

# STONELICK TOWNSHIP ZONING RESOLUTION

Stonelick Township, Ohio



**14 October 2004**  
Last Amended  
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With assistance from:

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STONELICK TOWNSHIP ZONING RESOLUTION  
CLERMONT COUNTY, OHIO  
14 October 2004

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**ARTICLE 1**  
**GENERAL PROVISIONS**

**Section 1.1 Title**

This Resolution shall be known as and may be cited and referred to as the “Stonelick Township Zoning Resolution, Clermont County, Ohio”.

**Section 1.2 Purpose**

The purpose of this Zoning Resolution is:

1. To promote the health, safety, morals, comfort and general welfare of the community;
2. To conserve and protect property and property values;
3. To secure the most appropriate use of land;
4. To facilitate adequate but economical provisions of public improvements, all in accordance with the provisions of the Ohio Revised Code Sections 519.01-519.99; and
5. To permit the implementation of the ***Stonelick Township Growth Management Plan***.

**Section 1.3 Interpretation of Standards**

In interpreting and applying the provisions of this Resolution, they shall be held to be the minimum requirements for the promotion of the public health, safety, morals, comfort and general welfare. Wherever the regulations of this Resolution impose higher standards than are required in any other Resolution or regulation, private deed restrictions or private covenants, these regulations shall govern. If the requirements of another Resolution, regulation, private deed restriction or private covenant are more restrictive, then those requirements shall govern.

**Section 1.4 Separability**

If any part of this Zoning Resolution is held to be unconstitutional or invalid, such decision shall not affect the validity of this document as a whole, or the remaining parts of this Zoning Resolution.

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## ARTICLE 2 DEFINITIONS

### Section 2.1 Purpose

For the purpose of this Resolution, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular; the word “building” shall include the word “structure” and the word “shall” is mandatory.

The following words and terms, wherever they occur in this Article, shall be construed as herein defined. Words not defined in this Zoning Resolution shall be interpreted in accordance with definitions in: *The Zoning Dictionary* by Lehman and Associates; *The Latest Illustrated Book of Development Definitions* by Harvey S. Moskowitz; the applicable Fire Code; the State Statutes; State Building Code; or the residential building code as adopted by the Clermont County Board of County Commissioners.

### Section 2.2 Words and Terms Defined

For the purposes of this Article, all terms shall have the meanings ascribed to them in this Section, unless the context clearly indicates otherwise.

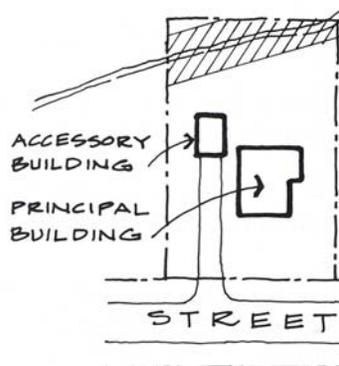
## A

**Abandonment** - The discontinuance of the occupation and productive use of the property by the owner. Abandonment may be presumed if the property is unoccupied and any of the following may occur:

- A. Orders have been issued against the owner of the property for violations of any State, County, or municipal building, health, fire or property maintenance code associated with the use, and attempts to serve process on such orders and/or criminal citations have been unsuccessful;
- B. The owner no longer resides at the tax mailing address;
- C. The owner is a corporation that is not licensed to do business in the State of Ohio or, having been licensed, is no longer in good standing; or
- D. The named owner is deceased and no probate estate has been opened within six (6) months of the death of the named owner.

**Abutting** - Having a common border with, or being separated from such a common border by a right-of-way, alley or easement.

**Accessory Building** - A subordinate building or structure, the use of which is incidental to and customary in connection with the main building or to the use of the premises.



**Accessory Use** - See "Use, Accessory".

**Adult Entertainment Establishment** - Any premises to which public patrons or members are invited or admitted and which are so physically arranged so as to provide booths, cubicles, rooms, compartments or stalls separate from the common area of the premises for the purposes of viewing adult-oriented motion pictures; or wherein an entertainer provides adult entertainment to a member of the public, a patron or a member, whether or not such adult entertainment is held, conducted, operated or maintained for profit, direct or indirect. An adult oriented establishment includes, but is not limited to the following:

- A. **Adult Bookstore** - An establishment which includes, but is not limited to, booths, cubicles, rooms or stalls for the presentation of adult entertainment, including adult-oriented films, movies or live performances for observation by patrons therein, or which, as part of its regular and predominant course of conduct, offers for sale, rent, trade, lease, inspection or viewing, books, films, video cassettes, magazines or other periodicals, which are distinguished or characterized by their emphasis on matters depicting, describing or relating to specified anatomical areas or specified sexual activities.
- B. **Adult Entertainment** - Any exhibition of any motion pictures, live performances, displays or dances of any type, which has as a significant or substantial portion of such performance, or is distinguished or characterized by an emphasis on, any actual or simulated performance of specified sexual activities, or exhibition and viewing of specified anatomical areas, appearing unclothed, or the removal of articles of clothing, to reveal specified anatomical areas.
- C. **Adult Motion Picture Theater** - An establishment which is significantly or substantially used for presenting motion picture films, video cassettes, cable television or any other such visual media, distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

**Adjacent** - See "Abutting".

**Agriculture** - The use of land for agricultural purposes including: farming; ranching; aquiculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production; barns and greenhouses when used in conjunction with agricultural uses.

**Alley** - A public thoroughfare which affords only a secondary means of access to abutting property.

**Animal Hospital or Veterinarian Clinic** - A place, licensed by the State of Ohio, used for the care, grooming, diagnosis and treatment of sick, ailing, infirm or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for treatment, observation and/or recuperation.

**Antenna** - The physical device through which telecommunications, radio, or television signals are transmitted or received.

**Antique** - An item or artifact whose value is determined because of its age, quality, availability and demand by collectors, rather than its original purpose. For the purpose of this Resolution, "antique" shall include "historical" motor vehicles as defined in Section 4501.01, G. of the Ohio Revised Code.

**Apartment** - A room or suite of rooms in a multiple dwelling, rented or leased, intended or designed for use as a residence by a single family. This includes one (1) or more units in a building used primarily for nonresidential uses.

**Auditorium** - A place where large groups of people gather for events and programs for recreational, social or educational purposes.

**Automobile Repair Garage** - A business conducting general repair, rebuilding or reconditioning of engines, motor vehicles or trailers, including but not limited to: body work, frame work, welding and painting.

**Automobile, Truck, Trailer and Farm Implement Sales and Service** - A display and temporary storage, for sale, of new or used motor vehicles including RV's, trucks, motorcycles, and farm equipment and implements, where repair or service work is incidental to the operation of new vehicle sales.

**Average Front Yard Setback** - A numerical value, indicated in feet, calculated by dividing the sum total of the specified front yard setbacks by the total number of front yards specified in the regulations.

## **B**

**Bar or Tavern** - An establishment serving alcoholic beverages in which the principal business is the sale of such beverages at retail for consumption on the premises and where food may be available for consumption on the premises.

**Barn** - A building used primarily for the storage of grain, hay, and other farm related products, and/or the sheltering of livestock or farm equipment.

**Basement** - A story having part but not more than one-half (½) its average height below grade. A basement is counted as a story for the purpose of height regulations.

**Bed and Breakfast Establishments** - A single family dwelling whose premises are permanently occupied by a family that offers overnight accommodations and breakfast to transient guests for compensation.

**Berm** - A level space, shelf, or raised mound of earth, often landscaped, and used especially as a barrier separating two areas. 1

**Best Management Practices (BMP's)** - The policies, practices, procedures, or structures implemented to mitigate the adverse environmental effects on surface water quality resulting from development. BMP's are categorized as structural or non-structural. A BMP policy may affect the limits on a development.

**Board** - See, "Zoning Board of Appeals".

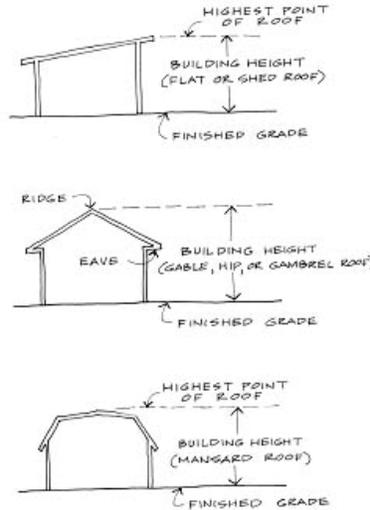
**Boarding House** - A building other than a hotel where, for compensation, meals, or lodging and meals are provided for three (3) but not more than eight (8) persons.

**Buffer** - The use of land, topography, difference in elevation, space, fences or landscape planting to screen, or partially screen, a use or property from another use or property, and thus reducing undesirable influences, such as sight, glare, noise, dust and other external effects.

**Buildable Area** - The area remaining after subtracting required open space from the site area.

**Building** - Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, chattels or property.

**Building, Height of a** - The vertical distance to be measured from the front grade to the highest point of the coping of a flat roof, or to the top of the ridge for gable, hip, mansard and gambrel roofs.



**Building Line** - A line separating buildable area from any required yards or open spaces as defined herein. The “building line” will constitute the largest extremity of the building (e.g. overhang or eave), rather than the foundation.

**Building Pad** - An area delineated within a lot to which construction of a dwelling is limited, and outside of which no dwelling may be erected or used.

**Building, Principal** - A building which contains the primary use of the lot, as contrasted to accessory building or use. In any residential zone a dwelling shall be deemed to be the principal building on the lot.

## C

**Car Wash** - The use of a tract of land, building, or portion thereof, for the manual or automatic washing and cleaning of passenger vehicles, recreational vehicles or other light duty equipment.

**Cellar** – A story having more than one-half (½) of its average height below grade. A cellar is counted as a story for the purpose of height regulation only if used for dwelling purposes.

**Cemetery** - Land used or dedicated for the burial of the dead, including crematoriums, mausoleums, necessary sales, and maintenance facilities.

**Child Day Care** - Any place recognized by Ohio Revised Code Section 5104.01 in which child care is provided for preschool or school age children.

**Church or Other Place of Worship** - An institution that a congregation of people regularly attend to participate in or hold religious services, meetings and other activities, including buildings in which the religious services of any denomination are held.

**Clinic, medical or dental** - A place for the treatment of persons in need of medical or dental care that does not include overnight care facilities.

**Club** - A nonprofit association of persons who are bona fide members paying regular dues, and who are organized for some common purpose. Clubs shall exclude places of worship or groups organized solely or primarily to render a service carried on as a commercial enterprise.

**Collectible** - An item whose value is enhanced because of collector demand due to its rarity and/or excellence. For the purpose of this Resolution, "collectible" shall include "collector's vehicle" as defined in 4501.01, F. of the Ohio Revised Code.

**Collocation** - The use of a telecommunication facility by more than one provider.

**Commercial Entertainment** - A facility for any profit making activity which provides services related to the entertainment field within an enclosed building. Examples include: theaters, motion picture theaters, miniature golf, bowling alleys, pool and billiard halls and similar entertainment activities.

**Commercial Recreation** – See, "Recreation, Commercial".

**Commission** - See, "Zoning Commission".

**Comprehensive Plan** - See, "Growth Management Plan".

**Conditional Use** - See, "Use, Conditional".

**Conservation Easement** - The grant of a property right stipulating that the described land will remain in its natural state and precluding future or additional development.

## **D**

**Debris** - The remains of something broken down, destroyed, fragmented, burnt or razed.

**Density** - The number of dwelling units per acre of land.

**Development Plan** - A report, in map and text form, submitted as the second step of a Planned Unit Development (PUD) proposal, including depiction of the location, purpose, type of land use, circulation pattern, the primary relationship between site elements and between the proposed development and surrounding development, and information on the proposed developer.

**District** - A Section or Sections of the unincorporated territory of Stonelick Township for which the regulations governing the use of buildings and premises, the height of buildings, size of yards and the area of lots are uniform.

**Drive Through Establishment (also Drive-In Facility)** - Any portion of a building or structure from which business is transacted or is capable of being transacted, directly with customers located in a motor vehicle during such business transaction.

**Dwelling** - A building or portion thereof containing living, sleeping, housekeeping accommodations, and sanitary facilities for occupancy by one (1) family. <sup>8</sup>

**Dwelling, Mobile Home** - A non-self propelled vehicle that is constructed in such a manner as will permit the use and occupancy thereof for continuous human habitation and which has a wheeled chassis as an integral part of its structure for the purpose of being transported from site to site. Multiple units mounted on individual chassis and joined on site (i.e. double wide mobile homes) are not distinguished from single unit vehicles in this definition and are considered strictly as mobile homes. This definition is to include any prefabricated unit or units designed for use as a dwelling that may not conform in all respects to State and County building codes for dwellings.

**Dwelling, Permanently Sited Manufactured Home** - A permanently sited home that is manufactured in two (2) or more component sections that are transported to the home site and assembled on a permanent foundation and whose construction meets all specifications of the State and County building codes. Manufactured homes shall be considered as buildings, dwellings or structures for the purposes of this Resolution.

**Dwelling, Multi-Family** - A residential building or portion thereof designed for, or occupied exclusively by, more than two (2) families.

**Dwelling, Single Family** - A residential building designed for, or occupied exclusively by, one (1) family.

**Dwelling, Two-Family** - A residential building designed for, or occupied exclusively by, two (2) families.

**Dwelling, Unit** - Space within a building comprised of living, dining and sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing and toilet facilities, all used by only one (1) family. <sup>9</sup>

## **E**

**Easement** - A grant by a property owner for use of a parcel of land by the public or any person for any specific purpose or for purposes of access, constructing and maintaining utilities, including: sanitary sewers, water mains, electric lines, telephone lines, cable television lines, other transmission lines, storm sewer, storm drainage ways, gas lines or other service utilities.

**Educational Institution: Vocational, College, University, Business or Training Center** - A public or private post-secondary facility, with an academic curricula, including uses, structures, and/or facilities sanctioned by, ancillary or necessary to the operation of such institution. This includes, but is not limited to, dormitories, food sales, retail sales, indoor and/or outdoor recreation facilities, offices, printing, museums, and professional service (affiliated with the college or university, vocational, business or training center).

**Educational Institution: Elementary School, Junior High School, High School** - A public or private facility that provides a curriculum of elementary or secondary academic instruction, including kindergartens, elementary schools, junior high schools and high schools.

**Ephemeral Stream** – A natural watercourse that has flowing water only during and for a short duration after, precipitation events in a typical year. Ephemeral stream beds are located above the water table year-round. Groundwater is not a source of water for the stream. Runoff from rainfall is the primary source of water for stream flow.

## **F**

**Family** - A person or group of persons occupying a premises and living as a single housekeeping unit, whether or not related to each other by birth or marriage as distinguished from a group occupying a boarding house, lodging house, bed and breakfast establishment or hotel as defined herein.

**Farm Market** - A market where fifty (50) percent or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year.

**Fence** - An artificially constructed structure enclosing or separating yards, fields, lots or other areas.

**Filling Station** - A facility limited to the retail sales of motor oil, lubricants, motor fuels, travel aides, minor automobile accessories and convenience goods to the public. In addition, such facilities may provide minor vehicle servicing, minor repairs and maintenance, but may not include engine rebuilding, the reconditioning of motor vehicles, and collision services such as painting, body, frame or fender straightening.

**Financial Institution** - A building, property or activity where the principal use or purpose of which is the provision of financial services including, but not limited to banks, credit unions, savings and loan institutions, lending establishments and mortgage companies.

**Floodplain** - Those areas designated in the 100 year floodplain by the Federal Emergency Management Agency as “areas of special flood-related erosion hazard” or “area of special flood hazard” on any Flood Hazard Boundary Map issued by the Administrator of the Federal Emergency Management Agency.

**Floor Area Ratio** - A measure derived by dividing the gross floor area (GFA) of a building or structure by the size of the lot.

**Frontage** - The distance a parcel of property faces a street and that is measured along the length of said street between the intersections of the parcel’s property lines and the right-of-way for a public street or the easement line for a private street. For the purposes of this Resolution, where a single parcel has property facing both sides of a right-of-way or easement line, only the frontage of one side shall be considered in the fulfillment of any frontage requirements.

**Funeral Home** - An establishment engaged in undertaking services such as preparing the dead for burial, arranging and managing the display of the deceased, and providing rituals connected therewith before burial or cremation.

## **G**

**Garage, Private** - An accessory building, detached or attached, housing no more than four (4) motor vehicles normally operated by a resident of the premises, and two (2) of which may be passenger automobiles owned by non-residents of the premises.

**Garage, Public** - A principal building or accessory building, other than a private garage, used for parking or temporary storage of passenger automobiles, and in which no vehicle sales or service shall be provided for a fee.

**Garage, Storage** - Any building or premises used for housing only, of motor vehicles pursuant to previous arrangements and not to transients, and at which automobile fuels and oils are not sold, and motor vehicles are not equipped, repaired, hired or sold.

**General Provisions** - A Zoning Resolution regulation that pertains to more than one Zoning District.

**Golf Course** - A tract of land laid out with at least nine holes for playing a game of golf and improved with tees, greens, fairways and hazards. A clubhouse, maintenance facility and shelters may be permitted as accessory uses.

**Grade** - The average elevation of the land around a building as measured in feet above sea level.

**Greenhouse** - A building largely constructed of glass or other transparent or translucent material in which the temperature and humidity can be regulated for the cultivation of plants for the subsequent sale or for personal enjoyment.

**Gross Area** - The total land and water surface contained within the boundaries of a lot.

**Gross Floor Area** - The sum of the total horizontal areas of every floor of every building or structure (other than an accessory building) on a lot that is designed and useable to support occupancy by persons or storage of goods or equipment. The measurement of gross floor area (GFA) shall be computed applying the following criteria:

- A. The horizontal area is measured from the outside face of all exterior walls.
- B. Excluding unfinished cellars, basements, attics, covered or uncovered porches, balconies and decks, enclosed storage or mechanical areas, mezzanines and similar structures.

**Growth Management Plan** - A compilation of policy statements, goals, standards and maps for guiding the physical, social, and economic development, both private and public, of the Township and its environs, adopted by the Township, and as may be amended from time to time.

## **H**

**Hedge** – A row of closely planted shrubs, bushes or similar plant material that forms a compact, dense boundary, fence or shields and area from view.

**Hobby** - A subordinate non-profit occupation pursued by an individual for the purpose of relaxation and/or enjoyment in addition to the individuals' regular occupation.

**Home Occupation** - A gainful enterprise of limited extent, incidental and secondary to the residential use of the property so zoned, operated only by a family member or members residing on said premises without changing the outward residential appearance of said property or endangering the health, safety and welfare of the surrounding residential neighborhood.

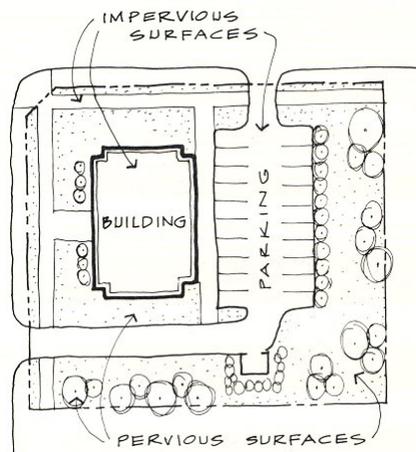
**Homeowners Association** - A community association that is organized in a residential development in which individual owners share common interests and responsibilities for costs and upkeep of common open space or facilities.

**Hospital** - An institution providing inpatient and outpatient medical and surgical care, diagnosis and treatment for sick or injured persons including beds for overnight care, laboratories, training facilities, and other necessary accessory facilities.

**Hotel or Motel** - A building in which lodging is provided and offered to the public for compensation and which is open to transient guests and which may include additional accessory services such as restaurants, meeting rooms and personal fitness facilities.

**I**

**Impervious Surface (Lot Coverage)** - Any material that prevents the absorption of storm water into the ground located directly below the material including any compacted areas serving as a driveway or parking area.



**Impervious Surface Ratio** - The measure of intensity of land use, determined by dividing the total of all impervious surfaces on a site by the gross area of the site.

**Inspector** - The Zoning Inspector of Stonelick Township appointed by the Board of Township Trustees, to enforce the provisions and regulations of this Zoning Resolution.

**Intermittent Stream** - A natural watercourse that has flowing water during certain times of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow.

## **J**

**Junk** - Old, used, or scrap aluminum, copper, brass, iron, steel, other metal alloys and nonferrous materials, batteries, rope, lumber or building materials, paper, cloth, rubber, ceramics, plastics or other products thereof, trash and rubbish.

**Junk Vehicles** - Vehicles, as defined by the Ohio Revised Code, Chapter 4501 and Chapter 4501-01, regardless of value, which are not currently registered or are inoperable due to damage, dismantling, or mechanical failure, including recreational, collectible, or antique vehicles and watercraft. <sup>19</sup>

## **K**

**Kennel** - Any premises where any person engages in the business of boarding, grooming, breeding, buying, letting for hire, training for a fee or selling of three (3) or more animals.

## **L**

**Landscaped Surface Ratio (LSR)** - The area of landscaped surfaces of a lot divided by the total area of the lot.

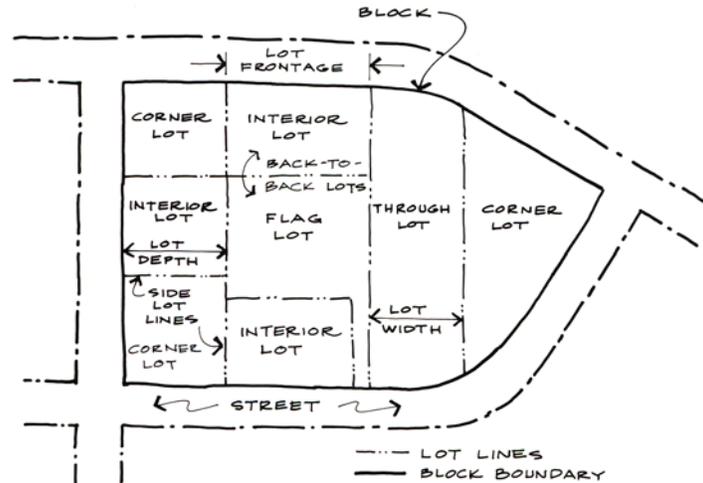
**Landscaping** - The alteration of the natural terrain by the planting of trees, grass, shrubs and installation of ground cover indigenous to Zone 6 of the United States Department of Agriculture Plant Hardiness Zone Map.

**Limited Soils** - Those soils listed in the Soil Survey of Clermont County as having severe limitations for septic systems.

**Loading Space** - The portion of a lot or space accessible from a street, alley or way, in or outside of a building, designed to serve the purpose of loading or unloading for all types of vehicles.

**Lodging House** - A building where lodging only is provided for compensation to three (3) or more, but not more than eight (8) persons.

**Lot** - A parcel of land occupied or intended for occupancy by a use permitted by this Resolution and the open spaces required by this Resolution and having principal frontage upon a street or road.



**Lot Area** - Any area within a lot, including land over which easements have been granted, but not including any land within the limits of a street upon which such lot abuts, even if fee title to such street is held by the owner of the lot.

**Lot, Corner** - A lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, and in either case, forming an interior angle of less than one hundred and thirty-five (135) degrees.

**Lot Coverage** - The total ground covered by a building or structures expressed as a percentage of lot area (see also Impervious surface ratio).

**Lot, Depth of** - The average horizontal distance between the front and rear lot lines.

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

**Lot, Flag** - A lot not meeting minimum frontage requirements and where access is provided to the public street or road by a narrow portion of the lot called the flag.<sup>14</sup>

**Lot, Interior** - A lot other than a corner lot.

**Lot Line** - A line dividing one (1) lot from another lot or from a street or alley.

**Lot Line, Front** - A boundary of a lot which abuts a dedicated public street.

**Lot Line, Rear** - A boundary of a lot which is opposite the front lot line.

**Lot Line, Side** - Any boundary of a lot which is not a front lot line or a rear lot line.

**Lot of Record** - A parcel of land which has been legally described and recorded in the offices of the County Recorder and County Auditor of Clermont County.

**Lumber Yard and Building Material Sales** - An area used for the storage, distribution, and sale of finished or rough-cut lumber and lumber products, which may include the manufacture or fabrication of lumber, lumber products or firewood. Other building materials such as brick, tile, prepackaged cement, insulation and roofing materials shall be incidental and accessory to the sale of the lumber.

## **M**

**Manufacturing, Light** - The process of making, assembling, altering, converting, fabricating, finishing, processing or the treatment of a product utilizing a clean and quiet process which does not include or generate objectionable or hazardous off site elements such as: smoke, noise, glare, odor, vibration, air pollution, surface or groundwater pollution or dust and which is operating and storing products and materials in a completely enclosed structure.

**Mobile Home Lot** - A pad or parcel of land on which a mobile home dwelling is located.

**Mixed Use** - Any building or structure that is occupied by two (2) or more owners, renters or land uses, which is managed as a single property.

**Motel** - See "Hotel or Motel."

## **N**

**Natural Resource Area** - Areas in which human activities are very limited and where the natural environment is protected from man made changes.

**Non-Commercial Parks and Recreation** - See, "Recreation, Non-Commercial".

**Non-Conforming Lot** - A lot of record which does not comply with the lot requirements for any permitted use in the zone in which it is located.

**Non-Conforming Use** - Any building or land lawfully occupied by a use on the effective date of this Resolution or any amendment or supplement thereto, which does not conform with the use regulations of the District in which it is situated.

**Nursery School** - An establishment providing for the care, supervision, and protection of children on a daily basis for compensation.

**Nursing Home, Rest Home or Convalescent Care Facility** - A home for the aged or infirm in which three (3) or more persons, not of the immediate family, are received, kept or provided with food, shelter or care for compensation, and by reason of advanced age, chronic illness or infirmity are unable to care for themselves. A hospital, clinic or similar institution shall not be construed to be included in this definition.

## O

**Office, Business or Professional** - A building or portion of a building wherein services are performed involving predominately administrative, professional or clerical operations.

**Open Space** - Any land or area, the preservation of which in its present use would: (1) conserve and enhance natural or scenic resources; (2) protect streams, river or water supply; (3) promote conservation of soils or wetlands; (4) enhance the value of the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries; or (5) enhance recreational opportunities. Land area required to be left undeveloped as a natural resource area, recreation area, buffer, or other open space shall be pursuant to the provisions of this Article 18. Open Space does not include areas that are public or private rights-of-way, detention ponds or retention basins used for the control of storm water runoff, or parking areas. Open Space is designed and intended for the common use and enjoyment of the public generally.

**Outdoor Display** - An area of designated size outside of an enclosed building used for the sample display of merchandise, goods, wares or tangible property normally sold, rented or leased within the business on the property where the merchandise is sold, rented or leased.

**Outdoor Storage** - The keeping, outside of an enclosed building or structure, of personal or business property, goods, wares, or merchandise which are not located in that specific area for customer viewing or immediate sale, in the same place for a period of more than seventy-two (72) hours.

**Overlay District** - A Zoning District that encompasses one or more underlying zones and that imposes additional requirements which either relax or further restrict the standards required by the underlying zoned districts. <sup>1</sup>

## P

**Parking Lot** - A permanently surfaced parcel of land devoted to unenclosed parking spaces.

**Parking Space** - A permanently surfaced area of not less than one hundred and eighty (180) square feet, whether within a structure or in the open, exclusive of driveways or access drives, for the parking of a motor vehicle.

**Peak Flow Rate** – The maximum calculated rate of storm water flow at a given point in a channel, watercourse or conduit resulting from a predetermined frequency storm or flood, measured in cubic feet per second (cfs).

