

**ARTICLE XXVI.
PERRY TOWNSHIP, WOOD COUNTY, OHIO**

**Perry Township Zoning Fees
Proposed changes**

WHERE AS, the cost of zoning hearings, permits, ect., should not be funded solely from the townships general fund.

WHEREAS, the Perry Township Zoning Resolution allows for the Perry Township Trustees to review, revise and set all zoning fees, so

THEREFORE, be it resolved that the following zoning fees be established effective _____, 20_____.

1.	Agriculture accessory buildings or additions to Ag buildings	no fee	<i>these have changed</i>
2.	Residential dwelling	250.00	
3.	Multi-family dwelling	400.00	
4.	Other accessory buildings, garages, or additions	25.00 plus 10 per sq. ft.	<i>50.</i>
5.	Industrial or commercial building or remodeling	1000.00	<i>500.</i>
6.	Off-site signs	less than 100 sq. ft. more than 100 sq. ft.	50.00 100.00
7.	On-site signs	less than 9 sq. ft.	50.00
7a.	On premise sign (per Art. XV, Section B.)		no fee
8.	Fences		no fee
9.	Ponds (fee waived if dry hydrant is installed for Fire Dept use)	200.00	
10.	Swimming pools	25.00	
11.	Amendments	250.00	<i>350.</i>

ALL FEES WILL BE COLLECTED BY THE PERYY TOWNSHIP ZONING INSPECTOR AND SHALL BE DEPOSITED IN THE PERRY TOWNSHIP GENERAL FUND.

Effective: ~~9-21-2007~~
9-21-2007

Article XII

LOT FRONTAGE AND MINIMUM LOT SIZE
(Proposed changes)

1. Increase the lot frontages from 175 to 300 continuous feet in Agricultural Districts and also in Residential, R-1 Districts that are not serviced by public water and sewer.
2. Minimum size of a lot in these districts that are not serviced by public water and sewer is to be two acres.
3. Where there is public water and sewer, all frontages shall be 100 continuous feet in Residential, R-1 Districts for both one family and two family structures. If public water and sewer are available in Agricultural Districts the frontage and lot size remains 300 continuous feet and a two acre minimum.
4. All front yard depths, side lot and rear lot set backs for structures remain as they are now described in the Perry Township Zoning Resolution.

**Definition of Single Family Dwelling
And
Minimum Square footage for Single and Two Family Dwellings**

**Article V
Definitions:**

Redefine: Dwelling , Single Family to read as:

Single Family Dwelling - A permanent structure, entirely detached and independent from any other principal structure, placed on a permanent foundation, having an exterior design and construction commonly regarded as residential, and having one or more rooms with provisions for living, sanitary and sleeping facilities specifically designed and arranged exclusively for the use of one or more individuals of the same family. These dwellings include site built homes, industrialized units, manufactured homes, but not barns, sheds, garages or other structures designed for uses other than single family residential use.

**Article XII :
Lot and Floor Area Requirements**

Change the square footage requirements for single and two family homes:

The minimum square footage for all single family dwellings and two family dwellings is to be 1200 square foot. In two family dwellings the living squared footage per individual is 150 square foot for the first individual and 100 square feet for everyone there after. The minimum bedroom square footage is 70 square feet for the first individual in a room and 50 square feet for every person there after in that room. These minimum square footage requirements are set by the Wood County Health Departments Housing Regulations and Standards.

PERRY TOWNSHIP
ZONING RESOLUTION

WOOD COUNTY, OHIO

EFFECTIVE: 11-22-94

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ZONING RESOLUTION

A resolution providing for regulating the location, size, height, and use of buildings and structures, the area and dimensions of lots and yards, the use of lands, and for such purposes, dividing the unincorporated portion of the Township into zones or districts of such number, sizes, and shapes as are deemed best suited to carry out said purposes, and providing for a method and proceedings for the administration and enforcement of this resolution.

WHEREAS, the Board of Trustees of Perry Township, deem it in the interest of the public health, safety, morals, comfort, and general welfare of said township and its residents to adopt a zoning plan.

NOW THEREFORE, BE IT RESOLVED, by the Board of Trustees of Perry Township, Wood County, Ohio, the Zoning Resolution of Perry Township reads as follows:

ZONING RESOLUTION OF PERRY TOWNSHIP

ARTICLE I. PURPOSE

For the purpose of promoting public health, safety, morals, and general welfare; to conserve and protect property values; to secure the most appropriate use of land; to facilitate adequate and economical provision of public improvements; and to promote orderly development of property in the township all in accordance with the comprehensive plan or plans developed and co-ordinated by the County Planning Commission, the Board of Trustees of Perry Township find it necessary and advisable to regulate the location, height, bulk, and size of buildings and use of buildings and other structures (including tents, cabins, and trailer coaches, percentages of lot areas which may be occupied, set-back building lines, sizes of yards and other open spaces), and the use of land for trade, agriculture, industry, residence, recreation or other purposes and for such purposes divides the township into districts or zones, all as shown on the district map on file in the office of the Board of Township Trustees.

ARTICLE II. IDENTIFICATION

Whenever the word "Township" appears in this resolution, it shall be deemed to mean the Township of Perry in Wood County, Ohio and whenever the word "County" appears in this resolution, it shall be deemed to mean the County of Wood, Ohio.

ARTICLE III. INTERPRETATION

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

2. Nothing herein shall repeal, abrogate, annul, or in any way impair or interfere with any provision of law or any rules or regulations, other than zoning regulations, adopted or issued pursuant to law relating to the construction and use of buildings or premises.
3. Words used in this resolution in the present tense shall be interpreted to include the future tense; words used in the singular number shall include the plural number, as the plural number shall include the singular number. The word "shall" as used in this resolution is construed to mean mandatory, the word "may" is permissive. The masculine gender as used in this resolution shall include the feminine and neuter genders and vice-versa.
4. Where this resolution imposes a greater restriction upon the use of buildings or premises, or upon the height of buildings, or requires larger yards than are imposed or required by other provisions of law, rules, regulations, covenants, or agreements, the provisions of this resolution shall apply, but nothing herein shall interfere with, abrogate, or annul any easements, covenants, deed restrictions, or agreements between the parties which impose restrictions greater than those imposed by this resolution.

ARTICLE IV. EXEMPTIONS

In accordance with Section 519.21 of the Ohio Revised Code the following and only the following are exempt from the zoning regulations.

1. 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 buildings or structures are located, and no zoning certificate shall be required for any such building or structure. This does not include the residential dwelling.
2. The use of land or buildings of any public utility or railroad, whether public or privately owned, for the operation of its business.

ARTICLE V. DEFINITIONS

Definitions which shall be applicable in construing the resolution.

Accessory Building - Building customarily incident to and located on the same lot with another building, and not called a residential garage.

Agriculture - "Agriculture" shall include farming, dairying, pasturage, apiculture, agriculture, horticulture, viticulture, and animal and poultry husbandry.

Agricultural Zone - Areas of land may be classified as agricultural provided that the general area is not built up for urban use and the general area is open space.

Alley - A way which affords only a secondary means of access to property abutting thereon.

Alteration - Any change to a structure which does not involve a structural change.

Apartment - A room or suite of rooms intended, designed, or used as a residence by a single family.

Area of Building - The number of square feet included within the outside walls excluding porches, breezeways and terraces.

Basement - A story partly underground and having more than one-half of its clear height below the average level of the adjoining ground. A basement shall not be considered a story for purposes of height measurement, or in determining the permissible number of stories.

Board - Board of Zoning Appeals, Perry Township, Wood County, Ohio.

Boarding House - A building other than a hotel where, for compensation and by arrangement, meals or lodging and meals are provided for three (3) or more persons but not exceeding twenty (20) persons.

Building - Any structure designed or built for the support, enclosure, shelter, or protection of persons, animals, chattels, or property of any kind.

Building, Accessory - A subordinate building, or portion of the main building on the lot, the use of which is customarily incidental to that of the main or principal building, no part of which accessory building may be devoted to human occupancy either before or after the erection of the principal building.

Building, Front Line of - The line of the face of the building nearest the front line of the lot. This face includes sun parlors and covered porches whether enclosed or unenclosed but does not include steps.

Building, Height of - The vertical distance measured from the adjoining curb grade to the highest point of the roof, provided that where buildings are set back from the street line the height of the building may be measured from the average elevation of the finished grade along the front of the building. In any event, no structure excluding accessory projections such as chimney, television antenna, towers, etc. shall exceed the maximum permitted height for the district in which it is located.

Building, Principal - A building in which is conducted the main or principal use of the lot on which said building is situated.

Campground - An area of land used for seasonal occupancy by tents, trailers, campers, or similar equipment.

Cellar - A story partly underground and having more than one-half of its clear height below the average level of the adjoining ground. A cellar shall not be considered a story for purposes of height measurement in determining the permissible number of stories.

Clinic - Any building or other structure devoted to the diagnosis, treatment, and care of out-patients.

Club - A building or portion thereof or premises owned or operated by a corporation, association, person or persons for a social, educational or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.

Cottage - Building designed and/or constructed for seasonal occupancy only. -

Dwelling - A building designed, constructed, or reconstructed, for permanent occupancy by a family.

Dwelling, Multiple-Family - A building arranged and designed to be occupied by three or more families living independently of each other and having independent and separate living areas; including apartment houses, apartment hotels, flats and group houses.

Dwelling, Single-Family - A dwelling entirely detached and independent from any other principal structure, arranged, intended, designed and constructed or reconstructed to be occupied by a single family.

Dwelling, Special Care - A dwelling occupied by a single family plus not more than three (3) special care inhabitants. The special care inhabitants must require special care or attention from the dwelling owner or family but such special care is not to include medical or therapeutic services provided in the dwelling. The primary elements of a traditional family relationship must exist among all of the inhabitants of the special care dwelling (i.e., there must exist that type of relationship which emphasizes the collective body of persons under one head and one domestic government having natural or moral duties to support and care for each other). The relationship between the special care inhabitants and the family offering the care must be non-profit (i.e., the compensation received must be designed to reimburse the reasonable cost of providing said care). The family or dwelling owner must provide either a permanent living arrangement for those permanently in need of care or a feeling of permanency of living arrangements for those who are in a period of transition between their institutionalization and their complete reintegration into society. Said dwelling unit, if required by the state or county, shall meet all the licensing requirements.

