from the Zoning Inspector, proceed at once to put such sign in a safe and secure condition or remove the sign.
10. No sign shall be placed in any public land or right-of-way except publicly owned signs, such as traffic control signs and directional signs. Signs directing and guiding traffic and parking on private property but bearing no advertising matter shall be permitted.
11. All signs shall be as designed and supported as to carry the weight of the sign, and shall comply with the local building code in effect.
12. All signs shall be secured in such a manner as to prevent significant movement due to wind.
13. No advertising signs shall be attached to or supported by a tree or utility pole.

14. No sign shall contain words, images, or graphic illustrations of any obscene or indecent nature.
15. No sign shall be located on a vacant lot, except for the purpose of advertising the lot for sale or lease, or for such purpose as the notification of present danger or the prohibition of trespassing.
16. No sign shall be located nearer than eight (8) feet vertically, or four (4) feet horizontally from any overhead electrical wires, conductors, or guy wires;
17. No vehicle or trailer may be parked on a business premises, or a lot for the purpose of advertising a business, product, service, event object, location, organization, or the like.

C. Permit Required

1. No person shall locate or maintain any sign, or cause a sign to be located or maintained, unless all provisions of this Article have been met. To assure compliance with these requirements, a sign permit issued pursuant to this Resolution shall be required for each sign unless specifically exempted in this Article.
2. A sign initially approved for which a permit has been issued shall not be modified, altered or replaced, nor shall design elements of any building or lot upon which such sign is maintained be modified, altered or replaced if any such design element constituted a basis for approval of such sign unless a new or amended permit is obtained consistent with these regulations.
3. The repainting, changing of parts and preventative maintenance of signs shall not be deemed alterations requiring a sign permit.

D. Signs Permitted in All Districts Not Requiring a Permit

1. Signs advertising the sale, lease, or rental of the premises upon which the sign is located, shall not exceed twelve (12) square feet in area, except in all residential districts where the area of the sign shall not be more than six (6) square feet;
2. Professional name plates not to exceed four (4) square feet in area;
3. Signs denoting the name and address of the occupants of the premises, not to exceed two (2) square feet in area.

E. Signs Permitted in Any District Requiring a Permit

1. Signs or bulletin boards customarily incidental to places of worship libraries, museums, social clubs, or societies, which signs or bulletin boards shall not exceed

fifteen (15) square feet in area and which shall be located on the premises of such institution;

2. Any sign advertising a commercial enterprise, including real estate developers or subdividers, in a district zoned residential shall not exceed twelve (12) square feet in an area and shall advertise only the name of the owners, trade names, products sold and or the business or activity conducted on the premises where such sign is located.

F. Signs Permitted in Commercial and Manufacturing Districts Requiring a Permit

The regulations set forth in this section shall apply to signs in all commercial and manufacturing districts and such signs shall require a permit.

1. In a commercial or manufacturing district each business shall be permitted one flat or wall on premises sign. Projection of wall signs shall not exceed two (2) feet measured from the face of the main building. The area of all permanent on-premises signs for any single business enterprise may be an area equivalent to one and one-half (1-1/2) square feet of sign area for each lineal foot of building width, or part of a building, occupied by such enterprise but shall not exceed a maximum area of one hundred (100) square feet.
2. In a commercial or manufacturing district two off-premises signs with a total area not exceeding six hundred (600) square feet may be permitted at a single location. No single off-premises sign shall exceed one thousand two hundred (1200) square feet, nor shall off-premises signs visible to approaching traffic have a minimum spacing of less than two hundred (200) feet. Off-premises signs shall conform to all applicable yard and height regulations for the appropriate zoning district, except that such signs intended to be viewed from an elevated highway shall not be more than twenty (20) feet above the level of the roadway at its nearest point. Off-premises wall signs shall have all structural and supporting members concealed from view.

G. Temporary Signs (No permit required)

Temporary signs not exceeding fifty (50) square feet in area, announcing special public or institutional events, the erection of a building, the architect, the builders, or contractors may be erected for a period of sixty (60) days plus the construction period. Such temporary signs shall conform to the general requirements listed in Section 13, and the setback requirements in Sections K-M and, in addition, such other standards deemed necessary to accomplish the intent of this Article as stated in Section 609.

H. Free Standing Signs

Free-standing on-premises signs not over thirty (30) feet in height having a maximum total sign area of one hundred (100) square feet per display area and located not closer than ten (10) feet to any street right-of-way line and not closer than thirty (30) feet to any adjoining lot line may be

erected to serve a group of business establishments. There shall be only one freestanding sign for each building, regardless of the number of businesses conducted in said building.

I. Wall Signs Pertaining to Non-Conforming Uses

On-premises wall signs pertaining to a non-conforming use shall be permitted on the same premises of such use, provided the area of such sign does not exceed twelve (12) square feet.

J. Political Signs (No permit required)

No political sign shall be posted in any place or in any manner that is destructive to property upon posting or removal. No political sign shall be posted in a public right-of-way nor shall any such sign be posted on a utility pole. No political sign shall be posted more than forty-five (45) days before election. All candidates for public office, their campaign committees, or other persons responsible for the posting on public or private property of campaign material shall remove such material within one week following Election Day.

K. Sign Setback Requirements

Except as modified in Sections L-O, on premises signs where permitted shall be set back from the established right-of-way line of any thoroughfare at least ten (10) feet. No off-premise sign shall be erected in front of the required setback line for the appropriate zoning district.

L. Increased Setback

For every square foot by which any on-premises sign exceeds fifty (50) square feet the setback shall be increased by one-half (1/2) foot but need not exceed one hundred (100) feet.

M. Setbacks for Off-Premises Signs

If a setback line is not established for the appropriate zoning district off-premises signs shall be set back a minimum of twenty (20) feet from the right-of-way line.

N. Setbacks for Public and Quasipublic Signs

Real Estate signs and bulletin boards for a church, school or any other public, religious or educational institution may be erected not less than ten (10) feet from the established right-of-way line of any street or visibility at street or highway intersections.

O. Special Yard Provisions

On-premises signs where permitted shall be erected or placed in conformity with the side and rear yard requirements of the district in which located, except that in any residential district on premises signs shall not be erected or placed within twelve (12) feet of a side or rear lot line. If

the requirement for a single side yard in the appropriate zoning district is more than twelve (12) feet, the latter shall apply.

P. Limitation

For the purposes of this Article, outdoor advertising off-premises signs shall be classified as a business use and be permitted in all districts zoned for manufacturing or business or lands used for agricultural purposes. In addition, regulation of signs along interstate and primary highways shall conform to the requirements of Ohio Revised Code Chapter 5516 and the regulations adopted pursuant thereto.

Q. Maintenance

All signs shall be maintained in safe and sound structural condition at all times and shall be presentable. The Zoning Inspector shall remove any off-premises advertising signs or structure found to be unsafe or structurally unsound within thirty (30) days of issuing a notification. The Zoning Inspector shall remove any on-premises sign, which is determined to be unsafe or structurally unsound within (10) days of issuance of notification.

