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DOVER TOWNSHIP ZONING RESOLUTION
UNION COUNTY, OHIO

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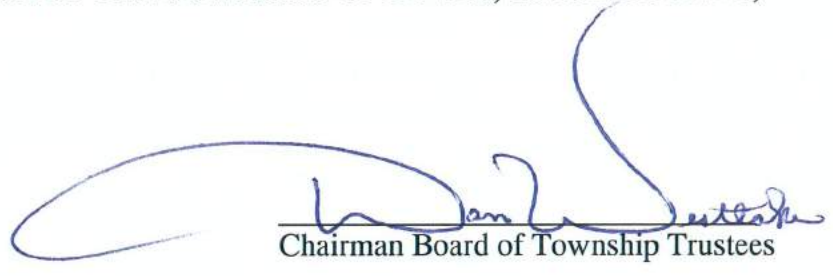
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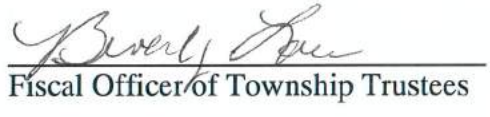
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THIS IS TO CERTIFY THAT THIS IS THE OFFICIAL SCHEDULE OF DISTRICT REGULATIONS REFERRED TO IN SECTION 410 AND ARTICLE V OF THE ZONING RESOLUTION OF THE TOWNSHIP OF DOVER, UNION COUNTY, OHIO.

03/07/2022
Date of Adoption


Chairman Board of Township Trustees


Fiscal Officer of Township Trustees

DOVER TOWNSHIP ZONING RESOLUTION

UNION COUNTY, OHIO

A Resolution of Dover Township, Union County, Ohio enacted in accordance with a comprehensive plan and the provisions of Chapter 519, Ohio Revised Code, and for the purpose of protecting the public health, safety, comfort, convenience and general welfare; dividing the unincorporated portion of the townships into zones and districts, encouraging, regulating and restricting therein the location, construction, reconstruction, alteration and use of structures and land; promoting orderly development of the residential, business, industrial recreational and public areas; providing for adequate light, air and convenience of access to property by regulating the use of land and buildings and the bulk of structures in relationship to surrounding properties; limiting congestion in the public right-of-ways; providing the compatibility of different land uses and the most appropriate use of land; providing for the administration of this Resolution and defining the powers and duties of the Administrating Officers as provided hereinafter and prescribing penalties for the violation of the provisions in this Resolution or any amendment thereto; and for the repeal. Be it resolved by the Trustees of Dover Township, Union County, Ohio:

Therefore be it resolved by the Board of Trustees of Dover Township, Union County, Ohio:

ARTICLE I TITLE OF RESOLUTION

SECTION 100 TITLE: This Resolution shall be known and may be cited and referred to as the “Zoning Resolution of the Township of Dover, Union County, Ohio.”

ARTICLE II ESTABLISHMENT OF DISTRICTS

SECTION 200 DISTRICT TYPES: The township is hereby divided into four districts as follows; Rural District, Low Density Residential District, Local Business District and Heavy Manufacturing District.

SECTION 210 RURAL DISTRICT (U-1): The intention of the Rural District is to provide land which is suitable or used for Agriculture, Conservation, Very Low Density Residence and Public and Quasi-public purpose. Very Low Density Residential Land use refers to farm housing units and isolated residential

developments not requiring a plat under subdivision regulations. Some residential, commercial and industrial development may be permitted as Conditional Uses under Section 601 and as Planned Unit Development under Article VI. On-site water and sewer facilities are permitted, provided such facilities comply with the County Health Regulation. Agritourism as a conditional use.

SECTION 220 LOW DENSITY RESIDENTIAL DISTRICT (R-1): The purpose of the Low Density Residential District is to provide land for single-family housing units not to exceed three dwellings per acre. Group or central water and/or sewer facilities may be required. Agritourism as a conditional use.

SECTION 260 LOCAL BUSINESS DISTRICT (B-2): THE PURPOSE OF THE Local Business District is to provide land for small retail and personal service establishments offering convenience-type goods and services for the daily needs of the people in the immediate area. Residential use may be permitted. Mobile homes individually are a conditional use. Agritourism as a conditional use.

SECTION 290 HEAVY MANUFACTURING DISTRICT (M-2): The purpose of the Heavy Manufacturing District is to provide land for major or minor manufacturing, processing, storage, warehousing, research and testing establishments which require relatively large sites, and ready access to regional transportation facilities. Residential development may be permitted as a conditional use. Agritourism as a conditional use.

ARTICLE III – PROVISION FOR OFFICIAL ZONING MAP

SECTION 300 OFFICIAL ZONING MAP: The districts established in Section 200 of this Resolution are shown on The Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be part of this Resolution.

SECTION 310 IDENTIFICATION OF THE OFFICIAL ZONING MAP: The Official Zoning Map shall be identified by the signature of the Chairman of the Board of Township Trustees, attested by the Township Clerk under the following words: “This is to certify that this is The Official Zoning Map referred to in Section 300 of the Zoning Resolution of the Township of Dover, Union County, Ohio,” together with the date of the adoption of this Resolution.

SECTION 320 RECORDING CHANGES IN THE OFFICIAL ZONING MAP: If in accordance with the provisions of this Resolution and Chapter 519 Ohio Revised Code, changes are made in district boundaries or other matters portrayed on The Official Zoning Map, such changes shall be entered on The Official Zoning Map promptly after the amendment has been approved by the Board of

Township Trustees with at least a 2/3 vote, with an entry on The Official Zoning Map indicating the Resolution number, if any, and the date of adoption.

SECTION 330 REPLACEMENT OF THE OFFICIAL ZONING MAP: In the event that The Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the Board of Township Trustees may adopt by Resolution a New Official Zoning Map which shall supersede the prior Official Zoning Map. The New Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have effect of amending the original Official Zoning Map or any subsequent amendment thereof. The New Official Zoning Map shall be identified by the signature of the chairman of the Board of Trustees, attested by the Clerk under the following words: “This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted (DATE) as part of the Zoning Resolution of the Township of Dover, Union County, Ohio”.

SECTION 340 PRESERVING RECORDS: Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map and/or significant parts thereof remaining shall be preserved, together with all available records pertaining to its adoption or amendment.

SECTION 350 INTERPRETATION OF DISTRICT BOUNDARIES: Where uncertainty exists with respect to the boundaries of any of the Zoning Districts as shown on the Zoning Map, the following rules shall apply.

1. Where District Boundaries are indicated as approximately following the center lines of streets or highways, street lines, or highway right-of-way lines shall be construed to be such 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.
2. Where District Boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or center lines or right-of-way lines of highways, such District Boundaries shall be construed as being parallel thereto and at such distance there from as indicated on the Zoning Map. If no disturbance is given, such dimension shall be determined by the use of the scale shown on the Official Zoning Map.

ARTICLE IV DISTRICT REGULATIONS

SECTION 400 COMPLAINEE WITH REGULATIONS: Except where limited by this Resolution, the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such structures are located are exempt from this Resolution and no Zoning Certificate is required.” That is because the Resolution does limit agriculture to the extent allowed by the ORC in the next section (Section 405) – the limitations impact lots not greater than five acres.

1. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, moved or structurally altered except in conformity with all of the Resolutions herein specified for the district in which it is located. The use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such structures are located are exempt from this Resolution and no Zoning Certificate is required.
2. No building or other structure shall hereafter be erected or altered:
 - (A) To exceed the height or bulk,
 - (B) To occupy a greater percentage of lot area, and
 - (C) To have narrower or smaller rear yards, front yards, side yards, or other open spaces. Herein required; or in any other manner 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 established by this Resolution.

SECTION 405 LOCATION AND REGULATIONS OF AGRICULTURAL USE: In any platted subdivision approved under Section 711.03, 711.09, 711.10 of the Revised Code, or in any area consisting of 15 or more lots approved under Section 711.131 of the Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road:

(A) Agriculture is regulated in the following manner:

On lots of one acre or less, agriculture may be permitted as a Conditional Use.

(B) On lots greater than one acre but not greater than five acres, buildings or structures

incident to the use of land for agriculture purposes are regulated as follows:

Setback Building Lines: Same as for principal structure in the same district as to front, sides, and back.

Height: Twenty (20) feet maximum

Size: Maximum of 1000 square feet (outside measurement)

(C) On lots greater than one acre but not greater than five acres, dairying and animal and poultry husbandry are regulated as follows, on at least 35% of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured homes under Section 4503.06 of the Revised Code; and after 35% of the lots are so developed, dairying and animal and poultry husbandry shall be considered nonconforming use of land and buildings or structures pursuant to Section 519.19 of the Revised Code.

The aforementioned Resolution confers no power on any Township Zoning Commission, Board of Township Trustees, or Board of Zoning Appeals to regulate agriculture, buildings or structures, in dairying and animal and poultry husbandry on lots greater than five acres.

SECTION 410 SCHEDULE OF DISTRICT REGULATIONS ADOPTED:
District Regulations shall be as set forth in the Official Regulations, hereby adopted by reference and declared to be part of this Resolution, and in Article V of this Resolution, entitled "SUPPLEMENTARY DISTRICT REGULATIONS".

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

TOWNSHIP OF DOVER, UNION COUNTY, OHIO

ZONING DISTRICT: (U-1 Rural District)

PERMITTED USES: Agriculture, Very Low Density Residence, Animal Hospital, Clinic, Kennel, Public Use and Quasi-Public Use, Swimming Pools with approval of the Dover Twp. Zoning Inspector.

CONDITIONAL USES: (Permitted upon issuance of a conditional permit by the Board of Zoning Appeals). Public Service Facility, Service Business, Home Occupations, Low Density Residence, Medium Density Residence, Commercial Recreation, Mineral Extractions, Light and Heavy Manufacturing, Junk Storage and Sales, Dwelling (Housing), Manufactured (Mobile Homes) Individually, and Dwelling (Housing), Manufactured (Mobile Home) Parks, Commercial Storage Business Unit, Agritourism.

PROHIBITED USES: Adult Bookstores; Adult Cabarets; Adult-oriented business.

PLANNED UNIT DEVELOPMENT: (Permitted upon approval by the Zoning Commission and issuance of certification by the Zoning Appeals) Residential, Commercial, Industrial, Public and Quasi-public uses individually or in combination.

LOT, MINIMUM AREA 100% OF: (Square feet per household)
100% buildable lot size with on-site sewage-40,000/150' frontage/width.
With group or central sewage-10,800/80' frontage/width.
No lot containing ten (10) acres or less shall have an average depth that is more than three (3) times its average width.

MAXIMUM PERCENTAGE OF LOT TO BE OCCUPIED: (Principal and accessory building) 25 percent.

MINIMUM FLOOR AREA: (Square feet)
1,200 FOR CONVENTIONAL HOUSING; 1,200 for manufactured homes.

MAXIMUM HEIGHT OF PRINCIPAL BUILDING:
Stories: 2 ½
Feet: 35'

MINIMUM YARD DIMENSIONS: (Feet)
Front: 50'
Rear: 40'
One side yard: 5'

Sum of side yards: 10'

ACCESSORY BUILDINGS:

Maximum height: 20' at the peak of the roof

Minimum distance in feet to side lot line: 5'

Minimum distance in feet to rear lot line: 5'

MINIMUM OFF-STREET PARKING SPACE: One unit for each family housing unit.

SIGNS PERMITTED: Yes, under Article VIII.

OTHER PROVISIONS AND REQUIREMENTS: (Supplementary Regulations, Notes, Etc.) Use of land or buildings for agricultural purposes is not affected by this Resolution and no Zoning Certificates shall be required for any such building or structure or use of land.

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

TOWNSHIP OF DOVER, UNION COUNTY, OHIO

ZONING DISTRICT: (R-1 LOW DENSITY RESIDENTIAL DISTRICT)

PERMITTED USES: Single Family Housing, Public and Quasi-public Uses, Home Occupation. Swimming Pools or Portable/Inflatable Pools are permitted with the approval of the Dover Township Zoning Inspector.

CONDITIONAL USES: (Permitted upon issuance of a Conditional Use permit by the Board of Zoning Appeals) Noncommercial Recreation, Service Business, Telecommunication Tower, Commercial Storage Business Unit, Agritourism.

PROHIBITED USES: Adult Bookstores; Adult Cabarets; Adult-oriented business, Billboard Signs.

PLANNED UNIT DEVELOPMENT: (Permitted upon approval by the Zoning Commission and issuance of certificate by the Board of Zoning Appeals) Residential, Commercial, Public and Quasi-public uses individually or in combination.

RESIDENTIAL SUBDIVISION PLATS:

The following standards shall apply to all new residential subdivision plats having six (6) or more lots within this zoning district. (The words “Plat” and “Subdivision” shall have the same meaning as defined in ORC 711.001.) This regulation is intended to provide park and recreation facilities for the community, provide passive and active recreation opportunities, to preserve open space and sensitive natural areas, and to control the density of population.

1. The developer of any platted residential subdivision within this zoning district shall dedicate a minimum of 10% of the gross acreage of the property to permanent open space to be used by the residents of the development.
 - a. Manmade structures in which water is impounded by constructing a dam or embankment or by excavating a pit ponds are permitted within open space areas, but the area comprising these structures shall not be counted as part of the 10% permanent open space; this includes retention basins but does not include detention basins or bio-swales design for short-term storm water containment.
 - b. Private yards, street right-of-ways, and open parking areas and driveways shall not be counted as part of the 10% permanent open space.

LOT, MINIMUM AREA 100% OF: (Square feet per household)

100% Buildable lot size for single family with on-site sewage-40,000/150' frontage/width.

Single family with group or central sewage-14,520/100' frontage/width

No new multi-family dwellings are permitted.

No lot shall have an average depth that is more than 3 times its average width.

MAXIMUM PERCENTAGE OF LOTS TO BE OCCUPIED: (Principal and Accessory Building) 25 percent.

MINIMUM FLOOR AREA: (Square Feet)

1,450 for all single family houses. No new multi-family dwellings are permitted.

MAXIMUM HEIGHT OF PRINCIPAL BUILDING:

Stories: 2 ½

Feet: 35'

MINIMUM YARD DIMENSIONS: (Feet)

New Lot: Front-35'

Rear-40'

One Side Yard-5'

Sum of Side Yards-10'

Old Lot: Same as nearest adjoining residential structures.

ACCESSORY BUILDINGS:

Maximum Height: 15' at the peak of the roof

Minimum Distance in feet to side lot line: 5'

Minimum Distance in feet to rear lot line: 5'

SIGNS PERMITTED: Yes, under article VIII.

OTHER PROVISIONS AND REQUIREMENTS: (Supplementary Regulations, Notes, Etc.)

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

TOWNSHIP OF DOVER, UNION COUNTY, OHIO

ZONING DISTRICT: (B-2 LOCAL BUSINESS DISTRICT)

PERMITTED USES: Business Convenience-type Retail, Personal Service, Offices, Public and Quasi-public Uses, Service Business, Eating Establishments, Residential. Swimming Pools or Portable/Inflatable Pools are permitted with the approval of the Dover Township Zoning Inspector, Commercial Storage Business Unit, Billboard Signs minimum 50 Sq. Ft.

CONDITIONAL USES: (Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals) Public Service Facility, Dwelling (House), Manufactured (Mobile Homes) individually. Internet Sweepstakes Cafes or Gaming Establishments, Agritourism.

PROHIBITED USES: Adult Bookstores; Adult Cabarets; Adult-oriented business.

