Claridon Township Zoning Resolution

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CHAPTER 1

PREAMBLE
RESOLUTION AMENDING THE ZONING RESOLUTION OF CLARIDON TOWNSHIP MARION COUNTY, OHIO

Whereas, on July 23rd, 1970, by action of the Board of Trustees of Claridon Township, Marion County, Ohio, and the ratification thereof by the electorate of said Township a Zoning Resolution was duly passed and made effective for said Claridon Township, and,

Whereas, said Zoning Resolution for said Claridon Township was thereafter duly amended by the action of the Township Zoning Commission and the Board of Trustees of said Claridon Township, and,

Whereas, the within Amended Zoning Resolution was duly approved by the Zoning Commission of Claridon Township, Marion County, Ohio after public hearing held thereon in accordance with the laws of Ohio on the twenty-ninth (29th) day of May, 1986, and,

Whereas, said Claridon Township Zoning Commission thereafter submitted the within Amended Zoning Resolution to the Board of Trustees of Claridon Township, Marion County, Ohio on the twenty-fifth (25th) of June, 1986, and,

Whereas, the Board of Trustees of Claridon Township, Marion County, Ohio held a public hearing upon said Amended Zoning Resolution in accordance with the laws of Ohio on the twenty- second (22nd) day of July, l986 and,

Whereas, upon-due consideration of all the foregoing, the Board of Trustees of Claridon Township, Marion County, Ohio, deem it to be in the best interest of the public health, safety, morals, comfort and general welfare of said Claridon Township and its residents to adopt said Amended Resolution and therefore, by a unanimous vote of the members of said Board of Trustees of Claridon Township, Marion County, Ohio, adopted said Amended Zoning Resolution for said Claridon Township, Marion County, Ohio, at its meeting held on the twenty-second (22nd) day of July, 1986.

Now Therefore, Be It Resolved by the Board of Trustees of Claridon Township, Marion County, Ohio that the Zoning Resolution of Claridon Township, Marion County, Ohio be and the same is hereby amended as hereinafter set forth.

Be It Further Resolved by the Board of Trustees of Claridon Township, Marion County, Ohio, that said Amended Zoning Resolution shall be in full force and effect from and after the earliest date allowed by law as provided in Ohio Revised Code, Section 519.12.

Approved and Passed by
The Board of Trustees of Claridon
Township, Marion County, Ohio Date:
_____

CHAPTER II

PURPOSE - INTENT

2.10 PURPOSE - INTENT

This Zoning Resolution is adopted to promote the public health, safety, morals, comfort, property and general welfare; to protect and conserve property and property values, to secure the most appropriate use of land and facilitate adequate but economical provisions of public improvements, all in accordance with a comprehensive plan. More specific purposes are:

1. To protect the character and the values of the agricultural, residential, institutional, business and manufacturing uses, and to ensure their orderly and beneficial development, and.

2. To improve public safety by locating buildings and uses adjacent to major thoroughfares, so they will cause the least. Interference with and be damaged least by traffic movements; and.

3. To provide open spaces for light and air, to prevent excessive concentration of the population where public water supply and sanitary sewer are not now available, to prevent scattered and uncoordinated development, and.

4. To guide the future development of the township in accordance with the comprehensive plan, and to assure economical extension of public improvements and services.

CHAPTER III

LEGAL PROVISIONS

3.10 MINIMUM REQUIREMENTS AND CONFLICTS

The provisions of this Resolution shall be construed as minimum requirements. They shall not prevent other more restrictive requirements.

Where this Resolution imposes greater restrictions upon the use of land or buildings or upon the dimensions of buildings, and where this Resolution requires higher standards than are required by other laws, ordinances, rules, or regulations, this Resolution shall prevail, and where other laws, ordinances, rules or regulations are more restrictive, such other laws, ordinances rules or regulations shall prevail.

3.20 CONFORMITY REQUIRED

Except as hereinafter provided no land, building, structure or premises shall hereafter be used, and no building or structure or part thereof shall be located, erected, moved, reconstructed, extended, enlarged or altered except in conformity with the regulations herein specified for the district in which such land, building, structure or premise may be located.

3.30 SEPARABILITY

Should any section or provision of this Resolution be determined by a Court of competent jurisdiction to be unconstitutional or invalid, such determination by such court shall not effect the validity of this Resolution as a whole, or any part hereof other than the part, of this Resolution which was the subject of the action in which such determination of unconstitutionality or invalidity was determined.

3.40 PENDING APPLICATIONS

Nothing contained herein shall require any change in the plans, construction size or designated use of any development, building, structure or part thereof, for which a required building permit has been issued or based upon a pending application duly filed lawfully might have been granted before the effective date of this Resolution, or any amendments, hereto provided that construction under such permit is begun no later than six (6) months after the effective date of this Resolution or any amendment hereto and provided further that such construction is carried on to completion in a reasonable manner with out unnecessary delay.

3.50 ENFORCEMENT, VIOLATIONS, PENALTIES

It shall be unlawful to construct, reconstruct, enlarge, change, maintain or use any building or to use any land in violation of any regulation or any provision of this Resolution or any amendment hereto. Any person, firm or corporation violating this Resolution or any regulation, provision or amendment hereto shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than One Hundred Dollar ($100.00). Each and every day during which such illegal extension, construction, enlargement, change, maintenance or use continues may be deemed a separate offense.

In case any building is or is proposed to be located, erected, extended, constructed, reconstructed, enlarged, changed, maintained, or used, or any land is or is proposed to be used in violation of law or of this Resolution or any amendment hereto, the Board of Township Trustees, the Prosecuting Attorney of the county, the Township Zoning Inspector or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law many institute injunction, mandamus, abatement, or any other appropriate action, actions, proceeding or proceedings to prevent, enjoin, abate or remove such unlawful location, extension, construction, reconstruction, enlargement, change, maintenance or use. The Board of Township Trustees may employ special counsel to represent it in any proceedings or to prosecute any actions brought under this section.

CHAPTER IV

NON-CONFORMING USES AND STRUCTURES

4.10 INTENT

Within the districts established by this Resolution or subsequent amendments there may exist lots, uses of land and structures which individually or in combination were lawful before this Resolution was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this Resolution or future amendments. It is the intent of this Resolution to permit these non-conformities to continue until they are removed, recognizing that the eventual elimination of non-conformities is as much a subject of health, safety and welfare as is the prevention of new uses which would violate this Resolution. It is further the intent of this Resolution that non-conformities shall not be enlarged upon, expanded cr extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

4.20 NON-CONFORMING LOTS (See Section 7.30)

4.30 NON-CONFORMING USES OF LAND or STRUCTURES

A non-conforming use may be continued subject to the exceptions and conditions hereunder:

4.31 Continuance and Abandonment

A non-conforming use of land or structures existing at the time this Resolution takes effect may be continued, except that if it is voluntarily discontinued for two(2) years or more, it shall then be deemed abandoned and any further use must be in conformity with the uses permitted in such district.

4.32 Change of Non-Conforming Uses

Non-conforming use may be changed to another non-conforming use only with prior approval from the Board of Zoning Appeals in accordance with Section 20.30 of this Resolution. In granting such approval he Board of Zoning Appeals must find that:

1. The proposed non-conforming use is listed as a permitted use in the use district in which the original non-conforming use would have been permitted, or is listed as a permitted use in a more restrictive zoning district.

2. In the Board's judgment the use change shall not create a greater detriment to the neighborhood than the existing non-conformity.

4.33 Expansion of Non-Conforming Uses

No non-conforming use may be expanded and no structure in which a non-conforming use occurs may be changed or altered, or expanded to provide for the expansion of a non-conforming use without prior approval by the Board of Zoning Appeals in accordance with Section 20.30.

4.40 NON-CONFORMING STRUCTURES

4.41 Structural Alteration

A non-conforming structure may be altered, or extended without prior approval from the Board of Zoning Appeals provided such alteration or extension does not increase the degree of non-conformity. For example, if the yard requirements (as set forth in the Zoning District in which the structure is located) are non-conforming as to the dimensions, such dimensions shall not be further decreased. A zoning permit for such alteration or extension shall be required in all cases.

In the event a proposed alteration of a non-conforming structure does involve increasing the degree of non-conformity (for example to further decrease yard requirements) prior approval must be obtained from the Board of Zoning Appeals in accordance with Section 20.30.

4.42 Repair of Damaged or Destroyed Non-Conforming Structure

A non-conforming structure which is damaged or destroyed by fire, flood, winds, acts of God, or other causes beyond the control of the owner, may be repaired or reconstructed and the non-conforming use, if any, may be continued provided that such repair or reconstruction is begun within a period of two (2) years and completed within not more than one (l) year.

CHAPTER V

OFFICIAL ZONING MAP AND ZONING DISTRICT

5.10 OFFICIAL ZONING MAP

The Township of Claridon is hereby divided into districts which are shown on a map entitled "Official Zoning District Map of Claridon Township, Marion County, Ohio". The official zoning map shall be identified by the signatures of the Claridon Township Trustees and the Township Clerk. The Official Zoning District Map shall remain on file in the office of the Claridon Township Trustees and a copy thereof shall be and remain on file in the office of the Zoning Inspector.

5.20 ADOPTION OF THE OFFICIAL ZONING DISTRICT MAP AS PART OF THIS RESOLUTION

The Official Zoning District Map and all notations, references and other matters thereon are hereby made a part of this resolution.

5.30 DETERMINATION OF DISTRICT BOUNDARIES

Except where referenced and noted on the Official Zoning District Map by a clearly designated line and/or written dimensions, it is intended that district boundary lines shall follow property lines, lot lines or centerlines of streets, alleys or streams as they existed at the time of adoption of this resolution or subsequent amendments.

The Zoning Inspector shall interpret the location of boundary lines as shown on the Zoning District Map. Should the Zoning Inspector's interpretation be disputed, the boundary lines shall be determined by the Board of Zoning Appeals as prescribed in Section 20.30.

5.40 ZONING DISTRICT CLASSIFICATION

The Township is hereby divided into the following districts:

"FP"	Flood Plain District
"AG-RES"	Agricultural-Residential District "R-1" Residential District
"R-2"	Residential District
"MH"	Mobile Home Park District
"REC"	Recreation District
"O-I"	Office-Institutional District
"COM"	Commercial District
"IND"	Industrial District
"PUD"	Planned Unit Development (PUD) District

5.50 DEGREE OF RESTRICTIVENESS

Whenever, in this Resolution, the order of Zoning District is referred to in terms of the degree of restrictiveness, the order shall be as listed above, with the "FP" District being the most restrictive and the PUD District being the least restrictive.

CHAPTER VI

GENERAL ZONING DISTRICT PROVISIONS

6.10 ROAD OR STREET FRONTAGE REQUIRED FOR ALL LOTS

A. Except as may be permitted by other provisions of this Resolution, no more than one use of land shall be permitted on a lot or parcel, which shall have no less than 100 feet of frontage on a public street or road.

B. A driveway permit is required with no charge

C. Shared driveway must provide the zoning inspector with proof of recorded access easement.

6.20 REQUIRED LOT AREA OR OTHER OPEN SPACE CANNOT BE REDUCED

No lot, yard, parking area or other open space shall be reduced in area or dimension to make said area or dimension less than the minimum required by this Resolution. No part of a yard, parking area or other open space provided for any building in compliance with this Resolution shall be included as a part of a yard, parking area or other space required for another building.

6.30 GENERAL ZONING DISTRICT REGULATIONS

Regulations governing the use of land and buildings are hereby established in the several zoning districts as set forth in the following chapters. Only uses designated as principally permitted shall be allowed and any use not so designated shall be prohibited except in specific cases where the Board of Zoning Appeals is authorized to rule as described in Section 20.30.

6.40 AGRICULTURE

Land in any district may be used for agricultural purposes. A permit shall be required at no charge for the construction of buildings, including accessory buildings, signs, etc, agricultural purposes. A zoning permit, however, is necessary for a farm residence for residential fees.

6.50 MINIMUM DWELLING REQUIREMENTS

Single-Family Dwellings:

A. No single-family one-story dwelling shall be erected with less than 900 square feet of gross ground floor area, exclusive of breeze ways, porches, terraces, and garages.

B. No single-family multiple-story dwelling shall be erected with less than 700 square feet of gross ground floor area, exclusive of breeze ways, porches, terraces, and garages.

Two Family Dwellings:

A. No two-family one-story dwelling shall be erected with less than 900 square feet of gross ground floor area per family, exclusive of breeze ways, porches, terraces, and garages.

B. No two-family multiple- story dwelling shall be erected with less than 700 square

feet of gross ground floor area per family exclusive of breeze ways, porches, terraces, and garages.

Multi-Family Dwellings:

A. Each dwelling unit shall have a minimum of 900 square feet of gross ground floor area exclusive of breeze ways, porches, terraces, and garages.

Industrialized Dwelling Units:

A. With regards to dwelling unit type, see applicable square footage requirement section above.

Manufactured / Mobile Home Dwelling Units:

A. Manufactured homes constructed after January 1, 1995, are permitted on individual lots in all zoning districts allowing single-family homes provided they are permanently sited manufactured homes. Manufactured / mobile homes constructed prior to January 1, 1995, are only permitted in mobile home parks, or as accessory structures or temporarily living spaces.

Manufactured or mobile homes located in mobile home parks are exempt from the square footage requirements of this section and the requirements for permanently sited manufactured homes (Section 6.60).

Manufactured or mobile homes used as accessory structures or temporary living spaces need not meet the requirements of this section with regard to square footage or the requirements for permanently sited manufactured homes (Section 6.60) unless required to by the Claridon Township Board of Zoning Appeals.