R. Non-Conforming Signs and Structures

Advertising signs and structures in existence prior to the effective date of this Resolution, which violate or are otherwise not in conformance with the provisions of this Article, shall be deemed non-conforming. All such legal non-conforming signs and structures shall be maintained in accordance with this Article. The burden of establishing the legal non-conforming status of any advertising sign or structure shall be upon the owner of the sign or structure.

S. Loss of Legal Non-Conforming Status

A legal non-conforming sign shall immediately lose its legal non-conforming status, and therefore must be brought into conformance with this article or be removed, if the sign is altered in copy (except for changeable copy signs) or structure; or if it is enlarged, Relocated, or replaced; or if it is part of an establishment which discontinues operation for ninety (90) consecutive days; or if it is structurally damaged to an extent greater than one-half of its estimated replacement value similarly, any legal non-conforming advertising structure so damaged must be brought into compliance or be removed.

T. Violations

In case any sign shall be installed, erected, constructed, or maintained in violation of any of the terms of this Resolution the Zoning Inspector shall notify in writing the owner or lessee thereof to alter such sign so as to comply with this Resolution. Failure to comply with any of the provisions of this Article shall be deemed a violation and shall be punishable under Section 11 of this Resolution. Political signs posted in violation of Sections 609, J of this Resolution are

subject to removal by the Zoning Inspector five (5) days after written notice of violation of Section J has been given.

610 Off-Street Loading Space Requirements

In any district, except for the Commercial General District, in connection with every building or part thereof hereafter erected and having a gross floor area of one thousand (1000) square feet or more, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, hotel, hospital, mortuary, laundry, dry cleaning, or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained, on the same lot with the building, at least one off-street loading space, and one additional loading space for each ten thousand (10,000) square feet.

611 Objectionable, Noxious, or Dangerous Uses, Practices, or Conditions

No land or building in any district shall be occupied or used in any manner which creates or contributes to the existence of conditions which are dangerous, injurious, harmful, noxious, or objectionable, or which may otherwise adversely affect surrounding areas or adjoining premises, except that any use permitted by this Resolution may be undertaken or maintained if acceptable measures and safeguards to reduce any dangerous or objectionable conditions to acceptable limits, as established in this Section, are properly exercised. Specifically, the occupation or use of any land or building in any district shall be in violation of this Resolution if one or more of the following conditions are found to exist at any time:

1. The use or storage of flammable or explosive materials if not adequately protected by fire-fighting and fire-protection equipment or by such safety devices as are normally required for such activities;
2. Activities involving the use and storage of flammable and explosive materials not removed from adjacent facilities or activities to a distance compatible with the potential danger involved;
3. Radioactivity or air pollution is present in violation of the regulations of the Ohio Environmental Protection Agency;
4. Hazardous wastes are present in violation of the regulations of the Ohio Environmental Protection Agency;
5. Objectionable noise as determined by the Zoning Inspector as to volume, frequency or beat is present;
6. Vibration discernible by the Zoning Inspector without instruments is present on an adjoining lot or property;

7. Direct or reflected glare is present which is visible from any street or from any property not within a manufacturing district;
8. Erosion caused by wind or water is carrying objectionable substances onto any adjacent lot or property;
9. Water pollution or contamination is present in violation of the regulation of the Ohio Environmental Protection Agency.

612 Regulation for Industrialized Units, Manufactured Homes, Modular Homes and Mobile Homes: Design and Appearance Standards

1. Definitions
 - a. **Industrialized Unit:** (previously known as ‘Factory Built Home’) a building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site of intended use. “Industrialized Unit” includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. “Industrialized Unit” does not include a manufactured home as defined by division (C)(4) of this section or a mobile homes as defined by division (O) of section 4501-01 of the Revised Code.
 - b. **Manufactured Home:** a building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the secretary of housing and urban development pursuant to the “Manufactured Housing Construction and Safety Standards Act of 1974,” 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable federal construction and safety standards. Manufactured Homes shall also comply with the following standards.
 - a) “Permanent Foundation” means permanent masonry, concrete, or a footing or foundation approved by the manufactured homes commission pursuant to Chapter 4781. of Revised Code, to which a manufactured or mobile home may be affixed.
 - b) “Permanently sited manufactured home” means a manufactured home that meets all of the following criteria:
 - c) The structure is affixed to a permanent foundation and is connected to appropriate facilities;
 - d) The structure, excluding any addition, has a width of at least twenty-two feet at one point, a length of at least twenty-two feet at one point and a total living area, excluding garages, porches, or attachments, of at least nine hundred square feet;

- e) The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering;
 - f) The structure was manufactured after January 1, 1995;
 - g) The structure is not located in a manufactured home park as defined by section 3733.01 of the Revised Code.
- c. **Mobile Home:** a building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five body feet in length or, when erected on site, is three hundred twenty or more square feet, is built on a permanent chassis, is transportable in one or more sections, and does not qualify as a manufactured home as defined in division (C)(4) of section 3781.06 of the Revised Code or as an industrialized unit as defined in division (C)(3) of section 3781.06 of the Revised Code.
- d. **Modular Home:** factory-built housing certified as meeting the State Building Code as applicable to modular housing. Once certified by the State, modular homes shall be subject to the same standards as site built homes.
2. **Sitting Requirements:** any industrialized unit housing proposed to be located in any district shall comply with the following requirements:
- a. The structure shall be installed upon and property attached to the foundation system that provides adequate support of the structure's vertical and horizontal loads and transfers these and other imposed forces, without failure from the structure to the undisturbed ground below the frost line.
 - b. All hitches, axles, wheels, and conveyance mechanisms shall be removed from the structure.
 - c. The structure shall be so oriented on the site that its long axis is parallel with the street, and it shall have an entranceway facing the street, except where diagonal placement and the addition of a garage, car port, or other storage shed may be permitted by subdivision regulation and yard requirement.
 - d. The site shall be suitably landscaped, with adequate screening devices as elsewhere required.
 - e. The sitting of the structure shall comply with all yard and setback requirements in effect for the district for which it is proposed.
 - f. The sitting of the structure shall comply with all parking requirements in effect for the district for which it is proposed.
 - g. The site shall be serviced by utilities in such manner as required by Ohio Administrative Code.

3. Regulation of Industrialized Unit and Mobile Homes:
 - a. Mobile homes shall not be permitted in Sandy Township.
 - b. Manufactured homes shall be permitted only in approved manufactured home parks, unless otherwise authorized in this Resolution.
 - c. Modular homes which meet the design and appearance standards contained in Section 613, shall be permitted accordingly.

613 Single Family Design and Appearance Standards

Single family residential homes, whether of modular or on-site construction, shall comply with the following design and appearance standards:

1. The structure shall be in conformance with the siting requirements contained in Section 612.
2. The structure, garages and any storage sheds or uses shall conform to all other regulations in effect for the district in which it is located.

614 Supplemental Lot Size Regulations and Siting Requirements for Pre-existing R-2 Single Family Residential Lots (Grandfathered)

1. Existing lots Zoned R-2 Single Family Residential at the date of original enactment of this Resolution shall conform to the following restrictions:

Setbacks:	From Right of Way	
1.	Thoroughfare	75 ft.
2.	Collector	50 ft.
3.	Local Street	30 ft.
4.	Side yard/back yard	5 ft.