PLANNED UNIT DEVELOPMENT: (Permitted upon approval by the Zoning Commission and issuance of certificate by the Board of Zoning Appeals) Residential, Commercial, Public and Quasi-public uses individually or in combination.

MINIMUM LOT SIZE: (Square Feet per establishment)
With on-site sewage—40,000 for new established lots
With group or central sewage—none
No lot shall have an average depth that is more than 3 times its average width.

MINIMUM WIDTH FRONTAGE LOT:

With on-site sewage—85'
With central sewage—none

MAXIMUM PERCENTAGE OF LOTS TO BE OCCUPIED: (Principle and Accessory Buildings) 50 percent

MINIMUM FLOOR AREA: (Square Feet)

1,200 for all Single Family Houses
1,200 for Manufactured Homes

MINIMUM YARD SETBACK DIMENSIONS: (Feet)

Front-30'

Rear-30'
One Side Yard-5'
Sum of Side Yards-10'

ACCESSORY BUILDINGS:

Maximum Height: 15' at the peak of the roof
Minimum Distance in feet to side lot line-5'
Minimum Distance in feet to rear lot line-5'

MINIMUM OFF-STREET PARKING SPACE: One space for each 200 square feet of retail or service floor area.

SIGNS PERMITTED: Yes, under article VIII.

OTHER PROVISIONS AND REQUIREMENTS: (Supplementary Regulations, Notes, Etc.) Non-Residential use cannot be conducted closer than 40 feet from any Residential District.

PERMIT:

- A. No building shall be erected, constructed or developed and no building or premises shall be reconstructed, remodeled arranged for use or used for an Internet Sweepstakes Café or Gaming Establishment unless authorized by the issuance of a Conditional Use Permit granted by the Dover Township Board of Zoning Appeals.

RESTRICTIONS:

- A. No more than twelve (12) Computerized or Sweepstakes Gaming Devices per establishment per 100 sq. ft. allowing two (2) parking spaces per machine.
- B. Persons entering an Internet Sweepstakes Café or Gaming Establishment must be twenty-one (21) years of age or older.
- C. No alcoholic beverages are permitted at an Internet Sweepstakes Café or Gaming Establishment.
- D. No Internet Sweepstakes Café or Gaming Establishment shall be permitted in a location which is within a 500 foot radius of a residential or agricultural zoned district. The distance shall be measured by radius from the closest property line of the proposed Internet Sweepstakes Café or Gaming Establishment to the closest property line of the prohibitive use class.
- E. No internet Sweepstakes Café or Gaming Establishment shall be permitted in a location which is within 500 feet of another Internet

Sweepstakes Café or Gaming Establishment. The distance shall be measured by radius from the closest property line of the proposed Internet Sweepstakes Café or Gaming Establishment to the closest property line of the existing Internet Sweepstakes Café or Gaming Establishment.

- F. No Internet Sweepstakes Café or Gaming Establishment shall be permitted in a location which is within 500 feet of a church, public or private school, park or playground, any social services facility, state licensed daycare facility or neighborhood center.

SIGNAGE:

- A. No signs shall be permitted to flash, blink, scroll, or involve any type of animation or movement. All signage must comply with Article VIII (Signs and Advertising) of the Dover Township Zoning Resolutions.

PARKING:

- A. Minimum of one parking space for each fifty (50) square feet of gross floor area.

LIGHTING:

- A. All outside lighting shall be shielded and directed away from adjacent properties.

RETAIL FOOD SALES:

- A. All food and beverage sales shall be in conformance with Union County Health District Regulations. A copy of the approved food permit shall be provided to Dover Township upon application for a conditional use permit. An annual report shall be provided to Dover Township.

SEPTIC CAPACITY:

- A. Any location not serviced by sanitary sewers must undergo an evaluation by the Union County Health District to determine if the septic system is adequate for the proposed facility. A copy of the sanitary evaluation shall be provided to Dover Township when the conditional use permit is applied for.

INSPECTION AND PERMIT REVOCATION:

- A. Dover Township reserves the right to review the facilities of any Internet Sweepstakes Café or Gaming Establishment operating in the Township.
- B. Dover Township reserves the right to revoke the Conditional Use Permit of any and all Internet Sweepstakes Café or Gaming Establishment for any of the following reasons:

1. An applicant who gives false or misleading information in their application or in a document or diagram related to the operation of an Internet Sweepstakes Café or gaming Establishment.
2. An applicant or employee has knowingly allowed possession, use, or sale of controlled or illegal substances on the premises.
3. An applicant or employee knowingly operated an Internet Sweepstakes Café or Gaming Establishment during a period of time when the applicant's Conditional Use Permit was suspended.
4. An applicant has been convicted or pleads guilty to an offense or violation of Chapter 2915 of the Ohio Revised Code or any violation of the resolution or of any other ordinance or state law equivalent to any offense contained in Chapter 2915.
5. An applicant or employee has knowingly allowed gambling activities prohibited by section 2915.02 of the Ohio Revised Code to occur in or on the Conditional Use premises. The term gambling shall have the same meaning as it is defined in the Ohio Revised Code section 2907.02.
6. An applicant is delinquent in payment to Union County or Dover Township of any taxes or fees related to an Internet Sweepstakes Café or Gaming Establishment.
7. Any other non-compliance with this Article by the owners, agents, employees, or staff of an Internet Sweepstakes Café or Gaming Establishment operating in Dover Township.

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

TOWNSHIP OF DOVER, UNION COUNTY, OHIO

ZONING DISTRICT: (M-2 HEAVY MANUFACTURING DISTRICT)

PERMITTED USES: Light and Heavy Manufacturing and Related Offices, Wholesale and Warehousing, Printing and Publishing, Transport Terminals, Public and Quasi-public uses, Service Business, Research Facilities.

CONDITIONAL USES: (Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals) Extractive Industry, Junk Storage and Sales, Public Facilities, Residential, Agritourism.

PROHIBITED USES: Adult Bookstores; Adult Cabarets; Adult-oriented business.

PLANNED UNIT DEVELOPMENT: (Permitted upon approval by the Zoning Commission and issuance of certificate by the Board of Zoning Appeals) Residential, Commercial, Public and Quasi-public uses individually or in combination.

MINIMUM LOT SIZE: (Square Feet per establishment)

120,000

Width frontage of lot-175'

No lot shall have an average depth that is more than 3 times its average width.

MAXIMUM PERCENTAGE OF LOTS TO BE OCCUPIED: (Principle and Accessory Buildings) 50 percent

MINIMUM FLOOR AREA: (Square Feet)

None

MAXIMUM HEIGHT OF PRINCIPLE BUILDING: (Feet)

Stories: 2

Feet: 30'

MINIMUM YARD DIMENSIONS: (Feet)

Front-80'

Rear-50'

Side Yard-20'

Sum of Side Yards-50'

ACCESSORY BUILDINGS:

Maximum Height: 25'

Minimum Distance in feet to side lot line: 10'
Minimum Distance in feet to rear lot line: 20'

MINIMUM OFF-STREET PARKING SPACE: One space for each employee on the maximum work shift.

SIGNS PERMITTED: Yes, under article VIII.

OTHER PROVISIONS AND REQUIREMENTS: (Supplementary Regulations, Notes, Etc.) Extractive use cannot be conducted within 500 feet from any Residential District.

ARTICLE V SUPPLEMENTARY DISTRICT REGULATIONS

SECTION 500 PERMITTED CONDITIONAL USES: The Conditional Uses shall conform to all requirements of this Resolution, including additional standards set forth in Sections 501 to 504, inclusive, before being permitted in their respective districts. All Conditional Uses are hereby declared to possess characteristics of such unique and special forms that each specific use shall be considered as an individual case.

SECTION 501 REQUIRED PLAN: A plan for the proposed development of a site for a permitted Conditional Use shall be submitted with an application for a Conditional Use Permit, and such plan shall show the location of all buildings, parking areas, traffic access and circulation drives, open spaces, landscaping, and any other pertinent information that may be necessary to determine if the proposed Conditional Use meets the requirements of this Resolution.

SECTION 502 EXPIRATION: A Conditional Use Permit shall be deemed to authorize only one particular Conditional Use and shall expire if the Conditional Use shall cease for more than one year for any reason.

SECTION 503 EXISTING VIOLATIONS: No permit shall be issued for a Conditional Use for a property where there is an existing violation of this Resolution.

SECTION 504 STANDARDS APPLICABLE TO ALL CONDITIONAL USES: The location and size of the use, the nature and intensity of the operations involved, the size of the site in relation to it, and the location of the site with respect to the existing and future streets giving access to it, shall be such that it will be in harmony with the orderly development of the district, and the location, nature of height of buildings, walls, and fences will not discourage the appropriate development and use of adjacent land and buildings or impair its value thereof. In addition, operations in connection with and Conditional Use shall not be more objectionable to nearby properties by reason of noise, fumes, etc., than would be the operation of any permitted use.

SECTION 517 PARKING AND STORAGE OF CERTAIN VEHICLES: The following provisions and requirements shall pertain to the parking and storage of certain vehicles:

1. The parking or storage, within any district, of automotive vehicles without current license plates, for a period of more than thirty (30) days shall be prohibited unless such vehicle is stored in an enclosed garage or other accessory building.

2. The parking or storage, within any district, of a disabled automotive vehicle for a period of more than thirty (30) days shall be prohibited unless such vehicle is stored in an enclosed garage or other accessory building.
3. The parking or storage within any district, of a junked, dismantled or wrecked automotive vehicle, or parts, which is in public view of any highway for a period of more than thirty (30) days, shall be prohibited.

For purposes of this section, a junked, dismantled or wrecked automotive vehicle shall be one of which is damaged, or no longer serviceable, to the extent that it is inoperable or is unsafe to operate upon the public highways.

This section shall not apply to properly licensed junkyards and motor vehicle salvage facilities that are regulated by appropriate sections of the Ohio Revised Code.

SECTION 520 SPECIAL PROVISIONS FOR RESIDENTIAL USES: The regulations applicable to Residential Uses shall be supplemented by the provisions of Sections 521 to 522, inclusive.

SECTION 521 DETERMINING MINIMUM FLOOR AREA FOR HOUSING UNITS: The minimum floor area per family in housing units shall include only area used for living quarters. Utility rooms, garages, carports, porches, laundry areas and basements are to be excluded.

SECTION 522 CONVERSION OF DWELLINGS TO MORE UNITS: In the U-1 and R-1 Districts a residence may be converted to accommodate an increased number of dwelling units provided:

1. The yard dimensions still meet the yard dimensions required by the Zoning Regulations for new structures in that district.
2. The lot area per family shall equal the lot area requirements for new structures in that district.
3. The number of square feet or living area per family unit is not reduced to less than that which is required for new construction in that district.

SECTION 523 PRIVATE SWIMMING POOLS: A private swimming pool, not including farm ponds, shall be any pool, lake or open tank not located within a completely enclosed building and containing or normally capable of containing water to a depth at any point greater than one and one-half feet. No such swimming pool, exclusive of portable swimming pools with a diameter less than 12 feet or with an area of less than 100 square feet shall be allowed in any

commercial or residential district, except as an Accessory Use and unless it complies with the following conditions and requirements:

1. The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.
2. It may not be located, including any walks or paved areas or accessory structures adjacent thereto, closer than 10 feet to any property line of the property on which it is located.
3. The swimming pool, or the entire property on which it is located, shall be walled or fenced to prevent uncontrolled access by children from adjacent properties. Said fence or wall shall be not less than a minimum of 4 feet in height and maintained in good condition with a gate and lock to comply with the Union County Building Code.

SECTION 525 SETBACK REQUIREMENTS FOR CORNER BUILDINGS: On a corner lot, the main building and its accessory structures shall be required to set back the same distance from all road right-of-way lines as required for the front set back in the district in which such structures are located.

SECTION 530 SPECIAL PROVISIONS FOR COMMERCIAL AND INDUSTRIAL USES: No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable elements to acceptable limits as established by the performance requirements in Sections 531 to 540, inclusive.

SECTION 531 FIRE HAZARDS: Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire fighting equipment. Such hazards shall be kept removed from adjacent activities to a distance which is compatible with the potential danger involved.

SECTION 532 ELECTRICAL DISTURBANCE: No activity shall emit electrical disturbance which will affect adjoining properties.

SECTION 533 NOISE: Noise, which is objectionable as determined by the Board, shall be muffled or otherwise controlled.

SECTION 536 ODORS: No malodorous gas or matter shall be permitted which is offensive or as to produce a public nuisance or hazard on any adjoining lot or property.

SECTION 537 AIR POLLUTION: No pollution of air by fly-ash, dust, vapors, or other substances shall be permitted which is harmful to health, animals, vegetation or other property, or which can cause excessive soiling.

SECTION 538 GLARE: No direct or reflected glare shall be permitted which is visible from any property outside an Industrial District or from any public highway.

SECTION 539 EROSION: No erosion, by either wind or water, shall be permitted which will carry objectionable substance onto neighboring properties.

SECTION 540 WATER POLLUTION: Pollution of water shall be subject to the requirements and regulations established by the Ohio Environmental Protection Agency.

SECTION 541 MINERAL, CLAY, SAND AND GRAVEL EXTRACTION, STORAGE AND PROCESSING: The Mining, storage and processing of minerals shall be conducted in accordance with the requirements of Sections 542 to 546, inclusive.

SECTION 542 DISTANCE FROM RESIDENTIAL AREAS: Mining, storage or processing shall not be conducted closer than 500 feet from any Residential District, nor closer than 200 feet from any structure for human occupancy in any other district.

SECTION 543 FILING OF LOCATION MAP: The operator shall file with the Zoning Inspector a location map which clearly shows areas to be mined and the location of adjacent properties, roads and natural features.

SECTION 544 INFORMATION OF OPERATION: The operator shall submit information on the anticipated depth of excavations and on depth and probable effect on the existing water table as coordinated with the Ohio Division of Water.

SECTION 545 RESTORATION OF MINED AREA: The operator shall file with the Board of Zoning Appeals a detailed plan for the restoration of the area to be mined which shall include the anticipated future use of the restored land.

SECTION 546 PERFORMANCE BOND: The operator may be required to file with the Board of Township Trustees a bond, payable to the township and conditioned on the faithful performance of all requirements contained in the approved Restoration Plan. The bond shall be released upon written certification of the Zoning Inspector that the restoration is complete and in compliance with Restoration Plan.

SECTION 547 ENFORCEMENT PROVISION: The Zoning Inspector or Board of Zoning Appeals, prior to the issuance of a Zoning Certificate, may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in processing and in equipment operations are eliminated or reduced to acceptable limits and tolerances.

SECTION 548 MEASUREMENT PROCEDURES: Methods and procedures for the determination of the existence of any dangerous and objectionable elements shall conform to applicable standard measurement procedures published by the American Standards Association, Inc., New York, The Manufacturing Chemists Association, Inc., and the United States Bureau of Mines.

SECTION 550 SUPPLEMENTARY DISTRICT REGULATIONS: Supplementary Regulations apply to several districts or a set of districts and are set forth in Sections 551 to 560, inclusive.

SECTION 551 SIDE AND REAR YARD REQUIREMENTS FOR NON-RESIDENTIAL USE ABUTTING RESIDENTIAL DISTRICTS: Non-residential buildings or uses shall not be located nor constructed closer than 40 feet to any lot line of a Residential District, except that the minimum yard requirement may be reduced to 50 percent of the requirement if acceptable landscaping or screening approved by the Zoning Inspector is provided.