Dwelling, Two-Family - A building designed for or occupied exclusively by two families.

Essential Services - The erection, construction, alteration, or maintenance, by public utilities, municipal, or governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal

systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings other than structures for mainly enclosing essential services described herein.

Family - One or more persons who live together in one dwelling unit and maintain a common household. A "family" may also include domestic servants and gratuitous guests.

Floor Area - The sum of the gross horizontal areas of the several floors of a building. "Floor area" shall not include: basement space, stair bulkheads, attic space, terraces, breezeways, open porches and uncovered steps.

Frontage - The part of a lot or parcel of land adjacent to a public street or highway.

Garage, Private - An accessory building designed or used for the storage of motor vehicles owned and used by the occupants of the building to which it is accessory. Not more than one of the vehicles may be a commercial vehicle, which vehicle shall not exceed a two-ton capacity.

Garage, Public - A building or portion thereof, other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling, or storing motor-driven vehicles.

Gas Station, Service Station - Any building, structure or land used only for the sale of motor vehicle fuels, oils, lubricants and automobile accessories directly to the consumer, and may include minor repairs incidental to such use. Storage tanks shall be located completely within lot lines and underground.

Grade - The average of the ground level at the center of all exterior walls of a building. In the case where walls are parallel to and within ten (10) feet of a sidewalk, the grade shall be the level of the sidewalk.

Gross Leasable Area - The total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors, if any; expressed in square feet and measures from the centerline of joint partitions and from outside wall faces. It is all that area on which the tenants pay rent; it is the area producing income, abbreviated GLA.

Highway, Major - A street or road of considerable continuity and used primarily as a traffic artery for intercommunication among large areas.

Hospital - Any building or other structure containing beds for at least four patients and devoted to the diagnosis, treatment or other care of human ailments.

Hotel - A building, or any part of a building which contains living and sleeping accommodations for transient occupancy and has a common entrance or entrances.

Institution - A building occupied by a non-profit corporation or a non-profit establishment for public use.

In-the-Home Business - Any occupation or activity carried on by a member of the immediate family, residing on the premises: provided there is no commodity sold upon the premises, and no person is employed other than a member of the immediate family residing on the premises: and no mechanical equipment is used except of a type that is similar in character to that normally used for purely domestic or household purposes: and no sign other than a name-plate not more than three (3) square feet in area or no display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling.

Junk - The accumulation of storage of junk, junk vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, rags; or any other discarded objects or debris defined as junk in the Ohio Revised Code shall be prohibited, outside of an approved junk yard or recycling center, in order to protect residents from conditions conducive to the infestation and breeding of vermin, insects and rodents.

Laborer, Seasonal Agricultural - An individual employed only during the growing and/or harvesting or processing of agricultural products and whose place of employment is primarily on the premises on which the product is grown.

Loading Space - A space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of trucks. Such space shall have direct usable access to a street or alley. Where such loading space has been provided, an additional space lying alongside, contiguous to and not separated from the first such loading space need not be wider than twelve feet.

Lodging House - As here-in defined is a building other than a hotel where lodging for three or more persons is provided for compensation pursuant to previous arrangement and not to anyone who may apply.

Lot - A parcel of land occupied or legally capable of being occupied by a building and/or accessory buildings and to include such open yard areas as are required by this resolution.

Lot, Area of - The area of a lot computed exclusive of any portion of the right-of-way of any public thoroughfare.

Lot, Corner - Any lot at the junction of and abutting on two or more intersecting streets.

Lot, Interior - Any lot other than a corner lot.

Lot Line, Front - For an interior lot, a "front lot line" is a street line. On a corner lot, the street line having the least dimension shall be considered the "front lot line."

Lot Line, Rear - Any lot line, other than a street line, which is parallel to the front lot line or within forty-five degrees of being parallel to the front lot line.

Lot Line, Side - A "side lot line" is any lot line which is not a front lot line or a rear lot line.

Lot of Record - A lot which has been recorded in the office of the County Recorder or Auditor of Wood County, Ohio.

Manufactured Home Pad - That portion of a manufactured home site that is designed, constructed, and improved in such a manner as to provide a base upon which manufactured home shall rest, and which also serves as a base upon which blocks or other materials are placed to assist in leveling the floor of the manufactured home and provides a temporary type of foundation.

Manufactured Home Park - One (1) or more contiguous parcels of land under a single management which have been developed and designed in such a manner as to provide individual manufactured home sites for one (1) or more manufactured homes. The term manufactured home park shall mean the same as a trailer park, trailer court, or trailer camp; however, only mobile homes or trailers with HUD certification shall be located therein.

Manufactured Home Site - An area of land within a manufactured home subdivision or manufactured home park that is designed and developed in such a manner as to provide a location for one (1) or more manufactured home(s).

Manufactured Home Subdivision - A subdivision designed and/or intended for the sale of lots for manufactured home sites. A manufactured home subdivision will be subject to the same land development site improvement standards that apply to conventional subdivisions under the Subdivision Rules and Regulations of Wood County, except as provided by Article XIV herein.

Manufactured Housing - Any preassembled residence transported to a site for final assembly and set up. Does not include traditional site built housing.

- A. Industrialized Unit - A factory built dwelling unit designed for assembly at the building site, bearing certification of compliance with the Ohio Building Code and meets the definition of Industrialized Unit (O.R.C. 3781.10{h}).
- B. Manufactured Home - Any nonself-propelled vehicle transportable in one or more sections, which in traveling mode, is eight body feet or more in width or forty body feet in length or, when erected on a side, is three hundred twenty or more square feet, and which is built with or without permanent chassis and designed to be used as a dwelling with or without a permanent foundation

when connected to required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. Manufactured homes shall be constructed in compliance with the Federal Manufactured Housing Construction and Safety Standards.

Manufacturing, General - Any manufacturing or industrial process including food processing and plant product processing, except that which is incident to agricultural operations on an individual's property holdings, which by the nature of the materials, equipment and process utilized are not objectionable by reason of odor, noise, vibration, cinders, gas fumes, dust, smoke, refuse matter or water carried waste.

Manufacturing, Restricted - Any manufacturing or industrial processing which by the nature of the materials, equipment and process utilized are to a considerable measure clean, quiet and free of any objectionable or hazardous element. Restricted industrial uses shall include the industrial uses listed below and any other uses which are determined to be of the same general character: drugs, jewelry, musical instruments, sporting goods; processing and assembly of glass products, small household appliances, electronic products and parts for production of finished equipment; research and testing laboratories; printing and engraving plants.

Motor Court or Motel - A building or group of buildings used for the temporary residence of motorists or travelers.

Non-Conforming Use - Is one that does not comply with the regulations established for the particular use, district or zone in which it is situated.

Off-Street Parking Space - An off-street space available for the parking of one motor vehicle and having an area of lot less than two hundred square feet, exclusive of passageways, driveways and other maneuvering area appurtenant thereto and giving access thereto. Such space shall have direct access to a street or alley.

Parcel - An area of land shown as a unit or contiguous units on the County Auditor's Map.

Parking Area - An open, unoccupied space used or required for use for parking of automobiles exclusively.

Parking Space - A surface area, enclosed in the main building or in an accessory building, or unenclosed, having an area of not less than two hundred (200) square feet exclusive of driveways.

Personal Services - Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repair, hair care and styling and similar activities.

Place - An open, unoccupied space or a public or private thoroughfare, other than a street or alley, permanently reserved as the principal means of access to abutting property.

Planning Commission - Wherever Planning Commission or County Planning Commission is referred to, it shall be the Wood County Planning Commission.

Plant Cultivation - The cultivation of crops, fruit trees, nursery stock, truck garden products and similar plant materials outside of structures, such as greenhouses.

Plat Required - When more than 5 parcels are created from one parcel or a new road is dedicated.

Platting - Platting shall mean the platting for residential development in accordance with Wood County Land Subdivision Regulations.

Pond - Any man-made or naturally occurring water area that is used for recreational, storm water retention or detention, or potable water supply systems.

Porch - Wherever mentioned is a roofed open area, projecting from the front, side or rear wall of a building.

Professional Activities - The use of offices and related spaces for such professional services as are provided by doctors, dentists, lawyers, architects, and engineers.

Public, Semi-Public Use - A designation of use to include governmental buildings and spaces, public and private schools, public and private park and recreation areas and religious institutions.

Public Service Facilities - The erection, construction, alteration, operation or maintenance of a utility or service by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water, and sewerage services.

Quarry - Any land from which rock, stone, gravel, sand, earth or mineral is removed, or excavated for the purpose of disposition away from the immediate premises. However, this shall not include excavation necessary for the actual foundations of any building or structure for which a zoning certificate has been issued.

Recreational Facilities, Commercial - Recreational facilities open to the public and established and operated for a profit, such as commercial golf courses, golf driving ranges, swimming pools, ice skating rinks, riding stables, race tracks, amusement parks, carnivals and similar enterprises.

Recreational Facilities, Non-Commercial - Private or semi-public recreational facilities which are not operated for commercial gain, including private country clubs, riding clubs, golf courses and other private non-commercial recreation areas and facilities or recreation centers including private community swimming pools.

Recreational Facilities, Restricted Commercial - Recreation facilities open to the public, established and operated for a profit and restricted

to bowling alleys, swimming pools, ice skating rinks, miniature golf and similar recreation activities requiring limited land area.