Frontage and lot size:

1. Group water and sewer 50 ft. (7,500 sq. ft. minimum lot size)
2. Group sewer only 50 ft. (7,500 sq. ft. minimum lot size)

Minimum floor area: 1,000 sq. ft.
 Maximum residence height: 35 ft.
 Maximum garage height: 20 ft.
 Maximum storage shed height: 20 ft.

ARTICLE VII
NON-CONFORMING USES
SECTIONS 700 - 704

ARTICLE VII

NON-CONFORMING USES

700 Purpose

Within the districts established by this Resolution or amendments that may later be adopted there exist lots, structure, uses of land and structures, and characteristics of use which were lawful before this Resolution was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this Resolution or future amendment. It is the intent of this Resolution to permit these non-conformities to continue until they are removed, but not to encourage their survival. It is further the intent of this Resolution that non-conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

701 Non-Conforming Structures

Any non-conforming building which has been destroyed or partially destroyed by fire, explosion, Act of God, or by public enemy may be restored to the same non-conforming use as existed before such damage. For the purpose of this Section 2, the term "building" shall include mobile homes until November 20, 2025. For the purpose of this Section 2, the term "building" shall not include mobile homes after November 20, 2025. Said restoration shall be completed within eighteen (18) months of the date of such destruction or partial destruction.

702 Non-Conforming Uses of Land

Where, at the time of adoption of this Resolution, lawful uses of land exist which would not be permitted by the regulations imposed by this Resolution, the uses may be continued so long as they remain otherwise lawful, provided:

1. No such non-conforming uses shall be enlarged or increased, nor extended to occupy at greater area of land than was occupied at the effective date of adoption or amendment of this Resolution;
2. No such non-conforming uses shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such uses at the effective date of adoption or amendment of this Resolution;
3. If any such non-conforming uses of land are discontinued or abandoned for more than two (2) years, any subsequent use of such land shall conform to the regulations specified by this Resolution for the district in which such land is located;
4. No additional structure not conforming to the requirements of this Resolution shall be erected in connection with such non-conforming use of land.

703 Change of Tenancy or Ownership

There may be a change in tenancy, ownership, or management of an existing non-conforming use, provided there is no change in the nature or character of such non-conforming use.

704 Termination of Use Through Discontinuance

Where any non-conforming use is discontinued or abandoned for more than two (2) years, any new use shall not thereafter be permitted except in conformity with the regulations of the district in which it is located, and the non-conforming use may not thereafter be resumed. The intent to continue a non-conforming use shall not be evidence of its continuance.

ARTICLE VIII

**PROCEDURES AND REQUIREMENTS FOR
APPEALS AND VARIANCES**

SECTIONS 800 - 811

ARTICLE VIII

PROCEDURES AND REQUIREMENTS FOR APPEALS AND VARIANCES

800 General

Appeals and variances shall conform to the procedures and requirements of Sections 801 to 811 inclusive of this Resolution. As specified in Article 3, the Board of Zoning Appeals has appellate jurisdiction relative to appeals and variances.

801 Appeals

Appeals to the Board of Zoning Appeals concerning interpretation or administration of this Resolution may be taken by any person aggrieved or by any officer or bureau of the legislative authority of the Township affected by any decision of the Zoning Inspector. Such appeal shall be taken within twenty (20) days after the decision by filing, with the Zoning Inspector and with the Board of Zoning Appeals, a notice of appeal specifying the grounds upon which the appeal is being taken. The Zoning Inspector shall transmit to the Board of Zoning Appeals all the papers and other information constituting the record upon which the action appealed from was taken.

803 Variances

1. The Board shall have the power to authorize upon appeal in specific cases, filed as provided in this Zoning Ordinance, such variances from the provisions or requirements of this Zoning Ordinance as will not be contrary to the public interest so that the spirit of the Zoning Ordinance shall be observed and substantial justice be done. In granting a variance, the Board may impose such conditions as it may deem necessary to protect the public health, safety, and morals and in furtherance of the purposes and intent of the Zoning Ordinance.
2. When deciding whether or not to award a variance to requirements in the Zoning Ordinance, the Board shall consider the following factors:
 - a. Does the Zoning Ordinance create a situation in which the applicant is unable to yield a reasonable return or enjoy any beneficial use of the property without a variance?
 - b. Does the variance require a significant departure from the Zoning Ordinance?
 - c. Will the essential character of the neighborhood be substantially altered if the variance is granted?
 - d. Will adjoining landowners suffer a substantial detriment if the variance is granted?
 - e. Would awarding the variance adversely affect the delivery of governmental services such as water, sewer, and garbage services?
 - f. Can the applicant's predicament feasibly be obviated through a method other than the variance?

- g. Did the applicant purchase the property with knowledge of the zoning restriction?
 - h. Will the spirit and intent of the zoning requirement preserved if the variance is granted?
3. In any event, the Board shall not deny any application for a variance to requirements in the Zoning Ordinance regarding area, (setbacks, height requirements, frontage, etc.) if the landowner is able to demonstrate that such area requirements impose a practical difficulty.
 4. In any event, the Board shall not deny any application for a variance to requirements in the Zoning Ordinance regarding the use of land, as defined in this Chapter, if the landowner is able to demonstrate that a failure to obtain the variance will remove all economic viability from the property.
 5. No variance shall be granted for a specific parcel of land if the Board determines that the condition or intended use of the property exists in so many other parcels within the Township that a change to the Resolution should be made instead.

804 Application and Standards for Variances

Except as otherwise permitted in this Resolution, no variance in the strict application of the provisions of this Resolution shall be granted by the Board of Zoning Appeals unless the Board shall find that the written application for the requested variance contains all of the following requirements:

1. Name, address and phone number of applicant(s)
2. Legal description of property;
3. Description or nature of variance requested;
4. A fee as established by Resolution;
5. Narrative statements establishing and substantiating that the variance conforms to the following standards:
 - a. The granting of the variance shall be in accord with the general purpose and intent of the regulations imposed by this Resolution on the district in which it is located, and shall not be injurious to the area or otherwise detrimental to the public welfare.
 - b. The granting of the variance will not permit the establishment of any use which is not otherwise permitted in the district.
 - c. There must exist special circumstances or conditions, fully described in the findings applicable to the land or buildings for which the variance is sought which are peculiar to such land or buildings and do not apply generally to land or buildings in the area, and which are such that the strict

application of the provisions of this Resolution would deprive the applicant of the reasonable use of such land or building. Mere loss in value shall not justify a variance; there must be deprivation of beneficial use of land.

- d. There must be proof of hardship created by the strict application of this Resolution. It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, the hardship complained of cannot be self-created; nor can it be established on the basis by one who purchases with or without knowledge of the restrictions; it must result from the application of this Resolution; it must be suffered directly by the property in question; and evidence of variances granted under similar circumstances need not be considered.
- e. The granting of the variance is necessary for the reasonable use of the land or building; and the variance as granted is the minimum variance that will accomplish this purpose.
- f. The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values of the adjacent area.
- g. The granting of the variance requested will not confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.
- h. The variance must include conditions and safeguards as established by the Zoning Board of Appeals.