SECTION 552 EXCEPTION TO HEIGHT REGULATIONS: The height limitations contained in the Official Schedule of District Regulations, Section 410, do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

SECTION 553 ARCHITECTURAL PROJECTIONS: Open structures such as porches, canopies, balconies, platforms, carports and covered patios, and similar architectural projects shall be considered parts of the building to which attached and shall not project into the required minimum front, side or rear yard.

SECTION 554 VISIBILITY AT INTERSECTIONS IN RESIDENTIAL DISTRICTS: On a corner lot in any Residential District, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two and a half and ten feet above the center line grades of the intersecting streets in the area boundaries of the street lines of such corner lots and a line joining points along said street lines 50 feet from the point of intersection.

SECTION 556 ERECTION OF MORE THAN ONE PRINCIPAL STRUCTURE ON A LOT: In any district, more than one structure housing a permitted or permissible principal use may be erected on a single lot, provided that yard and other requirements of this Resolution shall be met for each structure as though it were on an individual lot. Accessory buildings such as a garage may be located in the rear yard, provided that yard and other requirements of this Resolution are met.

SECTION 557 ADEQUATE DRAINAGE OUTLET AND ACCEPTABLE SOILS: Every lot shall have an adequate drainage outlet and acceptable soils

consistent with the requirements for the proposed use. The Union Soil and Water Conservation District shall determine the drainage outlet adequacy and the soils acceptability.

SECTION 558 JUNK STORAGE AND SALES: Junk Storage and Sales shall be conducted in accordance with the Ohio Revised Code, Chapter 4737, inclusive.

SECTION 559 TEMPORARY BUILDINGS: Temporary buildings, including mobile homes, construction trailers, equipment and materials used in conjunction with construction work may be permitted in any district during the period construction work is in progress, but such temporary facilities shall be removed upon completion of the construction work. Storage of such facilities or equipment beyond the completion date of the project shall require a special permit authorized by the Board of Zoning Appeals.

SECTION 560 OPEN STORAGE AND DISPLAY OF MATERIAL AND EQUIPMENT: The open storage and display of material and equipment incident to Permitted or Conditional Uses in Commercial and Industrial Districts shall be permitted provided the area used for open storage and display shall be effectively screened from all adjoining properties in any Residential District by means of walls, fences, or planting. Walls or fences shall be a minimum of four feet in height without advertising thereon. In lieu of such wall or fence, a strip of land not less than 10 feet in width, planted and maintained with an evergreen hedge or dense planting of evergreen shrubs not less than four feet in height at the time of planting may be substituted.

SECTION 561 INCINERATOR: No person shall begin, operate or maintain for commercial business purposes, an incinerator as defined herein.

SECTION 562 FENCES:

(A) Functional fences may be erected as follows:

(1) Materials: No barbed wire or electrically charged fence shall be erected in an R-1 District.

(2) Height: No functional fence shall be erected to a height exceeding six feet, except that when used to enclose a swimming pool, the maximum height shall be eight feet, and except in M-2 Districts, where the maximum height shall be twelve feet. Barbed wire shall not be included in such computations.

(3) Location: Functional fences may be placed on the side or rear property line, but may not be placed closer to the street than the front of the main building or the front set-back line, whichever is closer to the street, except in U-1 Districts, where they may not

be placed closer to the street or road than the street or road right-of-way line.

(B) Decorative fences may be erected as follows:

(1) Materials: Decorative fences may be constructed of any material, except barbed wire, woven wire or chain-link.

SECTION 563 TELECOMMUNICATION TOWERS: Pursuant to the Telecommunications Act of 1996 and the ORC Section 519.211, and the Dover Township Trustees being duly notified of a person's intent to construct a Telecommunication Tower in an area zoned "R-1" District; public utilities or other functionally equivalent providers may site a telecommunications tower as a conditional use provided the following conditions are met:

- a) The applicant must provide proof that the proposal to construct a tower to attach equipment to an existing structure has been approved by all other agencies and governmental entities with jurisdiction (i.e., Federal Communication Commission, Federal Aviation Administration, Ohio Department of Transportation, and Ohio Building Basic Code).
- b) The applicant shall provide proof of notification to contiguous or directly across the street property owners as required by ORC Section 519.211.
- c) The applicant must demonstrate at the time of application that no technically suitable and feasible sites are available in a nonresidential district. There shall be an explanation of why a tower at this proposed site is technically necessary.
- d) Co-location. Applicant shall provide a signed statement indicating that the applicant agrees to allow for the potential co-location of other users on the same tower to the extent possible. All co-located and multiple use telecommunication facilities shall be designed to promote facility and site sharing.
- e) Setbacks from all platted residential uses and residential districts. All new towers shall be setback from the closest subdivision boundary line for all platted residential subdivisions, and for all non-platted residential districts from the closest residence, a distance of 900 feet.
- f) Setbacks from all streets and private and public road right of ways. All new towers shall be setback from all road right of ways public and private, a distance of 900 feet.

- g) Setbacks from all other uses allowable in the zoning district. All new towers shall be setback from any building that is not associated with or accessory to the telecommunications tower facility a distance of 900 feet.
- h) Any and all base station equipment, accessory structures, buildings, etc. used in conjunction with the tower shall be screened with fencing, masonry, shrubbery or other screening materials.
- i) The applicant shall notify the Zoning Inspector within 30 days of ceasing operations at the site and shall remove all structures within 120 days of ceasing operations.
- j) Lighting, Telecommunication towers shall not be artificially lighted unless required by the Federal Aviation Administration or other applicable regulatory authority. If lightning is required, the lighting design that would cause the least disturbance to the surrounding views shall be chosen. All telecommunication facilities shall be unlit except for security lighting, or when authorized personnel are present.
- k) An inspection report prepared by a qualified engineer licensed by the State of Ohio shall be submitted to the Zoning Office every five (5) years which details the structural integrity of all towers and support structures on the property. The results of such inspections shall be provided to the Union County Building Regulations Department and Dover Township Zoning Inspector. Based upon results on an inspection, the Township Trustees may require repair or removal of a communication tower. Any and all necessary repairs to the tower and/or structures shall be removed. The tower owner (applicant) is responsible to cover the cost of all inspections, repair and/or removal.
- l) The un-staffed storage building and/or unit that houses transmitting equipment is considered an accessory use and/or structure. Setbacks for accessory uses/structures will comply with distances in the zoned district of the tower location. These facilities may not include offices, long-term vehicle storage, other outdoor storage, or broadcast studios except for emergency purposes, or other uses that are needed to send or receive transmissions.

- m) A six (6) foot safety fence with a locked gate surrounding the tower is required. IF high voltage is necessary, signs must be posted every twenty (20) feet along the fence saying “Danger-High Voltage”. The operator must also post “No Trespassing” signs.

SECTION 564 PERFORMANCE BOND:

- 1) For each telecommunication tower, the owner or operator shall provide to the Township, a surety bond or a bank letter or credit to assure the Township that the terms and conditions of Section 564 are performed and complied with, including necessary repairs, including repairs to public highways and roads and the costs and expenses of removal in the event of abandonment.
- 2) The Dover Township Board of Trustees may draw upon the performance bond to recover any costs, damages, or expenses incurred by the Township, which arise out of the violations of Section 564 or the abandonment or discontinuance of the use of a tower.

SECTION 565 SUPPLEMENTAL DISTRICT REGULATIONS, COMMON ACCESS DRIVES (General): Common Access Drives provided an alternative to construction of public or private streets for accessing small numbers of lots and reduce the number of driveways along public roads. CAD’s may be permitted based upon a case-by-case evaluation of the site and project specific characteristics such as, but not limited to: access management and traffic safety, slopes, drainage, preservation of environmentally sensitive areas, access and maneuvering room for firefighter vehicles, and compliance with local zoning codes. CAD’s must be designed by an engineer or surveyor in accordance with these regulations.

The sub divider is responsible for constructing the CAD in accordance to standards and restrictions and any additional or more restrictive standards required by the sub divider’s engineer or surveyor, zoning inspection, fire official or County Engineer. (For CAD standards, and requirements, see the Union County Technical Design Standards, Appendix B).

SECTION 566 SMALL WIND FARMS LESS THAN 5MW: Wind Farms of 5MW or more shall be required to submit an application with the Ohio Power Siting Board (OPSB) at the Public Utilities Commission of Ohio (PUCO) and are required to meet OPSB regulations. Any proposed construction, erection, or siting of a small wind farm less than 5MW including the wind turbine generator or anemometer or any parts thereof shall be a Permitted Use in the U-1 Rural District and M-2 Heavy Manufacturing District and by issuance of a Conditional Use Permit in the R-1 Low Density Residential District and B-2 Local Business

District only if the following conditions are met (both as Permitted and Conditional Use):

- A. The maximum height of any turbine shall be 125 ft. For purposes of this Resolution, maximum height shall be considered the total height of the turbine system including the tower, and the maximum vertical height of the turbine's blades. Maximum height therefore shall be calculated by measuring the length of a prop at maximum vertical rotation to the base of the tower.
- B. Setbacks: the following shall apply in regards to setbacks.
 - 1. Any turbine erected on a parcel of land shall be setback 1.1 times the height of the tower, or established "clear fall zone", from all road right-of-way lines, neighboring property lines, structures, as well as any inhabited structures on the parcel intended for the turbine. A turbine will need to be erected and placed in such a manner that if it were to fall, whatever direction the fall occurs would be contained solely on the property where the turbine is located at, and would not strike any structures including the primary dwelling, and any inhabited structures.
- C. Maintenance:
 - 1. Wind turbines must be maintained in good working order. The owner shall within 30 days of permanently ceasing operation of a tower, provide written notice of abandonment to the Zoning Inspector. An unused tower or small wind farm may stand no longer than 12 months following abandonment. All costs associated with the demolition of the tower and associated equipment shall be borne by the owner. A tower is considered abandoned when it ceases transmission for 30 consecutive days. Turbines that become inoperable for more than 12 months must be removed by the owner within thirty (30) days of issuance of zoning violation. Removal includes removal of all apparatuses, supports, and or other hardware associated with the existing turbine.
- D. Decibel Levels:
 - 1. All units shall operate not more than 5 decibels above the established ambient decibel levels at property lines. This information shall be included in the engineering report described below in Section II of this document. This information shall be obtained from the manufacturer of the turbine, and all decibel readings, if necessary, shall be taken

from the nearest neighboring property lines. Those turbines not meeting this requirement will be issued a zoning violation and be required to shut down immediately until the required decibel levels are met.

E. Wiring and Electrical Apparatuses:

1. All wires and electrical apparatuses associated with the operation of a wind turbine unit shall be located underground and meet all applicable local, state, and federal codes including the Union County Building Regulations and Residential Building Code of Ohio.

F. Warning Signs:

1. Appropriate warning signs to address voltage shall be posted (where and meeting sign requirements).

G. Building Permits:

1. All Small Wind Farms and parts there of shall obtain all applicable Building Permits from the Union County Building Regulations where required.

PERMITS

- A. A permit shall be required before construction can commence on an individual wind turbine system.
- B. As part of the permit process, the applicant shall inquire with the Union County Building Regulations as to whether or not additional height restrictions are applicable due to the unit's location in relation to any local airports.
- C. Applicant shall then provide the Township Zoning Inspector with the following items and or information when applying for a permit:
 1. Location of all public and private airports in relation to the location of the turbine.
 2. An engineering report that shows:
 - a. The total size and height of the unit
 - b. The total size and depth of the unit's concrete mounting pad, as well as soil and bedrock data

- c. A list and or depiction of all safety measures that will be on the unit including anti-climb devices, grounding devices, and lightning protection, braking systems, guy wiring & anchors.
 - d. Data specifying the kilowatt size and generating capacity of the particular unit.
 - e. The maximum decibel level of the particular unit. This information must be obtained from the manufacturer of the turbine unit.
 - f. Ambient noise levels at property lines.
 - g. Hazardous materials containment and disposal plan.
3. A site drawing showing the location of the unit in relation to existing structures on the property, roads and other public right-of-ways, and neighboring properties.

SECTION 567 SOLAR ENERGY SYSTEMS (LESS THAN 50 MW)

A. Accessory Solar Energy Systems

It is the purpose of this regulation to promote the safe, effective, and efficient use of accessory solar energy systems installed to reduce the on-site consumption of utility-supplied electricity. An accessory solar energy system shall be considered a permitted accessory use in any district provided all requirements and regulations as set forth below are met.

No person shall cause, allow or maintain the use of an accessory solar energy system without first having obtained a zoning permit from the zoning inspector.

All accessory solar energy systems shall meet the following requirements:

1. A solar energy system is permitted in all zoning districts as an accessory to a principal use.
2. A solar energy system shall not be used for the generation of power for the sale of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company.
3. Roof/Structure mounted solar energy systems:
 - a. Shall be flush-mounted, or as long as it matches the slope of the roof, shall have a maximum tilt of no more than five (5) percent steeper than the roof pitch on which it is mounted.
 - b. Shall not extend beyond the perimeter (or edge of roof) of the building on which it is located.
 - c. May be mounted to a principal or accessory building.
 - d. Combined height of the solar energy system and building to which it is mounted may not exceed the ridgeline of the roof for hip, gable, and

gambrel roofs and may not be taller than eighteen (18) inches above the roofline of a flat roof.

4. Ground/Pole mounted solar energy systems:
 - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
 - b. Shall be permitted in the rear or side yard only.
 - c. Shall be erected within an established clear fall zone.
 - d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (20) feet from the nearest property line, whichever is greater.
5. Solar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent street right of ways.
6. Solar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within six (6) months from the date they are no longer producing electricity, become damaged, discontinued or broken. Any earth disturbance as a result of the removal of the ground mounted solar energy system shall be graded and reseeded within thirty (30) days of removal.
7. In addition to the site plan required for any zoning permit or conditional use permit, the following shall also be submitted at the time of application and shall include:
 - a. Elevation of the proposed solar energy system(s) at maximum tilt.
 - b. Evidence of established setbacks of 1.1 times the height of any structure and “clear fall zone”.
 - c. Proof of notice to the electric company regarding the proposal.

B. Principal Solar Energy Production Facilities

No Principal Solar Energy Production Facility shall be located in a zoning district where such facilities are not explicitly listed as a permitted or conditionally permitted use.

It is not the purpose of this regulation to regulate a major utility facility, or subsidiary use, as defined by the Ohio Power Siting Board (50 MW or greater). It is also not the purpose of this regulation to regulate public utilities that meet the definitions as stated in the O.R.C. 4905.02 or O.R.C. 4905.03 and the three criteria of O.R.C. 4905.65(B).

Principal Solar Energy Production Facilities are prohibited in any district.

