

**WASHINGTON**

**TOWNSHIP**

**ZONING RESOLUTION**

**WOOD COUNTY, OHIO**

**EFFECTIVE: OCTOBER 7, 1999**

**AMENDED: 5/5/05, 7/21/09, 6/19/14**

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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, and 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 Washington 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 Washington Township, Wood County, Ohio, that the Zoning Resolution of Washington Township read as follows:

### **ZONING RESOLUTION OF WASHINGTON TOWNSHIP**

This resolution shall be known as the “Zoning Resolution”, and consists of a text and map(s). The map(s) which accompanies this Resolution and is hereby incorporated herein and which is made a part hereof, shall be referred to as the “Zoning Plan”.

#### **ARTICLE I – GENERAL PROVISIONS**

##### **A. INTENT AND PURPOSES**

The purpose of this resolution is to promote the public health, safety and general welfare. The Board of Township Trustees may regulate by resolution the location, height, bulk, number of stories, and size of buildings and other structures, including tents, cabins, and trailer coaches; percentage of lot areas which may be occupied; setback building lines; sizes of yards, courts, and other open spaces; the density of population; the uses of buildings and other structures, including tents, cabins and trailer coaches; and the uses of land for trade, industry, residence, recreations, or other purposes in the unincorporated territory of the Township, and for such purposes may divide all or any part of the unincorporated territory of the Township into districts or zones of such number, shape, and area as the Board determines.

All such regulations shall be uniform for each class or kind of building or other structure or use throughout any district or zone, but the regulations in one district or zone may differ from those in other districts or zones. The comprehensive plan referred to herein means the Land Use Plan for Wood County, Ohio or subsequent refinements of said Plan which may include greater detailing of land use categories, development goals and policies more relevant to the development of Washington Township.

## **B. CONSTRUCTION OF LANGUAGE**

The following rules of construction apply to the text of this Resolution:

1. In the case of any difference of meaning or implication between the text of this Resolution any caption, title, or illustration, the text shall control.
2. The word “shall” is always mandatory and not discretionary. The word “may” is permissive.
3. Words used in the present tense shall include the future and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
4. A “building” or structure includes any part thereof.
5. The phrase “used for” includes “arranged for”, “designed for”, “intended for”, “maintained for”, or “occupied for”.
6. The word “person” includes an individual, a corporation, a partnership, an incorporated association, a trust, or any other similar entity.
7. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction “and”, “or”, “either”...or”, the conjunction shall be interpreted as follows:
  - a. “And” indicates that all the connected items, conditions, provisions or events shall apply.
  - b. “Or” indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
8. Terms not herein defined shall have the meaning customarily assigned to them.
9. Whenever the word “Township” appears in this resolution, it shall be deemed to mean the Township of Washington in Wood County, Ohio, and whenever the word “County” appears in this resolution, it shall be deemed to mean the County of Wood, Ohio.
10. In interpretation and application, the provisions of this resolution shall be held to be the minimum requirement adopted for the promotion of public health, safety, morals, comfort and general welfare.
11. 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.

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

## **ARTICLE II – NONCONFORMING USES; EXISTING LOTS OF RECORD**

### **A. NONCONFORMING USES**

Within the Districts established by this Resolution, uses of land and/or buildings exist which were lawful prior to adoption of this resolution or amendments thereto, but which would not be permitted by the regulations imposed by this Resolution. It is the intent of this Resolution to permit these non-conformities to continue until they are removed or abandoned. It is further the intent of the Resolution that non-conformities shall not be significantly enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same District except as permitted below.

1. A nonconforming use existing at the time this resolution or any amendment thereto takes effect may be continued except that if it is voluntarily discontinued for two or more years, it shall be deemed abandoned and any future use must be in conformity with the uses permitted in such district.
2. Any building arranged, intended or designed for a nonconforming use, the construction of which has been started at the time of the passage of this resolution or any amendment thereto, but has not been completed, may be completed and put to such nonconforming use, provided it is done within one year after this resolution or any amendment thereto takes effect.
3. Any structure or building existing as a nonconforming use at the time this resolution or any amendment thereto 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 nonconforming use at the time this resolution or any amendment thereto takes effect may not be altered or enlarged so as to extend said nonconforming 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 nonconforming use has been changed to a more restricted use or to a conforming use, such use shall be not thereafter be changed to a less restricted or nonconforming use.

## **B. NONCONFORMING VALIDATION CERTIFICATE**

After the adoption of this Resolution, or any amendments thereto, the Zoning Inspector shall prepare a record of all known nonconforming uses and occupations of lands, buildings and structures, including tents and trailer coaches, existing at the time of such Resolution or amendment. Such record shall contain the names and addresses of the owners of record of such nonconforming use and of any occupant, other than the owner, the legal description of the land and the nature and extent of use. Such list shall be available at all times in the office of the Township Clerk.

## **C. EXISTING LOTS OF RECORD**

1. In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this Resolution, a single-family dwelling and customary accessory buildings may be erected on any single lot of record existing at the effective date of adoption or amendment of this Resolution. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district; provided that yard dimensions and other requirements not involving area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located.
2. In any district where dwellings are permitted, existing lots of record, facing on the same street, as of the effective date of this resolution as stated in Article XXI, which do not meet present area, width, depth and floor area requirements, either before or after combination, may be combined to provide for reasonable location of a single-family detached dwelling. The location of the dwelling on the lot shall be governed by provisions of Article VII.

## **ARTICLE III – EXEMPTIONS**

- A. The use of 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, including buildings or structures that are used primarily for venting and selling wine that are located on land any part of which is used for viticulture, shall be permitted in all districts established by this Resolution except as set forth in Sections F through H of this section and Article XVI, Section B-1.



- B. The location, erection, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement of any building or structures of any public utility or railroad, whether publicly or privately owned, or the use of land by any public utility or railroad for the operation of its business or the use of land for essential services as herein defined shall be permitted in all districts established by this Resolution and no zoning certificate shall be required for any building or structure or for the use of any land essential to the operations of a public utility or railroad.
- C. The sale or use of alcoholic beverages shall not be prohibited in areas where the establishment and operation of any retail business, hotel, lunchroom, or restaurant is permitted.
- D. The use of any land owned or leased by an industrial firm shall not be prohibited for the conduct of oil or natural gas well drilling or production activities or the location of associated facilities or equipment when such oil or natural gas obtained by the industrial firm's used for the operation of its plants.
- E. It is the intent of Washington Township to regulate (1.) Agricultural uses in residential areas as provided in this Article III and (2.) Public utilities engaged in transporting persons or property, subject to the limitations of ORC 519.21 and 519.211 or subsequent amendment thereto Article X, Section C.
- F. A parcel with the following characteristics is subject to the agricultural use restrictions below this section: (1.) The parcel is within a platted subdivision approved under ORC 711.05, 711.09 or 711.10, or in any area consisting of fifteen or more lots approved under ORC 711.131 that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road and; (2.) The parcel is a lot of one acre or less.
  - 1. Dairying, pasturage and animal husbandry of animals raised for their meats, skins or other byproducts are conditional uses subject to approval by the Board of zoning Appeals. The Board shall consider:
    - a. Size of the lot or parcel
    - b. Type and number of animals
    - c. Size area devoted to the above animal uses
    - d. Feed and waste management plan
    - e. Uses of adjacent properties
    - f. Location and type of animal housing
  - 2. With the exception of fruit trees, agricultural uses not involving animals are permitted so long as they are not extended beyond the front setback line for the district in which the parcel is located and does not exceed more than 33 1/3% of the total open space of such parcel.

3. Building and structures accessory to the agricultural use of the property shall meet side and rear setbacks and shall be constructed in a design and of materials which harmonize to existing residential, commercial or industrial structures on the property. Such buildings shall not exceed 35 feet in height, shall not exceed one-eighth of the total area of the parcel and shall be placed behind the front set back line for the district in which the parcel is located.
- G. On parcels which (1.) meet the requirements of Section F1 above and (2.) are larger than one acre but less than five acres, the following agricultural uses are permitted subject to application for and approval of a conditional use permit therefore by the Board of Zoning Appeals.
1. Building and structures incident to the agricultural use of property are subject to the setback, construction and design requirements set forth in G and F3 above.
  2. When at least 35% of the lots of the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured homes under ORC 4503.06; dairying, pasturage, and animal husbandry of animals raised for their meats, skins or other byproducts and conditional uses subject to approval by the Board of Zoning Appeals. The Board shall consider:
    - a. Size of the lot or parcel
    - b. Type and number of animals
    - c. Size area devoted to the above animal uses
    - d. Feed and waste management plan
    - e. Uses of adjacent properties
    - f. Location of animal housing
  3. Any dairying and animal and poultry husbandry, which exist prior to 35% of the lots being developed, shall be considered a nonconforming use of land and building or structures pursuant to ORC 519.19.
- H. The regulations in subsection G2b and G2c above do not apply to agricultural, buildings or structures and dairying and animal and poultry husbandry on lots greater than five acres.

#### **ARTICLE IV - DEFINITIONS**

For the purpose of this Resolution, certain words and terms are defined as follows:

1. Accessory Use, Accessory Building or Accessory:

An Accessory Use is a use which is clearly incidental to, customarily found in connection with, subordinate to, and, (except in the case of accessory off-street parking spaces or loading) located on the same zoning lot as the principal use to which it is related, and devoted exclusively to the main use of the premises.

An Accessory Building is a subordinate building or structure on the same lot, or part of the main building, occupied or devoted exclusively to an accessory use.

Accessory Uses include, but are not limited, to the following:

- a. Residential accommodations for servants.
- b. Residential accommodations for caretakers.
- c. Swimming pools for use of the occupants of a residence or their guests.
- d. Domestic or agricultural storage in a barn, shed, tool room, or similar accessory building or other structure.
- e. Golf course and clubhouse facilities, when part of a Planned Unit Development or cooperative.
- f. Storage space for goods produced, used in, or items normally carried in stock in connection with an agricultural, commercial, or industrial use in the applicable districts.
- g. Off-street parking spaces open or enclosed, subject to the accessory off-street parking regulations for the district in which the zoning lot is located.
- h. Off-street loading, subject to the off-street loading regulations for the district in which the zoning lot is located.
- i. Signs, subject to the sign resolution for the district in which the zoning lot is located.
- j. Freestanding structures, such as church towers, bell towers, ventilation towers, and similar structures not suitable for human occupancy and not directly connected to a building but located on the same lot with any principal use of a building.

2. Agriculture:

Farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; and combination of the foregoing; the

processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

- a. Agricultural Labor Camp: A structure or group of structures designed, intended or used as temporary housing or shelter for seasonal agricultural labor.
  - b. Agricultural Testing Facility: Any building or other structure devoted to the testing, grading or experimentation of agricultural products. No processing of agricultural products is permitted except as incidental to such testing, etc.
  - c. 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.
3. Alley: Any dedicated public way affording a secondary means of access to abutting property, and not intended for general traffic circulation.
  4. Alterations: Any structural change, addition or modification in construction or type of occupancy, or any change in the structural members of a building, such as bearing walls, columns, beams or girders, the consummated act of which may be referred to herein as "altered" or "reconstructed".
  5. Apartment: A room or suite of rooms in a multifamily building arranged and intended as a place of residence for a single family or a group of individuals living together as a single housekeeping unit.
  6. Apartment Hotel: Is a building designed for or containing both dwelling units and individual guest rooms or suites of rooms, which building may include any accessory use, such as a cigar store, coffee shop, etc., permitted in a hotel, provided such uses are accessible only from the lobby.
  7. Area of Building: The number of square feet included within the outside walls excluding porches, breezeways, terraces. Refer to Definition No. 43 for Gross Floor Area.
  8. Auto Service Station: A building or buildings, structures and adjoining space used for the sale and dispensing of motor fuel from fixed equipment into the fuel supply tanks of motor vehicles, for the sale, installation and repair or servicing of lubricants, automotive tires, batteries, parts and accessories and, if conducted within a building to repair tires, recharge batteries, clean and polish vehicles, lubricate chassis and to perform minor repairs and adjustments.
  9. Auto Repair Facility: A facility which performs general automotive repair, engine rebuilding, rebuilding or reconditioning of motor vehicle bodies, collision service

such as body frame or fender straightening and repair; overall painting and undercoating of automobiles.

10. **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.
11. **Bed & Breakfast:** An owner-occupied, single-family residential dwelling in which rooms are rented to paying guests on an overnight basis and breakfast only is provided, the entire service to be in one (1) stated price.
12. **Boarding House (Rooming House):** A building other than a hotel, where for compensation and by pre-arrangement for definite periods, meals or lodging and meals, are provided for three or more persons, but not exceeding ten sleeping rooms. A rooming house or a furnished room house shall be deemed a boarding house for the purposes of this Resolution.
13. **Building:** Any structure designed or built for the support, enclosure, shelter, or protection of persons, animals, chattels, or property. A mobile home or manufactured home is a building, for the purpose of this Resolution, if the home is affixed to a permanent foundation and is located on land owned by the owner of the home and the certificate of title has been surrendered and inactivated by the clerk of common pleas court that issued it so that the home may be taxed as real property.
14. The vertical distance from the grade to the highest point of the coping of a flat or to the deck line of a mansard roof or to the height of the highest gable of a pitched or hip roof. Where the building is located on sloping terrain, the height shall be measured from the average ground level of the grade at the front building wall, unless otherwise defined herein.
15. **Business, In-the-Home (Home Occupation):** An occupation conducted in a dwelling unit, or one accessory building, which meets the following criteria:
  - a. No more than one (1) person other than members of the family residing on the premises shall be engaged in such occupation.
  - b. The use of the dwelling unit, or one accessory building, for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and shall not change the residential character of the property.
  - c. Not more than twenty-five (25) percent of the residential floor area of the dwelling unit shall be used to conduct the home occupation. The floor area of the accessory building may be used entirely for the occupation.

- d. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding nine (9) square feet in area per side, which shall be located not less than twenty-five (25) feet from the road right-of way and not less than ten (10) feet from the side lot line of the property, and may not be illuminated.
  - e. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood.
  - f. Parking generated by the conduct of such home occupation shall be off the street and other than in a required front yard.
  - g. No goods or items shall be sold to customers on the premises.
  - h. No equipment or process shall be used in such home occupation, which creates dust, noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
- 16. Building Line: A line parallel to the front lot line at the minimum required front setback line.
  - 17. Building, Principal: A building in which is conducted the main or principal use of the lot on which said building is situated.
  - 18. Cemetery: A graveyard, burial ground, place or area used for interment of the dead, whether human or animal, including lots for depositing bodies of the dead as well as avenues, paths, walks and grounds for landscaping or ornamental purposes.
  - 19. Club: A noncommercial organization of persons for special purposes or for the promotion of sports, arts, sciences, literature, politics, social activities, and other similar group activities.
  - 20. Clinic: Any facility providing physical or mental health service or medical or surgical care of the sick or injured, but shall not include in-patient or overnight accommodations.
  - 21. Commercial Vehicle: Any vehicle or trailer licensed and registered as a commercial vehicle or trailer with a gross vehicle weight of over 10,000 pounds and used or designed to be used for business or commercial purpose.
  - 22. Conditional Use: A use which is not necessarily inconsistent with the zoning objective of a district, but whose nature is such that its compatibility in any particular area depends upon surrounding circumstances.

23. Convalescent/Nursing Home/Assisted Living: An establishment that specializes in providing personal and/or nursing services to those unable to care for themselves.
24. Convenience Store: A commercial premises, of not more than 10,000 square feet, selling food items and other selected items on a limited basis and having storefront parking.
25. Custom Work Shop: A building or part of a building where goods are produced to special order and sold at retail or wholesale from the premises.
26. Deck: A permanent structure, whether or not covered, roofed, enclosed or attached to the principle structure, projecting from the front, rear or side wall of a building, and used for recreational purposes primarily on a seasonal basis.
27. Development: The construction of a new building or other structure on a zoning lot, the relocation of an existing building to another zoning lot, or the use of open land for a new use.
28. District: That portion of the unincorporated area of the Township within which certain regulations and requirements or various combinations thereof apply under the provisions of this Resolution.
29. Drive-In Business: A business establishment so developed that its retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicles, or within a building or structure on the same premises and devoted to the same purposes as the drive-in service.
30. 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 living independently of each other.
31. Dwelling, Single-Family: A permanent structure entirely detached: independent from any other principal structure placed on a permanent foundation, 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 homes, manufactured homes and mobile homes but not barns, sheds or other structures designed for uses other than single family.
32. Dwelling, Two-Family: A building designed for or occupied exclusively by two families living independently of each other.
33. Dwelling Unit: A building, or a portion thereof, designed for occupancy by one (1) family for residential purposes and having cooking facilities.

34. Essential Services: The erection, construction, alteration, or maintenance, by public utilities or 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, sewer 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.
35. Excavation: Any earth disturbance activity from which rock, stone, gravel, sand, earth, topsoil, or mineral is removed for the purpose of disposition away from the immediate premises or for repositioning on the site. This shall not include excavation necessary for actual foundations of any building or structure for which a zoning certificate has been issued. Excavation does not include common household gardening or landscaping and ground care or tilling for agricultural purposes.
36. Family: One or more persons who live together in one dwelling unit and maintain a common household. A “family” may include domestic servants and gratuitous guests.
37. Fence: A man-made structure providing a physical or visual block.
38. Fill: Dirt, concrete, rock or similar inert material used to fill a particular low area.
39. Fireworks: A device for producing a striking display of light, noise or smoke by combustion of explosive or flammable compositions, especially for exhibition, signaling, or illumination and typically consisting of a paper case containing combustible material, an oxidizing material, and a metal salt as coloring agent.
40. Floor Area/Commercial Floor Area: The sum of the gross horizontal areas of the several floors of a building or buildings, measured from the exterior walls or from the centerline of wall separating two buildings “Floor area” shall not include: basement space, stair bulkheads, attic space, terraces, breezeways and open porches and uncovered steps.
41. Foundation: The lowest division of a wall for a structure intended for permanent use; that part of a wall on which the building is erected; usually that part of a building which is below the surface of the ground, and on which the superstructure rests.
  - a. Permanent Foundation: a permanent masonry, concrete or locally approved footer or foundation, to which a manufactured or mobile home may be affixed.



42. Foundation Wall: Any bearing wall below the first tier of floor joists or beams; that portion of an enclosing wall below the first-floor construction.
43. Frontage: All the property on one side of a street between two intersecting streets (crossing or terminating), measured at the public right-of-way line – or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.
44. Garage
  - a. Commercial Parking Garage: A building or other structure which is used for the storage or parking of motor vehicles other than commercial vehicles or abandoned, inoperable or disabled vehicles. A Commercial Parking Garage may include the dispensing of motor fuels, lubricants, air, water and other operating commodities wholly within the building.
  - b. Private Garage: An accessory building or portion of a main building designed or used solely for the storage of motor-driven vehicles, boats, and similar vehicles owned and used in connection with a permitted or accessory use by the occupants of the premises. Not more than one of the vehicles may be a commercial vehicle, which vehicle shall not exceed a 15,000 lb. gross vehicle weight.
  - c. Public Garage: 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.
45. 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.
46. Grade: The average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five (5) feet of a sidewalk, the above ground level shall be measured at the sidewalk, unless otherwise defined herein.
47. Highway, Major: A street or road of considerable continuity and used primarily as a traffic artery for intercommunication among large areas as defined by the Wood County Major Street and Highway Plan.
48. Hospital: Any institution providing physical or mental health services, inpatient or overnight accommodations, and medical or surgical care of the sick or injured. Hospital includes sanitariums and sanatoriums.
49. Hotel: A building or part of a building with a common entrance or entrances, in which the dwelling units or rooming units are used primarily for transient occupancy and which may include a restaurant or cocktail lounge, public banquet

halls, ballrooms, or meeting rooms. A hotel may also offer one or more of the following services:

- a. Maid service.
- b. Telephone, secretarial or desk service.
- c. Furnishing of linen.
- d. Bellboy service.