Residence or Residential - A "residence" or ("residential") shall include a building, or any part of a building, which contains dwelling units for permanent occupancy. "Residences" therefore include all one-family and multi-family dwellings. However, "residences" do not include: transient accommodations, as in transient hotels, motels, tourist cabins, and trailer camps; and that part of a building which is used for any nonresidential uses, except accessory uses for residences, in a building containing both residences and other uses; and institutional uses, as in rest homes, nursing homes, homes for the aged, orphanages and other institutional residential uses.

Residential Floor Area - The area of a dwelling devoted to living purposes, including stairways, halls, and closets, but excluding porches and space used for a garage or carport.

Rest Home - A home which provides personal assistance to persons who, by reason of age or infirmity, are dependent upon the service of others.

Right-of-way - Land which is set aside between property lines for streets, alleys, easements, utilities or other physical improvements.

Semi-Public Uses - Churches, Sunday schools, parochial schools, colleges, hospitals and other institutions of an educational religious, charitable or philanthropic nature.

Set Back Building Line - Line perpendicular to the set back distance at the specified distance.

Set Back Distance - The minimum horizontal distance between the road right-of-way and the building line.

Sewage Disposal-Combined - An approved sewage disposal system which provides for a combined collection and disposal of sewage from a group of residential, commercial or industrial buildings.

Sewage Disposal-Individual - A septic tank installation on an individual lot which utilizes an anerobic bacteriological process for the elimination of solid wastes and provides for the proper and safe disposal of the effluent, subject to the approval of health or sanitation officials having jurisdiction.

Sign - Any structure or part thereof or any device attached to a structure or painted or represented on a structure on which lettered, figures or pictorial matter is displayed or used for the purpose of bringing the subject thereof to the attention of the public. Any device designed to inform, or attract the attention of persons not on the premises on which the sign is located. A "sign" includes any billboard, but does not include any flag, badge, or insignia of any government or governmental agency of any charitable, religious, educational or similar organization.

Social Activities - The use of land and buildings for clubs, fraternal organizations, veterans organizations and similar social purposes.

Solicitor, Township - The Solicitor of Perry Township, Wood County, Ohio.

Specialized Animal Raising and Care - The use of land and buildings for the raising and care of fur-bearing animals such as rabbits and domestic pets; and the stabling and care of horses, animal kennels, or birds of a similar nature.

Story - That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.

Story, Half - A story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than four (4) feet above the floor of such story.

Street - A public or private thoroughfare which affords the principal means of access to abutting property.

Street Line - A dividing line separating a lot, tract or parcel of land and a contiguous street.

Structure - Structure or building is anything erected, constructed or reconstructed on a foundation, posts, piles, blocks, skids, sills, or any other support, whether such foundation, posts, piles, blocks, skids, sill, or other support is or is not permanently located in or attached to the soil.

Structural Change - Wherever mentioned in this resolution means any change in the supporting members of a building such as bearing walls or partitions, columns, beams or girders, excepting such structural change as may be required for the safety of the building or occupants thereof. This does not include re-painting, re-roofing, or re-siding.

Tourist Home/Bed & Breakfast - A building other than a hotel where lodging is provided and offered to the public for compensation.

Township - Wherever Township is referred to, it shall be Perry Township, Wood County, Ohio.

Trustees, Board of Trustees - The Board of Trustees of Perry Township, Wood County, Ohio.

Use - Any purpose for which buildings, other structures or land may be arranged, designed, intended, maintained or occupied.

Used Car Lot - Any lot on which two or more motor vehicles in operating condition are offered for sale or display to public.

Variance - A change in the requirement within a district, not to include a change in basic land use.

Yard, Front - A yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the street or place line and the main building or any projections thereof other than the projections of the usual uncovered steps, uncovered balconies or uncovered porch. On corner lots the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

Yard, Rear - A yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projections thereof other than the projections of uncovered steps, unenclosed balconies or unenclosed porches.

Yard, Side - A yard between the main building and the side line of the lot, extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side of the main building or any projections thereto.

Zoning Board of Appeals - Board of Appeals of Perry Township, Wood County, Ohio.

Zoning Certificate - The document issued by the Zoning Inspector authorizing the use of the land or building.

Zoning Commission - Wherever "Commission" or "Zoning Commission" is referred to, it shall be the Zoning Commission of Perry Township, Wood County, Ohio.

Zoning Inspector - The Zoning Inspector or his authorized representative appointed by the Board of Trustees.

ARTICLE VI. DISTRICTS

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

"A"	AGRICULTURE DISTRICT
"R-1"	RESIDENTIAL DISTRICT
"R-2"	RESIDENTIAL DISTRICT
"C"	COMMERCIAL DISTRICT
"I"	INDUSTRIAL DISTRICT
"S"	SPECIAL DISTRICT

These zones are designated on a zoning map and are hereby established and said map is made a part of the resolution. No buildings or premises shall be prescribed herein for the district in which it is located.

ARTICLE VII. CLASSIFICATION OF USES

For the purpose of this resolution the following uses shall be permitted, including building and premises uses for the district mentioned.

A. Permitted Uses In "A" Agriculture District

1. Any agriculture use.
2. Any use or structure permitted and as regulated in R-1 District.
3. Roadside stands consisting of structures used for the display and sale of agricultural products of which 50% or more must be produced on the premises where stand is located. Such stands or displays shall be a minimum of twenty (20) feet from the edge of a right-of-way and adequate parking facilities shall be maintained on the premises and not in the road right-of-way for customer parking. Any roadside stand shall have points of ingress-egress so situated that the visibility of the highway affording said ingress-egress be unobstructed for a distance of 500 feet in each direction.

Conditional Uses Requiring Zoning Board of Appeals Approval

1. Manufactured housing as permitted in ARTICLE XVI.
2. Structures for the temporary housing and shelter of seasonal, agricultural laborers may be permitted on, or adjacent to land, the use of which is for the production of the crops for which the agricultural labor is necessary. The location of such structures shall be provided in ARTICLE XI and ARTICLE XII. Minimum dwelling size, as provided in ARTICLE XIV, shall not apply to such structures and the number of such structures per parcel of land shall be unlimited. Occupancy of such structures shall not extend more than thirty (30) days beyond the harvest season.
3. Non-commercial recreational use requiring open space, such as golf courses and hunting clubs, race tracks, or drag strips.
4. Tourist Home/Bed & Breakfast
5. Commercial recreational facilities and/or activities may be

permitted with any conditions or safeguards as prescribed by the Zoning Board of Appeals to insure the public health, safety, morals, comfort and general welfare of the township and its residents are maintained.

B. Residential District "R-1"

The Residential zone is intended as an area designed for single family homes with related community facilities such as religious and public recreation facilities, which go into making up a balanced residential neighborhood.

Permitted Uses in R-1 Residential District

1. One single family or one two family dwelling per lot for residential purposes, and buildings accessory thereto; but excluding the use of tents, cabins, and basements for residential purposes.
2. An office or "in-the-home business" which is conducted entirely within a dwelling by a resident thereof, providing such use does not involve any extension or modification of said dwelling which alters its outward appearance as a dwelling unit. Off-street parking shall be provided in accordance with ARTICLE XIV.
3. Platting of land for residential development in accordance with the SUBDIVISION REGULATIONS for Wood County.

Accessory Uses

1. Private garage which may include living quarters not to be rented for profit.
2. Summer houses and other customary incidental structures.
3. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.
4. One bulletin board or sign not exceeding twenty (20) square feet in area for any permitted church, school, or other public or semi-public institution.

Conditional Uses Requiring Zoning Board of Appeals Approval

1. Specialized animal raising and care.
2. Schools and colleges for academic instruction.
3. Churches and Parish Houses, including Sunday Schools and meeting facilities.
4. Public buildings and properties of the cultural, administrative or public service type, but not including such uses as storage yards and warehouses.
5. Private recreation facilities not operated for profit including swimming pools, tennis courts, etc.
6. Hospitals, sanatoriums but not including those contagious diseases or for the insane, liquor or drug addicts, and religious institutions, not including correctional institutions.

C. Residential District "R-2"

Permitted Uses

1. Any use as permitted in the R-1 District.
2. Multiple dwellings.

Conditional Uses Requiring Zoning Board of Appeals Approval

1. Manufactured housing parks and subdivisions
2. Specialized animal raising and care.
3. Special care dwelling

D. Permitted Uses in the C-Commercial District

The commercial zone is intended as an area wherein commercial uses are concentrated for the benefits of the residents of the township and others doing business within the commercial area. By concentrating the commercial areas the following might be better accomplished. For the safety and welfare of the commercial uses through better sharing of water, sewer, fire protection, trash collection, off street parking, and other community services; and for the economy and efficiency of the public agencies which provide these services.

1. Any retail or wholesale establishment whose primary function is serving the entire community and provided:
There shall be no manufacturing, assembly, processing of or compounding of products other than such as are customarily incidental and essential to such establishments and provided further that there shall be not more than ten persons engaged in such manufacture and not more than 50% of the floor area of the building is used for treatment, manufacture and processing of products.
2. Residential dwellings and accessory buildings shall only be permitted and as regulated in the R-2 District. No platting required.

Commercial Requirements

1. All commercial structures shall have plans reviewed by the Ohio Department of Industrial Relations and said plans shall be approved by the same prior to the issuance of a zoning permit.
2. Lot size, side yards and set back lines shall be in accordance with ARTICLES XI, XII, XIII.
3. Off street parking shall be provided in accordance with ARTICLE XIV and shall be on the same side of the public road as the establishment.
4. The front set-back distance shall remain free of any and all structures.

E. Permitted Uses in the I-Industrial District

1. Any industrial use provided that no noxious or offensive activity shall be carried on within this district, nor shall anything be

done which is injurious, dangerous or offensive to the neighborhood by reason of excessive emission of odor, dust, smoke, gas, noise, fumes, flame, radiation or vibration.

2. No residential construction shall be permitted.

Industrial Requirements

1. All industrial structures shall have plans reviewed by the Ohio Department of Industrial Relations and said plans shall be approved by the same prior to issuance of zoning permit.
2. Lot size shall be in accordance with SECTION XII. LOT SIZE.
3. Off street parking shall be provided in accordance with SECTION XIV and shall be on the same side of the public road as the establishment.