SECTION 570 AGRITOURISM

This section creates conditions for the Board of Zoning Appeals to review when considering an agritourism conditional use. In addition to the procedure and requirement for approval of conditional use permits, the Board of Zoning appeals shall direct the Zoning Inspector to issue a conditional use permit listing the specific conditions specified by the Board for approval if the following conditions have been met:

CONDITIONS

1. Evidence that the farm on which the agritourism operation is proposed is ten (10) acres or more in area shall be provided. If such farm is less than ten (10) acres, evidence shall be provided that such farm is currently enrolled in the Current Agricultural Use Value (CAUV) program or produces an average yearly gross income of at least twenty-five hundred dollars (\$2,500) from agricultural production.
2. The relationship of the agritourism activity to the existing agricultural use of the property and surrounding agricultural community. The educational, entertainment, historical, cultural and/or recreational relationship of the agritourism operation to the existing agricultural use of the property, the surrounding agricultural community, and/or the relationship of the agritourism activity to agriculture in general shall be identified.
3. A site plan of the property illustrating all structures to be used for agritourism activities, setbacks from property lines for all structures and any existing or proposed well and/or on-site wastewater disposal system area (s) on the property shall be submitted.
 - a. The size and setback for any structure used primarily for agritourism activities shall be in conformance with the requirements of the applicable zoning district, listed in the Official Schedule of District Regulations.
4. Off-street parking in accordance with area requirements in Article XI Off-Street Parking and Loading Requirements shall be provided.
 - a. Additionally, off-street parking adequate to meet peak time demand shall be provided in a manner that does not cause nuisance or conflict with adjoining properties. Estimates of traffic generation shall be submitted. In no instance shall parking be permitted within yard setback areas or within 20 feet of the road right-of-way.
 - b. Nothing in division 4.a confers power to require any parking area to be improved in any manner, including requirements governing drainage, parking area base, parking area paving, or any other improvement.
5. Demonstrate ingress and egress to the site that meets the then current Union County Access Management Regulations.

SECTION 572 MEDICAL MARIJUANA ENTITIES

ORC 519.21 and ORC 3796 allow regulation of the location of medical marijuana cultivators, processors, or dispensaries within the unincorporated area of the township. In

the interest of protecting the public health, safety, and general welfare, this section prohibits medical marijuana land uses consistent with ORC 519 and ORC 3796.

1. Not an Agricultural Use. Medical marijuana is not considered an “agricultural” use pursuant to ORC 519.21 (D)
2. Zoning Districts. Medical marijuana cultivators, processors, and dispensaries are prohibited within the unincorporated area of the township. No medical marijuana cultivator, processor, or dispensary shall be located in any zoning district. No medical marijuana cultivator, processor, or dispensary shall be permitted as a home occupation. No medical marijuana cultivator, processor, or dispensary shall be located within a mobile building.

ARTICLE VI PLANNED UNIT DEVELOPMENT

SECTION 600 PURPOSE OF PLANNED UNIT DEVELOPMENT: Planned development of land may be permitted in any district to encourage and provide a means for effectuating a more desirable physical development pattern than would be possible through the strict application of the density and dimensional requirements of this Resolution.

SECTION 601 PERMITTED USES: Only those uses Permitted or Conditionally Permitted in each district or interpreted to be included under Sections 200 to 290, inclusive, the Official Schedule of District Regulations, Section 410, of this Resolution may be proposed to development under the planned development approach. Compatible residential, commercial, industrial, public and quasi-public uses may be combined, provided that the proposed location of the commercial or industrial uses will not adversely affect or disregard adjacent property, public health, safety, morals and general welfare, and provided further that in a residential-commercial-industrial or residential-commercial development the amount of land devoted to commercial and/or industrial usage shall not exceed 50 percent of the total land area of the development. A variety of housing and building types is encouraged by permitting an increased number of families per acre and by allowing reductions in lot dimensions, yards, buildings, setbacks, and area requirements.

SECTION 602 GENERAL REQUIREMENTS: The gross area of the tract to be developed under the Planned Unit Development approach shall comprise not less than 10 acres. The minimum lot size shall not be less than 70 percent of the lot area per family or use required in the district in which it would otherwise be located. A minimum of 10 percent of the land developed in a planned unit development project shall be reserved for open space and similar uses lot widths and required yards may be reduced to 80 percent of the requirement of this Resolution.

SECTION 603 DISPOSITION OF OPEN SPACE: The amount of open space reserved under a planned unit development shall either be held in corporate ownership by the owners of the project area building sites for the use of each owner who buys property within the development or be dedicated to the township and retained as open space for parks, recreation, and related uses. All land dedicated to the township must meet the Zoning Commission's requirements as to shape, size, and location. Public utility and similar easements and rights-of-way for water sources and other similar channels are not acceptable for open space dedication to the township unless such land right-of-way is usable as a trail or similar way and approved by the Zoning Commission.

SECTION 604 RESIDENTIAL LOT LOCATION: Every property subdivided under the planned unit development shall be designed to abut upon open space or similar area. A clustering of dwellings is encouraged. In areas where town

houses are used there shall be no more than five town houses in any contiguous group. A variety of building setbacks, color, and building materials for contiguous tow house units are encouraged.

SECTION 605 DIVERSIFICATION OF LOT SIZE: A diversification of lot sizes may be permitted within a district without additional dedication or creation of open space, provided the overall density of the project area is not increased and provided further the net residential area per family is not reduced below the minimum requirements of Section 602.

SECTION 606 REDUCTION OF PLANNED UNIT DEVELOPMENT AREA: The minimum tract size to be developed under the Planned Unit Development may be reduced 50 percent where the proposed development is to contain only residential, commercial or industrial development, not a mixture of uses.

SECTION 607 HEIGHT REQUIREMENTS: For each foot of building height over the maximum height regulations specified in the Official Schedule of District Regulations, Section 410, the distance between such building and the side and rear property lines of the Planned Unit Development Project area shall be increased by one foot in addition to the side and rear yard required in the district, provided that this additional setback shall not be considered part of the side and rear yards.

SECTION 608 COMMERCIAL PLANNED UNIT DEVELOPMENT REQUIREMENTS: Planned Unit Development of related commercial establishments is encouraged by varying the setback and area requirements. Open space gained through the varying of setback and area requirements is to be used for the development of open plazas, pedestrian malls, tot lots, and other public spaces and uses with adequate arrangement, design, and planting.

SECTION 609 COMMERCIAL PROJECTS, SIDE YARDS AND REAR YARDS: Side yards of 30 feet and a rear yard of 40 feet shall be required if the project is to be located adjacent to any Residential District or Planned Residential Unit Development.

SECTION 610 ARRANGEMENT OF COMMERCIAL USES: The location and arrangement of structures, parking, access drives, outdoor lighting, signs, and other uses and developments in the Planned Commercial Unit Development shall be compatible with the existing and future land use plan. Off street parking and loading areas shall not be permitted within 15 feet of a residential district. All areas designated for future expansion or not intended for immediate improvement or development shall be landscaped or otherwise maintained in a neat and orderly manner.

SECTION 611 INDUSTRIAL PLANNED UNIT DEVELOPMENT REQUIREMENTS: Planned Unit Development of industrial establishments is

encouraged by varying the setback and other requirements, if it can be shown that the development results in a more efficient and desirable use of space.

SECTION 612 INDUSTRIAL PROJECT: Project side yards of 40 feet and rear yard of 50 feet shall be required if the project is located adjacent to any Residential District or Planned Residential Unit Development.

SECTION 613 ARRANGEMENT OF INDUSTRIAL USES: The location and arrangement of structures, parking, access drives, outdoor lighting, signs, storage areas, and other uses and developments in the Planned Industrial Unit Development shall be compatible with the existing and future land use plan. Off-street parking, parking, loading, and service areas shall be provided in accordance with Sections 510 to 518, inclusive.

SECTION 614 PROCEDURE TO SECURE APPROVAL OF PLANNED UNIT DEVELOPMENT: The procedure in Section 615 to 621, inclusive, shall be met before approval to develop land under Planned Unit Development is granted by the Zoning Commission and the Board of Zoning Appeals.

SECTION 615 PRELIMINARY DEVELOPMENT PLAN: Three copies of a Preliminary Development Plan shall be submitted to the Zoning Commission for an approval in principle of the land uses proposed and their interrelationship. Approval in principle shall not be construed to endorse precise location of uses, configuration of parcels, or engineering feasibility. Any Preliminary Development Plan and text shall be prepared and endorsed by a qualified urban planner and shall include the following information presented in a general, schematic fashion:

1. Proposed location and size of the planned development;
2. Proposed land uses, population densities, and building intensities;
3. Proposed parks, playgrounds, school sites, and other open spaces;
4. Relation to existing and future land use in surrounding area;
5. Proposed provision of water, sanitary sewers, and surface drainage;
6. Proposed traffic circulation pattern, indicating both public and private streets and access points to public rights-of-way;
7. A market analysis of proposed commercial uses, if the property is not zoned for commercial purposes at the time of submittal of the Preliminary Development Plan;
8. Proposed schedule of site development; and

9. Evidence that the applicant has sufficient control over the land to carry out the Proposed Development Plan within five years.

SECTION 616 PRELIMINARY DEVELOPMENT PLAN REVIEW: The Zoning Commission shall review the Preliminary Development Plan to determine if it is consistent with the intent and purpose of this Resolution; whether the proposed development advances the general welfare of the community and neighborhood; and whether the benefits, combination of various land uses, and the interrelationship with the land uses in the surrounding area justify the deviation from standard district regulations. The Zoning Commission's approval in principle of the Preliminary Development Plan shall be necessary before an applicant may submit a Detailed Development Plan.

SECTION 617 DETAILED DEVELOPMENT PLAN: The Detailed Development Plan shall be submitted in five copies and shall contain the following documents and supporting evidence, prepared and endorsed by a qualified professional team, which shall include an urban planner, licensed architect, registered land surveyor, registered civil engineer and registered landscape architect:

1. A survey of the proposed development site, showing the dimensions and bearings of the property lines, area in acres, topography, existing features of the development site, including specimen trees, structures, streets, easements, utility lines, and land use;
2. A Detailed Development Plan which shall be in conformance with the approved preliminary plan, showing, as appropriate, all the information required on the Preliminary Development Plan; the approximate location and size of lots; the approximate location and proposed density of dwelling units; non-residential building intensity; and land use considered suitable for adjacent properties;
3. A schedule for the development of units to be constructed in progression and a description of the design principles for buildings and streetscapes; tabulation of the number of acres in the housing units proposed by type; estimated residential population by type of housing; estimated non-residential population, proposed retail sales area and economic justification; anticipated timing for each unit; and standards for height, open space, building intensity, parking areas, population density and public improvements proposed for each unit of development whenever the applicant proposes an exception from Standard Zoning District or other regulations governing development;

4. Engineering feasibility studies and plans showing, as necessary, water, sewer, and other utility installations; waste disposal facilities; surface drainage; street improvements; and nature and extent of earth work required for site preparation and development;
5. Site plan, showing building(s), various functional use areas, circulation, and their relationship;
6. Preliminary building plans, including floor plans and exterior elevations;
7. Landscaping plans; and
8. Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, the improvements thereon, including those areas which are to be commonly owned and maintained.

SECTION 618 BASIS OF APPROVAL: The Zoning Commission may recommend that the Board of Zoning Appeals after a public hearing, approve the detailed development plan, provided the Zoning Commission finds that the facts submitted with the application presented, at the hearings establish that:

1. The proposed development can be completed within five years of the date of approval;
2. Each individual unit of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under Standard District Regulations;
3. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the planned development;
4. Any proposed commercial development can be justified economically at the locations proposed to provide for adequate commercial facilities of the types proposed;
5. Any exception from Standard District Requirements is warranted by the design and amenities incorporated in the detailed development plans, in accord with the Planned Unit Development

and the adopted policy of the Zoning Commission and the Board of Township Trustees:

6. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development;
7. The Planned Unit Development is in general conformance with the comprehensive plan of the township; and
8. The existing and proposed utility services are adequate for the population densities and non-residential uses proposed.

SECTION 619 ACTION OF THE ZONING COMMISSION AND BOARD OF ZONING APPEALS: The Zoning Commission shall deny the Detailed Development Plan if from the facts presented the Zoning Commission is unable to make the necessary findings. The Zoning Commission shall certify to the Board of Zoning Appeals the approval with specific amendments, or disapproval of the Detailed Development Plan within 30 days of the date of submission of said plan. If the Board of Zoning Appeals finds that the proposed Planned Unit Development is consistent with the intent and purpose of this Resolution after a public hearing, it may authorize the Zoning Inspector to issue a Zoning Certificate permitting the Planned Unit Development.

SECTION 620 APPROVAL PERIOD: The Zoning Certificate for a Planned Unit Development shall be for a period of five years to allow the preparation and recording of the required subdivision plat and the development of the project. If no development has occurred to effectuate the plan within five years after approval is granted, the approval shall be voided and the land shall revert to the district regulations in which it is located. An extension of the time limit or modification of the approved development plan may be approved if the Zoning Commission and the Board of Zoning Appeals find that such extension or modification is not in conflict with the public interest.

SECTION 621 OTHER REQUIREMENTS: Underground utilities, including telephone and electric systems, are required within the limits of all Planned Unit Developments. Appurtenances to these systems, which can be effectively screened, may be exempted from this requirement if the Zoning Commission finds that such exemption will not violate the intent or character of the proposed Planned Unit Development.

ARTICLE VII MOBILE HOMES, MOBILE HOME PARKS AND DWELLING
(HOUSING) MANUFACTURED

SECTION 700 LOCATION OF DWELLINGS (HOUSING),

MANUFACTURED (MOBILE HOMES): Dwelling (housing), manufactured and mobile homes are permitted in dwelling (housing) manufactured (mobile homes) parks. Dwelling (housing), manufactured (mobile homes) are permitted as a Conditional Use in the U-1 and B-2 Districts on single lots, provided all district requirements applicable to permanent housing units are met.

SECTION 701 LOCATION OF DWELLING (HOUSING), MANUFACTURED AND MOBILE HOME PARKS: A dwelling (housing), manufactured park (mobile home park) is a Conditional Use in the U-1 District.

SECTION 702 PARK DESIGN AND DEVELOPMENT STANDARDS:

Dwelling (housing), manufactured (mobile home) parks shall comply with regulations HE-27-30 inclusive, Ohio Sanitary Code, as amended.

SECTION 703 DWELLING (HOUSING), MANUFACTURED: Manufactured housing as defined under Dwelling (Housing) Manufactured may meet permanent household status if the following requirements are met:

1. Individual mobile homes shall have using accepted industry measurement standards a minimum area of twelve hundred (1,200) square feet of floor area.
2. Within 30 days, all utilities shall be installed, the mobile home tongue(s), axle(s), and wheels shall be removed and the home shall be placed upon a permanent concrete foundation, which is below the frost line. The mobile home shall be installed in accordance with the county Auditor's current requirements for real estate tax purposes. The mobile home shall include at least two (2) tie down rings.
3. The mobile home shall be skirted entirely enclosing the bottom section, within ninety (90) days after its placement. Skirting shall be constructed of vinyl, aluminum, or other suitable material that is designed specifically for skirting.
4. The mobile home shall be landscaped with lawn within one hundred sixty (160) days after its placement.
5. The mobile home shall: (1) not be increased in floor area by any means of construction except with a unit specifically designed and constructed by the mobile home manufacturer; (2) not be covered with an additional roof structure.

Individuals desiring to locate a double-wide mobile or manufactured home on private property shall provide to the Dover Township Zoning Inspector a certified copy of the final inspection report produced by the Ohio Manufactured Home Commission prior to occupancy. The Dover Township Zoning Inspector, upon receipt of the Ohio Manufactured Home Commission report shall perform a final inspection to ensure the installation of the mobile or manufactured home complies with all Dover Township Zoning regulations.

6. The mobile home lot shall have an accessory structure thereon with minimum dimensions of eight (8) by twelve (12) feet for storage purposes. It shall be located in the side or rear yard width – the Board of Zoning Appeals may set other conditions, which are deemed reasonable and appropriate.

ARTICLE VIII SIGNS AND ADVERTISING

SECTION 800 SIGN DEFINED AND REGULATED: Any device or display designated to inform or attract the attention of persons not on the premises on which the sign is located.

SECTION 801 OUTDOOR ADVERTISING STRUCTURES DEFINED: Any outdoor display for the purpose of advertisement, notice or announcement located apart from the premises or product referred to in the display.