50. Housekeeping Unit: See the definition for Family.
51. Industrialized Unit: A building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and on the site as independent units, as part of a group of units, or incorporated with standard construction needs to form a completed structural entity. "Industrialized unit" does not include a manufactured or mobile home as defined herein.
52. Junk: Inoperable and/or disabled vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, rags, or any other discarded objects, debris, or items defined as junk in the Ohio Revised Code and located outside of an approved junkyard or recycling center.
53. Junk Motor Vehicles: Any motor vehicle that is left uncovered in the open on private property for more than seventy-two (72) hours with the permission of the person having the right to the possession of the property, except if the person is operating a licensed junk yard or scrap metal processing facility, and which meets all of the following requirements:
  - a. Three years old, or older.
  - b. Extensively damaged, such damage including, but not limited to any of the following: missing or nonfunctional wheels, tires, motor, or transmission.
  - c. Apparently inoperable.
  - d. Not licensed with current license plates.
54. Junk Yard: A place, structure or lot where junk, waste, discarded, salvaged, or similar materials, such as old iron or other metal, wood, liquid waste, timber, glass, paper, rags, cloth, bagging, cordage, barrels, containers, etc., are bought, sold, exchanged, baled, disassembled, or handled, including auto wrecking yards, used lumber yards, house wrecking yards, and places or yards for use of salvaged house wrecking and structural steel materials and equipment and excluding pawn shops and nonprofit charities distributing used goods to the disadvantaged, and establishments for the sale, purchase, or storage of used cars, salvaged machinery, used furniture, radios, stoves, refrigerators, or similar household goods, and the processing of used, discarded, or salvaged materials as part of manufacturing operations.

55. Kennel: Any lot or premises on which four (4) or more dogs more than four (4) months of age are housed, groomed, bred, boarded, trained or sold and which may offer provisions for minor medical treatment.
56. Loading Space: An off-street space on the same lot with a building, or group of buildings, for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials.
57. Lot: A parcel of land occupied by 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. Every lot shall abut upon and have permanent access to a public street or an approved private street. The two types of lots are:
  - a. Lot, Corner: Any lot at the junction of and abutting on two or more intersecting streets.
  - b. Lot, Interior: Any lot other than a corner lot.
58. Lot Area: The total horizontal area within the lot lines of the lot.
59. Lot Depth: The horizontal distance between the front and rear lot lines, measured along the median between the side lot lines. See illustration Article VII.
60. Lot Frontage: All the property on one side of a dedicated public street right-of-way between two intersecting streets, measured along the line of the street right-of-way. The width of the lot, which is the distance from one side lot line to the other side lot line measured parallel to the front line, shall be at a minimum maintained for the entire depth of the lot. See illustration VII.
61. Lot Lines: The lines abounding a lot as defined herein.
  - a. 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”. See illustration Article VII.
  - b. Lot Line, Rear: A lot line that is opposite the front lot line. In the case of a corner lot, the rear lot line may be opposite either front lot line, but there shall only be one rear lot line. In the case of a lot pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than twenty (20) feet long, lying farthest from the front lot line and wholly within the lot. See illustration Article VII.
  - c. Lot Line, Side: Any lot line not a front line or not a rear line. See illustration Article VII.
62. Lot of Record: A lot, which is part of a subdivision recorded in the office of the Wood County Recorder, or a lot parcel described by metes and bounds, the description of which has been so recorded.

63. Lot Width: The width of a lot at the building setback line measured at right angles to its depth. The width of lots fronting on a cul-de-sac shall be the chord distance between side lot lines for the curve coinciding with the required depth of the front yard.
64. Main Building: A building in which is conducted the principal use of the lot upon which it is situated.
65. Main Use: The principal use to which the premises are devoted and the principal purpose for which the premises exist.
66. Major Thoroughfare: An arterial street which is intended to serve as a large-volume traffic way for both the immediate area and the region beyond.
67. Manufactured Housing: Any pre-assembled residence transported to a site for final assembly and set up. Does not include traditional site built housing.
- a. Manufactured Home: A building or unit or assembly of closed construction fabricated in an off-site facility, that conforms with the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the “Manufactured Housing Construction and Safety Standards Act of 1974”, and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards.
  - b. Mobile Home: A building unit or assembly of closed construction that is fabricated in an off-site facility, is more than 35 body feet in length, or when erected on site, is 320 or more square feet, that is built on a permanent chassis and is transportable in one or more sections and does not qualify under this Resolutions definition of a manufactured home or industrialized unit.
  - c. Permanently sited manufactured home: A manufactured home that meets all of the following criteria:
    - 1. The structure is affixed to a permanent foundation and is connected to appropriate facilities.
    - 2. The structure, excluding any addition, has a width of at least 22 feet at one point, a length of at least 22 feet at one point; and a total living area of at least 900 square feet, excluding garages, porches, or attachments.
    - 3. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering.

4. The structure was manufactured after January 1, 1995.
  5. The structure is not located in a manufactured home park.
68. **Manufactured Home Park:** Any plot of ground upon which more than three or more manufactured homes, occupied for dwelling or sleeping purposes, or more manufactured homes, occupied for dwelling or sleeping purposes, are located, regardless of whether or not a charge is made for accommodation.
  69. **Manufactured Home Space:** A plot of ground within a manufactured home park designed for the accommodation of one manufactured home.
  70. **Manufacturing:** Any production or industrial process, including food processing, which combines one or more raw materials or components into a product, or which changes the nature of the materials entering the process.
    - a. **Manufacturing, Light:** Any industrial use which is conducted entirely within enclosed, substantially constructed buildings, involving the use of only light machinery and equipment; does not use the open area about the buildings for the storage of materials or equipment other than for the unloading or loading operations at the rear of within an enclosure which abuts a building. Restricted manufacturing shall include the manufacture of drugs, jewelry, musical instruments, sporting goods, the processing and assembly of small glass products, small household appliances, small electronic products, scientific instruments, and parts for the production of finished equipment, office, computing and accounting machines, research and laboratory testing, printing, publishing and engraving plants, and other similar products and operations.
    - b. **Manufacturing, Heavy:** Any manufacturing, industrial production or storage which by the nature of the materials, equipment and processes utilized are generally conducted within an enclosed building and if outside storage of material is required on any portion of the property abutting or facing an "R" district, such storage is conducted within a well maintained enclosure which shall have an opaqueness of seventy-five percent (75%) or more. General manufacturing shall include the manufacture of dairy, canned fruit and vegetable, bakery, soft drink and confectionery products, textile mill products and apparel, lumber and wood products, furniture and fixtures, plastic products, perfumes and cosmetics, fabricated products from metal coils and sheets, nonferrous metals, screw machine products and bolts, nuts, screws, and washers, automotive parts, equipment and assembly, cutlery hand tools and general hardware, household appliances, electrical machinery, equipment and supplies, radio and television sets, electronic components and accessories, and products of a similar nature.
  71. **Master Plan:** The Land Use Plan approved by the Wood County Planning Commission and including graphic and written materials indicating the general

location for streets, parks, schools, public buildings, and other physical development of the County and includes any unit or part of such plan, and any amendment to such plan or parts thereof.

72. Marina: An establishment located on the shore of a body of water, where a boathouse, boat storage yard, pier or dock or jetty facilities are available for marine pleasure craft and may include a gasoline pump or other facility for the fueling of marine craft and a building or structure for the supply of marine craft accessories or refreshments.
73. Mini-Warehouse: A structure containing separate storage spaces usually containing between thirty (30) and four hundred (400) square feet each with direct access to paved driveways and leased or rented on an individual basis.
74. Modular Home: An industrialized unit as defined under “Manufactured Home”.
75. Motel: A building or group of buildings on a lot, consisting of individual sleeping quarters, detached or connected, not more than fifty (50) percent of which have kitchen facilities, for rental to motorists or travelers. It may include all facilities specified under the definition of Hotel.
76. Nonconforming Use: Any use, whether of a building, other structure, or land which does not conform to the use regulations of this Resolution for the District in which such “nonconforming use” is located, either at the effective date of this Resolution or as a result of subsequent amendments which may be incorporated into this Resolution.
77. Nursery, Plant Material: A space, building or structure, or combination thereof, for the storage, cultivating or transplanting of live trees, shrubs or plants offered for sale on the premises including products used for gardening or landscaping.
78. Off-Street Parking: An off-street space available for the parking of one motor vehicle and having an area of not less than two hundred (200) 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.
79. Off-Street Parking Lot: An off-street facility providing vehicular parking spaces along with adequate drives and aisles for maneuvering, so as to provide access for entrance and exit for vehicular parking.
80. Open Space: That part of a parcel or development including courts or yard, which:
  - a. Is open and unobstructed from its lowest level to the sky.
  - b. Is accessible to all occupants upon the premises.

81. Parcel: An area of land shown as a unit or contiguous units on the County Auditor's map.
82. Park: A parcel of land or an area maintained by a political subdivision as a place of memorial, beauty, or public recreation.
83. Parking Area: An open, unoccupied space used or required for use for parking of motor vehicles exclusively.
84. Parking Space: A minimum area of three hundred (300) square feet with minimum dimension of nine (9) feet by twenty (20) feet, except as provided in Article XIII. Said area shall be exclusive of drives, aisles, or entrances giving access thereto, and shall be fully accessible for the storage or parking of permitted vehicles.
85. Personal Services: Any enterprise conducted for gain, which primarily offers services to the general public such as shoe repair, watch repairing, barbershops, beauty parlors and similar activities.
86. Planning Commission: Wherever Planning Commission or County Planning Commission is referred to, it shall be the Wood County Planning Commission.
87. Platting: Platting shall mean the platting for residential development in accordance with Wood County Subdivision Rules and Regulations.
88. Pond: Any manmade body or area of normally still water designed or used for any of the following purposes:
  - a. Source of potable water supply
  - b. Fire protection or extinguishments
  - c. Landscaping
  - d. Storm water retention or detention
  - e. Irrigation for nonagricultural uses
  - f. Recreation

A pond includes any and all grading, berming or mounding of earth, soil or other barrier material consisting of material excavated for the pond construction, which modified the naturally existing grade of the land.

89. Porch: A roofed open area, projecting from the front, side or rear wall of a building.
90. Professional Activities and Offices: The use of offices and related spaces for such professional services as are provided by doctors, dentists, lawyers, architects, engineers, accountants or other similar professional activities.

91. 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.
92. Public Utility: A person, firm, corporation, or political subdivision duly authorized to furnish and furnishing under federal, state or municipal regulations to the public the following: water, waste water treatment, gas, electricity, telephone, telegraph, waste disposal, communication and public passenger transportation.
93. Office: A structure in which the functions of a business are documented, where a professional person conducts professional services or where the headquarters of a business or organization are located.
94. 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.
95. Recreational Facilities:
  - a. Commercial: Recreational facilities open to the public, established and operated for a profit, such as commercial golf courses, golf driving ranges, bowling alleys, miniature golf courses, swimming pools, ice skating rinks, riding stables, race tracks, amusement parks, carnivals, and similar enterprises.
  - b. Noncommercial: Private and semipublic 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.
  - c. Restricted Commercial: Recreational 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.
96. Recreation Vehicle: A vehicle designed to be used primarily for recreation purposes, including temporary sleeping quarters or cooking facilities, or a unit designed to be attached to a vehicle and used for such purposes, including self-propelled motor homes, pickup campers, travel trailers and tent trailers, provided any such vehicle or unit which is forty (40) feet or more in overall length shall be considered a manufactured home and shall be subject to all regulations of this resolution applicable to manufactured homes.
97. Residence or Residential: A building, or any part of a building, which contains dwelling units for permanent occupancy whether single-family or multifamily



- dwellings. "Residences" do not include: (1) transient accommodations, as in transient hotels, motels, tourist cabins, and trailer camps; (2) 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 (3) institutional uses, as in rest homes, nursing homes, homes for the aged, orphanages and other institutional residential uses.
98. 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, breezeways and basements.
99. Right-of-Way: Land which is set aside between property lines for streets, alleys, easements, utilities or other physical improvements.
100. Room: For the purpose of determining lot area, requirements and density in a multiple-family district, a room is a living room, dining room or bedroom, each of which is at least eighty (80) square feet in area. A room shall not include the area in a kitchen, sanitary facilities, utility provisions, corridors, hallways or storage. Plans presented showing one, two or three bedroom units and including a "den", "library", or other extra room, shall count such extra room as a bedroom for the purpose of computing density.
101. Satellite Dishes ("Dish-type Satellite Signal Receiving Antennas", "earth stations" or "ground stations"): One or a combination of two or more of the following:
- a. A signal-receiving device (dish antenna, or dish-type antenna), the purpose of which is to receive communications or other signals from satellites in earth orbit and other extraterrestrial sources.
  - b. A low noise amplifier (LNA) which is situated at the focal point of the receiving component and the purpose of which is to magnify, store, transfer and/or transmit electronic or light signals.
  - c. A coaxial cable the purpose of which is to carry or transfer the signals to a receiver.
102. Seasonal Residence: A dwelling unit which is not normally the permanent residence of the occupant(s) and which is not used as dwelling quarters for more than six (6) months out of any calendar year; it is also called a "cottage" or "cabin".
103. Semi-Public Uses: Churches, Sunday schools, parochial schools, colleges, hospitals and other institutions of an educational, religious, charitable or philanthropic nature.
104. Set Back Building Line: Line perpendicular to the set back distance at the specified distance.

105. Set Back Distance: The minimum horizontal distance between the road right-of-way and the building line.
106. 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.
107. Sewage Disposal-Individual: A septic tank installation on an individual lot which utilizes an anaerobic 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.
108. Sign: Any visual communication display, object, device, graphic, structure, or part, situated indoors or outdoors, or attached to, painted on, or displayed from a building or structure, in order to direct or attract attention to, or to announce or promote, an object, person, service, product, event, location, organization or the like, by means of letters, words, designs, colors, symbols, fixtures, images or illuminations. See illustration in Article IX.
109. Sign, On-Premises: Any sign related to a business or profession conducted, or a commodity or service sold or offered upon the premises where such sign is located.
110. Sign, Off-Premises: Any sign unrelated to a business or profession conducted, or to a commodity or service sold or offered upon the premises where such sign is offered.
111. Sign, Illuminated: Any sign illuminated by electricity, gas, or other artificial light including reflecting or phosphorescent light.
112. Sign, Lighting Device: Any light; string of lights, or group of lights located or arranged so as to cast illumination on a sign.
  - a. Billboard or highway outdoor advertising sign:
  - b. Ground sign: A sign which is supported by one or more poles, uprights, or braces in or upon the ground, which are not part of a building, and the bottom edge of the sign face of which is less than eight and one-half (8 1/2) feet above the grade.
  - c. Pole sign: A sign that is mounted on a freestanding pole(s) or other support so that the bottom edge of the sign face is eight and one-half (8 1/2) feet or more above grade.
  - d. Political Sign: A temporary sign indicating and/or supporting the candidacy for office or urging action on any other matter on the ballot of primary, general and/or special elections.

- e. Portable Sign: Any sign or poster boards of any material capable of being moved from one location to another for the purpose of being placed at a location for a temporary period, for the purpose of advertisement or announcement for business or other purposes.
  - f. Projecting Sign (Awning Sign): A sign other than a wall sign suspended from or supported by a building or structure and projecting therefrom, including a marquee.
  - g. Roof Sign: A sign, which is erected, constructed and maintained on or above the roof of a building.
  - h. Wall Sign: A sign which is attached directly to the wall of a building and which extends not more than twelve (12) inches from the wall, including window signs.
113. Social Activities: The use of land and buildings for clubs, fraternal organizations, veteran's organizations and similar social purposes.
114. Story: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above provided such distance is at least seven and one-half (7½) feet. If the finished floor level of the story directly above a basement or cellar is more than six (6) feet above grade, such basement or cellar shall be considered a story.
115. Story, Half: An uppermost story lying under a sloping roof having an area of at least two hundred (200) square feet with a clear height of seven (7) feet six (6) inches.
116. Street: A thoroughfare, which affords the principal means of access to abutting property.
117. Structure: 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, other support is or is not permanently located in or attached to the soil.
118. Structural Alteration: Any change to a dwelling or other building, which involves any change in the following: supporting walls, or structural parts, stairways or other means of ingress or egress.
119. Tent: Any structure used for living or sleeping purposes or for sheltering a public gathering and constructed wholly or in part from canvas, plastic material, tarpaulin or other similar materials and shall include shelter provided for circuses, carnivals, side shows, revival meetings, camp meetings, and all similar meeting or exhibitions in temporary structures.

120. Temporary Use of Building: A use of building permitted by the Board of Appeals or this Resolution, to exist during periods of construction of the main building or use, or for special events.
121. Township: Wherever Township is referred to, it shall be Washington Township, Wood County, Ohio.
122. Travel Trailers: A non self-propelled recreational vehicle that does not exceed an overall length of 35 feet, exclusive of bumper and tongue or coupling, and contains less than 320 square feet when erected on site. "Travel trailer" includes tent-type and foldout camping trailers.
123. Trailers, Utility: Any small trailer drawn by a motor vehicle used for the occasional transport of personal effects, camping equipment and boats.
124. Trustees, Board of: The Board of Trustees of Washington Township, Wood County, Ohio.
125. Use: Any purposes, for which buildings, other structures or land may be arranged, designed, intended, maintained or occupied.
126. Used Car Lot: Any lot on which two or more motor vehicles in operating condition are offered for sale or display to the public.
127. Veterinary Animal Hospital: A place used for the care, grooming, diagnosis and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention and may include overnight accommodations on the premises for the treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.
128. Yard: The open space on the same lot with a main building, unoccupied and unobstructed from the ground upward except as otherwise provided in this Resolution, and as defined herein:
  - a. Front Yard: An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of the main building line. There shall be a front yard on each street side of a corner lot, except that the buildable width of such lot shall not be reduced to less than twenty-five (25) feet. No accessory building shall project forward of the front set back line on either street.
  - b. Rear Yard: An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the main building. In the case of a corner lot, the rear yard may be opposite either street frontage, but there shall only be one rear yard.

- c. Side Yard: An open space between the main building and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point on the side lot line to the nearest point of such structure.
129. Zoning Certificate/Permit: The document issued by the Zoning Inspector authorizing the use of the land or building in conformity with this Resolution.
  130. Zoning District Map: The Zoning District Map or maps of the Township together with all amendments subsequently adopted.
  131. Zoning Inspector: The administrative official responsible for the administration and enforcement of this Resolution.

**ARTICLE V – ZONING DISTRICTS AND BOUNDARY INTERPRETATION**

**A. DISTRICTS**

The unincorporated portions of Washington Township are hereby divided into districts or zones, as shown on the Zoning Map which accompanies this Resolution and is hereby declared to be a part hereof, and they shall hereafter be known as follows:

A	Agricultural District
R-1	Single-Family Residential District
R-2	Two-Family Residential District
R-3	Multi-Family Residential District
C-1	Local Commercial District
C-2	General Commercial District
I-1	Light Industrial District
I-2	Heavy Industrial District

No buildings or premises shall be used and no buildings shall be erected except in conformity with regulations prescribed herein for the district in which it is located.

Uses not specifically listed or interpreted by the Board of Zoning Appeals to be included categorically under the Article shall not be permitted except by amendment to the Resolution.

**B. ZONING MAP**

The boundaries of the zoning districts provided for in this Zoning Resolution are shown on the Map incorporated herewith, which Map is considered an integral part of the Resolution and is designated as the Official Zoning Map for Washington Township. A Zoning Map shall be maintained and kept on file with the Township, and all notations, references and other information shown thereon are a part of this Resolution and have the same force and effect as if the said Zoning Map and all such notations, references and other information shown thereon were fully set forth or described herein.

The official Zoning Map shall be identified by the signature of the Chairman of the Board of Township Trustees, attested by the Township Clerk and shall show thereon the date of its enactment. If, in accordance with the provision of this Resolution, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be made on the Official Zoning Map after thirty (30) days of the enactment of such modifications, together with an entry on the Official Zoning Map in an amendment schedule adequately keyed to the Map. The original Township Zoning maps should be kept in the Wood County Planning Commission Office.