**Perennial Stream** - A natural watercourse that contains flowing water year-round during a typical year. The water table is located above the stream bed for most of the year. Groundwater is the primary source of water for stream flow. Runoff from rainfall is a supplemental source of water for stream flow.

**Performance Standard** - A set of criteria or limits relating to certain characteristics that a particular use or process may not exceed (e.g. noise, odor, heat, vibration).

**Personal Services** - Any business activities which caters to customers personal needs, and which may include the incidental sale of products. Personal services may include barber shops, beauty shops, dry cleaners, health clubs, pet grooming and tanning spas. Personal services shall not include adult entertainment or sexually oriented businesses.

**Personal Storage** - A building containing individual, compartmentalized and controlled access stalls, rooms or lockers that are leased, rented or owned by different individuals for the storage of individual possessions or personal property.

**Planned Unit Development (PUD)** - A development permitted pursuant to Article 18 that is (1) planned to integrate proposed land uses on a tract of land under single ownership or control or a unified plan of development, and (2) developed in a single phase or multiple phases according to plans and design principles approved in accordance with this Article 18, with provisions for the operation and maintenance of common areas, improvements and facilities.

**Plat** - A map, graphics, or drawing which graphically delineates the boundary of land parcels for the purpose of identification and record title. The plat is a recorded, legal document and must conform to all Ohio State Statutes.

**Preservation** – The protection of ecologically important wetlands or other aquatic resources in perpetuity through the implementation of appropriate legal and physical mechanisms. Preservation may include protection of upland areas adjacent to wetlands as necessary to ensure protection and/or enhancement of the overall aquatic ecosystem.

**Professional Services** - The use of office and other related spaces for such services as are provided by medical practitioners, certified public accountants, attorneys, architects, real estate agents, engineers and other similar professions.

**Public Owned and Operated Properties and Facilities** - A building, structure, land or property, owned and operated by the Township or other government agency, including fire stations, the Township Hall, public works and park facilities, library, etc..

**PUD-R** - Planned Unit Development Residential. See Section 18.3 for regulations.

**PUD-MU** - Planned Unit Development Mixed Use. See Section 18.3 for regulations.

## **Q**

**No Definitions**

## **R**

**Recreation, Commercial** - Land or facilities that are operated as a business and which are open to the general public for a fee, the primary purpose of which is to provide the general public with an amusing or entertaining activity. Commercial recreation facilities may include, but are not limited to water parks, skating rinks, billiard parlors, driving ranges, and batting cages.

**Recreation Facility, Non-Commercial** - Any land or facility operated by a governmental agency or non-profit organization and which is open to the public or to members of the non-profit organization, without a general fee, that may include, but are not limited to, playgrounds, athletic fields, swimming pools, picnic areas and bike/hike trails.

**Research and Development Facility** - A facility in which scientific research, investigation, testing or experimentation is conducted, but not including the manufacturing or sale of products, except as incidental and accessory to the main purpose of the facility.

**Residence** - A building intended to be occupied as a dwelling unit.

**Residential Facility** - A facility that provides resident services to a group of individuals of whom one (1) or more are unrelated. These individuals may be mentally retarded, handicapped, aged or disabled, are undergoing rehabilitation, and are provided services to meet their needs. This category includes uses licensed, supervised, or under contract by any Federal, State, County, or other political subdivision. Residential facilities includes, but is not limited to, the following listed categories:

- A. *Adult Family Home* - A residential facility that provides accommodations to three (3) to five (5) unrelated adults and supervision and personal care services to at least three (3) of these adults pursuant to Title 37 of the Ohio Revised Code.
- B. *Adult Group Home* - A residential facility that provides accommodations to six (6) to sixteen (16) unrelated adults and provides supervision and personal care services to at least three (3) of the unrelated adults pursuant to Title 37 of the Ohio Revised Code.
- C. *Family Home* - A residential facility that provides room and board, personal care, habilitation services and supervision in a family setting for at least six (6) but not more than eight (8) mentally retarded or developmentally disabled persons pursuant to Title 51 of the Ohio Revised Code.
- D. *Family Foster Home* - A private residence in which children are receiving care apart from their parents, guardian, or legal custodian by an individual for hire, gain or reward for non-secure care, supervision, or training twenty-four (24) hours a day pursuant to Title 51 of the Ohio Revised Code. Family foster home does not include babysitting care provided for a child in the home of a person other than the parents, guardian or legal custodian of the child.
- E. *Foster Family Home* - A residential facility that provides room and board, personal care, habilitation services and supervision in a family setting for not more than five (5) mentally retarded or developmentally disabled persons pursuant to Title 51 of the Ohio Revised Code.
- F. *Foster Home* - Foster home means a family home in which any child is receiving care apart from the child's parents for care, supervision or training pursuant to Title 51 of the Ohio Revised Code.
- G. *Group Home* - Group home means a residential facility that provides room and board, personal care, habilitation services, and supervision in a family setting for at least nine (9) but not more than sixteen (16) mentally retarded or developmentally disabled persons pursuant to Title 51 of the Ohio Revised Code.

- H. *Semi-Independent Living Home* - Semi-independent living home means a residential facility for a mentally retarded or developmentally disabled person where, according to the person's individual habilitation plan, the person demonstrates skills that would enable the person to function for specified periods of time without supervision. Such skills include, but are not limited to, home management, community mobility, personal hygiene, interpersonal relationship skills, and self-preservation pursuant to Title 51 of the Ohio Revised Code.

**Restaurant** - A business establishment, with or without table service, within which food is prepared and offered for sale and consumption on or off the premises, to the customer, in a ready to consume state in individual servings.

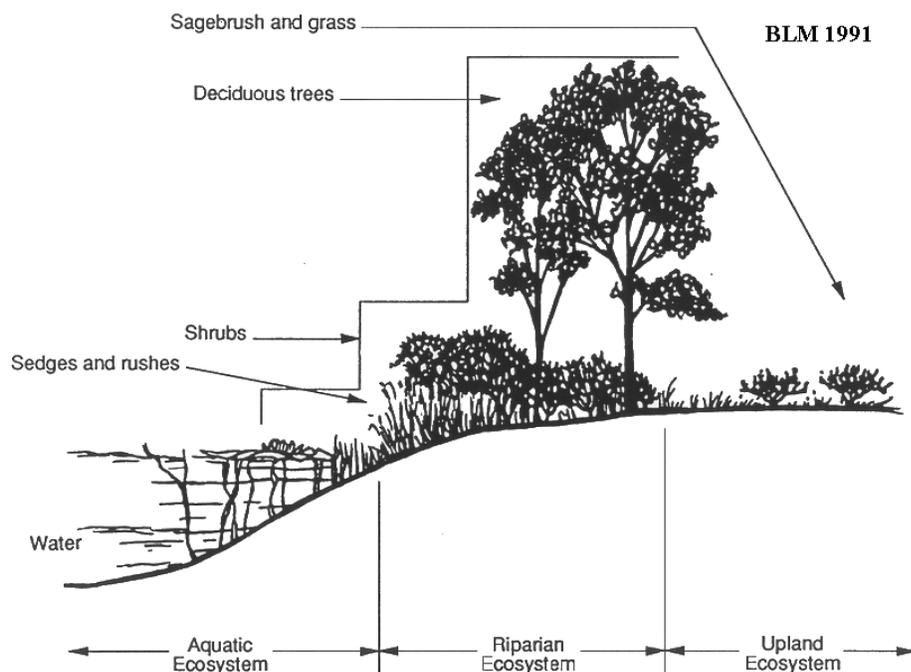
**Restaurant, Fast Food** - A business establishment whose principal business is the sale of rapidly prepared food, directly to the consumer in a ready to consume state for consumption either within the restaurant or off-premises, in an average preparation time of 240 seconds or less.

**Retail Business** - A commercial enterprise that provides goods, wares, merchandise, and/or services directly to the consumer, where such goods are available for immediate purchase.

**Right-of-Way** - A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, public sidewalk, crosswalk, railroad, electric distribution or transmission line, telephone line, oil or gas pipeline, water line, sanitary or storm sewer and other similar uses.

**Right-of-Way Line** – A dividing line between a lot, tract or parcel of land and a contiguous street. The right-of-way of any street or road shall be deemed to be fifty (50) feet unless a greater right-of-way is proposed in the official highway map of Clermont County. In that case, front yards shall be measured from the proposed right-of-way as shown in said map.

**Riparian areas** - Ecosystems that occur along watercourses or water bodies that are distinctly different from the surrounding lands because of unique soil and vegetation characteristics that are strongly influenced by free or unbound water in the soil. Riparian ecosystems occupy the transitional area between the terrestrial and aquatic ecosystems. Typical examples would include floodplains, stream banks, and lake shores.



**Rubbish** – A collection of worthless, useless waste and rejected matter.

**Rural** – Pertaining to or characteristic of the country, agricultural farmland, ranches, woodlands and distinct from more intensively settled urban and suburban areas. 1

## S

**Satellite Dish** - A device incorporating a reflective surface in the shape of a shallow dish used to receive electromagnetic waves between terrestrially and/or orbitally based uses.

**Setback** - The required distance the largest extremity of a building or structure (overhang or eave) must be located from a lot line, easement, right-of way, adjacent building or other feature as indicated in this Resolution.

**Shelter, Telecommunication Equipment** - The structure that houses the equipment needed for receiving and transmitting telecommunications.

**Sign** - Any device, fixture, placard, or structure that uses any writing, representation, emblem, logo, symbol, or other display illuminated or non-illuminated to advertise, announce the purpose of, or identify the purpose of a person or entity to attract attention, or to communicate information of any kind to the public, visible from any public place. Streamers, pennants, balloons, and inflatable figures are not considered signs. For the purpose of removal, signs shall also include all sign structures as well as the sign itself.

**Sign, Changeable Copy** - A sign so designed that characters, letters or illustrations can be changed without altering the surface of the sign.

**Sign, Freestanding** - Any sign which is supported by its own foundation or on supports inserted in the ground, independent of support from any other structure.

**Sign, Marker** - A sign which informs the public of designated use areas or regulations as “entrance/exit”, parking and aisle signs.

**Sign, Marquee** - A sign fastened or painted on a canopy, awning or permanent construction that projects from a wall of a building, usually above the entrance.

**Sign, Name Plate** - A small sign that announces limited information such as the name of the occupant of a premises and, for the purposes of this Resolution, shall not be considered as advertising.

**Sign, Pole** - A freestanding sign having multiple advertising panels supported by a pole type structure inserted into or fastened to the ground.

**Sign, Portable** - A changeable copy sign supported by a mobile frame that is not fixed on the ground or any structure and that is easily moved from site to site.

**Sign, Projecting** - A sign that typically projects perpendicular to the building face, is wholly or partly dependent on a building for support and that projects more than twelve (12) inches from the building.

**Sign Area** - The gross square footage of the sign face area which is normally visible from any one (1) direction. Sign supporting structures, which by size or which have been designed to attract attention, shall be considered part of the sign square footage.

**Site Area** - The total land area of a site included within the boundaries of a Planned Unit Development (PUD) District minus any land that is in a public or private right-of-way easement.

**Site Plan** - A map or graphics, prepared to scale, depicting the development of a tract of land, including the location and relationship of the structures, streets, driveways, recreation areas, parking areas, signage, utilities, drainage, landscaping, existing and proposed grading, walkways and other site development information as related to a proposed development.

**Stable, Private** - A non-commercial shelter for the care of animals for personal use of the landowner.

**Stores, Strip** - A multi-tenant building housing several individual businesses.

**Storm water Management** - The mechanism for controlling storm water runoff for the purposes of reducing downstream erosion, water quality degradation, flooding and mitigating the adverse effects of changes in land use on the aquatic environment.

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

**Story, Half** - A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use.

**Stream Bed** – The substrate of the stream channel between the ordinary high water marks. The substrate may be bedrock or inorganic particles that range in size from clay to boulders. Wetlands contiguous to the stream bed, but outside of the ordinary high water marks, are not considered part of the stream bed.

**Street** - All property dedicated or intended for public or private street, highway, freeway or roadway purposes or subject to public easements therefore.

**Structure** - Anything constructed or erected, the use of which requires permanent location on or in the ground or attached to something having a permanent location.

**Structure, Principal** - A structure or building in which the principal or primary use of the lot is conducted.

**Structural Alteration** - Any change, other than incidental repairs, in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, foundations or any increase in the area or cubical contents of a building.

**Swimming Pool** – Any indoor or outdoor structure, chamber, or tank containing a body of water for swimming, diving, or bathing that is intended to be used collectively for swimming, diving, or bathing.

## **T**

**Telecommunications** - The exchange of information through the transmission of voice, video, or data signal by means of electrical or electromagnetic systems.

**Temporary Building** - A building or structure without any foundation or footings and that is removed when the designated time period, activity, or use for which the temporary building was erected has ceased.

**Thoroughfare Plan** - The Clermont County Thoroughfare Plan of, and as adopted by, the Clermont County Planning Commission, establishing the location and official right-of-way widths of principal highways and roads in the County, together with all amendments thereto subsequently adopted.

**Tower, Monopole** - A tower constructed of a single self-supporting hollow metal tube anchored to a foundation.

**Trailer** - A means of conveyance on wheels which is towed or hauled by another vehicle and used for short term human occupancy, carrying of materials, goods, or objects.

**Transfer of Development Rights** – The conveyance of the right to build by deed, easement or other legal instrument, authorized by local law, from one parcel of land to another parcel of land and the recordation of that conveyance in the Clermont County Records Office.

**Trash** - Any garbage, litter, waste, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, automobile parts, furniture, glass, appliances, tires, or anything else of an unsightly or unsanitary nature thrown, dropped, discarded, placed, or deposited by a person on public or private property.

## **U**

**Undue Hardship** - A hardship by reason of exceptional shape of a lot, exceptional topographic conditions, or other exceptional physical conditions of a parcel of land. Economic considerations alone shall not constitute an undue hardship if any reasonable use for the property exists under the terms of the Zoning Resolution.

**Use** - The purpose or activity for which the land or building thereon is designated, arranged or intended, for which it is occupied, utilized or maintained.

**Use, Accessory** - A use subordinate to and serving the principal use or structure on the same lot and customarily incidental thereto.

**Use, Conditional** - A use that is permitted in a District only if a conditional use permit is expressly authorized by the Board of Zoning Appeals in accordance with the provisions in this Zoning Resolution.

**Use, Permitted** - A public or private use which of itself conforms with the purposes, objectives, requirements, regulations and performance standards of a particular District.

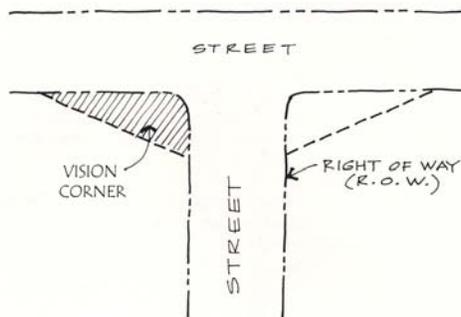
**Use, Principal** - That use of a zoning lot which is among the uses allowed as a matter of right under the zoning classification.

## **V**

**Variance** - A modification or variation of the provisions of this Resolution where it is determined that by reason of special and unusual circumstances relating to a specific lot, that strict application of this Resolution would cause an undue hardship.

**Vegetated Buffer** - A vegetated upland or wetland area next to rivers, streams, lakes or other open waters which separates the open water from developed areas, including agricultural land. Vegetated buffers provide a variety of aquatic habitat functions and values and help improve or maintain local water quality. Mowed lawns are not considered vegetated buffers because they provide little or no aquatic habitat functions and values.

**Vision Corner** - A triangular approach zones at street and/or driveway intersections intended to allow visibility of approaching traffic, pedestrians and bicycles.



## W

**Wall** – A solid barrier constructed of concrete, stone, brick or other similar type material that limits visibility across a horizontal plane.

**Warehousing** - A building used primarily for the storage of goods and materials.

**Wetlands** - Those areas subject to regulation as “wetlands” by the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers or the Ohio Environmental Protection Agency.

**Wholesale Establishments** - A business which maintains a stock of goods, other than samples on premises, and is engaged in the resale of commodities in quantity, to businesses, industries and institutions.

**Woodlands** - The following shall be construed as woodlands:

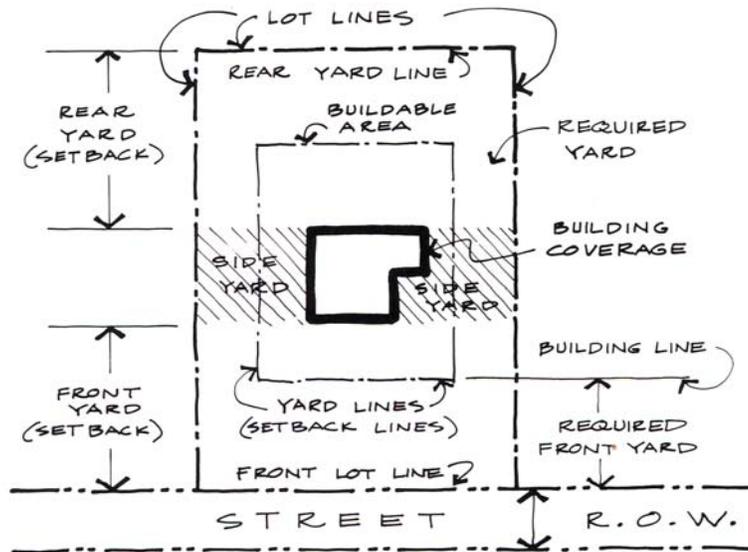
- A. *Mature Woodland* - A wooded area, or stand of trees, with an area of at least 5,000 square feet, which contains an average of at least 2 trees per 1,000 square feet of land area, which have a caliper of 14” or greater measured at 48” above the ground.
- B. *Mid-Growth Woodland* - A wooded area, or stand of trees, with an area of at least 5,000 square feet, which contains an average of at least 5 trees per 1,000 square feet of land area, which have a caliper of 9” or greater measured at 48” above the ground, and which does not contain enough trees to be classified as a “Mature Woodland”.
- C. *Young Woodland* - A wooded area, or stand of trees, with an area of at least 5,000 square feet, which contains an average of at least 5 trees per 1,000 square feet of land area, which have a caliper of 4” or greater measured at 48” above the ground, and which does not contain enough larger trees to be classified as “Mid-growth Woodland” or “Mature Woodland”.

# X

## No Definitions

# Y

**Yard** - An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the average horizontal distance between the lot lines and the main building shall be used.



**Yard, Front** - A yard extending the front of a lot, between the side lot lines and the minimum horizontal distance between the right-of-way line and the building or any projections thereof, other than the projection of the usual steps or entrance way.

**Yard, Rear** - A yard extending across the rear of the lot between the side rear lot line and the main building or any projections thereof, other than steps, unenclosed balconies or unenclosed porches. On both corner lots and interior lots, the rear yard shall be the opposite end of the lot from the front yard and the main entrance to the residence.

**Yard, Side** - A yard between the main building and the side lines of the lot extending from the front yard or front lot line to the rear yard or rear lot line.

**Yard Sale** - A sale of used household or personal items held on the seller's residential premises. Inclusive in this definition are garage, basement, car port, barn and all other similar sales.

## **Z**

**Zoning Amendment** - A change of the zoning map or zoning text authorized by the Township, either in the allowable uses within a District, in the boundaries of a District or in a change to the Resolution text.

**Zoning Board of Appeals** - The Stonelick Township Zoning Board of Appeals as appointed by the Board of Township Trustees.

**Zoning Commission** - The Stonelick Township Zoning Commission as appointed by the Board of Township Trustees.

**Zoning Inspector** - The Zoning Inspector of Stonelick Township appointed by the Board of Township Trustees, to enforce the provisions and regulations of this Zoning Resolution.

**Zoning Map** - The map or maps incorporated into this Resolution as a part thereof, designating the Zoning Districts.

**Zoning Permit** - A document issued by the Zoning Inspector authorizing buildings, structures or uses which are consistent with the terms of this Zoning Resolution and for the purpose of carrying out and enforcing its provisions.

**ARTICLE 3**  
**DISTRICT ESTABLISHMENT**

**Section 3.1 Purpose**

Stonelick Township, Ohio, is hereby divided into the following Zoning Districts, as identified in Section 3.2, wherein regulations are uniform for each class or type of building or structure or use throughout each Zoning District in order to:

- A. Classify, regulate, and restrict the location of residences, commercial establishments, industries, institutional, recreation and other land uses, and the location of buildings designed for specified uses.
- B. Regulate and limit the height of buildings and structures.
- C. Regulate the percentages of lot areas which may be covered by impervious surfaces.
- D. Establish setback lines, sizes of yards and other open spaces surrounding such buildings.
- E. Regulate the density of population of the Township.

**Section 3.2 Division of Township Into Districts**

The Township is hereby divided into the following Districts:

- A Agricultural District
- E Estate Residence District
- S Suburban Residence District
- U Urban Residence District
- B Community Business District
- BB Planned Business District
- I Industrial District
- II Planned Industrial District

**Section 3.3 Zoning Map**

The boundaries of these Districts are hereby established as shown on the map known as the "Official Zoning Map of Stonelick Township" which map is hereby declared to be part of this Resolution. The Zoning Map and all notations, references and other information shown thereon are as much a part of this Resolution as if the notations, references and other information were fully described herein, which map is properly attested and on file with the Board of Township Trustees.

**Section 3.4 Interpretation of District Boundaries**

The boundaries of each District are intended to follow property lines, lot lines or centerlines of streets and lanes as they existed at the time of the adoption of this Resolution. Distances can generally be scaled directly from the Zoning Map, but should questions arise concerning the exact location of District boundary lines, the question shall be determined by the Board of Zoning Appeals in accordance with the powers delegated to the Board by law and this Resolution.

**Section 3.5 Extension of District Boundaries**

Whenever any street, alley or other public way is vacated by official action, the Zoning District(s) adjoining each side of such street, alley or other public way will be automatically extended to the center of such vacation, and all area included in the vacation will be subject to all applicable regulations of the extended Districts.

**ARTICLE 4**  
**“A” AGRICULTURAL DISTRICT**

**Section 4.1 Purpose**

The purpose of this District is to protect land suited for agricultural use from the encroachment of incompatible land uses and to preserve valuable agricultural land for agricultural uses in Stonelick Township.

**Section 4.2 Principal Permitted Uses**

The following uses are permitted as of right in the “A” Agricultural District:

Residential Uses	Public and Semi-Public Uses	Non-Residential Uses
<ul style="list-style-type: none"> <li>• Single Family Dwelling</li> </ul>	<ul style="list-style-type: none"> <li>• Cemetery</li> <li>• Public Owned and Operated Property or Facility</li> </ul>	<ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Golf Course; Except Miniature Golf and Driving Ranges</li> </ul>

**Section 4.3 Accessory Permitted Uses**

The following uses are permitted as accessory uses in the “A” Agricultural District:

- Accessory Buildings and Uses.
- Fences; Pursuant to Article 22.20.
- Home Occupations; Pursuant to Article 22.16A.
- Private Stables; shall not be located any closer than 100 feet from any residential property line.
- Roadside Stands.
- Satellite Dish; Pursuant to Article 22.21.
- Signs; Pursuant to Article 20.

Accessory uses located within the principal structure shall not occupy more than twenty-five (25) percent of the building or structure.

**Section 4.4 Conditional Permitted Uses**

The following uses are permitted as conditional uses in the “A” Agricultural District:

Residential Uses	Public and Semi-Public Uses	Non-Residential Uses
<ul style="list-style-type: none"> <li>• Boarding, Lodging House and Tourist Home</li> <li>• Bed and Breakfast Establishment</li> <li>• Alternate Energy<sup>13</sup></li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Animal Hospital</li> <li>• Club</li> <li>• Mining and Extraction</li> <li>• Non-Commercial Park and Recreation</li> <li>• Retail Feed, Seed, and Grain Store</li> <li>• Telecommunication Towers and Antenna</li> <li>• Temporary Building</li> <li>• Alternate Energy</li> </ul>

**Section 4.5 Lot Development Standards**

The following development standards shall apply to lots located within the “A” Agricultural District:

Minimum Lot Area	<ul style="list-style-type: none"><li>• 5 Acres</li></ul>
Maximum Impervious Surface Coverage	<ul style="list-style-type: none"><li>• 20%</li></ul>
Minimum Width at Front Lot Line, except Flag Lots <sup>15</sup>	<ul style="list-style-type: none"><li>• 250 Feet</li><li>• Minimum width of access shall be twenty-five (25) feet</li></ul>
Minimum Lot Width at Building Line	<ul style="list-style-type: none"><li>• 250 Feet</li></ul>
Minimum Front Yard Setback	<ul style="list-style-type: none"><li>• 50 Feet</li></ul>
Minimum Side Yard Setback	<ul style="list-style-type: none"><li>• 40 Feet</li></ul>
Minimum Rear Yard Setback	<ul style="list-style-type: none"><li>• 50 Feet</li></ul>
Maximum Building Height	<ul style="list-style-type: none"><li>• 35 Feet; Excluding Agricultural Buildings and Structures</li></ul>
Minimum Floor Area for Residential Uses	<ul style="list-style-type: none"><li>• 1,000 Square Feet</li></ul>

**Section 4.6 Minimum Off-Street Parking Requirements**

Off-Street parking requirements shall be as regulated in Article 23.

**Section 4.7 Signage Requirements**

Signage requirements shall be as regulated in Article 20.

**Section 4.8 Landscape and Buffer Requirements**

Landscape and Buffer requirements shall be as regulated in Article 24.

**ARTICLE 5  
“E” ESTATE RESIDENCE DISTRICT**

**Section 5.1 Purpose**

The purpose of the Estate Residence District is to encourage the retention of the rural nature and character of Stonelick Township through agricultural and low density residential uses, and their accessory uses, in areas where sanitary sewer or public water are not accessible.

**Section 5.2 Principal Permitted Uses**

The following uses are permitted as of right in the “E” Estate District:

<b>Residential Uses</b>	<b>Public and Semi-Public Uses</b>	<b>Non-Residential Uses</b>
<ul style="list-style-type: none"> <li>• Residential Facility; excluding Group Homes and Adult Homes pursuant to Title 37 of the Ohio Revised Code</li> <li>• Single Family Dwelling</li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Agriculture</li> </ul>

**Section 5.3 Accessory Permitted Uses**

The following uses are permitted as accessory uses in the “E” Estate District:

- Accessory Buildings and Uses.
- Fences; Pursuant to Article 22.20.
- Home Occupations; Pursuant to Article 22.16A.
- Private Stables; shall not be located any closer than 100 feet from any residential property line.
- Roadside Stands.
- Satellite Dish; Pursuant to Article 22.21.
- Signs; Pursuant to Article 20.

Accessory uses located within the principal structure shall not occupy more than twenty-five (25) percent of the building or structure.