B. With regards to dwelling unit type, see applicable square footage requirement section above.

C. A manufactured / mobile home is considered an accessory structure if it is located on the same lot as an existing conventional dwelling and a hardship is involved. Hardships typically include the care of ill or aged relatives. A manufactured/mobile home may be an accessory structure if it provides housing for such relation.

Accessory manufactured / mobile homes shall comply with the applicable:

1. Marion County Health Department regulations regarding sanitary sewerage disposal and water supply.

2. An accessory manufactured / mobile home shall not be used as a rental unit available to the general public.

3. Manufactured / mobile homes may be used as an accessory structure for a period not to exceed thirty (30) days. An extension beyond thirty (30) days may be granted only by the Board of Zoning Appeals. If the applicant intends to occupy the manufactured / mobile home longer than 30 days, the applicant shall apply to the Board of Zoning Appeals for a time limit extension at the same time the thirty (30) day permit is issued. Failure to apply to the Board

of Zoning Appeals at the same time, the thirty (30) day permit is issued may result in the unit not being allowed to be occupied (once the 30 day permit expires) until the Board of Zoning Appeals meets and grants a time limit extension.

D. Manufactured / mobile homes, travel or vacation vehicles, garages, or basements are permitted as temporary living spaces (with a permit) while a principal and permanent dwelling is constructed or reconstructed. The temporary living space shall be located on the same lot where the home is being constructed or reconstructed. Before receiving a permit for a temporary living space, the applicant shall show construction drawings, contract(s) with a home builder(s), etc, to the Zoning Inspector for the home being constructed or reconstructed

A manufactured / mobile home may be used as a temporary living space for a period no longer than thirty (30) days, unless a special exception is granted by the Board of Zoning Appeals. If the applicant intends to occupy the manufactured / mobile home longer than 30 days, the applicant shall apply to the Board of Zoning Appeals for a time limit extension at the same time the thirty (30) day permit is issued. Failure to apply to the Board of Zoning Appeals at the same time the thirty (30) day permit is issued may result in the unit not being allowed to be occupied (once the 30 day permit expires) until the Board of Zoning Appeals meets and grants a time limit extension.

6.60 MINIMUM REQUIREMENTS FOR ALL DWELLING UNITS INCLUDING PERMANENTLY SITED MANUFACTURED HOMES:

A. Minimum building width of twenty-six (26) feet exclusive of entryways, breeze ways, porches, terraces, and garages. Must also meet the minimum square footage in Code 6.50

B. Minimum building length of twenty-six (26) feet exclusive of entryways, breeze ways, porches, terraces, and garages.

C. All dwelling units must be affixed to a permanent foundation and connected to appropriate utilities (water, sewer, electric, etc.).

D. All dwelling units must have a pitched roof (HUD) approved for Manufactured Homes), conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering.

CHAPTER VII

REQUIRED LOT AND YARD DIMENSIONS FOR ZONING DISTRICTS

7.10 AREA AND DIMENSION STANDARDS

All structures shall comply with the following area and dimensional standards as set forth in the following schedule.

Requirements for Land	**Minimum Lot Size**		**Minimum Yard Dimensions**			**Maximum Lot Coverage**
	Width (Feet)	**Area (Sq. Ft.)**	**Front (Feet)**	**Side (Feet)**	**Rear (Feet)**	**Percent**
Flood Plain District	Same Requirements as in Underlying Zoning District					
Agriculture – Residential District						
	100	43,560	50*	15	15	NA
Uses not served by public sewer and water	80	16,000	50*	15	15	NA
Uses served by public sewer and / or water	Sufficient to comply with minimum yard and lot coverage req.	Sufficient to comply with minimum yard and lot coverage req.	50*	15	15	20
Uses other than residential						
R-1, Residential District						
Single-family dwelling – sewer and water required	80	12,000	50*	10	10	NA
Uses other than residential	Sufficient to comply with minimum yard and lot coverage req.	Sufficient to comply with minimum yard and lot coverage req.	50*	15	15	20

Table Continued						
Requirements for Land	**Minimum Lot Size**		**Minimum Yard Dimensions**			**Maximum Lot Coverage**
	Width (Feet)	**Area (Sq. Ft.)**	**Front (Feet)**	**Side (Feet)**	**Rear (Feet)**	**Percent**
R-2, Residential District						
Two-family dwelling - sewer and water required	80	12,000	50*	10	10	NA
	100	8,000 (Per dwelling unit)	50*	15	15	NA
Multi-family dwelling - sewer and water required	Sufficient to comply with minimum yard and lot coverage req.	Sufficient to comply with minimum yard and lot coverage req.	50*	15	15	20
Uses other than residential						
Mobile Home Park District	See Chapter XII					
Recreational District						
Single-family dwelling not served by public sewer or water	100	25,000	50*	15	15	NA
Single-family dwellings served by either public sewer or water	80	16,000	50*	15	15	NA
Recreational developments	Sufficient to comply with minimum yard and lot coverage req.	Sufficient to comply with minimum yard and lot coverage req.	50*	25	25	20
Office-Institutional District						
Non-residential uses allowed	Sufficient to comply with minimum yard and lot coverage req.	Sufficient to comply with minimum yard and lot coverage req.	50*	Shall be one and a half times the building height but not be less than 25'	Shall be one and a half times the building height but not be less than 25'	25
Residential uses allowed	See Ag-Res District					

Table Continued					
Requirements for Land	**Minimum Lot Size**		**Minimum Yard Dimensions**		
	Width (Feet)	**Area (Sq. Ft.)**	**Front (Feet)**	**Side (Feet)**	**Rear (Feet)**
Commercial District Non-residential uses allowed	Sufficient to comply with minimum yard and lot coverage req.	Sufficient to comply with minimum yard and lot coverage req.	50*	No minimum side or rear yard. Except however, that the depth of a side or rear yard adjoining the AG-RES, R-1, R-2, or O-I Zoning Districts shall be one and a half times the building height but not be less than fifty (50) feet	No minimum side or rear yard. Except however, that the depth of a side or rear yard adjoining the AG-RES, R-1, R-2, or O-I Zoning Districts shall be one and a half times the building height but not be less than fifty (50) feet
Residential uses allowed	See Ag-Res District				
Industrial District Non-residential uses allowed	Sufficient to comply with minimum yard and lot coverage req.	Sufficient to comply with minimum yard and lot coverage req.	50*	No minimum side or rear yard. Except however, that the depth of a side or rear yard adjoining the AG-RES, R-1, R-2, or O-I Zoning Districts shall be one and a half times the building height but not be less than fifty (50) feet	No minimum side or rear yard. Except however, that the depth of a side or rear yard adjoining the AG-RES, R-1, R-2, or O-I Zoning Districts shall be one and a half times the building height but not be less than fifty (50) feet
Special Planned Unit Development (PUD)	See Chapter XVII				

7.11 Lot Area Computation

See definition of "Lot Area" in Chapter XXII.

7.12 Front Yards

All required front yard dimensions shall be measured from the right-of-way line.

*Front yard setback off of all State Highways shall be a minimum of l25 feet from the right-of-way line as it existed on April 29,1999.

7.20 ACCESSORY STRUCTURES

Accessory non-agricultural structures such as residential garages shall be located a minimum of five (5) feet from side lot line and rear lot line and may not cover more than twenty-five (2 5) percent of the total lot area. Further, accessory non-agricultural structures shall not be located in a front yard, and in the case of a corner lot, shall not be located in either the required front yard or in the required side yard abutting the street. If any accessory use is attached to a principal building, it shall be so placed to meet all yard requirements for a principal building.

7.30 EXCEPTIONS TO THE APPLICATION OF AREA AND DIMENSION STANDARDS

7.31 Exceptions to Lot Width and Area Requirements

In a District where it is permitted, a single- or two-family dwelling may be erected on a lot which at the time of passage of this Resolution is non-conforming as to lot area or width, provided, however, that where three or more abutting vacant lots of record were held in one ownership at the effective date of this Resolution, and where one or more of such lots are non-conforming, the exception in this paragraph shall not apply.

7.32 Side Street Side Yard

Any corner lot shall have a minimum required side yard on the side street equal to the required front yard depth of the District in which it is located.

7.40 BUILDING HEIGHT LIMITATION

No structure or building in the Agricultural / Residential District, "R-1 " Residential District, "R-2" Residential District, or "O-I" Office - Institutional District shall exceed sixty (60) feet in height. The height limitation may be appealed to the Claridon Township Board of Zoning Appeals. Telecommunication or cellular communication towers exceeding sixty (60) feet in height shall be subject to the requirements of Section 18.60.

CHAPTER VIII

"FP" FLOOD PLAIN DISTRICT

8.10 PURPOSE

The purpose of the Flood Plain District is to regulate development on flood prone land in order to reduce future potential loss of life and damage to property.

8.20 FLOOD PLAIN DISTRICT OVERLAY

The Flood Plain District shall be an over-lapping District with regulations in addition to any other underlying zoning District established within this Resolution.

8.30 USE REGULATIONS

All uses which are allowed in the underlying zoning district shall be allowed within the Flood Plain District with the exception of the storage of potentially hazardous materials. Such materials are those which, if subject to flooding, may become flammable, explosive, or otherwise injurious to human, animal, or plant life.

8.40 DEVELOPMENT STANDARDS

All structures within the Flood Plain District shall meet the existing County Flood Plain Development Standards as enforced by Marion County.

8.50 ESTABLISHMENT OF FLOOD PLAIN ZONE BOUNDARY

The boundaries of the Flood Plain District shall be based on the Flood Hazard Boundary Map provided from the U.S. Department of Housing and Urban Development, Federal Insurance Administration pursuant to the National Flood Insurance Program. Should this map be revised, the Flood Plain District boundaries shall live-wise be revised.

8.60 DISCLAIMER OF RESPONSIBILITY

The degree of flood protection required in this Resolution is considered reasonable for regulatory purposes. This Resolution does not imply that areas outside the Flood Plain District or Land Uses permitted within the District will be free from flooding Larger floods may occur as a result of man-made or natural causes This code shall not create liability on the part of Claridon Township for any flood damages that result from reliance on this Resolution.

CHAPTER IX

"AG-RES" AGRICULTURAL-RESIDENTIAL DISTRICT

9.10 PURPOSE

The purpose of the Agricultural-Residential Zoning District is to provide areas for low density residential development and various agricultural land uses. The comparatively low density residential development is desirable due to the reduced level of public services and utilities existing and programmed for the near future. The promotion of agricultural land uses is desirable given the fundamental importance of agricultural products and the potential for the unnecessary and irreversible loss of farmland through unplanned and premature urban development.

9.20 USE REGULATIONS

1. Principal Permitted Uses

Agriculture
Public Uses (as defined in Chapter XXII)
Semi-Public Uses (as defined in Chapter XXII)
Single-Family Dwellings
Supportive Living Home
Two-Family Dwellings
Temporary Living Spaces, including manufactured / mobile homes (as defined in Chapter XXII)

2. Conditional Permitted Uses (subject to approval by the Board of Zoning Appeals)

Accessory manufactured / mobile Homes (as defined in Chapter XXII)
Business and professional offices provided that such use shall maintain the external appearance of a residential structure and such use shall not include the manufacture, sale of goods or merchandise
Commercial Storage and/or Sales of Fertilizer and Agri-Chemicals Funeral Homes or Mortuary
Living Quarters for Persons Employed on the Premises Mineral, Sand and Gravel Extraction (See Section 18.40) Nurseries, Lawn and Garden Centers
Nursery Schools, Day Nurseries
Petroleum Drilling and Extraction
Private Air Strips
Recreation Facilities, Private (As defined in Chapter XXII)
Sanitariums, Convalescent Homes, Rest Homes
Seasonal Dwellings Solar Energy Facilities Top Soil Removal
Veterinary Clinics or Hospitals
Wind Turbines

3. Accessory Permitted Uses Accessory

Signs (See Section 18.23)
Garden Houses, Tool Houses, Play House
Home Occupations (See Section 18.30) Off-
Street Parking
Other Accessory Uses (Defined in Chapter XXII) Private
Garages
Swimming Pools, provided they meet the following criteria:

Only permitted in rear yards.
Must maintain10 feet rear- and side-yard setback. Zoning permit required for pools in excess of 150 sq. ft. Swimming pool fence requirements:

In-ground swimming pool - A fence a minimum of 4 feet in height with a locking gate shall enclose the perimeter of the swimming pool.

Above-ground swimming pool less than 4 feet in height - A fence a minimum of 4 feet in height with a locking gate shall enclose the perimeter of the swimming pool.

Above-ground swimming pool 4 feet or greater in height - No fence is required around the perimeter of the pool provided it has a detachable ladder or lockable access.

Limited Commercial Hauling for Non-Farm Operation Purposes

Within the Agricultural-Residential District, limited commercial hauling for non- farm operation purposes is allowed as an accessory permitted use. Farm operators or owners who haul their own grown and produced agricultural products may also use their trucks/trailers to haul agricultural products not produced on their land and / or to haul non-agricultural products. In both cases this shall be limited to the following:

1. The storage location for the commercial hauling equipment shall be located on a parcel of 50 acres (can be made up of smaller parcels under the same ownership) or larger in size.

2. Total size of the farm operation shall be a minimum of 500 acres for each owner or operator applying for a hauling permit for non-farming operation purposes.

3. Each operator or owner who qualifies based on the above definitions, is limited to a maximum of 5 commercial hauling trailers.