ARTICLE VIII. PROHIBITED USES

The following uses shall not be permitted in any district.

1. Metallic powder works.
2. Crematory.
3. Distilling of bones, fat or glue, glue or gelatin manufacturing.
4. Manufacturing or storage of explosives, gun powder or fireworks.
5. Dumping, storing, burying, reducing, disposing of or burning tires, garbage, refuse, scrap metal, rubbish, offal, or dead animals except such as result from the normal use of residential or agricultural premises, unless such dumping is done at a place provided by the Township Trustees for such specific purposes.
6. The disposal of any material, such as but not limited to, hazardous waste, municipal garbage, demolition debris, etc., on top of or beneath the ground or in combination thereof is prohibited.

ARTICLE IX. NON-CONFORMING USES

1. A non-conforming use existing at the time this resolution takes effect may be continued, except that if it is voluntarily discontinued for two or more years, it shall be deemed abandoned and any further use must be in conformity with the uses permitted in such district.
2. Any building arranged, intended or designed for a non-conforming use, the construction of which has been started at the time of the passage of this resolution, but not completed, may be completed and put to such non-conforming use, provided it is done within one year after this resolution takes effect.
3. Any structure or building existing as a non-conforming use at the time this resolution takes effect, which is destroyed by fire, accident, public enemy, or the elements, may be reconstructed and restored provided the same is done within two years from the date of said destruction and is rebuilt as nearly as possible to conform with the zoning requirements within the district in which it is located.
4. Any building or structure or land area devoted to a non-conforming use at the time this resolution takes effect may

ARTICLE XII
 LOT AND FLOOR AREA REQUIREMENTS (continued)

District	Min. Front Yard Depth In Ft. (see Article XI for ex- ceptions)	Min. Side Yard In Ft.	Min. Rear Yard In Ft.	Min. Lot Area Per Family In Sq. Ft.	Min. Lot Frontage In Ft.	Min Building Floor Area Per Family In Sq. Ft.
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Residential R-2

1 Family	Same as Residential R-1					
2 Family	Same as Residential R-1					
Manuf. Home (see Art. XVI)	Same as Residential R-1					
Manuf. Home Park (see Art. XVI)	Same as Residential R-1					

Multiple family with individual sewage disposal and water supply system

Not Permitted

Multiple family with public sanitary sewer and private water supply system	50	10	10	7,500	85	740
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With public sanitary sewer and public water supply	50	10	10	7,500	60	740
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<u>Commerical-C</u>	50	10	10			
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<u>Industrial-I</u>	50	10	10			
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<u>Special-S</u>	Same as Agriculture-A					
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ARTICLE XII
LOT AND FLOOR AREA REQUIREMENTS

District	Min. Front Yard Depth In Ft. (see Article XI for ex- ceptions)	Min. Side Yard In Ft.	Min. Rear Yard In Ft.	Min. Lot Area Per Family In Sq. Ft.*	Min. Lot Frontage In Ft.	Min. Building Floor Area Per Family In Sq. Ft.
<u>Agriculture-A</u>						
Individual sewage disposal and water supply 1 Family or Manufactured Home (see Art. XVI)	50	15	15	2 ac. 1 acre	300' 175	1 Story - 980 1½ or 2 Story (1st Fl.-720)
2 Family	50	15	15	25,000	150	740
<u>Residential R-1</u>						
Individual sewage and water supply 1 Family	50	15	15	1 acre	175	1 Story - 980 1½ or 2 Story (1st Fl.-720)
2 Family	50	15	15	25,000	150	740
Either public sanitary sewer or public water supply 1 Family	50	10	10	20,000	100	1 Story - 980 1½ or 2 Story (1st Fl.-720)
2 Family	50	10	10	10,000	100	740
Both public sanitary sewer and public water supply 1 Family	50	10	10	10,000	75	1 Story - 980 1½ or 2 Story (1st Fl.-720)
2 Family	50	10	10	7,500	85	740

* Subject to conditions of the Wood County Health Department.

not be altered or enlarged so as to extend said non-conforming use more than 25% of the original area, providing the alterations or enlargement is toward conformity with the zoning resolution within the district in which it is located.

5. When a non-conforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted or non-conforming use.

ARTICLE X. RELOCATION OF A STRUCTURE

When any structure is re-located, it shall conform to all zoning requirements for the district in which it is to be placed, and a permit is required.

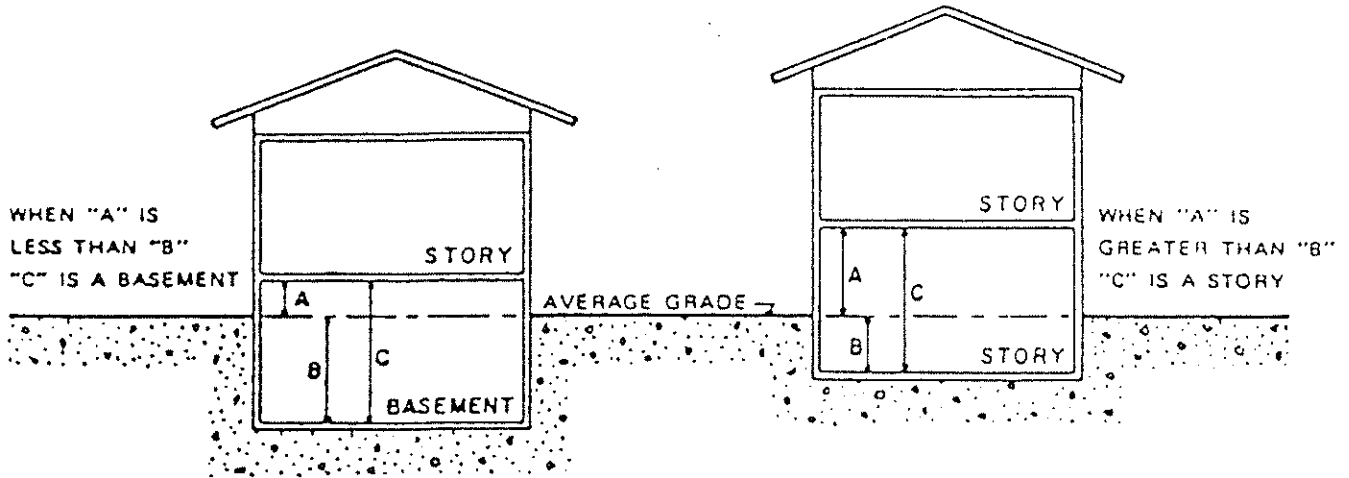
ARTICLE XI. SET-BACK BUILDING LINES

1. Set-back lines shall pertain to all structures but not including fences.
2. Minimum set-back distance shall be measured from the foundation of the structure and shall be as follows:

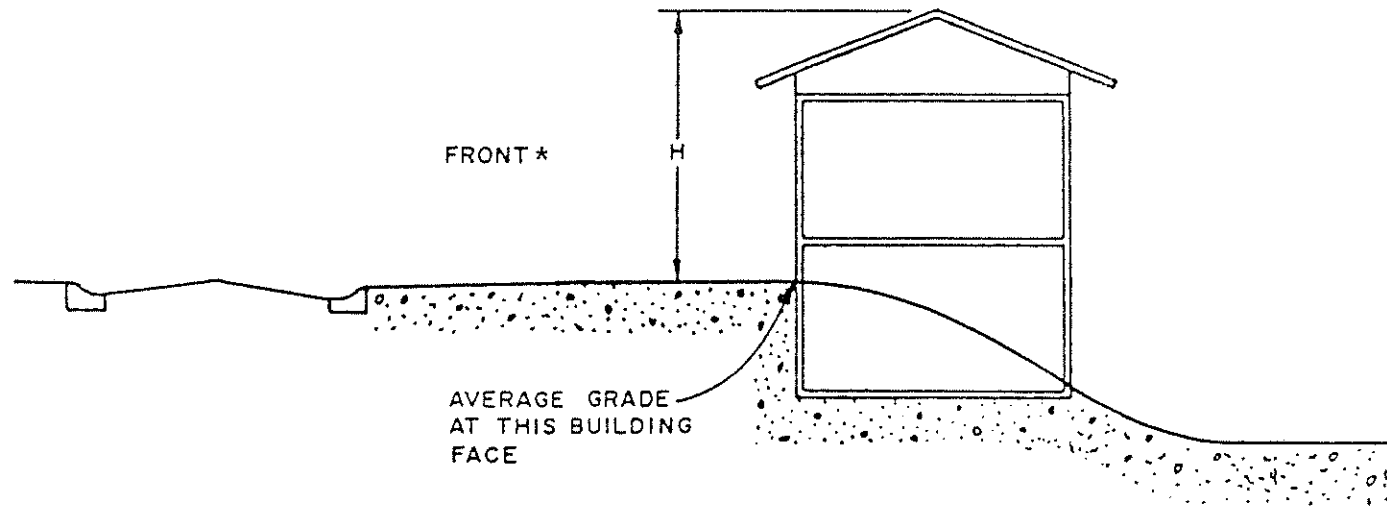
<u>District</u>	<u>Township or County</u>	<u>State or Fed.</u>
All	50*	75

3. Set-back lines on corner lots shall be the same distance from each road according to its classification above.

* Set-back distance shall be on the basis of fifty (50) feet from the edge of a sixty (60) foot right-of-way. If road has less than sixty (60) feet right-of-way than set-back will be greater correspondingly.



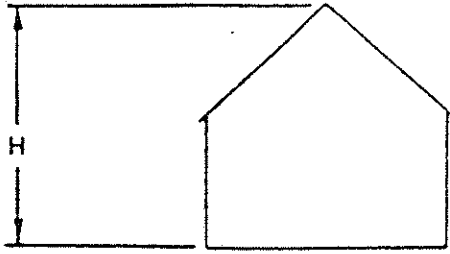
BASEMENT & STORY



GRADE

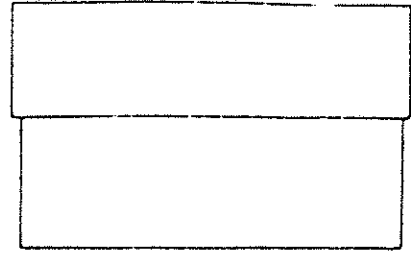
* Any building not typical with respect to frontage shall require special consideration by the Zoning Commission.