**Section 5.4 Conditional Permitted Uses**

The following uses are permitted as conditional uses in the “E” Estate District:

<b>Residential Uses</b>	<b>Public and Semi-Public Uses</b>	<b>Non-Residential Uses</b>
<ul style="list-style-type: none"> <li>• Boarding, Lodging House and Tourist Home</li> <li>• Bed and Breakfast Establishment</li> <li>• Alternate Energy<sup>13</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Cemetery</li> <li>• Church and other Place of Worship</li> <li>• Educational Institution; Elementary, Junior and High School</li> <li>• Non-Commercial Parks and Recreation</li> <li>• Public Owned and Operated Properties and Facilities</li> <li>• Alternate Energy</li> </ul>	<ul style="list-style-type: none"> <li>• Club</li> <li>• Golf Course; Except Miniature Golf and Driving Ranges</li> <li>• Temporary Building</li> <li>• Alternate Energy</li> </ul>

**Section 5.5 Lot Development Standards**

The following development standards shall apply to lots located within the “E” Estate District:

Minimum Lot Area	<ul style="list-style-type: none"> <li>• 2½ Acres</li> </ul>
Maximum Impervious Surface Coverage	<ul style="list-style-type: none"> <li>• 25% Single Family Dwellings</li> <li>• 40% All Other Uses</li> </ul>
Minimum Width at Front Lot Line, except Flag Lots <sup>15</sup>	<ul style="list-style-type: none"> <li>• 200 Feet</li> <li>• Maximum length of Flag Lot access shall not exceed three hundred fifty (350) feet</li> <li>• Minimum width of access shall be twenty-five (25) feet</li> </ul>
Minimum Lot Width at Building Line	<ul style="list-style-type: none"> <li>• 200 Feet</li> </ul>
Minimum Front Yard Setback	<ul style="list-style-type: none"> <li>• 50 Feet</li> <li>• If three or more dwellings are within 500 feet, then the average front yard setback shall be observed.</li> </ul>
Minimum Side Yard Setback	<ul style="list-style-type: none"> <li>• 20 Feet</li> </ul>
Minimum Rear Yard Setback	<ul style="list-style-type: none"> <li>• 35 Feet</li> </ul>
Maximum Building Height	<ul style="list-style-type: none"> <li>• 35 Feet; Excluding Agricultural Buildings and Structures</li> <li>• 25 Feet Accessory Structures</li> </ul>
Minimum Floor Area for Residential Uses	<ul style="list-style-type: none"> <li>• 1,000 Square Feet</li> </ul>

**Section 5.6 Minimum Off-Street Parking Requirements**

Off-Street parking requirements shall be as regulated in Article 23.

**Section 5.7 Signage Requirements**

Signage requirements shall be as regulated in Article 20.

**Section 5.8 Landscape and Buffer Requirements**

Landscape and Buffer requirements shall be as regulated in Article 24.

**ARTICLE 6**  
**“S” SUBURBAN RESIDENCE DISTRICT**

**Section 6.1 Purpose**

The purpose of the Suburban Residence District is to encourage the creation and retention of larger lot single family and two family dwellings and their accessory uses in Stonelick Township where sanitary sewer or public water may or may not be available.

**Section 6.2 Principal Permitted Uses**

The following uses are permitted as of right in the “S” Suburban District:

<b>Residential Uses</b>	<b>Public and Semi-Public Uses</b>	<b>Non-Residential Uses</b>
<ul style="list-style-type: none"> <li>Residential Facility; excluding Group Homes and Adult Homes pursuant to Title 37 of the Ohio Revised Code</li> <li>Single Family Dwelling</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>Agriculture</li> </ul>

**Section 6.3 Accessory Permitted Uses**

The following uses are permitted as accessory uses in the “S” Suburban District:

- Accessory Buildings and Uses.
- Fences; Pursuant to Article 22.20.
- Home Occupations; Pursuant to Article 22.16A.
- Private Stables; Shall not be located any closer than 100 feet from any residential property line.
- Roadside Stands.
- Satellite Dish; Pursuant to Article 22.21.
- Signs; Pursuant to Article 20.

Accessory uses located within the principal structure shall not occupy more than twenty-five (25) percent of the building or structure.

**Section 6.4 Conditional Permitted Uses**

The following uses are permitted as conditional uses in the “S” Suburban District:

<b>Residential Uses</b>	<b>Public and Semi-Public Uses</b>	<b>Non-Residential Uses</b>
<ul style="list-style-type: none"> <li>Boarding, Lodging House and Tourist Home</li> <li>Bed and Breakfast Establishment</li> <li>Two Family Dwelling</li> <li>Alternate Energy<sup>13</sup></li> </ul>	<ul style="list-style-type: none"> <li>Cemetery</li> <li>Church and other Place of Worship</li> <li>Educational Institution; Elementary, Junior and High School</li> <li>Non-Commercial Parks and Recreation</li> <li>Public Owned and Operated Properties and Facilities</li> <li>Alternate Energy</li> </ul>	<ul style="list-style-type: none"> <li>Club</li> <li>Golf Course; Except Miniature Golf and Driving Ranges</li> <li>Nursery Schools and Child Day Care</li> <li>Temporary Building</li> <li>Alternate Energy</li> </ul>

**Section 6.5 Lot Development Standards**

The following development standards shall apply to lots located within the “S” Suburban District:

Minimum Lot Area	<ul style="list-style-type: none"> <li>• 1 Acre Single Family Dwelling with public sewer and water</li> <li>• 1 Acre Two Family Dwelling with public sewer and water</li> <li>• 2 Acres All Other Uses</li> </ul>
Maximum Impervious Surface Coverage	<ul style="list-style-type: none"> <li>• 25% Single Family Dwellings</li> <li>• 40% All Other Uses</li> </ul>
Minimum Width at Front Lot Line, except Flag Lots <sup>15</sup>	<ul style="list-style-type: none"> <li>• 120 Feet Single Family Dwelling</li> <li>• 200 Feet All Other Uses</li> <li>• Maximum length of Flag Lot access shall not exceed three hundred fifty (350) feet</li> <li>• Minimum width of access shall be twenty-five (25) feet</li> </ul>
Minimum Lot Width at Building Line	<ul style="list-style-type: none"> <li>• 120 Feet Single Family Dwelling</li> <li>• 200 Feet All Other Uses</li> </ul>
Minimum Front Yard Setback	<ul style="list-style-type: none"> <li>• 50 Feet</li> <li>• If three or more houses are within 500 feet, then the average front yard setback shall be observed</li> </ul>
Minimum Side Yard Setback	<ul style="list-style-type: none"> <li>• 20 Feet</li> </ul>
Minimum Rear Yard Setback	<ul style="list-style-type: none"> <li>• 30 Feet</li> </ul>
Maximum Building Height	<ul style="list-style-type: none"> <li>• 35 Feet; Excluding Agricultural Buildings and Structures</li> <li>• 25 Feet Accessory Structures</li> </ul>
Minimum Floor Area for Residential Uses	<ul style="list-style-type: none"> <li>• 1,000 Square Feet</li> </ul>

**Section 6.6 Minimum Off-Street Parking Requirements**

Off-Street parking requirements shall be as regulated in Article 23.

**Section 6.7 Signage Requirements**

Signage requirements shall be as regulated in Article 20.

**Section 6.8 Landscape and Buffer Requirements**

Landscape and Buffer requirements shall be as regulated in Article 24.

**ARTICLE 7  
“U” URBAN RESIDENCE DISTRICT**

**Section 7.1 Purpose**

The purpose of the Urban Residence District is to encourage the creation and retention of single family, two family and multi-family dwellings and their accessory uses in Stonelick Township in the more urbanized areas where both sanitary sewer and public water are available.

**Section 7.2 Principal Permitted Uses**

The following uses are permitted as of right in the “U” Urban District:

<b>Residential Uses</b>	<b>Public and Semi-Public Uses</b>	<b>Non-Residential Uses</b>
<ul style="list-style-type: none"> <li>• Boarding, Lodging House and Tourist Home</li> <li>• Residential Facility; pursuant to Title 37 of the Ohio Revised Code</li> <li>• Single Family Dwelling</li> <li>• Two Family Dwelling</li> <li>• Multi-Family Dwelling</li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Agriculture</li> </ul>

**Section 7.3 Accessory Permitted Uses**

The following uses are permitted as accessory uses in the “U” Urban District:

- Accessory Buildings and Uses.
- Fences; Pursuant to Article 22.20.
- Home Occupations; Pursuant to Article 22.16A.
- Private Stables; Shall not be located any closer than 100 feet from any residential property line.
- Roadside Stands.
- Satellite Dish; Pursuant to Article 22.21.
- Signs; Pursuant to Article 20.

Accessory uses located within the principal structure shall not occupy more than twenty-five (25) percent of the building or structure.

**Section 7.4 Conditional Permitted Uses**

The following uses are permitted as conditional uses in the “U” Urban District:

<b>Residential Uses</b>	<b>Public and Semi-Public Uses</b>	<b>Non-Residential Uses</b>
<ul style="list-style-type: none"> <li>• Bed and Breakfast Establishment</li> <li>• Alternate Energy<sup>13</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Cemetery</li> <li>• Church and other Place of Worship</li> <li>• Educational Institution; Elementary, Junior and High School</li> <li>• Non-Commercial Parks and Recreation</li> <li>• Public Owned and Operated Properties and Facilities</li> <li>• Alternate Energy</li> </ul>	<ul style="list-style-type: none"> <li>• Club</li> <li>• Golf Course; Except Miniature Golf and Driving Ranges</li> <li>• Nursery School and Child Day Care</li> <li>• Nursing Home, Rest Home or Convalescent Care Facility</li> <li>• Temporary Building</li> <li>• Alternate Energy</li> </ul>

**Section 7.5 Lot Development Standards**

The following development standards shall apply to lots located within the “U” Urban District:

Minimum Lot Area	<ul style="list-style-type: none"> <li>• ½ Acre Single Family Dwelling</li> <li>• ½ Acre Two Family Dwelling</li> <li>• 1 Acre Multi-Family Dwelling with Maximum of Six (6) Dwelling Units <sup>10</sup></li> <li>• 1 Acre All Other Uses</li> </ul>
Maximum Impervious Surface Coverage	<ul style="list-style-type: none"> <li>• 25% Single Family Dwellings</li> <li>• 40% All Other Uses</li> </ul>
Minimum Width at Front Lot Line, except Flag Lots <sup>15</sup>	<ul style="list-style-type: none"> <li>• 100 Feet Single Family Dwelling</li> <li>• 120 Feet All Other Uses</li> <li>• Maximum length of Flag Lot access shall not exceed three hundred fifty (350) feet</li> <li>• Minimum width of access shall be twenty-five (25) feet</li> </ul>
Minimum Lot Width at Building Line	<ul style="list-style-type: none"> <li>• 100 Feet Single Family Dwelling</li> <li>• 120 Feet All Other Uses</li> </ul>
Minimum Front Yard Setback	<ul style="list-style-type: none"> <li>• 50 Feet</li> <li>• If three or more houses are within 500 feet, then the average front yard setback shall be observed</li> </ul>
Minimum Side Yard Setback	<ul style="list-style-type: none"> <li>• 20 Feet</li> </ul>
Minimum Rear Yard Setback	<ul style="list-style-type: none"> <li>• 20 Feet Single Family Dwelling</li> <li>• 30 Feet All Other Uses</li> </ul>
Maximum Building Height	<ul style="list-style-type: none"> <li>• 35 Feet; Excluding Agricultural Buildings and Structures</li> <li>• 25 Feet Accessory Structures</li> </ul>
Minimum Floor Area for Residential Uses	<ul style="list-style-type: none"> <li>• 1,000 Square Feet</li> </ul>

**Section 7.6 Minimum Off-Street Parking Requirements**

Off-Street parking requirements shall be as regulated in Article 23.

**Section 7.7 Signage Requirements**

Signage requirements shall be as regulated in Article 20.

**Section 7.8 Landscape and Buffer Requirements**

Landscape and Buffer requirements shall be as regulated in Article 24.

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**ARTICLE 8**  
**OPEN FOR FUTURE EXPANSION**

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**ARTICLE 9**  
**OPEN FOR FUTURE EXPANSION**

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**ARTICLE 10**  
**“B” COMMUNITY BUSINESS DISTRICT**

**Section 10.1 Purpose**

The purpose of the Community Business District is to provide places for businesses that provide retail goods and services serving a local market area within Stonelick Township.

**Section 10.2 Principal Permitted Uses**

The following uses are permitted as of right in the “B” Community Business District:

<b>Residential Uses</b>	<b>Public and Semi-Public Uses</b>	<b>Non-Residential Uses</b>
<ul style="list-style-type: none"> <li>• Bed and Breakfast Establishment</li> </ul>	<ul style="list-style-type: none"> <li>• Hospital</li> </ul>	<ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Animal Hospital, Veterinarian Clinic or Kennel</li> <li>• Auditorium</li> <li>• Business or Professional Office</li> <li>• Commercial Entertainment; Excluding Adult Entertainment or Sexually Oriented Businesses</li> <li>• Commercial Recreation</li> <li>• Financial Institution</li> <li>• Funeral Home</li> <li>• Filling Station</li> <li>• Hotel/Motel</li> <li>• Lumber Yard and Building Material Sales</li> <li>• Medical or Dental Clinic</li> <li>• Personal Service</li> <li>• Professional Service</li> <li>• Public Garage</li> <li>• Restaurant</li> <li>• Retail Business</li> <li>• Retail Feed, Seed and Grain Store</li> </ul>

**Section 10.3 Accessory Permitted Uses**

The following uses are permitted as accessory uses in the “B” Community Business District:

- Accessory Buildings and Uses.
- Fences; Pursuant to Article 22.20.
- Home Occupations; Pursuant to Article 22.16A.
- Satellite Dish; Pursuant to Article 22.21.
- Signs; Pursuant to Article 20.
- Single Family Dwelling; when part of a principal permitted use.

Accessory uses located within the principal structure shall not occupy more than twenty-five (25) percent of the building or structure.

**Section 10.4 Conditional Permitted Uses**

The following uses are permitted as conditional uses in the “B” Community Business District:

<b>Residential Uses</b>	<b>Public and Semi-Public Uses</b>	<b>Non-Residential Uses</b>
<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Church and Other Place of Worship</li> <li>• Educational Institution; Vocational, College, University, Business or Training Center</li> <li>• Non-Commercial Parks and Recreation</li> <li>• Public Owned and Operated Properties and Facilities</li> <li>• Alternate Energy<sup>13</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Automobile, Truck, Trailer, and Farm Implement Sales and Service</li> <li>• Automobile Car Wash</li> <li>• Automobile Repair Garage; Including Paint and Body Work</li> <li>• Bars or Tavern</li> <li>• Club <sup>11</sup></li> <li>• Commercial Recreation</li> <li>• Drive Through Establishment</li> <li>• Fast Food Restaurant</li> <li>• Mixed Use</li> <li>• Nursery School and Child Day Care</li> <li>• Nursing Home, Rest Home or Convalescent Care Facility</li> <li>• Personal Storage Warehouse</li> <li>• Temporary Building</li> <li>• Wholesale Establishment</li> <li>• Alternate Energy</li> </ul>

**Section 10.5 Lot Development Standards**

The following development standards shall apply to lots located within the “B” Community Business District:

Minimum Lot Area	<ul style="list-style-type: none"> <li>• Not Applicable</li> </ul>
Maximum Impervious Surface Coverage	<ul style="list-style-type: none"> <li>• 70%</li> </ul>
Minimum Width at Front Lot Line <sup>15</sup>	<ul style="list-style-type: none"> <li>• 100 Feet</li> </ul>
Minimum Lot Width at Building Line	<ul style="list-style-type: none"> <li>• 100 Feet</li> </ul>
Minimum Front Yard Setback	<ul style="list-style-type: none"> <li>• 50 Feet</li> </ul>
Minimum Side Yard Setback	<ul style="list-style-type: none"> <li>• None</li> <li>• 40 Feet when Abutting a Residential District</li> </ul>
Minimum Rear Yard Setback	<ul style="list-style-type: none"> <li>• 20% of the Lot Depth or 40 Feet, whichever is Greater</li> </ul>
Maximum Building Height	<ul style="list-style-type: none"> <li>• 45 Feet; Excluding Agricultural Buildings and Structures</li> <li>• 25 Feet; Accessory Structures</li> </ul>
Minimum Floor Area for Residential Uses	<ul style="list-style-type: none"> <li>• None</li> </ul>

**Section 10.6 Minimum Off-Street Parking Requirements**

Off-Street parking requirements shall be as regulated in Article 23.

**Section 10.7 Signage Requirements**

Signage requirements shall be as regulated in Article 20.

**Section 10.8 Landscape and Buffer Requirements**

Landscape and Buffer requirements shall be as regulated in Article 24.

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**ARTICLE 11**  
**“BB” PLANNED BUSINESS DISTRICT**

**Section 11.1 Purpose**

The purpose of the “BB” Planned Business District is to provide appropriate sites for permitted business and commercial uses, to promote “clustering” of commercial land uses, to afford a convenient and attractive setting for each use, to harmonize new development with the surrounding area, and to protect the transportation function of the Township’s primary and secondary regional arterial streets.

The strip development along S.R. 28 and S.R. 131 in Miami Township and S.R. 125 in Hamilton County and Union, Pierce, Ohio and Batavia Townships in Clermont County has resulted in an incompatible and inefficient mixture of land uses along the arterial streets and has been a major cause of increased traffic conflicts, congestion and accidents. The strip development has greatly decreased the capacity of the arterials to serve their primary function, that of moving traffic.

To prevent haphazard strip development in Stonelick Township, all future requests for rezoning property to a business use must provide for design controls in the nature of number and spacing of access points, frontage streets, setbacks of buildings and parking areas, buffer yards, location of signs and the positioning of buildings on lots or parcels of land. Therefore, the rezoning and development of future business and commercial land uses will be in accordance with the regulations of this Article.

**Section 11.2 Principal Permitted Uses**

The following uses are permitted as of right in the “BB” Planned Business District:

<b>Residential Uses</b>	<b>Public and Semi-Public Uses</b>	<b>Non-Residential Uses</b>
<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Hospital</li> </ul>	<ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Animal Hospital, Veterinarian Clinic or Kennel</li> <li>• Auditorium</li> <li>• Business or Professional Office</li> <li>• Commercial Entertainment; Excluding Adult Entertainment or Sexually Oriented Businesses</li> <li>• Commercial Recreation</li> <li>• Financial Institution</li> <li>• Funeral Home</li> <li>• Filling Station</li> <li>• Hotel/Motel</li> <li>• Lumber Yard and Building Material Sales</li> <li>• Medical or Dental Clinic</li> <li>• Personal Service</li> <li>• Professional Service</li> <li>• Public Garage</li> <li>• Restaurant</li> <li>• Retail Business</li> <li>• Retail Feed, Seed and Grain Store</li> </ul>

**Section 11.3 Accessory Permitted Uses**

The following uses are permitted as accessory uses in the “BB” Planned Business District:

- Accessory Buildings and Uses.
- Fences; Pursuant to Article 22.20.
- Satellite Dish; Pursuant to Article 22.21.
- Signs; Pursuant to Article 20.

Accessory uses located within the principal structure shall not occupy more than twenty-five (25) percent of the building or structure.

**Section 11.4 Conditional Permitted Uses**

The following uses are permitted as conditional uses in the “BB” Planned Business District:

<b>Residential Uses</b>	<b>Public and Semi-Public Uses</b>	<b>Non-Residential Uses</b>
<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Church and Other Place of Worship</li> <li>• Educational Institution; Vocational, College, University, Business or Training Center</li> <li>• Non-Commercial Parks and Recreation</li> <li>• Public Owned and Operated Properties and Facilities</li> <li>• Alternate Energy<sup>13</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Automobile, Truck, Trailer, and Farm Implement Sales and Service</li> <li>• Automobile Repair Garage; Including Paint and Body Work</li> <li>• Bars or Tavern</li> <li>• Commercial Recreation</li> <li>• Drive Through Establishment</li> <li>• Fast Food Restaurant</li> <li>• Mixed Use</li> <li>• Nursery School and Child Day Care</li> <li>• Nursing Home, Rest Home or Convalescent Care Facility</li> <li>• Personal Storage Warehouse</li> <li>• Temporary Building</li> <li>• Wholesale Establishment</li> <li>• Alternate Energy</li> </ul>

**Section 11.5 General Requirements**

- A. The size and location of the tract will be such that the proposed use and development of the tract, including provisions for traffic and access, buffering, location and arrangement of buildings, parking and off-street loading, lighting and appurtenant facilities, can be properly integrated with the surrounding areas at appropriate locations relative to existing and planned services and land uses.
  
- B. Provisions will be made for safe and efficient access and traffic circulation into and out of the proposed development.
  - 1. On existing primary and secondary regional arterial streets, the minimum spacing between access points shall be 500 feet.
  
  - 2. At any new development, there shall be required the construction of a frontage road and/or the construction of an internal roadway system whose access points onto the primary or secondary regional arterial street satisfy the primary or secondary regional arterial street spacing requirements.
  
  - 3. Major access points on opposite sides of primary and secondary regional arterial streets shall be located directly opposite each other.
  
  - 4. One access point per existing tract will be allowed; if the spacing requirements for a direct access point cannot be satisfied, however, then an indirect should be located on a frontage road, on an intersecting roadway, or share a common driveway that meets the spacing requirements. When an existing tract cannot meet the access spacing requirements, the Township may require, as a condition for approval that the frontage road be extended to each adjoining tract to the side of the development and that when, by reason of future development, the access spacing requirement can be met, the original access point shall be closed.
  
  - 5. The location of access points shall comply with safe sight distance practices recommended by the Institute of Transportation Engineers.
  
  - 6. Access points should be located a sufficient distance from property lines in order to allow the curb radius or flare to fall entirely in front of the subject property, except where a common driveway serving two properties is constructed.
  
  - 7. In the process of providing access to abutting property, the development and the approving governmental agency, together, must strive to provide the highest level of safety possible and to maintain the roadway design capacity.
  
- C. The design and construction of streets and intersections, including frontage roads, should meet the standards for street design and construction set forth in the Clermont County Subdivision Regulations.
  
- D. Service drives or other areas shall be provided for off-street loading and loading in such away that trucks and service vehicles will not block passage of traffic or impede circulation on any other public street or private drive.

- E. Any buildings will be set back a minimum of fifty (50) feet from any street right-of-way.
- F. The location and arrangements of parking areas, access ways, lighting, and appurtenant facilities will be adjusted to the adjacent land uses and will be located a minimum of fifty (50) feet from any Residential District or twenty (20) feet from any street right-of-way. When the property abuts a Residential District, a buffer yard constructed in accordance with Article 24 of this Resolution may be required by the Zoning Commission.
- G. All advertising signs will be attached to the building so as to project no more than eighteen (18) inches there from, except that one (1) free standing sign for identification of the uses and entrance and exit markers may be permitted for each Planned District, and a motor vehicle fuel filling station identification sign may be permitted where a motor vehicle fuel filling station is part of the approved Development Plan. No freestanding sign will be permitted within fifty (50) feet of any Residential District or no projecting part of a free standing sign can be closer than twenty (20) feet to the street right-of-way. Any free standing sign permitted will not be more than six (6) feet in height, measured from ground level, and will not exceed sixty (60) square feet in area.
- H. All mechanical equipment for heating, cooling, air conditioning or similar purposes, which may create either noise or fumes, if not within a main building, will be located a minimum of fifty (50) feet from any Residential District.
- I. All walkways, drives, streets, parking and loading areas shall be paved with suitable surface material and any part of the site not covered and used for buildings and appurtenant facilities shall be covered and landscaped with suitable plant materials.
- J. Each development shall make provisions for increased storm water runoff resulting from construction and development of the site. No development shall cause an increase in the peak flow rate of runoff downstream and shall provide storm water management facilities with sufficient capacity to accommodate runoff from each construction activity and from the development in excess of the runoff which would have resulted from the site in its natural or existing condition. All provisions planned for the management of storm water shall be in accordance with the Clermont County Water Management and Sediment Control Regulations.
- K. Every building permitted in this District shall provide and maintain access for fire vehicles and emergency apparatus in accordance with the requirements of Section 22.11 of this Resolution.
- L. If necessary, reasonable additional requirements as to buffer yards, landscaping, lighting, signing, screening and fencing, access, setbacks, or other modifications thereto may be recommended by the Zoning Commission or the Board of Township Trustees and be part of or imposed upon the Development Plan in the adoption of the zoning amendment to this Resolution by the Board of Township Trustees.

**Section 11.6 Application Procedure and Review**

- A. All applications for a “BB” Planned Business District amendment to this Resolution will be made in writing by the owner(s) of the property for which it is sought pursuant to the provisions for amendments of this Resolution and will be accompanied by a Development Plan. The Development Plan will show the details defined in Section 11.7 in order to indicate the type and character of the proposed development and treatment of the property, including screening and landscaping, in relation to abutting land uses for a harmonious integration with surrounding property and the protection thereof.
- B. The Board of Township Trustees will review and approve the application and Development Plan subject to the procedures, standards and limitations set forth herein or review and disapprove said application and plan. No development, required to submit to Development Plan review, will be entitled to a Zoning Permit until and unless the Board of Township Trustees has approved said Development Plan.
- C. The Zoning Commission and Board of Township Trustees will solicit comments from the Clermont County Planning Commission and may solicit comments from the County Engineer, Clermont Soil and Water Conservation District and others as deemed necessary in the course of the review and approval process. These comments will be provided to the owner(s) of the property upon request.
- D. If the Development Plan is found to comply with the provisions and requirements of this Resolution, and approved, the Development Plan will be incorporated in the amendment to this Resolution as an integral part of the zoning regulations applicable to the property.

**Section 11.7 Development Plan Requirements**

A Development Plan will be submitted and approved as a precondition to the issuance of a Zoning Permit, and shall contain four (4) copies of the following information:

- A. A map (or maps) of the subject property showing
  - 1. Boundaries and total acreage of the property;
  - 2. Existing elevation contours at two (2) foot intervals;
  - 3. Locations, width, and name of all existing or previously platted streets and utility rights-of-way or permanent easements;
  - 4. The location of existing sewers, water mains, culverts and other underground facilities within the tract, indicating pipe sizes, grades, manholes and locations.
- B. A narrative describing the proposed use of the site together with a description of the uses and establishments to be conducted in sufficient detail to indicate the effects of the operation with respect to traffic congestion, noise, glare, air or water pollution and fire or safety hazards.

- C. A site plan of the layout of the proposed development of the site drawn to an adequate scale, showing the location and exterior dimensions of all proposed buildings and uses in relation to parcel boundaries and street lines. The following information shall be provided.
1. Provisions planned for treatment and disposal of sewage and solid and liquid waste, water supply and storm drainage;
  2. Proposed contours at two (2) foot intervals;
  3. The location, size, height and arrangement of all buildings or structures;
  4. The location and dimension of all existing and proposed vehicular drives, entrances, exits, fire lanes, acceleration and deceleration lanes and provisions for traffic circulation patterns;
  5. The location and dimensions of all existing pedestrian entrances, exits and walkways;
  6. The location, arrangement and capacity of all areas to be used for off-street parking and off-street loading;
  7. The location dimensions and arrangements of all open spaces, yards and buffer yards, including specification of all plant materials to be utilized in providing the buffer yards and landscaping as required in Article 24 of the Resolution.

**Section 11.8 Variation from Approved Plan**

The Board of Township Trustees upon recommendation from the Zoning Commission may approve variations from the approved Development Plan not in violation of any of the standards and requirements of this Resolution, provided the variations remain consistent with the general purpose and intent of the Development plan and of this Resolution.

**Section 11.9 Delay in Construction**

In the event the construction is not started within two (2) years from the effective date of approval of the amendment to this Resolution, the Zoning Commission may begin proceedings to revert the “BB” District zoning to that which the property was classified prior to approval of the “BB” District zoning amendment to this Resolution.

**Section 11.10 Violation of the Development Plan**

The Development Plan approved in accordance with this Section will be an integral part of the District zoning for the property and any departure from this plan or any modification thereof, except when specifically approved subject to the procedures of this Section, shall be a violation of this Zoning Resolution and shall be subject to the provisions and penalties thereof.

**Section 11.11 Change of Use**

Any change in the land use of an approved “BB” Planned Business District, subsequent to the completion of the development, which is not specifically addressed in the Development Plan, will require reapplication for a District change pursuant to the provisions of Article 34.

**Section 11.12 Minimum Off-Street Parking Requirements**

Off-Street parking requirements shall be as regulated in Article 23.