4. Notwithstanding the limitation of item (3) above, if the operator or owner qualifies based on the above definitions and will be using an access point on a State Highway only, and is located on a qualifying parcel which has a minimum frontage of 500 feet along the State Highway, the operator or owner will be limited to a maximum of 20 commercial hauling trailers.

Added: 7/7/15

9.30 DWELLINGS ON FARMS

No more than two(2) permanent dwelling units may be located on a farm to be occupied only by families or persons engaged in operation of the same farm. Ownership of the sites on which such dwellings are located shall not be transferred as separate parcels except in accordance with the Marion County Subdivision Regulations and the standards set forth in this Resolution.

9.40 LAND DIVISION (Number of Lots)

1. Any parcel of land of record on June 6, 2003, may be subdivided for residential use in the Ag-Residential District in accordance with that districts minimum lot size and dimension standards and as follows:

   A. To provide up to four (4) residential lots not including the remainder as one of the lots. Any further residential lot development of the remaining total acreage must comply and be rezoned to R-1 or R-2 requirements.

2. A residential lot is defined as any lot under 10 acres with a home in use, planned, or as a potential use.

3. A four (4) lot limit from Subsections 1 and 2 shall not apply if the subdivision involved is considered a major subdivision pursuant to the Marion County Subdivision Regulations and is also in compliance with all other Claridon Township Zoning Regulations.

Added: 6/6/03

CHAPTER X

"R-1" RESIDENTIAL DISTRICT

10.10 PURPOSE

The purpose of the R-1 Residential District is to encourage residential development at appropriate locations where public water supply and sanitary sewer facilities are currently available or are potentially available. This zoning district is intended to be applied at locations where fifteen (15) or more residential lots are planned for development.

10.20 USE REGULATIONS

1 Principal Permitted Uses

Agriculture
Public Uses (As defined in Chapter XXII)
Semi-Public Uses (As defined in Chapter XXII)
Single-Family Dwellings
Supportive Living Home

2. Conditional Permitted Uses (Subject to approval by the Board of Zoning Appeals) Care

Facilities
Nursery Schools, Day Nurseries
Recreational Facilities, Private (As defined in Chapter XXII)

3. Accessory Permitted Uses

Accessory Signs (only Section 20.23 , "1" applies)
Garden Houses, Tool Houses, Play Houses, not to exceed 120 sq. ft.
Home Occupations not located in an accessory building (See Section 20.30) Off-Street Parking
Other Accessory Uses (Defined in Chapter XXII) Swimming Pools, provided they met the following criteria:

Only permitted in rear yards.
Must maintain10 feet rear- and side-yard setback. Zoning permit required for pools in excess of 150 sq. ft. Swimming pool fence requirements:

In-ground swimming pool - A fence a minimum of 4 feet in height with a locking gate shall enclose the perimeter of the swimming pool.

Above-ground swimming pool less than 4 feet in height - A fence a minimum of 4 feet in height with a locking gate shall enclose the perimeter of the swimming pool.

Above-ground swimming pool 4 feet or greater in height - No fence is required around the perimeter of the pool provided it has a detachable ladder or lockable access.

CHAPTER XI

"R-2" RESIDENTIAL DISTRICT

11.10 PURPOSE

The purpose of the R-2 Residential District is to encourage two-family and multi-family residential development at appropriate locations where public water supply and sanitary sewer facilities are currently available or are potentially available. This zoning district is intended to be applied at locations where fifteen (15) or more residential lots or units are planned for development.

11.20 USE REGULATIONS

1. Principal Permitted Uses

Agriculture
Public Uses (As defined in Chapter XXII)
Semi-Public Uses (As defined in Chapter XXII) Supportive
Living Home
Two-Family Dwellings
Multi-family Dwellings

2. Conditional Permitted Uses (Subject to approval by the Board of Zoning Appeals) Care

Facilities
Nursery Schools, Day Nurseries
Recreational Facilities, Private (As defined in Chapter XXII)

3. Accessory Permitted Uses

Accessory Signs (only Section 20.23 “A” applies)
Garden Houses, Tool Houses, Play Houses, not to exceed 120 sq. ft.
Home Occupations not located in an accessory building (See Section 20.30) Off-Street Parking
Other Accessory Uses (Defined in Chapter XXII) Swimming Pools, provided they meet the following criteria:

Only permitted in rear yards.
Must maintain10' rear- and side-yard setback.
Zoning permit required for pools in excess of 150 sq. ft.
Swimming pool fence requirements:

In-ground swimming pool - A fence a minimum of 4 feet in height with a locking gate shall enclose the perimeter of the swimming pool.

Above-ground swimming pool less than 4 feet in height - A fence a minimum of 4 feet in height with a locking gate shall enclose the perimeter of the swimming pool.

Above-ground swimming pool 4 feet or greater in height - No fence is required around the perimeter of the pool provided it has a detachable ladder or lockable access.

CHAPTER XII

"MH" MOBILE HOME PARK DISTRICT

12.10 PURPOSE

The purpose of the Mobile Home Park District is to recognize the increasing demand for Mobile Home Park Developments and to provide for the development of such parks. This zoning district is intended to provide Development Standards and a means to accommodate locational considerations for the development of stable and desirable mobile home parks.

12.20 USE REGULATIONS

1. Principal Permitted Uses

Agricultural
Mobile / Manufactured Homes
Public Uses (as defined in Chapter XXII) Semi-
Public Uses as defined in Chapter XXII)
The following services and facilities limited to serving the residents of the Mobile Home Park:

1. Laundromats
2 Recreational vehicle storage, boat storage and mini-warehouses, provided that such areas are screened by a solid fence not less than six(6) feet in height. Such storage areas also may not occupy more than five(5) percent of the total area of the Mobile Home Park.
3. Administrative offices relating to the operation of the Mobile Home Park.
4. Nursery schools or day nurseries.
5. Swimming pools and play areas.

2. Conditional Permitted Uses (Subject to approval by the Board of Zoning Appeals) Wind

Turbines

3. Accessory Permitted Uses

Home Occupation (see Section 18.30)
Private garages
Garden houses, tool houses play houses, and other accessory uses (as defined in Chapter XXII.)

12.30 DEVELOPMENT STANDARDS

All Mobile Home Parks shall comply with the various requirements of the Ohio Department of Health. In addition all Mobile Home Parks shall comply with the Marion County Subdivision Regulations, and shall be in accordance with the following standards:

12.31 Minimum Width

The minimum width of a tract to be developed as a Mobile Home Park shall be three-hundred (300) feet. Such width or frontage must be on a public street.

12.32 Minimum Yard Dimensions

Mobile Home Park developments shall have a minimum front yard depth of fifty (50) feet (measured from the right-of-way line) and a minimum side and rear yard depth of fifteen (l5) feet.

12.33 Streets

Public or private streets or drives may be proposed to provide internal circulation within the park, but must be reviewed in accordance with the Marion County Subdivision Regulations.

CHAPTER XIII

"REC' OUTDOOR RECREATION DISTRICT

13.10 PURPOSE

The purpose of the Outdoor Recreation District is to provide for and encourage the orderly development of community and regional outdoor recreation areas in appropriate locations.

13.20 USE REGULATIONS

1. Principal Permitted Uses

Agriculture
Public Uses (as defined in Chapter XXII)
Semi-Public Uses (as defined in Chapter XXII)
Recreation facilities, private (as defined in Chapter XXII) and outdoor recreation facilities open to the public limited to the following uses:

1. Playgrounds
2. Picnic facilities and shelters
3. Tennis courts
4. Athletic fields
5. Outdoor courts, including, but not limited to horse shoe, basketball, volley ball, shuffleboard, badminton, croquet, etc.
6. Hiking and horseback trails, livery stables
7. Fishing areas
8. Swimming pools (open or enclosed)
9. Outdoor skating areas
10. Boating facilities and canoe liveries
11. Camping areas
12. Golf courses and driving ranges
13. Meeting or assembly hall with or without indoor games, such as table tennis, pool tables, etc

Administrative offices related to the operation of these recreation facilities

2. Conditional Permitted Uses (Subject to approval by the Board of Zoning Appeals)

Retail sales establishments related strictly to servicing of recreation facilities such as sales of camping supplies and equipment, grocery and convenience stores, etc
Single-family dwellings occupied by the manager of a recreation facility Restaurants servicing the recreation facility
Recreational vehicle or boat storage
Game Halls, including electronic games serving the recreation area.
The following indoor recreation facilities primarily serving users of the outdoor facilities:

1. Indoor tennis, handball and racquetball courts, limited to one(l) court per 10 acres of recreational area
2. Indoor ice or roller skating rinks

3. Bowling lanes
Uses the Board of Zoning Appeals considers similar to those above

3. Accessory Permitted Uses Accessory

Signs (See Section 18.24)
Bath houses, sanitary facilities, laundromats.
Other accessory uses defined in Chapter XXII.
Private garages
Required off-street parking Storage
facilities

13.30 DEVELOPMENT REGULATIONS FOR RECREATION DEVELOPMENTS

13.31 Services and Facilities

All recreational developments will be served adequately by services and facilities, such as highways, streets, security protection, drainage and refuse disposal, or that person(s) or agencies responsible for the establishment of the recreational development shall be able to provide adequately for such services.

13.32 Private Access Drives

All new private access drives, driveways, roads, or extensions of existing drives must be reviewed and approved by the Marion County Regional Planning Commission under the County Subdivision Regulations, to determine if they will be adequate to handle traffic circulation in terms of safety and avoidance of congestion.

13.33 Sanitary Facilities

All recreation developments shall comply with applicable County and State Health Department regulations.

13.34 Regulations Pertaining to Recreational Vehicle Campgrounds and Other Campgrounds

1. Minimum Campground Size All campgrounds shall contain a minimum of ten(l0) acres and provide a minimum of fifty(50) camp sites upon opening.

2. Minimum Campsite Size All recreational vehicle campsites shall contain a minimum of 1,200 square feet of area per individual campsite.

3. Buffering and Screening:

   The outer boundaries of the campground shall contain a buffer zone. This- buffer zone shall be composed of a green strip, not less than twenty(20) feet in width, located along all camp boundaries. In addition, all vehicles, tents and campsites shall be located no closer than 100 feet from any property containing a resident or zoned for residences and/or agricultural. Proper buffering shall be determined by the Zoning Inspector and may include fencing, screening, and/or the planting of trees or shrubs.

4. Campfires:

   If campfires are permitted, suitable facilities shall be provided and necessary precautions taken.

5. Records:

   The camp owner or operator shall keep a record of occupants by name, home address, date, and duration of stay and license number, which shall be available at all times for inspection by the Zoning Inspector.

6. Inspection:

   The County Board of Health and Zoning Inspector shall have the right of entry and access at any reasonable time for the purpose of inspecting and investigating conditions relating to the administration and enforcement of the regulations and requirements of the resolution.

7. Subdivision of Land:

   Any subdivision of land must meet this zoning resolution (Section 7.10) and county subdivision regulations.

rev:4/29/86

CHAPTER XIV

"O-I" OFFICE INSTITUTIONAL DISTRICT

14.10 PURPOSE

The purpose of the Office - Institutional District is to provide areas where various offices and institutions may be developed in a complementary manner avoiding incompatible uses and potential traffic congestion.

14.20 USE REGULATIONS

1. Principal Permitted Uses

All principally permitted uses within the "Ag-Res" Agricultural-Residential Zoning District except Single-Family Dwellings, Two-Family Dwellings and Temporary Living Spaces, including manufactured / mobile homes (as defined in Chapter XXII) and Supportive Living Home.

Administrative offices, primarily engaged in general administration, supervision, purchasing, accounting and other management functions

Business offices not involving retail trade with the general public and having no stock of goods for sale to customers such as:

A. Banking
B. Credit Agencies
C. Security and Commodity Brokers Dealers Exchanges and Services
D. Insurance Offices
E. Real Estate Offices
F. Investment Companies

Professional offices engaged in providing tangible and intangible services to the public, such as:

A. Offices of Physicians and Surgeons
B. Offices of Dentists and Dental Surgeons
C. Offices of Chiropractors
D. Medical and Dental Laboratories
E. Health and Allied Services
F. Legal Services
G. Engineering and Architectural Services
H. Accounting, Auditing and Bookkeeping Services
I. Funeral Homes or Mortuary
J. Professional Services similar in nature to those above specified

Institutions providing social, cultural, educational and health services to agencies, organization, individuals or the general public, such as:

A. Hospitals
B. Private Elementary and Secondary Schools
C. Colleges, Universities, Professional Schools, Vocational Schools
D. Nursery Schools and Day Nurseries
E. Libraries

F. Museums and Art Galleries
G. Religious Organizations

Organizations and Associations' organized on a profit or non-profit making basis such as:

1. Business
2. Professional Membership Organizations
3. Labor Union Halls
4. Civil, Social and Fraternal Organizations
5. Political Organizations
6. Charitable Organizations
7. Non-profit organizations similar to those above

2. Conditional Permitted Uses (Subject to approval by the Board of Zoning Appeals)

Single-Family Dwellings
Two-Family Dwellings
Temporary Living Spaces, including manufactured / mobile homes (as defined in Chapter XXII)
Research, development and testing laboratories.
Other uses determined by the Board of Zoning Appeals to be of the same general character as those principally permitted.
Wind Turbines Supportive
Living Home

3. Accessory Permitted Uses Accessory

signs (see Section 18.24)
Off-street Parking (see Section 18.50)
Other accessory uses as defined in Chapter XXII

CHAPTER XV

"COM" COMMERCIAL DISTRICT

15.10 PURPOSE

The purpose of the Commercial District is to provide appropriate areas where various commercial and related land uses may be developed in a complementary manner avoiding incompatible uses and potential traffic congestion.