805 Additional Conditions and Safeguards

The Board may further prescribe any conditions and safeguards that it deems necessary to insure that the objectives of the regulations or provisions to which the variance applies will be met. Any violation of such conditions and safeguards, when they have been made a part of the terms under which the variance has been granted, shall be deemed a punishable violation under this Resolution.

806 Public Hearing by the Board of Zoning Appeals

The Board of Zoning Appeals shall hold a public hearing within thirty (30) days after the receipt of an application for an appeal or variance from the Zoning Inspector or an applicant.

807 Notice of Public Hearing in Newspaper

Before conducting the public hearing required in Section 806, notice of such hearing shall be given in one or more newspapers of general circulation in the Township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance.

808 Notice to Parties in Interest

Before conducting the public hearing required in Section 806, written notice of such hearing shall be mailed by the Chairman of the Board of Zoning Appeals, by first class mail, at least ten (10) days before the day of the hearing to all contiguous property owners as in Section 1010. The notice shall contain the same information as required of notices published in newspapers as specified in Section 807.

809 Action by Board of Zoning Appeals

Within thirty (30) days after the public hearing required in Section 806, the Board of Zoning Appeals shall either approve, approve with supplementary conditions as specified in Section 805, or disapprove the request for appeals or variance. The Board of Zoning Appeals shall further make a finding in writing that the reasons set forth in the application justify the granting of the variance that will make possible a reasonable use of the land, building, or structure. Appeals from Board decision shall be made in the manner specified in Section 306.

810 Term of Variance

No order of the Zoning Board of Appeals granting a variance shall be valid for a period longer than twelve (12) months from the date of such order unless the Zoning Certificate or zoning approval is obtained within such period, and the erection or alteration of a building is started or the use is commenced within such period.

811 Authorized Variances

Variances from the regulations of this Resolution shall not be granted unless the Board makes specific findings of fact, based directly on the particular evidence presented to it, which support conclusions that the standards and conditions imposed in Section 809, and Section 805 if applicable, have been met by the applicant. Variances may be granted as guided by the following:

1. To permit any yard or setback less than the yard, or setback required by the applicable regulations.
2. To permit the use of a lot or lots for a use otherwise prohibited, solely because of the insufficient area or width of the lot or lots, but generally the respective area and width of the lot or lots should not be less than eighty (80) percent of the required area and width.

3. To permit the same off-street parking facility to qualify as required facilities for two or more uses, provided that substantial use of such facility by each user does not take place at approximately the same hours of the same days of the week.
4. To increase the maximum allowable size or area of signs on a lot, but generally by not more than twenty-five (25) percent.
5. To increase the maximum gross floor area of any use so limited by the applicable regulations, but generally not more than twenty-five (25) percent.
6. A showing of practical difficulties will suffice to support the grant of a variance which relates solely to area requirements.

ARTICLE IX

CONDITIONAL ZONING REQUIREMENTS

SECTIONS 900 - 921

ARTICLE IX

CONDITIONAL ZONING REQUIREMENTS

900 Purpose

Rather than assign all uses to special individual and limited zoning districts, it is important to provide controllable and reasonable, flexibility in requirements for certain kinds of uses that will maintain adequate provision for the security of the health, safety, convenience and general welfare of the Township's inhabitants. These uses are permitted through the issuance of a Conditional Zoning Certificate.

901 Procedures

A. Submission

Any application shall be submitted through the Zoning Inspector to the Zoning Board of Appeals on a special form for that purpose. Each application shall be accompanied by the payment of the fee as required in Article III, Section 308.

B. Data required with conditional use.

1. Form supplied by Zoning inspector and completed by applicant.
2. Site plan, plot plan and/or development plan of the entire property being considered, drawn to a reasonable scale and showing the location of all abutting streets, proposed structures, type of buildings and their uses, size of area involved, including that for parking and loading, and the proposed planting and landscaped areas.
3. All development features, including the principal buildings, open spaces, service road, driveways, and parking areas to encourage pedestrian and vehicular traffic safety on both public and private lands.
4. The architectural design outbuildings shall be developed with consideration given to the relationship of adjacent developments in terms of building mass, height, texture, materials, line and pattern character.
5. Maximum visual and auditory privacy for surrounding properties and occupants shall be provided through the design of the relationship among the buildings, fences and walls landscaping dividers, islands, and walkways.
6. Refuse storage and pickup facilities shall be indicated on the site plan and shall be fenced, screened, or landscaped to prevent the blowing or scattering refuse and to provide an adequate visual barrier from locations both on and off site.

7. Grading and surface drainage provisions shall be designated to minimize adverse effects on abutting properties, streams, and public streets and to minimize the possibility of erosion.
8. At such times as the site plan is submitted for approval, the contiguous and adjacent property owners shall be notified.
9. Complete plans and specifications for all proposed development and construction where appropriate, i.e., reclamation.
10. A statement supported by the substantiation evidence regarding the requirements enumerated in Section 903.

C. Site Plan Review

The Zoning Inspector shall review the proposed development of the submitted plans and specifications in terms of the standards established in this resolution and shall make recommendations to the Board within 10 days. Zoning Inspector may recommend denial without the public hearing to any applicants for a Conditional Zoning Certificate if said application does not contain the information as required in this Article.

1. Prior to the issuance of a Zoning Certificate, the Zoning Inspector and/or Board may seek expert advice or special studies to be made for input to its review of any plans or proposals submitted. Likewise, the applicant may be required to provide additional information or restudy all or part of the proposal, or to have additional studies done. The cost of securing expert advice or studies shall be borne by the developer/applicant. Funds for such advice or studies shall be placed on deposit with the Trustees upon the request of the Board.
2. The Zoning Inspector and/or Board may submit any or all site plans and proposals to the County Planning Commission, and/or any advisory or other committee of the County or Township for review and recommendations prior to action on any such plan. The Board shall consider all such recommendations if received within thirty (30) days of referral to said Board.
3. The Zoning Inspector and/or Board shall act on any site plan submitted under this section within sixty (60) days of the time of official submission to the Zoning Inspector or the Zoning Board of Appeals, or if requested, the person submitting a site plan may agree to a longer period of review.
4. In order to promote the orderly and appropriate development of the site plan consistent with the goals and objectives of the Township, the Zoning Inspector may encourage informal discussion by and with the applicant prior to formal submission of the site plan and application for a Zoning Certificate or Conditional Zoning Certificate.

D. Hearing

1. After adequate review and study of an application, the Board shall hold a public hearing within thirty (30) days after it receives an application for a Conditional Zoning Certificate submitted by an applicant through the Zoning Inspector. The Board shall hold public hearings after notification as in Section 1010 and after at least one (1) publication in a newspaper of general circulation in the Township at least ten (10) days prior to the date of the hearing. Such notice shall indicate the place, time and subject of the hearing.
2. Upon conclusion of the hearing procedures relative to the application and adequate review and study, the Board may issue a "Conditional Zoning Certificate."
3. The Board shall deny the application when information submitted by the applicant and/or presented at a public hearing fails to substantiate such findings to the satisfaction of the Board.

E. Revocation of Conditional Zoning Certificate

The breach of any condition, safeguard, or requirement shall automatically invalidate the certificate granted. Such violation shall be punishable as per Article XI, Section 1140.