**Section 11.13 Signage Requirements**

Signage requirements shall be as regulated in Article 20.

**Section 11.14 Landscape and Buffer Requirements**

Landscape and Buffer requirements shall be as regulated in Article 24.

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**ARTICLE 12**  
**OPEN FOR FUTURE EXPANSION**

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**ARTICLE 13**  
**OPEN FOR FUTURE EXPANSION**

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**ARTICLE 14**  
**“I” INDUSTRIAL DISTRICT**

**Section 14.1 Purpose**

The purpose of the Industrial District is to provide appropriate places for business and industries which manufacture or store products for distribution or sale; whose operations are generally within enclosed buildings, but which may involve materials, processes, machines or equipment which would be detrimental if located in a less intensive business District.

**Section 14.2 Principal Permitted Uses**

The following uses are permitted as of right in the “I” Industrial District:

Residential Uses	Public and Semi-Public Uses	Non-Residential Uses
<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Automobile Repair Garage; Including Paint and Body Work</li> <li>• Light Manufacturing</li> <li>• Personal Storage Warehouse</li> <li>• Research and Development Facilities</li> <li>• Warehousing</li> <li>• Wholesale Establishments</li> </ul>

**Section 14.3 Accessory Permitted Uses**

The following uses are permitted as accessory uses in the “I” Industrial District:

- Accessory Buildings and Uses.
- Fences; Pursuant to Article 22.20.
- Personal Services.
- Retail Business.
- Satellite Dish; Pursuant to Article 22.21.
- Signs; Pursuant to Article 20.

Accessory uses located within the principal structure shall not occupy more than twenty-five (25) percent of the building or structure.

**Section 14.4 Conditional Permitted Uses**

The following uses are permitted as conditional uses in the “I” Industrial District:

<b>Residential Uses</b>	<b>Public and Semi-Public Uses</b>	<b>Non-Residential Uses</b>
<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Non-Commercial Parks and Recreation</li> <li>• Public Owned and Operated Properties and Facilities</li> <li>• Alternate Energy<sup>13</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Adult Entertainment Establishment</li> <li>• Temporary Building</li> <li>• Professional Service</li> <li>• Alternate Energy</li> </ul>

**Section 14.5 Lot Development Standards**

The following development standards shall apply to lots located within the “I” Industrial District:

Minimum Lot Area	<ul style="list-style-type: none"> <li>• 1 Acre</li> </ul>
Maximum Impervious Surface Coverage	<ul style="list-style-type: none"> <li>• 80%</li> </ul>
Minimum Width at Front Lot Line <sup>15</sup>	<ul style="list-style-type: none"> <li>• 150 Feet</li> </ul>
Minimum Lot Width at Building Line	<ul style="list-style-type: none"> <li>• 150 Feet</li> </ul>
Minimum Front Yard Setback	<ul style="list-style-type: none"> <li>• 75 Feet if Adjacent to, or Across a Street From a Non-Industrial District</li> <li>• 50 Feet if Not Adjacent to, or Across a Street From a Non-Industrial District</li> </ul>
Minimum Side Yard Setback	<ul style="list-style-type: none"> <li>• 20 Feet</li> <li>• 40 Feet when Abutting a Residential District</li> </ul>
Minimum Rear Yard Setback	<ul style="list-style-type: none"> <li>• 20 % of the Lot Depth or 40 Feet, Whichever is Greater</li> </ul>
Maximum Building Height	<ul style="list-style-type: none"> <li>• 45 Feet; Excluding Agricultural Buildings and Structures</li> <li>• 30 Feet Accessory Structures</li> </ul>
Minimum Floor Area for Residential Uses	<ul style="list-style-type: none"> <li>• None</li> </ul>

**Section 14.6 Minimum Off-Street Parking Requirements**

Off-Street parking requirements shall be as regulated in Article 23.

**Section 14.7 Signage Requirements**

Signage requirements shall be as regulated in Article 20.

**Section 14.8 Landscape and Buffer Requirements**

Landscape and Buffer requirements shall be as regulated in Article 24.

**ARTICLE 15**  
**“II” PLANNED INDUSTRIAL DISTRICT**

**Section 15.1 Purpose**

The purpose of the “II” Planned Industrial District is to provide for fully enclosed industrial, manufacturing, warehousing and research uses which do not require exterior storage and are generally not objectionable because of noise, glare, vibration, air and water pollution and heavy truck traffic; or generate nuisances which may be adequately minimized and properly integrated with the surrounding area and at appropriate locations in relation to existing and planned services and land uses.

**Section 15.2 Principal Permitted Uses**

The following uses are permitted as of right in the “II” Planned Industrial District:

Residential Uses	Public and Semi-Public Uses	Non-Residential Uses
<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Automobile Repair Garage; Including Paint and Body Work</li> <li>• Light Manufacturing</li> <li>• Personal Storage Warehouse</li> <li>• Research and Development Facilities</li> <li>• Warehousing</li> <li>• Wholesale Establishments</li> </ul>

**Section 15.3 Accessory Permitted Uses**

The following uses are permitted as accessory uses in the “II” Planned Industrial District:

- Accessory Buildings and Uses.
- Fences; Pursuant to Article 22.20.
- Personal Services.
- Retail Business.
- Satellite Dish; Pursuant to Article 22.21.
- Signs; Pursuant to Article 20.

Accessory uses located within the principal structure shall not occupy more than twenty-five (25) percent of the building or structure.

**Section 15.4 Conditional Permitted Uses**

The following uses are permitted as conditional uses in the “II” Planned Industrial District:

<b>Residential Uses</b>	<b>Public and Semi-Public Uses</b>	<b>Non-Residential Uses</b>
<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Non-Commercial Parks and Recreation</li> <li>• Public Owned and Operated Properties and Facilities</li> <li>• Alternate Energy<sup>13</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Temporary Building</li> <li>• Professional Service</li> <li>• Alternate Energy</li> </ul>

**Section 15.5 General Requirements**

- A All uses shall be operated within a fully enclosed building or structure and no exterior or open storage of materials or equipment shall be permitted on the tract.
- B The size and location of the tract shall be such that the proposed uses and development, including provisions for traffic and access, buffering, location and arrangement of buildings, parking, off-street loading, lighting and appurtenant facilities, can be properly integrated with the surrounding area at appropriate locations relative to existing and planned services and land uses.
- C The proposed development shall have direct access from arterial or primary collector highways as defined in the Thoroughfare Plan of Clermont County to avoid access through residential uses. No “II” Planned Industrial District shall be located where any access is from a residential street or through a Residential District.
- D Adequate provisions shall be made subject to approval of the County Engineer, for safe and efficient traffic circulation into and out of the proposed development and for traffic movement on the access street(s). The installation of additional lanes for de-acceleration or turning movements may be required and other traffic controls may be imposed as needed.
- E The location and design of streets and intersections shall be subject to the street design standards of the Clermont County Subdivision Regulations.
- F No off-street parking or loading areas and access drives thereto shall be located within twenty-five (25) feet of any Residential District and no parking or loading areas shall be closer than twenty-five (25) feet to any street right-of-way.
- G All walkways, drives, streets, parking and loading areas shall be paved with hard surface material and any part of the site not covered and used for buildings, structures, parking, loading or access shall be landscaped with suitable plant material.
- H Each construction activity and development shall make provisions for increased storm water runoff resulting from impervious surfaces of the proposed development. No development shall cause an increase in the peak flow rate of runoff downstream and shall provide storm water storage facilities with sufficient capacity to accommodate all runoff from the development in excess of the runoff which would have resulted from the site in its natural or existing condition. The developer shall coordinate all provisions planned from storm water management with the Clermont County Water Management and Sediment Control Regulations.

- I Provisions shall be made, subject to approval of the County Sanitary Engineer, for satisfactory disposal of all liquid and solid waste concomitant with the development.
- J All uses shall meet the performance standards in Section 22.31 of this Resolution.
- K Every building permitted in this District shall provide and maintain access for fire vehicles and emergency apparatus in accordance with the requirements of Section 22.11 of this Resolution.
- L Underground utilities shall be required.
- M Reasonable additional requirements as to the landscaping, lighting, screening, fencing, or setbacks or modifications to the zoning regulations of this Resolution may be recommended by the Zoning Commission or Board of Township Trustees and be made part of and imposed on the Development Plan in the adoption of the amendment to this Resolution by the Board of Township Trustees, in the interest of public safety and for ensuring the proposed development is integrated into the surrounding area.

**Section 15.6 Application Procedure**

- A. All applications for an “II” Planned Industrial District Amendment to this Resolution shall be made in writing by the owner(s) of the property for which it is sought pursuant to the provisions for amendments of this Resolution and shall be accompanied by a Development Plan. The Development Plan shall show the details defined in Section 15.7 in order to indicate the type and character of the proposed development and treatment of the property, including screening and landscaping, in relation to abutting land uses for a harmonious integration with surrounding property and the protection thereof.
- B. If the Development Plan is found to comply with the provisions and requirements of this Resolution, and approved, the Development Plan shall be incorporated in the amendment to this Resolution as an integral part of the zoning regulations applicable to the property.

**Section 15.7 Development Plan Requirements**

- A Development Plan shall be submitted and approved as a precondition to the issuance of a Zoning Permit, shall contain four (4) copies of the following information:
  - 1. A map (or maps) of the subject property showing:
    - a. Boundaries and total acreage of the property;
    - b. Existing elevation contours at two (2) foot intervals;
    - c. Locations, width, and name of all existing or previously platted streets and utility rights-of-way or permanent easements;

- d. The location of existing sewers, water mains, culverts and other underground facilities within the tract, indicating pipe sizes, grades, manholes and locations.
2. A narrative describing the proposed use of the site together with a description of the process utilized in the proposed operation to be conducted in sufficient detail to indicate the effects of the operation with respect to traffic congestion, noise, glare, air or water pollution and fire or safety hazards.
3. A plan, drawn to an adequate scale, of the layout of the proposed development, showing the location and exterior dimensions of all proposed buildings and uses in relation to parcel boundaries and street lines. The following information shall be provided:
  - a. Provisions planned for treatment and disposal of sewage and solid and liquid waste, water supply and storm drainage;
  - b. Proposed contours at two (2) foot intervals;
  - c. The location, size, height and arrangement of all buildings or structures;
  - d. The location and dimension of all existing and proposed vehicular drives, entrances, exits, fire lanes, acceleration and deceleration lanes and provisions for traffic circulation patterns;
  - e. The location and dimensions of all existing pedestrian entrances, exits and walkways;
  - f. The location arrangement and capacity of all areas to be used for off-street parking and off-street loading;
  - g. The location, dimensions and arrangement of all open spaces, yards and buffer yards, including specifications of all plant materials to be utilized in providing the buffer yards and landscaping required by this Resolution;
  - h. The location, size, height, composition materials, illumination and orientation of all signs.
4. Where the proposed development is schedule for phased construction, the Development Plan shall indicate the scope and time period for each phase to the extent possible.

**Section 15.8 Development Plan Review**

- A. The Board of Township Trustees shall review and approve the Development Plan subject to the procedures, standards and limitations set forth herein or review and disapprove said plan. No development that is required to submit to a Development Plan review shall be entitled to a Zoning Permit until and unless the Board of Township Trustees has approved said Development Plan.

- B. The Zoning Commission and Board of Township Trustees may solicit comments from the County Planning Commission staff, County Engineer, Clermont Soil and Water Conservation District and others as deemed necessary in the course of the review and approval process. These comments shall be provided to the owner(s) of the property upon request.

**Section 15.9 Variations from Approved Plan**

- A. The Board of Township Trustees, upon recommendation from the Zoning Commission, may approve variations from the approved Development Plan not in violation of any of the standards and requirements of this Resolution, provided that the variations remain consistent with the general purposes and intent of the Development Plan and of this Resolution.
- B. Any application for a substantial variation from the Development Plan shall be considered an amendment to this Resolution and shall require reapplication pursuant to the provisions of this Section.
- C. The Development Plan shall be revised as required to incorporate any variations approved by this Board of Township Trustees, signed by the owner(s) of the property and resubmitted to the Zoning Commission prior to issuance of a Zoning Permit.

**Section 15.10 Delay in Construction**

In the event the construction is not started within two (2) years from the effective date of approval of the amendment to this Resolution, no Zoning Permits shall be issued and the application of the "II" District zoning to the property shall revert to the District zoning to which the property was classified prior to approval of the amendment to this Resolution.

**Section 15.11 Violation of the Development Plan**

The Development Plan approved in accordance with this Section shall be an integral part of the District for which the property is zoned and any departure from this plan or any modification thereof, when specifically approved subject to the procedures of this Section, shall be a violation of this Zoning Resolution and shall be subject to the provisions and penalties thereof.

**Section 15.12 Minimum Off-Street Parking Requirements**

Off-Street parking requirements shall be as regulated in Article 23.

**Section 15.13 Signage Requirements**

Signage requirements shall be as regulated in Article 20.

**Section 15.14 Landscape and Buffer Requirements**

Landscape and Buffer requirements shall be as regulated in Article 24.

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**ARTICLE 16**  
**OPEN FOR FUTURE EXPANSION**

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**ARTICLE 17**  
**OPEN FOR FUTURE EXPANSION**

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## ARTICLE 18 PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

### Section 18.1 Purpose

This Article is intended to permit the creation of Planned Unit Development Districts (PUD) to encourage the efficient use of land and resources, promote greater efficiency in providing public and utility services, and encourage innovation in the planning and building of all types of development. Such Districts shall be established by amending the Stonelick Township Zoning Map as provided in this Article and Section 519.021(C), Ohio Revised Code. Regulations set forth in this Article are adopted to accommodate unified planning and development that is consistent with the Stonelick Township Growth Management Plan adopted March 6, 2002 and as may be amended from time to time. Stonelick Township's unique character is related to physical attributes of Stonelick Township, including its land use patterns and natural resources. The PUD District is intended to achieve the following land use objectives:

- A. Provide a variety of housing and lot sizes to promote the planning of a development that is more sensitive to the protection of natural resources on sites by clustering the housing in areas physically suited to accommodating development and preserving the resources in open space.
- B. Encourage the protection of open space by permitting developments with a range of densities that also provide open space, consistent with the open space character of the surrounding area.
- C. Promote the development of greenways through the connection of open spaces between individual PUD's and the surrounding community.
- D. Preserve open spaces to reduce erosion, improve water quality, provide wildlife habitats, retain scenic views, and reduce storm water runoff.
- E. Preserve areas with steep terrain by respecting topography and other natural features in the Development Plan and maintaining significant percentages of land in open space in wooded and sloped areas.
- F. Provide for a variety of housing types in a single unified development that is integrated into the existing community.
- G. Provide a transition between higher densities in the area around the Village of Owensville and existing neighborhoods in the Township.
- H. Respect the character of surrounding developments by providing appropriate buffers as a transition to higher density uses.
- I. Provide a higher level of design review to ensure attractive, well-planned communities and reduce the barriers to creative and sensitive design that may exist when attempting to comply with conventional District standards and subdivision rules.
- J. Respect the balance between building mass and vegetation mass or volume by considering scale relationships between the new development and existing buildings and the landscape.

- K. Preserve and protect Woodlands, Flood Plains, Riparian Areas and Wetlands currently located in the Township.
- L. Prevent and discourage the pollution of water and other natural resources by requiring that lots be sufficiently large to accommodate private sanitary sewage systems and replacement systems when necessary.
- M. To assure the most financially appropriate and efficient application of Township resources in infrastructure and services.

**Section 18.2 Definitions**

The terms in this Article shall have the definitions as set forth in Article 2.

**Section 18.3 Establishment of Planned Unit Development Districts**

The following types of PUD Districts are hereby established and may be proposed through an application for an amendment to the Zoning Resolution.

- A. "PUD-R" Planned Unit Residential District
- B. "PUD-MU" Planned Unit Mixed-use District

**Section 18.4 Planned Unit Development District Purposes**

The PUD Districts shall have the following purposes:

- A. Planned Unit Residential Districts (PUD-R). The purpose is to encourage the creation of residential neighborhoods with a variety of housing types that retain natural resources, provide adequate landscaping and open space areas that are compatible with the character of adjoining land uses. For example, an area used for single family detached dwelling units may be compatible with single family attached dwelling unit uses, but such area used for single family detached dwelling units may not be compatible with multiple family dwellings or commercial, business, retail or industrial uses.
- B. Planned Unit Mixed-Use Districts (PUD-MU). The purpose is to create a mixed use environment with streetscapes that emphasize landscaping, coordinated sign control, and uniform architectural character. Proposed buildings should have rooflines and architectural features that provide identity and emphasize the most important use with visual elements.

**Section 18.5    Locations of PUD Districts; Permitted Uses**

The Zoning Resolution may be amended pursuant to this Article to establish PUD Districts in the following Zoning District areas of the Township:

- A.     PUD-R. Property located in the Estate Residence, Suburban Residence, and Urban Residence Districts, as defined in the Zoning Resolution, may be rezoned to a PUD-R District. Only the uses permitted in such Districts (other than those uses permitted upon approval by the Board of Zoning Appeals as Special Exceptions) shall be permitted in the PUD-R District.
  
- B.     PUD-MU. Property located in the Community Business District, as defined in the Zoning Resolution, may be re-zoned to a PUD-MU District. Only the uses permitted in the Urban Residence District (other than those uses permitted upon approval by the Board of Zoning Appeals as Special Exceptions) and the following uses shall be permitted in the PUD-MU District:
  - 1.     Financial Institutions;
  - 2.     Personal Services;
  - 3.     Professional Services;
  - 4.     Business or Professional Office;
  - 5.     Restaurant, with or without Drive Through;
  - 6.     Limited Retail Business under 5,000 square feet of floor area; and
  - 7.     Any other retail business or service establishment that is determined by the Board of Township Trustees in connection with approval of a Preliminary Development Plan, Final Development Plan or a Major Adjustment of either to be substantially similar to such specified uses.

In the area adjoining the Village of Owensville, the Township shall give particular consideration to access, traffic volumes, and compatibility of the proposed use or uses with the surrounding land uses in determining whether a PUD-MU District shall be approved.

**Section 18.6 Minimum Performance Standards**

Except as otherwise recommended by the Zoning Commission and authorized by the Board of Township Trustees, PUD Districts shall comply with the following performance standards. <sup>2</sup>

- A. Density and Intensity of Use Standards. A PUD shall comply with the standards set forth in Table 1 for the **corresponding Estate Residence Sec 5.5, Suburban Residence Sec 6.5, Urban Residence Sec 7.5, and Community Business Sec 10.5** over which the PUD District is located **prior** to becoming a PUD District. <sup>3</sup>
- B. **To encourage open space, clustering and conservation developments, innovative designs may contain a variety of lot sizes, the smallest of which can be not less than one quarter (1/4) acre.**
- C. **Minimum setbacks: Front - thirty (30) feet, Rear - twenty (20) feet, Side – fifteen (15) feet, with Lot Width at front building line of One hundred (100) feet**

**Table 1  
PUD Density and Intensity Standards  
For Residential Uses**

<b>Underlying Zoning District</b>	<b>Minimum Open Space Requirements (Percentage of Site Area)</b>	<b>Maximum Density of the Planned Unit Development</b>	<b>Minimum PUD Development Area</b>
Estate Residence with <b>private or public</b> sewage disposal	Thirty (30) percent	A twenty (20) percent increase in overall density is permitted from the underlying Zoning District.	Fifty (50) Acres
Suburban Residence with <b>private or public</b> sewage disposal	Thirty (30) percent	A twenty (20) percent increase in overall density is permitted from the underlying Zoning District.	Twenty-five (25) Acres
Urban Residence With <b>public</b> sewage disposal	Thirty (30) percent	No increase in overall density is permitted from underlying Zoning District.	Twenty (20) Acres
Community Business – Residential Uses in PUD-MU	Thirty (30) percent	One (1) dwelling unit per acre	Twenty-five (25) Acres

**PUD Density and Intensity Standards  
For Non-Residential Uses**

<b>Underlying Zoning District</b>	<b>Minimum Landscape Surface Ratio (L.S.R.)</b>	<b>Maximum Floor Area Ratio (F.A.R.)</b>	<b>Minimum PUD Development Area</b>
Community Business – Non-Residential Uses	0.20 L.S.R.	0.30 F.A.R.	10 Acres

D. Natural Resource Protection Area Standards. The natural resources listed in this Section are resources that are sensitive to development and need to be preserved and protected. Table 2 establishes the minimum percentages of these natural resource areas that must be preserved and protected as open space in a PUD.

1. Mapping of Natural Resource Areas. Preliminary and Final Development Plans shall include maps of the following resources and indicate those portions of a PUD District that will be protected with a conservation easement, using one of the methods described in Section 18.6.D.2.

**Table 2  
Resource Protection Standards**

<b>Natural Resource</b>	<b>Percentage to be Preserved</b>
Floodplains	One Hundred (100) percent
Wetlands	Subject to U.S. Army Corps of Engineers and Ohio EPA Requirements
Riparian Areas	One Hundred (100) percent
Unstable Slopes (Eden, Fairmont and Edenton soils with 25% and steeper slopes)	One Hundred (100) percent
Steep Slopes (20% and steeper other than unstable slopes)	Eighty (80) percent
Young Woodland	Twenty-five (25) percent
Mid-Growth Woodland	Forty (40) percent
Mature Woodland	Fifty (50) percent

2. Methods of Preserving Natural Resource Protection Areas. The responsibility, means and standards for preservation of all resource protection areas shall be specified in all Preliminary and Final Development Plans. In general, a resource protection area should be in Open Space that is owned and maintained by a homeowners' association or public agency, except as follows:
  - a. Open space may be provided on individual lots having an area in excess of three (3) acres or in PUD Districts with fewer than ten (10) Lots.
  - b. Open Space in private ownership shall be protected by a conservation easement shown on the Final Development Plan and approved in connection with the Final Development Plan; and deed restrictions approved in connection with the Final Development Plan prohibiting, in perpetuity, the development and/or subsequent subdivision of the resource protection areas or their use for purposes other than those specified on the Final Development Plan.

- E. Buffer. A buffer shall be provided along all borders of a PUD District. Riparian buffers shall border both sides of all rivers, streams, including intermittent streams. The buffer shall screen residential uses from streets and adjoining properties that are different in character or use.
1. Buffers shall be provided in all areas of a PUD District border bordering on external streets in order to screen residential uses from the streets. Buffers along external streets shall be designed to one (1) of the following standards identified in Table 3. Each of the alternative buffers represents a concept of having a substantially similar screening effect as the other alternatives, but contains various widths and planting requirements. Internal streets shall be landscaped in accordance with Section 18.6.D.5, but do not require a buffer.
  2. The purpose of riparian buffers is to protect rivers and streams from development in close proximity that may cause the degradation of the quantity or the quality of the water flowing through such river or stream, or of the habitat of various plants and animals in the vicinity of rivers and streams. Riparian buffers shall consist of the three zones described in Table 4 and must comply with the requirements in Table 4. The East Fork of the Little Miami River and other streams shall be protected by all three zones identified in Table 4. Intermittent streams shall be protected by the streamside and outer zones and ephemeral streams shall be protected by the streamside zone at a minimum as identified in Table 4. Riparian buffers must have the width specified in Table 4. Land located in a riparian buffer must meet the “Vegetative Target” specified in Table 4 at all times. Land in a riparian buffer may only be used for the purposes set forth in Table 4. No modification of the river or stream may be made unless approved as a Major Adjustment as provided in Section 18.13.

**Table 3  
Buffers**

Alternative	Width of Buffer (Feet)	Canopy Trees (1)	Understory Trees (1)	Evergreens (1)	Shrubs (1)	Berm
External Street Buffers						
A	40	4	7	4	54	None
B	100	2	4	2	32	None
C	100	2	4	2	28	None
External Property Lines (Standard minimum buffer which may be increased or decreased per Section 18.6.E.3) <sup>4</sup>						
A	15	2	4	2	32	None
B	20	2	3	2	19	3 Foot Berm
C	30	2	3	2	24	None
D	50	1	2	1	12	None

Notes: (1) = Number of trees/plants/shrubs per 100 linear feet of length of buffer

3. The buffer in Table 3 represents the minimum requirements for a standard buffer. The Township may, upon review of the preliminary and final plans and potential impact of the proposed PUD on adjoining use, modify the buffers in accordance with the following in order to provide in each instance adequate screening of residential uses from streets and adjoining properties that are different in character or use:
  - a. If the structures containing dwelling units to be constructed in the PUD District adjoining the PUD District line are quite similar in type, size and building mass to the structures containing dwelling units outside of and adjoining the PUD District, the buffer may be decreased.
  - b. If the structures containing dwelling units to be constructed in the PUD District adjoining the PUD District line are significantly smaller in size than those structures containing dwelling units located outside of the PUD District adjoining the PUD District line, the building mass of structures containing dwelling units to be constructed in the PUD District will be significantly greater than the structures containing dwelling units located outside the PUD District adjoining the PUD District line, or orientation or design of the uses outside of and adjoining the PUD District will have an adverse impact on the uses permitted within the PUD District, the buffer may be increased.
  - c. Where existing natural vegetation, or some other feature, can provide screening of similar effect, the buffer may be decreased.

**Table 4  
Riparian Buffer**

Characteristics	Streamside Zone	Middle Zone		Outer Zone
		Slope (%) of Buffer	Width in feet from landside edge of streamside	
Required Width	Minimum of 60 Feet in width from the bank of the river or stream plus wetlands and critical habitats	0 to #15 15 to 25 ≥25	50 75 100	Minimum of 25 feet in width from landside edge of middle zone
Vegetative Target	Undisturbed mature forest. Reforest if necessary. Tree removal requires a Minor Adjustment as set forth in Section 18.13.	Managed forest, some clearing allowed. Tree removal requires a Minor Adjustment as set forth in Section 18.13.		Forest encouraged but usually turf grass.
Allowable Uses	<b>Very Restricted</b> (e.g. flood control, footpaths. Tree removal requires a Minor Adjustment as set forth in Section 18.13.	<b>Restricted</b> (e.g. some recreational uses, bike paths. Tree removal requires a Minor Adjustment as set forth in Section 18.13.		<b>Restricted</b> (e.g. residential uses including lawns, garden, compost and yard wastes, but no dwelling units or other structures are permitted.

F. Landscaping. Landscaping shall be provided as follows:

1. Open Space. Open space shall be designated on any Preliminary or Final Development Plan as recreation, buffer, a natural resource area and other types of open space. Open space may only be used for the use designated in the approved Final Development Plan.
  - a. Land designated for recreation shall, at a minimum, have one (1) canopy tree planted along the lot line or street rights-of-way for every seventy-five (75) linear feet of boundary of such designated land.
  - b. Narrow open spaces between clusters of structures shall be a minimum of thirty (30) feet in width and may be attached to adjoining lots as part of a Conservation Easement.
  - c. Areas designated as natural resource areas shall be retained in their natural state except those areas upon which pedestrian trails are located may be used for such pedestrian trails.