15.20 USE REGULATIONS

1. Principal Permitted Uses

All principally permitted uses contained within the "O-I" Office-Institution District
Dwelling Units within the same structure containing a permitted commercial use. Hotels and Motels
Any retail business whose principal activity is the sale of new or used merchandise or antiques. Such retail business may include a workshop for servicing or repair of goods sold on the premises, but shall not include the manufacture of goods and products.
Service establishments in which the retail sale of goods may or my not be involved such as:

1. Barber and Beauty Shops
2. Photography Studios
3. Catering Services
4. Butcher Shops (not including the slaughtering of animals as regulated within Chapter XVI)
5. Addressing and Mailing Services
6. Secretarial, Stenographic and Typing Services
7. Dry Cleaning and Laundry Services

Restaurants, cafes or other establishments serving food, beverages, or both
Radio and television studios, bowling alleys, roller rinks, swimming pools, assembly halls, enclosed theaters, concert halls, dance halls, or similar places of assembly or entertainment
Commercial establishments engaged in the completion of finished products, limited to the following:

Duplicating, blue printing, photocopying and film processing. Locksmiths, gunsmith
Interior decorating

Repair services related to goods permitted to be sold in this District, such as:

Household appliance repair
Furniture, refinishing, or re-upholstering
Shoe repair and shoe shine shops
Watch, clock or jewelry repair Auto repair
Drive-in establishments which relate to the sale or services permitted in this District.

Rental, storage, or sale or autos, trucks, trailers and home gardening and repair tools. Junk yards, as defined in Chapter XXII and as regulated in Chapter XVI, shall be excluded.
Recreation facilities, general commercial (as defined in Chapter XXII)
Gasoline service stations and car washes
Light industrial uses limited to the following types:

Tailor or Dressmaking Shops
Mini-warehouses
Research testing laboratories, limited to the use of machines or equipment associated with principal uses in this District. Computer, operations, and data processing centers
Postal facilities, including the handling or storage of large quantities of mail or parcels.
Privately owned parcel handling facilities including storage and transportation.

Adults Only Entertainment Establishments, meeting the following conditions:

A. The location must be at least 1,000 feet from any residential district, residence, or church in order to avoid a blighting influence on these uses.
B The locations must be at least 5,000 feet from any public park, public or private school in order to avoid a blighting influence, prevent crime, and preserve health, morals and rural quality of life.
In both cases A and B above, the distance shall be measured from the nearest property line of the existing use to the nearest property line of the proposed adult only entertainment establishment use.

Off-skeet parking as a principal use
Advertising signs (subject to the requirements of Section 18.25)

2. Conditional Permitted Uses (Subject to approval by the Board of Zoning Appeals)

Single-Family Dwellings
Two-Family Dwellings
Temporary Living Spaces, including manufactured / mobile homes (as defined in Chapter XXII)
Supportive Living Home
Video game halls
General enclosed warehousing
Sale and storage or building materials, not including sawmills or the mixing of cement, concrete or asphalt paving materials.
The manufacture of precision instruments such as photographic, optical, electronic or computer equipment.
Wind Turbines

3. Accessory Permitted Uses

Accessory Signs (subject to the requirements of Section 18.24) Off-street parking (as required by Section 18.50)
Other accessory uses (as defined in Chapter XXII)

CHAPTER XVI

"IND" INDUSTRIAL DISTRICT

16.10 PURPOSE

The purpose of the Industrial District is to provide areas where various industrial and related uses may be developed in a complementary manner avoiding incompatible uses.

16.20 USE REGULATIONS

1. Principal Permitted Uses

Commercial storage and /or sale of fertilizer and agri-chemicals

Commercial establishments or industrial offices associated with or intended to serve the industrial establishments or their employees as follows:

Restaurants

Offices and facilities relating to emergency medicine, drug and health services and the practice of industrial medicine

Administrative offices

Gasoline service centers

Engineering, architectural, accounting, legal, and similar professional services

Duplicating, addressing, blue printing, photocopying, mailing and stenographic services

Employment agencies Vocational and technical schools

Blending, packaging, and storage of previously manufactured products, as follows:

Chemical products, including household cleaning and industrial compounds and insecticides

Feed, grain, flour sugar and other food products

Pharmaceuticals.

The manufacture of finished products from previously prepared materials, such as:

Canvas	Fibers	Paper	Plastics
Cloth	Fur	Precious or	Shell
Cork	Glass	semi-precious	Textiles
Felt	Leather	metal or stone	Tobacco
			Wire

The manufacture of the following finished products from previously prepared materials, such as:

Cosmetics, toiletries, perfume

Electric appliances, instruments, components and accessories

Household, personal or other small articles, such as jewelry, silverware,

plasticware, musical instruments and parts, toys, rubber stamps, sporting and athletic goods, pens, pencils and other office and artist's supplies, miscellaneous notions, signs, and advertising displays
Office equipment including computing and accounting machines
Precision instruments such as photographic, optical, electronic or computer equipment
Wood products, including furniture, cabinet work and similar products

The manufacture of metal products, using methods and materials as specified hereunder:

The fabrication of metals excluding the fabrication of structural steel, heavy machinery and transportation equipment
The casting of metals
Welding, machining and other metal working processes Non-

manufacturing activities as follows:

Transportation terminals and equipment, such as railway freight houses, truck terminals and transit vehicle storage areas, maintenance and service facilities for the foregoing but excluding railroad maintenance facilities and marshaling yards
General warehousing
Mini-warehouses
Building materials, sales and storage, not including sawmills, or the mixing of cement, concrete or asphalt materials
Building contractor equipment yards
Crematories
Research testing laboratories, not including the use of machines or equipment associated with uses prohibited in this district
Laundries and dry cleaning establishments
Postal facilities, including the handling or storage of large quantities of mail or parcels
Privately owned parcel handling facilities, including storage and transportation
Workshops for the repair of industrial machines and equipment, the use of which is permitted in this district
Computer operations and data processing centers
Advertising signs (subject to the requirements of Section 18.25) Hay,
grain, and feed storage and sale
Off-street parking as a principal use Public
uses

2. <u>Conditional Permitted Uses (Subject to approval by the Board of Zoning Appeals)</u>

Single-family dwellings and two-family dwellings (must meet code 7.10 ag res)
Supportive Living Home
The fabrication of structural steel, heavy machinery and transportation equipment The processing or manufacturing of food products
Railroad maintenance facilities and marshaling yards
Sawmills, mixing of cement or concrete

Workshops for the repair of industrial machines and equipment, the use of which are otherwise not permitted in this District
Mineral, sand, and gravel extraction.(See Section 18.40) Forging operations
Wind Turbines
Solar Energy Facilities

The following uses, with restrictions and requirements as indicated:

Junk yards scrap and waste storage and wholesaling provided that such uses are enclosed on all sides by an opaque wall or fence no less than ten(l0) feet high and provided that no stored scrap or waste material shall be visible from any street or road or from any dwelling unit in the Agricultural-Residential District, R-1 Residential District, or R-2 Residential District.

The following uses, which shall not be located within one thousand (l000) feet of any Agricultural Residential, R-1 Residential, or R-2 Residential District.

Slaughter houses or stock yards
Refining or processing of crude petroleum
Fuel dealers including the bulk storage of flammable liquids or gasses

Any other commercial or industrial use not listed but determined by the Board of Appeals to be of the same general character as those listed as principal permitted uses.

3. Accessory Permitted Uses

Accessory Signs (subject to the requirements of Section 18.24) Off-street parking as required by Section 18.50.
Other accessory uses (as defined in Chapter XXII)

CHAPTER XVII

SPECIAL PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

17.10 PURPOSE AND REQUIREMENTS

17.11 Purpose

The purpose of this Chapter is to allow for innovative type of development which may cluster housing to provide for larger common open spaces, which might provide new types of office, residential, and commercial mixed development increasing convenience, and which might better utilize existing typography, drainage and natural features. The benefits of this type of development justify deviations from conventional zoning standards. Special standards are thus set forth in this Chapter. Subjects not covered by this Chapter, however, shall be still governed by the provisions found in the remainder of the Code.

17.12 PUD District

A Planned Unit Development District may be applied to any existing zoning district. Upon approval of a Planned Development Project 3 in accordance with the provisions of this Chapter, the Official Zoning Map shall be amended for the area involved so that the District name includes the notation “PUD”.

17.13 Uses Allowed

If compatible with the whole project, any use is potentially permitted that is listed in the Agricultural-Residential District, R-1 Residential District, R-2 Residential District, Recreation District, Office-Institutional District or Commercial District. Uses first listed in the Industrial District may be permitted only if the underlying zoning district is the Industrial District.

17.14 Development Standards

17.141 Minimum Project Area Fifteen

(15) acres gross area.

17.142 Minimum Lot Sizes and Standards

Minimum lot frontage and setbacks may be substantially reduced from the requirements listed elsewhere in the resolution. The lot area per dwelling unit may also be reduced, but not by more than twenty five (25)percent of the area per dwelling standard listed in this Resolution for the underlying zoning district with the exception the lot area per dwelling unit in an R-1 District may be reduced, but not by more than fifty (50) percent of the area per dwelling standard listed.

17.143 Project Ownership

The project land may be owned, leased or controlled either by a single person or corporation, or by a group of individuals or corporations.

17.144 Common Open Space

A minimum of twenty (20) percent of the land developed as a PUD shall be reserved for common open space and recreational facilities. The required amount of common open space land reserved shall be held in corporate ownership by owners of the project area for the use of each individual who buys property within the development. The responsibility for the maintenance of all open space shall be specified hy the developer.

17.145 Parking

Off-street parking, loading and service areas shall be provided in accordance with Chapter XVIII of this Resolution.

17.146 Utility Requirements

All planned development projects shall be served by either a public or central sewage system or public or central water system.

17.147 Arrangement of Industrial Uses

Where allowed industrial uses and parcels shall be developed in a park like surroundings utilizing landscaping and existing woodlands as buffers to screen lighting, parking areas, docks and outdoor storage of raw materials or products.

Industrial uses within a Planned Unit Development shall have a minimum of a forty (40) foot side yard and fifty (50) foot rear yard if located adjacent to any residential use. All intervening spaces between the right-of-way line and building line and intervening spaces between buildings, drives, parking areas and improved areas shall be landscaped with trees and plantings and properly maintained at all times.

17.148 Future Expansion

All areas within a Planned Unit Development designed for future expansion of any use or not intended for immediate improvement or development shall be landscaped or otherwise maintained in a neat and orderly manner as specified by the Zoning Commission and Township Trustees in the development plan as finally approved.

17.20 BASIC REQUIREMENTS

In order to obtain approval, a proposed Planned Development shall comply with the following general requirements:

1. Shall be in conformity with the Marion County Comprehensive Plan or any portion thereof which may apply to said Planned Development.

2. Shall be consistent with the purposes and intent of this Zoning Resolution.

3. Shall promote the general welfare of the Township.

4. Shall provide through desirable arrangement and design, benefits which justify deviations from the development standards which otherwise would apply.

17.30 PROCEDURE FOR APPROVAL OF A PUD DISTRICT

17.31 Review by Planning Commission

The developer of a proposed planned development project shall consult with the local County or Regional Planning Commission to determine if the project is a subdivision. If the project is determined to be a sub-division, under the provisions of Chapter 711, Revised Code of Ohio, the project shall be submitted and reviewed as a subdivision, in a manner set forth in the Subdivision Regulations, In such case, approval of the planned development under the provisions of this Zoning Resolution shall be tentative, and may be revoked if a final subdivision plan is not submitted and approved within one (l) year after such tentative zoning approval.

17.32 Optional Preliminary Development Plan for Township Review

The developer is encouraged to submit a preliminary development plan to the Chairman of the Township Zoning Commission. The purpose of this optional plan is to familiarize the developer with the provisions, standards, and requirements of this Chapter prior to detailed engineering work. Upon receipt of a preliminary plan the Zoning Commission shall meet to consider such plan and thereafter provide recommendations to the developer regarding the final development plan.

17.33 Final Development Plan

An application for approval of a Final Development Plan shall be filed with the Chairman of the Zoning Commission. Each application shall be signed by the developer attesting to the truth and exactness of all information supplied. The Final Development Plan shall include all information which the Zoning Commission deems necessary including:

1. A survey of the development site showing property lines, area topography and existing features of the site.

2. The locations and sizes of lots, locations, size, and uses of structures.

3. A schedule showing the completion date of structures to be constructed together with a description of all building designs.

4. Engineering feasibility studies and plans showing as necessary water, sewer, drainage, waste disposal, and street improvements.

   Private street improvements shall include:

   A. All private streets are required to have ODOT Type 2 combined curb and gutter pan for drainage purposes.

   B. Sidewalks shall be located on a minimum of one side of a private street. Where necessary, the Zoning Commission may require sidewalks on both sides of a private street.

5. Landscaping plans.

6. Deed restrictions, protective covenants and other legal language to be used in controlling the use, development and maintenance of the land.

17.34 Action on a Final Development Plan by the Zoning Commission and Township Trustees

In its review of an action on any final application for a planned development project, the Zoning Commission and Township Trustees shall follow the procedure set forth in Section 21.40 of the Resolution for amendment to the zoning map, including posting of notices, request for report from the Regional Planning Commission, public hearings and action by the Township Trustees. If the approved development is not installed in accordance with the plans and requirements of this Chapter within four years after the date of approval, such approval shall become null and void, and the land subject to the original zoning district standards.

CHAPTER XVIII

SUPPLEMENTAL STANDARDS

18.10 USES AND PROJECTIONS IN YARDS

The following accessory uses and structures shall be permitted in required yards with the limitations specified hereunder.