### **C. DISTRICT BOUNDARIES INTERPRETED**

Where uncertainty exists with respect to the boundaries of the various districts as shown on the Zoning Map, the following rules shall apply:

1. Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following corporate limits shall be construed as following such lot lines.
4. Boundaries indicated as following railroad lines shall be construed to be the midway between the main tracks.
5. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and, in the event of change in the shoreline, shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the center line of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such center lines.
6. Boundaries indicated as parallel to or extensions of features indicated in subsections 1 through 5 above shall be so construed. Distances not specifically indicated on the official Zoning Map shall be determined by the scale of the Map.
7. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map or in other circumstances not covered by subsections 1 through 6 above, the Board of Zoning Appeals shall interpret the district boundaries.

**ARTICLE VI – DISTRICT PERMITTED AND CONDITIONAL USES**

**A. AGRICULTURAL DISTRICT (Ag)**

**1. STATEMENT OF PURPOSE**

The uses in an agricultural district shall achieve the following purposes:

- a. Preservation of prime agricultural land as a vital resource.
- b. Minimize the adverse affect on ground water and watercourses of residential, commercial and industrial development without public sewer and water services.
- c. Maximize the benefit of tax dollars spent for roads, law enforcement and other public services by encouraging residential development near municipal areas.
- d. Minimize the adverse effects of residential and agricultural uses in close proximity.

**2. PRINCIPALLY PERMITTED USES**

In an Agricultural District, no person shall hereafter use any land, building or structure and no person shall erect any building or structure, except in accordance with the following provisions:

- a. Single-family dwellings.
- b. Agricultural uses.
- c. Accessory uses and buildings incidental to the above principal permitted uses.
- d. Roadside stands consisting of structures used for the display and sale of agricultural products of which fifty (50) percent or more must be produced on the premises where the stand is located. Such stands or displays shall be a minimum of forty (40) 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. Any roadside stand shall have points of ingress/egress so situated that the visibility on the highway affording said ingress/egress be unobstructed for a distance of 500 feet in each direction.

**3. CONDITIONALLY PERMITTED USES**

The following uses may be permitted subject to the granting of a conditional use permit pursuant to Article XVII-D, in which the Township Board of Zoning Appeals is

empowered to make such grant and subject further to the terms and conditions herein provided:

- a. Publicly owned and operated libraries, parks and recreation facilities.
- b. Churches and other facilities normally incidental thereto, subject to the following conditions:
  1. A church site shall contain an area of at least three (3) acres.
  2. The site shall be so located as to have at least one (1) property line abutting a road designated as a Regional, Major or Secondary Thoroughfare on the Wood County Major Street and Highway Plan. The major ingress and egress to the site shall be directly onto said thoroughfare.
  3. Wherever the off-street parking area is adjacent to land zoned for residential purposes, a contiguous and obscuring wall not less than four (4) feet six (6) inches in height shall be provided along the sides of the parking area adjacent to the residentially zoned land. The wall shall be further subject to the provisions of Article X.
- c. Public, parochial and other private elementary, intermediate and/or high schools offering courses in general education on sites of not less than ten (10) acres, but not commercial trade schools. No school permitted in this subsection shall be located nearer than one hundred (100) feet to any adjacent zoned single-family property. Playground areas adjacent to residential property shall have a four (4) foot fence to prevent access to the residential premises.
- d. In the home businesses.
- e. Colleges, universities and other such institutions of higher learning, public and private, offering courses in general, technical or religious education, all subject to the following conditions:
  1. Any use permitted herein shall be developed only on sites of at least forty (40) acres in area, and shall not be permitted on any portion of a recorded subdivision plat.
  2. No building or other use of land, except landscaped passive areas, shall be situated within one hundred (100) feet of any private residence not included as part of such site.
- f. Soil, sand, clay, gravel or similar removal operations, quarry excavation and filling of land subject to the conditions set forth in Article XVII-D.
- g. Cemeteries of at least ten (10) acres in size.



- h. Airports, airfields, runways, hangars, beacons, and other facilities involved with aircraft operations, subject to all rules and regulations of the Federal Aviation Administration, which agency shall approve the preliminary plans submitted to the Township, and subject to applicable State and County laws as may be adopted. Land beneath all aircraft approach lanes, as established by appropriate aeronautical authorities, which is not part of the airport, shall be so developed as to not endanger safe flight conditions to and from structures, telephone and electric lines and appurtenances thereto as established by the Board of Zoning Appeals after consultation with the appropriate aeronautical agencies.
- i. Temporary buildings for use incidental to construction work for a period not to exceed one (1) year, subject to renewal.
- j. Private parks, country clubs, gun clubs, golf courses and golf driving ranges.
- k. Two-family dwelling.
- l. Agricultural Testing Facilities.

### **3. AREA, HEIGHT AND PLACEMENT REQUIREMENTS**

Area, height and placement requirements, unless otherwise specified, are as provided in Article VII "Setback, Lot Area and Floor Area Requirements".

#### **B. SINGLE-FAMILY DISTRICT (R-1)**

##### **1. STATEMENT OF PURPOSE**

The requirements in the R-1 District are established for the following reasons and purposes:

- a. The R-1 District permits a degree of residential development of lands, which are not expected to have public water and waste water utilities available to them for many years.
- b. Because of the above consideration, and because there is a demand for non-farm residences within a rural environment, the R-1 District provides a rural housing preference without unduly contributing to uneconomical urban sprawl conditions.
- c. The R-1 District will diminish urbanizing forces on good agricultural land and reduce the undesirable results of farm and non-farm dwellings including special assessment practices and weed problems related to uncultivated land.

- d. Large acreage requirements for residential development are necessary to prevent erosion and sedimentation in township areas where over utilization of ground water, contamination of ground water from septic systems and loss of vegetative cover would create a pollution problem.

## **2. PRINCIPALLY PERMITTED USES**

In the R-1 District, no person shall hereafter use any land, building or structure and no person shall erect any building or structure, except in accordance with the following provisions:

- a. All uses principally permitted in the Agricultural District.

## **3. CONDITIONALLY PERMITTED USES**

The following uses may be permitted by the Township Board of Zoning Appeals pursuant to Article XVII-D and subject further to the terms and conditions herein provided:

- a. Cemeteries and other facilities incidental thereto, subject to the following conditions:
  - 1. The principal access to the cemetery shall be directly from the following major streets and highways as defined by Wood County:
    - Kellogg Road
    - Tontogany Road
    - Liberty Hi Road (west side)
    - Poe Road (north side)
    - SR 235 (Otsego Pike)
    - SR 582 (Middleton Pike), south side
    - SR 65 (River Road)
  - 2. The site shall contain a minimum of ten (10) contiguous acres of land.
  - 3. The perimeter of the cemetery shall be fenced and/or screened.
- b. Nursery schools, day nurseries and child care centers (not including dormitories), provided that 150 square feet of play area is provided for each child permitted under the state license. Such play space shall have a total minimum area of not less than five thousand (5,000) square feet, and shall be fenced from any adjoining lot in any residential district.

Said use shall not be permitted in the interior of any residential block, and shall be fenced from any adjoining lot in any residential district.

- c. Churches and other facilities normally incidental thereto, as regulated in an agricultural district.
- d. Public, parochial and other private elementary, intermediate and/or high schools offering courses in general education, but not commercial trade schools as permitted in an Agricultural District.
- e. Nonprofit swimming pool clubs for residents within the immediate area of the swimming pool or for owners of lots within designated subdivision(s) in which the pool is situated. If such swimming pool club meets the following requirements:
  - 1. If the swimming pool is for a designated subdivision, the subdivision is advertised so that all purchasers of lands in the subdivision have notice as to the location of the pool.
  - 2. Front, side and rear yards shall be at least eighty (80) feet wide, except on those sides adjacent to non-residential districts, where it shall be ten (10) feet, and shall be landscaped in trees, shrubs, grass and terrace areas. All such landscaping shall be maintained in a healthy condition.
  - 3. Off-street parking shall be provided so as to accommodate not less than one-half of the member families and/or individual members at one time as determined by the club by-laws.
  - 4. All lighting shall be shielded to reduce glare and shall be so arranged and maintained as to direct the light away from all residential lands that adjoin the site.
  - 5. The pool area shall have protective fence six (6) feet in height, entry shall be provided by means of a controlled gate. A controlled access shall be provided for above ground swimming pools.
  - 6. All plans for storm sewers, sanitary sewers, and other utilities shall be reviewed and approved by the Northwestern Water & Sewer District and/or other utilities providing service.
- f. Private recreational areas and institutional or community recreation centers subject to the following conditions:
  - 1. Provision for the land and/or building shall have been identified in the original platting of the land, such that all subsequent lot purchasers are duly placed on notice.
  - 2. The proposed site shall have at least one property line abutting a thoroughfare from the list in Section (a)(1), above and the site shall

be so planned as to provide all ingress and egress directly onto or from said thoroughfare.

3. Front, side and rear yards shall be at least eighty (80) feet wide, and shall be landscaped in trees, shrubs and grass. All such landscaping shall be maintained in a healthy condition. No parking or structures shall be permitted in such yards, except for required entrance drives and walls and/or fences used to obscure the use from abutting residential districts.
  4. Off-street parking shall be provided so as to accommodate not less than one-half of the member families and/or individual members at one time. No parking or structures shall be permitted in front, side, or rear yards, except for required entrance drives and walls and/or fences used to obscure the use from abutting residential districts. If the parking plan is laid out as to beam automobile headlights towards any residential and, a wall at least four (4) feet six (6) inches in height shall be provided along that entire side of the parking area and said wall shall further be subject to the requirements of Article X.
  5. The Board of Zoning Appeals may modify the off-street parking requirements in those instances where it is specifically determined that the users originating from the immediately adjacent areas will be pedestrians. In those cases wherein the proposed use or organization does not have by-laws or formal membership, the off-street parking requirement shall be determined by the Board of Zoning Appeals on the basis of probable usage.
- g. Golf courses, subject to the following conditions:
1. The site shall be so planned as to provide all ingress and egress directly to a thoroughfare from the list in Section B (3)(1)(a) above.
  2. Proposed service roads, entrances, driveways and parking areas which will promote pedestrian and vehicular traffic safety with the public thoroughfare.
  3. Development features, including the principal and accessory buildings and structures, shall be so located and related as to minimize the possibilities of any adverse affects upon adjacent property. All principal or accessory buildings shall be not less than two hundred (200) feet from any property line of abutting residentially zoned lands; provided that, where topographic conditions are such that the building would be screened from view, the Board of Zoning Appeals may modify this requirement.

4. The minimum number of off-street parking spaces to be provided shall be six (6) spaces per hole, (1) space per employee, plus spaces as required under Article XIII, for each accessory use, such as a restaurant or bar.
5. If a swimming pool is provided, said pool shall have a protective fence six (6) feet in height, and entry shall be by means of a controlled gate.
6. Parking and lighting must comply with Article XIII as to the parking, lighting and location of the pool and the golf course parking and building locations.
7. A conditional permit for temporary buildings for use incidental to construction work for a period not to exceed one (1) year may be renewed upon application to and approved by the Board of Zoning Appeals.

h. In-the Home Business

#### **4. AREA, HEIGHT AND PLACEMENT REQUIREMENTS:**

Area, height and placement requirements are provided in Article VII, "Setback, Lot Area, and Floor Area Requirements".

### **C. ONE AND TWO-FAMILY RESIDENTIAL DISTRICT (R-2)**

#### **1. STATEMENT OF PURPOSE**

The R-2 District is designed to provide for a one and two-family residential environment on relatively small lots with supporting ancillary uses in areas of the Township which contain public water and sanitary sewer systems.

#### **2. PRINCIPALLY PERMITTED USES**

The following provisions apply in all R-2 Districts. In an R-2 District, no person shall hereafter use any building or structure, except in accordance with the following provisions:

- a. All uses principally permitted in the R-1 District, unless otherwise provided.
- b. Two-family dwellings.

#### **3. CONDITIONALLY PERMITTED USES**

The conditional uses listed for an R-1 District may be permitted by the Township Board of Zoning Appeals pursuant to Article 100-19.9, and the following:

- a. The conversion of existing residences to two-family dwellings is hereby permitted provided that further encroachment into required yard areas is not necessary and provided that the following conditions are met:
  1. The lot is at least one hundred (100) feet in width.
  2. The conversion will not increase the building to more than thirty-five (35) percent of the lot area.
  3. No converted dwelling unit shall contain a floor area of less than six hundred (600) square feet.

#### **4. AREA, HEIGHT AND PLACEMENT REQUIREMENTS**

Area, height and placement requirements are as provided in Article VII, "Setback, Lot Area and Floor Area Requirements".

### **D. MULTI-FAMILY RESIDENTIAL DISTRICT (R-3)**

#### **1. STATEMENT OF PURPOSE**

The R-3 District shall provide for a multiple housing environment with townhouses and apartments constituting the principal type dwelling accommodations. The District must have necessary public water and sewer utilities.

#### **2. PRINCIPALLY PERMITTED USES**

In an R-3 District, no person shall hereafter use any building or structure, except in accordance with the following provisions:

- a. All principal uses permitted and conditionally permitted uses in the R-2 District.
- b. Multiple-family dwelling units, including apartments, condominiums, townhouses and row houses.
- c. Boarding house (rooming house).
- d. Accessory buildings and uses customarily incidental to any of the above uses.

### 3. CONDITIONALLY PERMITTED USES

The conditional uses listed in an R-2 District may be permitted by the Township Board of Zoning Appeals and the following:

- a. Manufactured Home Parks subject to the following requirements:
  1. A Manufactured Home Park shall be constructed to meet Ohio Administrative Code, Section 3733.
  2. Park Size and Manufactured Home Density: Minimum site size for mobile home parks shall be ten (10) acres, with no less than fifty (50) mobile home lots completed and ready for occupancy before the first occupancy is permitted.
  3. Access: All Manufactured Home Parks shall have direct access to a major street or highway as defined by Wood County: Kellogg Road, Tontogany Road, Liberty Hi (west side), Poe Road (north side), S.R. 235 (Otsego Pike), S.R. 582 (Middleton Pike), south side, S.R. 65 (River Road) and minimum frontage of three hundred (300) feet thereon.
  4. Signs: (1.) One (1) identification sign of not more than fifty (50) square feet in surface area, with no moving parts and not more than fifteen (15) feet in height from ground level. Such sign shall be at least twenty (20) feet from the road right-of-way; (2.) at each access drive onto the public right-of-way. One (1) entry and one (1) exit sign not larger than two (2) square feet in surface area at each access drive onto the public right-of-way, no moving parts, and not more than five (5) feet in height.
  5. Greenbelt: A greenbelt planting strip of hardy deciduous and conifer material and at least seventy-five (75) feet in width shall be placed along the perimeter of the manufactured home park, except for access to the public street system. Plant materials shall be maintained and withered and/or dead plant material shall be replaced within a reasonable period of time, but no longer than one growing season. Excluded from such planting shall be the following plant material:

Ailanthus (Tree of Heaven)  
Box Elders  
Poplars  
Soft Maples  
Willows

6. Accessory uses.
  - b. Publicly owned and operated parks, play fields, playgrounds and other recreational facilities.
  - c. Public, parochial or other private elementary, intermediate and/or high schools, not operated for profit, and offering courses in general education.
  - d. Accessory buildings and uses customarily incidental to the above principally permitted uses.
  - e. Hospitals, provided the following conditions are met:
    1. The site consisting of at least ten (10) acres in area.
    2. At least one property line shall abut a Regional, Major or Secondary Thoroughfare as shown in the Wood County Land Use Plan. All ingress and egress to the off-street parking area for guests, employees, staff, as well as any other uses of the facilities, shall be directly from said thoroughfare.
    3. In the event one or more boundaries of the proposed site lies opposite or contiguous to an R-1 or R-2 residential district, the minimum distances between any hospital structure or accessory use and the residential district boundary shall be at least one hundred (100) feet for buildings containing two (2) stories or less. For buildings above two (2) stories, the building shall be set back from the initial one hundred (100) foot setback an additional one (1) foot for each foot of additional height above two (2) stories.
    4. The minimum distance from any nonresidential interior lot line shall not be less than twenty-five (25) feet.
    5. Ambulance and delivery areas shall be obscured from all residential view with a wall at least six (6) feet in height and said wall shall be further subject to the requirements of Article X, "General Provisions".
  - f. Housing for the elderly, which shall not exceed a height of two and one-half (2½) stories. All housing for the elderly shall be provided as a planned development consisting of at least one (1) acre in area and may provide for the following:
    1. Cottage-type dwellings and/or apartment-type dwelling units.
    2. Common services containing, but not limited to, central dining rooms, recreational rooms, central lounge and workshops.



3. All dwellings shall consist of a least three hundred and fifty (350) square feet per unit (not including kitchen and sanitary facilities).
  4. Total coverage of all buildings (including dwelling units and related service building) shall not exceed thirty-five (35) percent of the total site exclusive of any dedicated public right-of-way.
- g. Convalescent and/or nursing home, not to exceed a height of two (2) stories, when the following conditions are met.
1. The site shall be so developed as to create a land-to-building ratio on the lot or parcel whereby for each one (1) bed in the convalescent home, there shall be provided not less than fifteen hundred (1,500) square feet of open space. The fifteen hundred (1,500) square feet of land area per bed shall provide for landscaping, off-street parking, service drives, loading space, yard requirements and space required for accessory uses.
  2. No building shall be closer than fifty (50) feet from any property line.

#### **4. SITE AND LANDSCAPE PLAN REVIEW**

For all uses permitted in the R-3 District, a site plan shall be submitted to the Township Board of Zoning Appeals for its review and approval. The Board may require certain modifications in terms of the location of buildings, parking and driveways and may require screening and landscaping techniques to ameliorate potential nuisance problems with adjoining districts or uses or to minimize noise from the public street system.

#### **5. AREA, HEIGHT AND PLACEMENT REQUIREMENTS**

Area, height and placement requirements, unless otherwise specified, are as provided in Article VII, "Setback, Lot Area and Floor Area Requirements".

### **E. LOCAL COMMERCIAL DISTRICT (C-1)**

#### **1. STATEMENT OF PURPOSE**

The C-1 District is for retail business and services uses which are needed to serve the nearby residential area. The intent of this District is also to encourage the concentration of local business area to the mutual advantage of both the consumers and merchants and thereby promote the best use of land at certain strategic locations.

## **2. PRINCIPALLY PERMITTED USES**

All permitted businesses shall be conducted directly with consumers within a completely enclosed building except restaurants with seasonal outdoor areas. All goods produced on the premises must be sold at retail on the premises where produced.

- a. Shops for the sale of beverages, including liquor outlets, books, drugs, flowers, foodstuffs, including meats, gifts, hardware, hobby equipment, jewelry, notions, paint, periodicals, sundry, small household articles and tobacco. Shopping centers shall comply with the provisions in Section 3 below.
- b. Personal service establishments performing services on the premises, such as barber and beauty shops, watch and shoe repair, eye wear, tailor shops, locksmith and similar establishments.
- c. Laundry or dry cleaning customer outlets, coin-operated Laundromat and self-serve dry cleaning center. Dry cleaning or laundry plants serving more than one service outlet shall be prohibited.
- d. Professional offices of doctors, lawyers, dentists, accountants, chiropractors and similar professionals.
- e. Accessory buildings and uses customarily incidental to the above principally permitted uses.
- f. Restaurants seating less than 30.
- g. Mortuaries.
- h. Bed and breakfast.

## **3. CONDITIONALLY PERMITTED USES**

The following uses shall be permitted by the Township Board of Zoning Appeals pursuant to Article XVII-D:

- a. Planned Shopping Center which is (a) designed, developed and operated as a unit on a site of three to five acres, (b) demonstrates the economic feasibility of the proposed use; and (c) has a floor area of 10,000 to 50,000 square feet. A Planned Shopping Center shall also incorporate the following features:
  1. A planting strip at least ten (10) feet wide around the entire perimeter of the site, except for driveways onto the public street system.