- d. Open spaces that are not designated for recreational or natural resource protection use shall be covered with a ground cover that shall be mowed, if appropriate, and otherwise maintained in a neat manner and shall have a minimum of four (4) canopy trees planted per acre.
- e. Trees and shrubs shall be of native species that are indigenous to the soils on which they are planted.
- 2. **Parking Lots.** For parking lots, one (1) canopy tree shall be installed per ten (10) spaces. Such tree must be placed in an area the size of a parking space contiguous to one or more of such parking spaces.
- 3. **Street Trees.** All streets, public or private, shall have street trees installed in the rights-of-way on both sides of the roadway. Two (2) canopy trees per one hundred (100) linear feet of street, including driveway cuts, shall be provided.
- 4. **Landscaping.** Each front yard of a lot shall be landscaped. The minimum standard for landscaping shall be two (2) canopy trees, two (2) understory or ornamental trees, and one (1) evergreen tree per one hundred (100) linear feet of lot frontage. The actual mix of plant material shall be the choice of the landowner. The following equivalents may be used to vary the actual mix.
  - a. One (1) canopy tree equals two (2) understory or evergreen trees
  - b. One (1) understory tree equals one (1) evergreen, or twenty (20) shrubs.
- 5. All landscaping shall meet the following minimum standards:
  - a. Canopy trees                      2.5 inch in caliper
  - b. Understory trees                1.5 inch in caliper
  - c. Evergreen trees                 6 feet in height
  - d. Shrubs                              5 gallon pots
- G. **Parking and loading.** Parking and loading shall be provided in accordance with the provisions of (1) Article 23 of the Zoning Resolution for PUD Districts in which residential uses are permitted, to the extent of such residential use, and (2) Article 23 of the Zoning Resolution for PUD Districts in which business uses are permitted, to the extent of such use, in each case subject to the landscaping requirements of Section 18.F.5.
- H. **Structure Height.** No structure shall have a height exceeding thirty-five (35) feet above the surface of the lot on which it is located, except that the height of public, semi-public or public service structures, hospital, institutional or school structures shall not exceed sixty (60) feet above the surface of the lot on which any such structure is located, and the height of church or temple structures shall not exceed seventy-five (75) feet above the surface of the lot on which any such

structure is located as long as the structure is set back further than the applicable minimum front, side and rear set backs by at least two (2) feet on each setback per each one (1) foot of height of such church or temple structure.

- I. Limited Soils. In any case in which an applicant proposes to use private sanitary sewage systems on a site in which limited soils are present, the Zoning Commission and the Board of Township Trustees may retain an engineer to advise them on the feasibility of using private sanitary sewage systems to serve the use of the site. The applicant shall pay the cost incurred by the Township to retain such engineer. The Zoning Commission may recommend, and the Board of Township Trustees may require, the density of the site be less than that proposed by the applicant or otherwise permitted under this Article to prevent or limit the risks of pollution of water and land resources by private sanitary sewage systems.
- J. Lighting. All roadway, street parking and sidewalk lights shall be fully shielded or positioned so that substantially all the directly emitted light falls within the lot on which it is located and no glare falls on adjacent properties.
- K. Circulation. The street, access and parking system of a PUD District shall provide for the smooth, safe, convenient and functional movement of vehicles and pedestrians both internally and in /out of the PUD District. Circulation shall:
  - 1. Minimize the conflict between pedestrian and vehicular traffic.
  - 2. Minimize the number of vehicular turning movements and points of vehicular conflict, particularly at access points.
  - 3. Cul-de-sac streets, when used, shall be of a size and diameter to permit the movement of emergency vehicles including fire apparatus.
- L. Vehicular Access. See Section 18.9.A.13 for Traffic Impact Analysis requirements.
  - a. Acceleration, deceleration and/or turn lanes may be required if the Township finds that they are necessary to preserve safety and/or the traffic-carrying capacity of the existing street.
  - b. The applicant shall provide a Traffic Impact Study which addresses the elements stated in Section 18.9.A.13.
- M. Pedestrian Circulation. Sidewalks and/or pedestrian paths shall be constructed and located in order to provide a convenient, safe and visible pedestrian path between parking areas and building entrances. Whenever a pedestrian path or a bike path traverses a parking lot, a safe and efficient pedestrian system shall be clearly designated.
- N. Fire Safety. Dry hydrants with an access road and dedicated easement to permit access to the Fire Department shall be installed on retention/detention ponds when requested by Stonelick Township.

**Section 18.7    Approval of Planned Unit Development Districts**

As more particularly provided in Sections 18.8 through 18.12, the Board of Township Trustees, upon receipt of the recommendations of the Zoning Commission, may approve an application to establish a PUD District by amendment to the Zoning Resolution, upon making specific findings that all applicable requirements have been satisfied and that the following specific conditions have been met:

- A.     The PUD is consistent with the purpose of this Article, and will not jeopardize the public health, safety and general welfare.
- B.     The proposed development can be substantially completed within the period of time specified in the Schedule of Development submitted by the applicant.
- C.     The internal streets and primary and secondary roads that are proposed are adequate to serve the proposed development and properly interconnect with the surrounding existing road network as designated on the Stonelick Township Growth Management Plan or the Clermont County Thoroughfare Plan, as the case may be. The approved Final Development Plan must demonstrate that improvements or other actions have been or will be taken to mitigate those traffic problems identified in the impact analysis required by Section 18.9.A.13 that are attributable to the proposed development.
- D.     Traffic control signals will be provided when either the Clermont County Engineer or the Ohio Department of Transportation, whichever has jurisdiction, as the case may be, determines that such signals are required to prevent traffic hazards or congestion on adjacent streets.
- E.     The proposed infrastructure, utilities, and other proposed facilities are adequate to serve the Planned Unit Development and properly interconnect with existing public facilities.
- F.     The proposed uses, overall density, locations, and arrangement of structures, lots, parking areas, walks, open space, landscaping, lighting, and appurtenant facilities are compatible with the surrounding land uses.
- G.     Proposed covenants, easements, and other provisions meet development standards and protect the public health, safety, and general welfare.
- H.     Required Resource Protection Areas and open space areas are identified, and provisions have been made for the care and maintenance of such areas.
- I.     The PUD is designed to minimize the impact on the natural environment and complies with the minimum performance standards set forth in Section 18.6.

**Section 18.8    Application Submission**

The following procedures shall be followed in applying for rezoning to a PUD District.

- A.     Pre-Application Conference. Applicants are required to engage in an informal consultation with members of the Stonelick Zoning Commission prior to preparing preliminary and/or final plans. The purpose of this meeting would allow the PUD applicant and Commission members to discuss the procedures and standards required for preliminary development plan approval. The pre-application

conference presentation shall include all information and material necessary to explain the proposed development, including, but not limited to, concept plans, extensions of public and private roads, and related site development issues. Include a statement setting forth why a PUD would be in the long-term interest for Stonelick Township. No statement or representation by members of Stonelick Zoning Commission shall be binding upon such Commission or upon any other zoning body.

- B. Application Submission. An applicant may submit an application requesting that the Zoning District Map be amended to rezone a site as a PUD District. Such applications shall be processed, noticed, and heard in a manner prescribed in this Section and in accordance with the provisions of Article 18 of this Zoning Resolution and Section 519.12 of the Ohio Revised Code. <sup>5</sup>
- C. Preliminary Development Plan and Final Development Plan. An applicant may submit a Preliminary Development Plan, and subsequently submit a Final Development Plan for any portion of the approved Preliminary Development Plan that the applicant wishes to develop. The Final Development Plan submitted according to this option shall be processed in the manner described in Section 18.10. At the time of submitting a Preliminary Development Plan or a Final Development Plan for review and approval as provided in this Article, the applicant shall pay a fee as established, and which may be amended from time to time by the Board of Township Trustees for purposes of defraying the cost of reviewing any such application. If in a given case any such fee is insufficient, the Zoning Commission and the Board of Township Trustees may require that the applicant pay an additional fee to complete the defraying of such costs as a condition of Preliminary Development Plan Approval or Final Development Plan Approval, as the case may be.

The Zoning Commission or the Board of Township Trustees may determine that either requires the assistance of engineers, architects, planners or attorneys to assist either in the evaluation of any Preliminary Development Plan or Final Development Plan. In such event, the Zoning Commission or the Board of Township Trustees may require that the applicant pay the fees of such persons so retained to assist the Zoning Commission or the Board of Township Trustees. By its submission of an application for Preliminary Development Plan or Final Development Plan approval, the applicant agrees to pay such fees.

- D. Zoning Permit. No Zoning Permit shall be issued for any property for which a re-zoning is requested and no construction shall begin until the Final Development Plan approved as provided in Section 18.10 is in effect for that phase of the development.

**Section 18.9 Preliminary Development Plan Requirements**

- A. The Preliminary Development Plan shall include in text and map form:
  - 1. A plat of survey of the tract to be developed, providing a metes and bounds description of the tract and survey of tract lines and a total area of the tract in acres, existing Zoning District boundaries, the tract and District to be re-zoned, and the property ownership of the tract and all adjacent parcels and buildings within two hundred (200) feet of the tract.

2. A list of names and address of all owners of property within two hundred (200) feet of the tract.
3. Evidence that the applicant has sufficient control over the tract to effect the proposed plan, including a statement of all ownership and beneficial interests in the tract of land and the proposed development.
4. Time schedule of projected development including the phasing schedule of each Section of development, if applicable.
5. Base mapping of the tract showing the physical features, including: significant natural features such as general topography, soils, drainage ways, water bodies, flood plains, wetlands, rock outcrops, and forested areas, and other significant features such as existing and adjacent land uses, zoning, platted land, streets, alleys, rights-of-way, easements, lots, buildings and utility lines.
6. Boundaries and easements of the tract to be zoned as a PUD District.
7. Highways and streets in the vicinity of the tract, two (2) means of ingress and egress to the tract where possible and practical, existing utilities and sidewalks on or adjacent to the tract. 6
8. A drainage analysis that includes (1) a description of soil conditions, (2) a proposed method of compliance with the Clermont County Water Management and Sediment Control Regulations, and (3) evidence that the applicant has contacted Clermont County to obtain, and has obtained, confirmation that such proposed method in fact complies with such Storm Water and Sediment Control Regulations.
9. A site plan showing the location of general land uses of the tract to be developed, including type and description of land uses, proposed principal streets, proposed lots, including set back lines, proposed sidewalks and pedestrian walks and trails, playgrounds, school sites and recreational facilities.
10. Calculations of density, open space and resource protection land, in accordance with the requirements of Section 18.6.
11. Proposed treatment of existing topography, drainage ways, tree cover, and proposed landscaping and buffer planting, in accordance with the requirements of Section 18.6.
12. Preliminary engineering plans, including site grading, drainage, and utility improvements and extensions as necessary, street improvements, showing proposed general location of vehicular circulation routes and how this circulation pattern relates to the primary and secondary road alignments designated on the Clermont County Thoroughfare Plan.
13. A Traffic Impact Analysis of the proposed development on roadways and intersections within a study area based upon net project trip generation methodology consistent with the latest edition of the Institute of Traffic Engineers (ITE) Trip Generation and Information Report that at a minimum addresses the following elements: (1) existing roadway

conditions, including existing deficiencies and proposed improvements, (2) trip generation based upon the development characteristics, (3) distribution and assignment of trips based upon existing and future road network and travel time characteristics, (4) background traffic projections, (5) capacity (level of service) analysis methodology for roadways and intersections, (6) types and costs of roadway and intersection improvements needed to mitigate the traffic impacts directly attributable to the proposed development. A traffic impact analysis shall be provided in addition to any information required by the Clermont County Engineer.

14. Analysis of the compliance of the proposed structures and uses shown in the Preliminary Development Plan with the guidelines and regulations of the Clermont County Water Management and Sediment Control Regulations.
  15. An analysis of what part of the PUD District constitutes wetlands as identified by the Ohio Department of Natural Resources.
  16. Additional information as necessary to address the foregoing issues.
- B. Action by the Zoning Commission. The Zoning Commission shall submit the applicant's application and Preliminary Development Plan to the Clermont County Planning Commission for such Commission's recommendation. The Zoning Commission shall publish or send notice of and hold a public hearing on the Preliminary Development Plan and the Clermont County Planning Commission's recommendation in accordance with Section 519.12 of the Ohio Revised Code, at least twenty (20) days after and prior to forty (40) days after submittal of the information required under Section 18.9. The Zoning Commission shall prepare and transmit to the Board of Township Trustees and to the applicant recommendations to the Board of Township Trustees with respect to the action to be taken on the Preliminary Development Plan within thirty (30) days after such hearing. The Zoning Commission may recommend disapproval, approval, or approval with amendments, conditions or restrictions. Copies of the findings and recommendations of the Zoning Commission shall be made available to any interested persons.
- C. Action by the Board of Township Trustees. The Board of Township Trustees shall publish or send notice of and hold a public hearing on the Preliminary Development Plan in accordance with Section 519.12 of the Ohio Revised Code within thirty (30) days after receiving the recommendation of the Zoning Commission with respect to the Preliminary Development Plan. The Board of Township Trustees shall disapprove, approve or approve the Preliminary Development Plan with amendments, conditions or restrictions, within twenty (20) days after such public hearing. If the application is so approved, the area of land involved shall be deemed re-zoned to the PUD zone specified in the approved Preliminary Development Plan and such approved Preliminary Development Plan, including any amendment, condition or restriction that may be imposed by the Board of Township Trustees, shall be deemed incorporated into the Zoning Resolution.

**Section 18.10 Submission of Final Development Plan**

- A. A Final Development Plan shall be filed for any portion of a tract covered by an approved Preliminary Development Plan that the applicant wishes to develop. The Final Development Plan shall conform to the approved Preliminary Development Plan and shall conform to any applicable Clermont County Subdivision Regulations or Clermont County requirements for maintaining health or safety. The Final Development Plan shall include in text and map form:
  - 1. A plat of the tract to be developed showing existing physical features, including general topography, drainage ways, designated protection areas and tree cover, and streets, easements and utility lines.
  - 2. A site plan showing the location and arrangement of all existing and proposed structures, including building pads for single family detached units in cases in which site constraints limit the placement of proposed structures, the proposed traffic circulation pattern within the tract, the areas to be developed for parking, the points of ingress and egress including access streets where required, the relationship of abutting land uses and Zoning Districts, proposed lot lines, building setbacks, fences and their applicable regulations, proposed sidewalks and pedestrian walkways, and proposed public or common open space or other public facilities, including parks, playgrounds, school sites, and recreational facilities.
  - 3. Calculations of density, open space and Resource Protection Areas, in accordance with the requirements of Section 18.6.
  - 4. For uses other than single family detached housing, footprints, floor plans, and exterior elevations and types of building materials.
  - 5. Landscaping plans prepared by a landscape architect, showing the placement of trees, shrubs, ground cover, and associated structures and improvements, including specifications, species, quantities, and installation of landscaping for common areas, parking areas, open space, street trees, typical front yards and buffers.
  - 6. Specific engineering plans, including site grading, street improvements, drainage and utility improvements and extensions as necessary.
  - 7. When a development is to be constructed in phases, a Schedule for Development of such phases will be submitted. No such phase shall have a Density exceeding the maximum permitted Density of the entire PUD.
  - 8. The total area of common open space provided at any phase of development must, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD District as the phases or units when completed shall bear to the entire PUD District.
  - 9. Evidence that the applicant has sufficient control over the tract to effect the proposed plan, including a statement of all the ownership and beneficial interests in the tract of land that the applicant proposes to develop.

10. In the case of PUD-MU, a statement identifying the principal types of uses that are to be included in the proposed development.
  11. When a PUD includes provisions for common open space or recreational facilities, a statement describing the provisions that are to be made for the care and maintenance of such open space or recreational facilities. If it is proposed that such open space be owned and/or maintained by any entity other than a governmental authority, copies of the proposed Articles of Incorporation and By-Laws of such entity shall be submitted.
  12. A statement as to whether the required amount of common open space land reserved under a PUD development shall either be held in corporate ownership by owners of the areas within the PUD District, for the use of each owner who buys property within the PUD District, or be dedicated to a Homeowners' Association, which shall have title to the land which shall be retained as common open space for parks, recreation and related uses. The Articles of Incorporation or organization relating to the organization of any Homeowners Association is subject to review and approval by the Zoning Commission and the Board of Township Trustees and shall provide adequate provisions for the care and maintenance of all common open space. Public utility and similar easements and right-of-ways for water courses and other similar channels are not acceptable for common open space dedication unless such land or right-of-way is useable as a trail or similar purpose and has been approved by the Zoning Commission and the Board of Township Trustees. The responsibility for the maintenance of all open space shall be specified by the applicant before approval of the Final Development Plan. The applicant shall provide for a Declaration of Easements and Covenants applicable to any open space not dedicated to public use reasonably satisfactory to and enforceable by the Township that imposes on the owners of land within the PUD District the duty to maintain any landscaping, trails, and any other facilities in the open space for use in common by two or more of the owners of land in such PUD District from time to time.
  13. Copies of any Declaration of Easements and Covenants that are to be recorded with respect to tract included in the PUD District.
  14. Copies of any necessary permits to dredge or excavate Wetlands issued by Federal, State or County agencies that are required in order for the applicant to develop the PUD District as contemplated in the Final Development Plan.
- B. Action by the Zoning Commission. The Zoning Commission shall evaluate the Final Development Plan at a regular public meeting. An applicant shall give the Zoning Inspector at least ten (10) days written notice of its intent to submit a Final Development Plan, while at the same time submitting the names and addresses of property owners with Lot lines common to the tract within such Final Development Plan. Such property owners shall be given seven (7) days advance written notice of this public meeting by first class mail. The Zoning Commission shall publish or send notice of and hold a public meeting on the Final Development Plan, considering all aspects of the Final Development Plan, at least twenty (20) days after and prior to forty (40) days after submittal of the information required under Section 18.10. The Zoning Commission shall prepare

and transmit to the Board of Township Trustees and to the applicant recommendations with respect to the action to be taken on the Final Development Plan within thirty (30) days after such hearing. The Zoning Commission may recommend disapproval, approval, or approval with amendments, conditions or restrictions. Copies of the findings and recommendations of the Zoning Commission shall be made available to any other interested persons.

- C. Action by the Board of Township Trustees. The Board of Township Trustees shall hold a public meeting on the Final Development Plan within thirty (30) days after receipt by the Board of Township Trustees of the recommendation on the Final Development Plan by the Zoning Commission. Property owners with Lot lines common to the tract within such Final Development Plan shall be given seven (7) days advance written notice of this public notice by first class mail. At the Board of Township Trustees meeting, the Trustees will review the Final Development Plan for substantial conformance with the approved Preliminary Development Plan. Based on this review, the Board of Township Trustees shall disapprove, approve, or approve the Final Development Plan with amendments, conditions or restrictions. Within twenty (20) days after such public hearing, if the Final Development Plan is approved, such approved Final Development Plan, including any amendment, condition or restriction that may be imposed by the Board of Township Trustees, shall be deemed incorporated into the Zoning Resolution. No Structure may be erected or modified, and no land may be used, in any PUD District, except in accordance with such approved Final Development Plan, and any amendments to it, or conditions or restrictions imposed on it by the Trustees in accordance with Section 18.10 hereof, or any modification approved as provided in Section 18.13 hereof. The Zoning Inspector shall issue Zoning Permits only for the erection or modification of Structures or the use of property in such PUD District that conforms to the approved Final Development Plan.

#### **Section 18.11 Subdivision Plat Required**

A Zoning Permit may be issued for a structure in a PUD District, in accordance with an approved Final Development Plan, only following approval by the Clermont County Planning Commission of a final subdivision plat for that portion of the PUD within which the proposed structure is to be located, and recording of the subdivision plat approved by that Commission.

#### **Section 18.12 Extension of Time**

Expiration date for Development Plan approval and Extension of Time.

- A. Preliminary Development Plan. Preliminary Development Plans shall expire one (1) year from the date of approval of the Preliminary Development Plan unless a complete Final Development Plan has been submitted to the Zoning Commission for its consideration prior to expiration of the Preliminary Development Plan. Following expiration of such one (1) year period, the Preliminary Development Plan approval shall be deemed revoked.
- B. Single Phase Final Development Plans. If an applicant fails to diligently pursue development of a site in accordance with a single phase Final Development Plan, the Board of Township Trustees may, following a public hearing pursuant to Section 18.12.D., by Resolution, revoke Final Development Plan approval and such approval of such Final Development Plan shall become null and void. If a

subdivision plat for the area included in the Final Development Plan has not been recorded in the records of the Clermont County Recorder within 365 days after the date of Final Development Plan approval, the Board of Township Trustees may, following notice pursuant to Section 18.12.D, revoke approval of the Final Development Plan. Upon revocation of Final Development Plan approval, if a Preliminary Development Plan was approved for the PUD District, the tract shall revert to the Preliminary Plan Development stage and shall be subject to the submittal timeframe set forth in Section 18.12.A.

- C. Multi-Phase Final Development Plans. When the recording of the subdivision plan for any phase fails to meet the schedule submitted under Section 18.10.A.7, following a public hearing pursuant to Section 18.12.D, the approval of the Final Development Plan shall become null and void for that portion of the tract for which no subdivision plat shall have been recorded. If a Preliminary Development Plan was approved for the PUD District, that portion of the tract shall revert to the Preliminary Development Plan stage and shall be subject to the submittal timeframe set forth above in Section 18.12.A.
- D. Review of Status of PUD District and Development Plans. If an applicant fails to comply with any of the provisions of this Section 18.12, the Board of Township Trustees may review the status of any approved PUD District or any Preliminary Development Plan or Final Development Plan, and take action in accordance with the following procedures.
  - 1. The Board of Township Trustees may hold a public hearing to review the status of any approved Development Plan and, at the conclusion of the hearing, may, by Resolution, (a) extend any applicable time period, or (b) modify or revoke the Preliminary Development Plan and/or Final Development Plan approval.
  - 2. The Board of Township Trustees may, in accordance with the provisions of this Article of the Zoning Resolution and Section 519.12 of the Ohio Revised Code, revoke the PUD District zoning designation, and rezone the property to the zoning in place prior to approval of the PUD District.

### **Section 18.13 Modification**

An approved Preliminary Development Plan or Final Development Plan may be amended by following the procedures described in this Section.

- A. Minor Adjustments. The Zoning Inspector may authorize minor adjustments in the Final Development Plan which become necessary because of field conditions, detailed engineering data, topography or critical design criteria pertaining to drives, curb cuts, retaining walls, swimming pools, tennis courts, fences, walls, building locations, and building configurations, parking area locations or other similar project particulars. These minor adjustments may be permitted, provided that they do not increase density, decrease the number of parking spaces or allow buildings closer to Lot lines, and appear necessary in light of technical or engineering considerations. The Zoning Inspector may authorize the removal of one (1), but no more than three (3), trees from time to time located in the Middle Zone of a Riparian Buffer approved in a Final Development Plan provided that (1) he or she finds on the basis of evidence presented by the applicant that removal of such trees will not materially interfere with the purpose of the Riparian Buffer and (2) the applicant submits in letter

form, his intent to replace such trees with younger trees of the same type. Such letter shall state size, type, quantity and time frame that trees will be planted.

- B. Major Adjustments. Major adjustments to any Preliminary and/or Final Development Plan that substantially alter the concept or intent of the approved Preliminary and/or Final Development Plan, may be approved only by the Zoning Commission and the Board of Township Trustees upon a petition to amend the Preliminary Development Plan and/or Final Development Plan, pursuant to the procedures for Preliminary Development Plan Approval or Final Development Plan Approval, as the case may be, set forth in this Article 18.

**Section 18.14 Financing Responsibility**

No building permits shall be issued for construction within a PUD District until all required improvements are installed as agreed upon by the Zoning Commission and the developer on the Preliminary Development Plan or a performance bond, letter of credit or escrow account is posted that will pay for the required improvements if necessary.

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**ARTICLE 19**  
**OPEN FOR FUTURE EXPANSION**

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**ARTICLE 20  
SIGNS**

**Section 20.1 Purpose**

It is the purpose of these sign regulations to permit the use of signs as a means of communication in the Township; to maintain and enhance the Township's natural and manmade environment; to encourage an attractive and healthy economic environment; to minimize the possible adverse effects of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign regulations.

The purpose as stated above is based on the following findings concerning signs:

- A. That excessive signs create dangerous traffic conditions, intrude on motorist and pedestrian enjoyment of the natural and manmade beauty of the Township, and as such are detrimental to the public health, safety and general welfare of the Township.
- B. That business enterprises and other institutions located along public and private streets have a need to identify themselves and their activities to motorists and pedestrians by means of signs.
- C. The provisions and restrictions adopted herein for regulation of outdoor signage and related lighting are intended to:
  - 1. Promote and protect public health, safety and welfare by regulating existing and proposed outdoor signage and associated illumination in a manner that will provide for the minimal amount demonstrated absolutely necessary for identification, informational and directional purposes in order to sufficiently serve the public and private concerns.
  - 2. Protect property values from detrimental visual impacts that could otherwise result from an over proliferation of unrestricted signage.
  - 3. Create an attractive and effective business environment by providing design specifications and restrictions as to the types, sizes and locations of outdoor signage permitted, inclusive of lighting and landscaping, as applicable.
  - 4. Enhance and protect the developed appearance of Stonelick Township, by causing signage to be well organized, helpful and informative in directing the viewing public and identifying signage dependant uses, without being visually distractive, overwhelming and unsafe in doing so.
  - 5. Preserve and promote the scenic beauty of natural and developing areas in Stonelick Township by preventing or restricting the size, type, number and location of signage and lighting devices in and around them.
  - 6. Minimize signage and related lighting in an effort to prevent visual distractions and sight obstructions, which would otherwise pose an accident hazard to viewing pedestrians and/or motorists.

7. Reduce hazards which might otherwise be caused by signs hanging over, projecting into or abutting public right of ways and/or erected in a structurally overwhelming or visually instructive or obstructive manner there around.
8. Enhance community development and prevent visual deterioration of its natural environment and open space by regulating against objectionable types, sizes, numbers and locations of signage and lighting.

**Section 20.2 General Provisions**

The following general provisions are applicable to all signs unless modified by the general requirements or standards of a specific Zoning District:

- A. All freestanding and projecting signs shall be setback from the right-of-way as follows:

**Table 5  
Sign Setback from Right-of-Way**

<b>Sign Height</b>	<b>Setback</b>
0 - 6 feet	10 feet from right-of-way
6 - 15 feet	15 feet from right-of-way
15 - 20 feet	20 feet from right-of-way
20 -25 feet	25 feet from right-of-way
25 feet and above	30 feet from right-of-way

All setbacks shall be measured from the existing right-of-way except when property is being dedicated to the Federal, State, County or Township government or if the right-of-way is unknown or cannot be determined, then the setback shall be established from the right-of-way line as shown on the Official Thoroughfare Plan for Clermont County and shall meet the side and rear yard requirements for the District in which they are located unless otherwise specified in this Article.

- B. No sign shall be erected unless it is in compliance with the regulations of this Article.
- C. No sign shall obstruct or interfere with traffic or traffic visibility, or resemble or imitate signs or signals erected by the Township or other governmental agency for the regulation of traffic or parking.
- D. No sign, with the exception of a sign designed for changeable copy, shall have animation, moving parts, flashing lights or changing colors.
- E. Signs may be illuminated by either external or internal sources of light. However, no illuminated sign shall be permitted, any part of which flashes on or off or displays changing degrees of intensity. This regulation applies to signs located outside buildings and to window signs inside buildings which are meant to be seen from the outside.

- F. No sign, whether freestanding, ground mounted or attached to a building or other structure, may project over any public right-of-way, except as expressly permitted in this Article.
- G. No sign, with the exception of governmental signs, shall be placed in the existing public right-of-way.
- H. No illuminated sign shall be placed or directed so as to permit the beams and illumination to be directed or beamed upon a public thoroughfare, highway, sidewalk or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or that negatively affects the private property rights of adjacent properties because of such glare or light.
- I. Removed. 20

**Section 20.3 Signs Requiring Permits**

Any sign erected, painted, posted or placed in any District within the Township may not be erected without a Zoning Permit from the Zoning Inspector in conformance with this Article, except those signs identified as exempt from such permit in Section 20.4. Sign structure, size, height, setback, location and number shall be determined by the requirements set forth in the regulations for each Zoning District.