1. Off-street loading and parking space within an Office-Institutional District, Commercial District or Industrial District shall be permitted in required front yards to within fifteen (l5) feet of the street right-of-way unless such front yard abuts a Residential District.

   Off-street loading and parking space within an Office-Institutional District, Commercial District or Industrial District shall also be permitted in a required side or rear yard unless such yard abuts a Residentia1 District.

2. Commercial service fuel pumps in required front yards used in conjunction with commercially operated fuel service stations and serving the general public shall not be permitted nearer than twenty (20) feet from the street or road right-of-way. No other fuel pumps shall be located within a required front, side or rear yard.

3. Permit is required for a concrete slab used as a permanent foundation for any structure to be placed on (i.e. Generator, tanks, tower and etc.)

18.20 SIGN REGULATIONS

18.21 Exempted Signs

The following signs are not subject to the provisions of this Section.

1. Signs related to the agricultural produce of a farm, provided, however, that signs relating to the sale of general commercial products, not produced on the farm, are not exempt.

2. Governmental signs and signs-of public utility companies erected for safety purposes.

3. Signs within shopping centers, arenas, or similar places which can be viewed only by persons within such establishments.

4. Temporary signs conforming with the definition contained in Chapter XXII.

18.22 Permits

A zoning permit shall be required for all signs hereinafter described except those specifically excepted.

18.23 Accessory Signs in Agricultural-Residential District,. R-1 Residential District, or R-2 Residential District

1. A home occupation or a professional office in an Agricultural-Residential District, R-1 Residential District, or R-2 Residential District may have one unlighted sign. Such sign may be free standing but may not exceed four (4) square feet in area per face. No separate zoning permit for a home occupation or professional office sign shall be required.

2. Any permitted non-residential use may have one illuminated sign. Such sign may not be roof mounted, exceed the height of the principle building or exceed sixteen (16) square feet in area per face.

3. Accessory signs in Agricultural-Residential District, R-1 Residential District, or R-2 Residential District shall not be located nearer than fifteen (15) feet from a street or road right-of-way line.

18.24 Accessory Signs in Recreational, Office-Institutional, Commercial, and Industrial Districts

18.241 Recreation and Office-Institutional Districts

Recreational uses permitted within the "REC" Recreation District and Institutions and Office buildings permitted within the "O-I" District may have two(2) illuminated signs for each frontage on a street. The maximum sign area shall not exceed one(l) square foot of total sign area per linear foot of frontage on all public streets. In no case shall the total sign face area exceed three hundred (300) square feet.

18.242 Commercial District

Commercial uses within the "COM" Commercial District may have two(2) illuminated signs for each frontage on a street or road. The maximum sign area shall be no more than four (4) square feet of total sign area per linear foot of frontage on all public streets or roads. In no case, however, shall the total sign face area exceed four hundred (400) square feet.

18.243 Industrial District

Industrial uses within the "Ind" Industrial District may have one(l) illuminated sign for each frontage on a street or road. The maximum sign area shall be twenty(20) square feet per face.

18.244 Sign Setbacks

No accessory sign within a Recreational, Office-Institutional, Commercial or Industrial District shall be located nearer than ten (l0) feet from any street or road right-of-way line.

18.25 Advertising Signs (i.e. Billboards)

An advertising sign (as defined in Chapter XXII) shall be deemed to be a principle use and shall comply with the yard requirements for principle uses in the District in which it is located. In addition, advertising signs must comply with the requirements set forth hereunder.

1. There shall be no more than one(l) advertising sign on any lot having less than two-hundred (200) feet of unbroken frontage on a single street. A lot

having two hundred(200) or more feet of unbroken frontage on a single street may have two(2) advertising signs thereon.

2. No outdoor advertising sign shall be located within one hundred fifty (l50) feet of any intersection.

3. The maximum total area per face of the sign structure shall not exceed one thousand (l000) square feet.

18.26 Digital / Electronic Accessory and Advertising Signs

1. Shall comply with all applicable requirements in Section 18.20 - Sign Regulations.

2. Shall have an automatic dimming devise that adjust sign brightness to the ambient light at all times of the day and night to prevent glare on surrounding properties.

3. Flashing words and graphics are not permitted.

4. All messages and advertisements must be held a minimum of eight seconds before changing to the next message or advertisement.

18.30 HOME OCCUPATIONS (see Definition #26)

As with any accessory use, home occupations shall comply with the following provisions:

A. There shall be a maximum of one full-time non-resident employee engaged in the home occupation.

B There shall be no outdoor storage of items in process of production and there shall be no external evidence of the home occupation conducted on the premises except the sign as permitted by code. Further, finished articles held for sale may only be displayed in an attractive manner.

C. A home occupation may be carried out within the principal building but shall not exceed 25% of the floor area. Additionally, a home occupation may be carried out in an accessory building which shall not exceed 5% of the lot size or 2000 square feet whichever is less.

A permit shall be necessary and required for use or construction of any accessory building.

D. No mechanical equipment shall be installed or used which shall create excessive noise or cause interference with radio or television transmission or reception.

5/86

18.40 MINERAL, SAND AND GRAVEL EXTRACTION

The mining or quarrying of rock, sand, clay and mineral ore.; shall be subject to the following regulations:

A. Boundaries of mining or quarrying operations shall be clearly marked with appropriate warning signs and shall be completely enclosed with a fence which shall meet the approval of the Board of Zoning Appeals.

B. Excavations shall be prohibited nearer than two-hundred (200) feet from a public street or road right-of-way or adjacent property line.

C. Processing plants, rock crushing plants,, cement mixing , plants, block or tile plants shall be prohibited in any area nearer than five hundred (500) feet from any existing residence. (Residences located on the premises, upon which the operation is conducted,.shall be exempt from this provision).

D. At the time an application is filed for a zoning permit, the applicant shall furnish a comprehensive map (at least 100 feet to the inch scale) which clearly shows the area to be mined, proposed structures, proposed roads, anticipated depth of the mine, and adjacent properties. The applicant shall also furnish a detailed plan of the anticipated future use of the area including reclamation plans. The aforementioned documents shall be furnished to the Township Zoning Inspector at the time the application is filed together with such application.

18.50 OFF-STREET PARKING SPACES

In all Districts, at the time any building or structure is erected, enlarged or increased in capacity off-street parking spaces shall be provided in accordance with the following schedule. It shall be the intent of this Resolution, that the following required parking spaces be used in connection with the building for which they are required. When the application of the following schedule results in the requirement of a fractional parking space any fraction up to and including one-half (½) shall be disregarded and fractions over one half (½) shall require one (1) parking space.

18.51 Schedule of Required Parking Spaces

Types of Use	Required Number of Parking Spaces
Uses not listed:	Requirements for most nearly similar use specifically listed
Residential:	
Dwellings, all types	2 spaces for each dwelling unit
Rooming houses and elderly housing	1 for each sleeping room 1 for each paying occupant, whichever is greater
Public and Institutional:	
Administrative offices of government	1 for each 200 sq. ft. of area
Schools	1 for each 10 classroom seats
Places of worship	1 for each 5 seats in sanctuary
Amusements and Assembly:	
Sports arenas, stadiums, auditoriums, theaters, and places of assembly with fixed seats	1 for each five seats
Dance halls, lodge halls, exhibition halls, skating rinks, swimming pools, and places of assembly without fixed seats	1 for each 100 sq. ft. of floor area used for the purpose listed.

Table Continued

Types of Use	Required Number of Parking Spaces
Services:	
Medical and dental offices and clinics	1 for each 100 sq. ft. of floor area
Barber shops and beauty parlors	3 per operator
Hotels and Motels	1 space (10'X20') per sleeping unit and 1 space per employee on site per shift, plus 1 space designed for semi-trucks and/or tour buses (each measuring 15' X 85') as follows: a. 1 space for each 20 units or fraction there of (e.g. 21 unites + 2 spaces) To also be reviewed during Site Plan Review process
Tourist Homes	1 space per sleeping unit and employee on site per shift
Laundry and dry cleaning pickup	1 for each 100 sq. ft. of floor area
Business and professional offices	1 for each 200 sq. ft. of floor area
Restaurants of the following types: Indoor service only	1 for each 100 sq. ft. of floor area
Including curb service	1 for each 100 sq. ft. of floor area in addition to curb service stalls provided
Providing primarily carry out service	1 for each 30 sq. ft. of floor area
Bars, taverns, and night clubs	1 for each 100sq. ft. of floor area
Retail Sales:	
Furniture and household appliance stores and repair shops	First 1800 sq. ft. of floor area - 3 spaces Any additional floor space - 1 space for each additional 400 sq. ft.
Retail stores and shops not elsewhere specified including general merchandise	First 1500 sq. ft. of floor area - 3 spaces Any additional floor space - 1 space for each additional 150 sq. ft.
General Commercial & Industrial:	
Automobile or machinery sales and service	1 for each 800 sq. ft. of floor area
Commercial service laboratories, machine shops and similar establishments	1 for each 600 sq. ft. of floor area or 1 for each 2 employees on maximum shift, whichever is greater
Wholesale establishments and warehouses	1 for each 3000 sq. ft. of floor area or 1 for each 2 employees on maximum shift, whichever is greater

18.52 Development Standards for Off-Street Parking Spaces

A. Required off-street parking facilities shall be located on the same lot as the structure or use served, except that a parking facility providing the sum of parking spaces required for several uses may be provided contiguous to and in common with the several structures and uses served.

B. Parking areas may be located in any required yard, except the required front yard in a Residential District. Provided, however, that where a driveway bisects a front yard, parking shall be permitted in such a drive.

C. A parking space for one (1) vehicle shall be a minimum of ten feet in width and twenty (20) feet in length.

18.60 PUBLIC UTILITIES

The following regulations apply to the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use, or enlargement or any telecommunications tower as defined in Section 519.211 of the Ohio Revised Code:

1. Telecommunication towers shall be a minimum of 1000 feet from any residential dwelling unit.

2. Telecommunication towers shall be a minimum of one and one-half (1½) tower heights (including base height) from any buildings, roads, alleys, utility lines, structure, or property line.

3. Any site where a telecommunication tower is constructed, shall be landscaped and maintained in keeping with the decor of the area in-which the tower is located.

rev: 8/2007

18.70 SITE PLAN

A. Site Plan Purpose and Procedure

This Site Plan Procedure is to insure that the provisions of this Chapter and other Chapters are carried out in an integrated fashion for a development. Any proposed use of office, institution, commercial, industrial, or residential uses, where ten (10) or more parking spaces (see Section 18.51) are planned, a Site Plan is required.

Consideration must be given to protecting the health, safety, welfare, and values of surrounding residents and property. The Site Plan may be reviewed in stages or at one time. Four (4) copies shall be submitted to the Claridon Township Zoning Commission by the owner or developer for each review. An interim or final review will be accomplished within thirty (30) days.

At any time the Zoning Commission may also seek a recommendation from the Marion County Regional Planning Commission.

Items that pass an interim review may require additional detail for final approval. After the final review, the Zoning Commission will give a written report to the

owner/developer and Zoning Inspector as to the approval or denial of the Site Plan. If not approved, the Zoning Commission will specify in the report what is needed for re-submittal and approval. If approved, the Zoning Inspector will sign all copies of the Site Plan and return a copy to the owner or developer. If the owner/developer requires more signed copies, they shall supply the additional final plan copies to the Zoning Inspector. Any changes made after the final plan approval would require a Site Plan Change Review (see Section 18.70 (C)).

B. Preparation Of The Site Plan - Guidelines And Requirements

1. The Site Plan and Surveys must be prepared by Professional Surveyors, Engineers, and / or Architects registered in the State of Ohio.

2. Scale drawn to not more than a 100':1" scale with all locations, distances, dimensions and other features legibly marked. Show scales (written and graphic) and north point.

3. Title Block:

   a. Name of the development
   b. Type of business (es)
   c. Name (s) of the owner or developer
   d. Name (s) of the architect/engineer/surveyor
   e. Show completion date of the Site Plan

4. Give projected construction starting Date.

5. Give projected construction finish Date.

6. All distances shall be based on a survey of the outer property lines.

7. Show adjacent land parcels - with names of recorded owners.
8. Show zoning district boundaries - transgressing or adjacent to the site.

9. Show on-site and adjacent easements and right-of-ways; including name, location, dimension, and purpose.

10. Show parking area number and size of parking spaces (Section 18.51).

11. Show internal access flow.

12. Driveways - show location and width:

    1. Driveways located on Township Roads:

       Maximum driveway width: 35 feet

       Maximum number of driveways:

       Lots having less than 150 feet of continuous road frontage: One Driveway.

Lots having 150 feet or more of continuous road frontage: Two Driveways.

Minimum Driveway Spacing:

100 feet from the intersection of two public roads. All measurements are made from the edge of the public right-of way to the edge of the private drive. All driveways shall be located and the adjoining lots(s) graded s.o that vehicular traffic entering a public road from the private driveway has an unobstructed site distance of at least 300 feet.

Minimum spacing between driveways: 45 feet. All measurements are made from driveway edge to driveway edge.

2. Driveways located on County Roads:

   The Marion County Engineer's Office shall review and approve all driveways located off of County Roads. The applicant shall provide proof to the Commission that the Marion County Engineer's Office has approved the location of the proposed driveway(s).

3. Driveways located on State Highways:

   The Ohio Department of Transportation shall review and approve all driveways located off of State Highways. The applicant shall provide proof to the Commission that the Ohio Department of Transportation has approved the location of the proposed driveway(s).