SECTION 802 MEASUREMENT OF AREA: The surface area of a sign shall be computed as including the entire area within a regular, geometric form or combinations of regular, geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not being advertising matter shall not be included in computation of surface area.

SECTION 803 GENERAL PROVISIONS: Permits for all signs and outdoor advertising structures shall be granted by the Zoning Inspector in accordance with the requirements of this resolution.

SECTION 804 LOCATION AND AREA OF ADVERTISING SIGNS: Signs not exceeding 12 square feet in area and advertising signs for the sale, rental or lease of the premises on which the sign is located shall be permitted on any property, except that the maximum size of such a sign in any residential district shall not exceed six square feet.

SECTION 805 AREA OF ANNOUNCEMENT AND PROFESSIONAL SIGNS: Announcement or professional signs for home occupations and professional activities where permitted shall not exceed four square feet in area in a residential district and not more than six square feet.

SECTION 806 USE OF BUILDING WALLS FOR SIGNS: No building wall shall be used for display of advertising except that pertaining to the use carried on within such building or on the land on which the building is situated.

SECTION 807 SIGNS AND PUBLIC RIGHTS-OF-WAY: No sign shall be placed in any public 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 on any property,

SECTION 808 SIGNS REQUIRED BY GOVERNMENTAL BODIES: Legal notices, identification, information or directional signs erected or required by governmental bodies shall be permitted on any property.

SECTION 809 MARKING OF SIGNS: All signs hereafter hung or erected shall be plainly marked with the name of the person, firm, or corporation hanging or erecting such sign.

SECTION 810 MAINTENANCE OF SIGNS: Should any sign be or become insecure or in danger of falling or otherwise unsafe, 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.

SECTION 811 SIGNS INSTALLED IN VIOLATION OF REQUIREMENTS: 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.

SECTION 812 AREA OF BUSINESS ADVERTISING SIGNS: The area of all permanent advertising signs for any single business enterprise may have an area equivalent to one and one-half square feet of sign area for each lineal foot of width of a building, or part of a building, occupied by such enterprise, but shall not exceed a maximum area of 100 square feet.

SECTION 813 ROOF SIGNS: No sign shall be placed on the roof of any building.

SECTION 814 POLITICAL SIGNS: No political sign shall be posted in any place or in any manner that is destructive of public property upon posting or removal. All candidates for public offices, their campaign committee, or other persons responsible for the posting on public property of campaign material shall remove such material within two weeks following Election Day.

SECTION 815 SIGN SETBACK REQUIREMENTS: Except as provided in this resolution signs and outdoor advertising structures where permitted shall be set back from the established right-of-way line on any highway at least as far as the required front yard depth for a principal use in such district except as may be required by other regulations of the State of Ohio.

SECTION 816 SETBACKS AT THE INTERSECTION OF HIGHWAYS: At the intersection of any state, federal, or major local highway with a major or collector highway, the setback of any sign or outdoor advertising structure shall not be less than 50 feet from the established right-of-way of each highway.

SECTION 817 SETBACKS FOR PUBLIC AND QUASI-PUBLIC SIGNS: Real estate signs and signs for churches, schools, etc., or any other public or quasi-public, religious or educational institution may be erected no less than 10 feet from the established right-of-way line of any highway provided such sign or signs do not obstruct traffic visibility at highway intersections.

SECTION 818 SIGN PERMITS REQUIRED: A separate permit shall be required for the erection of signs regulated in this resolution, except that no permit shall be required for temporary real estate signs with an area of 12 square feet or less for the sale or lease of property and for small announcement signs with an area of less than four square feet. Announcement signs shall be removed by the person or persons responsible for posting within 30 days after erection.

ARTICLE IX NON-CONFORMING USES

SECTION 900 INTENT: Within the districts established by this resolution or amendments that may later be adopted there exist lots, structures, 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. 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.

SECTION 902 AVIODANCE OF UNDUE HARDSHIP: To avoid undue hardship, nothing in this Resolution shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Resolution and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing building has substantially begun preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

SECTION 903 NON-CONFORMING LOTS OF RECORD: In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this Resolution, notwithstanding limitations imposed by other provisions of this Resolution. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lots fail to meet the requirements for all area or width, or both, that dimensions and requirements other than those applying to area and width, or both, of the lot shall conform to the regulations for the district in which such lots are located. Variance of yard requirements shall be obtained only through action of the Board of Zoning Appeals.

SECTION 904 NON-CONFORMING LOTS OF RECORD IN COMBINATION: If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Resolution and if all or part of the lots do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this Resolution and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this Resolution, nor shall any division of any

parcel be made which creates a lot with width or area below the requirements stated in this Resolution.

SECTION 905 NON-CONFORMING USES OF LAND: Where at the time of passage of this Resolution, lawful use of land exists which would not be permitted by the regulations imposed by this Resolution. The use may be contained so long as it remains otherwise lawful, provided;

1. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Resolution.
2. No such non-conforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of the adoption of amendment of this resolution.
3. If any such non-conforming use of land ceases for any reason for a period of more than 90 days, any subsequently 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.

SECTION 906 NON-CONFORMING STRUCTURES: Where a lawful structure exists at the effective date of adoption or amendment of this Resolution that could not be built under the terms of this Resolution, by reason or restrictions on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such non-conforming structure may be enlarged or altered in a way that increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity.
2. Should such non-conforming structure or non-conforming portion or structure be destroyed by any means to an extent of more than 80 percent of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Resolution.
3. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

SECTION 907 NON-CONFORMING USES OF STRUCTURES AND/OR STRUCTURES AND PREMISES IN COMBINATION: If lawful use involving individual structure with replacement cost of \$1000 or more, or of structure and premises in combination. Exists at the effective date of adoption or amendment of this Resolution that would not be allowed in the district under the terms of this Resolution the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this Resolution in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
2. Any non-conforming use may be extended throughout any part of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Resolution but no such use shall be extended to occupy any land outside such building.
3. If no structure alterations are made, any non-conforming use of a structure, or structure and premises, may as a special exception be changed to another non-conforming use provided that the Board of Zoning Appeals, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use. In permitting such change, the Board of Appeals may require appropriate conditions and safeguards.
4. Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district and the non-conforming use may not thereafter be resumed.
5. When a non-conforming use of a structure, or structure and premises in combination, is discontinued or abandoned for six consecutive months or for 18 months during any three year period (except when government action impedes access to the premises), the structure or structure and premises in combination, shall not thereafter be used except in conformity with the Resolutions of the district in which it is located.
6. Where non-conforming status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land. Destruction for the purpose of this subsection is defined as damage to extent of more than 60 percent of the replacement cost at the time of destruction.

SECTION 908 REPAIRS AND MAINTENANCE: On any non-conforming structure or portion of a structure containing a non-conforming use, work may be done in repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, provided that the cubic contents existing when it became non-conforming shall not be increased. If a non-conforming structure or portion of a structure containing a non-conforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance, and is declared by any authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired, or rebuilt except in conformity with the regulations of the district in which it is located. Nothing in this Resolution shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

SECTION 909 USES UNDER CONDITIONAL USE PROVISIONS NOT NON-CONFORMING USES: Any use which is permitted as a conditional use in a district under the terms of this Resolution, other than a change through the Board of Zoning Appeals action from non-conforming use to another use not generally permitted in the district, shall not be deemed a non-conforming use in such district, but shall without further action be considered a conforming use.

ARTICLE X ADMINISTRATION AND ENFORCEMENT

SECTION 1000 OFFICE OF ZONING INSPECTOR CREATED: A Zoning Inspector designated by the Board of Township Trustees shall administer and enforce this Resolution. He may be provided with the assistance of such other persons as the Board of Township Trustees may direct. If this Zoning Inspector shall find that any of the provisions of this Resolution are being violated, he shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings or structures or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done, or shall take any other action authorized by this Resolution to ensure compliance with or to prevent violations of its provisions.

SECTION 1001 ZONING PERMITS REQUIRED: No building or other structure shall be erected, moved, added to or structurally altered without a permit therefore, issued by the Zoning Inspector. No Zoning Permit shall be issued by the Zoning Inspector except in conformity with the provisions of this Resolution unless he receives a written order from the Board of Zoning Appeals in the form of an administrative review, conditional use, or variance as provided by this Resolution.

SECTION 1002 APPLICATION FOR ZONING PERMIT: All applications for Zoning Permits shall be accompanied by plans in duplicate drawn to scale, showing the actual dimensions and shape of the lot to be built upon, the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the Zoning Inspector, including existing or proposed building or alteration; existing or proposed uses of the units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of this Resolution. One copy of the plans shall be returned to the applicant by the zoning inspector after he marks a copy, either as approved or disapproved, and attested to same by his signature on such copy. The original, similarly marked, shall be retained by the zoning inspector.

SECTION 1003 ZONING CERTIFICATE REQUIRED: It shall be unlawful to use or occupy or permit the use of occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partially altered or enlarged in its uses or structure until a Zoning Certificate shall have been issued therefore by the Zoning Inspector stating that the proposed use of the building or land conforms to the requirements of this Resolution.

SECTION 1005 ISSUANCE OF ZONING CERTIFICATE: No permit for erection, alteration, moving, or repair of any building shall be issued until an

application has been made for a Zoning Certificate, and the certificate shall be issued in conformity with the provisions of this Resolution upon completion of the work.

SECTION 1006 TEMPORARY ZONING CERTIFICATE: A temporary Zoning Certificate may be issued by the Zoning Inspector for a period not exceeding six months during which time alterations or partial occupancy for a building pending its completion is done, provided that such temporary Zoning Certificate may include such conditions and safeguards as will protect the safety of the occupants and the public.

SECTION 1007 RECORD OF ZONING CERTIFICATES: The Zoning Inspector shall maintain a record of all Zoning Certificates, and a copy shall be furnished upon request to any person.

SECTION 1008 FAILURE TO OBTAIN A ZONING CERTIFICATE: Failure to obtain a Zoning Certificate shall be a violation of this Resolution and punishable under Section 1025 of this Resolution.

SECTION 1009 EXPIRATION OF ZONING PERMIT: If the work described in any Zoning Permit has not begun within 180 days from the date of issuance thereof, said permit shall expire; it shall be cancelled by the Zoning Inspector; and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new Zoning Permit has been obtained.

SECTION 1010 CONSTRUCTION AND USE TO BE AS PROVIDED IN APPLICATION, PLANS, PERMITS, AND ZONING CERTIFICATES: Zoning Permits or Zoning Certificates issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use, arrangement and constructions set forth in such approved plans and applications, and no other use, arrangement, or construction. Use, arrangement or construction at variance with that authorized shall be deemed in violation of this Resolution and punishable as provided by Section 1025 hereof.

SECTION 1011 ISSUANCE OF ZONING CERTIFICATE FOR PROJECTS REQUIRING SITE PLAN REVIEW: The Zoning Inspector shall not issue a Zoning Certificate for any application requiring site plan review by the Zoning Commission and/or the Board of Zoning Appeals, namely mobile home parks and planned unit development unless the site plan has been approved by the Zoning Commission and/or the Board of Zoning Appeals.

SECTION 1012 BOARD OF ZONING APPEALS ESTABLISHED: A Board of Zoning Appeals is hereby established, which shall consist of five members to be appointed by the Board of Township Trustees each for a term of five years, except that the initial appointments shall be one each for one, two, three, four and five

year terms, each member shall be a resident of the unincorporated area of Dover Township. Members of the Board of Zoning Appeals may be removed from office by the Township Trustees for cause upon written charges and after public hearing. Vacancies shall be filled by Resolution of the Board of Trustees for the un-expired term of the member affected.

SECTION 1013 PROCEEDINGS OF THE BOARD OF ZONING APPEALS:

The Board of Zoning Appeals shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of this Resolution. Meeting shall be held at the call of the chairman and at such other times as the Boards of Appeals may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. The Board of Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office or place of business of the Board of Appeals.

SECTION 1014 HEARINGS: APPEALS: NOTICE: Appeals to the Board of Zoning Appeals concerning interpretation or administration of this Resolution may be taken by any person aggrieved or by any office or bureau of the governing body of the township affected by any decision of the Zoning Inspector. Such appeals shall be taken within a reasonable time, not to exceed 60 days or such lesser period as may be provided by the rules of the Board of Zoning Appeals by filing with the Zoning Inspector and with the Board of Zoning Appeals a notice of appeal specifying the grounds thereof. The Zoning Inspector shall forthwith transmit to the Board of Appeals all papers constituting the record upon which the action appealed from was taken. The Board of Appeals shall fix a reasonable time for the hearing of appeal, give the public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing any party may appear in person or by agent or attorney.

SECTION 1015 STAY OF PROCEEDINGS: An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Inspector from whom the appeal is taken certifies to the Board of Appeals after the notice of appeal is filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Zoning Appeals or by a court of record on application, on notice to the Zoning Inspector from whom the appeal is taken and on due cause shown.

SECTION 1016 DUTIES OF THE BOARD OF ZONING APPEALS: In exercising its duties, the Board may, as long as such action is in conformity with the terms of this Resolution, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and make such order, requirement, decision or determination as ought to be made, and to that end

shall have the powers of the Zoning Inspector from whom the appeal is taken. A concurring vote of at least three (3) members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Inspector, or to decide in favor of the applicant on any matter upon which it is required to pass under this Resolution or to effect any variation in the application of this Resolution. For the purpose of this Resolution the Board has the following specific responsibilities:

SECTION 1017 ADMINISTRATIVE REVIEW: The Board of Zoning Appeals shall hear and decide appeals where it is alleged there is error in any order, in the enforcement of this Resolution.

SECTION 1018 CONDITIONAL USES: The Board of Appeals shall hear and decide only such conditional uses as the Board of Zoning Appeals is specifically authorized to pass on by the terms of this Resolution; decide such questions as are involved in determining whether conditional uses should be granted; and grant conditional use with such conditions and safeguards as are appropriate under this Resolution, or deny conditional uses when not in harmony with the purpose and intent of this Resolution. A conditional use shall not be granted by the Board of Appeals unless and until:

1. A written application for conditional use is submitted indicating the section of this resolution under which the conditional use is sought and stating the grounds on which it is requested;
2. Notice shall be given at least 10 days in advance of public hearing by at least one publication in a newspaper of general circulation in the Township and by first class mail to all owners of property adjacent to and directly across the street (road) from such area proposed for the conditional use;
3. The public hearing shall be held. Any party may appear in person, or by agent or attorney.
4. The Board of Appeals shall make a finding that it is empowered under the section of this Resolution described in the application to grant the conditional use will not adversely affect the public interest;
5. Before any conditional use shall be issued, the Board of Appeals shall make written findings certifying compliance with the specific rules governing individual conditional uses and that satisfactory provisions and arrangement has been made concerning the following, where applicable;
 - (A) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety

and convenience, traffic flow and control, and access in case of fire or catastrophe.

- (B) Off-street parking and loading areas where required;
- (C) Refuse and service areas, with particular reference to the items in (A) and (B) above;
- (D) Utilities, with reference to locations, availability, and compatibility;
- (E) Screening and buffering with reference to type, dimensions and etc.;
- (F) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
- (G) Required yards and other open spaces;
- (H) General compatibility with adjacent properties and other property in the district.