H = HEIGHT OF BUILDING

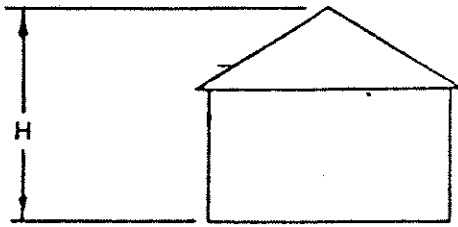


END VIEW

GABLE ROOF

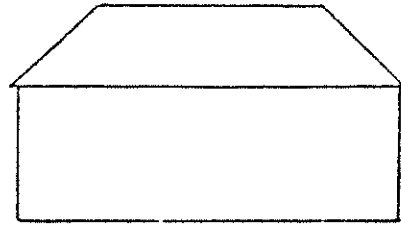


SIDE VIEW

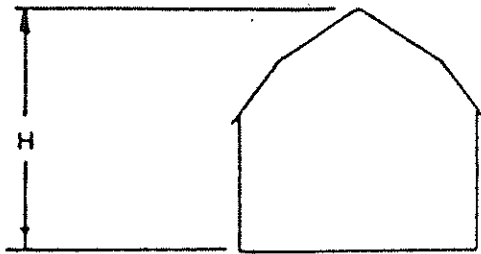


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HIP ROOF

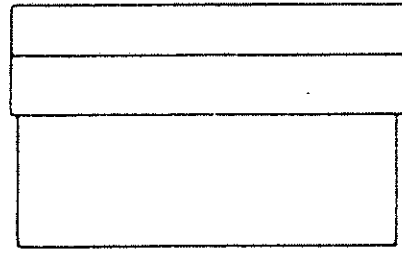


SIDE VIEW

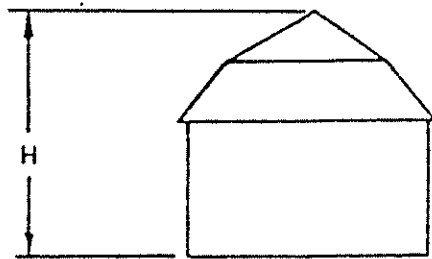


END VIEW

GAMBREL ROOF

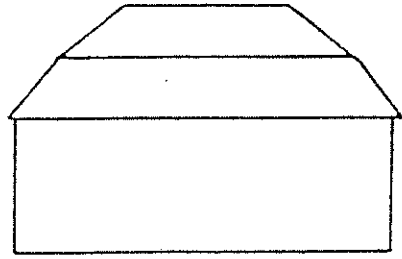


SIDE VIEW



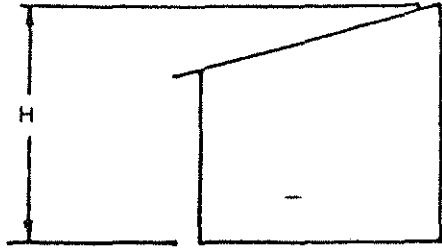
END VIEW

MANSARD ROOF

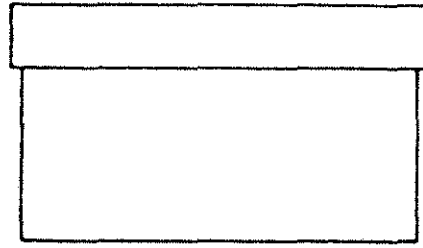


SIDE VIEW

ROOF TYPES AND BUILDING HEIGHT

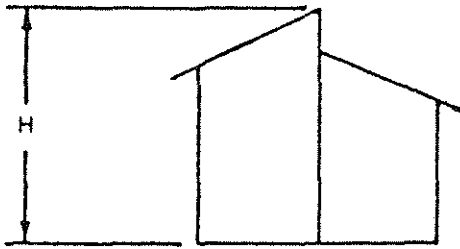


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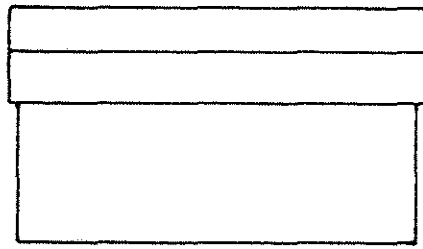


SIDE VIEW

SHED

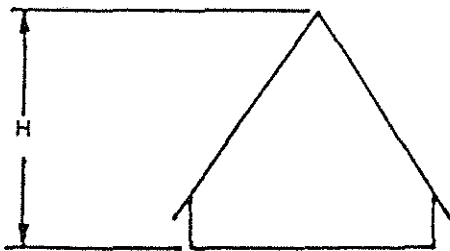


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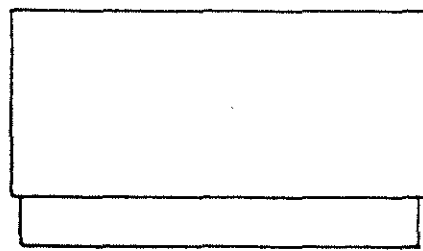


SIDE VIEW

SPLIT ROOF

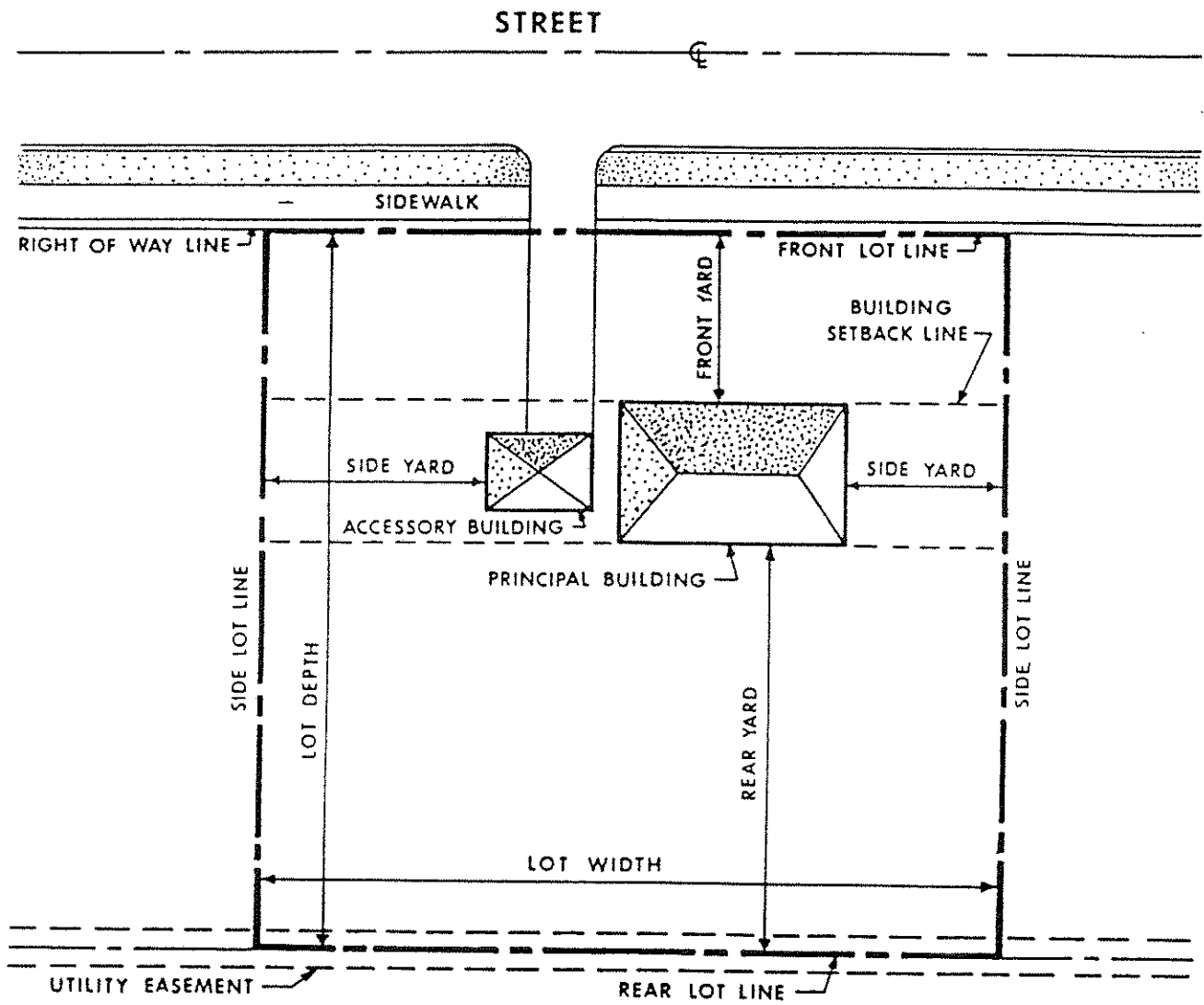


END VIEW



SIDE VIEW

A FRAME



LOT TERMS

LOT AREA = TOTAL HORIZONTAL AREA

LOT COVERAGE = PER CENT OF LOT OCCUPIED BY BUILDING

ARTICLE XIII. MAXIMUM HEIGHT OF BUILDING

This resolution does not establish a definite maximum height of buildings or structures. The height of buildings and structures shall be such as to conserve the value of adjacent property, and so as to secure adequate light and air for the adjacent property.

ARTICLE XIV. PARKING FACILITIES

Off-Street Parking

In computing the number of parking spaces required by these regulations, a parking space as hereinbefore defined is an enclosed or unenclosed area of not less than 200 square feet permanently reserved for off-street parking, serviced by adequate access drives and connected with a street by a driveway which affords satisfactory ingress and egress (same side of road).