13. Buildings - show size, location, setback lines, and dimensional distance to the street.

14. Trees and Landscaping - show location and whether existing or proposed.

15. Outside Lighting - show location and type. All light sources (i.e. light bulb(s)) shall be located in such a manner as to not be directly visible to any surrounding properties zoned for residential use.

16 Illustrate Drainage - include location of water impoundments. Wherever feasible, water impoundments shall be located in side or rear yards.

17. Drainage Systems - certificates of approval needed from a licensed engineer showing location, size, and adequacy of proposed drainage plans.

18. Buffer Zones - show location, dimensions, landscaping, and any other construction details. Buffers are necessary to protect Residential Districts when bordering different types of zoning districts.

19. All private streets are required to have ODOT Type 2 combined curb and gutter pan for drainage purposes.

20. Sidewalks shall be located on a minimum of one side of a private street. Where necessary, the Zoning Commission may require sidewalks on both sides of a private street.

C. Site Plan Maintenance

1. Any change from the currently approved Site Plan, regarding construction or business operations must be submitted to the Zoning Commission for review (following Section B requirements). Submit prior to making the change.

   A. Change in construction and / or lot size - Show additions or deletions from the current drawing with a modified current or a new drawing, giving the date of change and the starting date.

   B. Change in any business operations - Submit in writing a description of the change, including start up and / or shut-down dates.

2. The Zoning Inspector will inspect the site periodically before, during and after construction to insure compliance with the Site Plan, Permits, and all other applicable Claridon Township Zoning Regulations.

18.80 STORAGE OF JUNK MOTOR VEHICLES

No person shall park, store, or leave, or permit the parking, storing, or leaving of any junk motor vehicle upon any property within the Township unless the same is completely enclosed within a building or as otherwise specifically permitted by these regulations.

Added: 8/2007

18.90 SMALL WIND TURBINE PROJECTS LESS THAN 5MW

Definitions:

Accessory Structures: A subordinate building or structure on the same lot with a principal building, or a portion of the principal building occupied or devoted exclusively to an accessory use, provided that any such building or structure is erected at the same time or after the construction of the principal building.

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

Clear Fall Zone: An area surrounding the wind turbine unit into which the turbine and -or turbine components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing turbine failure that shall remain unobstructed and confined within the property lines of the primary parcel where the turbine is located. The purpose of the zone being that if the turbine should fall or otherwise become damaged, the falling structure will be confined to the primary parcel. and will not fall onto Primary Structures (defined below) and will not intrude onto a neighboring property.

Cowling: A streamlined removable metal cover that encloses the turbine's nacelle.

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.

Kilowatt (Kw): A unit of power, equal to one thousand watts.

Nacelle: A separate streamlined metal enclosure that covers the essential mechanical components of the turbine to which the rotor is attached.

Principal Building: A building or structure which is erected for the primary use of the lot upon which it is situated.

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

Megawatt (Mw): A unit of power, equal to one million watts.

Small Wind Project: Any wind project less than 5MW which includes the wind turbine generator and anemometer.

Wind Turbine Regulations for turbines producing less than 5 Megawatts of power:

Wind turbines producing 5 Mw (Megawatts) or more of power are regulated by the Ohio PUCO. State law permits townships to regulate wind turbines producing less than 5 Mw (Megawatts) of power. Therefore Claridon Township is adopting wind turbine regulations for small wind projects of less than 5 Mw (Megawatts). These regulations contain definitions, regulations, and criteria needed for issuance of a zoning permit.

Wind turbines will be exempt from regulation if they are used solely for agricultural purposes. Wind turbines are conditional permitted uses in Agricultural-Residential, Commercial, Office-Institutional, Industrial Districts and Mobile Home Parks. Wind turbines are not permitted in R-1, R-2, and Recreation Districts.

Any proposed construction, erection, or placement of a small wind project less than 5 Mw including the wind turbine generator or anemometer or any parts hereof shall be a conditional permitted use in the districts as noted above. The following conditions must be met before a conditional use permit is issued:

A. The **maximum height** of any turbine shall be 125 ft. For purposes of this Resolution, maximum height shall be considered the total height of the turbine system including the tower, and the maximum vertical height of the turbine's blades. Maximum height therefore shall be calculated by measuring the length of a prop at maximum vertical rotation to the base of the tower.

B. **Setbacks -** the following shall apply in regards to setbacks.

Any turbine erected on a parcel of land shall be setback 1.1 times the height of the tower, or established “clear fall zone”, from all road right-of-way lines and neighboring property lines, as well as any primary 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 and would not strike any primary structures.

C. **Maintenance**

Wind turbines must be maintained in good working order. The owner shall within 30 days of permanently ceasing operation of a wind turbine, tower, provide written notice of abandonment to the Zoning Inspector. An unused tower, wind turbine or small wind project may stand no longer than 12 months following abandonment. All costs associated with the demolition of the wind turbine tower and associated

equipment shall be borne by the owner. A wind turbine tower is considered abandoned when it ceases transmission of electricity for 30 consecutive days. Wind turbines that become inoperable for more than 12 months must be removed by the owner within thirty (30) days of issuance of zoning violation. Removal includes removal of all apparatuses, supports, and or other hardware associated with the existing wind turbine.

D. Decibel Levels

Decibel levels shall not exceed those provided by the manufacturer as requested in II Permits, 2., e. All units shall operate not more than 5 decibels above the established ambient decibel levels at property lines. Decibel levels shall not exceed 30 dB (as determined by the Township) at any adjoining property line. This information shall be included in the engineering report described below in Section II of this document. This information shall be obtained from the manufacturer of the turbine, and all decibel readings, if necessary, shall be taken from the nearest neighboring property lines. Those turbines not meeting this requirement will be issued a zoning violation and be required to shut down immediately until the required decibel levels are met.

E. Wiring and electrical apparatuses

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

F. Warning Signs

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

G. Building Permits

All Small Wind Projects and parts thereof shall obtain all applicable Building Permits from the State of Ohio , County and Township Building Regulations where required.

II. 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 Marion County Regional Planning Commission as to whether or not additional height restrictions are applicable due to the unit's location in relation to any local airports and comply with these restrictions.

C. Applicant shall then provide the Township Zoning Inspector with the following items and or information when applying for a permit:

1. Location of all public and private airports in relation to the location of the wind turbine.

2. A professional engineering report that shows:
    a. The total size and height of the unit
    b. If applicable**,** the total size and depth of the unit's **f**oundation structure concrete mounting pad, as well as soil and bedrock data.
    c. A list and or depiction of all safety measures that will be on the unit including anti-climb devices, grounding devices, and lightning protection, braking systems, guy wiring & anchors.
    d. Data specifying the kilowatt size and generating capacity in kilowatts of the particular unit.
    e. The maximum decibel level of the particular unit. This information shall/must be obtained from the manufacturer of the turbine unit.
    f. Ambient noise levels at property lines shall not exceed 30 dB.
    g. Hazardous materials containment and disposal plan.

3. A site drawing showing the location of the unit in relation to existing structures on the property, roads and other public right-of-ways, and neighboring property lines.

4. Evidence of established setbacks of 1.1 times the height of the wind turbine and "clear fall zone." with manufacturer's recommendation 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 shall be required as part of the permit.

Added: 6/2010

18.91 SOLAR

Accessory Solar Energy Systems – It is the purpose of this regulation to promote the safe, effective and efficient use of accessory solar energy systems installed to reduce the on-site consumption of utility supplied electricity. An accessory solar energy system shall be considered a permitted accessory use in Ag/Residential, R1, and R2 districts, all other districts shall be considered conditional use, provided that all requirements and regulations as set forth below are met. No person shall allow or maintain the use of an accessory solar energy system without first having obtained a zoning permit from the Zoning Inspector.

1. All Solar energy systems is permitted in all Ag/Residential, R1 and R2 districts as an accessory to principal use, all other districts shall be considered conditional use.

2. A solar energy system shall not be used for the generation of power for the sale of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to local utility company.

3. A roof/structure mounted solar energy system:
    a) Shall be flushed-mounted
    b) Shall not extend beyond the perimeter (or edge) of the structure on which it is located.
    c) May be mounted to a principal or accessory structure.
    d) Combined height of solar energy system and structure to which it is mounted may not exceed the maximum building height allowed in that zoning district for the type of structure to which it is attached.

4. A ground/pole mounted solar energy system
    a) Shall not exceed the maximum height allowed in that zoning district for accessory buildings.
    b) Shall not be located within the front yard.
    c) The surface area of a ground mounted systems, regardless of the mounted angle, shall be calculated as part of the overall lot coverage and may not exceed the lot coverage allowed by an accessory structure.

5. A solar energy system shall not be constructed until all applicable zoning and building permits have been approved and issued.

6. The design of the solar energy system must conform to all applicable industry standards.

7. Solar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within twelve (12) months from the date they are not producing electricity, become damaged. discontinued or broken. Any earth disturbance because of the removal of the ground mounted solar energy system shall be graded and reseeded.

8. A site plan shall be submitted at the time of application and shall include:
    a) Property lines and physical dimensions of the site
    b) Location of solar energy system(s) and all related equipment, setbacks from property lines, above and under-ground utility lines, easement and any structures on the property. Also show location of sewer treatment systems
    c) Location of required signage
    d) Elevation of the proposed solar energy system(s) at its maximum tilt
    e) Manufacturer's specification, including make, model and picture.

Added: 9/7/2022

18.92 DANGEROUS, EXOTIC AND WILD ANIMALS

1. No person shall own, harbor, keep or breed any dangerous exotic animal(s), or dangerous wild animals within Claridon Township.

2. "Dangerous Exotic Animals" shall be defined as any animal, amphibian, reptile, mammal, bird or fowl which is carnivorous, venomous or possesses other characteristics which may constitute a danger to human life and is not indigenous to the State of Ohio.

3. "Dangerous Wild Animals" shall be defined as any animal, amphibian, reptile, mammal, bird or fowl which is carnivorous, venomous or possesses other characteristics which may constitute a danger to human life and generally lives in its original, natural state and habitat and is not normally domesticated.

18.93 CARE FACILITIES SUBMISSION REQUIREMENTS

The operator or agency applying for a conditional use permit to operate a care facility shall submit the following information to the Board of Appeals for its review of the requested facility.

1. Site plan showing the following:

   A. Building location with dimensions to all lot lines.

   B. Parking spaces complying with Section 18.50 - Off-Street Parking Spaces.

   C. All exterior lighting greater than four feet in height shall be shaded to prevent glare on surrounding properties.

   D. Suitable space shall be provided for indoor and / or outdoor recreation activities for the clientele served, based upon the number of residents residing in the care facility. If no such standards exist, then the following minimum area standards shall apply:

      1. Common indoor space of at least 25 square feet per individual.

      2. Common outdoor space of at least 60 square feet per individual. If a public park or other common open space is available in the immediate vicinity of the facility, the Board may waive the outdoor space requirement.

2. Information sufficient to establish the need for the facility in the proposed location, in relationship to the specific clientele served.

3. A detailed plan for services and programs.

18.94 YARD SALES

Yard Sales shall meet the following requirements:

A. The sale of specific or miscellaneous goods or materials on a lawn, driveway, porch, garage, and basement or from any building on the premises shall be deemed a yard sale.

B. No more than four (4) yard sales shall be permitted on the same residential property in a twelve (12) month period and at the least six (6) weeks must pass since the last yard sale.

C. A yard sale cannot last more than three (3) consecutive days and not begin earlier than 8:00 AM weekdays: 12:00 PM noon on Sundays and last past sundown.

D. Advertising signs for yard sales may be located on any lot providing the owner of the lot has approved the sign placement.

Sign setback must be a minimum of two (2) feet from the front lot line. Under no circumstances will a yard sale advertising sign be permitted to be located in the street or road right-of-way.

The maximum permitted square footage per sign face is four (4) square feet. The

maximum sign height is four (4) feet from the ground to the top of the sign.

Signage must be located in such a way as to not create line of site issues for automotive traffic (or lot owner) using adjacent street(s) or roadways.

E. Set up for the yard sale shall be limited to 24 hours before the sale is to begin and all sale items, as well as, any and all other items used in the sale shall be removed from the sale area within 24 hours after the sale has ended. This includes all items such as tables, stands, tents and signs posted on-site and in the community or any other evidence of the sale.

Added: 11/7/2014

CHAPTER XIX

ZONING COMMISSION

19.10 ORGANIZATION, STAFF SERVICES, AND GENERAL PROCEDURES

19.11 Organization

An existing Zoning Commission for Claridon Township heretofore appointed in accord with Section 519.04 of the Ohio Revised Code is hereby acknowledged by this Resolution. Such Zoning Commission is composed of five(5) members appointed by the Township Trustee and are residents of the unincorporated area of Claridon Township. The terms of the Zoning Commission shall be of such length and so arranged so that one member's term will expire each year. Each member shall serve until his successor is appointed and qualified. Members of the Zoning Commission shall be removable for non-performance of duty, misconduct in office, or other causes set fort in Section 519.04 of the Ohio Revised Code. Vacancies in said Commission shall be filled by appointments made by the Township Trustees from residents of the unincorporated area of Claridon Township and shall be for the unexpired term of the office in which such vacancy has occurred.

19.12 Staff Services

The Township Clerk or such person as the Township Trustees shall otherwise appoint shall be Secretary of the Commission and shall prepare and distribute notices of meetings, keep minutes of meetings and prepare resolutions and other documents relating to the work of the Commission.

19.13 General Procedures

The Commission shall organize and adopt rules to govern its activities in accordance with this Resolution. All meetings of the Commission shall be open to the public. The Commission 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 filed immediately in the office of the Township Trustees and shall be a public record. Three(3) members of the Commission shall constitute a quorum.