2. A wall or fence not less than five (5) feet high along those property lines which abut a residential district.
  3. Main and accessory buildings located at least fifty (50) feet from any perimeter property line.
  4. Uniform sign design throughout, except for one (1) ground pole sign advertising the name of the shopping center.
- b. Mini-warehouses inside an enclosed building.
  - c. Gas Stations.
  - d. Convenience Store.

#### **4. AREA, HEIGHT AND PLACEMENT REQUIREMENTS**

Area, height and placement requirements, unless otherwise specified, are a provided in Article VII, "Setback, Lot Area and Floor Area Requirements".

### **F. GENERAL COMMERCIAL DISTRICT (C-2)**

#### **1. STATEMENT OF PURPOSE**

The C-2 District is designed to accommodate all types of businesses, including, but not limited to, those service regional and local customers and major shopping centers. The C-2 District uses should have a majority of the following characteristics:

- a. Large space wholesale and retail sales of goods and services.
- b. Majority of goods and services provided are non-consumable items.
- c. Attracts regional and local customers.
- d. Provides residential, commercial and industrial goods and services to other businesses.

#### **2. PRINCIPALLY PERMITTED USES**

- a. All principal uses permitted in the C-1 District, except that C-1 type shopping centers shall be subject to the regulations of Section 3 (h) for Planned Shopping Centers.
- b. An office, showroom or workshop to provide goods and services such as that of an electrician, decorator, dressmaker, tailor, baker, painter, upholsterer or an establishment doing radio or home appliance repair,

photographic reproduction and similar service or repair establishments that require a retail adjunct.

- c. All retail business establishments conducted completely within an enclosed building, except those listed separately as conditional uses in this District.
- d. Wholesale business establishments conducted completely within an enclosed building.
- e. Dormitories, fraternities, clubs, lodges, social or recreational buildings.
- f. Sales establishments, such as for real estate and insurance, conducted completely within enclosed building, except those listed separately as conditional uses in this District.
- g. Repair shops conducted within a completely enclosed building, except those listed separately as conditional uses in this District.
- h. Public buildings and uses.
- i. Business schools and colleges or private trade schools operated for profit.
- j. Offices and banks.
- k. Restaurants or other places serving food or beverages.
- l. Theaters, assembly halls, concert halls or similar places of assembly, conducted completely within an enclosed building.
- m. Accessory structures and uses customarily incidental to the above permitted uses.

### **3. CONDITIONALLY PERMITTED USES**

The following uses shall be permitted by the Township Board of zoning Appeals, subject to the conditions imposed herein, and subject further to the procedure, where applicable, indicated in Article XVII-D:

- a. Automobile service stations and repair garages, meeting the following conditions:
  - 1. The curb cuts for ingress and egress to a service station shall not be permitted at such locations that will tend to create traffic hazards in the street immediately adjacent thereto. Entrances shall be no less than twenty-five (25) feet from a street intersection (measured from the road right-of-way) or from adjacent residential districts.

2. The minimum lot area shall be ten thousand (10,000) square feet (less than  $\frac{1}{4}$  acre), with minimum lot sides of one hundred (100) feet each, and so arranged that ample space is available for motor vehicles which are required to wait for services.
  3. Automobile service stations shall not be located within five hundred (500) feet of any school.
  4. All lighting shall be shielded from adjacent residential districts.
- b. Recreational vehicle, including boats, snowmobiles, travel trailers, campers, tents and accessory equipment peculiar to the above, motor vehicle, and farm implements sales and service, meeting the following conditions:
1. All repairs shall be conducted entirely within an enclosed building.
  2. Outdoor areas used for display shall be provided with a permanent, durable and dustless surface, and shall be graded and drained as to dispose of all surface water within the confines of such area, accumulated thereon.
  3. Points of ingress and egress to the lot shall be a distance of at least fifty (50) feet from the intersection of any two (2) streets and from the point of ingress or egress of any adjacent lot.
  4. All lighting shall be shielded from adjacent residential districts.
- c. Any business of a drive-in nature or so called open-front store or open-air business, meeting the following conditions:
1. A setback of at least sixty (60) feet shall be maintained from the right-of-way line of any existing or proposed street must be maintained.
  2. Ingress and egress points shall be located at least fifty (50) feet from the intersection of any two (2) streets and from the point of ingress or egress of any adjacent lot.
  3. All lighting shall be shielded from adjacent residential districts.
  4. A six (6) foot obscuring wall or fence at least six (6) feet high shall be erected and maintained along the lot line abutting or adjacent to any residential district and subject further to the requirements of Article X.

- d. Commercial recreational facilities provided that they are appropriately screened and laid out so as to reduce potential noise, glare and vehicular and pedestrian traffic congestion upon adjacent properties.
- e. Veterinary hospitals or clinics conducted within an enclosed main building, not abutting or adjacent to property zoned and used for residential purposes.
- f. Manufactured home parks and accessory structures and uses customarily incidental to such parks, as permitted in an R-3 District.
- g. Commercial recreational facilities such as a bowling alley, billiard hall, indoor archery range, or indoor skating rink, or similar forms of indoor commercial recreation, when located at least one hundred (100) feet from any front, rear or side yard of any adjacent residential lot.
- h. Planned Shopping Center which is (1.) designed, developed and operated as a unit on a site exceeding ten (10) acres; (2.) demonstrates the economic feasibility of the proposed use; and (3.) has a floor area of at least fifty thousand (50,000) square feet and meets the following:
  - 1. A planting strip at least ten (10) feet wide shall be provided around the entire perimeter of the site, except for driveways onto the public street systems.
  - 2. A wall or fence not less than five (5) feet high shall be constructed along any property line, which abuts a residential district.
  - 3. No main or accessory building may be situated less than one hundred (100) feet from any residential district boundary or public street, except that such buildings may be situated within twenty (20) feet of a nonresidential district boundary.
- i. Mini-warehouses inside an enclosed building and with no outside storage.
- j. Hotels and Motels meeting the following requirement:
  - 1. Parking lots
    - a. Surface treatment and access points to parking spaces shall be in accordance with Article XIII, off-street parking.
    - b. Actual size of parking spaces shall be in accordance to Article XIII.
  - 2. Landscaping Plans shall be approved to assure that the proposed development will not negatively impact on adjoining properties.
  - 3. Adequate provision for surface water drainage.

4. Actual building dimensions and setback lines.
- k. Business Park: A Business Park may include offices, light manufacturing, warehousing, commercial or technical schools, rental of light machinery, truck and automobile rentals, research, testing laboratories, machining and assembly may be permitted provided:
    1. General Standards
      - a. All lights shall be directed away from site boundary lines.
      - b. Points of ingress and egress to the lots shall be a distance of at least fifty (50) feet from the intersection of any two streets and from points of ingress and egress of any adjacent lot.
      - c. Vehicular approaches to the property shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
      - d. Business park shall be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use may not change the essential character of the area.
      - e. Parking spaces shall be provided as required by this Resolution.
      - f. No outdoor storage may be permitted. Semi-trailers or vans, with or without wheels, shall be considered outdoor storage.
      - g. All operations shall be conducted completely within an enclosed building.
      - h. May not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, dust, vibration, electrical interference, or odors.
      - i. Where possible, the developments should integrate the design and dimension of structures, parking areas and access points with those of existing uses.
      - j. No substances or organisms may be allowed on site, which, if spilled or released, could cause a hazard to the environment or to people outside the property boundaries.

#### **4. AREA, HEIGHT AND PLACEMENT REQUIREMENTS**

Area, height and placement requirements, unless otherwise specified, are as provided in Article VII, "Setback, Lot Area and Floor Area Requirements".

#### **G. LIGHT INDUSTRIAL DISTRICT I-1**

##### **1. STATEMENT OF PURPOSE**

The I-1 District permits certain industries of a light manufacturing character to locate in planned areas of the Township. So that such uses may be integrated with land uses, such as commercial and residential uses, limitations are placed upon the degree of noise, smoke, glare, waste and other features of industrial operations so as to avoid adverse effects. It is further intended that these light industrial uses act as a transition between heavier industrial uses and non-industrial uses and do not necessarily require railroad access or major utility facilities.

##### **2. PRINCIPALLY PERMITTED USES**

All permitted uses shall be conducted in an enclosed structure unless customarily an outdoor use.

- a. All uses permitted in the C-1 and C-2 District.
- b. Bakeries.
- c. Bottling or packaging of cleaning compounds, polishes, seeds, etc.
- d. Carpenter and cabinet-making shops.
- e. Cold storage plants.
- f. Confection manufacturing.
- g. Creameries.
- h. Dental, surgical and optical goods manufacturing.
- i. Dry cleaning and carpet cleaning.
- j. Electric and gas service buildings.
- k. Food products manufacturing.
- l. Jewelry manufacturing.
- m. Laboratories, research and testing.
- n. Laundries.
- o. Musical instruments.
- p. Office, computer and accounting machines.
- q. Pattern making shops.
- r. Pharmaceutical products manufacturing.
- s. Printing, engraving and bookbinding shops.
- t. Produce processing facility.
- u. Small electronic products and scientific instruments.
- v. Small glass products.
- w. Small household appliances.
- x. Soda water and soft drink bottling establishments.



- y. Sporting goods.
- z. Toiletries and cosmetic manufacturing.
- aa. Tool, die, gauge and machine shops manufacturing small parts.
- bb. Warehousing, transfer, terminal, storage and loft buildings, including the distribution of the items so handled.
- cc. Public utility uses.
- dd. Other uses similar to the above, subject to the approval of the Board of Zoning Appeals.
- ee. Any principal use permitted in a commercial district.
- ff. Vehicle body shops.

### **3. CONDITIONALLY PERMITTED USES**

Under such reasonable conditions as imposed by the Board of Zoning Appeals and in harmony with the purposes of the I-1 District, the following uses may be permitted by the Board of Zoning Appeals pursuant to Article XVII-D:

- a. Oil and gas wells.
- b. Asphalt manufacturing or missing.
- c. Cement and cinder block manufacturing.
- d. Fertilizer mixing and manufacturing.
- e. Saw mill.
- f. Racing facilities.
- g. Retail businesses.
- h. Adult entertainment.
- i. Warehousing.
- j. Stockyards.

### **4. INDUSTRIAL PERFORMANCE STANDARDS**

All permitted and conditional uses in an I-1 District shall comply with the Performance Standard of an I-1 District below:

- a. Equipment
  - 1. Automatic Screw Machines must be operated with noise silencers and located not less than three hundred (300') feet from any zoned residential district.
  - 2. Stamping Machines, Punch Presses and Press Brakes must be placed on shock-absorbing mounting and on a suitably reinforced concrete footing. No machine shall be loaded beyond the capacity as prescribed by the manufacturer.
  - 3. Punch and Stamp Presses, other than hydraulic presses.
    - a. Up to fifty (50) tons capacity when located at least three hundred (300) feet from nearest residential zone.

- b. Up to one hundred fifty (150) tons capacity when located at least five hundred (500) feet from nearest residential zone.

4. Hydraulic Presses:

- a. Up to five hundred (500) tons capacity must be located at least two hundred and fifty (250) feet from nearest residential zone.
- b. Up to seven hundred and fifty (750) tons capacity must be located at least three hundred (300) feet from nearest residential zone.
- c. Up to one thousand (1,000) tons capacity must be located at least five hundred (500) feet from nearest residential zone.

5. Press Brakes must be located at least three hundred (300) feet from nearest residential zone.

- a. Hot Forgings, Steam or Board Hammers are not permitted.
- b. Noise: Noise shall be muffled so as to not become objectionable due to intermittence, beat frequency, shrilling. Noise as measured at the street or property line may not exceed sixty-five (65) decibels.
- c. Odor: The emission of obnoxious odors of any kind may not be permitted.
- d. Gases, Smoke, Dust, Dirt and Fly Ash: The emission of gases, smoke, dust, dirt and fly ash shall not be destructive, unhealthful, hazardous or deleterious to the general welfare. Such emission shall conform to all applicable laws, rules and regulations pertaining to air pollution and smoke abatement.

No person may discharge into the atmosphere, from any single source of emission, any smoke of a density equal to, or greater than, that density described No. 2 on the Ringlemann Chart as published by the United States Bureau of Mines; provided that the following exceptions to the provisions of this rule shall be permitted.

Smoke the shade or appearance of which is equal to, but not darker than, No. 2 of the Ringlemann Chart for a period or periods aggregating four (4) minutes in any thirty (30) minutes.

Smoke the shade or appearance of which is equal to, but not darker than No. 3 of the Ringlemann Chart for a period or periods aggregating three (3) minutes in any fifteen (15) minutes when building a new fire or when breakdown of equipment occurs, such as to make it evident that the emission was not reasonably preventable.

- e. Glare and Heat: Glare and heat from arc welding, acetylene torch cutting or similar processes shall be performed behind a protective barrier conforming to all applicable State and Federal safety regulations.
- f. Fire and Safety Hazards: The storage and handling of flammable liquids, liquefied petroleum gases and explosives shall comply with all regulations of the Township Fire Department and with all State rules and regulations. Further, all storage tanks for flammable liquid materials above ground shall be located not less than one hundred fifty (150) feet from all property lines, and shall be completely surrounded by earth embankments, dikes or other type of retaining wall which will contain the total capacity of all tanks so enclosed. Bulk storage tanks of flammable liquids below ground shall be located not closer to the property line than the greatest depth to the bottom of the buried tank.
- g. Sewage Wastes: No industrial sewage waste shall be discharged into sewers that will cause chemical reaction, either directly or indirectly, with the materials of construction that would impair the strength or durability of sewer structures; cause mechanical action that will destroy or damage the sewer structures; cause restriction of the hydraulic capacity of sewer structures; cause placing of unusual demands on the sewage treatment equipment or process; cause limitation of the effectiveness of the sewer treatment process; cause danger to public health and safety; or cause obnoxious conditions inimical to the public interest.
- h. Open Storage: All storage of building materials, sand, gravel, stone, lumber, equipment and other supplies, shall be located within an area not closer than one hundred and fifty (150) feet from any street right-of-way line. The storage of lumber, coal or other combustible material shall not be less than twenty (20) feet from any interior lot line, and a roadway shall be provided, graded, surfaced and maintained from the street to the rear of the property to permit free access of fire trucks at any time. All such open storage shall be screened from all streets, and on all sides which abut any

residential districts, by a solid eight (8) foot masonry wall sufficient to serve as a permanent retaining wall.

## **5. AREA, HEIGHT AND PLACEMENT REQUIREMENTS**

Area, height and placement requirements are as provided in Article VII, "Setback, Lot Area and Floor Area Requirements".

## **H. HEAVY INDUSTRIAL DISTRICT I-2**

### **1. STATEMENT OF PURPOSE**

The I-2 District permits industrial uses which are primarily of a manufacturing, assembling and fabricating character, including large scale or specialized industrial operations requiring good access by road and/or railroad, and needing special sites or public utility services.

### **2. PRINCIPALLY PERMITTED USES**

- a. All uses permitted in the I-1 District.
- b. Automobile parts and accessory manufacturing, not including tires.
- c. Cigar and cigarette manufacturing.
- d. Dairy, fruit, vegetable, bakery, soft drink and confectionary manufacture.
- e. Electrical fixtures, batteries and other electrical apparatus manufacturing.
- f. Electronic components and accessories.
- g. Furniture and upholstery manufacturing.
- h. Hardware and cutlery manufacturing.
- i. Household appliances.
- j. Leather goods and luggage manufacturing.
- k. Lumber and wood products.
- l. Machine shops.
- m. Mattress manufacturing.
- n. Metal buffing, plating and polishing.
- o. Metal molding and extrusion.
- p. Millwork, lumber and planing mills.
- q. Painting and varnishing shops.
- r. Paper box and cardboard products manufacturing.
- s. Perfumes and cosmetic.
- t. Plastic molding and extrusion.
- u. Radio and TV sets.
- v. Railroad yards and terminals.
- w. Screw machine products nuts, screws, bolts and washers.
- x. Textile mill products and apparel.
- y. Tinsmith and sheet metal shops.
- z. Undercoating shops.
- aa. Welding Shops.

### **3. CONDITIONALLY PERMITTED USES**

Under such reasonable conditions as imposed by the Board of Zoning Appeals and in harmony with the purpose of the I-2 District, the following uses may be permitted by the Board of Zoning Appeals, pursuant to Article XVII-D:

- a. Stone quarries.
- b. Automobile or other machine assembly plants.
- c. Sand and Gravel Extraction.
- d. Vehicle body parts manufacture.
- e. Brick and tile manufacturing.
- f. Brewing or distillation of malt beverages or liquors.
- g. Cement and cinder block manufacturing.
- h. Canning factories.
- i. Chemical plants.
- j. Drive-in theaters.
- k. Metal stamping and pressing plants.
- l. Open storage yards of building and construction contractors.
- m. Municipal sewage disposal or storage facilities.
- n. Junk yards, salvage dealers, garbage incinerators and dumps.
- o. Similar industrial uses other than those categorically listed as conditional uses will be reviewed by the Board of Zoning Appeals as specified in Article XVII-D.

Proposed industrial uses shall be accompanied with plans (i.e. site plan, floor plan, building elevations), of similar quality as would be submitted for Ohio Building Code (O.B.C.) review and permit issuance.

### **4. AREA, HEIGHT AND PLACEMENT REQUIREMENTS**

Area, height and placement requirements are as provided in Article VII, "Setback, Lot Area and Floor Area requirements".

**5. All permitted and industrial uses in an I-2 District must comply with the Industrial Performance applicable to I-1 standards.**

#### **I. SINGLE FAMILY DWELLING AND PERMANENTLY SITED MANUFACTURED HOMES**

1. Intent – Washington Township hereby establishes the following standards for the placement of all single-family dwellings and permanently sited manufactured homes in areas of the Township which single-family dwellings are permitted.

- a. All permanently sited single-family dwellings and permanently sited manufactured homes shall meet the minimum lot area, minimum setbacks, and maximum height limitations for the particular district in which it will be located.

- b. Off-street parking shall be provided according by Section XIII.
  - c. The dwellings shall have all towing apparatus, wheels, and exposed chassis, if any, removed before occupancy of any kind is permitted.
  - d. The dwelling must be approved for and permanently connected to all required utilities.
  - e. All dwellings shall be installed with properly engineered foundation systems that meet the manufacturer's installation requirements and/or applicable state and local building codes for residential dwellings. A properly engineered foundation system is one that provides adequate support of the dwellings vertical and horizontal loads and transfers these and other imposed forces, without failure, from the dwelling to the undisturbed ground below the frost line.
  - f. All single-family dwellings and permanently sited manufactured homes shall be taxed as real property.
2. Manufactured housing not meeting the criteria established for permanently sited manufactured homes (see definitions) shall be permitted in either a mobile manufactured home park or manufactured home subdivision.
- a. Manufactured home parks and manufactured home subdivisions may be a permitted/conditional use in an R-3 district.
3. A manufactured home or travel trailer used for temporary living quarters, or storage of materials or equipment used in conjunction with construction work may be permitted in any district during the period that the construction is in the progress. Such permitted use shall be conditional and requires 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.

**ARTICLE VII – SETBACK, FLOOR AREA AND LOT AREA REQUIREMENTS**

Symbol	Use District	Min. Lot Size Area in Sq.Ft. or Acres	Min. Road Frontage	Max. Height of Building in Stories	Max. Height of Building in Feet
Ag.	Agricultural (a)	2 ½ acres	330 ft.*	2 ½	36
R-1	Single-Family Residential	2 acres	175 ft.	2 ½	36
R-2	Single-Family Residential				
	a. with public sewer and/or water	1 acre	150 ft.	2 ½	36
	b. with public sewer and water	22,000 sq. ft.	100 ft.	2 ½	36
	Two-Family Residential	20,000 sq. ft.	100 ft.	2 ½	36
R-3	Multi-Family Residential	1 acre (b)	100 ft.	2 ½	36
C-1	Local Commercial	1 acre	150 ft.	2	20
C-2	General Commercial	1 acre	150 ft.	2	40
I-1	Light Industrial	1 acre	150 ft.	2	40
I-2	Heavy Industrial	1 acre	150 ft.	2	40

\*Corner lot requires a minimum of 330' on both road frontages.