The following general requirements shall prevail:

1. Uses Not Specified - The parking area required for a use not specifically mentioned herein shall be the same as for a use of similar nature.
2. Mixed Uses (nonshopping plaza) - In the case of mixed uses, the number of parking spaces shall be the sum of the various uses computed separately.
3. A. Location of Parking Spaces - All parking spaces shall be located within a distance of 350 feet of the facility being served.
B. All Districts - Off-street parking in front yards. A distance of ten (10) feet measured from the front lot line toward the building shall remain unobstructed.
4. Shopping Plaza
Neighborhood - 8 spaces per 1,000 square feet of gross leasable area.
Community - 6.5 spaces per 1,000 square feet of gross leasable area.
Regional - 5 spaces per 1,000 square feet of gross leasable area.
5. Specific Requirements - There shall be provided at the time of change of land use, off-street parking and loading spaces in accordance with the following requirements:

<u>Use</u>	<u>Number of Off-Street Parking Spaces</u>
1. Dwellings	1 per dwelling unit, except that one additional space of proper size shall be provided for each additional motor vehicle owned or stored on the property by the resident or owner.
2. Museums, Schools, Libraries	1 per staff member and one per 400 square feet of floor area.
3. Churches, Auditoriums, Arenas, Stadiums, Spectator Facilities in	1 per five (5) seats.

- outdoor Recreation areas
4. Hospitals 1 per 2 beds.
 5. Motels and Hotels 1 per guest room.
 6. Theaters, Restaurants 1 per four (4) seats.
 7. Skating Rinks, Dance Hall, Medical and Dental Offices 1 per 100 square feet of floor area or fraction thereof.
 8. Clubs, Lodges and Similar Uses 1 per 200 square feet of floor area, or 1 per 4 persons that can be seated in an assembly room, whichever is greater.
 9. Bowling Alleys 4 per bowling alley.
 10. All Other Commercial Establishments 1 per 300 square feet of floor area or fraction thereof.
 11. All industrial establishments 1 per each employee on maximum working shift spaces necessary to accommodate all vehicles used in connection therewith.
 12. In-the-home Business 2 per each proprietor and/or employee.

ARTICLE XV. SIGNS

Sign - See Definitions.

1. The following shall not be included in the application of the regulations herein:
 - a. Signs not exceeding three square feet in area and bearing only property numbers, post box numbers, or names of occupants of premises.
 - b. Flags and insignias of any government except with displayed in connection with commercial promotion.
 - c. Legal notices; identification, information or directional signs erected by governmental bodies.
 - d. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights.
 - e. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.
2. For the purpose of determining number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, each element shall be considered to be a single sign.
3. The surface area of a sign shall be computed as including the entire area within a parallelogram, triangle, circle, or semi-circle comprising all of the display area of the sign and including all of the elements of the matter displayed, but not forming part of the display itself, or frames surrounding display areas.
4. The following provisions shall apply:
 - a. All signs except in Commercial Districts or Industrial Districts shall be set back 25' from all State or Federal

- highways; 20' on all other roads - from edge of right-of-way as a minimum.
- b. One sign per premises, relating in its subject matter to the premises on which it is located, shall be permitted in all districts, provided it does not exceed nine (9) square feet and no permit shall be required. Larger square footage on-premise signs may be permitted as a conditional use by the Zoning Board of Appeals. Said signs, if permitted, shall require an annual review by the Zoning Board of Appeals to insure compliance of any conditions as originally established.
 - c. Commercial on-site signs shall be permitted in all districts except residential districts and shall be limited to two (2) signs per parcel not exceeding 100 square feet each if not affixed to the building, and a permit shall be required.
 - d.- Off-site signs for the purpose of outdoor advertising shall be deemed as structures and shall conform to all regulations in the district in which it is located. They will be permitted in all districts except residential districts. There shall not be more than one (1) sign per parcel of land and a zoning permit shall be required.
 - e. In commercial or industrial districts, free standing signs having maximum total area per exposed face of 100 square feet and located not closer than ten (10) feet to any street right-of-way line and not closer than fifty (50) feet to any adjoining lot line may be erected to serve a business or a group of businesses. There shall be a maximum of one (1) sign per building and no part of any sign shall project into the right-of-way of a street or highway. Any portion of a Commercial sign within twenty (20) feet of a street or road right-of-way shall have a minimum of ten (10) feet of unobstructed clearance between the lowest point of the sign and the surrounding grade. Such minimum shall not include supporting standards or braces provided such standards or braces do not exceed twelve (12) inches at the largest horizontal dimension.

ARTICLE XVI. MANUFACTURED HOMES

A. Placement of Manufactured Homes

1. Manufactured homes shall be permitted in either a manufactured home park or a manufactured home subdivision.
2. Manufactured home parks and manufactured home subdivisions may be permitted in an "R-2" district as a conditional use by the Board of Zoning Appeals.
3. A manufactured home used for temporary living quarters, or storage of material or equipment in conjunction with construction work may only be permitted in any district during the period that the construction is in progress. Such permitted use shall be conditional upon approval by the Zoning Board of Appeals and shall expire upon completion of construction work. Permits for such use shall be for one year and will require renewal for

continued use. Attached structures of conventional construction material such as wood and/or masonry are prohibited unless plans are certified by registered engineer or architect that said improvement will not impair the structural integrity of the manufactured dwelling.

4. No porch, canopy, patio roof, room structure for storage or other addition may be attached on a manufactured home unless of a material or type of construction specifically designed and manufactured for such use.
5. One (1) manufactured home constructed in compliance with the Federal Manufacturing Housing Construction and Safety Standards may be permitted as a conditional use by the Board of Zoning Appeals and as per Wood County Health Department Regulations upon each farm of forty (40) acres or more. The location of such permitted manufactured home shall be in accordance with the yard requirements for residential uses in "R-1" District. The Board of Zoning Appeals may place additional safety regulations as per conditional use upon the placement of said manufactured home.
6. A manufactured home meeting the requirements of 3781.10 O.R.C. (industrialized unit) may be placed in any district that which permits single family dwelling(s), providing that all matters regarding lot size, setbacks and other provisions of this Resolution are maintained. Industrialized units meeting the requirements of this Resolution are licensed by the State of Ohio with a letter of certification. A copy of said letter of certification shall be required at the time a zoning permit is requested as evidence of meeting the requirements of 3781.10 O.R.C.
7. A manufactured home used for temporary living quarters may be permitted in any district allowing residential construction by the Zoning Board of Appeals. Such permitted use shall be conditional upon approval by the Zoning Board of Appeals and shall expire and said manufactured home removed from the site upon completion of construction of the dwelling. Permits shall be for one year. Time extensions may be granted by the Zoning Board of Appeals on a case by case basis.

B. Manufactured Home Park Requirements

General Requirements: Manufactured home parks shall be constructed pursuant to the Rules of the Ohio Department of Health, Public Health Council, Mobile Home Parks, Chapter 3701-27. In addition, manufactured home parks shall comply with the following:

1. A manufactured home park shall have a public water and sewer system and/or on site water and wastewater system acceptable to the Ohio EPA, Wood County Health Department, or other approving agency of the State of Ohio or Wood County.

2. A manufactured home park shall be developed on a site of not less than ten (10) acres. Individual site or lot within a park shall be developed with a minimum area of 2700 square feet, including a minimum width of thirty (30) feet per manufactured home being served.
3. The minimum setback for a park shall be fifty (50) feet from a public right-of-way. The manufactured home shall be placed on the site so as to comply with the following:
 - a. Each manufactured home shall be placed upon the manufactured home site so as to provide no less than fifteen (15) feet of clearance between individual manufactured homes and twenty (20) feet of setback from any property line bounding the park. In computing these distance requirements; an auxiliary room or similar accessory connected to the manufactured home shall be considered as a part of the manufactured home. A temporary porch or canopy which is open on two or more sides shall not be considered part of the manufactured home.
 - b. No portion of any manufactured home, its appurtenances or parking space shall be located on a manufactured home site so as to be closer than fifteen (15) feet to a roadway boundary, or twenty-five (25) feet to a manufactured home park boundary or property line.
4. All manufactured home spaces shall abut upon a driveway of not less than twenty (20) feet in width, which shall have unobstructed access to a private or public street.
5. All land in a manufactured home park shall comprise of a single parcel. Public thoroughfares, except as extensions of local or collector streets proposed as part of a manufactured home site plat, shall not bisect or divide a manufactured home park to avoid unwarranted public traffic from traveling through said park.
6. Each manufactured home within a manufactured home park shall contain a complete bathroom, including flush toilet, kitchen facilities, sleeping accommodations, plumbing and electrical connections. Travel trailers, motor homes and other recreational vehicles shall not be occupied in a manufactured home park.
7. All areas not used for access, parking, circulation, buildings and services shall be completely and permanently landscaped and the entire site maintained in good condition.

C. Manufactured Home Subdivision

The manufactured home subdivision is intended as an area chiefly designed for single family manufactured or modular homes attached to a permanent continuous foundation as well as other buildings, erected, arranged, intended or designed to be used for one single-family dwelling. Related community facilities, including churches, kindergarten, schools, public playgrounds and public parks shall be permitted, as well as any

building or permanent structure within a manufactured home subdivision to be used exclusively to provide accessory services for residents of said manufactured home subdivision such as, but not limited to, a recreational facility.

Manufactured home subdivisions shall be constructed pursuant to the Wood County Subdivision Rules and Regulations. In addition, manufactured home subdivisions shall comply with the following:

1. A manufactured home subdivision shall have a public water and sewer system and/or on site water and wastewater system acceptable to the Ohio EPA, Wood County Health Department or other approving agency of the State of Ohio or Wood County.
2. A manufactured home subdivision shall be developed on a site of not less than ten (10) acres.
3. All foundations shall be constructed in accordance with Wood County Building Inspection rules and regulations and inspected by same.