**Section 20.4 Signs Not Requiring a Permit**

The following signs do not require a permit but may be subject to the provisions of this Article:

- A. Governmental signs and signs erected by the government for control of traffic and other regulatory purposes, street signs, warning signs, railroad crossing signs, and signs of public service companies for the purpose of safety.
- B. Flags of reasonable customary size and color, emblems and insignia of any governmental agency, corporation, business, or political subdivision and temporary displays of a patriotic, religious, charitable or civic character.
- C. Commemorative plaques placed by recognized historical agencies.
- D. Interior signs within a stadium, open-air theater, shopping center, arena or other use of which signs can be viewed only by persons within such stadium, open-air theater, shopping center, arena or other use.
- E. Non-commercial signs displaying messages, including but not limited to: directional signs, house numbers, real estate signs, construction signs, political signs, now hiring, help wanted, garage and yard sale signs. Such signs shall not be located within the public right-of-way and are subject to the provisions of each specific Zoning District as indicated in this Article.
- F. Window Signs.

**Section 20.5 Prohibited Signs**

The following signs are prohibited in the Township:

- A. No signs, with the exception of property restriction signs (e.g. No Trespassing, No Hunting, Keep Out, Private Property, No Soliciting), shall be attached or otherwise applied to trees, bus shelters, utility poles, benches, trash receptacles, newspaper vending machines or boxes, or any other unapproved supporting structure, or otherwise placed in the public right-of-way.
- B. No sign shall have spinning devices or strings of spinning devices or similar type devices.
- C. Signs which are not securely affixed to the ground or otherwise affixed in a permanent manner to an approved supporting structure shall be prohibited unless otherwise specified.
- D. No projecting sign shall extend above the wall or parapet of a building to which it is affixed.
- E. All blinking, flashing, or intermittent lighting is prohibited.

**Section 20.6 Measurement Standards**

The following standards shall be used to determine the area and height measurements for all signs in the Township:

- A. The area of a sign shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the exterior display limits of a sign, but not including any supporting frame or bracing.
- B. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point.
- C. In the case of irregularly shaped three dimensional signs the area of the display surface shall be measured on the plane of the largest vertical cross Section.
- D. The height of a sign shall be determined by measuring the vertical distance between the top part of the sign to the elevation of the ground beneath the sign prior to construction, excluding additional elevation added by creation of berming or mounding. If the grade prior to construction can not be determined, the elevation of the base of the sign shall be computed using the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the premises, whichever is lower.

**Section 20.7 Signs Permitted in Agricultural and Residential Districts**

- A. The following signs are permitted in all agricultural and residential Zoning Districts and **shall not** require a Zoning Permit:
  - 1. Plaques, nameplates or tablets denoting the name of the building and/or date of erection.
    - a. The maximum area shall be two (2) square feet.

- 2. Traffic or other signs erected and maintained by the Township or any other governmental agency, signs containing governmental legal notices and all other similar signs required by law to be posted.
- 3. Directional or informational signs (e.g. IN, OUT, ENTER, EXIT.).
  - a. The maximum area shall be two (2) square feet.
  - b. The maximum height shall be four (4) feet. <sup>21</sup>
- 4. Official Federal, State, County or Township flags, emblems and historical markers.
- 5. Holiday or special event decorations.
- 6. Real estate signs.
  - a. Such non-illuminated signs shall be removed within seven (7) days of the closing of sale on the property or at the end of the realtor’s contract.
  - b. The maximum height shall be four (4) feet.
  - c. The maximum area shall be eight (8) square feet for residential property and thirty-two (32) square feet for agricultural property.
  - d. Freestanding real estate signs shall be located on the same lot to which it is an accessory use and shall be located no closer to the right-of-way than five (5) feet.
- 7. Construction signs.
  - a. One (1) non-illuminated sign identifying parties engaged in the construction on the property may be permitted.
  - b. The maximum height shall be eight (8) feet.
  - c. The maximum area shall be sixty-four (64) square feet.
  - d. Freestanding construction signs shall be located on the same lot to which it is an accessory use and shall be located no closer to the right-of-way than fifteen (15) feet.
  - e. Such sign shall be removed upon completion of work.
- 8. Political signs.
  - a. There shall be no limit to the number of political signs on one property.
  - b. If related to an election or ballot issue, political signs may be erected one hundred and twenty (120) days prior to the election or issue and shall be removed seven (7) days after the date of election or issue.
  - c. The maximum height shall be six (6) feet.
  - d. The maximum area shall be thirty-two (32) square feet.

9. Home occupation signs.
    - a. One (1) non-illuminated wall mounted sign shall be permitted which indicates a home occupation as established in Section 22.16 A, Home Occupations.
    - b. The maximum area shall be one and one half (1½) square feet.
  10. Garage and yard sale signs.
    - a. One (1) non-illuminated sign may be erected seven (7) days prior to the scheduled sale and shall be removed one (1) day after the conclusion of the sale.
    - b. The maximum area shall be four (4) square feet.
  11. Signs identifying seed or crops on agricultural property.
    - a. The maximum area shall be two (2) square feet per sign.
- B. The following signs are permitted in all agricultural and Residential Districts and **shall** require a Zoning Permit:
1. Subdivision signs.
    - a. One (1) freestanding or wall sign shall be permitted per dedicated street entrance.
    - b. The maximum height shall be five (5) feet.
    - c. The maximum area shall be thirty-two (32) square feet.
  2. Institutional signs.
    - a. One (1) freestanding or wall sign shall be permitted.
    - b. The maximum height shall be five (5) feet.
    - c. The maximum area shall be thirty-two (32) square feet.

**Section 20.8 Signs Permitted in the Community Business District**

- A. The following signs are permitted in the Community Business District and **shall not** require a Zoning Permit:
1. Plaques, nameplates or tablets denoting the name of the building and/or date of erection.
    - a. The maximum area shall be two (2) square feet.
  2. Traffic or other signs erected and maintained by the Township or any other governmental agency, signs containing governmental legal notices and all other similar signs required by law to be posted.

- 3. Directional or informational signs (e.g. IN, OUT, ENTER, EXIT.).
  - a. The maximum area shall be two (2) square feet.
  - b. The maximum height shall be four (4) feet. [22](#)
- 4. Official Federal, State, County or Township flags, emblems and historical markers.
- 5. Holiday or special event decorations.
- 6. Real estate signs.
  - a. Such signs shall be removed within seven (7) days of the closing of sale on the property or at the end of the realtor’s contract.
  - b. The maximum height shall be four (4) feet.
  - c. The maximum area shall be thirty-two (32) square feet.
- 7. Construction signs.
  - a. One (1) non-illuminated sign identifying parties engaged in the construction on the property may be permitted.
  - b. The maximum height shall be eight (8) feet.
  - c. The maximum area shall be sixty-four (64) square feet.
  - d. Such sign shall be removed upon completion of work.
- 8. Political signs.
  - a. There shall be no limit to the number of political signs on one property.
  - b. If related to an election or ballot issue, political signs may be erected one hundred and twenty (120) days prior to the election or issue and shall be removed seven (7) days after the date of election or issue.
  - c. The maximum height shall be six (6) feet.
  - d. The maximum area shall be thirty-two (32) square feet.
- 9. Window signs.

Window signs located inside or behind a window, provided that the window sign is located in a building where a commercial or an industrial use is permitted as a principal use. No window shall advertise products or services not provided or for sale on the premises. Window signs and advertising not-for-profit and civic functions shall be permitted.

- B. The following signs are permitted in the Community Business District and **shall** require a Zoning Permit:
1. Business and Institutional signs.
    - a. Each occupant is permitted a total of two (2) signs in any combination listed below:
      1. One (1) freestanding or ground mounted sign and one (1) wall sign; or
      2. One (1) freestanding or ground mounted sign and one (1) projecting sign; or
      3. One (1) freestanding or ground mounted sign and one (1) marquee sign; or
      4. One (1) freestanding or ground mounted sign and one (1) awning sign; or
      5. One (1) freestanding or ground mounted sign and one (1) painted wall sign.
    - b. Freestanding or ground mounted sign.
      1. The maximum height for a freestanding or ground mounted sign shall be eight (8) feet with a maximum area of sixty (60) square feet.
    - c. Wall, awning, marquee and projecting signs.
      1. Wall sign square footage shall be computed by permitting up to one-half ( $\frac{1}{2}$ ) a square foot of sign area for each linear foot of building frontage with a maximum sign face area of fifty (50) square feet.
      2. The maximum height for a wall, awning, marquee and projecting sign shall be no higher than the wall on which it is erected.
      3. Wall signs shall be located on the building or structure to which it is an accessory use and shall not project more than eighteen (18) inches from the building wall.
    - d. Shopping Center Signs
      1. One (1) freestanding or ground mounted sign identifying tenant occupants shall be permitted for shopping centers and strip centers.
      2. The maximum height for freestanding signs shall be eighteen (18) feet with a maximum area of seventy-two (72) square feet for shopping centers and strip centers.

3. The maximum height for a ground mounted sign shall be seven (7) feet with a maximum area of seventy-two (72) square feet for shopping centers and strip centers.
  4. The maximum height for a wall sign shall be no higher than the wall on which it is erected with a maximum area of twenty (20) square feet for each wall sign per occupant.
  5. Freestanding and ground mounted signs shall be located on the same lot to which it is an accessory use and shall be located no closer than fifteen (15) feet from the right-of-way line. [23](#)
2. Temporary Signs.
- a. Temporary commercial signs including streamers, pennants and balloons, shall be placed for the purpose of advertising or calling attention to special business promotions.
  - b. Temporary commercial signs shall not be illuminated.
  - c. Temporary commercial signs shall be permitted for a total of two (2) thirty (30) day periods in a calendar year. New businesses open for less than one year may be permitted one (1) additional thirty (30) day period.
  - d. Aerial signs or signs designed to be moved on trailer wheels, skids or similar devices may be permitted as a temporary commercial sign.
  - e. The area, height and number of temporary commercial signs shall be reviewed by the Zoning Inspector and shall be determined by the requirements set forth in the regulations for each Zoning District as indicated in this Article.

**Section 20.9 Signs Permitted in the Industrial District**

- A. The following signs are permitted in the Industrial District and **shall not** require a Zoning Permit:
1. Plaques, nameplates or tablets denoting the name of the building and/or date of erection.
    - a. The maximum area shall be two (2) square feet.
  2. Traffic or other signs erected and maintained by the Township or any other governmental agency, signs containing governmental legal notices and all other similar signs required by law to be posted.
  3. Directional or informational signs (e.g. IN, OUT, ENTER, EXIT.).
    - a. The maximum area shall be two (2) square feet.
    - b. The maximum height shall be four (4) feet.

4. Official Federal, State, County or Township flags, emblems and historical markers.
5. Holiday or special event decorations.
6. Real estate signs.
  - a. Such signs shall be removed within three (3) days of the closing of sale on the property or at the end of the realtor's contract.
  - b. The maximum height shall be four (4) feet.
  - c. The maximum area shall be twelve (12) square feet.
  - d. Freestanding real estate signs shall be located on the same lot to which it is an accessory use and shall be located no closer than ten (10) feet from the right-of-way. <sup>24</sup>
7. Construction signs.
  - a. One (1) non-illuminated sign identifying all parties engaged in the construction on the property shall be permitted.
  - b. The maximum height shall be eight (8) feet.
  - c. The maximum area shall be sixty-four (64) square feet.
  - d. Such sign shall be removed upon completion of work.
8. Political signs.
  - a. There shall be no limit to the number of political signs on one property.
  - b. If related to an election or ballot issue, political signs may be erected one hundred and twenty (120) days prior to the election or issue and shall be removed seven (7) days after the date of election or issue.
  - c. The maximum height shall be six (6) feet.
  - d. The maximum area shall be thirty-two (32) square feet.
9. Window signs.

Window signs located inside or behind a window, provided that the window sign is located in a building where a commercial or an industrial use is permitted as a principal use. No window shall advertise products or services not provided or for sale on the premises. Window signs and advertising not-for-profit and civic functions shall be permitted.

- B. The following signs are permitted in the Industrial District and **shall** require a Zoning Permit:
1. Business and Industrial signs.
    - a. One (1) freestanding or ground mounted sign and one (1) wall sign shall be permitted.
    - b. The maximum height for a freestanding or ground mounted sign shall be eight (8) feet with a maximum area of sixty (60) square feet.
    - c. The maximum height for wall signs shall be no higher than the wall on which it is erected with a maximum area of fifty (50) square feet. Wall sign square footage shall be computed by permitting up to one (1) square foot of sign area for each linear foot of building frontage.
    - d. Wall signs shall be located on the building or structure to which it is an accessory use and shall not project more than eighteen (18) inches from the building wall.
  2. Temporary Signs.
    - a. Temporary commercial signs including streamers, pennants and balloons, shall be placed for the purpose of advertising or calling attention to special business promotions.
    - b. Temporary commercial signs shall not be illuminated.
    - c. Temporary commercial signs shall be permitted for a total of two (2) thirty (30) day periods in a calendar year. New businesses open for less than one year may be permitted one (1) additional thirty (30) day period.
    - d. Aerial signs or signs designed to be moved on trailer wheels, skids or similar devices may be permitted as a temporary commercial sign.
    - e. The area, height and number of temporary commercial signs shall be reviewed by the Zoning Inspector and shall be determined by the requirements set forth in the regulations for each Zoning District as indicated in this Article.

**Section 20.10 Outdoor Advertising Signs**

- A. Outdoor Advertising Signs shall be classified as a business use and shall be permitted in the following Zoning Districts subject to the provisions of this Section:
1. "B" Community Business District.
  2. "I" Industrial District.

- B. No outdoor advertising sign shall be located on a parcel that contains an unrelated principal structure or use.
- C. All outdoor advertising signs shall meet the minimum setback requirements of the Zoning District where it is located and all properties where such signs are located shall meet the applicable minimum lot area.
- D. The maximum sign area shall be sixty (60) square feet per side with no more than two (2) sides.
- E. The height of an outdoor advertising sign shall not exceed eight (8) feet. Outdoor advertising signs shall be located a minimum of three hundred (300) feet from any recorded subdivision or land zoned for residential use.
- F. Outdoor advertising signs shall be located a minimum of three hundred (300) feet from any educational institution, hospital, day care facility, public recreation area, place of worship, or other similar public uses.
- G. No outdoor advertising signs shall be located within five hundred (500) feet of any other outdoor advertising sign.
- H. No outdoor advertising sign shall be within twenty (20) feet of a street right-of-way.
- I. Removed. [20](#)

**Section 20.11 Nonconforming Signs**

Notwithstanding any provision of this Article to the contrary, all signs erected following the effective date of these regulations shall comply with all the provisions of these regulations when erected. All signs which are in existence on the effective date of these regulations, that do not conform to the standards of this Article shall be considered nonconforming signs and shall be subject to the following provisions:

- A. No nonconforming sign shall be structurally altered so as to change the shape, size, type or design of the sign, nor shall any nonconforming sign be relocated.
- B. No nonconforming sign shall be allowed to remain after the use of land or building which has ceased by discontinuance or abandonment to which the sign relates.

**Section 20.12 Maintenance and Removal of Signs**

Maintenance and removal of signs shall be as follows:

- A. All signs and sign structures shall be kept in repair and in a proper state of preservation.
- B. Signs which are no longer functional, are abandoned or have been damaged to more than fifty (50) percent of its replacement value, shall be removed or relocated in compliance with the provisions of this Resolution, within thirty (30) days following such malfunction or abandonment.
- C. Illuminated signage that is not fully functioning as designed shall be turned off until the sign is illuminated to a fully functional state.

**Section 20.13 Permit Required**

A Zoning Permit **shall** be required based on the following conditions:

- A. No person shall locate or display any sign unless all provisions of this Zoning Resolution have been met. A Zoning Permit shall be required for each sign unless specifically exempted in the Article.
- B. A sign for which a Zoning Permit has been issued shall not be modified, relocated, altered or replaced unless an amended or new Zoning Permit is obtained from the Zoning Inspector.

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**ARTICLE 21**  
**OPEN FOR FUTURE EXPANSION**

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**ARTICLE 22**  
**SUPPLEMENTAL REGULATIONS**

**Section 22.1 Compliance with Regulations**

With the exception of non-conforming uses or buildings that are regulated under Article 25, no building shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or land be used which does not comply with all the District regulations established by this Resolution for the District in which the land or building is located.

**Section 22.2 Recreational Trailers and Recreational Vehicles**

In any District, storing a trailer shall be prohibited, except that a recreational vehicle, camp car, truck camper, camper trailer, boat or utility trailer may be parked or stored behind the front building line or required front yard setback, whichever is greater, so as not to interfere with visibility on adjacent properties, provided that no habitation be maintained or business conducted therein while such trailer is parked or stored.

The temporary parking of a recreational vehicle, camp car, truck camper, camper trailer, boat or utility trailer may be permitted in the driveway for not more than fourteen (14) consecutive days.

**Section 22.3 Temporary Occupancy Permit Required**

A temporary occupancy permit shall be obtained from the Zoning Inspector to inhabit a trailer, garage or temporary building while a home dwelling is being constructed, provided the owner has a building permit and shows evidence of continued progress. The temporary occupancy permit shall be valid for a period of twelve (12) months and shall be evaluated at the end of such time if a request by the applicant is made for an additional twelve (12) month extension.

**Section 22.4 Mobile Home and House Trailers**

Mobile homes and mobile home lots, existing at the time of the adoption of this Zoning Resolution, shall conform to the following requirements:

- A. In any District, the wheels, or any other similar transporting devices of any house trailer, including mobile homes, shall not be removed except for repairs, nor shall such trailer be permanently fixed to the ground, except for storm wind safety ties, or attached to something having a temporary or permanent location on the ground.
- B. Approval of the Board of Zoning Appeals shall be obtained before application for a Zoning Permit permitting the replacement of a mobile home may be made.
- C. Application to the Board of Zoning Appeals shall be submitted with four (4) copies of a plan, drawn to scale, showing the actual shape and dimensions of the lot on which the intended mobile home is to be placed and the dimensions and proposed location of the mobile home. All dimensions shown on these plans relating to the location, size and shape of the lot shall be based on an actual survey.

**D. Mobile Home Requirements**

1. Each mobile home must have been constructed pursuant to the “Manufactured Housing Construction and Safety Standards Act of 1974,” 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and have a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, and manufactured after January 1, 1995.<sup>16</sup>
2. Each mobile home shall have an individual lot containing a minimum of five (5) acres with at least two hundred (200) feet of uninterrupted frontage on a single public right-of-way. In the case of a lot having property lying on both sides of a right-of-way, the minimum area requirement shall be fulfilled in its entirety on the same side of the right-of-way as lies the frontage requirement.
3. There shall be a front yard with a minimum setback of fifty (50) feet from the right-of-way line or street or property line if the lot’s shape permits the placement of the mobile home behind another parcel of property. If permanent homes are within five hundred (500) feet of a mobile home lot, the front yard of the mobile home shall be equal in depth to the deepest front yard of a permanent home, but does not have to exceed a depth of one hundred (100) feet.
4. There shall be a side yard on either side of a mobile home whose width cannot be less than fifty (50) feet.
5. There shall be a rear yard having a depth of not less than fifty (50) feet.
6. The length of a mobile home must face the frontage line of the property.
7. The minimum usable floor area of a mobile home shall not be less than one thousand (1,000) square feet.

- E. The Board of Zoning Appeals (BZA), after ascertaining that the above requirements have been met, shall give approval. In giving approval, the BZA may specify an exact positioning of the mobile home. Upon approval, the BZA shall return three (3) copies of the plan submitted with the appeal application, corrected if necessary, and signed as approved. These approved copies shall then be used by the applicant as the plans required in applying for a Zoning Permit.

**Section 22.5 Use of Minimum Required Yards and Open Spaces**

The minimum required yards and other open space provisions contained in this Resolution for each and every building existing on the effective date of this Resolution or for any building hereafter erected or structurally altered, shall not be encroached upon or considered in yard or open space requirements or density of population requirements for any other building or structure unless specifically permitted in this Resolution.

**Section 22.6 Lot Required**

Every building shall be located on a lot. There shall be not more than one (1) principal building on one lot containing the principal use for that lot, except as provided below:

- A. There may be more than one (1) principal building on a lot in the Planned Business District, Planned Industrial District or Planned Unit Development Overlay District when approved as part of that specific process.
- B. There may be more than one (1) principal use building in a Business or Industrial District, provided that the required yard setbacks are provided around the group of buildings with approval from the Zoning Commission.
- C. There may be more than one (1) principal building on a lot for multi-family, hotel, or motel purposes if the required yard setbacks are maintained around the group of buildings and the buildings are separated by a horizontal distance that is at least equal to the height of the highest building with approval from the Zoning Commission.

**Section 22.7 Agricultural Uses Permitted**

Nothing contained in this Resolution shall prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incidental to the use for agricultural purposes of the land on which such buildings and structures are located. Furthermore, no Zoning Permit shall be required for any such use, building or structure.

**Section 22.8 Existing Lots of Record**

Nothing contained in this Resolution shall require any change in the plans, constructions, size or designated use of a building for which a valid permit has been issued or lawful approval given before the effective date of this Resolution provided, however, construction under such permit or approval shall have been started within six (6) months and the ground story framework including structural parts of the second floor, shall have been completed within one (1) year and the entire building completed within two (2) years after the effective date of this Resolution.

**Section 22.9 Public Utilities**

Nothing contained in this Resolution shall prevent the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement of any building or structure of any public utility or railroad, whether publicly or privately owned, or the use of land by any public utility or railroad for the operation of its business.

**Section 22.10 Cemeteries**

Any cemetery established after the effective date of this Resolution must contain no less than twenty (20) acres. Grounds must be landscaped so as to be an asset to the District in which it is located and shall be properly maintained as per the Ohio Revised Code.

**Section 22.11 Access for Fire Vehicle and Vehicle Apparatus**

The purpose of this Section is to facilitate rapid and effective extinguishment of fires by ensuring that all premises shall be readily accessible for effective fire department operations.

- A. Every building in a Business or Industrial District permitted by this Resolution shall provide access for fire vehicles and emergency apparatus from a public street as follows:
  - 1. A fire lane shall be required to provide access to any portion of any building which is more than one hundred fifty (150) feet from the nearest street right-of-way when the building exceeds thirty (30) feet in height.
  - 2. A fire lane access exceeding three hundred (300) feet in length shall be provided with a turn around.
  - 3. Fire lanes shall provide clear, unobstructed access for vehicles and apparatus at all times.
  - 4. Signs prohibiting parking or standing of motor vehicles shall be required.
  - 5. Fire lanes shall be an all weather roadway a minimum of eighteen (18) feet in width.
- B. In addition to the above requirements, a fire lane that provides access to any part of a building may also be required if, upon determination by the Stonelick Township Fire Inspector empowered to provide fire service in the jurisdiction within which the development is proposed, that the distance of a structure from the nearest hydrant and the configuration of structures on the site otherwise inhibit rapid, effective fire extinguishment.
- C. In lieu of meeting the standards specified above, the developer may substitute alternative means (including but not limited to: fire retardant roofs, fire separation walls, space separation and automatic fire extinguishing systems) of insuring the access necessary for effective fire department operations. Such alternative means shall suffice to meet the requirements of this Section, provided the Stonelick Township Fire Inspector approves.

**Section 22.12 Drive-In and Drive Through Service**

Commercial establishments, which by their nature create lines of customers waiting to be served within motor vehicles, shall be provided with off-street waiting areas based upon at least twenty (20) feet in length for each vehicle and at least ten (10) feet in lane width with a minimum of the following:

- A. Drive through or drive-in facilities shall provide sufficient stacking length for at least six (6) vehicles in each drive through or drive-in lane.
- B. Any establishment providing for drive in gasoline or other motor vehicle fuel sales shall provide no less than two (2) waiting areas for each accessible side of a motor vehicle fuel pump island. Pumps shall not be located closer than fifteen (15) feet to any right-of-way line or within fifteen (15) feet of a clear visibility area

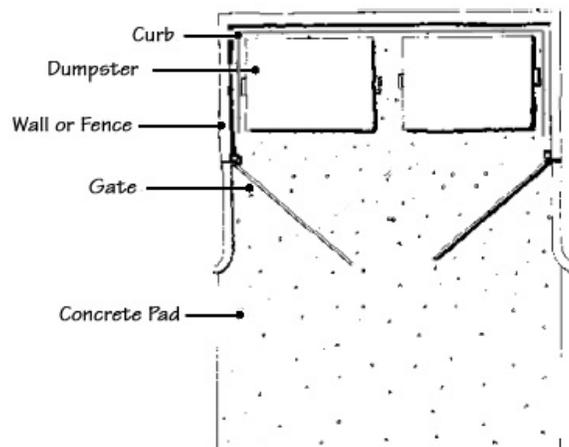
at a corner lot as defined in this Resolution. Furthermore, the minimum required waiting area shall not be within the clear visibility area.

- C. Such waiting areas shall not obstruct off-street parking spaces.
- D. Waiting spaces shall be situated in such a manner that vehicles using the drive through or drive-in facilities are traveling in a continuous forward motion.
- E. A bypass lane shall be required to permit unimpeded circulation around a drive through lane. A bypass lane shall not include parking spaces.

**Section 22.13 Required Trash Areas**

All business, industrial and multi-family residential uses that provide trash and/or garbage collection areas shall:

- A. Have such areas enclosed on at least three (3) sides by a solid wall or fence adequate in height to screen the containers if such area is not within an enclosed building or structure. Such enclosure shall be of materials or be painted in such a manner as to deemphasize the structure.
- B. Adequate vehicular access to and from such area or areas for the collection of trash and/or garbage shall be required.
- C. A six (6) inch raised curb shall be located one (1) foot from the interior walls of the enclosure to prevent the dumpster or refuse container from damaging the walls of the enclosure.
- D. When visible from the public right-of-way, the enclosure shall be provided with a gate to fully screen the containers.



**Section 22.14 Private Swimming Pools**

All private swimming pools shall be regulated by the Clermont County Health Department; the International One and Two Family Dwelling Code, Swimming Pools, Spas and Hot Tubs; and as established below. Any property owner seeking a swimming pool shall obtain a zoning permit from the Stonelick Township Zoning Inspector for a swimming pool. A fee, as established by the Township Trustees, shall be submitted with the application.

A private swimming pool, as regulated herein, shall be any indoor or outdoor structure, chamber, or tank containing a body of water for swimming, diving, or bathing that is intended to be used collectively for swimming, diving, or bathing. A private swimming pool shall NOT include the following: ponds that fall into the category of aquatic gardens, landscaping ponds or animal water tanks or bodies of water accessory to or used for agricultural purposes.

No such swimming pool shall be permitted in any District except as an accessory use and unless it complies with the following conditions and requirements:

- A. The pool is intended and is to be used solely for the enjoyment of the occupants and/or guests of the principal use of the property on which it is located.
- B. It may not be located closer than fifteen (15) feet to any property line of the property on which it is located. In no case shall a private swimming pool be located beyond the front building line of the principal structure.
- C. The swimming pool, or the entire property on which the pool is located, shall be fenced so as to prevent uncontrolled access by children from the street or adjacent properties. Said fence shall not be less than four (4) feet high and a minimum of five (5) feet from the edge of the pool, except for above ground pools with fencing that meets the provisions of Section 22.14 D below.
- D. The fencing for an above ground pool may be located on the outer pool walls. The fence shall be a minimum of three (3) feet high and the combined height of pool walls and fence shall be a minimum of six (6) feet above grade.
- E. All pool access points are to be provided with a lockable fence gate and removable or retractable ladders to prohibit access to the pool when not in use.
- F. All pool service structures, including but not limited to pumping equipment, and filtering equipment shall be screened from view of adjacent properties to the maximum height of the unit.