SECTION 1019 VARIANCES: CONDITIONS GOVERNING APPLICATIONS, PROCEDURES: To authorize upon appeal in specific cases such variances from the terms of this Resolution as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Resolution would result in unnecessary hardship. No non-conforming use of neighboring lands, structure, or buildings in the same district and no buildings and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance. A variance from the terms of this Resolution shall not be granted by the Board of Zoning Appeals unless and until:

1. A written application for a variance is submitted demonstrating:
 - (A) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
 - (B) That literal enforcement and interpretation of the provisions of this resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Resolution.

- (C) That the special conditions and circumstances do not result from the actions of the applicant;
 - (D) That granting the variance requested will not confer on the applicant any special privilege that is denied by this Resolution to other lands, structures, or buildings in the same district;
2. Notice of public hearing shall be given as in Section 1018 (2) of this Resolution;
 3. The public hearing shall be held. Any party may appear in person or by agent or by attorney.
 4. The Board of Appeals shall make findings that the requirements of Section 1019 (1) have been met by the applicant for a variance;
 5. The Board of Appeals shall further make a finding that the reasons set forth in the applications justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure;
 6. The Board of Appeals shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this Resolution and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

SECTION 1020 SUPPLEMENTARY CONDITIONS AND SAFEGAURDS
MAY BE PRESCRIBED: In granting any variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violation of such conditions and safeguards, when made a part of the term under which the variance is granted, shall be deemed a violation of this Resolution and punishable under Section 1025 of this Resolution. Under no circumstances shall the Board of Zoning Appeals grant a variance to allow a use not permissible under the terms of this Resolution in the district involved, or any use expressly or by implication prohibited by the terms of this Resolution in said district.

SECTION 1022 DUTIES OF ZONING INSPECTOR, BOARD OF ZONING APPEALS, GOVERNING BODY, AND COURTS ON MATTERS OF APPEAL:

It is the intent of this Resolution that all questions on the interpretation and enforcement shall be first presented to the Zoning Inspector, and that such questions shall be presented to the Board of 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. Under this Resolution the Board of Township Trustees shall have only the duties of considering and adopting or rejecting proposed amendments or repeal of this Resolution as provided by law, and of establishing a schedule of fees and charges as stated in Section 1023 of this Resolution.

SECTION 1023 SCHEDULE OF FEES, CHARGES, AND EXPENSES: The Board of Township Trustees shall establish a schedule of fees, charges, and expenses and a collection procedure for zoning permits, zoning certificates, appeals, and other matters pertaining to this Resolution. 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 applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

SECTION 1024 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. He shall record properly such complaint, immediately investigate, and take action thereon as provided by this Resolution.

SECTION 1025 PENALTIES FOR VIOLATION: Violation of the provisions of this Resolution or failure to comply with any of its requirements, including violations of conditions and safeguards established in various sections of this Resolution shall constitute a minor misdemeanor. Any person who violates this Resolution and fails to comply with any of its requirements shall upon conviction thereof be fined not more than one-hundred dollars (\$100.00) and in addition shall pay all costs and expense involved in the case. Such sum may be recovered in a court of jurisdiction in Union County by the legal representative of the township, in the name of the township and for the use thereof. Each day that such violation continues after the receipt of a violation notice, shall be considered a separate offense. The owner or tenant of any building, structure, premise, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participate in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provide. Nothing herein contained

shall prevent the Board of Township Trustees from taking such other lawful action as is necessary to prevent or remedy any violation.

ARTICLE XI AMENDMENTS

SECTION 1100 GENERAL REQUIREMENTS: Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Board of Township Trustees may by Resolution and, after receipt of a 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. It shall be the duty of the Zoning Commission to submit its recommendations regarding all applications or proposals for amendments to the Board of Township Trustees.

SECTION 1101 PROCEDURE FOR CHANGE IN ZONING DISTRICTS:

Applications for any change of the district boundaries or classifications of property as shown on the Official Zoning Map shall be submitted to the Zoning Commission at its public office, upon such forms, and shall be accompanied by such data and information as may be prescribed for that purpose by the Zoning Commission, so as to assure the fullest practicable presentation of facts for the permanent record, each proposal for a zone change shall be accompanied by a Vicinity Map at a scale approved by the Zoning Inspector, showing the property lines, streets, and existing and proposed zoning. Each such application shall be verified by at least one of the owners, or leases, of the property, within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the applications. Applications for amendments initiated by the Zoning Commission shall be accompanied by its motion pertaining to such proposed amendment. The procedures for amendment of the Zoning Resolution shall follow the Ohio Revised Code, Chapter 519.

SECTION 1102 APPLICATION FEES: At the time an application for a change of Zoning Districts is filed with the Zoning Commission as provided herein, a fee as referred to in Section 1023 shall be paid to the Zoning Inspector, who shall deliver same to the Township Clerk for investigation, legal notices, and other expenses incidental to the determination of the zoning change. Such sums so deposited shall be credited to the General Fund.

ARTICLE XII DEFINITIONS

INTERPRETATION OF TERMS OR WORDS For the purpose of this Resolution, certain terms or words herein shall be interpreted as follows:

1. The word “Person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
2. The present tense includes the future tense, the singular number includes the plural and the plural number includes the singular.
3. The word “Shall” is a mandatory requirement, the word “May” is a permissive requirement, and the word “Should” is a preferred requirement.
4. The word “Used” or “Occupied” includes the words “intended, designed, or arranged to be uses or occupied.”
5. The word “Lot” includes the word “Plot” or “Parcel”.

ACCESSORY USE OR STRUCTURE: A use of structure on the same lot width, and of a nature customarily incidental and subordinate to, the principal use or structure. 1,200 square feet for all structures, excluding accessory structures.

ADULT ENTERTAINMENT FACILITIES: A facility having a significant portion of its function as adult entertainment, which includes the following listed categories.

1. Adult bookstore, adult novelty store, or adult video store – A commercial establishment that for any form of consideration, has as a significant or substantial portion of its stock-in-trade in, derives a significant or substantial portion of its revenues from, devotes a significant or substantial portion of its interior business or advertising to, or maintains a substantial section of its sales or display space for the sale or rental of any of the following:
 - (a) Hard core material
 - (b) Adult novelties, instruments, devices, or paraphernalia that are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of self or others.
2. Adult cabaret means a nightclub, bar, juice bar, restaurant, bottle club, or similar commercial establishment, whether or not alcoholic beverages are served, that regularly features any of the following:
 - (a) Persons who appear in a state of nudity or semi-nudity;

- (b) Live performances that are characterized by the exposure of specified anatomical areas or specified sexual activities.
 - (c) Films, motion pictures, video cassettes, slides, or other photographic reproductions, which are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas.
3. Adult entertainment – The sale, rental, or exhibition, for any form of consideration, of books, films, video, cassettes, magazines, periodicals, or live performances that are characterized by an emphasis on the exposure or display of specified or anatomical areas or specified sexual activity.
 4. Adult entertainment establishment or Sexually Oriented business – An adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theater, adult theater, lingerie modeling studio, nude or seminude model studio, or sexual encounter establishment. An establishment in which a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to, massage therapy, as regulated pursuant to section 4731.15 of the Revised Code is not an “adult entertainment establishment”.
 5. Adult motion picture theater – A commercial establishment where films, motion pictures, video cassettes, slides, or similar photographic reproductions that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas are regularly shown for any form of consideration.
 6. Adult theater – A theater, concert hall, auditorium, or similar commercial establishment that, for any form of consideration, regularly features persons who appear in a state of nudity or semi-nudity or live performances that are characterized by their emphasis upon the exposure of specified anatomical areas or specified sexual activities.

ADULT-ORIENTED BUSINESS: An establishment having as its primary stock and trade material that is distinguished or characterized by its emphasis on sexually oriented material that is harmful to juveniles or obscene.

AGRICULTURE: “Agriculture” includes farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including but not limited to, the care and raising of livestock, equine, and fur bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber, pasturage; any combination of the foregoing; the processing, drying, storage, and

marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production. Agritourism, Agritourism Provider, Farm, and Agriculture Production.

ALLEY: See Thoroughfare.

ALTERATION, STRUCTURAL: Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.

ANEMOMETER: An instrument that measures the force and direction of the wind.

ANIMAL FEED LOTS: Means a paved animal feeding or holding area or other lot, pen, yard, or other feeding or holding area where grass or other suitable vegetable cover is not maintained.

AUTOMOTIVE REPAIRS: The repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision services, painting and steam cleaning of vehicles.

BASEMENT: A story all or partly underground, but having at least one-half of its height below the average level of the adjoining ground.

BILLBOARD SIGN: A large panel advertisement seen in public places, such as alongside highways or on the sides of buildings used to display various forms of information.

BIOSWALE: A landscape element designed to concentrate or remove silt and pollution from surface runoff water. Bioswales may consist of a swaled drainage course with gently sloped sides, usually less than six percent, which may be filled with vegetation, compost and/or riprap.

BUILDING: Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animal, chattels, or property.

BUILDING, ACCESSORY: A subordinate building detached from, but located on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use.

BUILDING HEIGHT: The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roof, to the deck line of mansard roofs, and the mean height between eaves and ridge for gable, hip and gambrel roofs. Where a building is located on sloping terrain, the height may be measured from the average ground level of the grade at the building wall.

BUILDING LINE: See Setback Line.

BUILDING, MANUFACTURED: A manufactured building has the following features or characteristics: It is (1) massed produced in a factory; or (2) designed and constructed for transportation to a site with or without a chassis for installation and used when connected to required utilities; or (3) either an independent, individual factory erected buildings or module with two or more sides erected at the factory, for combination with other elements to form a building on the site.

BUILDING, PRINCIPAL: A building in which is conducted the main or principal use of the lot on which said building is situated.

BUSINESS, CONVENIENCE-TYPE RETAIL: Retail businesses whose market area is the neighborhood or part of the community, which provides convenience-type goods and personal services for the daily needs of the people within the residential area. Uses include, but need not be limited to, drugstores, beauty salon, barber shops, carry-outs, dry cleaning and laundry facilities, supermarkets, etc.

BUSINESS, DRIVE-IN: Any business, structure or premise which is designed primarily to serve occupants of motor vehicles without the occupants having to leave the vehicle.

BUSINESS, SERVICE: Any profit making activity which renders primarily services to the public or to other commercial or industrial enterprises. Some retail sales may be involved in connection with the service rendered.

BUSINESS, SHOPPING-TYPE RETAIL: A retail or service business which supplies a wide variety of comparison goods or services to consumers in a market area that includes the community or an area greater than a community. Examples of shopping-type businesses are furniture stores, automobile sales and services and clothing shops.

CHANNEL: A natural or artificial watercourse of perceptible extent with bed and banks to confine and conduct continuously or periodically flowing water.

CHASSIS: The steel undercarriage, supporting framework to which a dwelling is permanently attached.

CLEAR FALL ZONE: An area surrounding the wind turbine unit into which the turbine and/or turbine components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing turbine failure that shall remain unobstructed and confined within the property lines of the primary parcel where the turbine is located at, the purpose being that if the turbine should fall or otherwise become damaged, the falling structure will be confined to

the primary parcel and will not fall onto dwellings, any inhabited buildings, and will not intrude onto a neighboring property.

CLINIC: A place used for care, diagnosis and treatment of sick, ailing, infirm, or injured persons, and those who are in need of medical and surgical attention, but who are not provided with board or room or kept overnight on the premises.

CLUB: A building or portion thereof or premises owned or operated by a person for a social, literary, political, educational, fraternal, or recreational purpose primarily for the exclusive use of members and their guests.

COMMERCIAL STORAGE BUSINESS UNIT: Any structure built for storage or converted for storage and is rented or leased for personal services.

COMMON ACCESS DRIVE: A Common Access Drive (CAD) is a privately constructed, privately owned and privately maintained driveway within an ingress/egress easement, serving more than one lot (or parcel) but not more than five lots (or parcels), properly installed in accordance with the requirements of the County Engineer and for which the county and township accept NO responsibility for maintenance, either initially or at any time in the future, a common access drive provides an alternative to construction of public or private streets for accessing small numbers of lots and reduces the number of driveways along public roads. (See Section 565)

COMPREHENSIVE DEVELOPMENT PLAN: A plan, or any portion thereof, adopted by the Regional Planning Commission and the board of County Commissioners showing the general location and extent of present and proposed physical facilities including housing, industrial, and community facilities. This plan established the goals, objectives, and policies of the community.

COMPUTERIZED OR SWEEPSTAKES GAMING DEVICE: Means any computer, machine, game or apparatus which, upon the insertion of a coin, token, access number, magnetic card, or similar object or upon payment of anything of value, may be operated by the public generally for use as a contest of skill, entertainment or amusement, whether or not registering a score and which provides the user a chance to win anything of value that is not “*de minimus*” on a per play basis or any cash payout or anything of value that could be redeemed, directly or indirectly for any cash payout and which is not gambling under state or local laws. Machines designated for use by the State Lottery Commission are not computerized sweepstakes or gaming devices for the purposes of this article. “*De minimus*” as used in this section shall mean less than ten dollars (\$10.00).

CONDITIONAL USE: A use permitted within a district other than a principally permitted use, requiring a Conditional Use Permit and approval of the Board of Zoning Appeals. Conditional uses permitted in each district are listed in the official schedule of District Regulations.

CONDITIONAL USE PERMIT: A permit issued by the Zoning Inspector upon approval by the Board of Zoning Appeals to allow a use other than a principally permitted use to be established within the district.

CONSERVATION: The protection, preservation, management or restoration of wildlife and/or natural resources such as forest, soil, and water.

CORNER LOT: See Lot Types.

COWLING: A streamlined removable metal that covers the turbine's nacelle.

CUL-DE-SAC: See Thoroughfare.

DEAD-END STREET: See Thoroughfare.

DECIBEL: A unit of relative loudness equal to ten times the common logarithm of the ratio of two readings. For sound, the decibel scale runs from zero for the least perceptible sound to 130 for sound that causes pain.

DENSITY: A unit of measurement; the number of dwelling units per acre of land.

1. Gross Density- The number of dwelling units per acre of the total land to be developed.
2. Net Density- The number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

DETENTION POND: A low lying area that is designed to temporarily hold a set amount of water while slowly draining to another location. This type of pond may be used for flood control when large amounts of rain could cause flash flooding.

DWELLING: Any building or structure which is wholly or partly used or intended to be used for living or sleeping quarters by one or more human occupants.

DWELLING (HOUSING), MANUFACTURED: A manufactured building or portion of a building designed for a long-term residential use. This category includes the following:

1. MODULAR UNIT: A factory fabricated transportable building designed to be used by itself or to be incorporated with similar units at a building site into a modular structure. The term is intended to apply to major assemblies and does not include prefabricated panels, trusses, plumbing

trees and other prefabricated sub-elements which are to be incorporated into a structure at the site.

2. SECTIONAL UNIT: A dwelling made of two or more modular units transported to the home site, put on a foundation and joined to make a single dwelling.
3. MOBILE HOME: Manufacture housing built on a chassis. A mobile home shall be construed to remain a mobile home, subject to all regulations applying thereto, even when wheels, axles, hitch, or other appurtenances of mobility are removed and regardless of the nature of the foundation provided. A mobile home shall not be construed to be a travel trailer or other form of recreational vehicle.
4. MOBILE HOME, DOUBLEWIDE OR TRIPLEWIDE: A mobile home consisting respectively of two or three sections combined horizontally at the site to form a single dwelling, while still retaining their individual chassis for possible future movement.
5. MOBILE HOME, EXPANDABLE: A mobile home with one or more room sections that fold, collapse, or telescope into the principal unit when being transported and which can be expanded at the site to provide additional living area.
6. STATEMENT OF INTENT FOR DWELLING (HOUSING), MANUFACTURED: Because terms for manufactured housing such as those listed in the above definition entitled DWELLING (HOUSING), MANUFACTURED tend to change over the years the purpose and intent of the definition is to draw a distinction between dwellings that are produced and erected in assembly line style at the factory, from those stick-built dwellings (see definition STICK BUILT) in which a substantial amount of material and construction labor are brought together in final form at the foundation site. The above explanation is the spirit in which any future interpretation shall be made from this section, no matter what terms for manufactured housing are in vogue at any given time.