F. No Application for a "Conditional Zoning Certificate" which has been denied wholly or in part by the Board shall be resubmitted until the expiration of two (2) years or more after such denial, except on grounds of newly discovered evidence or proof of changed conditions which would be sufficient to justify reconsideration as determined by the Board. Each reapplication shall be accompanied by a fee as required by Article III, Section 308.

G. The Conditional Zoning Certificate shall become void at the expiration of one (1) year after date of issuance unless construction is started or use changed.

902 Basis of Determination

In addition to the information required on the application form supplied by the Zoning Inspector, the Applicant shall be required to establish by clear and convincing evidence that the general standards of this Article and of this Resolution and the specific standards pertinent to each proposed use shall be met throughout the period of the proposed use. The Zoning Inspector and Board shall determine compliance or non-compliance and shall insure that the general standards and the specific standards and other terms of this Resolution pertinent to the proposed use shall be satisfied by the completion and operation of the proposed development.

903 General Standards for All Conditional Uses

A. The Board shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

1. Is in fact a conditional use as established under the provisions of the district Resolutions.
2. Will be in accordance with the general objectives, or with any specific objective, of the Township's Resolution.
3. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
4. Will not be hazardous or disturbing to the existing or future neighboring uses.
5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
7. Will not involve uses, activities, processes, material, equipment and property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
8. Will not result in destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

B. The Zoning Board of Appeals has no power to grant a conditional use for landfills.

904 Conformance with Approved Site Plans

All aspects of the development shall conform to the approved site plan. No injuries or offensive effects shall result from the development or operation of the proposed use. The control of effects, such as noise, smoke, dust, fumes, electrical interference, storage and disposal of waste shall meet accepted standards. It shall be a violation of this Resolution for any building or premises to be occupied or used prior to conformance with all applicable requirements of this Resolution and completion of all specifications of this section including, but not limited to, the required landscaping, drainage, parking area, road and driveway improvements according to the plans approved by the Zoning Inspector and/or Board. A performance bond or other financial

guarantee shall be placed on deposit with the Trustees, or as they may direct, to ensure that the landscaping, buffer strip, parking areas, private drive, drainage improvements, traffic controls, fences, walls, and activity areas, and all development items shall be installed, all in conformance with the approved plans.

905 Variance Procedures

Variations from the provisions and specifications of an approved site plan shall be made only upon the approval by the Board of the revised plans and specifications submitted under the provisions of Article VIII hereof.

906 Form of Approval for Projects

Where the Zoning Inspector and/or Board considers it necessary, in order to assure that a project will be developed consistent with the purposes of this Resolution, they may require or agree that the site plan(s) for a project be submitted indicating development in phases. They shall review the entire project for conformance with all applicable regulations in this Resolution and shall give preliminary approval to the entire project if it so conforms. However, they shall have the power to limit final approval or Conditional Zoning Certificates to one section or phase of the total development at a time. Approval of subsequent phases shall be given subject to the following:

1. Upon substantial compliance with the site plan(s) preliminary approval.
2. Upon conformance with all applicable regulations of this Resolution.
3. Upon a finding by the Zoning Inspector and/or Board that all preceding phases conform to all requirements of this Resolution, and conform to approved site plans including complete installation of improvements required in the approval of preceding phases, or, in lieu of complete installation, the submission of a performance bond or other financial guarantee acceptable to the trustees assuring that the improvements will be installed within one (1) year of the submission of said guarantee.

907 General Standards and Regulations Pertaining to Conditionally Permitted Uses

The Zoning Inspector and Board shall review the particular facts of the proposed use in terms of the following standards and the application shall substantiate to the satisfaction of the Board that the proposed development and use will meet the following general standards and regulations.

A. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use or development will not:

1. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area.

2. Be materially detrimental to the use, enjoyment, or valuation of the property or other persons located in the vicinity of the site or the community as a whole.
3. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare by being hazardous or disturbing to neighboring uses.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, and loading facilities, landscaping or other development features prescribed in this Resolution, or as otherwise required in order to integrate said use with the uses in the surrounding area.

C. The proposed site is adequately served by:

1. Highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate.
2. Essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, sanitary and water facilities or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately all such services.

D. In granting a Conditional Zoning Certificate the Board may prescribe the height limit, maximum lot coverage, or floor area ratios for the use approved. Where the Board fails to specify said height limit, maximum lot coverage or floor area ratio, the provisions applicable to the principal permitted use in the specific district shall be deemed to be so specified.

E. The Board in approving an application for a Conditional Zoning Certificate may impose such conditions as it deems necessary to ensure that such uses will be in accordance with the findings and that the use will meet the general and specific standards of this Resolution.

908 Sand and Gravel Extraction

Surface extraction of sand, gravel, and other earth materials may be permitted in the designated districts if the operation meets the following additional restrictions:

1. The total area proposed for extraction shall comprise no less than 10 acres.
2. Any permanent above-ground structures shall conform to the location, size and appearance limitations for the district in which the operation is located. Temporary structures shall be exempt from the location, size and appearance limitations provided that the structures are removed by the end of the extraction process.
3. No extraction of material shall take place nearer than 100 feet of horizontal distance from any street, highway or property line.

4. A green strip, with a minimum depth of 20 feet, shall be planted with grass and landscaped with a combination of shrubs and trees so as to shield the extraction operation from the adjacent property. The Board of Zoning Appeals shall have the discretion to waive this requirement for areas in which the terrain or other natural features serve the intended purpose.
5. The duration of the excavation operation shall last no more than 5 years from start to finish.
6. After the operation is complete, the area shall be planted with trees, shrubs and other vegetation in a manner that will prevent erosion. The Board of Zoning Appeals shall have the discretion to waive this requirement for areas in which the terrain or other natural features serve the intended purpose.
7. A plan evidencing the following items:
 - i. The actions which will be taken to conform to the restrictions set forth herein;
 - ii. The total property which will be excavated;
 - iii. The owner of the property;
 - iv. The name and contact information for the company that will run the operation;
 - v. A statement from a geologist confirming that the depth of excavation will not unreasonably disturb the existing water table;
 - vi. A map showing the plans for reclamation, and the proposed dates for completion; and
 - vii. A proposed schedule for each phase of the operation.
8. Any applicant shall file a bond payable to the Sandy Township Zoning Inspector in the amount of \$1,000 per acre for any portion of the land to be excavated. This bond shall be forfeited if the applicant fails to restore the land as set forth in this paragraph.
9. Equipment and trucks shall be operated no earlier than 7:00am and no later than 8:00pm, except on Sundays and Sandy Township observed holidays, when there shall be no equipment operations.

909 Nursing Home or Residential Care Facility

The operation of a Nursing Home or a Residential Care Facility shall be permitted in the designated districts if the operation meets the following additional restrictions:

1. The facility shall be located on a parcel of property no less than 2 acres in area.

2. All structures and activities shall be located at least 100 feet from the property line.
3. The density shall not exceed 25 patients per acre.
4. All refuse areas shall be enclosed.