**ARTICLE VII – SETBACK, FLOOR AREA AND LOT AREA REQUIREMENTS**  
**(continued)**

Symbol	Front Setback (in Feet)	Min. Yard Setback (in Feet)			Max. Lot Covered by All Buildings (in %)	Min. Floor Area per Dwelling Unit (sq. ft.) (d)
		Least One(h)	Side Yards: Total Two(h)	Rear(h)		
Ag.	75 (c)	30		60	50	1500
R-1	75 (c)	30		60	50	35
R-2	75 (c)	20 (e)		40	40	35
R-3	75 (c)	15		30	35	35
C-1	50 (f)	10		20 (g)	20	35
C-2	50 (f)	10		20 (g)	20	35
I-1	50 (f)	20		40 (g)	50	35
I-2	75 (f)	20		40 (g)	50	35

Refer to page 55 for footnotes.



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## FOOTNOTES TO ARTICLE VII REGULATIONS

a. Non-farm single-family residences are permitted subject to the requirements in Article VII for the R-1 District.

b. Where dwellings are permitted in an R-3 District, the required lot area per dwelling unit shall be computed as follows:

Efficiency Unit	2,000 sq. ft.
One-Bedroom Unit	2,500 sq. ft.
Two-Bedroom Unit	3,000 sq. ft.
Each Additional Room	3,000 sq. ft.
(excluding kitchen and bathroom)	300 sq. ft.

c. For a corner lot, all yard spaces adjoining a street shall meet the front yard setback requirements.

d. The minimum floor area per dwelling unit shall not include area for basements, porches, attached garages or utility rooms.

e. Where two (2) or more dwellings are erected on the same lot, a minimum yard space of twenty (20) feet in width shall be increased by two (2) feet for each ten (10) feet, or part thereof, by which either or both of said condominium dwellings having common yards exceed forty (40) feet in length on that side of the dwelling facing the common yard.

f. Off-street parking may be permitted in the required front yard area, except for the first twenty-five (25) feet in width adjoining the street in the C-1 and C-2 Districts, and the first fifty (50) feet in width adjoining the street in the I-1 and I-2 Districts. Said area shall be landscaped and maintained as a greenbelt.

g. Where condominium units are permitted in an R-3 District, the minimum floor space per unit shall be as follows:

Efficiency Unit	350 sq. ft.
One-Bedroom Unit	600 sq. ft.
Two-Bedroom Unit	800 sq. ft.
Three-Bedroom Unit	1,000 sq. ft.
(plus eighty (80) sq. ft. for each bedroom over three (3) bedrooms in a dwelling unit)	

h. Setback from Publicly Established Drainage Ditches: In all districts a setback of thirty (30) feet measured from the top of the bank of a publicly established drainage ditch shall be provided for all buildings or structures erected along such ditch.

## **ARTICLE VIII – GENERAL PROVISIONS**

### **A. REGULATIONS APPLICABLE TO ALL DISTRICTS**

No building or structure, or part thereof, shall hereinafter be erected, constructed, reconstructed or altered and maintained, and no new use or change shall be made or maintained of any building, structure or land, or part thereof, except in conformity with the provisions of the Resolution.

1. No building shall be erected, converted, enlarged, reconstructed or structurally altered, except in conformity with the area and placement regulations of the District in which the building is located.
2. No building shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit hereinafter established for the District in which the building is located, except that penthouses or roof structure for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, stage lofts and screens, flagpoles, chimneys, smokestacks, individual domestic radio and television aerials, wireless masts, private telephone communication towers, water tanks, or similar structures may be erected above the height limits herein prescribed. No such structure may be erected exceeding by more than fifteen (15) feet the height limits of the district in which it is located; nor shall such structure have a total area greater than ten (10) percent of the roof area of the building; nor shall such structure be used for any residential purpose or any commercial or industrial purpose, other than as use incidental to the main use of the building.
3. Architectural features, such as eaves, window boxes, as defined, not including vertical projections, may extend or project into a required side yard not more than two (2) inches for each one (1) foot of width of such side yard, and may extend or project into a required front yard or rear yard not more than three (3) feet.
4. Every single-family detached residence hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one main building, one attached or detached private garage and a customary accessory building, except as otherwise provided. Accessory buildings and detached private garages shall be permitted in the rear yard and side yard only and shall conform with district setback and other requirements.
5. Any building requiring yard space shall be located at such an elevation that a sloping grade shall be maintained to cause the flow of surface water to run away from the walls of the building. A sloping grade, beginning at the sidewalk level, shall be established and maintained from the center of the

front lot line to the front, both grades sloping to the front property line. However, this shall not prevent the grading of a yard space to provide sunken or terraced areas, provided proper means are constructed and maintained to prevent the run-off of surface water from flowing onto the adjacent properties. Grade elevations shall be determined by using the elevation at the centerline of the road in front of the lot as the established grade.

6.
  - a. Existing property grade elevations shall not allow surface water to drain onto the adjacent property. Property owner shall provide adequate drainage construction or features to transport surface water away from adjacent property.
  - b. When a new building is constructed on a vacant lot between two existing buildings or adjacent to an existing building, the existing established grade shall be used in determining the grade around the new building and the yard around the new building shall be graded in such a manner as to meet existing grades and not to permit run-off surface water to flow onto the adjacent property.
7.
  - a. Any permit for the moving of previous existing buildings or structures larger than 216 square feet in floor area from without or within the limits of the Township to be placed on property within said limits shall be by approval of the Zoning Board of Appeals.
  - b. An inspection of the building to be moved shall be made by a certified building inspector prior to moving and subsequent to completion of the relocation to determine that the building or structure is safe with respect to building codes and other codes regulating the health, safety and general welfare of the Township. Any costs incurred with the provision of this inspection shall be the responsibility of the Applicant. The Zoning Board of Appeals shall determine that the structure will not adversely affect the character of existing buildings in the neighborhood of the new location.
  - c. A performance bond of 10% of the cost required to complete the building for occupancy within a period not more than twelve (12) months from date of permit shall be furnished before permit is issued.
8. The provisions of the Resolution shall not be so construed as to interfere with the temporary use of any property as a voting place in connection with a Township or other public election.
9. It shall be unlawful for any person, firm, corporation, partnership or other organization or entity to use land for filling with material of any kind without approval of the Wood County Engineer, the Wood County Health Department and/or the Ohio EPA.

## **B. ALL ACCESSORY BUILDINGS ARE REQUIRED TO OBTAIN A PERMIT**

In residentially zoned districts and on property used in a residential manner, accessory buildings that are clearly incidental to, customarily found in connection with, subordinate to, and located on the same zoning lot, except as otherwise permitted in this Resolution, are required to obtain a zoning permit and shall be subject to the following regulations:

1. Where the accessory building is structurally attached to a main building, it shall be subject to, and must conform to, all regulations of this Resolution applicable to main building.
2. Accessory buildings shall not be erected in any required yard, except the rear and side yard. Accessory buildings, on a corner lot of record, that conflict with required yards shall be submitted to the Board of Zoning Appeals for a variance. Their decision as to extent and location shall be compatible with the intent of this Resolution.
3. No detached accessory building shall be located closer than ten (10) feet to any main building, nor shall it be located closer than ten (10) feet to any side lot line, nor closer than five (5) feet to any rear lot line.
4. When an accessory building is located on a corner lot, said building shall not project beyond the front yard line or the required rear yards.

## **ARTICLE IX – SIGNS**

### **A. GENERAL**

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

### **B. GOVERNMENTAL SIGNS EXCLUDED**

For the purpose of this Resolution “sign” does not include signs erected and maintained pursuant to and in discharge of any governmental function, required by any law, ordinance, or governmental regulation, or part of a holiday display.

### **C. PERMIT REQUIRED**

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

### **D. GENERAL REQUIREMENTS FOR ALL SIGNS AND DISTRICTS**

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

1. Any illuminated sign or lighting device shall employ only light emitting a light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights. In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination therefrom to be directed or beamed upon a public thoroughfare, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance;
2. No sign shall employ any parts or elements, which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention. Subsections (a) and (b) of this section shall not apply to any sign performing a public service function indicating time, temperature, or similar services;
3. All wiring, fittings, and materials used in the construction, connection, and operation of electrically illuminated signs shall be in accordance with the provisions of the local electric code in effect, if any;
4. No projecting sign shall be erected or maintained from the front or face of a building a distance of more than two (2) feet, including those projecting from the face of any theater, hotel, or motel marquee;
5. No sign shall be placed on the roof of any building, except those signs whose supporting structure is screened so the sign appears to be a continuation of the face of the building;

6. No portable or temporary sign shall be placed on the front or face of a building or on any premises, except as provided in Section 12 herein;
7. No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners, or other similar moving devices. Such devices, as well as strings of lights, shall not be used for the purpose of advertising or attracting attention when not part of a sign;
8. No sign erected or maintained in the window of a building, visible from any public or private street or highway, shall occupy more than twenty (20) per cent of the window surface;
9. No sign of any classification shall be installed, erected, or attached in any form, shape, or manner to a fire escape of any door or window giving access to any fire escape;
10. All signs hung and erected shall be plainly marked with the name and telephone number of the person, firm, or corporation responsible for maintaining the sign;
11. Should any sign be or become unsafe or be in danger of falling, the owner thereof or the person maintaining the same shall, upon receipt of written notice from the Zoning Administrator, proceed at once to put such sign in a safe and secure condition or remove the sign;
12. No sign shall be placed in any public right-of-way except publicly owned signs, such as traffic control signs and directional signs. Signs directing and guiding traffic and parking on private property but bearing no advertising matter shall be permitted on any property;
13. All signs shall be so designed and supported as to carry the weight of the sign, and shall comply with the local building code in effect;
14. All signs shall be secured in such a manner as to prevent significant movement due to wind;
15. No advertising signs shall be attached to or supported by a tree, utility pole, trash receptacle, bench, vending machine, or public shelter;
16. No sign shall contain words, images, or graphic illustrations of an obscene or indecent nature;
17. No sign shall be attached in such a manner that it may interfere with any required ventilation openings;



18. No sign shall be located on a vacant lot, except for the purpose of advertising the lot for sale or lease, or for such purpose as the notification of present danger or the prohibition of trespassing;
19. No sign shall be located nearer than eight (8) feet vertically or four (4) feet horizontally from any overhead electrical wires, conductors, or guy wires;
20. No vehicle or trailer may be parked on a business premises or a lot for the purpose of advertising a business, product, service, event, object, location, organization, or the like.
21. Any sign advertising a commercial or industrial business of any kind shall be removed within 90 days after the business is closed.

**E. SIGNS PERMITTED WITHOUT A PERMIT IN ALL DISTRICTS**

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

**F. SIGNS PERMITTED IN ANY DISTRICT REQUIRING A PERMIT**

1. Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs, or societies, which signs or bulletin boards shall not exceed fifteen (15) square feet in area and which shall be located on the premises of such institution;
2. Any sign advertising a commercial enterprise, including real estate developers or subdividers, in a district zoned residential shall not exceed twelve (12) square feet in area and shall advertise only the names of the owners, trade names, products sold and/or the business or activity conducted on the premises where such sign is located.

**G. SIGNS PERMITTED IN COMMERCIAL AND MANUFACTURING DISTRICTS REQUIRING A PERMIT**

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

1. In a commercial or manufacturing district, each business shall be permitted one flat or wall on-premises sign. Projection of wall signs shall not exceed two feet measured from the face of the main building. The

area of all permanent on-premises signs for any single business enterprise may be an area equivalent to one and one half (1½) square feet of sign area for each lineal foot of building width, or part of a building, occupied by such enterprise but shall not exceed a maximum area of one hundred (100) square feet.

2. In a commercial or manufacturing district, two off-premises signs with a total area not exceeding six hundred (600) square feet may be permitted at a single location. No single off-premises sign shall exceed one thousand two hundred (1,200) square feet, nor shall off-premises signs visible to approaching traffic have a minimum spacing of less than two hundred (200) feet. Off-premises signs shall conform to all applicable yard and height regulations for the appropriate zoning district, except that such signs intended to be viewed from an elevated highway shall be not more than twenty (20) feet above the level of the roadway at its nearest point. Off-premises wall signs shall have all structural and supporting members concealed from view.

#### **H. TEMPORARY SIGNS**

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

#### **I. FREE STANDING SIGNS**

Freestanding on-premises signs not over thirty (30) feet in height, having a maximum total sign area of one hundred (100) square feet per display area and located not closer than ten (10) feet to any street right-of-way line and not closer than thirty (30) feet to any adjoining lot line may be erected to serve a group of business establishments. There shall be only one (1) freestanding sign for each building, regardless of the number of businesses conducted in said building.

#### **J. WALL SIGNS PERTAINING TO NONCONFORMING USES**

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

#### **K. POLITICAL SIGNS**

No political sign shall be posted in any place or in any manner that is destructive to public property upon posting or removal. No political sign shall be posted in a public right-of-way nor shall any such sign be posted on a utility pole. No political sign shall be posted more than sixty (60) days before an election. All candidates for public office,

their campaign committees, or other persons responsible for the posing on public property of campaign material shall remove such material within two weeks following Election Day.

#### **L. SIGN SETBACK REQUIREMENTS**

1. On-Premises Signs: Except as modified in Sections 2-5 below, on-premises signs where permitted shall be set back from the established right-of-way line of any thoroughfare at least ten (10) feet.
2. Increased Setback: For every square foot by which any on-premises sign exceeds fifty (50) square feet, the setback shall be increased by one-half (½) foot but need not exceed one hundred (100) feet.
3. Setbacks for Off-Premises Signs: If a setback line is not established for the appropriate zoning district, off-premises signs shall be set back a minimum of twenty (20) feet from the right-of-way line. No off-premises sign shall be erected in front of the required setback line for the appropriate zoning district.
4. Setbacks for Public and Quasi Public Signs: Real estate signs and bulletin boards for a church, school or any other public, religious or educational institution may be erected not less than ten (10) feet from the established right-of-way line of any street or highway provided such sign or bulletin board does not obstruct traffic visibility at street or highway intersections.
5. Special Yard Provisions: On-premises signs, where permitted, shall be erected or placed in conformity with the side and rear yard requirements of the district in which located, except that in any residential district, on-premises signs shall not be erected or placed within twelve (12) feet of a side or rear lot line. If the requirement for a single side yard in the appropriate zoning district is more than twelve (12) feet, the latter shall apply.

#### **M. LIMITATION**

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

#### **N. MAINTENANCE**

All signs shall be maintained in safe and sound structural condition at all times and shall be presentable. The Zoning Inspector shall remove any off-premises advertising signs or structure found to be unsafe or structurally unsound within thirty

(30) days of issuing a notification. The Zoning Inspector shall remove any on-premises sign, which is determined to be unsafe or structurally unsound within ten (10) days of issuance of notification.

#### **O. NONCONFORMING SIGNS AND STRUCTURES**

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

#### **P. LOSS OF LEGAL NONCONFORMING STATUS**

A legal nonconforming sign shall immediately lose its legal nonconforming status, and therefore must be brought into conformance with this Article or be removed, if the sign is altered in copy (except for changeable copy signs) or structure; or if it is enlarged, relocated, or replaced; or if it is structurally damaged to an extent greater than one half ( $\frac{1}{2}$ ) of its estimated replacement value. Similarly, any legal nonconforming advertising structure so damaged must be brought into compliance or be removed.

#### **Q. VIOLATIONS**

In case any sign shall be installed, erected, constructed, or maintained in violation of any of the terms of this Resolution, the Zoning Inspector shall notify in writing the owner or lessee thereof to alter such sign so as to comply with this Resolution. Failure to comply with any of the provisions of this Article shall be deemed a violation and shall be punishable under Article XIX of this Resolution. Political signs posted in violation of this Resolution are subject to removal by the Zoning Inspector five (5) days after written notice of violation has been given.

#### **R. STORM WATER MANAGEMENT**

Prior to the issuance of any zoning certificate for all commercial or industrial uses, including new uses and changes of uses encompassing a lot of area greater than one (1) acre, the applicant shall prepare and the Wood County Engineer shall review and approve storm water management plans. Said plans shall be prepared by a licensed professional engineer and be designed using commonly accepted principles and practices. .

**ARTICLE X – SUPPLEMENTARY USES AND STRUCTURES**

**A. FENCES, WALLS AND OTHER PROTECTIVE BARRIERS**

All fences of any type or description shall conform to the following regulations:

1. General
  - a. A zoning certificate is required for the erection, construction or alteration of any fence, wall or other type of protective barrier which shall conform to the requirements of the zoning districts wherein they are required and to the requirements of this Section.
  - b. No fence, wall, structure or planting shall be erected, established or maintained on any corner lot which will obstruct the view of a driver of a vehicle approaching the intersection. Such unobstructed corner shall mean a triangular area formed by the road right-of-way and a line connecting them at points twenty-five (25) feet from the intersection of the street lines, or in the case of a rounded property corner, from the intersection of the street property lines extended.
  - c. This shall not prohibit the establishment of shrubbery thirty (30) inches or less in height. Shade trees are permitted where all branches are not less than eight (8) feet above the road level.
2. Fences in Residential Districts and Property Used in a Residential Manner in an Agricultural District
  - a. Fences and walls may be permitted along the lines of a front side yard to a height of not more than four (4) feet above grade and along the lines of a rear yard behind the front building setback line to a height of not more than seven (7) feet above grade, provided that any fence shall be of uniform design, painted and/or otherwise maintained in its original construction and condition.
  - b. Planting, fences and walls in front yard: No fence, wall or hedge shall rise over forty-two (42) inches in height on any required front yard, and shall be of uniform design, painted and/or otherwise well maintained. No fence, wall or hedge planting shall interfere with visibility from a driveway.
  - c. Fences shall be permitted only as a decorative feature in the front yard or along a side lot line when adjoining a less restrictive use.
  - d. Where adjacent property lines, due to the configuration of the lots, have different provisions regulating the construction of fencing or walls, the more restrictive provision shall apply.

- e. No barbed wire, spike tips or electrically charged fences shall be permitted in any residential district or on property used in a residential manner, except where required for public uses.
  - f. Fences, which enclose public or institutional parks, playgrounds or public landscaped areas, shall not exceed eight (8) feet in height, measured from the surface of the ground.
  - g. In-ground swimming pools shall be provided with a protective fence, five (5) feet in height, and entry shall be provided by means of a controlled gate.
  - h. Fences shall observe a setback of five (5) feet from side and rear property lines to minimize the effect on adjacent properties and allow proper maintenance. The five (5) foot setback requirement is waived if adjacent property owners consent to a lesser setback in a signed agreement given to the Washington Township Zoning Inspector.
3. Fences in Commercial/Industrial Districts
- a. Fences in commercially zoned districts shall be limited to a height of eight (8) feet and be of sturdy construction, of uniform design, painted and/or otherwise well maintained.
  - b. Fences in commercially zoned districts shall be set back at least twenty-five (25) feet from the road right-of-way.
  - c. The use of barbed wire on top of fences in a commercial district shall require approval of the Zoning Board of Appeals and the following conditions shall be met:
    - 1. Barbed wire may be used on top of a security fencing, but shall be limited to three (3) strands.
    - 2. Barbed wire shall not project beyond the property line.
    - 3. Barbed wire shall not be used less than eight (8) feet from the ground surface.

**B. BED AND BREAKFAST INN**

The following conditions shall be met for all Bed and Breakfast Inns in addition to those identified in its definition in Article II.

- 1. The Inn must be owner-occupied; it must be the principal residence of the owner, and occupied by the owner.

2. One (1) individual not residing in the Inn may be employed in the operation of the Inn.
3. No more than four (4) rooms shall be offered for rent. The Board of Zoning Appeals may permit more rooms in Residential Zoning Districts, which permit multifamily dwellings, and in Agricultural Districts.
4. Each room rented shall contain a minimum of one hundred (100) square feet. No rented room shall have independent outside entrance (but emergency fire exits are permitted).
5. Neither any rented room nor the owner's dwelling space shall be located in an accessory structure.
6. No cooking facilities of any type shall be permitted in the rented rooms.
7. A minimum of one (1) on site paved or dustless surface parking space per room offered for rent and two (2) spaces for the owner shall be required.
8. No change to the outside appearance of the dwelling shall occur behind front yard setback as required.
9. One (1) sign not exceeding four (4) square feet in area shall be permitted identifying the dwelling as a "Bed and Breakfast Inn".