ARTICLE XVII. PONDS AND SWIMMING POOLS

A private pond is permitted in all districts with the following conditions:

1. A site plan to scale must be prepared, showing the location of the proposed pond, final grades, location of any existing or proposed buildings, septic tanks, leachfields, wells, underground fuel or gasoline storage tanks, easements, ditches and utility lines within five hundred (500) feet of the perimeter of the area.
2. Any man-made or naturally occurring pond used for recreation, storm water retention or detention, shall be located at least fifty (50) feet from any public road right-of-way or drainage ditch. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line, public road right-of-way or drainage ditch.
3. If ponds are to be utilized for potable water supplies, approval of the Wood County Health Department shall be required.
4. Pond(s) shall not be permitted to locate in a 100 year flood plain.
5. Pond(s) shall provide at least one overflow unless the pond is developed on a tract of land 40 acres or more and owned by a single property owner. Adequate provisions for drainage shall be made subject to approval of the Wood County Engineer.
6. Pond(s) shall be at least one-fourth (1/4) acre in surface area and shall be at least ten (10) feet deep at its deepest point.

7. Fill dirt may be hauled off-site. Any fill dirt retained on-site shall not be mounded so as to obstruct a view from adjoining neighbor's residence without the written consent of the property owner.
8. After completion, a pond shall be properly maintained and supervised so that it will not become a danger or nuisance to area residents.

A private swimming pool shall be any pool or open tank, where swimming is normally permitted, not located within a completely enclosed building, and containing or normally capable of containing water to a depth at any point greater than three and one-half (3 1/2) feet. Swimming pools shall be permitted in all districts, except R-1 and R-2 residential-districts, which will be permitted only under the following conditions and requirements.

1. The pool is intended as is to be used solely for the enjoyment of the occupants of the principle use of the property on which it is located.
2. No part of the water area, exposed equipment or structure housing the equipment shall be closer than ten (10) feet from any property line. Paved walks adjoining a pool may not be closer than five (5) feet from a property line.
3. The swimming pool, or the entire property on which it is located shall be fenced so as to prevent controlled access by children from the street or from adjacent properties. Said fence to be not less than four (4) feet in height and maintained in good condition with a lock and gate.
4. The pool is not greater than twelve-hundred (1,200) square feet in surface area and no more than twelve (12) feet in depth.

ARTICLE XVIII. JUNK

In order to prevent conditions conducive to the infestation of breeding of vermin, insects or rodents, the establishment of an attractive nuisance, the unsightly accumulation of discarded or salvaged items and materials and the devaluation of adjacent property, the accumulation or storage of the following items in any district for more than 30 days is prohibited;

1. Junk, disabled or inoperative vehicles, machinery or equipment;
2. Unused or discarded vehicles, equipment or machinery parts;
3. Rags and other used textile items, used paper products, and used or discarded tires;
4. Discarded building and construction materials;
5. Scrap metal, glass, plastic, and lumber;

6. Discarded home furnishings and appliances; and
 7. Other junk items and those now or hereafter defined as "junk" in the Ohio Revised Code.
- A. Such items shall not be prohibited where located in a district zoned for junk yards or auto salvage and approved as a junk yard licensed under Chapter 4737 of the Ohio Revised Code or a motor vehicle salvage facility licensed under Chapter 3748 of the Revised Code.
 - B. The above provision shall also not apply to such vehicles, parts, and other items so described above where they are kept entirely within an enclosed structure or to businesses located in commercial or industrial districts and engaged in the restoration or repair of vehicles, equipment or machinery.

The establishment of a Junk Yard, Motor Vehicle Salvage Yard or Recycling Center shall be in accordance with Section C, Article XVIII, below.

C. Motor Vehicle Salvage Yards and Junk Yards and Recycling Center(s)

The following conditions and safeguards shall apply to the operation of Motor Vehicle Salvage Yards and Junk Yard and Recycling Center(s). The Township recognized the importance of recycling of certain commodities, and therefore shall address the need of the community and business operations by classifying recycling centers and regulate them as having the same characteristics as junk yards. Motor Vehicle Salvage Yards, Junk Yards and Recycling Center shall be a conditional use in the "I" industrial district. The Zoning Board of Appeals may impose additional safeguards or limitations as deemed appropriate.

General:

1. The applicant shall provide a complete and accurate legal description of the entire site.
2. The site plan shall be submitted which at minimum includes dimensions of the site, size of buildings, building locations, setbacks, storage areas, driveways and fencing.

Storage:

1. When adding storage facilities, the applicant shall reduce the number of vehicles or junk of the storage yard.
2. Motor vehicle wrecking yards shall maintain a list of vehicles in stock and submit this list to the township upon request.

Licensing:

1. Applicants for junk yards shall be licensed as required under Chapter 4737 O.R.C. and file with the Township proof of licensing by Wood County Auditor.
2. Applicants for motor vehicle wrecking yards shall be licensed as required under Chapter 4738 O.R.C. and file with the Township proof of licensing by the Ohio Motor Vehicles Salvage Dealer's Licensing Board.

Fencing and Screening:

Any area used as a motor vehicle wrecking yard or junk yard shall be effectively screened on all sides by means of walls, fences and plantings. Walls and fences shall be a minimum of six (6) feet in height-with no advertising thereon. Storage of materials shall not exceed this height. A strip of land not less than 15 feet in width shall be planted and maintained on the exterior with evergreen hedge or shrubs and shall be equal to or greater than the height of the fence or wall. Said fencing and screening shall be in accordance with the set back yard requirements of this section.

Off-Street Parking and Loading:

Off-street parking and loading shall be provided as set forth under Article XIV, Section 5. Off-Street Parking and Space Requirement.

Yard Requirements:

1. Front Yard - There shall be a front yard set-back of not less than 50 feet, but where such a yard is opposite an "A" agricultural or "R" residential district, it shall be a minimum of 100 feet and the first 25 feet thereof shall be used only for landscaping purposes.
2. Side Yard - There shall be a side yard set-back of not less than 25 feet, but where abutting an "A" agricultural or "R" residential district it shall be a minimum of 50 feet. Storage of materials and parking of vehicles is prohibited in a side yard.
3. Rear yard - There shall be a rear yard set-back of not less than 50 feet, but where such a yard is abutting an "A" agricultural, or "R" residential district, it shall be a minimum of 100 feet.

Pavement:

All roadways internal to the site shall be paved to maintained to minimum dust.

ARTICLE XIX. CONDITIONAL USE PERMITS

A. Permits for Conditional Uses:

The following uses may be permitted only by the Board of Zoning Appeals, in accordance with the procedure described in Section B of this article:

1. Airport or aircraft landing field
2. Country club or golf course
3. Lodge or private club
4. Outdoor theater
5. Golf driving range
6. Radio or T.V. transmitting tower
7. Commercial recreational facilities
8. Mobile homes as provided in Article XVI.
9. Non-commercial recreational facilities such as race tracks, drag strips
10. Sand, gravel and top soil extraction
11. Oil and gas wells

B. Procedure:

All requests for conditional use permits shall be reviewed by the Board of Zoning Appeals within the same limits as set forth in Section 519.14 and 519.15, O.R.C. for hearing appeals.

The Board of Zoning Appeals may require such supporting information, maps and sketches from the applicant as it deems necessary to review in order to reach a decision.

If the Board of Zoning Appeals finds the request reasonable and that the use would be consistent with the spirit, purpose and intent of this resolution, and will not substantially injure the appropriate use of neighboring property and will generally serve the public convenience and welfare of the township it may grant the permit including imposition of conditions of the use.

ARTICLE XX. ADMINISTRATION

A. Zoning Inspector

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

B. Plats, Maps and Descriptions

Each application for a zoning permit shall be accompanied by a plat, map or comprehensive description, in duplicate, drawn to scale, showing the actual dimensions of the lot to be built upon, the size of the building to be erected, reconstructed or structurally altered, and such other information as shall be necessary to provide for the enforcement of this resolution. A careful record shall be kept of all such applications,

maps or comprehensive descriptions, in the office of the Township Zoning Inspector or the office of the Board of Township Trustees.

C. Zoning Certificate (Permit)

1. Before constructing, locating, reconstructing, changing the use of, or altering the outside dimensions of any structure, applications shall be made to the township zoning inspector for a zoning certificate. The application shall indicate the exact location of the proposed construction, addition, alteration, or change of use and shall include a plot plan, plans and specifications showing the proposed location and dimensions, and the proposed use, all of which shall be included in the permanent record of the application. Within ten (10) days after receipt of the application, the zoning inspector shall issue a zoning certificate if the proposed construction, alterations, or change of use by applications complies with the requirements of this resolution, and the application is accompanied by the proper fee, or shall refuse the same if it does not comply.
2. At the time that an application for a zoning certificate is filed with the Zoning Inspector, as provided herein, there shall be deposited a fee as set by Resolution of the Board of Township Trustees of Perry from time to time. Such fees are for the purpose of defraying the cost of inspection, certification and the maintenance of necessary records. Such sums so deposited shall be credited by the Township Clerk to the General Fund of the Township.
3. The zoning certificate must be posted on the premises before work is started, and so positioned to be read from the outside of the building or structure.