910 Day Care Center

The operation of a Day Care Center shall be permitted in the designated districts if the operation meets the following additional restrictions:

1. The facility shall be located in a parcel of property no less than 1 acre.
2. The center shall secure a license to operate in accordance with Chapter 5104 of the Ohio Revised Code, or the law's successor, and display the license in a conspicuous location.
3. All refuse containers shall be enclosed.

911 Sexually Oriented Business

The operation of a Sexually Oriented Business shall only be permitted in the designated districts if the following additional restrictions are met with the purpose of regulating the health, safety and general welfare of the citizens of the Township:

1. No Sexually Oriented Business shall be located within 1,500 lineal feet of another Sexually Oriented Business, a religious institution, school, public park, or playground.
2. No Sexually Oriented Business shall be located within 1,000 lineal feet of a residential district.

912 Church/Place of Religious Worship

The operation of a Church or Place of Religious Worship shall be permitted in the designated districts if the operation meets the following additional restrictions:

1. The facility shall be located on a parcel containing at least 2 acres of land.
2. The building shall be located at least 50 lineal feet from any property line.
3. Any parking areas must be located at least 20 lineal feet from any property line.
4. Any access drive must be located at least 25 lineal feet from any property line, and no closer than 100 feet from any intersection.

5. All exterior lighting shall be directed toward the interior of the lot so as to minimize the light emission onto neighboring properties.
6. A Church or Place of Religious Worship is prohibited from providing boarding or lodging of any type.

913 School

The operation of a School shall be permitted in the designated districts if the operation meets the following additional restrictions:

1. The facility shall be located on a parcel containing at least 2 acres of land.
2. The building shall be located at least 50 lineal feet from any property line.
3. Any parking areas must be located at least 20 lineal feet from any property line.
4. Any access drive must be located at least 25 lineal feet from any property line, and no closer than 100 feet from any intersection.
5. All exterior lighting shall be directed toward the interior of the lot so as to minimize the light emission onto neighboring properties.
6. All refuse areas shall be enclosed.

914 Library, Museum and Community Center

The operation of a Library, Museum and Community Center shall be permitted in the designated districts if the operation meets the following additional restrictions:

1. The facility shall be located on a parcel containing at least 1 acre of land.
2. The building shall be located at least 30 lineal feet from any property line.
3. Any parking areas must be located at least 20 lineal feet from any property line.
4. Any access drive must be located at least 25 lineal feet from any property line, and no closer than 100 feet from any intersection.
5. All exterior lighting shall be directed toward the interior of the lot so as to minimize the light emission onto neighboring properties.
6. All refuse areas shall be enclosed.

915 Camp

The operation of a Camp shall be permitted in the designated districts if the operation meets the following additional restrictions:

1. The Camp shall be located on a parcel containing at least 10 acres of land.
2. Any building shall be located at least 100 feet from any property line.
3. The operations of the Camp shall not constitute a nuisance to the adjoining landowners.
4. All refuse containers shall be enclosed.

916 Adult Group Homes

The operation of an Adult Group Home shall be permitted in the designated districts if the operation meets the following additional restrictions:

1. The facility shall be located on a parcel containing at least 1 acre.
2. The facility shall maintain the exterior appearance of a single-family home.
3. All refuse areas shall be enclosed.

917 Drive-thru Facilities

Drive-thru lanes, and all pertinent structures associated with a drive-thru facility including speakers, windows, transaction sites, pneumatic tubes, lightening, cameras and overhangs, shall be permitted in the designated districts if the operation meets the following additional restrictions:

1. The facility shall be located on a parcel containing at least 2 acres.
2. The facility, and all driveways, shall be located at least 50 lineal feet from adjoining property line.
3. All exterior lighting shall be directed toward the interior of the lot so as to minimize the light emission onto neighboring properties.
4. All refuse areas shall be enclosed.

918 Wireless Communication Facilities

Wireless telecommunication facilities that include towers shall be permitted in the designated districts if the operation meets the following additional restrictions:

1. The name, address and telephone number of the owner, lessee and/or operator of the facility shall be disclosed to the Zoning Inspector.
2. The tower shall be no more than 200 feet in height.
3. Any additional buildings surrounding the facility shall conform to the normal district building requirements.
4. A security fence of at least 8 feet in height, with 5 strands of barbed wire across the top shall be constructed around the facility.
5. The tower should be painted in a color that minimizes its visibility, unless otherwise required by federal law.
6. The towers shall be designed and certified by an appropriately licensed professional to withstand winds of 90 miles per hour.
7. Signs shall be posted around the facility with a phone number of a person who can be reached in case of emergency.
8. No advertisement shall be allowed on or around towers on the facility.
9. In the event that the tower is unused for more than 6 months, the Township may declare the tower abandoned and provide notice of the same to the owner, lessee and operator. If the tower remains inactive for an additional 3 months, the Township will proceed to dismantle the facility and assess the costs to the owner, lessee and/or operator.
10. The facility shall be unattended on a daily basis, and shall only be visited on a periodic basis for inspection and necessary maintenance.

919 Cemeteries

The operation of a Cemetery shall be permitted in the designated districts if the operation meets the following additional restrictions:

1. The Cemetery shall be located on a parcel containing at least 5 acres.
2. All graves and burial plots shall be located at least 50 feet from any property line.
3. All buildings and structures, including mausoleums and maintenance garages, shall be located at least 100 feet from any property line.

4. The facility, and all driveways, shall be located at least 50 lineal feet from adjoining property line.
5. All cemeteries that are privately owned shall demonstrate to the Township Board of Zoning Appeals that there is adequate administration and financial capacity to ensure perpetual maintenance and operation of the cemetery.

920 Fuel and Auto Service Stations

The operation of a Fuel and Auto Service Stations shall be permitted in the designated districts if the operation meets the following additional restrictions:

1. The Station shall be located on a lot containing at least 2 acres.
2. The Station shall have no less than 100 feet of frontage on any street in which there will be a driveway. In the event that the Station is located on a lot with access to more than one street, the driveways must be located as far from the intersection as is practically possible.
3. The fuel containers shall be located at least 30 feet from any property line.
4. The Station shall be in compliance with all state and federal environmental laws and regulations.
5. All activities, except fueling, shall take place inside of a building. This includes the sale of products and services.
6. It shall be permissible to construct a canopy over the fueling portions of the Station, provided that the total height does not exceed the height limitation for structures in the applicable district.
7. All refuse areas shall be enclosed.

921 Self-Storage Facility

The operation of a Self-Storage Facility shall be permitted in the designated districts if the operation meets the following additional restrictions:

1. Any access to the Facility shall be located at least 20 feet from any property line.
2. All items shall be stored inside of a structure.
3. The total height of any structure on the Facility shall not exceed the height limitation for structures in the applicable district.

4. All exterior lighting shall be directed toward the interior of the lot so as to minimize the light emission onto neighboring properties.

ARTICLE X

AMENDMENT

SECTIONS 1000 - 1014

ARTICLE X

AMENDMENT

1000 Procedure for Amendments or District Changes

This Resolution may be amended by utilizing the procedures specified in Sections 1001-1014, inclusive, of this Resolution.

1001 General

Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Board of Township Trustees may by Resolution, after receipt of recommendation thereon from the Zoning Commission, and subject to the procedures provided by law, amend, supplement, change or repeal the regulations, restrictions, and boundaries or classification of property.