### **C. COMMERCIAL VEHICLES**

1. One commercial vehicle (e.g. one panel truck, one tractor or one trailer) not operated as transportation for hire may be stored or parked in an "A" or "R" district on a parcel with a single-family dwelling.
2. No trailer may be used for storage of personal or business materials in an "A" or "R" District.
3. Parts, tires and other vehicle supplies shall be stored in an enclosed building. No more than one building or structure associated with the transportation for hire business shall be located on the property. The maximum floor area of such building or structure shall not exceed one thousand (1,000) square feet or one-third (1/3) the living area of the single family dwelling on the premises whichever is less.
4. Additional parking or storage of commercial vehicles and trailer(s), in excess of 10,000 pounds in carrying capacity may be permitted by the Zoning Board of Appeals as a conditional use in an "A" district, provided the following conditions are met.
  - a. No more than three (3) commercial vehicles or trailers in any combination may be parked or stored on the property.

- b. The site, lot or parcel of land is located along a major street and highway as defined in Article VI, Section B, Paragraph 3.a.1. and access to the site will not require traveling on a designated Township road.
  - c. The drive and parking surface area shall be graveled or paved and shall be within the established setbacks of an “A” or “R” District and shall be necessary to owner-occupied dwelling. The parking area shall have a 10’x25’ space for each vehicle and a 10’x60’ space for each trailer.
  - d. No buying or selling of goods or merchandise or loading, unloading, or transfer of goods or merchandise shall be conducted at or on the site, lot or parcel of land.
  - e. The parking or storage of more than one commercial vehicle must be located in a commercial district.
5. Transportation for hire: Any business or public utility engaged in the transportation of persons or property, or both, or furnishing such transportation service over any public street, road or highway.
- a. Any transportation for hire business with three or fewer vehicles and/or trailer may be permitted as a conditional use in an “A” District provided the site, lot or parcel is located along a major roadway as designated in the Wood County Major Street and Highway Plan, and access to the site does not require travel on a designated township road, and the business is operated from a minimum 2½ acre parcel with an owner/operator single family dwelling.
  - b. Any transportation for high business with four or more vehicles and/or trailers must be located in a commercial district.
  - c. Any transportation for hire business wherever located in the township must meet the following requirements:
    - 1. Parts, tires and other vehicles supplies shall be stored in an enclosed building.
    - 2. The drive and parking surface area shall be graveled or paved and shall be within the established setbacks. The parking area shall have a 10’x25’ space for each vehicle and a 10’x60’ space for each trailer.
    - 3. No more than one building or structure associated with the transportation for hire business shall be located on the



property. The maximum floor area of such building or structure shall not exceed one thousand (1,000) square feet or one-third (1/3) the living area of the single family dwelling on premises whichever is less.

- d. This provision does not apply to the following: (1) Vehicles and trailers licensed as agricultural vehicles or trailers which are an integral part of an on-site agricultural business; (2) Buildings or structures of, or the use of land by, a person engaged in the transportation of farm supplies to the farm or farm products from farm to market or to food fabricating plants; (3) Infrequent short term parking of a commercial vehicle or trailer for the delivery of goods to a premises for use on the premises: and (4) The delivery or moving of goods to or from a dwelling unit.

#### **D. PONDS**

1. Ponds shall be permitted in any district.
2. A pond may not be located on a parcel containing less than two (2) acres.
3. A pond may not be located within fifty (50) feet of any well or septic/leach field system.
4. Ponds shall observe a minimum of a thirty (30) foot setback on all sides and shall be a minimum of twenty-five (25) feet from any dwelling structure. The setback measurement point shall be the high water mark point at the overflow pipe pond level.
5. A pond shall contain a minimum of one-third (1/3) acre of water surface area measured at the overflow pipe, and shall maintain a minimum depth of twelve (12) feet at its deepest point so as to avoid stagnation of pond water.
6. Grading, berming or mounding of a pond shall be constructed so as to avoid surface water runoff onto adjacent properties. This shall be accomplished by any or all of the following: Drainage tile, French drains, catch basins, surface drains, or any other adequate measures. The drainage system shall be constructed so as not to collect and retain stagnant water, and shall not cause water to flow onto adjacent property.
7. Ponds shall maintain an adequate overflow that discharges excess water into a draining tile and/or drainage ditch.
8. Any pond designed or used as a source of potable drinking water shall be approved by the Wood County Health Department.

9. Prior to any construction activity, an “Application for Pond Permit” and a “Pond Construction Plan” approved by a registered engineer, shall be submitted to the Township Zoning Inspector for approval and issuance of a Zoning Certificate. Upon compliance of all requirements for ponds in this resolution, the permit application will be accepted and processed. Pond construction plans must contain all information necessary to determine that the plan fully meets the requirements of these resolutions. It shall be the property owner’s responsibility to see that the pond construction is completed according to the “Pond Construction Plan”.

## **E. COMMUNICATION TOWERS**

Radio and television towers, microwave and cellular telephone towers, electrical transmission towers, etc. and their attendant facilities may be permitted in an “A” agricultural district after review by the Zoning Board of Appeals. Such review is subject to the following:

1. Said tower shall be located centrally on a contiguous parcel having a dimension at least equal to the height of the tower measured from the base of said tower to all points on each property line. Said parcel shall at a minimum be five (5) acres or greater, be provided a thirty (30) foot access to public right-of-way and will be on owned/leased in fee simple by the company, corporation, etc. erecting/operating said tower.
2. Other conditions and safeguards as prescribed by the Zoning Board of Appeals, including but not limited to, screening, landscaping, fencing, etc. may be required.

## **ARTICLE XI – SITE PLAN REVIEW PROCEDURES**

All proposed rezoning of property to any of the following zoning districts shall require site plan review. Those districts are: R-3, C-2, I-1 and I-2. In instances where an established permitted use or conditional use is converted or expanded to another permitted use or conditional use in C-1, C-2, I-1 or I-2 districts, all information required of this section shall be submitted for review and approval of the Zoning Inspector.

### **A. GENERAL REQUIREMENTS**

1. A formal letter of submittal shall accompany the site plan. The letter shall provide the name, address and phone number of any parties who are informed of progress on the request, e.g. land owner, attorney, architect, engineer, etc.
2. All site plans shall have a title indicating the type of request being made, e.g. request for more than one main building on a parcel, zoning amendment, etc.

3. The site plan shall be accompanied by a complete legal description of the subject property and a location sketch referenced from section lines and/or major streets.
4. The site plan shall have the north arrow pointing either toward the top of the drawing or to the right side of the drawing, preferably toward the top, and should be located with the scale.
5. Nine (9) prints of the site plan shall be submitted to the Township Zoning Inspector.

**B. SPECIFIC REQUIREMENTS**

1. The site plan shall show the zoning classification of the subject property and all abutting property uses (residential, commercial, etc.) and approximate location of abutting property, buildings, and/or structures.
2. The site plan shall indicate the distance of existing and proposed structure(s) from right-of-way line of all adjacent thoroughfares and show front, side and rear yard distances to the structure(s).
3. The site plan shall indicate the exact dimensions of the property in question, and show existing structure(s) with dimensions and proposed structure(s) with dimensions. The site plan shall indicate building removals and other alterations, if any, of existing property.
4. The site plan shall indicate, by name, all adjacent thoroughfares. The site plans shall show both right-of-way and pavement widths measured from the centerline.
5. The site plan shall indicate the locations, size (height), and material of all existing and proposed fencing on the subject property.
6. The site plan shall show the location of all existing and proposed lighting on subject property.
7. The site plan shall show the location, and dimensions of existing or proposed signs on the property.
8. The site plan shall indicate the widths of existing or proposed landscaping, screening and sidewalks.
9. Site plans shall show any ditches, creeks, or other natural features that may affect development of the property in question. Where appropriate, the 100-year high water elevation should be shown on the site plan. Information on this requirement may be obtained from the Wood County Planning Commission.

10. The site plan shall show existing and proposed drainage with dimensions.
11. The site plan shall show existing and proposed sanitary storm sewers, water mains, and location of hydrant and valves.
12. The site plan shall show existing and proposed pavements and roadways with dimensions.
13. The site plan shall indicate existing or proposed off-street parking, driveways, and recreational areas with complete dimensions. Curb cuts shall be measured at the curb and throat widths shall be indicated. The drawing shall include the number and size of proposed parking stalls along with internal circulation pattern of the off-street parking. If the off-street parking is physically joined with abutting property, then circulation between the properties shall be shown.
14. The site plan for a proposed drive-up establishment shall indicate where vehicles can stack and how many vehicles can stack at one time.

### **C. APPLICATION PROCEDURE**

1. Site plans shall be filed with the Zoning Inspector.
2. The Zoning Inspector shall transmit the site plan to the Zoning Commission for review and recommendations.
3. The date the Zoning Commission/Zoning Inspector accepts the site plan shall constitute the official filing date.
4. No permit shall be issued for any use or change in use prior to the review and recommendation of the site/development plan by the Zoning Commission/Zoning Inspector. Conditions or modifications may be attached to these plans.
5. The review time for site plans shall be in keeping with the time requirements established for zoning changes.
6. Any change in the site plan, once approved, shall require a review by the Zoning Commission/Zoning Inspector.
7. All subsequent owners, heirs, or beneficiaries of a property zoned for C-1, C-2, I-1 or I-2 must resubmit site plans to the Zoning Commission/Zoning Inspector for review and approval unless the proposed use of the property remains unchanged from a previously approved site plan.

8. The Zoning Commission may seek information and recommendations from the Wood County Planning Commission or other appropriate agencies to aid in their review of the site plan.

### **ARTICLE XII – PLANNED UNIT DEVELOPMENT PROJECTS**

A. An authorized agency of the County, State or Federal Government or the owner or owners of any tract of land comprising an area of not less than twenty (20) acres may submit to the Township Trustees a plan for the use and development of all of the tract of land for residential and allied purposes. The development plan shall be referred to the Township Zoning Commission for study and report and public hearing. Notice and publication of such hearing shall conform to the procedures prescribed for hearings on changes and amendments.

If the Commission approves the plans, these shall be submitted to the Trustees for consideration and action. The approval and recommendations of the Commission shall be accompanied by a report stating the reasons for approval of the application and specific evidence and facts showing the proposed community development project meets the following conditions:

1. The property adjacent to the area included in the plan will not be adversely affected.
2. The plan is consistent with the intent and purposes of the Resolution to promote public health, safety, morals and general welfare.
3. The buildings shall be used for single-family dwellings, two-family dwellings, or multiple dwellings, and usual accessory uses such as private or storage garages, storage space and for community activities, including churches.
4. The average lot area per family contained in the site, exclusive of the area occupied by streets, will not be less than the lot area per family required in the district in which the development is located.

B. If the Board of Trustees approves the plans, a zoning certificate may be issued, even though the use of land, the location and height of building to be erected in the area and the yards and open space contemplated by the plan do not conform in all respects to the district regulations of the district in which it is located.

## **ARTICLE XIII – OFF-STREET PARKING AND LOADING REQUIREMENTS**

### **A. GENERAL PARKING REQUIREMENTS**

In all zoning districts, off-street parking facilities for the storage and parking of self-propelled motor vehicles for the use of occupants, employees and patrons of the buildings hereafter erected, altered or extended after the effective date of this Resolution, shall be provided as herein prescribed. Such space shall be maintained and shall not be encroached upon so long as said main building or structure remains, unless an equivalent number of such spaces are provided elsewhere in conformance with this Resolution.

1. Area for Parking Space: For the purpose of this Section, three hundred (300) square feet of lot area shall be deemed a parking space for one (1) vehicle, including access aisle, except that egress from an alley or street may also be deemed a parking space.
2. Fractional Requirements: When units or measurements determining number of required parking spaces result in requirement of a fractional space, any fraction up to, and including, one-half ( $\frac{1}{2}$ ) shall be disregarded and fractions over one-half ( $\frac{1}{2}$ ) require one (1) parking space.
3. Location of Parking Space for One and Two-Family Dwellings: The off-street parking facilities required for one and two-family dwellings shall be located on the same lot or plat of ground as the building they are intended to serve and shall consist of a parking strip, parking apron and/or garage.
4. Location of Parking Space for Other Land Uses: The off-street parking facilities required for all other uses shall be located on the lot or within five hundred (500) feet of the permitted uses requiring such off-street parking, such distance to be measured along lines of public access to the property between the nearest point of the parking facility to the building to be served.
5. Parking Based on Seating Capacity: As used in this Article for parking requirements, seats shall mean that each twenty-four (24) inches of seating facilities shall be counted as one (1) seat, except that where specifications and plans filed with the Zoning Inspector specify a certain seating capacity for a particular building, such specified seating capacity shall be used as the basis for required parking space.
6. Similar Uses and Requirements: In the case of a use not specifically mentioned, the requirements of off-street parking facilities for a use which is so mentioned and which is similar shall apply.
7. Protective Screening: Whenever multifamily, commercial or industrial off-street parking facilities abut a residential district, an appropriate screening of not less than (5) feet in height and not more than six (6) feet in height shall be provided.

8. Existing Off-Street Parking at Effective Date of Resolution: Off-street parking existing at the effective date of this Resolution and serving an existing building or use shall not be reduced in size less than that required under the terms of this Resolution.
9. Collective Provisions: Nothing in this Article shall be construed to prevent collective provisions of off-street parking facilities for two (2) or more buildings or uses, provided such facilities collectively shall not be less than the sum of the requirements for the various individual uses computed separately.
10. General Use Conditions: Except when land is used as storage space in connection with the business of a repair or service garage, a twenty-four (24) hour time limit for parking in off-street parking areas shall prevail. It is the purpose and intention of the foregoing that the requirements of maintaining vehicle storage or parking space is to provide for the public safety by parking cars off the streets, but such requirement is not designed to or intended to provide the storage or parking on such open land of wrecked or junked cars or for creating a junk yard or a nuisance in such area.
11. Restriction on Parking on Private Property: It shall be unlawful for any person, firm or corporation to park any motor vehicle on any private property, or use said private property for vehicle storage, or use any portion of any private property as parking space, without the expressed or implied consent, authorization or ratification of the owner, holder, occupant, lessee, agent or trustee of such property. Complaint for the violation of this Article shall be made by the owner, holder, occupant, lessee, agent or trustee of such property.
12. Joint Use: Parking spaces already provided to meet off-street parking requirements for theaters, stadiums, auditoriums and other places of public assembly, stores, office building and industrial establishments lying within five hundred (500) feet of a church as measured along lines of public access, and that are not normally used between the hours of 6:00 a.m. and 6:00 p.m. on Sundays and that are made available for other parking, may be used to meet not more than fifty (50) percent of the off-street parking requirements of a church.

## **B. TABLE OF OFF-STREET PARKING REQUIREMENTS**

The amount of required off-street parking space for new uses or buildings, additions thereto and additions to existing buildings as specified above shall be determined in accordance with the following table, and the space so required shall be stated in the application for a building permit and shall be irrevocably reserved for such use and/or shall comply with the initial part of this Article.

<u>Use</u>	<u>Number of Minimum Parking Spaces Per Unit of Measure</u>
<b>1. Residential</b>	
a. Residential, One-Family and Two-Family	Two (2) for each dwelling unit.
b. Residential, Multiple Family	Two (2) for each dwelling unit.
c. Housing for the Elderly	One (1) for each two (2) units, and one (1) for each employee. Should units revert to general occupancy, then two (2) spaces per unit shall be provided.
d. Mobile Home Park	Two (2) for each trailer or mobile home site and one (1) for each employee of the trailer or mobile home court.
e. Boarding House	One (1) for each sleeping room.
<b>2. Institutional</b>	
a. Churches or Temples	One (1) for each six (6) seats or ten (10) linear feet of pews in the main unit of worship.
b. Hospitals	One (1) for each one (1) bed.
c. Home for the Aged and Convalescent Homes	One (1) for each two (2) beds.
d. Elementary and Junior High Schools	One (1) for each one (1) teacher administrator, in addition to the requirements of the auditorium.
e. Senior High Schools	One (1) for each one (1) teacher & administrator, and one (1) for each ten (10) students, in addition to the requirements of the auditorium.
f. Private Clubs or Lodge Halls	One (1) for each three (3) persons allowed within the maximum occupancy load as established by local, County or State fire, building or health codes.



- g. Private Golf Clubs, Swimming Pool Clubs, Tennis Clubs, or Other Similar Uses One (1) for each two (2) member families or individuals.
- h. Golf Courses Open to the General Public, Except Miniature or "Par-3" Courses Six (6) for each one (1) golf hole, and one (1) for each one (1) employee.
- i. Fraternities, Sororities and Cooperatives One and one-half (1½) parking spaces to every two (2) persons based upon the capacity of the house.
- j. Stadium, Sports Arena or Similar Place of Outdoor Activity One (1) for each three (3) seats or six (6) feet of benches.
- k. Theaters and Auditoriums One (1) for each four (4) seats plus one (1) for each two (2) employees.

**3. Business and Commercial**

- a. Planned Commercial or Shopping Center One (1) for each sixty-six (66) square feet of usable floor area.
- b. Auto Wash One (1) for each one (1) employee. In addition, adequate waiting space for autos shall be provided on the premises to accommodate twenty-five (25) percent of the hourly rate of capacity.
- c. Beauty Parlor or Barber Shop Three (3) spaces for each of the first two (2) beauty or barber chairs, and one and one-half (1½) spaces for each additional chair.
- d. Bowling Alleys Five (5) for each one (1) lane.
- e. Dance Halls, Pool or Billiard Parlors, Roller Skating Rinks, Exhibition Halls and Assembly Halls without Fixed Seats One (1) for each three (3) persons allowed within the capacity limit of the establishment.
- f. Establishments for Sale and Consumption on the Premises of Beverages, Food or Refreshments One (1) for each sixty (60) square feet of floor space.

- g. Furniture and Appliance of Household Equipment, Repair Shops, Showroom Of a Plumber, Decorator, Electrician or Similar Trade, Shoe Repair and Other Similar Uses One (1) for each eight hundred (800) square feet usable floor area. (For that floor area used in processing, one (1) additional space shall be provided for each two (2) persons provided for each two (2) persons employed therein.
- h. Automobile Service Stations Two (2) for each lubrication stall, rack or pit, and one (1) for each gasoline pump.
- i. Laundromats and Coin-Operated Dry Cleaners, Dry Cleaners One (1) for each two (2) washing machines.
- j. Miniature or "Par-3" Golf Courses Three (3) for each one (1) hole, plus one (1) for each one (1) employee.
- k. Mortuary Establishments One (1) for each fifty square feet of usable floor space.
- l. Motel, Hotel or other Commercial Lodging Establishments One (1) for each one (1) occupancy unit, plus one (1) for each one (1) employee, plus extra spaces for dining rooms, ballrooms or meeting rooms.
- m. Motor Vehicle Sales and Service Establishments One (1) for each two hundred (200) square feet of usable sales room, and one (1) for each one (1) auto service stall in the service room.
- n. Retail Stores, Except as Otherwise Specified Herein One (1) for each one hundred fifty (150) square feet of usable floor space.

**4. Offices**

- a. Banks One (1) for each one hundred fifty (150) square feet of usable floor space.
- b. Business Offices or Professional Offices Except as Indicated in the Following Item (c.) One (1) for each three hundred (300) square feet of usable floor space.

- c. Professional Offices of Doctors, Dentists, or Similar Professions      One (1) for each one hundred (100) square feet of usable floor area in waiting rooms, and one (1) for each examining room, dental chair or similar use area.

**5. Industrial**

- a. Industrial or Research Establishments      Five (5) plus one (1) for every one and one-half (1½) employees in the largest working shift.
  
- b. Wholesale Establishments      Five (5) plus one (1) for every employee in the largest working shift, or one (1) for every seventeen hundred (1,700) square feet of usable floor space, whichever is greater.