19.20 POWERS AND DUTIES

The Zoning Commission may initiate proposed amendments to this Resolution and shall receive and review all other proposed amendments to this Resolution and submit its recommendations to the Township Trustees as provided in Section 519.12 of the Ohio Revised Code.

The Zoning Commission shall review all planned development projects and make recommendations to the Township Trustees as provided for in Chapter XVII.

The Zoning Commission shall be charged with all responsibilities designed to it by this Resolution and Ohio law.

CHAPTER XX

BOARD OF ZONING APPEALS

20.10 ESTABLISHMENT, STAFF SERVICES, AND GENERAL PROCEDURES

20.11 Establishments

An existing Board of Zoning Appeals for Claridon Township, Ohio, heretofore appointed in accord with Section 519.13, Ohio Revised Code, is hereby acknowledged. The Board shall consist of five member who shall be residents of the unincorporated territory of Claridon Township. The terms of the members shall be of such length and so arranged that the term of one member will expire each year. Each member shall serve until his successor is appointed and qualified. Members shall be removable for non-performance of duty, misconduct in office, or other causes set forth in Section 519.04 of The Ohio Revised Code. Vacancies shall be filled by the Township Trustees and shall be for the unexpired term.

20.12 Staff Services

The Township Clerk or such person as the Township Trustees shall otherwise appoint shall be Secretary of the Board, and shall prepare and distribute notices of meetings, keep minutes of meetings and prepare resolutions and other documents relating to the work of the Board.

20.13 General Procedures

The Board shall organize and adopt rules to govern its activities, in accordance with this Resolution. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be filed immediately in the Office of the Township Trustees and shall be a public record.

Three (3) members of the Board shall constitute a quorum to conduct business. The Board shall act by resolution; and the concurring vote of three (3) members of the Board shall be necessary to reverse any order or determination of the Zoning Inspector, to decide in favor of an applicant in any matter of which the Board has original jurisdiction under this Resolution, or to grant any variance from the requirements stipulated in this Resolution. In the absence of three(3) members at a scheduled meeting, if at least one (1) member is present, such member, or members, shall constitute a quorum for the purpose only of establishing a date and time for the continuance of such meeting. After such date is established and announced to all present, such member or both members, if two are present, whichever shall be the case, shall adjourn the meeting.

20.20 APPLICATIONS AND APPEALS

All applications and appeals made to the Board shall be in writing, and shall be filed with the Secretary at least fourteen(14) days before the meeting at which they are to be heard.

Each application or appeal shall refer to the specific provisions of the Resolution involved, shall set forth exactly the interpretation that is claimed, the use for which special exception is sought, a clear description of the land involved, or the details of the variance that is applied for and the ground on which it is claimed that the variance should be granted, as the case may be.

20.21 Rules, Organization and Meetings of the Board of Zoning Appeals

The Board shall act in strict accordance with the procedures specified by 1aw and by this Chapter. The following is a portion of the Ohio Revised Code (Section 519.15) which sets forth specific requirements.

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

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

The Board of Zoning Appeals shall fix a reasonable time for the public hearing of the appeal, give at least ten (10) days notice in writing to the parties in interest, give notice of such public hearing by one publication in one or more newspapers of general circulation in the county at least ten (10) days before the date of such hearing and decide the appeal within a reasonable time after it is submitted. Upon the hearing, any person may appear in person or by attorney.

20.30 POWERS OF THE BOARD

20.31 Interpretation of the Zoning Resolution

Upon appeal from a decision by the Zoning Inspector, the Board may hear and decide any question involving the interpretation of the Zoning Text or Map as follows:

In case there is question as to the intended meaning of any provision of the zoning text the Board may interpret its meaning and render a decision thereon.

Where the street or lot layout actually on the ground, or as recorded, differs from the street and lot lines as shown on the Zoning Map, the Board, after notice of public

hearing to the owners of the property, shall interpret the map in such a way as to carry out the intent and purpose of this Resolution for the particular section or district in question. In case of any question as to location of any boundary line between zoning districts, an application of interpretation of the Zoning Map may be made to the Board and a determination may be made by said Board by following the procedure established in Section 20.20.

20.32 Original Jurisdiction Applications for Exceptions and Conditional Uses

The Board shall have original jurisdiction and may hear and decide, in accordance with the provisions of this Resolution, applications, filled as herein before provided, for special exceptions, conditional uses, or for decisions upon other special questions upon which the Board is authorized by this Resolution to pass. In considering an application for special exception or conditional use, the Board shall give due regard to the nature and condition of all adjacent, uses and structures, and the consistency therewith of the proposed use and development. Before use, the Board shall determine whether the proposed exception or use would be hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood. Upon authorizing a conditional use or exception, the Board may impose such requirements and conditions with respect to location, construction, maintenance and operation, in addition to those expressly stipulated in this Resolution for the particular conditional use or exception, as the Board shall deem necessary for the protection of adjacent properties and public interest.

20.33 Appeals for Variances

The Board may authorize upon appeal in specific cases, filed as hereinbefore provided, such variances from the provision or requirements of this Resolution as will not be contrary to the public, interest provided, however, that nothing herein contained shall be construed as authorizing the Board of Zoning Appeals to effect changes in the zoning map or to add to the uses permitted in any zoning district; In order to grant a variance, this Board must find:

1. That there are special circumstances or conditions which must be fully described in the Board's decision, applying to the land or building for which the variance is sought, which circumstances or conditions are such that the strict application of the provisions of this Resolution would result in practical difficulty and unnecessary hardship and deprive the applicant of the reasonable use of the land or building.

2. That the granting of the variance will be in harmony with the general purpose and intent of this Resolution and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. In addition to considering the character and use of adjoining buildings and those in the vicinity, the Board, in making its findings, shall take into account the number of persons residing or working in such buildings or upon such land and traffic conditions in the vicinity.

3. That the condition or situation of the specific piece of property, or the intended use of said property, for which the variance is sought - one or the other or in combination - is not of so general or recurrent a nature as to make reasonably practicable the formulation as a part of this Resolution of a

   general regulation for such condition or situation.

4. That the variance as granted by the Board is the minimum variance that will accomplish the reasonable use of the subject land or building.

20.34 General Powers

In exercising its powers, the Board, in conformity with the provisions of the Ohio Revised Code and this Resolution, may reverse or affirm, wholly or in part or may modify the order, requirement, decision or determination appealed from, and may make such orders, requirements, decisions or determination as in its judgement ought to be made and to that end shall have all powers of the office from which the appeal is taken. The Board shall have and shall be limited strictly to the powers and duties prescribed by the Ohio Revised Code and by this Resolution.

CHAPTER XXI

ADMINISTRATION

21.10 ZONING INSPECTOR

21.11 Office of the Zoning Inspector

For the purpose of enforcing these Zoning Regulations the Office of Zoning Inspector for Claridon Township is hereby established, The Zoning Inspector shall be appointed by the Board of Trustees of Claridon Township and shall receive such compensation as said Board of Trustees shall determine before entering upon the duties of the Office, the Zoning Inspector shall give bond as required by Section 519.161 of the Ohio Revised Code. It shall be the duty of the Zoning Inspector to enforce the provisions of this Resolution and keep a record of all applications received for zoning or other permits and the actions taken thereon. The Zoning Inspector shall also be required to, whenever possible, attend Zoning Commission and Board of Zoning Appeals meetings.

21.20 APPLICATIONS, PERMITS

21.21 Zoning Permit

A zoning permit shall be required for the construction or alteration of any building or structure, including accessory buildings, signs, fences, etc. Every application for a zoning permit shall be accompanied by plans drawn to scale, showing the actual shape and dimensions of the lot to be built upon or to be changed in its use, in whole or in part; the exact location, size and height of any building or structure to be erected or altered; the existing and intended use of each building or structure to be erected or altered; the existing and intended use of each building or structure or part thereof; the number of families or housekeeping units the building is designed to accommodate if any; and, when no buildings are involved, the location information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Resolution.

No permit for excavation or construction shall be issued by the Zoning Inspector unless the plans, specifications and the intended use conform to the provisions of this Resolution.

21.22 Occupancy or Use Permits

Before the use of any land or building is changed, an application for an occupancy or use permit shall be filed with the Zoning Inspector. Such application shall show the location of the subject lands or buildings, the present and proposed use thereof, and such other information as may be necessary to determine if the proposed use is permitted under the provisions of this Resolution; and, if so, the occupancy or use permit shall be granted.

21.23 Zoning Permits; Time Limit

A zoning permit shall expire one (l) year after issuance unless the construction or alteration permitted by it has been substantial\y begun and is thereafter diligently pursued to completion, or unless the land or premises have been put to the use permitted by such permit.

A zoning permit shall be revocable, if among other things, the actual use, construction or alteration does not conform to the terms of the application and the permit granted thereof.

21.30 FEES

For Zoning Permit and other required fees see the current Township Trustees Resolution designating such costs.

21.40 AMENDMENTS

It shall be the policy of the Claridon Township Government to consider this Zoning Resolution, together with its Zoning District Maps, to be subject to amendment from time to time, in order to recognize changing conditions of land use and development, and to utilize improved practices in zoning. The Resolution will be regarded as a flexible means of encouraging good development and use of land in Claridon Township. To these ends, the Township Trustees, Claridon Township Zoning Commission, property owners or lessees of property may initiate amendments. The procedure for such proposed amendments shall be set forth in the Ohio Revised Code, Section 519.12.

CHAPTER XXII

DEFINITIONS

22.10 DEFINITIONS

For the purposes of this Resolution, certain terms are herewith defined. When not inconsistent with the context, words in the present tense include the future; words in the singular number include the plural, and words in the plural number include the singular; the word "structure" includes buildings, the word "occupied" includes designed or intended to be occupied; the word "used" includes designed or intended to be used; and the word "shall" is mandatory and not merely directive. Other words and terms shall have meanings as defined hereunder.

1. **Accessory Building or Structure**

A subordinate building or structure on the same lot with a principal building, or a portion of the principal building occupied or devoted exclusively to an accessory use, provided that any such building or structure is erected at the same time or after the construction of the principal building.

2. **Accessory Use**

A use subordinate to the principal use of a building or premises, and customarily incidental thereto.

3. **Adults Only Entertainment Establishment**

An establishment which features adult services or makes available or sells adults only material or which features exhibitions of: persons totally nude, topless or bottomless, or persons with less than full opaque covering of private parts of the body, erotic dancers, strippers, male or female impersonators, or similar entertainment which constitutes adult material.

4. **Adults Only Material**

Any book, magazine, newspaper, pamphlet, poster, print, slide, transparency, figure, image, description, motion picture film, pornographic record or tape, other tangible thing or any service, capable of arousing interest through sight, sound, or touch, or is characterized by an emphasis on sexual excitement.

5. **Agriculture**

The use of land for agricultural purposes, including the production of field crops, dairying, pasturage, farm woodlots, horticulture, apiculture, viticulture, animal and poultry husbandry and the normal processing and sale of agricultural products, but not including specialized animal raising except as an accessory to other agriculture activities. (See Section 5.40 for information regarding the exemption of agriculture from the requirements of this Resolution.)

6. **Airport**

Any runway, land area or other facility designed or used either publicly or privately by any person for the landing and taking-off of aircraft, including all necessary taxiways, aircraft storage and tie down areas, hangers and other necessary buildings, and open spaces.

7. **Animals - "Dangerous Exotic"**

Shall be defined as any animal, amphibian, reptile, mammal, bird or fowl which is carnivorous, venomous or possesses other characteristics which may constitute a danger to human life and is not indigenous to the State of Ohio.

8. **Animals - "Dangerous Wild "**

Shall be defined as any animal, amphibian, reptile, mammal, bird or fowl which is carnivorous, venomous or possesses other characteristics which may constitute a danger to human life and generally lives in its original, natural state and habitat and is not normally domesticated.

9. **Animal Raising, Specialized**

The use of land and buildings for the commercial raising, care and sale of fur-bearing animals such as foxes, mink, rabbits, dogs and domestic pets; also the stabling or care of horses and other animals and birds as an enterprise other than an accessory to agricultural use, as herein defined.

10. **Building**

Any structure having a roof supported by columns or walls used for shelter or enclosure of persons, animals, or property.

11. **Building, Height of**

The vertical distance from the average contact ground level at the front wall of the building to the highest point of the coping of a flat roof or the deck line of a mansard roof or the mean height level between eaves and ridge for gable, hip or gambrel roof.

12. **Building, Length of**

For the purpose of computing required yard dimension or distance between building, the length of a building shall be the total length of the exterior wall or walls which are most nearly parallel to the side lot line or other building to which the dimension or distance is measured.

13. **Building Wall**

For the purpose of computing required yard dimension or distance between buildings, the building wall includes such wall or parts thereof which is most nearly parallel with a lot line or other building wall to which the dimension or distance is measured.

14. **Care Facilities**

A residential facility which provides room and board, personal care, and supervision for six (6) or more residents on a transient, semi-transient, or permanent basis. Personal care is the necessary assistance to residents with the activities of daily living including self- administration of medications, preparation of special diets as may be prescribed by a physician or licensed dietician, and / or the assurance of the physical safety of the residents.

15. **Comprehensive Plan**

The Comprehensive Plan for Marion County or parts thereof, as amended by the Marion County Regional Planning Commission.

16. **Conditional Use; Special Exception**

A use which is subject to conditional approval by the Board of Appeals. A conditional use (or special exception) may be granted by the Board only under the conditions set forth in Section 20.32.