DWELLING, INDUSTRIALIZED UNIT: 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 herein or a mobile home as defined herein.

DWELLING, MULTI-FAMILY: A dwelling, except manufactured housing, consisting of two or more dwelling units including condominiums with varying arrangements or entrances and party walls.

DWELLING, ROOMING HOUSE (BOARDING HOUSE, LODGING HOUSE, DORMITORY): A dwelling or part thereof, other than a hotel, motel, or restaurant where meals and/or lodging are provided for compensation, for three or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.

DWELLING, SINGLE FAMILY: A dwelling, except manufactured housing, consisting of a single dwelling unit only, separated from other dwelling units by open space.

DWELLING, TWO FAMILY: A dwelling, except manufactured housing, designed exclusively for occupancy by two (2) families living independently of each other, including a duplex, (one dwelling unit above the other) or a semi-detached dwelling, (one dwelling unit beside the other).

DWELLING UNIT: Space, within a dwelling, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one family and its household employees.

EASEMENT: Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

EATING ESTABLISHMENT: A business participating in the preparing and selling of food or food products.

ESSENTIAL SERVICES: The erection, construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies, or underground gas, electric, water transmission, or distribution systems, collection, communication, supply or disposal systems or sites, including poles, wires, mains, drains, sewers, pipes, traffic signal, hydrants, or other similar equipment and accessories in connection therewith which are reasonably necessary for the furnishing of adequate services by such utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

FAMILY: One or more related persons occupying a single dwelling unit.

FENCE, DECORATIVE: A fence or hedge used for decorative purposes only and not used to confine or enclose an area.

FENCE, FUNCTIONAL: A barrier fence or hedge used to confine or enclose an area.

FLOOD PLAIN: That land, including the flood fringe and the flood way subject to inundation by the regional flood.

FLOOD, REGIONAL: Large floods which have previously occurred or which may be expected to occur on a particular stream because of like physical characteristics. The regional flood generally has an average frequency of the one hundred (100) year occurrence interval flood.

FLOODWAY: That portion of the flood plain, excluding the channel, which is reasonably required to convey the regional flood waters. Floods of less frequent recurrence are usually contained completely within the floodway.

FLOODWAY FRINGE: That portion of the flood plain, excluding the floodway, where development may be allowed under certain restrictions.

FLOOR AREA OF A NON-RESIDENTIAL BUILDING (TO BE USED IN CALCULATING PARKING REQUIREMENTS): The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows, and fitting rooms, and similar areas.

FLOOR AREA OF A RESIDENTIAL BUILDING: The sum of the gross horizontal area of the several floors of a residential building, excluding basement floor areas not devoted to residential use and attached garages, but including the area or roofed porches and roofed terraces. All dimensions shall be measured between interior faces of walls.

FLOOR AREA, USABLE: Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls.

FOOD PROCESSING: The preparation, storage, or processing of food products. Examples of these activities include bakeries, dairies, canneries, meat processing plants and similar activities.

FORESTRY: The propagation and harvesting of forest trees.

GASOLINE SERVICE STATION: Buildings and premises where gasoline, oil, grease, batteries, tires, and automobile accessories may be supplied and dispensed at retail.

HAZARDOUS WASTES: Those substances which, singly or in combination, pose a significant present or potential threat or hazard to human health or to the environment, and which, singly or in combination, require special handling,

processing, or disposal, because they are or may be flammable, explosive, reactive, corrosive, toxic, infectious, carcinogenic, bioconcentrative, or persistent in nature, potentially lethal, or an irritant or strong sensitizer.

HOME OCCUPATION: An occupation conducted in a dwelling unit, provided that: No more than one person other than members of the family residing on the premises shall be engaged in such occupation. The use of the dwelling unit for home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than thirty-five (35) percent of floor area of the dwelling unit shall be used in the conduct of the home occupant. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding four square feet in area, non-illuminated and mounted flat against the wall of the principal building. No traffic shall be generated by such occupation in greater volume than would normally be expected in such a residential area and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this resolution.

INCINERATOR: A furnace or other device used for burning trash or unwanted items or material.

INTERNET SWEEPSTAKES CAFÉ AND GAMING ESTABLISHMENT: Means any premises upon which any computerized or sweepstakes gaming device is located for the use or entertainment of the public, whether or not such premises has other business purposes of any nature whatsoever. The establishment sells phone cards, gift cards, or other monetary based cards, or internet access time, which can be used to play computer generated games at which there is the possibility of winning a predetermined prize.

JUNK: “Junk” means old scrap copper, brass, rope, rags, trash, waste, batteries, paper, rubber, junked, dismantled, or wrecked automobiles or parts thereof; iron, steel, and other old or scrap ferrous or non-ferrous materials.

JUNK YARD: “Junk Yard” means an establishment on place of business which is maintained or operated, or any other land used, for the purpose of storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard. It shall also include scrap metal processing facilities which are located within one thousand feet of the nearest edge of the right-of-way of a highway or street, and any site, location, or premise on which are kept two or more junk motor vehicles as defined in Section 311.301 of the Ohio Revised Code, whether or not for a commercial purpose.

JUVENILE: An unmarried person under the age of eighteen.

KENNEL: Any lot or premise on which dogs, cats, or other household pets are boarded, bred, or exchanged for monetary compensation.

LOADING, SPACE, OFF-STREET: Space logically and conveniently located for bulk pick-ups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space. All off-street loading spaces shall be located totally outside of any street or alley right-of way.

LOCATION MAP: See Vicinity Map.

LOT: For the purpose of this Resolution a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area for one principal building together with its accessory building and which provides such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

1. A single lot of record;
2. A portion of a lot of record;
3. A combination of complete lots of record, or complete lots of record and portions of lots of record, or of portions of lots of record.

LOT COVERAGE: The ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.

LOT FRONTAGE: The front of a lot shall be the portion at the street or road. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets or roads shall be considered frontage, and yards shall be provided as indicated under “Yard” in this section. Also, see Lot Measurements, Width.

LOT MEASUREMENTS: A lot shall be measured as follows:

1. Depth. The distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and rearmost points of the side lot lines in the rear. No lot shall have an average depth which is more than three (3) times its average width.
2. Width. The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the street or road right-of-way line, except on cul-de-sac streets (roads) where it is measured at the setback line. (Also see Lot Frontage).

LOT, MINIMUM AREA OF: The area of a lot is computed exclusive of any portion of the right-of-way of any public or private street.

LOT OR RECORD: A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

LOT TYPES: Terminology used in this Resolution with reference to corner lots, interior lots and through lots is as follows:

1. CORNER LOT: A lot located at the intersection of two or more streets. A lot abutting on a curved street of streets shall be considered a corner lot if straight lines are drawn from the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.
2. INTERIOR LOT: A lot with only one frontage on a street.
3. THROUGH LOT: A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
4. REVERSED FRONTAGE LOT: A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

LOW DENSITY RESIDENCE: A residence for a single family dwelling units not to exceed three (3) dwelling units per acre.

MAJOR THOROUGHFARE PLAN: The portion of the comprehensive plan adopted by the Board of County Commissioners indicating the general location recommended for arterial, collector, and local thoroughfares within the appropriate jurisdiction.

MANUFACTURING, HEAVY: Manufacturing, processing, assembling, storing, testing, and similar industrial uses which are generally major operations and extensive in character; require large sites, open storage and service areas, extensive services and facilities, ready access to regional transportation; and normally generate some nuisances such as smoke, noise, dust, glare, air pollution, odor, but not beyond the district boundary to any large extent.

MANUFACTURING, LIGHT: Manufacturing or other industrial uses which are usually controlled operations; relatively clean, quiet, and free of objectionable or hazardous elements such as smoke, noise, odor, or dust; operating and storing within enclosed structure; and generating little industrial traffic and no major nuisances.

MATERIAL: Any book, magazine, newspaper, pamphlet, poster, print, picture, figure, image, description, motion picture film, phonographic record, or tape, or other tangible thing capable of arousing interest through sight, sound, or touch.

MEDICAL MARIJUANA RELATED DEFINITIONS:

1. Cultivate. Means to grow, harvest, package, and transport medical marijuana pursuant to ORC 3796.
2. Cultivator. Means an entity that has been issued a certificate of operation by the State of Ohio to grow, harvest, package, and transport medical marijuana as permitted under ORC 3796.
3. Dispensary. Means an entity licensed pursuant to ORC 3796 any rules promulgated thereunder to sell medical marijuana to qualifying patients and caregivers.
4. Dispense. Means the delivery of medical marijuana to a patient or the patient's registered caregiver that is packaged in a suitable container appropriately labeled for subsequent administration to or use by a patient as permitted by Ohio law in accordance with Ohio law.
5. Manufacture. Means the process of converting harvested plant material into marijuana extract by physical or chemical means for use as an ingredient in a medical marijuana product.
6. Marihuana. Has the same meaning as defined in ORC 3719.01, as amended from time to time.
7. Marijuana. Has the same meaning as defined in ORC 3796.01, as amended from time to time.
8. Medical Marijuana. Has the same meaning as defined in ORC 3796.01, as amended from time to time.
9. Medical Marijuana Entity. Means a medical marijuana cultivator, processor, dispensary, or testing laboratory licensed by the State of Ohio.
10. Medical Marijuana Processor. Means an entity that has been issued a certificate of operation by the State of Ohio to manufacture medical marijuana products.
11. Testing Laboratory. Means an independent laboratory located in Ohio that has been issued a certificate of operation by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis.

MEDIUM DENSITY RESIDENCE: A residence for single family and/or multi-family dwelling units not to exceed six (6) dwelling units per acre.

MEGAWATT (MW): A unit of power, equal to one million watts.

MINING, COMMERCIAL, QUARRIES, SAND, AND GRAVEL PITS: Any mining, quarrying, or processing of limestone, clay, sand, and gravel or other mineral sources. This is also referred to as mineral extraction.

MOBILE HOME PARK: Any site, or tract of land under single ownership, upon which three or more mobile homes used for habitation are parked, either free of charge or for revenue purposes; including any roadway, building, structures, vehicle or enclosure used or intended for use as part of the facilities of such park.

NACELLE: A separate streamlined metal enclosure that covers the essential mechanical components of the turbine.

NON-CONFORMITIES: A building, structure, or use of land existing at the time of enactment of this Resolution and which does not conform to the regulations of the district or zone in which it is situated.

NUDITY: The showing of human male or female genitals, pubic area, or buttocks with less than a fully opaque covering; the female breast with less than a fully opaque covering on any part of the nipple.

NURSERY, NURSING HOME: A home or facility for the care and treatment of babies, children, pensioners, or elderly people.

NURSERY, TREES AND PLANTS: A place where young trees or other plants are raised for transplanting and/or for sale.

OFFICES: Quasi-commercial uses which may often be transitional between retail business and/or manufacturing and residential uses. Office businesses generally accommodate such occupants as administrative, executive, professional, accounting, clerical, drafting, etc. Institutional offices of a charitable, philanthropic, financial or religious or educational nature are also included in this classification.

OPEN SPACE: An area substantially open to the sky which may be on the same lot with a building. The area may include, along with the natural environmental features, water area, swimming pools and tennis courts, and any other recreational facilities that the zoning commission deems permissive. Street, parking area, structures for habitation, and the like shall not be included.

ORCHARDS: An area of land devoted to the cultivation and sale of fruit trees and the sale of the fruit there from.

PARKING SPACES, OFF-STREET: For the purposes 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.

PERFORMANCE BOND OR SURETY BOND: An agreement by a sub divider or developer with the Board of County Commissioners for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the sub divider's agreement.

PERSONAL SERVICES: Any enterprise conducted for the gain which primarily offers services to the general public such as shoe repair, water repair, barber shops, florists, beauty parlors, and similar activities.

PLANNED UNIT DEVELOPMENT: Planned unit development regulations shall apply to property only at the election of the property owner and shall include standards to be used by the township in determining whether to approve or disapprove any proposed development within a planned unit development. The planned unit development shall further the purpose of promoting the general public welfare, encouraging the efficient use of land and resources, promoting greater efficiency in providing public and utility services, and encouraging innovation in the planning and building of all types of development. Within a planned unit development, the township zoning regulations, where applicable, may vary in order to accommodate unified development and to promote the public health, safety, morals, and other purposes as specified.

PLAT: Has the same meaning as ORC 711.001 as amended. "Plat" means a map of a tract or parcel of land.

PRIMARY STRUCTURE: For each property, the structure that one or more persons occupy the majority of time on that property for either business or personal reasons. Primary structures include structures such as residences, commercial buildings, hospitals, and day care facilities. Primary structures exclude structures such as hunting sheds, storage sheds, pool houses, unattached garages, and barns.

PRINTING AND PUBLISHING: Any business which is engaged in the printing and/or publishing of newspapers, magazines, brochures, business cards, and similar activities either for profit or non-profit.

PROFESSIONAL ENGINEER: A qualified individual who is licensed as a Professional Engineer in the State of Ohio.

PUBLIC SERVICE FACILITY: The erection, construction, alteration, operation, or maintenance of buildings, power plants, or substations, water treatment plants or pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a governmental agency, including the furnishing of electrical, gas rail transport, communication, public or private water and sewage service and sanitary landfills.

PUBLIC USES: Public parks, schools, administrative and cultural buildings and structures, not including public land or buildings devoted solely to the storage and maintenance of equipment and materials and public service facilities.

PUBLIC WAY: An alley, bridge, channel, ditch, easement, expressway, freeway, highway, land, sidewalk, street walk, bicycle path; or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

QUASI-PUBLIC USE: Churches and other facilities of an educational, religious, charitable, philanthropic, or non-profit nature.

RECREATIONAL, COMMERCIAL: Any business which is operated as a recreational enterprise, either publicly or privately owned, for profit. Examples include, but not limited to: golf courses, bowling alleys, swimming pools, tourist attractions, etc.

RECREATIONAL, NON-COMMERCIAL: Any business which is operated as a recreational enterprise, either publicly or privately owned, for non-profit. Examples include, but are not limited to: fishing areas, parks, archery ranges, ball parks, etc.

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

- (1) “Travel Trailer” means a non-self-propelled recreational vehicle that does not exceed an overall length of thirty-five feet, exclusive of bumper and tongue or coupling, and contains less than three hundred twenty square feet of space when erected on site. “Travel trailer” includes a tent-type foldout camping trailer as defined in section 4517.01 of the Revised Code.
- (2) “Motor home” means a self-propelled recreational vehicle that is constructed with permanently installed facilities for cold storage, cooking and consuming of food, and for sleeping.
- (3) “Truck camper” means a non-self-propelled recreational vehicle that does not have wheels for road use and is designed to be placed upon and

attached to a motor vehicle. “Truck camper” does not include truck covers that consist of walls and a roof, but do not have floors and facilities enabling them to be used as a dwelling.