**C. OFF-STREET PARKING SPACE LAYOUT, STANDARDS, CONSTRUCTION AND MAINTENANCE**

Wherever the off-street parking requirements in Section D and elsewhere in the Resolution require the building of an off-street parking facility, such off-street parking lots shall be laid out, constructed and maintained in accordance with the following standards and regulations:

1. No parking lot shall be constructed unless and until a permit therefore is issued by the Zoning Inspector. Applications for a permit shall be submitted to the Zoning Inspector in such form as may be determined by the Zoning Inspector and shall be accompanied with two (2) sets of plans for the development and construction of the parking lot showing that the provisions of this Article will be fully complied with.
  
2. Plans for layout of off-street parking facilities shall be in accordance with the following minimum requirements:

Parking Pattern	Maneuvering Lane Width	Parking Space Width	Parking Space Length	Total Width of One Tier of spaces plus maneuvering lane	Total Width of Two tiers of spaces plus maneuvering lane
0 (parallel parking)	12 feet	8 feet	23 feet	20 feet	28 feet
45	15 feet	9 feet	20 feet	38 feet	53 feet
90	25 feet	9 feet	20 feet	45 feet	65 feet

#### **D. OFF-STREET LOADING REQUIREMENTS**

On the same premises with every building, structure, or part thereof, erected and occupied for manufacturing, storage, warehouse, goods display, department store, wholesale, market, hotel, hospital, convalescent home, mortuary, laundry, dry cleaning, or other uses similarly involving the receipt or distribution of vehicles, materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading, and unloading services in order to avoid undue interference with public use of the streets, alleys, or any required access for off-street parking areas. Such loading and unloading space, unless adequately provided for within a building, shall be an area ten (10) feet by eighty (80) feet, with a fourteen (14) foot height clearance, and shall be provided according to the following schedule:

<u>Gross Floor Area In Square Feet</u>	<u>Loading and Unloading Spaces Required in Terms of Square Feet or Gross Floor Area</u>
0 – 2,000	None
2,000 – 20,000	One (1) Space
20,000 – 100,000	One (1) space plus one (1) space for each twenty thousand (20,000) square feet in excess of twenty thousand (20,000) square feet
100,000 – 500,000	Five (5) spaces plus one (1) space for each forty thousand (40,000) square feet in excess of one hundred thousand (100,000) square feet
Over 500,000	Fifteen (15) spaces plus one (1) space for each eighty thousand (80,000) square feet in excess of five hundred thousand (500,000) square feet

Any variance from the above schedule, owing to particular characteristics of the use, shall require Board of Zoning Appeals approval.

#### **E. OFF-STREET PARKING CONSTRUCTION AND OPERATIONS**

1. The construction of any parking lot shall be in accordance with the requirements and provisions of this Resolution and such construction shall be completed and approval of such shall be obtained from the Zoning Inspector before actual use of the property as a parking lot. Plans for the development of any parking lot shall be submitted to the Zoning Inspector, prepared at a scale of not less than fifty (50) feet equals one (1) inch and indicating existing and proposed grades, drainage, water mains and

sewers, surfacing and base materials to be used and the layout of the proposed parking lot. The plans are to be prepared in a presentable form by person or persons competent in such work.

2. All parking lots shall be hard-surfaced with a pavement having an asphalt or concrete binder and shall be graded and drained so as to dispose of surface water, which might accumulate within or upon such area. No surface water from such parking area shall be permitted to drain onto adjoining private property, except through public drain.
3. All illumination for or on such parking lots shall be deflected away from adjacent residential areas and shall be installed in such manner as to allow the reduction of the amount of light in other than normal parking hours each day. The source of illumination in all parking lots abutting a residential area shall not be more than thirteen (13) feet above the parking lot surface.
4. Side yards shall be maintained for space of not less than six (6) feet between the side lot lines of adjoining residential lots and the parking area.
5. Adequate ingress and egress to the parking lot by means of clearly limited and defined drives shall be provided for vehicles.

#### **ARTICLE XIV – JUNK YARDS, MOTOR VEHICLE SALVAGE/RECYCLING**

A. 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.

B. Such items shall not be prohibited where located in a district zoned for such junkyards 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 O.R.C.

C. 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.

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

1. General:

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

2. Storage:

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

3. Licensing:

- a. Applicants for motor vehicle wrecking yards shall be licensed as required under Chapter 4738 O.R.C. and filed with the Township proof of licensing by the Ohio Motor Vehicles Salvage Dealer's Licensing Board.

4. 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 fifteen (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.

5. Off-Street Parking and Loading:

Off-street parking and loading shall be provided as set forth under Article XIII, Section B, "Off-Street Parking Requirements".

6. Yard Requirements:

- a. Front Yard – There shall be a front yard setback of not less than fifty (50) feet, but where such a yard is opposite an "A" agricultural or "R" residential district, it shall be a minimum of one hundred (100) feet and the first twenty-five (25) feet thereof shall be used only for landscaping purposes.
- b. Side Yard – There shall be a side yard setback of not less than twenty-five (25) feet, but where abutting an "A" agricultural or "R" residential district it shall be a minimum of fifty (50) feet. Storage of materials and parking of vehicles is prohibited in a side yard.
- c. Rear Yard – There shall be a rear yard setback to not less than fifty (50) feet, but where such a yard is abutting an "A" agricultural, or "R" residential district, it shall be a minimum of one hundred (100) feet.

7. Pavement:

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

**ARTICLE XV – ADMINISTRATION**

**A. PURPOSE**

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

## **B. ZONING INSPECTOR**

1. A Zoning Inspector designated by the Board of Township Trustees shall administer and enforce this resolution. He may be provided with the assistance of such other persons as the Board of Trustees may direct.
2. Responsibilities of the Zoning Inspector: For the purpose of this resolution, the Zoning Inspector shall have the following duties:
  - a. Enforce the provisions of this resolution and interpret the meaning and application of its provisions.
  - b. Respond to questions concerning applications for amendments to the Zoning Resolution text and the Official Zoning District Map.
  - c. Issue Zoning Permits and Certificates of Occupancy as provided by this resolution, and keep a record of same with a notation of any special conditions involved.
  - d. Act on all applications upon which he is authorized to act by the provisions of this resolution within the specified time or notify the applicant in writing of his refusal or disapproval of such application and the reasons therefore. Failure to notify the applicant in case of such refusal or disapproval within the specified time shall entitle the applicant to submit his request to the Board of Zoning Appeals.
  - e. Conduct inspections of buildings and uses of land to determine compliance with this resolution, and, in the case of any violation, to notify in writing the person(s) responsible, specifying the nature of the violation and ordering corrective action.
  - f. Maintain in current status the Official Zoning District Map, which shall be kept on permanent display in the township offices.
  - g. Maintain permanent and current records required by this resolution, including but not limited to zoning permits, zoning certificates, inspection documents, and records of all variances, amendments and special uses.
  - h. Make such records available for the use of the Township Trustees, the Zoning Commission and the Board of Zoning Appeals and the public.



- i. Review and approve site plans pursuant to this resolution.
- j. Determine the existence of any violations of this resolution and cause such notifications, revocation notices, stop work orders, or tickets to be issued or initiate such other administrative or legal action as needed, to address such violation.
- k. Prepare and submit an annual report to the Township Trustees and Zoning Commission on the administration of this resolution, setting forth such information as may be of interest and value in advancing and furthering the purpose of this resolution. Such report shall include recommendations concerning the schedule of fees.

### **C. BOARD OF ZONING APPEALS**

1. Membership: There is hereby established a Township Board of Zoning Appeals, which shall consist of five (5) regular members and two (2) alternate members, who are residents of the unincorporated area of the Township included in the area zoned. Members shall be appointed, and vacancies on the Board shall be filled by a majority vote of the Board of Trustees. The five (5) members first appointed shall serve for terms of one (1), two (2), three (3), four (4) and five (5) years respectively; thereafter appointment shall be made for five (5) year terms. Vacancies shall be first filled by the Board of Trustees from the current alternate members. If vacancies cannot be filled from the alternate members, then the Board shall fill any vacancies by alternate methods. The members of the Board of Zoning Appeals may receive such compensation as the Board of Trustees provides.
2. Hearings, Rules, etc.: The hearings of the Board of Zoning Appeals shall be public. 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 any owner of property adjacent to the lot for which the granting of any zoning permit is pending, and shall also hear any other parties having substantial interest as determined by the Board.
3. Minutes and Records: The Board shall keep minutes of its proceedings, showing the vote of each member upon each question; or if absent or failing to vote, indicating such fact; and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the Office of 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 punish for contempt, and may require the production of documents, under such regulations as it may establish.
5. Assistance: The Board may call upon the various officials and employees of the township for assistance in the performance of its duties and it shall be the duty of such departments to render such assistance to the Board as may reasonably be required.

#### **D. ZONING COMMISSION**

1. Organizational Duties: The Township Zoning Commission shall hold an annual election for the purpose of selecting its officers, which shall include a chairman, vice chairman and secretary. The election of such officers shall be held in January of each year at a regularly scheduled meeting. The Commission shall adopt its own by-laws for the transaction of its business. An official record of the Commission's meetings, actions, and determinations shall be kept. A copy of the agenda and minutes of each meeting and public hearing shall be supplied to the Board of Trustees for its own file.
2. General Duties: It shall be the duty of the Commission to hold hearings and submit its recommendations regarding all applications or proposals for amendments to the text of the Resolution or to rezone property to the Trustees as required by O.R.C. 519.12.
3. Membership: The Washington Township Zoning Board shall consist of five (5) regular members and two (2) alternate members, who are residents of the unincorporated area of the Township included in the area zoned. Members shall be appointed by, and vacancies on the Board shall be filled by a majority vote of the Board of Trustees. The five (5) regular members shall serve for five (5) year terms. Vacancies shall be first filled by the Board of Trustees from the current alternate members. If vacancies cannot be filled from the alternate members, then the Board shall fill any vacancies by alternate methods. The members of the Washington Township Zoning Board may receive such compensation as the Board of Trustees provides.
4. Hearings, Rules, etc.: The hearings of the Zoning Board shall be public. The Board shall organize annually and elect a Chairman, Vice-Chairman, and a 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 any owner of property adjacent to the property for which the granting of any zoning amendment is pending, and shall also hear any other parties having substantial interest as determined by the Board.

5. Minutes and Records: The Board shall keep minutes of its proceedings, showing the vote of each member upon each question; or if absent or failing to vote, indicating such fact; and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the Office of the Board of Trustees and shall be a public record.
6. Assistance: The Board may call upon the various officials and employees of the Township for assistance in the performance of its duties and it shall be the duty of such departments to render such assistance to the Board as may reasonably be required.

#### **E. SCHEDULE OF FEES**

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

### **ARTICLE XVI – ENFORCEMENT**

#### **A. GENERAL**

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

#### **B. ZONING PERMITS**

1. When Required: No building or other structure shall be erected, moved, added to, structurally altered, nor shall any building, structure, or land be established or changed in use without a permit therefore issued by the Zoning Inspector. Zoning permits shall be issued only in conformity with the provisions of this resolution unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal, conditional use, or variance. For an approved agricultural building in an agriculturally zoned district, a zoning certificate is still required. The zoning permit fee for such an agricultural building will be waived.
2. Application: The application for a zoning permit shall be made in writing and be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that (1.) the permit shall expire and may be revoked if work has not begun within one (1) year or substantially completed within

two and one-half (2½) years and that (2.) during construction the application gives permission to the zoning inspector to enter the premises to verify compliance with the zoning permit issued. At a minimum, the application shall contain the following information and be accompanied by all required fees:

- a. Name, address and phone number of applicant;
  - b. Legal description of property;
  - c. Existing use;
  - d. Proposed use;
  - e. Zoning district;
  - f. Plans in triplicate drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any, and the location and dimensions of the proposed building(s) or alteration;
  - g. Building heights;
  - h. Number of off-street parking spaces or loading berths, and their layout;
  - i. Location and design of access drives;
  - j. Number of dwelling units;
  - k. If applicable, application for a sign permit or a conditional, special, or temporary use permit, unless previously submitted;
  - l. Such other documentation as may be necessary to determine conformance with, and to provide for the enforcement of, this resolution.
3. Approval: Within thirty (30) days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this resolution. All zoning permits shall, however, be conditional upon the commencement of work within one year. One copy of the site plans shall be returned to the applicant by the Zoning Inspector after the Zoning Inspector has marked such copy either as approved or disapproved and attested to same by his signature on such copy. One copy of the site plans, similarly marked, shall be retained by the Zoning Inspector. The Zoning Inspector shall issue a placard to be posted in a conspicuous place on the property in question, attesting to the

fact that the activity is in conformance with the provisions of this resolution.

4. Construction of Permit: Zoning Permits and Certificates of Occupancy issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use, and arrangement, set forth in such approved plans and application or amendments thereto, and no other use, arrangement, or construction. Use, arrangement, or construction contrary to that authorized shall be deemed a punishable violation of this resolution.
5. False Information and/or Misrepresentations: Any certificate issued upon a false statement of any fact, which is material to the issuance thereof, shall be void. Whenever the fact of such false statement shall be established to the satisfaction of the Board of Township Trustees, the Zoning Inspector shall issue a revocation notice in writing to be delivered to the holder of the void certificate upon the premises concerned, or if such holder be not found there, by posting the said notice of revocation in some conspicuous place upon the said premises. Any person who shall proceed thereafter with such work or use without having obtained a new certificate in accordance with this resolution shall be deemed guilty of violation thereof.
6. Expiration: If the work described in any zoning permit has not begun within one year from the date of issuance thereof, said permit shall expire. It shall be revoked by the Zoning Inspector; and written notice thereof shall be given to the persons affected. If the work described in any zoning permit has not been substantially completed within two and one-half (2½) years of the date of issuance thereof, said permit shall expire and be revoked by the Zoning Inspector, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the canceled permit shall not proceed unless and until a new zoning permit has been obtained or an extension granted.
7. Certificate of Occupancy: It shall be unlawful to use or occupy or permit the occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure, until a certificate of occupancy shall have been issued therefore by the Zoning Inspector stating that the proposed use of the building or land conforms to the requirements of this resolution. The issuance of a use certificate in no way relieves the recipient from compliance with all the requirements of this resolution and other regulations.
8. Temporary Certificate of Occupancy: A temporary certificate of occupancy may be issued by the Zoning Inspector for a period not exceeding six (6) months during alterations or partial occupancy of a building pending its completion.

9. Zoning Records: The Zoning Inspector shall maintain a record of all zoning permits and certificates of occupancy, and copies shall be furnished, upon request and upon payment of the established fee, to any person.
10. Failure to Obtain: a zoning permit or certificate of occupancy shall be a punishable violation of this resolution.

### **C. ZONING VIOLATION PROCEDURES**

1. Written Complaints: Whenever a violation of this resolution occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Inspector. The Zoning Inspector shall record properly such complaint, immediately investigate it, and take action thereon as provided by this resolution.
2. Anonymous Complaints: Anonymous complaints will be documented and investigated by the Zoning Inspector. The complainant will be advised that unless the Zoning Inspector can independently verify the facts of the violation, it is unlikely that enforcement action will be taken.
3. Entry and Inspection of Property: The Zoning Inspector is authorized to make inspections of properties and structures in order to examine and survey the same, at any reasonable hour, for the purpose of enforcing the provisions of this resolution. Prior to seeking entry to any property or structure for such examination or survey, the Zoning Inspector shall attempt to obtain the permission of the owner or occupant to inspect. If such permission is denied or cannot be obtained, the Zoning Inspector shall inspect the property from the road or from adjacent property with the consent of that owner. If inspection is not possible from the road and/or adjacent property, the Zoning Inspector shall request the assistance of the Wood County Prosecutor in securing a valid search warrant prior to entry.
4. Stop Work Orders: Subsequent to his determination that work is being done contrary to this resolution, the Zoning Inspector shall write a stop work order and post it on the premises involved. Removal of a stop work order, except by the order of the Zoning Inspector, shall constitute a punishable violation of this resolution.
5. Notice of Violation: Whenever the Zoning Inspector or his agent determines that there is a violation of any provision of this resolution, a warning letter, which complies with the requirements below, shall be issued and shall serve as a notice of violation.

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

**ARTICLE XVII – PROCEDURES FOR APPEALS, VARIANCES AND CONDITIONAL USES BEFORE THE BOARD OF ZONING APPEALS**

**A. GENERAL**

Appeals, variances and conditional uses shall conform to the procedures and requirements of O.R.C. 519.14 and 519.15 of this resolution. All hearings must comply with the following:

- 1. Record the hearing by tape or court reporter so that a transcript of the proceedings can be produced in the event of an appeal.
- 2. Permit the applicant an opportunity to appear and be heard in the matter including presentation of witnesses and evidence and cross-examination of witnesses under oath.
- 3. Compel the appearance of witnesses by subpoena if necessary.
- 4. Prepare Conclusions of Fact to support its final decision.

## B. APPEALS

1. Procedure: Appeals to the Board of Zoning Appeals where it is alleged there is error of law in any order, requirement, decision or determination made by the Zoning Inspector concerning interpretation or administration of this resolution may be taken by any person aggrieved or by any officer or bureau of the legislative authority of the Township affected by the decision of the Zoning Inspector. Such appeal shall be taken within twenty (20) days after the decision by filing, with the Zoning Inspector and with the Board of Zoning Appeals, a notice of appeal specifying the grounds upon which the appeal is being taken. The Zoning Inspector shall transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken.
2. Stay of Proceedings: An appeal stays all actions and/or activities in furtherance of the action appealed from unless the Zoning Inspector from whom the appeal is taken certifies to the Board of Zoning Appeals after the notice of appeal is filed with him, that by reason of facts stated in the application, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Zoning Appeals or by a court of record on application, on notice to the Zoning Inspector from whom the appeal is taken or due cause shown.
3. Public Hearing: A public hearing on the appeal shall comply with the procedures for a public hearing on variances below in Section C.
4. Substantially Similar Uses:
  - a. Where a specific use is proposed that is not listed or provided for in this resolution, the Board of Zoning Appeals may make a determination, upon appeal, that the proposed use is substantially similar to a specific use that is listed or provided for in this resolution. If the Board finds that a use is substantially similar to a specific use listed in this resolution, the substantially similar use is deemed to be a substantially similar permitted use in those districts where the specific use is a permitted use, and a substantially similar conditional use in those districts where the specific use is a conditionally permitted use.
  - b. In formulating a determination that a proposed use is a substantially similar use, the Board shall follow the procedures relating to appeals and variances as specified in Article XVII of this resolution. Upon making a determination that a proposed use is substantially similar, the Board shall notify the Township Trustees of its decision and shall include in its finding of fact a statement of the reasoning upon which the decision is based.



- c. If the Board determines that a proposed use is not substantially similar, remedy may be sought by the appellant through the submission of an application for amendment as prescribed in Article XVIII.

## C. VARIANCES

1. Generally: The Board of Zoning Appeals may authorize upon appeal in specific cases such variance from the terms of this resolution as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this resolution would result in unnecessary hardship. No nonconforming use of neighboring lands, structures or buildings in the same district and no permitted or nonconforming use of lands, structures, or buildings or in other districts shall be considered grounds for issuance of a variance. Variances shall not be granted on the grounds of convenience or profit, but only where strict application of the provisions of this resolution would result in undue hardship in the case of a use variance or practical difficulties in the case of an area variance.
2. Application: Except as otherwise permitted in this resolution, no variance in the strict application of the provisions of this resolution shall be granted by the Board of Zoning Appeals unless the Board finds that the written application for the requested variance contains all of the following requirements.
  - a. Name, address and phone number of applicant(s);
  - b. Legal description of the property;
  - c. Description or nature of variance requested;
  - d. A fee as established by resolution;
  - e. Narrative statements establishing and substantiating that the variance conforms to the following standards:
    1. The granting of the variance shall be in accord with the general purpose and intent of the regulations imposed by this resolution on the district in which it is located and shall not be injurious to the area or detrimental to the public welfare.
    2. The granting of the variance will not permit the establishment of any use, which is not otherwise permitted in the district.