ARTICLE XXI. PENALTIES

- A. In accordance with Section 519.99 of the Ohio Revised Code, any person, firm or corporation violating this resolution, or any regulation, provision or amendment thereto shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than one hundred dollars (\$100) for each offense. Each and every day there is a violation of these resolutions may be deemed a separate offense.
- B. In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used, or any land is or is proposed to be used in violation of law or of this resolution or any amendment thereto, the Board of Township Trustees, the Prosecuting Attorney of this County, the Township Zoning Inspector or any adjacent or neighboring property owner who would be especially damaged by such violation in addition to other remedies provided by laws, may institute injunction, mandamus, abatement or any other appropriate action, actions or proceedings to prevent, enjoin, abate or remove such

unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

ARTICLE XXII. VALIDITY

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

ARTICLE XXIII. BOARD OF ZONING APPEALS

A. Organization and Procedures

1. The Board of Township Trustees shall proceed as provided in Sections 519.13 through 519.15 inclusive O.R.C., to appoint a Board of Zoning Appeals and such board shall proceed under the regulations and powers provided by Section 519.13 through 519.15 inclusive.
2. Hearings, Rules, Etc. - The hearings of the Board of Zoning Appeals shall be public. However, the Board may go into executive session for discussion but not for vote on any case before it. The Board shall organize annually and elect a Chairman, Vice-Chairman, and Secretary. The Board shall act by resolution in which three (3) members must concur. The Board shall adopt from time to time such rules and regulations as it may deem necessary to carry into effect the provisions of this Resolution. The Board shall hear the intervention of any owner of property adjacent to, in the rear of, or across the street from a lot as to which the granting of any building permit is pending, and shall also hear any other parties in interest.
3. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question; or if absent or failing to vote, indicating such fact; and shall keep records of its examinations and other officials' actions, all of which shall be immediately filed with the Board of Trustees and shall be a public record.
4. Witnesses, Oaths, Etc. - The Board shall have the power to subpoena witnesses, administer oaths, and may require the production of documents, under such regulations as it may establish.

B. Appeals

Appeals shall be taken as provided in Section 519.15 O.R.C. and the Board of Zoning Appeals shall act as therein provided.

C. Powers and Duties

Powers and Duties - The Board of Zoning Appeals shall have the following powers and it shall be its duty:

1. To hear and decide appeals where it is alleged there is error of law in any order, requirements, decision or determination made by the Zoning Inspector in the enforcement of this Resolution or any amendments thereto.
2. In hearing and deciding appeals, the Board shall have the power to grant an exemption in the following instances.
 - a. Permit the extension of a district where the boundary line of a district divides a lot or tract held in a single ownership at the time of the passage of this Resolution.
 - b. Interpret provisions of this Resolution in such a way as to carry out the intent and purpose of the plan, as shown upon the map fixing the several districts, accompanying and made a part of this Resolution where the street layout actually on the ground varies from the street layout, as shown on the map aforesaid.
 - c. Determine whether an industry should be permitted within the I-Industrial District because of an operation or activity of a noxious or offensive nature of causing excessive emission of odor, dust, smoke, gas, noise, fumes, flame, radiation, or vibration; or is of such nature as to excessively restrict the circulation of air or light on adjoining property.
3. The Board shall have the authority to grant the following variances.
 - a. Permit a variation in the yard requirements of any district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions, provided such variation will not seriously affect any adjoining property or the general welfare.
 - b. The extension or completion of a building devoted to a non-conforming use upon a lot adjoining, provided that such lot was under the same ownership as the lot in question on the date such building became non-conforming, and where such extension is necessary and incidental to the existing use of such building; provided however, that floor areas of such extension shall not exceed in all twenty-five (25) percent of the floor area of the existing building or buildings devoted to a non-conforming use and provided further that such extension or extensions shall be undertaken within five (5) years of the date when the use of such building became non-conforming.
 - c. Authorize upon appeal, whenever a property owner can show that a strict application of the terms of the Resolution

relating to the use, construction or alterations of buildings or structures or the use of land will impose upon him unnecessary hardship, such variations of the strict application of the terms of this Resolution as are in harmony with its general purpose and intent; but only when the Board is satisfied that a granting of such variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unnecessary hardship unique to the particular owner's property so great as to warrant a variation from the zoning plan as established by this Resolution, and at the same time, the surrounding property will be properly protected.

4. The Board shall have the power to hear and decide in accordance with the provisions of this Resolution, applications for conditional uses. In considering an application for a conditional use, the Board shall give due regard to the nature and condition of all adjacent uses and structures; and in authorizing a conditional use, the Board may impose such requirements and conditions with respect to location, construction, maintenance and operation in addition to those expressly stipulated in this Resolution for the particular conditional use--as the Board may deem necessary for the protection of adjacent properties and the public interest.
5. In considering all appeals and all proposed exceptions to this Resolution the Board shall, before making any exceptions or variations from the Resolution in a specific case, first determine that it will not impair an adequate supply of light and air to adjacent property or unreasonably increase congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the portion of the Township to which this Resolution applies.
6. At the time that an application for a variance is filed with the Board of Zoning Appeals, as provided herein, there shall be deposited a fee as set by the Board of Township Trustees of Perry from time to time. Such sums so deposited shall be credited by the Township Clerk to the General Fund of the Township.

ARTICLE XXIV. AMENDMENT TO TOWNSHIP ZONING RESOLUTION

A. Procedure for Amendments or District Changes

This resolution may be amended by utilizing the procedure specified in this resolution.

B. General

Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Board of Township Trustees may by

resolution, after receipt of recommendation thereon from the Zoning Commission and subject to the procedures provided by law, amend, supplement, change or repeal the regulations, restrictions, and boundaries or classification of property.

C. Initiation of Zoning Amendments

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

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

D. Contents of Application for Zoning Map Amendment

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

1. The name, address, and phone number of applicant.
2. A statement of the reason(s) for the proposed amendment.
3. The present use of the land.
4. The present zoning district in which property is located.
5. The proposed use of the land.
6. A proposed zoning district for property.
7. A vicinity map at a scale approved by the Zoning Inspector showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Inspector may require.
8. A list of all property owners and their mailing address who are within, contiguous to, or directly across the street from the parcel(s), proposed to be rezoned and others that may have a substantial interest in the case, except that addresses need not be included where more than ten (10) parcels are to be rezoned.
9. A statement on the ways in which the proposed amendment relates to the comprehensive plan.
10. A fee as established by resolution of the Perry Township Trustees.

E. Contents of Application for Zoning Text Amendment

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

1. The name, address, and phone number of the applicant.
2. A statement of reason(s) for the proposed amendment.
3. A statement explaining the ways in which the proposed amendment relates to the comprehensive plan.
4. A fee as established by resolution of the Township Trustees.

F. Transmittal to Zoning Commission

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

G. Submission to Wood County Planning Commission

Within five (5) days after the adoption of a motion by the Commission, transmittal of a resolution by the Township Trustees or the filing of an application by at least one (1) owner or lessee, the Zoning Commission shall transmit a copy of such motion, resolution, or application, together with the text and map pertaining to the case in question, to the Wood County Planning Commission. The Wood County Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit such recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission.

H. Submission to Director of Transportation

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

I. Public Hearing by Zoning Commission

The Zoning Commission shall schedule a public hearing after the adoption of their motion, the transmittal of a resolution from the Township Trustees, or the filing of an application for zoning amendment. Said hearing shall be no less than twenty (20) nor more than forty (40) days from the date of adoption of such motion, transmittal of such resolution, or filing of such application.

J. Notice of Public Hearing in Newspaper and to Property Owners

Before holding the public hearing as required, notice of such hearing shall be given by the Zoning Commission by at least one (1) publication in one (1) or more newspaper of general circulation in the Township at least ten (10) days before the date of said hearing. If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land, as listed on the county auditor's current tax list, written notice of the hearing shall be mailed by the zoning commission, by first class mail, at least ten days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from such area proposed to be rezoned or redistricted to the addresses of such owners appearing on the county auditor's current tax list. The failure of delivery of such notice shall not invalidate any such amendment.

If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land as listed on the county auditor's current tax list, the published and mailed notices shall set forth the time, date, and place of the public hearing, and shall include all of the following:

- (1) The name of the zoning commission that will be conducting the public hearing;
- (2) A statement indicating that the motion, resolution, or application is an amendment to the zoning resolution;
- (3) A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and the names of owners of these properties, as they appear on the county auditor's current tax list;
- (4) The present zoning classification of property names in the property amendment and the proposed zoning classification of such property;
- (5) The time and place where the motion, resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the public hearing;
- (6) The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail;
- (7) Any other information requested by the zoning commission;

- (8) A statement that after the conclusion of such hearing the matter will be submitted to the board for its action.

If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land, as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:

- (1) The name of the zoning commission that will be conducting the public hearing on the proposed amendment;
- (2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;
- (3) The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the public hearing;
- (4) The name of the person responsible for giving notice of the public hearing by publication;
- (5) A statement that after the conclusion of such hearing the matter will be submitted to the board of township trustees for its action;
- (6) Any other information requested by the zoning commission.

K. Recommendation by Zoning Commission

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

L. Public Hearing by Board of Township Trustees

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

If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date and place of the public hearing and shall include all of the following:

- (1) The name of the board that will be conducting the public hearing;

- (2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;
- (3) A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and of the names of the owners of these properties, as they appear on the county auditor's current tax list;
- (4) The present zoning classification of property names in the proposed amendment and the proposed zoning classification of such property;
- (5) The time and place where the motion, application, or resolution proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the public hearing;
- (6) The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail;
- (7) Any other information requested by the board.

If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:

- (1) The name of the board that will be conducting the public hearing on the proposed amendment;
- (2) A statement indicating that the motion, application or resolution is an amendment to the zoning resolution;
- (3) The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the public hearing;
- (4) The name of the person responsible for giving notice of the public hearing by publication;
- (5) Any other information requested by the board.

M. Action by Board of Township Trustees

Within twenty (20) days after the public hearing required in Section 1., the Board of Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof.

N. Effective Date and Referendum

Such amendment adopted by Board of Township Trustees shall become effective thirty (30) days after the date of such adoption unless within

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

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

O. Transmittal of Amendment

Within five (5) working days after an amendment's effective date, the Board of Township Trustees shall file the text and maps of the amendment in the Office of the Wood County Recorder and with the Wood County Planning Commission.

P. Application Fees

At the time that an application for a change of zoning districts is filed with the Commission, as provided therein, there shall be deposited a fee as set by resolution of the Board of Trustees of Perry Township from time to time. Said fee is for the purpose of defraying the costs of investigation, legal notices, and other expenses incidental to the determination of such matter. Such sums so deposited shall be credited by the Township Clerk to the General Fund of the Township.