- (4) “Fifth wheel trailer” means a vehicle that is of such size and weight as to be movable without a special highway permit, that has a gross trailer area of four hundred square feet or less, that is constructed with a raised forward section that allows a bi-level floor plan, and that is designed to be towed by a vehicle equipped with a fifth-wheel hitch ordinarily installed in the bed of a truck.
- (5) “Park trailer” means a vehicle that is commonly known as a park model recreational vehicle, meets the American National Standard Institute standard A119.5 (1998) for park trailers, is built on a single chassis, has a gross trailer area of four hundred square feet or less when set up, is designed for seasonal or temporary living quarters, and may be connected to utilities necessary for the operation of installed features and appliances.

RECREATIONAL VEHICLE PARK: A parcel of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

RECREATIONAL VEHICLE SITE: A plot of land within a recreational vehicle park intended for the accommodation of a recreational vehicle, tent, or other individual camping unit on a temporary basis.

RESEARCH, DEVELOPMENT AND TESTING: Establishments, structures, facilities and areas devoted to research, product development and scientific testing whether in connection with the development of new products, the discovery of causes of product failure or malfunction, and specifically including without limitation the conduct of research, development and testing concerning: automotive, vehicular and other forms of transportation; engines; power products and equipment; production equipment; any and all other processes related to any of the foregoing; and improved highway facilities for vehicular traffic.

RETENTION POND: A storage site designed to hold a specific amount of water in storage indefinitely and permanently obstructed from flowing downstream.

RIGHT-OF-WAY: A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporated the curbs, lawn strip, sidewalk, lighting, and drainage facilities, and may include special features required by the topography or treatment such as grade separation, landscaped areas, viaducts, and bridges.

SALVAGE MOTOR VEHICLE: Any motor vehicle which is in a wrecked, dismantled, or worn out condition, or unfit for operation as a motor vehicle.

SANITARY LANDFILL: A land disposal site employing a method of disposing of solid wastes on land in a manner intended to minimize environmental hazards by spreading the solid wastes in thin layers, compacting the solid wastes to the smallest practical volume, and applying and compacting cover material daily.

SEAT: For purposes of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating units installed or indicated, or each twenty-four (24) lineal inches of benches, pews, or spaces for loose chairs.

SERVICE STATION: Any building, structure, or land used for the dispensing and sale at retail of any automobile fuels, oils, or accessories, including lubrication of automobiles and replacement or installation of minor parts and accessories but not including major repair work.

SETBACK LINE: A line established by the Zoning Resolution generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory buildings, or structure may be located above ground, except as may be provided in said code.

SEWERS, CENTRAL OR GROUP: An approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community, or region.

SEWERS, ON-SITE: A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

SIDEWALK: That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic.

SIGN: Any device designated to inform or attract the attention of persons not on the premises on which the sign is located.

1. **SIGN, OFF-PREMISES:** Any sign unrelated to a business or profession conducted or to a commodity or service sold or offered upon the premises where such sign is not located.
2. **SIGN, ON-PREMISES:** Any sign related to a business or profession conducted, or a commodity or service sold or offered upon the premises where such sign is located.

3. SIGN, ILLUMINATED: Any sign illuminated by electricity, gas, or other artificial light including reflecting or phosphorescent light.
4. SIGN, LIGHTING DEVICE: Any light, string of lights, or group of lights located or arranged so as to cast illumination on a sign.
5. SIGN, GROUND: A display sign supported by uprights or braces in or upon the ground surface.
6. SIGN, MARQUEE: A display sign attached to or hung from a marquee, canopy or other covered structure projecting from and supported by the building and extending beyond the building wall, building line or street lot line.
7. SIGN, POLE: Any sign which is erected on a pole or poles, which is wholly or partially independent of any building for support.
8. SIGN, PROJECTING: A display sign which is attached directly to the building wall and which extends more than fifteen inches from the face of the wall.
9. SIGN, ROOF: A display sign which is erected constructed and maintained above the roof of the building.
10. SIGN, TEMPORARY: A display sign, banner, or other advertising device constructed on cloth, canvas, fabric or other light temporary material, with or without a structural frame, intended for a limited period of display, including decorative displays for holidays or public demonstrations.
12. SIGN, WALL: A display sign which is painted on or attached directly to the building wall and which extends not more than fifteen inches from the face of the wall.

SOLAR ENERGY RELATED DEFINITIONS:

1. ACCESSORY SOLAR ENERGY: A solar collection system consisting of one or more roof/structure mounted and/or ground/pole mounted solar collector devices and solar related equipment, and is intended to primarily reduce on-site consumption of utility power. A system is considered an accessory solar energy system only if it supplies electrical or thermal power solely for on-site use, except that when a property upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.
2. PRINCIPAL SOLAR ENERGY PRODUCTIONS FACILITY: An area of land or other area used for a solar collection system principally

used to capture solar energy and convert it to electrical energy. Large solar energy production facilities consist of one or more free-standing ground/pole, or roof/structure mounted solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. These production facilities primarily produce electricity to be provided off-site.

3. SOLAR ENERGY EQUIPMENT: Items for the purpose of generation, transmission, and storage of electricity, including but not limited to a solar photovoltaic cell, solar panels, lines, pumps, inverter, batteries, mounting brackets, framing and/or foundation used for or intended to be used for the collection of solar energy.
4. SOLAR PHOTOVOLTAIC (PV): The technology that uses a semiconductor to convert light directly into electricity.
5. CLEAR FALL ZONE (SOLAR ENERGY): An area surrounding a ground/pole mounted solar energy system into which the system and/or components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing the structure's failure that shall remain unobstructed and confined within the property lines of the primary lot where the system is located. The purpose of the zone being that if the system should fall or otherwise become damaged, the falling structure will be confined to the primary parcel and will not intrude onto a neighboring property.

SOLID WASTES: Such unwanted residual solid or semi-solid material as results from industrial, commercial, agricultural, and community operations, excluding earth or material from construction, mining, or demolition operations, and slag and other substances which are not harmful or inimical to public health, and includes, but is not limited to, garbage, combustible and non-combustible material, street dirt, and debris. For purposes of this definition, "material from construction operations" and "material from demolition operations" are those items affixed to the structure being constructed or demolished, such as brick, stone, glass, wallboard, framing and finishing lumber, roofing materials, plumbing, plumbing fixtures, wiring, and insulation material.

STICK-BUILT: A way of describing any structure built from board of lumber and other building materials, in which a substantial amount of the required material and construction labor are brought together in final form at the foundation site.

STORY: That part of a building between the surface of a floor and the ceiling immediately above.

STRUCTURE: Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences, and billboards.

SUBDIVISION: Has the same meaning as ORC 711.001 as amended. “Subdivision” means either of the following:

1. The division of any parcel of land shown as a unit or as contiguous units on the last preceding general tax list and duplicate of real and public utility property, into two or more parcels, sites, or lots, any one of which is less than five acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the following are exempt:
 - a. A division or partition of land into parcels of more than five acres not involving any new streets or easements of access;
 - b. The sale or exchange of parcels between adjoining lot owners, where that sale or exchange does not create additional building sites;
 - c. If the planning authority adopts a rule in accordance with section 711.133 of the Revised Code that exempts from division (B) (1) of this section any parcel of land that is four acres or more, parcels in the size range delineated in that rule.
2. The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any public or private street or streets, except private streets serving industrial structures, or involving the division or allocation of land as open spaces for common use by owners, occupants, or leaseholders or as easements for the extension and maintenance of public or private sewer, water, storm drainage, or other similar facilities.

SUPPLY YARDS: A commercial establishment storing and offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods.

SWIMMING POOLS: A pool, pond, lake, or open tank containing at least 1.5 feet of water at any point and maintained by the owner or manager. Farm ponds are exempt from this definition.

1. PRIVATE: Exclusively used without paying an additional charge for admission by the residents and guests of a single household, a multifamily

development, or a community, the members and guests of a club, or the patrons of a motel or hotel; and accessory use.

2. COMMUNITY: Operated with a charge for admission; a primary use.
3. PORTABLE: A pool that can be easily or conventionally transported.
4. INFLATABLE SWIMMING POOL: A pool designed to be filled with air or gas.

THOROUGHFARE, STREET, OR ROAD: The full width between property lines bounding every public way or whatever nature with a part thereof to be used for vehicular traffic and designed as follows:

1. ALLEY: A minor street used primarily for vehicular service access to the back side of properties abutting on another street.
2. ARTERIAL STREET: A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually, on a continuous route.
3. COLLECTOR STREET: A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential sub-divisions.
4. CUL-DE-SAC: A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.
5. DEAD-END STREET: A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.
6. LOCAL STREET: A street primarily for providing access to residential or other abutting property.
7. LOOP STREET: A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred and eighty (180) degree system of turns are not more than one thousand (1000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other.
8. MARGINAL ACCESS STREET: A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. This is also called frontage street.

TELECOMMUNICATION TOWER: Any structure with radio frequency transmission or reception equipment attached that is free standing or is to be connected to a building or other structure. A telecommunication tower shall meet all of the following conditions:

- a) It is constructed on or after October 31, 1996;
- b) It is owned or principally used by a public utility engaged in the provision of telecommunication services;
- c) It is a free standing structure or is attached to another building or structure and is higher than the maximum allowable height permitted in the zoning district in which it is located.

THROUGH LOT: See Lot Types.

TOXIC OR HAZARDOUS MATERIAL: Any substance or mixture by physical characteristic such as flammability, corrosivity, toxicity, reactivity, or infectious characteristics as to pose a significant or potential hazard to water supplies or human health if such substances were discharged to land or waters of the community or township.

TRANSIENT LODGINGS: A building in which lodging or boarding and lodging are provided and offered to the public for compensation. As such it is open to the public in contradistinction to a boarding house, rooming house, lodging house, or dormitory which is herein separately defined. Examples include hotel, motel, and apartment hotel.

TRANSPORT TERMINALS: Any business, structure or premise which primarily receives or distributes goods.

TRANSPORTATION, DIRECTOR OF: The director of the Ohio Department of Transportation.

USE: The specific purpose for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

VARIANCE: A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

VETERINARY ANIMAL HOSPITAL OR CLINIC: A place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and

those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for the treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.

VICINITY MAP: A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the general area in order to better locate and orient the area in question.

WALKWAY: A public way, four (4) feet or more in width, for pedestrian use only, whether along the side of a road or not.

WHOLESALE AND WAREHOUSING: Business establishments that generally store and sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments, or manufacturing establishments. These commodities are basically for further resale, for use in the fabrication of a product, or for use by a business service.

WIND FARM – SMALL: Wind turbines and the associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than five megawatts.

WIND POWER TURBINE OWNER: The person or persons who owns the Wind Turbine structure.

WIND POWER TURBINE TOWER: The support structure to which the turbine and rotor are attached.

WIND POWER TURBINE TOWER HEIGHT: The distance from the rotor blade at its highest point to the top surface of the Wind Power Generating Facility (WPGF) foundation.

YARD: A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot upward; provided accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirement limiting obstruction of visibility.

1. YARD, FRONT: A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.
2. YARD, REAR: A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.

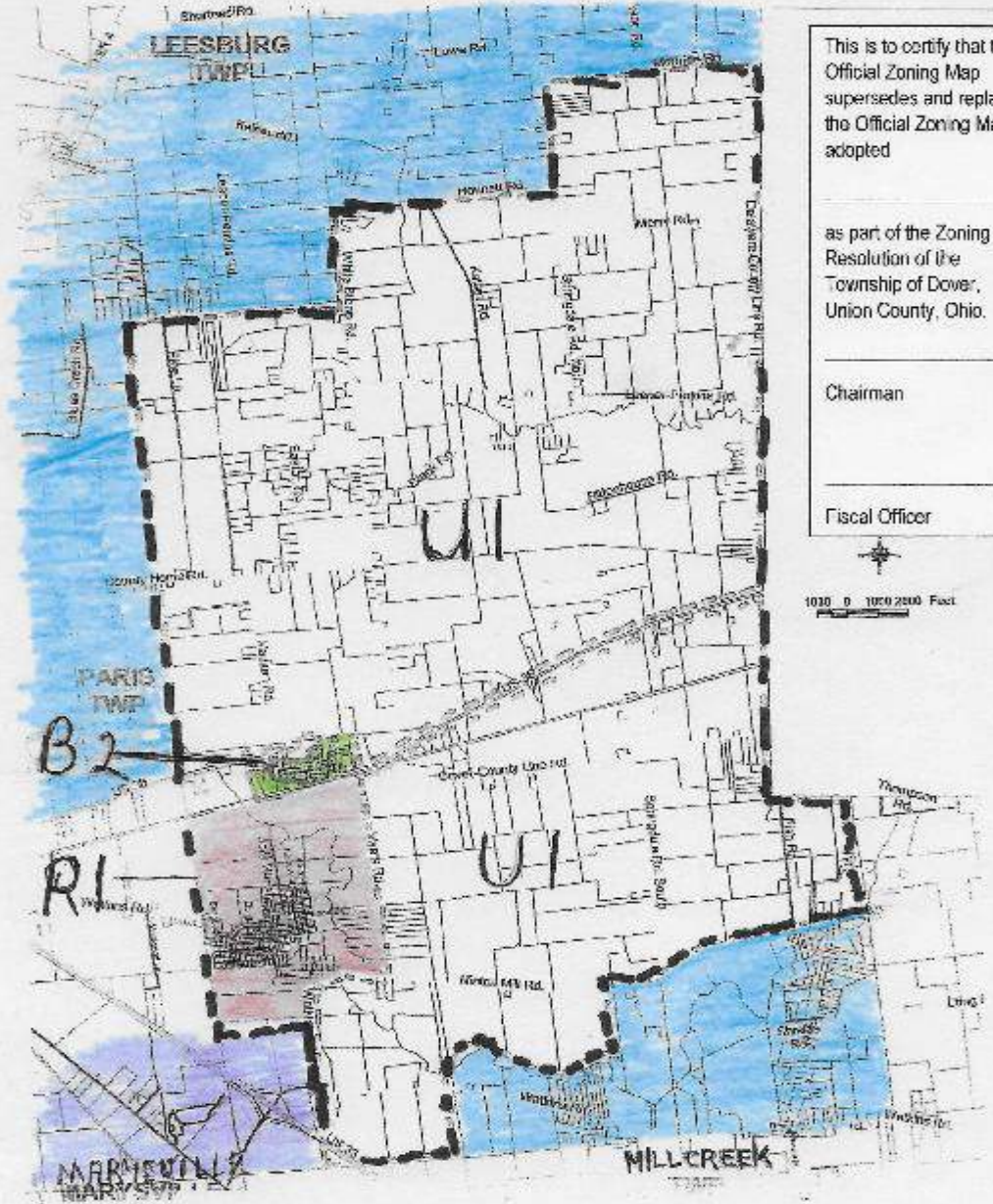
3. YARD, SIDE: A yard extending from the principal building to the side lot lines on both sides of the principal building between the lines establishing the front and rear yards.

ZONING CERTIFICATE: A document issued by the Zoning Inspector authorizing the occupancy or use of a building or structure or the actual use of lots or land in accordance with the previously issued zoning permit.

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

Dover Township

This map was prepared as the base map for Union County to assist in the approval of local property tax levies. It is not intended to be used as a legal document. The Township of Dover, Ohio, is not responsible for any errors or omissions in this map. It is the responsibility of the Township of Dover, Ohio, to verify the accuracy of the information shown on this map. For more information, contact the Township of Dover, Ohio, at its Union County Engineer's Office (937-845-3314).



This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted

as part of the Zoning Resolution of the Township of Dover, Union County, Ohio.

Chairman

Fiscal Officer