1002 Initiation of Zoning Amendments

Amendments of this Resolution may be initiated in one of the following ways:

1. By adoption of a motion by the Zoning Commission;
2. By adoption of a Resolution by the Board of Township Trustees;
3. By the filing of an application by at least one (1) owner or lessee of property located in the area proposed to be changed or affected by said amendment.

1003 Contents of Application for Official Zoning District Map Amendment

Applications for amendments to the Official Zoning District Map adopted as part of this Resolution by Article 4 shall contain at least the following information:

1. The name, address, and telephone number of applicant;
2. The proposed amending Resolution, approved as to form by the County Prosecutor;
3. A statement of the reason(s) for the proposed amendment;
4. Present use;
5. Present zoning district;
6. Proposed use;

7. Proposed zoning district;
8. A vicinity map at a scale approved by the Zoning Inspector showing property lines, thoroughfares, existing and proposed zoning, and such other information as the Zoning Inspector may require;
9. A list of all property owners and their mailing addresses who are within, contiguous to, or directly across the street from the parcel(s) proposed to be rezoned and others who may have a substantial interest in the case, except that addresses need not be included where more than ten (10) parcels are to be rezoned;
10. A statement on the ways in which proposed amendment relates to the comprehensive plan, if any;
11. A fee as established by Resolution of the Board of Township Trustees.

1004 Contents of Application for Zoning Text Amendment

Application for amendments proposing to change, supplement, amend, or repeal any portion(s) of this Resolution, other than the Official Zoning District Map, shall contain at least the following information:

1. The name, address, and phone number of the applicant;
2. The proposed amending Resolution, approved as to form by the County Prosecutor;
3. A statement of the reason(s) for the proposed amendment;
4. A statement explaining the ways in which the proposed amendment relates to the comprehensive plan;
5. A fee as established by Resolution of the Board of Township Trustees.

1005 Transmittal to Zoning Commission

Immediately after the adopting of a Resolution by the Board of Township Trustees or the filing of an application by at least one (1) owner or lessee of property, said Resolution or application shall be transmitted to the Commission.

1006 Submission to County or Regional Planning Commission

Within five (5) days after the adoption of a motion by the Commission, transmittal of a Resolution by the Board of Township Trustees, or the filing of an application by at least one (1) owner or lessee, the Zoning Commission shall transmit a copy of such motion, resolution, or

application, together with the text and map pertaining to the case in question, to the County or Regional Planning Commission. The County or Regional Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit such recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission.

1007 Submission to Director of

Before any zoning amendment is approved affecting any land within three hundred (300) feet of the centerline of a proposed new highway or highway for which changes are proposed as described in the certification to local officials by the Director of Transportation, or within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Commission shall give notice, by registered or certified mail, to the Director of Transportation. The Zoning Commission may proceed as required by law; however, the Board of Township Trustees shall not approve the amendment for one hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Board of Township Trustees that he shall proceed to acquire the land needed, then the Board of Township Trustees shall refuse to approve the rezoning. If the Director of Transportation notifies the Board of Township Trustees that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the Board of Township Trustees shall proceed as required by law.

1008 Public Hearing by Zoning Commission

The Zoning Commission shall schedule a public hearing after the adoption of their motion, the transmittal of a Resolution from the Board of Township Trustees, or the filing of an application for zoning amendment. Said hearing shall be not less than twenty (20) days nor more than forty (40) days from the date of adoption of such motion, transmittal of such Resolution, or filing of such application.

1009 Notice of Public Hearing in Newspaper

Before holding the public hearings as required in Section 1008, notice of such hearing shall be given by the Zoning Commission by at least one (1) publication in one (1) or more newspapers of general circulation in the Township at least ten (10) days before the date of said hearing. This notice shall set forth the time and place of the public hearing, the nature of the proposed amendment, and a statement that after the conclusion of such public hearing the matter will be referred to the Board of Township Trustees for further determination.

1010 Notice to Property Owners by Zoning Commission

If the proposed amendment intends to rezone or redistrict ten (10) 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 ten (10) days before the date of the public hearing, to all owners of property within, contiguous to, and directly across the thoroughfare from such area proposed to

be rezoned or redistricted to the address 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 Township Trustees. The failure to deliver the notice, as provided in this section, shall not invalidate any such amendment. The notice shall contain the same information as required of notices published in newspapers as specified in Section 1009.

1011 Recommendation by Zoning Commission

Within thirty (30) days after the conclusion of the public hearing required by Section 1008, the Zoning Commission shall recommend to the Board of Township Trustees that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be not granted. The written decision of the Zoning Commission shall indicate the specific reason(s) upon which the recommendation is based, to include the basis for their determination that the proposed amendment is or is not consistent with the comprehensive plan.

1012 Public Hearing by Board or Township Trustees

Within thirty (30) days from the receipt of the recommendation of the Zoning Commission, the Board of Township Trustees shall hold a public hearing. Notice of such public hearing in a newspaper of general circulation shall be given by the Board of Township Trustees as specified in Section 1009.

1013 Action by Board of Township Trustees

Within twenty (20) days after the conclusion of the public hearing required by Section 1012, the Board of Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. In the event the Board of Township Trustees denies or modifies the recommendation of the Commission, the unanimous vote of the Board of Township Trustees is required.

1014 Effective Date and Referendum

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

No amendment for which such referendum vote has been requested shall be put into effect unless a majority of the votes cast on the issue is in favor of the amendment. Upon certification by the Board of Elections of Tuscarawas County that the amendment has been approved by the voters it shall take immediate effect.

ARTICLE XI

ENFORCEMENT

SECTIONS 1100 - 1117

ARTICLE XI
ENFORCEMENT

1100 General

This article stipulates the procedures to be followed in obtaining permits, certificates, and other legal or administrative approvals under this Resolution.

1100 Zoning Certificates Required

No building or other structure shall be erected, moved, added to, structurally altered, nor shall any building, structure, or land be established or changed in use without a certificate therefor, issued by the Zoning Inspector. Zoning Certificates shall be issued only in conformity with the provisions of this Resolution.

1102 Contents of Application for Zoning Certificate

The application for Zoning Certificate shall be made in writing and be signed by owner or lawful applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the certificate shall expire and may be revoked if work has not begun within one (1) year or substantially completed within two (2) years. At a minimum, the application shall contain the following information and be accompanied by all required fees:

1. Name, address, and phone number of applicant;
2. Legal description of property;
3. Existing use;
4. Proposed use;
5. Zoning district;
6. Plans in duplicate drawn to scale, showing the actual dimensions and the shape of the lot to be built upon, the exact size and location of existing buildings on the lot, if any; and the location and dimensions of the proposed building(s) or alteration;
7. Building heights;
8. Number of off-street parking spaces or loading berths, and their layout;
9. Location and design of access drives;
10. Number of dwelling units;

11. If applicable, application for a sign permit or a conditional, special, or temporary use permit, unless previously submitted;
12. Such other documentation as may be necessary to determine conformance with, and to provide for the enforcement of, this Resolution.