**Section 22.15 Junk Storage**

The accumulation and/or storage of junk vehicles as defined in the Ohio Revised Code, Chapter 4501 and 4501-01, disabled or inoperative machinery and equipment, dismantled parts of vehicles, machinery or equipment, discarded appliances and furnishings, other junk and debris, shall be prohibited except when stored within a completely enclosed structure. 25

**Section 22.16 Auxiliary Uses Permitted in Residential Districts**

This provision recognizes the fact that many occupational endeavors, particularly those of the self-employed, can be compatible with and not detract from the primary use of a Residential District and herein provides regulations that permit such endeavors and govern them in a manner that the residential characteristics of the District shall be retained. Further recognition takes into account non-occupational endeavors, namely hobbies, private yard sales and auctions, and provides regulations governing such endeavors.

A. Home Occupations

1. A home occupation shall require a special permit granted with any conditions set forth by the Board of Zoning Appeals to a specific <sup>26</sup> individual after a public hearing. Annual renewal of the permit shall be required. The intent to continue the home occupation shall be registered with the Zoning Inspector by letter sent by certified mail, return receipt required, mailed at least ten (10) days prior to the permit expiration date.
2. The occupational use shall be incidental and secondary to the residential use of the premises and shall not alter the appearance of the premises or cause the premises to differ from its residential character in any other manner.
3. The individual primarily responsible for the home occupation and all employees must be family members residing on the premises.
4. There shall be no outward indication or display of occupational activity other than a non-illuminated name plate of not more than one and one-half (1½) square feet, stating the name of the person responsible for the occupation, the occupation and telephone number.
5. No additional points of access to any street, road, or highway shall be constructed specifically to accommodate a home occupation.
6. No home occupation shall create excessive traffic volume as based on what is normally found in a neighborhood. If the nature of the home occupation requires deliveries or calls made to the premises by clients, patients, students, customers, sales representatives or any other type of visitors, the number of any individuals or parties of such occupational visitors shall not exceed that normally and reasonably occurring for a residence and shall be limited to three (3) at any one given time. Sufficient off-street parking in the rear of the residence shall be provided so as not to create any traffic hazard.
7. Direct retail or wholesale sales and/or stocking of products, parts, supplies, materials or any kind of merchandise are prohibited except for those products produced or parts, supplies and materials used in production or in a service extended by a home occupation.
8. The office of a business whose equipment, supplies, materials, merchandise, or products and all essential operations other than that of the office are located elsewhere, providing all other home occupation regulations are met, shall be considered a home occupation.

9. Vehicles, other than passenger cars, used in the operation of home occupations or used in the operation of and as transportation to and from nonresidential occupations, shall be limited to pick up trucks and vans of one (1) ton capacity or less except for those that are stored in a private garage.
10. Any equipment or process used in a home occupation that creates excessive noise, vibration, glare, or any environmental emissions or effluents detrimental to the health, safety, and general welfare of the District or causes any audible or visual interference with radio or television reception or electric line voltage fluctuations off of the subject property is prohibited.
11. Hours that a home occupation may be open to the public shall be limited to those between 8:00 A.M. and 8:00 P.M.
12. A home occupation shall comply with all Federal, State, County, Township and other Township Zoning Resolution regulations that are pertinent to its operation in addition to those contained in this Section.
13. The home occupation shall be conducted wholly within habitable rooms of the dwelling.
14. The area occupied by a home occupation shall not exceed twenty-five (25) percent of the total area of all habitable rooms of the dwelling.
15. Storage in a detached, enclosed accessory building, of equipment, parts supplies, materials, products, merchandise, inventory and generated waste shall be allowed. [27](#)
16. Any alteration of the residential appearance of the dwelling, including the addition of a separate entrance or exclusive utilization of an existing entrance for the home occupation is prohibited.
17. Display of goods or products shall not be visible from outside of the dwelling.
18. The Board of Zoning Appeals may void any home occupation permit for noncompliance with the criteria set forth in this Section. Such revocation may take place at any time prior to the expiration date of the permit.
19. If a permit is revoked or is not renewed, it becomes null and void and the use for which the permit was granted shall be immediately terminated.

**B. Hobby**

So long as any equipment or process used in a hobby does not create excessive noise, vibration, glare, or any environmental emissions or effluents detrimental to the health, safety and general welfare of the District or cause any audible or visual interference with radio or television reception or electric line voltage fluctuations off the premises and the hobby does not change the residential characteristics of the premises, the hobby may be practiced without restrictions except for pertinent regulations listed elsewhere in this Resolution.

**C. Yard Sales**

The name and address of the resident holding a yard sale and date(s), including alternate rain date(s), the sale is to be held, must be registered with the Zoning Inspector by certified mail with return receipt at least ten (10) days prior to the starting date for the sale. Permit to hold a yard sale shall be the returned receipt signed by the Zoning Inspector or his/her agent for letters registering yard sales. Such permit may be revoked at any time during the sale for noncompliance with any of the following sales regulations:

1. All merchandise offered for sale must be the personal property of the resident holding the sale and must have been purchased by or purchased for and used by the resident.
2. Multiple family sales of two or more District residents may be held on the property of one of the participants.
3. The sale of consignment merchandise or merchandise that has been expressly purchased for resale is prohibited.
4. A resident may hold no more than two (2) yard sales per year with each sale lasting over a time period of not more than seventy-two (72) consecutive hours.
5. Merchandise may be displayed only when the sale is in active progress and remaining unsold merchandise must be removed immediately at the conclusion of the sale and stored indoors except for those items normally stored outdoors (vehicles, boats, etc.).
6. Directional and/or advertising signs must be in compliance with other Resolution regulations governing signs and must be removed immediately after the conclusion of a sale.

**D. Private Sales**

Personal property items such as vehicles, boats, appliances, electronics, clothes, etc., owned by a resident for his or her personal use may be individually offered for sale by the resident without restrictions except for pertinent regulations listed elsewhere in this Resolution. The sale of such items, if expressly purchased for resale instead of personal use, is prohibited.

**E. Public Auctions**

Personal and/or real property may be sold at auction through a licensed auctioneer retained by a resident owner or court appointed executor without restrictions except for pertinent regulations listed elsewhere in this Resolution.

**Section 22.17 Storage of Commercial Vehicles on Residential Property**

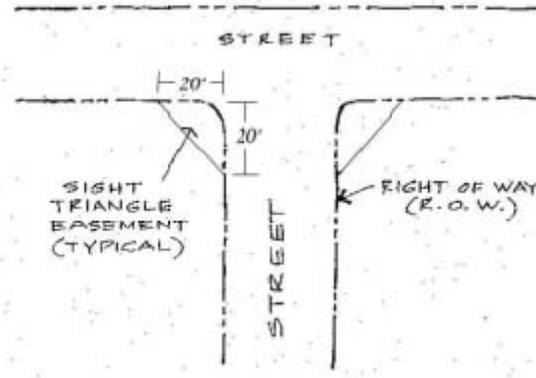
Any vehicle stored on residential property when not in use and having lettering indicating an occupational use of any kind, must be parked within an enclosed building, garage, or parked behind the front building line of the residence.

**Section 22.18 Landfills, Dumps, Mining and Extraction of Minerals or Raw Materials**

The Board of Zoning Appeals may attach such conditions and safeguards as it deems necessary to protect neighboring properties or Districts from fire hazards or smoke, noise, odor, dust or any other detrimental or obnoxious effects incidental to such operation. In addition, the Board of Zoning Appeals shall require a written agreement, approved by the Board of Zoning Appeals, from the owners of such operation to the effect that, upon termination of such operation, the land involved shall be reclaimed to as near its original state as practical in the opinion of the Board.

**Section 22.19 Visibility Across Corner Lots**

In any District on any corner lot, no opaque fence, structure or planting higher than three (3) feet, shall be erected or maintained within a triangle twenty (20) feet from the intersection of the right-of-way lines which may interfere with traffic visibility across the corner.



**Section 22.20 Fences, Walls and Hedges**

Fences, walls, and hedges are permitted in all Districts, subject to the following conditions:

A. Exemptions

Agricultural fences shall be exempt from the following regulations but shall comply with the standards and regulations in the Ohio Revised Code.

B. Location

1. No fence, wall, or hedge shall be closer to any public street than the right-of-way line on lots of one (1) acre or larger.
2. On lots of less than one (1) acre, no fence, wall or hedge shall project past the front building line of the principal building on the lot.
3. The property owner shall assume responsibility for determining the legal, proper placement of the fence, wall or hedge upon his/her property.

**C. Height**

1. Front yard fences, walls or hedges shall not exceed four (4) feet in height.
2. Perimeter fences, walls, and hedges shall not exceed six (6) feet in height for residential uses in side or rear yards for residential uses.
3. Perimeter fences, walls, and hedges shall not exceed eight (8) feet in height for non-residential uses.

**D. Materials**

1. Fences shall not contain an electric charge.
2. Barbed wire, razor wire, or any other type of anti-climbing wire shall only be used in the non-residential areas and then only on the top of perimeter fences.
3. Materials used for fences shall be of traditional fencing materials (wrought iron, chain link, pressure treated lumber, cedar, redwood, etc.) and shall be constructed of weather resistant materials or treated so that they are weather resistant.

**E. Maintenance**

The fence, wall or hedge and the property surrounding both sides of the fence, wall or hedge shall be properly maintained at all times.

**F. Permit Not Required**

Fences and walls shall not require a Zoning Permit.

**G. Sight distance requirements**

No fence, wall, or hedge shall violate the sight distance requirements found in Section 22.19, Visibility Across Corner Lots, of this Zoning Resolution.

**Section 22.21 Satellite Dishes**

Satellite dishes, when permitted as an accessory use, are subject to the following conditions:

**A. Zoning Permit; When Required**

A Zoning Permit is required from the Township for the erection or installation of satellite dishes except as identified below.

1. Digital satellite dishes (DSS) and satellite dishes one (1) meter (39.37 inches) in diameter and less shall be permitted to be placed on any dwelling or building in any District and shall not require a Zoning Permit. However, the satellite dish shall be placed in the most inconspicuous place that permits reception on the property.

2. Satellite dishes exceeding one (1) meter (39.37 inches) in diameter shall require a Zoning Permit.

**B. Submission Requirements for Dishes Requiring a Zoning Permit**

No person, firm or corporation shall undertake the construction, erection or installation of any non-exempt satellite dish without a Zoning Permit issued in accordance with the provisions of this Resolution. In addition to the requirements of this Resolution, the application for such permit shall include the following:

1. A description of the type of satellite dish proposed;
2. A plot plan of the lot, premises, or parcel of land showing the location of the proposed satellite dish and all other buildings and structures thereon;
3. Plans depicting the specifications and elevations of the proposed location, to include satisfactory screening and landscaping for ground-mounted structures;
4. Details of the method of assembly and construction of the proposed satellite dish.

**C. Location**

1. Satellite dishes may be erected or installed on the ground of any property; provided that in Business and Industrial Districts, roof mounting shall also be permitted.
2. Ground mounted satellite dishes shall be setback from the rear or side property line a minimum equal to the measurement of the height of the dish. However, in no case, shall the ground mounted satellite dish be located closer than three (3) feet to the property line.
3. Satellite dishes shall be prohibited in the front yard of the property on which it is located unless no other placement is possible to achieve a signal.

**C. Height and Size**

1. The maximum height of any ground-mounted earth satellite station/satellite dish shall not exceed four and one-half (4.5) meters (15 feet) above the finished grade and its diameter shall not exceed three and one-half (3.5) meters (12 feet).
2. The maximum height of any roof-mounted satellite dish shall not exceed the roof height it is mounted on by more than four (4) feet.

**D. Landscaping, Materials and Maintenance**

1. The satellite dish apparatus, where mounted to the ground, shall be screened with shrubbery and/or landscaped if viewed from the public right-of-way.

2. The satellite dish shall be of one color and shall not contain any advertising other than that of the manufacturer.
3. The satellite dish apparatus shall be properly maintained to prevent both unsightly and unsafe conditions.

**Section 22.22 Outdoor Bulk Storage and Display in Commercial and Industrial Districts**

The following regulations shall apply to outdoor bulk storage or displays:

- A. The outdoor storage or display of bulk goods including seasonal items such as firewood and mulch shall be controlled by the following regulations:
  1. The outdoor storage or display of merchandise, inventory or materials shall not interfere with parking or the safe and unobstructed use of vehicular or pedestrian access ways or walkways or block any natural drainage.
  2. The outdoor storage of merchandise, inventory or materials shall not be located in any required yard area within the lot nor shall it be visible from the public right-of-way.
  3. The outdoor storage or display of merchandise, inventory or materials shall not include the use of banners, pennants or strings of pennants.
  4. Outdoor storage areas shall be required to be fully screened with an opaque fence or wall not to exceed eight (8) feet in height. Such fence shall be constructed out of a material that is similar in nature to the principal structure on the lot or painted in similar color of the principal structure on the lot.
  5. All permitted outdoor storage or display shall be maintained in a neat and orderly fashion.
  6. Only a sample of materials, to properly identify the materials for sale on the premises, shall be permitted as part of the outdoor display.
  7. Outdoor storage or display locations shall be approved by the Zoning Inspector upon the application of the record owner of the property.
- B. Applications for outdoor storage or display areas shall be on a form provided by the Zoning Inspector and shall be submitted with a site plan depicting the location of the said storage or display areas with supporting documentation indicating the impact of the storage or display area on the property as a whole. The Zoning Inspector may request the specific review and approval of the Zoning Commission of any application. The review and approval of the Zoning Commission may also be requested by any applicant whose application has been rejected or modified by the Zoning Inspector, which request must be made in writing and must be made within ten (10) days of such rejection or modification.

**Section 22.23 Adult Entertainment Establishments**

An Adult Entertainment Establishment is a conditional use within the “I” Industrial District. A conditional use for such facilities shall not be approved unless the following minimum conditions are complied with:

A. Minimum location requirements

No Adult Entertainment Facility shall be established within five hundred (500) feet of:

1. Any Residential District.
2. Any public, private, governmental or commercial library, school, teaching facility, park, recreational facility, religious place of worship, child day care facility, day care facility, playground or swimming pool.
3. Any PUD utilized for residential purposes.

B. Prohibited public display

No advertisements, displays or other promotional materials shall be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other public or semi-public areas.

C. Public view to be prevented

All building openings, entries, windows, etc. for adult entertainment establishments shall be located, covered, or serviced in such a manner as to prevent a view into the interior from any public or semi-public areas, sidewalk or street. The building shall be oriented so as to minimize any possibility of viewing the interior from any public or semi-public areas.

D. External audio and visual impact

No screens, loudspeakers or sound equipment shall be used for motion picture theaters (enclosed or drive-in) that can be seen or discerned by the public from public or semi-public areas.

In granting any such conditional use, the Board of Zoning Appeals may prescribe additional conditions it deems necessary in the public interest. However, no conditional use shall be approved by the Board of Zoning Appeals unless it finds that the use for which such approval is sought is not likely to be dangerous or detrimental to nearby properties, that the use will not be contrary to any program of conservation or improvement, either residential or nonresidential, or be contrary to the public health, safety, morals and general welfare of the Township.

**Section 22.24 Telecommunication Towers and Antennas**

Prior to awarding an applicant a permit for the location, construction, reconstruction, modification, enlargement or repairs of a telecommunication tower, antennas and service building when located in a residential district, the Board of Zoning Appeals shall find that the applicant has satisfied all of the following regulations listed below.

- A. A site plan, (scale of one (1) inch equal twenty (20) feet) shall be submitted with the permit application and shall indicate all uses adjacent to the proposed facility as well as its layout.
- B. The applicant shall prove that the proposed antenna cannot be collocated on any other telecommunication tower or located on a building or other structure in the area to be served.
- C. Proof shall be provided to the Board of Zoning Appeals by the applicant that the proposal has been approved by all Federal and State agencies, with jurisdiction, such as but not limited to ODOT Office of Aviation, FAA and FCC.
- D. There shall be a minimum distance of one half (½) mile between any telecommunication facilities.
- E. All towers shall be of the monopole design and constructed to withstand an eighty (80) mile per hour wind.
- F. Maximum tower height including antenna shall be two hundred (200) feet.
- G. A wireless telecommunication facility is permitted as a sole use on a lot subject to the following:
  - 1. Minimum lot area – forty thousand (40,000) square feet.
  - 2. Front building line – minimum of fifty (50) feet from the right-of-way line.
  - 3. Side and rear building lines – minimum of forty (40) feet from side and rear lot lines.
- H. The equipment shelter shall be a single floor structure and its size not to exceed three hundred (300) square feet. If more than one shelter is needed, due to perhaps collocation, total area of equipment shelters cannot exceed six hundred (600) square feet.
- I. An eight-foot tall security fence shall completely surround the tower and equipment shelter. A landscape buffer screen of evergreens shall be planted around the outside perimeter of the security fence. Remaining open areas shall be planted with grass. All plantings are to be maintained.
- J. The tower shall be painted a non-contrasting gray or earth tones minimizing its visibility, unless otherwise required by the FCC or FAA.
- K. No advertising is permitted anywhere on the facility. Identification and no trespassing signage shall be permissible and shall include an emergency telephone number.

- L. Where an antenna is attached to an existing structure, its height shall not exceed that of the structure by more than twenty (20) feet or twenty (20) percent of the structure height, whichever is greater. If the equipment shelter is not located on or attached to the structure, the shelter shall comply with the regulations listed above in paragraphs G and H. The shelter shall not in any way interfere with parking or vehicular circulation of the principal use on the site.
- M. Towers shall not be lighted except as required by the FAA.
- N. Security lighting may be installed on the equipment shelter but shall not exceed the height of the building if it has a flat roof or the eaves of a peaked roof.
- O. All weather service access shall be installed to accommodate fire and emergency equipment.
- P. Upon written approval of the Board of Zoning Appeals, a conditional permit shall be issued by the Zoning Inspector. To show intent to continue operation, the permit shall be renewed annually by application to the Zoning Inspector. If finding that the permit holder is in compliance with the permit conditions, the Zoning Inspector shall issue a renewal. If conditions have not been met by the applicant, action will be taken to revoke the original permit (See paragraph R of this Section). Zoning Permit and renewal permit fees shall be set by the Board of Township Trustees.
- Q. Within thirty (30) days of ceasing operation of a telecommunication facility, the permit holder shall give notice of such ceasing of operation to the Zoning Inspector. Facilities shall be removed within twelve (12) months of ceasing operation. Sale or renting of facilities to another telecommunication system permissible subject to the procedure set forth above in paragraph P.
- R. A Zoning Permit issued under this Section is revocable and shall be revoked after notice and hearing by the Board of Zoning Appeals, if any condition of the permit has been violated and not remedied.

**Section 22.25 Bed and Breakfast Establishment**

Prior to awarding an applicant a conditional use permit for a Bed and Breakfast Establishment, the Board of Zoning Appeals shall determine that the applicant has satisfied all of the conditions that are listed below:

- A. A Bed and Breakfast shall be located in a single family dwelling operated by family members residing on the premises.
- B. The Bed and Breakfast shall not alter the appearance of the premises or cause it to differ from its residential character in any manner.
- C. The Bed and Breakfast shall not involve the exterior storage of a materials or supplies and storage of general waste shall be screened from public view.
- D. There shall be no exterior displays or signs except for one on-site unlighted sign no larger than four (4) square feet stating the name of the Bed and Breakfast.
- E. The Bed and Breakfast shall be limited to maximum of three (3) guest rooms.

- F. Each guest room shall be provided a parking space located behind the front building line of the dwelling.
- G. The family member responsible for the Bed and Breakfast shall maintain a current register, including the names, addresses and occupancy date of all guests.
- H. No more than two (2) adults shall occupy each guest room concurrently.
- I. No guest shall occupy the Bed and Breakfast for more than fourteen (14) consecutive nights.
- J. The serving of meals shall be strictly limited to the breakfast meal being served to registered guests only.
- K. Certification by the Township Fire Inspector that the applicant has complied with all fire protection requirements shall be presented to the Board of Zoning Appeals before the Bed and Breakfast may commence operation.
- L. A Zoning Permit issued under this Section is revocable and shall be revoked after notice and hearing by the Board of Appeals if any condition of the permit has been violated and not remedied.

**Section 22.26 Accessory Buildings and Uses in Residential Districts**

Accessory buildings, except roadside stands and temporary buildings which are not part of the main building, shall be built in the side or rear yard, behind the front building line and shall not be less than three (3) feet from the rear and side lot lines. An accessory building or structure which is not part of the main building shall not occupy more than thirty (30) percent of the required rear yard and shall be located not less than eighty (80) feet from any front lot line.

Accessory buildings and uses include:

- A. A private garage.
- B. A private stable.
- C. The keeping of animals as pets.
- D. Roadside stands, offering for sale only agricultural products which are produced upon the premises, including an unlighted sign advertising such products not exceeding twelve (12) square feet in area, and which stands and signs shall be removed during any season for the period when they are not in use.
- E. Unlighted bulletin boards for public, charitable or religious institutions, and signs not exceeding twelve (12) square feet in area appertaining to the lease, hire or sale of a building or premises, which signs shall be removed not later than two (2) weeks after the premises are leased, hired or sold.
- F. Temporary buildings or trailers for uses incidental to construction work, which buildings or trailers shall be removed upon the completion or abandonment of the construction work.

- G. A swimming pool, bathhouse, tennis court, and other recreational facilities designed for the use of the occupants of the dwelling and their guests. Such facilities shall comply with the following conditions and requirements:
1. The facility shall not be located in any front yard and shall be no closer than ten (10) feet from the required side yard lot line or rear yard lot line.
  2. The swimming pool, or the entire property on which it is located, shall be walled or fenced to prevent uncontrolled access from the street or from adjacent properties. The fence or wall shall not be less than four (4) feet in height and maintained in good condition with a gate and lock.
  3. The facilities shall be located on the same zoning lot as the principal building, structure or use that it is serving.
  4. Any pool for the use of occupants of multiple family buildings containing over three (3) apartments shall meet the structural and sanitary requirements of the Ohio Department of Health.
  5. The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.

**Section 22.27 Accessory Buildings and Uses in a Business or Industrial District**

In a Business or Industrial District, any use which is customarily found in conjunction with and required for the full utilization and economic viability of the principal use which meets the definition of accessory use, and which complies to the applicable standards of the District in which it is located, is permitted.

**Section 22.28 Height Modifications**

- A. Public, semi-public or public service buildings, hospitals, institutions or schools, may be erected to a height not exceeding sixty (60) feet, and religious places of worship may be erected to a height not exceeding seventy-five (75) feet if the building is set back from required yard at least two (2) feet for each foot of building height.
- B. Church spires, domes, flagpoles, aerials, windmills, fire towers, belfries, monuments, tanks (water), watch towers, silos, farm buildings or necessary mechanical appurtenances (HVAC, vents, elevator shafts, etc.) may be erected to any lawful and safe height as established by any Federal, State or local regulations.

**Section 22.29 Minimum Floor Area**

The minimum usable floor area of a dwelling shall not be less than one thousand (1,000) square feet.

**Section 22.30 Projections**

- A. Terraces, uncovered porches, platforms and ornamental features which do not extend more than three (3) feet above the floor level of the ground (first) story may project into a required yard, provided these projections be distant at least two (2) feet from the adjacent side lot line.
- B. Open or lattice-enclosed fire escapes, fireproof stairways, and balconies opening upon fire tower projections may project into a yard not more than five (5) feet. The ordinary projections of chimney and flues are permitted.
- C. An open unenclosed or screened porch, or paved terrace may project into a required front yard for a distance not exceeding ten (10) feet.

**Section 22.31 Performance Standards**

- A. Application of Performance Standards  

For the protection of the health, safety and general welfare of the community, all uses shall comply with the performance standards established in this Section, unless any Federal, State, County, or Township local ordinance, law or regulation establishes a more restrictive standard; in which event the more restrictive standard shall apply.
- B. Compliance with Performance Standards  

When an inquiry by the Zoning Inspector indicates a possible violation of these performance standards, the Zoning Inspector shall require the property owner to produce a valid certificate or license from the appropriate enforcement agency or obtain and bear the cost of the qualified technical assistance to ascertain the exact amount of emissions of noxious effects at the lot lines of the property in question. The results of the test or tests shall be presented to the Board of Township Trustees within ninety (90) days, in writing, for further review and consideration.
- C. Enforcement  

Enforcement of the performance standards shall be the duty of the Zoning Inspector pursuant to Article 30, Administration and Enforcement.
- D. Noise
  - 1. No use of land or real property, for any purpose whatsoever, shall create or emit noise levels at or beyond the property line in excess of those given in the following table. Noise level measurement shall be performed using a sound level meter meeting the American National Standards Institute Specification S1,4-1961, or later version thereof. Where a property line separates two zones, the lower levels shall apply. Noises incapable of being so measured, such as those of an irregular and intermittent nature, shall be controlled so as not to become a nuisance to adjacent uses.

2. Measurements may be taken, at the discretion of the Zoning Inspector, at the subject property line or anywhere beyond the property line of the source property. The maximum noise levels will be established by the receiving property or Zoning District regardless of the proximity of the source property to the receiving property. The source property need not be contiguous to the receiving property.

**Table 6  
Maximum Permitted Sound Levels**

SOURCE PROPERTY		RECEIVING PROPERTY		
NOISE SOURCE	TIME	RESIDENTIAL	COMMERCIAL	INDUSTRIAL
Residential	Daytime <sup>1</sup>	60 dBA	60 dBA	60 dBA
	Nighttime <sup>2</sup>	45	45	45
Commercial	Daytime <sup>1</sup>	60	70	70
	Nighttime <sup>2</sup>	45	65	65
Industrial	Daytime <sup>1</sup>	60	70	80
	Nighttime <sup>2</sup>	45	65	80

<sup>1</sup> Daytime shall be considered as the hours between 8:00 AM and 9:00 PM.

<sup>2</sup> Nighttime shall be considered as the hours after 9:00 PM.

3. Exemptions
  - a. The above regulations shall not apply to uses existing prior to the date of the first public hearing of this amendment. However, any and all changes, alterations, increases, extensions or expansion of uses prior to the effective date of this Section which result in conditions of nuisances or hazard in excess of specified levels, shall constitute a violation.
  - b. The following noise levels shall be exempt from the noise provisions during the **daytime** only:
    - i. Legal blasting.
    - ii. Construction activity and equipment.
    - iii. Installation or maintenance of utility equipment.
    - iv. Lawn mowers, chain saws and garden equipment.
  - c. The following noise sources shall be exempt from the noise provisions at **all** times:
    - i. Aircraft.
    - ii. Agricultural operations as legally operating under the Ohio Revised Code.
    - iii. Railroads.
    - iv. Emergency vehicles and equipment.

- v. Warning devices operated by a Federal, State, County or Township.
- vi. Firearms discharge
- vii. The repair of utility services.
- viii. Parades or other events officially sanctioned by Stonelick Township.

E. Light and Glare

All areas containing outdoor lighting, including but not limited to floodlighting, security lighting, canopy or parking lot lighting shall comply with the requirements of this Section.

1. Light Trespass

All areas containing outdoor lighting (except street lighting erected by the public utility) shall limit light spillage onto adjacent property, when measured at any point along a property line to the requirements set forth below. Compliance shall be achieved by utilizing fixture shielding, directional control designed into fixtures, fixture location, height, or aim, or a combination of these or other factors.