3. The granting of the variance is necessary for the reasonable use of the land or building, and the variance as granted is the minimum variance that will accomplish purpose.
  4. The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values of the adjacent area.
  5. The granting of the variance requested will not confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.
  6. There must exist special circumstances or conditions, fully described in the findings, applicable to the land or buildings for which the variance is sought, which are peculiar to such land or buildings and do not apply generally to land or buildings in the area, and which are such that the strict application of the provisions of this resolution would deprive the application of the reasonable use of such land or building. Mere loss in value shall not justify a variance; there must be deprivation of beneficial use of land.
- f. There must be proof of “undue hardship” in the case of a use variance and “practical difficulties” in the case of an area variance created by the strict application of this resolution.
1. Use Variance: (Requested use is other than permitted or conditional uses listed for district because property not suitable for such uses.)
    - a. It is not sufficient proof to show that greater profit would result if the variance was granted.
    - b. The hardship complained of cannot be self-created.
    - c. It must be suffered directly due to the physical features of the property in question.
    - d. It should not be granted if a permitted or conditional use of the property is economically viable.
    - e. Evidence of variances granted under similar circumstances need not be considered.

2. Area Variance: (Variances relating to setback, yard, lot area, lot acreage, floor area, frontage, height and similar restrictions.) Factors that must be considered:
  - a. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
  - b. Whether the variance is substantial.
  - c. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
  - d. Whether the variance would adversely affect the delivery of governmental services (water, sewer, garbage).
  - e. Whether the property owner purchased the property with knowledge of the restrictions.
  - f. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
  - g. Whether the spirit and intent of zoning requirement would be observed and substantial justice done by granting the variance.
  
3. Specific Area Variances:
  - a. To permit any yard or setback less than the yard or setback required by the applicable regulations.
  - b. To permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots, but generally the respective area and width of the lot or lots should not be less than eighty (80) percent of the required area and width.
  - c. To permit the same off-street parking facility to qualify as required facilities for two or more uses, provided that substantial use of such facility by each user does not take place at approximately the same hours of the same days of the week.

- d. To reduce the applicable off-street parking or loading facilities required, but generally by not more than thirty (30) percent of the required facilities.
  - e. To allow for the deferment of required parking facilities for a reasonable period of time, such period of time to be specified in the variance.
  - f. To increase the maximum distance that required parking spaces are permitted to be located from the use served, but generally not more than forty (40) percent.
  - g. To increase the maximum allowable size or area of signs on a lot, but generally by not more than twenty-five (25) percent.
  - h. To increase the maximum gross floor area of any use so limited by the applicable regulations, but generally not more than twenty-five (25) percent.
4. Public Hearing: The Board of Zoning Appeals shall hold a public hearing within twenty (20) days after the receipt of an application for an appeal or variance from the Zoning Inspector or an applicant.
- a. Newspaper Notice of Public Hearing: Before conducting the public hearing, notice of such hearing shall be given in one or more newspapers of general circulation in the Township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal of variance.
  - b. Notice to Parties in Interest: Before conducting the public hearing required in Article XVII, written notice of such hearing shall be mailed by the Chairman of the Board of Zoning Appeals, by first class mail, at least ten (10) days before the day of the hearing to property owners within three hundred (300) feet of the property for which the variance is sought and to all other parties in interest. The notice shall contain the same information as required of notices published in newspapers as specified above.

c. Action by Board of Zoning Appeals: Within thirty (30) days after the public hearing required in Article XVII, the Board of Zoning Appeals shall either approve, conditionally approve or disapprove the request for appeal or variance. The Board may prescribe any conditions and safeguards that it deems necessary to insure that the objectives of the regulations or provisions to which the variance applies will be met. Any violation of such conditions and safeguards, when they have been made a part of the terms under which the variance has been granted, shall be deemed a punishable violation under this resolution. The Board of Zoning Appeals shall make findings of fact in writing that justify the granting or denial of the variance. Appeals from a Board decision shall be made to the Court of Common Pleas.

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

#### **D. CONDITIONAL USES**

1. Purpose: In recent years, the characteristics and impacts of an ever-increasing number of new and unique uses, together with the broadening of numerous conventional uses, have fostered the development of more flexible regulations designed to accommodate these activities in a reasonable and equitable manner, while safeguarding both the property rights of all individuals and the health, safety, and general welfare of the community. Toward these ends, it is recognized that this resolution should provide for more detailed evaluation of each use conditionally permissible in a specific district with respect to such considerations as location, design, size method(s) of operation, intensity of use, public facilities requirements, and traffic generation. Accordingly, conditional use permits shall conform to the procedures and requirements of Articles I through XIV of this resolution.

2. Conditional Use Permit Application: Any owner, or agent thereof, of property for which a conditional use is proposed shall make an application of a conditional use permit by filing it with the Zoning Inspector who shall within seven days transmit it to the Board of Zoning Appeals. Such application at a minimum shall contain the following information:

- a. Name, address and phone number of the applicant.
  - b. Legal description of the property.
  - c. Zoning district.
  - d. Description of existing use.
  - e. Description of proposed conditional use.
  - f. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, streets and traffic accesses, open spaces, refuse and service areas, utilities, signs, yards, landscaping features, and such other information as the Board may require.
  - g. A narrative statement discussing the compatibility of the proposed use with the existing uses of adjacent properties and with the comprehensive plan, to include an evaluation of the effects on adjoining properties of such elements as traffic circulation, noise, glare, odor, fumes and vibration.
  - h. A list containing the names and mailing addresses of all owners of property within five hundred (500) feet of the property in question.
  - i. A fee as established by this resolution.
  - j. A narrative addressing each of the applicable criteria contained in Article VI.
3. General Standards for All Conditional Uses: The Board shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:
- a. Is in fact a conditional use as established under the provisions of Article VI and appears on the Schedule of District Regulations adopted for the zoning district involved;
  - b. Will be in accordance with the general objectives, or with any specific objective, of the Township's zoning resolution;
  - c. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;

- d. Will not be hazardous or disturbing to existing or future neighboring uses;
  - e. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
  - f. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
  - g. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;
  - h. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares;
  - i. Will not result in the destruction, loss, or damage of a natural, scenic or historic feature or major importance.
4. Public Hearing: The Board of Zoning Appeals shall hold a public hearing within twenty (20) days after it receives an application for a conditional use permit submitted by an applicant through the Zoning Inspector.
- a. Notice of Public Hearing: Before conducting the public hearing required in Article XVII, Section C, Paragraph 4, notice of such hearing shall be given in one or more newspapers of general circulation in the Township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the hearing, and shall provide a summary explanation of the conditional use proposed.
  - b. Notice to Parties of Interest: Prior to conducting the public hearing required in Article XVII, written notice of such hearing shall be mailed by the Chairman of the Board of Zoning Appeals, by first class mail, at least ten (10) days before the date of the hearing to all parties of interest, to include all property owners listed in the application. The notice shall contain the same information as required in Article XVII for notices published in newspapers.

- c. Action by the Board of Zoning Appeals: Within thirty (30) days after the date of the public hearing required in Section XVII, the Board shall take one of the following actions:
1. Approve issuance of the conditional use permit by making an affirmative finding in writing that the proposed conditional use is to be located in a district wherein such use may be conditionally permitted, that all conditions for approval of such use in such district have been met, and that such use will neither result in significant negative impacts upon nor conflict with surrounding uses. Such written finding may also prescribe supplementary conditions and safeguards as specified. Upon making an affirmative finding, the Board shall direct the Zoning Inspector to issue a conditional use permit for such use, which shall list all conditions and safeguards specified by the Board for approval.
  2. Make a written finding that the application is deficient in information or is in need of modification and is being returned to the applicant. Such finding shall specify the information and/or modifications, which are deemed necessary.
  3. Make a written finding that the application is denied, such finding specifying the reason(s) for disapproval.
  4. If an application is disapproved by the Board, the applicant may seek relief through the Court of Common Pleas.
- d. Supplementary Conditions and Safeguards: In granting approval for any conditional use, the Board may prescribe appropriate conditions and safeguards in conformance with this resolution. Any violation of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed punishable violation of this resolution.
- e. Expiration of Conditional Use Permit: A conditional use permit shall be deemed to authorize only one particular conditional use, and said permit shall automatically expire if such conditionally permitted use has not been instituted or utilized within one (1) year of the date on which the permit was issued, or if for any reason such use shall cease for more than two (2) years.



**ARTICLE XVIII – AMENDMENT TO TOWNSHIP ZONING RESOLUTION**

**A. 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.

**B. 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.

**C. CONTENTS OF APPLICATION FOR ZONING MAP AMENDMENT**

Applications to rezone property and thus amend the Official Zoning Map, adopted as part of this Resolution, 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. Present use;
4. Present zoning district
5. Proposed use;
6. Proposed zoning district;
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 Washington Township Trustees.

**D. 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. The proposed amending resolution, approved as to form by the County Prosecutor;
3. A statement of the reason(s) for the proposed amendment;
4. A statement explaining the ways in which the proposed amendment relates to the comprehensive plan;
5. A fee as established by resolution of the Washington Township Trustees.

**E. 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 Township Zoning Commission.

**F. 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.

**G. PUBLIC HEARING BY ZONING COMMISSION**

1. Date of Public Hearing: 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 not 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.

2. Notice of Public Hearing in Newspaper: Before holding the public hearing as required in Article XVII, notice of such hearing shall be given by the Zoning Commission by at least one (1) publication in one (1) or more newspapers of general circulation in the Township at least ten days before the date of said hearing. This notice shall set forth the time and place of the public hearing, the nature of the proposed amendment, and a statement that after the conclusion of such public hearing the matter will be referred to the Township Trustees for further determination.
3. Notice of Property Owners by Zoning Commission: If the proposed amendment intends to rezone or redistrict ten (10) or less parcels of land as listed on the tax duplicate, written notice of the hearing shall be mailed by the Zoning Commission by first class mail, at least twenty (20) days before the date of the public hearing, to all owners of property within, contiguous to, and directly across the thoroughfare from such area proposed to be rezoned or redistricted to the address of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing list and to such other list or lists that may be specified by the Township Trustees. The failure to deliver the notice as provided in this section, shall not invalidate any such amendment. The notice shall contain the same information as required of notices published in newspaper as specified in Article XVIII, Section G.
4. Recommendation by Zoning Commission: Within thirty (30) days after the public hearing required by Article XVIII, 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.

#### **H. PUBLIC HEARING BY BOARD OF TOWNSHIP TRUSTEES**

1. Date of Public Hearing: Within thirty (30) days from receipt of the recommendation of the Zoning Commission, the Board of Township Trustees shall hold a public hearing.
2. Newspaper Notice of Public Hearing: Notice of such public hearing in a newspaper of general circulation shall be given by the Board of Township Trustees as required in Section (G)(2) above.

3. Action by Board of Township Trustees: Within twenty (20) days after the public hearing required in Article XVIII, the Board of Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. In the event the Board of Township Trustees denies or modifies the recommendation of the Commission, the unanimous vote of the Board of Township Trustees is required.
4. General Standards for Rezoning Property: The Commission shall review proposed amendments with the fact that the burden of proof of the need for a change rests with the applicant. The following questions should be asked when considering district changes.
  - a. Is there vacant land in the area already zoned to accommodate this use? If there is a considerable amount of land zoned for the requested purpose, and if little of it is being used, the need to rezone more land should be carefully analyzed.
  - b. What other effects might the adoption of the proposed amendment have on future land uses in the area? What are the long term effects of the proposed change?
  - c. How does the proposed change relate to existing public facilities and services such as water, sewer, police and fire protection, and schools?
  - d. Do the physical characteristics of the area cause problems for the proposed development?
  - e. What are the factors that make this location well suited for the uses permitted in the proposed zoning district?
  - f. Would all of the permitted uses in the proposed district be compatible with the exiting and potential future development in the area?
  - g. What effect would the rezoning have on property values?
  - h. Would the rezoning cause a considerable increase in the volume of traffic? Can existing roads accommodate this traffic?

#### **I. EFFECTIVE DATE AND REFERENDUM**

1. Such amendment adopted by the Board of Township Trustees shall become effective thirty (30) days after the date of such adoption unless within thirty (30) days after the adoption of the amendment there is presented to the Board of Township Trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the

Township or part thereof included in the zoning plan equal to not less than eight (8) percent of the total vote cast for all candidates for Governor in such area at the last preceding general election at which a Governor was elected, requesting the Board of Township Trustees to submit the amendment to the electors of such area, for approval or rejection, at the next primary or general election.

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

### **ARTICLE XIX – PENALTIES**

#### **A. ENFORCEMENT ACTION**

No building shall be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used, and no land shall be used in violation of any resolution, or amendment or supplement to such resolution, adopted by any board of township trustees under Sections 519.02 to 519.25, inclusive, of the Revised Code. Each day's continuation of a violation of this section may be deemed a separate offense. Upon conviction, a fine of not more than \$500.00 may be imposed for each day charged as an offense.

### **ARTICLE XX – VALIDITY**

A. Invalid Section: If any provision of this resolution is declared to be invalid by a decision of any court of competent jurisdiction, the effect of such decision shall be limited to that provision or provisions which are expressly stated in this decision to be invalid. Such decision shall not affect, impair or nullify this resolution as a whole or any part thereof, but the rest of this resolution shall continue in full force and effect.

B. Invalid Application of Resolution: If the application of any provision of this resolution to any lot, building, or other structure is declared to be invalid by a decision of any court of competent jurisdiction, the effect of such decision shall be limited to that lot, building, or other structure immediately involved in the controversy, action or proceeding in which the judgment or decree of invalidity was rendered. Such decision shall not affect, impair or nullify this resolution as a whole or the application of any provision thereof, to any other lot, building or other structure.

**ARTICLE XXI – EFFECTIVE DATE**

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

PASSED: SEPTEMBER 7, 1999

ADOPTED: OCTOBER 7, 1999

TRUSTEES: STEVEN M. POWELL  
DELTON W. ASMUS  
DAVID L. SMITH

CLERK: WILLIAM F. HEIMAN

## **Amendment to Washington Township Zoning Resolution - 7/21/09**

The Washington Township, Wood County, Ohio Zoning Resolution is hereby amended to add a new article, which shall read in its entirety as follows:

### **ARTICLE XXII – PURPOSE**

The purpose of this amendment is to establish general guidelines for the location of wind turbine generators (sometimes referred to herein as “WTG”) and anemometer towers in Washington Township, Wood County, Ohio (The “Township”). This amendment is consistent with the stated purpose of the Washington Township Zoning Resolution: “Protecting the public health, safety, comfort, and general welfare of Washington Township residents. The Township recognizes on some specific instances, under carefully controlled circumstances, it may be in the public interest to permit the placement of wind turbine generators in certain areas of the Township. The Township also recognizes the need to protect the scenic beauty of the Township from unnecessary and unreasonable visual interference, noise radiation, and that wind turbine generators may have negative health, safety, welfare, and aesthetic impacts upon adjoining and neighboring uses. As such, this amendment seeks to:

- A. Protect residential and agricultural areas from potential adverse impact of wind turbine generators.
- B. Permit wind turbine generators in selected areas by on-site residential, commercial, or industrial users, subject to the terms, conditions, and provision hereof.
- C. Ensure the public health, welfare, and safety of the Township’s residents in connection with wind turbine generators.
- D. Avoid potential damage to real and personal property from the wind turbine generators or anemometer towers or the failure of such structures and related operations.

### **ARTICLE XXIII – PROCEDURE**

Any proposed construction, erection, or site placement of a wind turbine generator or anemometer shall be permitted only by issuance of a Condition Use Permit in accordance with ARTICLE XVII of this Resolution, as amended hereof.

#### **A. DEFINITIONS**

The following definitions are supplied for purposes of the regulation of residential, commercial, and industrial wind turbine generators.

1. Accessory Structures – Structures such as shed, storage sheds, pool houses, unattached garages, and barns.

2. Anemometer – An instrument that measures the force and direction of the wind.
3. Clear Fall Zone – An area surrounding the wind turbine unit into which the turbine components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing turbine failure that shall remain unobstructed and confined within the property lines of the primary parcel where the turbine is located, the purpose being that if the turbine should fall or otherwise become damaged, the falling structures will be confined to the primary parcel and will not fall into dwellings, any inhabited buildings, and will not intrude onto a neighboring property.
4. Cowling – A streamlined removable metal housing that covers the turbine's nacelle.
5. Decibel – A unit of relative loudness equal to ten times the common logarithm of the ratio of two readings. For sound, the decibel scale runs from zero for the least perceptible sound to 130 for sound that causes pain.
6. Nacelle – A separate streamlined metal enclosure that covers the essential mechanical components of the turbine.
7. Primary Structure – For each property, the structure that one or more persons occupy the majority of time on that property for either business or personal reasons. Primary structures include structures such as residences, commercial buildings, hospitals, and day care facilities. Primary structures exclude structures such as hunting sheds, storage sheds, pool houses, unattached garages, and barns.
8. Professional Engineer – A qualified individual who is licensed as a Professional Engineer in the State of Ohio.
9. Wind Power Turbine Owner – The person or persons who own the wind turbine structure.
10. Wind Power Turbine Tower – The support structure to which the turbine and rotor are attached.
11. Wind Power Turbine Tower Height – The distance from the rotor blade at its highest point to the top surface of the wind power generating facility foundation.

## **B. WIND TURBINES**

Washington Township recognizes the importance of clean, sustainable, and renewable energy sources. To that end, Washington Township permits the use of residential wind turbines under the following regulation to ensure the safety and welfare of all township residents is met.

1. Wind turbines shall be a permitted use in all districts under the following conditions:
  - a. The maximum height of any turbine shall be 100 ft. For the purposes of this particular zoning item, maximum height shall be



considered the total height of the turbine system including the tower, and the maximum vertical height of the turbine's blades. Maximum height therefore shall be calculated by measuring the length of a prop at maximum vertical rotation to the base of the tower.

- b. Setbacks – Any turbine erected on a parcel of land will need to establish a “clear fall zone” from all property lines, structures, as well as any inhabited structures on the parcel intended for the turbine. A turbine will need to be erected and placed in such a manner that if it were to fall, whatever direction the fall occurs would be contained solely on the property where the turbine is located at, and would not strike any structures including the primary dwelling, and any inhabited structures.
- c. Wind turbines must be maintained in good working order. Turbines that become inoperable for more than 24 months must be removed by the owner within thirty (30) days of issuance of a zoning violation. Removal includes removal of all apparatuses, supports, and other hardware associated with the existing turbine.
- d. All units shall operate within a decibel range of 50 to 70 decibels. This information shall be included in the engineering report described below in Section 2 of this document. This information shall be obtained from the manufacturer of the turbine, and all decibel readings, if necessary, shall be taken from the nearest neighboring property.
- e. All wiring and electrical apparatuses associated with the operation of a wind turbine shall be located underground.

## 2. Permits

- a. A permit shall be required before construction can commence on an individual wind turbine system.
- b. As part of the permit process, the applicant shall inquire with the Wood County Planning Commission as to whether or not additional height restrictions are applicable due to the units proposed location.
- c. Applicant shall provide the Township Zoning Inspector with the following items and/or information when applying for a permit:
  - 1. Location of all public and private airports in relation to the proposed location of the turbine.
  - 2. An engineering report, signed and sealed by a professional engineer, that shows the total size and height of the unit; the total size and depth of the unit's concrete mounting pad, as well as soil and bedrock data; a list and/or depiction of all safety measures that will be on the unit including anti-climbing devices, grounding devices, and lightning protection; data specifying the kilowatt size and generating capacity of the particular unit; the maximum decibel level of

the particular unit. This information must be obtained from the manufacturer of the turbine unit.

3. A site drawing showing the location of the unit in relation to existing structures on the property, roads and other public right of ways, and neighboring properties.
4. Evidence of a "Clear Fall Zone" with manufacturer's recommendations, must be attached to the engineering report.
5. A maintenance schedule as well as a dismantling plan that outlines how the unit will be dismantled.