17. **District, Zoning**

A portion of land within the unincorporated territory of Claridon Township within which certain uniform regulations and requirements apply under the provisions of this Resolution.

18. **Drive-in Establishment**

Any commercial establishment such as a carwash, bank or restaurant, which relies upon provision for the driving of motor vehicles, for its primary source of customers or clients, with a parking space, window, stall or other device at which the sale or service is provided by the establishment.

19. **Dwelling**

Any building or portion thereof designed or used as the home of one or more persons or families, but not including a tent, cabin, hotel, motel, trailer or mobile home. This definition shall include a modular dwelling, as defined herein.

20. **Dwelling, Modular**

See Industrialized Dwelling Unit Definition

21. **Dwelling, Multi-Family**

A building or portion thereof designed for or used for residence purposes by three(3) or more families, including an apartment building or townhouse.

22. **Dwelling, Single-Family**

A building designed and used exclusively or residence purposes by one (l) family or housekeeping unit.

23. **Dwelling, Seasonal**

A summer cottage, winter lodge or similar lodging occupied less than six (6) months during a year, but excluding travel and vacation vehicles.

24. **Dwelling, Two-Family**

A building designed for and used exclusively by two (2) families or housekeeping units.

25. **Dwelling Unit**

Two (2) or more rooms designed for, intended for or used as a residence by one (l) family with facilities for cooking therein.

26. **Family**

A person living alone or two (2) or more persons living together as a single housekeeping unit, in a dwelling unit.

27. **Floor Area**

The measurement of floor area for purposes required by this Resolution shall be the sum of the areas of the first floor, as measured to the inside of exterior walls, plus that area, similarly measured, of all other stories having more than ninety (90) inches headroom, which are accessible by a fixed stairway, elevator or escalator, and which may be made usable intended occupancy. For residential uses, the floor area of uninhabitable basements, cellars, garages, accessory building, attics, breeze ways and unenclosed porches shall be excluded.

28. **Garage, Private**

A detached accessory building or a portion of a principal building used only for the storage of self-propelled vehicles and incidental residential storage.

29. **Home Occupation**

An occupation which is carried on in the home provided it is incidental to the residential use with the service and or product available at the home and meets the requirements of Section 18.30 of this Resolution. (Revised: 2010)

30. **Hotel, Motel**

A building or combination of buildings containing rooms to be occupied primarily by travelers or transients as lodgings which may or may not include facilities for serving meals.

31. **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 a part of a greater structure, and that requires transportation to the site of intended use. "Industrialized unit" includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. "Industrialized unit" does not include a manufactured or mobile home.

32. **Junk Motor Vehicle**

A motor vehicle that is three model years old or older, apparently inoperable, and extensively damaged, including but not limited to missing wheels, tires, engine, or transmission.

33. **Junk Yard**

A place where discarded or salvaged materials are brought, sold, exchanged, baled, packed, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards, and places or yards for storage of house wrecking and structural steel materials and equipment. For the purpose of this Resolution, the locating or placement of two (2) or more unlicensed highway vehicles on any lot shall constitute a junk yard and be subject to the provisions and regulations of a junk yard.

34. **Land Use Plan**

The Land Use Plan for Marion County, as adopted and amended by the Marion County Regional Planning Commission.

35. **Lodging House or Rooming House**

A building or part thereof, other than a hotel or motel, where both meals and lodging are provided, for compensation, for three (3) or more persons, not transient, where no cooking or dining facilities are provided in individual rooms.

36. **Lot**

A parcel of land occupied or intended to be occupied by a principal building or group of such buildings and accessory buildings, or utilized for a principal use and uses accessory thereto, together with the open space required by this Resolution and having frontage on a public street.

37. **Lot Area**

The computed land area within the lot lines of any lot. Such computed lot area shall not include:

1. Any portion of the street or alley right-of-way adjacent to such lot or parcel of land; or

2. The surface area of any permanent standing bodies of water - i.e. ponds, lakes, etc. (The surface area of drainage ditches may be included in the calculation of lot area)

38. **Lot, Corner**

A lot abutting upon two(2) or more streets at their intersection or upon two(2) parts of the same street which form an interior angle of less than one hundred thirty-five(135) degrees. The point of intersection of the street lines is the corner.

39. **Lot, Interior**

Any lot that cannot be considered a corner lot.

40. **Lot Depth**

The mean horizontal distance between the front and rear lot lines, measured at right angles to the street line.

41. **Lot Width**

The mean horizontal distance across the lot between side lot lines, measured at right angles to a line representing the lot's depth, provided that the minimum lot widths required by this Resolution shall be measured at a point equal to the distance from the front lot line to the required depth, the setback, of the front yard. (May 2001)

42. **Lot Lines**

The property or street right-of-way lines which form the boundaries of a lot.

43. **Lot Line Front**

The front lot line shall be the line separating the lot from the street. On a corner lot, the plat or tract developer shall, for the purposes of this Resolution, have the privilege of electing any street lot line as the front line, provided it is so designated as being that line toward which the principal building faces, as designated and set forth on the building or design plans filed for approval with the Township Zoning Inspector and/or the Regional Planning Commission.

44. **Lot Line, Rear**

The lot line opposite and most distant from the front lot line.

45. **Lot Line, Side**

Any lot line other than a front or rear lot line. A side lot line of a corner lot, separating a lot from a street, is called a side street lot line. A side lot line separating a lot from another lot is called an interior lot line.

46. **Lot of Record**

A lot which is a part of a recorded plat or a lot described by metes and bounds, the map and/or description of which has been recorded in the office of the Marion County Recorder.

47. **Manufactured Home**

A building 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.

48. **Motel: See Hotel**

49. **Mobile Home**

A building unit or assembly of closed construction fabricated in an off-site facility, is more than 35 body feet in length, or, when erected on a 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 as a manufactured home or industrialized unit as defined in this Chapter. These units were primarily built before 1976 when HUD standards became effective.

50. **Modular Home**

See Industrialized Dwelling Unit Definition

51. **Non-Conforming Structure**

A building or structure, lawfully existing at the time of the effective date of this Resolution, that does not conform to the provisions as to lot area, yard or building height requirements; other structural standards for the Zoning District in which it is located.

52. **Non-Conforming Use**

The use of a building or structure or a tract of land, which was lawful at the time of the effective date of this Resolution but does not conform to the use regulations for the Zoning District in which it is located.

53. **Open Space**

This term, as used in this Resolution, is intended to refer to front, side or rear yards adjoining buildings, or to other land not occupied by buildings, whether required or otherwise provided to afford light, ventilation, visibility and other elements condusive to a healthful environment.

54. **Parking Area or Lot**

An open area, other than a street or other public way, used for the parking of motor vehicles.

55. **Permanent Foundation**

Permanent masonry, concrete, or locally approved footing or foundation.

56. **Permit, Zoning**

Any permit which authorizes the construction, use or alteration of buildings or structures in accordance with the Zoning Resolution.

57. **Permit, Occupancy or Use**

Any permit which authorizes a change in land use of a particular parcel.

58. **Principal Building**

A building or structure which is erected for the primary use of the lot upon which it is situated.

59. **Principal Use**

The primary or chief purpose for which a lot or structure or structures erected thereon are to be used.

60. **Public Sewer and Water**

As used in this Resolution the terms Public Sewer and/or Public Water Supply shall be construed to include any water supply or sewer system constructed by and developer in accordance with the standards established by the Health Department of the State of Ohio and the Marion County Health and Sanitary Engineering Department.

61. **Public Uses**

All lands, other than streets, highways, or alleys owned by and officially designated for continuing public use by a municipality, Township, County, School District, State of Ohio, United States Government, or any other duly constituted agency of government, including bu-t not limited to parks, schools, administrative, recreational, cultural and/or service building.

62. **Recreation Facilities, Private**

Member owned recreation facilities which are not operated for the general public for profit, including private country clubs, golf courses, riding clubs, fishing or hunting clubs, game preserves, ski slopes, swimming pools and other similar non-commercial recreation areas or facilities.

63. **Recreation Facilities, General Commercial**

Recreation areas and facilities open to the public, established and operated for profit, including commercial golf courses, ski lodges and slopes, swimming pools, ice skating rinks, riding stables, race tracks, amusement parks, carnivals and similar commercial enterprises.

64. **Residence: See Dwelling**

65. **Road: See Street**

66. **School**

A building used for the purpose of elementary or secondary education which meets the requirements of the compulsory education laws of the State of Ohio, and not providing residential accommodations for students.

67. **Semi-Public Uses**

Land owned by a non-profit organization or agency which is open to general public use,including but not limited to a cemetery, church, Sunday school, parochial school, college, hospital, site occupied by an auditorium, museum, art gallery or other institution of an educational, religious, charitable or philanthropic nature but not including any private or semi-private club, lodge, fraternity or other similar activity.

68. **Service Station**

Buildings or premises, or portions thereof, arranged or designed to be used for the retail sale of oil, gasoline or other products for the propulsion or lubrication of motor vehicles, including facilities for changing and repairing of tires or batteries, polishing, greasing, washing, or minor servicing of such motor vehicles, but excluding high speed automotive washing, steam cleaning, body repairing, major motor, transmission or chassis repairing and body bumping and painting.

69. **Sign**

Any writing, numerals, pictorial representation, illustration, decoration, emblem, symbol, trademark, flag, banner, pennant, streamer, or any other figures or objects of similar character which:

a. Is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building, column or other structure, or any portable device, and;

b. Is used to announce, direct attention to, or advertise, and;

c. Is visible from any street, alley, park, or other public area.

70. **Sign, Area of**

The entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed excluding the necessary supports or uprights on which such sign is placed.

71. **Sign, Accessory**

A sign which relates solely to the building or premises on which it is located, in any manner indicated by the definitions hereunder for functional types of accessory sign.

72. **Sign, Temporary**

A sign, as defined above, which is displayed for a limited period of time not exceeding thirty (30) days.

73. **Sign, Advertising**

A sign which directs attention to a use, commodity or service not related to the premises on which it is located, including a billboard.

74. **Sign, Digital Accessory and Advertising**

A digital / electronic sign that is used to display messages and graphics and is controlled on- site or off-site by means of a computer.

75. **Sign Face**

A single surface of a sign, upon, against, or through which the message of the sign is exhibited.

76 **Sign, Governmental**

Includes directional and official national (federal and U.S. Armed Forces), state, county, or local flags, symbols, or seats.

77. **Slaughterhouse**

A building used for the slaughtering of animals and the scalding, dressing, butchering and storage of animals carcasses, but not including the rendering, smoking, curing, or other processing of meat, fat, bones, offal, blood or other by-products.

78. **Solar Energy Facility**

A) **Facility**: A facility where energy from the sun that is converted into thermal or electrical energy for sale to the power grid, including utility scale facilities. This use shall be deemed to be a principal use.

B) **Solar Energy Systems**: Roof panels or structures where panels are mounted or batteries placed, where energy from the sun is converted into thermal or electric energy, or stored, is designed to primarily be used to power structures on stie with only excess energy being sold back to the grid, thus a non-utility scale system. This shall be deemed to be an accessory use.

79. **Street**

A public right-of-way for vehicular or pedestrian use thirty(30) feet or more in width which existed prior to the effective date of this Resolution. The term "street" shall include avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare, or any other similar term, but shall not include walkways for pedestrian use only.

80. **Street, Principal**

The street adjoining the front lot line of any lot of land.

81. **Street, Side**

The street located along the side street lot line of a corner lot; the street adjoining a corner lot which is approximately at right angles to the principal street.

82. **Structure**

Any constructed or erected material or combination of materials, the use of which requires location on the ground, including but not limited to buildings, stadia, radio towers, sheds, storage bins, swimming pools, walls and fences and free standing signs.

83. **Structural Alteration**

Any change in the structural members of a building, such as walls, floors, columns, beams, girders, or roof.

84. **Subdivision Regulations**

The Subdivision Regulations for Marion County and the City of Marion, adopted by the Marion County Regional Planning Commission July 27, 1966, as they may be amended from time to time.

85. **Supportive Living Home**

Four or less people sharing a house or apartment, each choosing where and with whom they want to live, and who cares for them.

86. **Travel or Vacation Vehicle**

A vehicle, either self-propelled or non-self-propelled, so constructed as to permit its continued conveyance upon public streets and highways, and so designed and constructed as to provide sleeping and/or eating accommodations for persons while traveling or vacationing. Any portable vehicle providing such accommodations having a usable length of forty-five (45) feet or less shall be included within this definition, and shall not be defined as a manufactured / mobile home.

87. **Temporary Living Spaces**

Temporary living spaces are temporary housing arrangements which are made until a principal and permanent dwelling is constructed or reconstructed in accordance with the provisions of this Resolution. Such temporary living spaces may include manufactured / mobile homes, travel or vacation vehicles, garages or basements, but must meet applicable Marion County Health Department Regulations. Further, the permit granted for a temporary living space shall expire at the end of thirty (30) days following the date of issuance of a permit, unless a special exception is granted by the Board of Zoning Appeals in accordance with Section 20.32.

88. **Yards, Required**

The open space required between lot lines and buildings or structures, which space shall be open, unoccupied and unobstructed except as provided for in this Resolution.

89. **Yard, Front**

The required open space, extending for the full width of the lot, between the front lot line and any building, measured horizontally at right angles to the front lot line.

90. **Yard, Rear**

The required open space, extending for the full width of the lot, between the rear lot line and any principal building, measured horizontally at right angles to the rear lot line.

91. **Yard, Side**

The open space extending from the front yard to the rear yard, between the nearest side lot line and a building.

92. **Zoning District; Zoning Use District; Use District**

These terms are synonymous with each other. See District Zoning.