1103 Approval of Zoning Certificate

Within thirty (30) days after the receipt of an application, the Zoning Inspector shall either approve or disprove the application in conformance with the provisions of this Resolution. All Zoning Certificates shall, however, be conditional upon the commencement of work within one year. One copy of the plans shall be returned to the applicant by the Zoning Inspector, after the Zoning Inspector shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. One copy of plans, similarly marked, shall be retained by the Zoning Inspector. The Zoning Inspector shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the activity is in conformance with the provisions of this Resolution.

Prior to issuing a Zoning Certificate within or near the Flood Easement District, the Zoning Inspector shall require written acknowledgment from the U.S. Army Corps of Engineers that a proposed building site or fill location is not subject to a flood easement.

1104 Expiration of Zoning Certificate

If the work described in any Zoning Certificate has not begun within one year from the date of issuance thereof, said Certificate shall expire; it shall be revoked by the Zoning Inspector; and written notice thereof shall be given to the applicants. If the work described in any Zoning Certificate has not been substantially completed within two (2) years of the date of issuance thereof, said Certificate shall expire and be revoked by the Zoning Inspector, and written notice thereof shall be given to the applicants, together with notice that further work as described in the canceled Certificate shall not proceed unless and until a new Zoning Certificate has been obtained or an extension granted.

1105 Certificate of Occupancy

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure, until a Certificate of Occupancy shall have been issued thereof by the Zoning Inspector stating that the proposed use of the building or land conforms to the requirements of this Resolution. The issuance of a Certificate of Occupancy in no way relieves the recipient from compliance with all requirements of this Resolution and other regulations.

1106 Temporary Certificate of Occupancy

A Temporary Certificate of Occupancy may be issued by the Zoning Inspector for a period not exceeding six (6) months during alterations or partial occupancy of a building pending its completion. If the Certificate of Occupancy is to be extended, it must be in consecutive 6 month increments. At end of the 6 month extension, another Temporary Certificate of Occupancy will not be issued unless the property has been vacated for at least 6 month period. The Temporary Certificate of Occupancy will have a fee for each 6 month increment.

1107 Record of Zoning Certificates and Certificates of Occupancy

The Zoning Inspector shall maintain a record of all certificates issued pursuant to this Resolution, and copies shall be furnished, upon request and upon payment of the established fee to any person.

1108 Failure to Obtain a Zoning Certificate or Certificate of Occupancy

Failure of owner, lessee, or agent to obtain a Zoning Certificate or Certificate of Occupancy shall be a punishable violation of this Resolution.

1109 Construction and Use to be as provided in Applications, Plans, and Certificates

Zoning Certificates or Certificates of Occupancy issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use, and arrangement, set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction. Use, arrangement, or construction contrary to that authorized shall be deemed a punishable violation of this Resolution.

1110 Complaints Regarding Violations

Whenever a violation of this Resolution occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Inspector. The Zoning Inspector shall record properly such complaint, immediately investigate it, and take action thereon as provided by this Resolution.

1111 Entry and Inspection of Property

The Zoning Inspector is authorized to make inspections of properties and structures in order to examine and survey the same, at any reasonable hour, for the purpose of enforcing the provisions of this Resolution. Upon request the Zoning Inspector shall show his or her credentials before entering the property.

1112 Stop Work Order

Subsequent to his determination that work is being done contrary to this Resolution, the Zoning Inspector shall write a stop work order and post it on the premises involved. Removal of a stop work order, except by the order of the Zoning Inspector, shall constitute a punishable violation of this Resolution.

1113 Zoning Certificate Revocation

The Zoning Inspector may issue a revocation notice to revoke a certificate or administrative approval which is issued contrary to this Resolution or based upon false information or misrepresentation in the application.

1114 Notice of Violation

1. Whenever the Zoning Inspector or his agent determines that there is a violation of any provision of this Resolution, a notice of violation shall be issued. Such notice of violation shall:
 - a. Be in writing
 - b. Identify the violation;
 - c. Include a statement of the reason or reasons why it is being issued and refer to the sections of this Resolution being violated;
 - d. State the time by which the violation shall be corrected.
2. Service of notice of violation shall be as follows:
 - a. By personal delivery to the person or persons responsible, or by leaving the notice at the usual place of residence of the owner with a person of suitable age and discretion; or
 - b. By certified mail deposited in the United States Post Office addressed to the person or persons responsible at a last known address. If a certified mail envelope is returned with endorsement showing that the envelope is unclaimed, then service shall be sent by ordinary mail, and the mailing shall be evidenced by a certificate of mailing which shall be filed by the Zoning Inspector. Service shall be deemed complete when the fact of mailing is entered of record, provided that the ordinary mail envelope is not returned by the postal authorities with an endorsement showing failure of delivery; or
 - c. By posting a copy of the notice of violation in a conspicuous place on the premises found in violation.

1115 Ticketing Procedure

If, upon re-inspection following the issuance of a notice of violation, the condition has not been corrected, the person or persons responsible shall be issued a ticket. Such ticket shall:

1. Be served personally;
2. Be in writing;
3. Identify the violation;
4. State the time, date and place for appearance in court;
5. State the amount of the fine payable in lieu of a court appearance.

If the ticket cannot be served personally, the Zoning Inspector shall request that a summons be issued by the Court.

1116 Penalties and Fines

It shall be unlawful to erect, establish, locate, construct, reconstruct, enlarge, change, convert, move, repair, maintain, or structurally alter any building, structure or land in violation of any provision of this Resolution or any amendment thereto. Any persons, including a firm or corporation, who violates this Resolution or fails to comply with any of its requirements shall upon conviction thereof be fined not more than five hundred dollars (\$500.00) and in addition shall pay all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice shall be considered a separate offense. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person, who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

1117 Additional Remedies

Nothing in this Resolution shall be deemed to abolish, impair or prevent other additional remedies as provided by law. In the event of a violation of any provision or requirement of this Resolution, or in the case of an imminent threat of such a violation, the Zoning Inspector, the Prosecuting Attorney, the township attorney, or the owner of any neighboring property who would be especially damaged by such violation, may, in addition to other recourse provided by law, institute declaratory judgment mandamus, injunction, abatement, or other appropriate civil actions to prevent, remove, abate, enjoin, or terminate such violation.

1118 Sandy Township Service Fees for Zoning

Single Family Dwelling	\$75.00
Residential Additions & Storage Sheds Under \$15,000.00	45.00
Residential Additions & Storage Sheds Over \$15,000.00	60.00
Sheds and Play Houses under \$2,500.00	30.00
Swimming Pools	75.00
Pond and Lakes	45.00
6 Month Temporary Certificate of Occupancy	75.00

INDUSTRIAL/COMMERCIAL RATES

Building Under \$10,000.00	\$75.00
Building Over \$10,000.00	\$75.00 Plus \$5.00 per \$5,000.00 Not to Exceed \$375.00
Business Signs	30.00
Advertising Signs	60.00
All Variances	75.00
Zoning Change	150 .00
*Plus costs incurred due to request such as legal ads, New map, postage & misc. expenses	
All Change of Use and Non-Conforming Use	45.00
Purchase Zoning Resolution Book	20.00
*Plus Postage Costs if Applicable	

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