**Table 7  
Maximum Light Spillage**

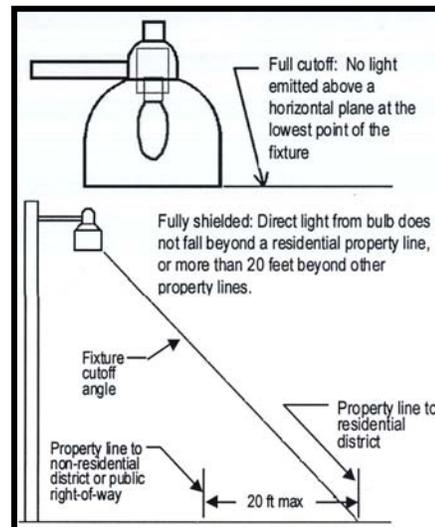
When the source property located in...	Is adjoining a property in...	The maximum light spillage shall be (measured in vertical footcandles*)
A, E, S, U, B, BB, I, II	A, E, S, U	.10
B, BB, I, II	B, BB, I, II	.30

\*One (1) footcandle equals the amount of light generated by one (1) candle at one (1) foot away from that candle.

2. Illumination of Buildings and Other Vertical Structures

When buildings or other structures are directly illuminated, the design for the illumination must be in accordance with the following:

- a. The illumination of buildings shall be limited to security or highlighting unique architectural features. Security lighting shall be limited to illumination of doorways, windows, or other points of entry.



- b. Lighting fixtures shall be located and/or aimed such that light is directed only onto the building surface. All fixtures used to illuminate buildings shall be fully shielded.
  - c. For statues, monuments, fountains, or other objects for which it may not be possible to reliably and consistently illuminate with downward lighting, upward lighting may be used only in the form of spotlights which confine the illumination to the object of interest.
  - d. If upward lighting is used to illuminate flags, only spotlights shall be used; floodlights directed above the flag shall not be used to illuminate a flag.
3. **Parking Lot Lighting and the Lighting of Exterior Displays or Open Sales Areas**
- Light fixtures shall be full cutoff and, when located less than a distance equal to three (3) times the fixture mounting height from a residential property line, or two (2) times the fixture mounting height from non-residential property lines and shall be fully shielded with respect to that property line to prevent light spillage onto adjacent properties as identified in Section 22.31 E.1..
4. **Lighting of Canopies and Bays**
- a. The average maintained horizontal illumination at grade level under canopies shall not exceed fifteen (15) footcandles (One (1) footcandle equals the amount of light generated by one (1) candle at one (1) foot away from that candle).
  - b. Areas used for parking or vehicle storage shall be illuminated in accordance with the requirements for Parking Lot Lighting in Section 22.31 E.3.
  - c. Light fixtures mounted on or under canopy ceilings shall be full cutoff, unless indirect lighting is used whereby light is directed upward and then reflected down from the ceiling of the structure. In this case, light fixtures must be shielded so that direct illumination is focused exclusively on the ceiling of the structure.
  - d. Lights shall not be mounted on the top or sides of a canopy and the sides of a canopy shall not be illuminated.
  - e. Lighting for drive-through bays must be fully shielded as if located completely outside.

5. Outdoor Activity Facilities

- a. Outdoor activity facilities may have unique lighting needs pertaining to the athletic field, performing or playing area. A design plan for such a facility shall detail the lighting requirements of the performing or playing area and how unwanted glare, illumination of surrounding streets and properties, and nighttime atmospheric light pollution will be minimized.
- b. Limits on light trespass appearing in Section 22.31 E.1. shall apply to such outdoor facilities. Glare shall be controlled by fixture design, location, and shielding, natural or positioned obstructions on the parcel where the facilities are located. Every such lighting system design and installation shall be certified by a registered engineer as conforming to all applicable restrictions of this Resolution.
- c. Except for professional or amateur events covered by intrastate televised broadcast, thirty (30) foot-candle horizontal illumination of the playing field or performing area shall not be exceeded. Parking facilities, walkways, and other lighting applications associated with venues for the outdoor activities covered herein shall conform to the requirements specified in the Sections of this Resolution applicable to those lighting applications.

6. Street Lighting

Unless street light fixtures of a particular period or architectural style are used, all new, repaired or replaced street lighting, whether public or private, shall utilize full cutoff fixtures. If street light fixtures of a particular period or architectural style are used, then all such fixtures shall meet the Illuminating Engineering Society of North America (IESNA) criteria for cutoff fixtures, and the maximum lumens generated by each fixture shall not exceed 2,000 (One (1) lumen equals one (1) foot candle falling on one (1) square foot of area at the source). In no case shall the resulting illumination exceed levels currently recommended by the IESNA in publication RP-8, American National Standard Practice for Roadway Lighting.

7. Neon Lighting

Light sources consisting of glass tubes filled with neon, argon, krypton, or other similar gas (hereafter referred to as “neon lighting”) are excluded from shielding and line-of-sight requirements, however such lighting shall be included in the light trespass requirements of Section 22.31 E.1. For the purposes of this Article, the following shall apply:

- a. Neon lighting shall not be considered as security lighting; and
- b. Florescent lighting shall not be considered “neon lighting”.

8. Other Outdoor Lighting

- a. Outdoor lighting not otherwise specified in this Resolution emitting more than 1200 lumens (except motion detector activated lighting) shall be full cutoff and fully shielded. Bulbs in outdoor light fixtures emitting from 600 to 1200 lumens may be installed in fixtures that are not full cutoff and may be visible from the property line provided, however, such bulbs shall be frosted glass or covered by frosted glass or other similarly translucent material. One (1) lumen equals one (1) foot candle falling on one (1) square foot of area at the source.
- b. A spotlight or floodlight of less than 1800 lumens need not be full cutoff or fully shielded if its center beam is aimed at a point not beyond any property lines and no less than forty five (45) degrees below horizontal, is used for security lighting purposes only, and is motion detector activated and cycles off within five minutes after the cessation of motion within its field of view. Such security lighting shall not be activated by normal business or resident activity.
- c. Tower or antenna lighting shall not be permitted unless required by the Federal Aviation Administration (FAA).
- d. The use of search lights, laser lighting, or lights that pulse, flash, rotate or simulate motion for advertising or promotions is prohibited.

9. Lighting Plan

Wherever a lighting plan is required by this Resolution, such plan shall become an integral part of any Development Plan Application. No Zoning Permit shall be issued without first obtaining approval of a required lighting plan. A lighting plan shall include the following:

- a. A plan showing buildings, landscaping, parking areas, and the locations of all proposed exterior lighting fixtures, with designation of cutoff and/or shielded fixtures;
- b. A description of the outdoor light fixtures which may include but is not limited to manufacturer's catalog cuts, photometric report with candela (a measure of light) distribution, drawings, and shielding information;
- c. Analysis and illumination level diagrams showing that the proposed installation conforms to the lighting level standards in this Resolution.

10. Enforcement

Failure to adhere to the requirements of this Section or an approved lighting plan shall be deemed a violation of this Resolution and subject to the procedures of Article 36, Violations and Corrective Actions.

11. Exceptions

The temporary use of low wattage or low voltage lighting for public festivals, celebrations, and the observance of holidays are exempt from this Resolution except where they create a hazard or nuisance from glare. However, consideration to light trespass requirements shall be demonstrated prior to commencing the use of the temporary lighting.

Emergency lighting and traffic control lighting shall be exempt from the requirements of this Section.

12. Lights not Conforming to this Article

a. Authority to Continue

Any lawful lighting fixtures located within the Township at the effective date of this Resolution which does not conform to the provisions of this Section may continue, provided the lighting remains in conformance with the provisions of this Section 22.31.E.12.b.

b. Ordinary Maintenance and Repair

Nothing in this Section shall relieve the owner or beneficial user of legal nonconforming lighting, or the owner of the property on which the legal nonconforming lighting is located, from the provisions of this Section regarding safety, maintenance, and repair. Normal maintenance, including replacing light bulbs, cleaning, or routine repair of legal nonconforming light fixtures, shall not be deemed to be a condition which triggers a loss of lawful status described below, unless such maintenance increases the nonconforming aspects of the lighting.

c. Loss of Lawful Status

1. Legal nonconforming status shall terminate under the following conditions:

- i. If a light fixture is no longer used for a period of six (6) months it shall be deemed abandoned and shall not thereafter be reestablished; or
- ii. If a lighting fixture is structurally altered such that its nonconforming aspects increase; or
- iii. If a lighting fixture is relocated, replaced, or moved in any way; or the lighting fixture is damaged and the cost of repair exceeds fifty percent of its replacement value.

2. Upon the event of any of the aforementioned, the lighting fixture(s) shall be immediately brought into compliance with this Section, or the lighting fixture(s) shall be removed.

d. Removal Pursuant to Public Order

Lighting found by the Township to create public hazard can be ordered removed or altered at any time.

F. Compliance with Growth Management Plan

Properties located within Policy Area 7 of the Stonelick Township Growth Management Plan shall observe the following recommendations of the Growth Management Plan:

1. Property owners shall not fill, or develop, within the 100 year floodplain.
2. Single family dwellings should be located on a minimum of five (5) acres.

The Transfer of Development Rights (TDR's) are acceptable for this area.

**ARTICLE 23  
OFF-STREET PARKING AND LOADING**

**Section 23.1 Purpose**

The purpose of these off-street parking and loading regulations are:

- A. To relieve congestion on the streets by requiring that parking be provide on property and off streets in relation to the parking demand generated by the property user(s).
- B. To promote safety and convenience for people by requiring that parking and loading areas, and associated driveways, be located and constructed according to good standards for visibility and accessibility.
- C. To protect the light, air, visual amenities, and values of residential areas by the visual screening of large parking and loading areas, by limiting the parking and storage of recreational vehicles, boats, trailers and trucks in residential areas.

**Section 23.2 Off-Street Parking, When Required**

Off-street parking shall be required as follows:

- A. Whenever a building or use constructed or established after the effective date of this Resolution is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise to create a need for an increase of ten (10) percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change.
- B. Whenever a building or use existing prior to the effective date of this Resolution is enlarged to the extent of twenty-five (25) percent or more in floor area or in the area used, such building or use shall then comply with the parking requirements set forth herein.

Off-street parking spaces are not required for uses in any building existing at the time of adoption of this Resolution where no off-street parking had been provided previously unless there is a change in use or an enlargement of the building or structure as identified above.

**Section 23.3 Parking Plan Required**

A parking plan shall be required for all uses except single family detached dwellings and two family dwellings. The parking plan shall be submitted to the Zoning Inspector as part of the application for the Zoning Permit. The plan shall show the boundaries of the property, parking spaces, access driveways, circulation patterns, drainage and construction plans, lighting plan, boundary walls, fences and a landscaping and screening plan, as appropriate.

**Section 23.4 Determination of Required Spaces**

In computing the number of parking spaces required by this Resolution, the following shall apply:

- A. Where **floor area** is designated as the standard for determining parking space requirements, floor area shall be the sum of the gross useable horizontal area of all floors of a non-residential building.
- B. Where **seating capacity** is designated as the standard for determining parking space requirements, the capacity shall mean the number of seating units installed or indicated for, each twenty-four (24) lineal inches of seating facilities.
- C. Fractional numbers shall be increased to the next highest whole number.

Parking space requirements for a use not specifically mentioned in this Resolution shall be determined by using the most similar and restrictive parking space requirement as specified by the Zoning Inspector based on the intended use, the location of the use, and the expected patronage or use by individuals operating motor vehicles.

**Section 23.5 Required Off-Street Parking Spaces**

The following minimum number of parking spaces shall be provided on the same lot as the use or building they are intended to serve, or may be provided on adjacent lots subject to other provisions of this Section.

<b>Type of Use</b>	<b>Minimum Number of Spaces Required</b>
<b>Residential</b>	
Bed and Breakfast Establishment	One (1) space per guest room plus two (2) spaces for the owner.
Boarding and Lodging House and Tourist Home	One (1) space per guest room plus two (2) spaces for the owner.
Multi-Family Dwelling	
Up to two (2) bedrooms	One and one half (1½) spaces per dwelling unit.
Three (3) or more bedrooms	Two (2) spaces per dwelling unit.
Visitor Parking	The Board of Zoning appeals may require additional spaces as necessary.
Residential Facility	Two (2) spaces per dwelling unit.

<b>Type of Use</b>	<b>Minimum Number of Spaces Required</b>
<b>Residential Uses (con't)</b>	
Single Family Detached Dwelling	
Up to three (3) bedrooms	Two (2) spaces per dwelling unit.
Four (4) or more bedrooms	Three (3) spaces per dwelling unit.
Two Family Dwelling	
Up to three (3) bedrooms	Two (2) spaces per dwelling unit.
Four (4) or more bedrooms	Three (3) spaces per dwelling unit.
<b>Public and Semi-Public Uses</b>	
Auditoriums and places of assembly with or without fixed seats (sports arena theater or similar use)	One (1) space for every five (5) fixed seats or every five (5) persons of designed capacity.
Church and other Place of Worship	One (1) space for each five (5) fixed seats in the place of assembly.
Educational Institution	
Elementary or Junior High School	Two (2) spaces for each classroom or one (1) for every five (5) seats in auditoriums or assembly halls, whichever is greater.
High School	One (1) space for every five (5) students of design capacity plus two (2) spaces for each classroom plus one (1) space for every five (5) seats in any auditorium or assembly hall.
Vocational or Technical School, College, University or Community College	One (1) space for every two (2) students of design capacity.
Hospital	One (1) space for each two (2) beds.

<b>Type of Use</b>	<b>Minimum Number of Spaces Required</b>
<b>Public and Semi-Public Uses (con't)</b>	
Publicly Owned and Operated Properties and Facilities	One (1) space for each 300 square feet of floor area or one (1) space for each three (3) seats, whichever is greater.
Non-Commercial Parks and Recreation	One (1) space for each participant at maximum utilization or one (1) space for each three (3) seats, whichever is greater.
<b>Non-Residential Uses (Office, Commercial and Industrial)</b>	<b>Minimum Number of Spaces Required</b>
Adult Entertainment Establishment	One (1) space for every 50 square feet of floor area.
Animal Hospital, Veterinarian Clinic or Kennel	One (1) space for each examination room plus two (2) spaces for each fifty (50) square feet of reception area.
Automobile, Truck, Trailer and Farm Implement Sales and Service	One parking space for each 200 square feet of floor area in the main display room, plus one (1) space for each 1,500 square feet of outdoor display area.
Automobile Car Wash	Two (2) spaces for each washing bay plus sufficient stacking space for two (2) vehicles per washing bay.
Automobile Repair Garage	Four (4) spaces for each service bay or work area plus one (1) space for each 100 square feet of waiting area.
Bars or Taverns	One (1) space for every three (3) seats or one (1) space for each 100 square feet of floor area, whichever is greater.

<b>Non-Residential Uses (Office, Commercial and Industrial) (con't)</b>	<b>Minimum Number of Spaces Required</b>
Child Day Care Center, Nursery Schools	One (1) space for each four (4) persons of design capacity.
Club	One (1) space for each 100 square feet of floor area.
Commercial Entertainment	One (1) space for each three (3) seats or one (1) space for each 100 feet of floor area, whichever is greater.
Commercial Recreation	One (1) space for each three (3) seats or one (1) space for each three (3) users at maximum utilization for athletic fields.
Financial Institution	One (1) space for every 300 square feet of floor area.
Funeral Home	One (1) space for every 75 square feet of parlor or chapel space or one (1) per four (4) seats, whichever is greater plus one space for each vehicle used in the business and kept on the premises.
Gasoline Filling Station	One (1) space for each pump plus two (2) spaces for each service bay or work area. Gasoline filling stations with convenience retail uses shall also provide one (1) space for each one hundred (100) square feet of floor area.
Hotel/Motel	One (1) space for each sleeping room plus one (1) space for each 250 square feet of public meeting area and/or restaurant space.
Light Manufacturing	One (1) space for each two employees on the largest working shift or one (1) space for each 350 square feet of floor area, whichever is greater, plus one for each motor vehicle used in the business which is parked on the premises.

<b>Non-Residential Uses (Office, Commercial and Industrial) (con't)</b>	<b>Minimum Number of Spaces Required</b>
Lumber Yard and Building Material Sales	One (1) space for each 500 square feet of floor area and yard area.
Medical and Dental Clinic	One (1) space for each 400 square feet of floor area.
Mixed Uses	The sum of the permitted uses.
Nursing Home, Convalescent Home and Rest Home	One (1) space for each resident/patient room plus one (1) space for each vehicle used for the complex which is maintained on the premises.
Office, Business and Professional	One (1) space for each 300 square feet of floor area.
Personal Services	One (1) space for each 200 square feet of floor area.
Personal Storage Warehouse	One (1) space for every five (5) rental storage units.
Professional Services	One (1) space for each 200 square feet of floor area.
Research and Development Laboratory	One (1) space for each 300 square feet of floor area.
Restaurant	One (1) space for each 100 square feet of floor area.
Restaurant, Fast Food	One (1) space for each 50 square feet of floor area.

<b>Non-Residential Uses (Office, Commercial and Industrial) (con't)</b>	<b>Minimum Number of Spaces Required</b>
Retail Business	One (1) space for each 250 square feet of floor area.
Retail Feed, Seed and Grain Store	One (1) space for each 250 square feet of floor area plus one (1) space for each 500 square feet of outdoor sales area.
Warehousing	One (1) space for each 800 square feet of floor area.
Wholesale Establishment	One (1) space for each 500 square feet of floor area.

**Section 23.6 Space Requirements For Uses Not Specifically Mentioned**

The requirement for off-street parking spaces not specifically mentioned shall be in accordance with the most similar use as identified by the Zoning Inspector.

**Section 23.7 Off-Street Parking Design Requirements**

A. Size of Parking Stalls

**Table 8  
Size of Parking Stalls**

	<b>45 Degrees</b>	<b>60 Degrees</b>	<b>90 Degrees</b>	<b>Parallel</b>
<b>A. Width of Parking Spaces</b>	14'0"	11'-0"	10'-0"	9'-0"
<b>B. Length of Parking Spaces</b>	21'-6"	22'-0"	20'-0"	23'-0"
<b>C. Width of Driveway Aisle</b>	13'-0"	17'-6"	25'-0"	12'-0"

B. Handicapped Parking Spaces

Handicapped parking spaces shall be in conformance with the Ohio Basic Building Code and the Ohio Revised Code, Section 3781.11.1.

C. Striping

All parking areas with a capacity of over five (5) vehicles, shall be striped between stalls to facilitate the movement into and out of the parking stalls.

D. Wheel blocks

Whenever a parking lot extends to a property line or landscaped area, wheel blocks or other suitable devices, shall be installed to prevent any part of a parked vehicle from extending beyond the property line or into any required landscaping or screening.

E. Paving

All parking spaces, together with driveways, aisles, and other circulation areas shall be surfaced with bituminous concrete or equivalent pavement material to provide a durable, dustless surface. A gravel lot is permissible if all driveway aprons and access points to the lot are constructed of concrete or asphalt and are at least ten (10) feet in length as measured from the street curb cut.

F. Drainage

All parking areas shall provide for proper drainage of surface water to prevent the drainage of such water onto adjacent properties and onto sidewalks. For any off-street parking area of more than five (5) vehicles, plans for drainage shall be submitted to the Zoning Inspector for approval prior to the commencement of construction.

G. Access Requirements

Any off-street parking area accessed from a public right-of-way shall be designed in such a manner that any vehicle leaving or entering the parking area shall be traveling in a forward motion. Access driveways for parking areas shall be clearly visible to any pedestrian or motorist approaching the access or driveway from a public or private street. The entrance and exits to the parking area shall be clearly marked.

H. Lighting

Any parking area for five (5) or more vehicles, which is intended to be used during non-daylight hours, shall be illuminated. Lighting fixtures shall be as follows:

1. Any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property.
2. All lighting fixtures serving parking lots shall be of full cutoff fixtures. Such shielding shall obstruct a line of sight to the bulb with an opaque material when viewed from the property line.
3. Light poles used in lots designed to contain fifty (50) vehicles or less shall not exceed twenty (20) feet in height.

I. Screening and Landscaping

1. Screening

Whenever a parking area for five (5) or more vehicles is located in, or adjacent to a Residential District, or is adjacent to a church, school, or other institution located on an adjoining lot, it shall be effectively screened on all sides which adjoin or face any property used for these purposes on adjacent lots. Screening shall be as follows:

- a. Screening shall be by an acceptably designed wall, fence, or planting screen that is approved by the Zoning Inspector.

- b. All parking areas shall be setback from property lines as follows:
  - 1. Parking areas shall be separated from rights-of-way for streets by a strip of land which shall be at least twenty (20) feet in depth. Such strip shall be reserved as open space, landscaped, and incorporate certain screening as required.
  - 2. All parking areas shall be set back a minimum of ten (10) feet from any side or rear lot line unless a greater setback is required by the Zoning Inspector. Such strip shall be reserved as open space and landscaped.
- c. Such fence, wall, or opaque planting shall not be less than three (3) feet nor more than five (5) feet in height for off-street parking areas. Such fence, wall or opaque planting shall be maintained in good condition. This requirement shall not be applicable to that portion of any off-street parking area which face any public right-of-way.
- d. The space between such fence, wall or planting screen and the lot line of the adjoining premises in any Residential District shall be landscaped with grass, hardy shrubs, or evergreen ground cover, maintained in good condition.
- e. The finished face of the fence or wall shall face the adjoining property.
- f. In the event that terrain or other natural features are such that the erection of such fence, wall or planting screen will not serve the intended purpose, then the Zoning Inspector may allow an exception, so that no such fence, wall, or planting screen and landscaping shall be required.

2. Interior Landscaping of Off-Street Parking Areas

Within off-street parking areas of ten thousand (10,000) square feet in size or greater and for each additional ten thousand (10,000) square foot unit or a proportional fraction thereof, there shall be provided a minimum total of four hundred (400) square feet of interior planting area.

a. Interior Landscape Requirements

Interior landscaping shall be dispersed throughout the parking area to prevent large, unbroken areas of pavement. In order to encourage the required landscape areas to be properly dispersed, no individual landscape area shall be larger than four hundred (400) square feet in size.

b. Minimum area

The minimum landscape area permitted shall be one hundred eighty (180) square feet, excluding curbs, with a four (4) foot minimum dimension to all trees from edge of pavement where vehicles may overhang.

c. Plant Material

The primary plant material in the landscaped area shall be a shade tree. Grass or other suitable ground cover (mulch) shall occupy all other portions of the landscaped area.

J. Maintenance

The owner of property used for off-street parking shall maintain such area in good condition without holes and free of all trash, abandoned or junk vehicles, weeds and other rubbish.

**Section 23.8 Off-Street Loading Requirements**

On the same premises with every building or structure or part thereof, erected and occupied for retail, commerce, industry, public assembly, or other uses involving the receipt or distribution by vehicles of materials or merchandise, there shall be provided and permanently maintained adequate space for the standing, loading and unloading services in order to avoid undue interference with public use of the streets, alleys, or required parking areas, in conformance to the following:

A. Design Standards

1. Screening

Off-street loading spaces that adjoin or are across a street from property zoned for any residential use shall have a dense evergreen planting, fence, masonry wall or such other screening materials.

2. Entrances and Exits

Off-street loading spaces shall be provided with entrances and exits not less than twelve (12) feet in width and so located as to minimize traffic congestion.

3. Dimensions

Each off-street loading space shall be not less than twelve (12) feet in width, sixty (60) feet in length and fifteen (15) feet in height with adequate access to each space.

4. Projection into Yards

Off-street loading space may occupy all or any part of any required rear yard space.

5. Surfacing

All loading spaces shall be graded and provided with a durable and dustless hard surface of asphalt, concrete, or other suitable materials capable of withstanding 1,000 pounds per square inch (psi). A gravel loading space is permissible if all driveway aprons and access points to the loading space are constructed of concrete or asphalt and are at least twenty (20) feet in length as measured from the street curb cut.

6. Drainage

All loading spaces shall provide for the proper drainage of surface water to prevent the drainage of such water onto adjacent properties and onto sidewalks. Plans for drainage shall be submitted to the Zoning Inspector for approval prior to the commencement of construction.

7. Lighting

Lighting fixtures for off-street loading spaces shall be as follows:

- a. Any lights used to illuminate an off-street loading area shall be so arranged as to reflect the light away from the adjoining property.
- b. All lighting fixtures serving off-street loading areas shall be of full cutoff fixtures. Such shielding shall obstruct a line of sight to the bulb with an opaque material when viewed from the property line.
- c. All lighting shall comply with all other applicable standards of this Zoning Resolution.

B. Amount of Loading Space Required

The minimum amounts of off-street loading space shall be provided to prevent the obstruction of parking and circulation areas on site. An area adequate for maneuvering, ingress and egress shall be provided in addition to required loading space.

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**ARTICLE 24**  
**BUFFERYARD AND LANDSCAPE REQUIREMENTS**

**Section 24.1 Purpose**

The purpose of this Article is to provide minimum standards involving the development of land to:

- A. Provide attractive views from roads and adjacent properties;
- B. Screen from view visually undesirable uses;
- C. Require screening between incompatible land uses;
- D. Protect the health, safety and welfare of the community through the reduction of noise, air and visual pollution, and headlight glare; and
- E. Protect environmentally sensitive areas within Policy Area 7 of the Stonelick Township Growth Management Plan.

**Section 24.2 Applicability**

This Section shall apply to new property development and any collective substantial expansion of existing structures, except for individual single family dwellings, two family dwellings (duplexes) and parking lots of ten (10) spaces or smaller unless the parking lot is abutting a Residential District. Substantial expansion of existing structures shall be defined based on the criteria established below:

**Table 9**  
**Substantial Expansion for Bufferyards and Landscape Requirements**

When Existing Structure is....	A Substantial Expansion is...
0 - 1,000 Sq. Ft.	50% or Greater
1,001 - 10,000 Sq. Ft.	40% or Greater
10,001 - 25,000 Sq. Ft.	30% or Greater
25,001 - 50,000 Sq. Ft.	20% or Greater
50,001 Sq. Ft. and larger	10% or Greater

**Section 24.3 General Requirement for Submission**

Any property to which this Article applies shall submit a Bufferyard Plan to the Zoning Inspector as part of the Zoning Permit process required in this Resolution. Bufferyard Plans shall be prepared by a nursery or by a design professional practicing within their areas of competence. The Bufferyard Plan shall contain the following information:

- 1. Plans must be at a reasonable scale to indicate all types of proposed landscaping improvements and shall include the following minimum information:
  - a. North arrow and scale.
  - b. The name of applicant/owner.
  - c. The name, address and phone number of the person or firm responsible for the preparation of the Bufferyard Plans.

- d. The dates the plans are submitted or revised.
  - e. All existing and proposed buildings and other structures, paved areas, planted areas, utility poles, fire hydrants, light standards, signs, fences and other permanent features to be added and/or retained on the site.
  - f. All existing plant material to be removed or retained and all new landscaping materials to be installed.
  - g. All existing and proposed streets, sidewalks, curbs and gutters, railroad tracks, drainage ditches and other public or semi-public improvements within and immediately adjacent to the site.
  - h. All property lines and easements.
  - i. Any other information which is deemed appropriate by the Zoning Inspector.
2. Details shall be shown for the planting of the types of trees, shrubs and ground cover within the bufferyard or landscaped area.

**Section 24.4 Approval**

- A. No site or Development Plan required under this Zoning Resolution shall receive final approval unless a Landscaping Plan has been submitted and approved.
- B. No final approval of the Zoning Permit of compliance shall be granted unless the following criteria are fully satisfied with regard to the approved Landscape Plan:
  - 1. Such plan has been fully implemented on the site; or
  - 2. Such plan, because of seasonal conditions, cannot be implemented immediately, but has been guaranteed by a postponed improvement agreement between the developer and the Township.
- C. The Zoning Inspector may request the review and approval of the Zoning Commission at any time.

**Section 24.5 Screening Landscaping and Bufferyard Standards**

- A. Maintenance of Screened Areas, Bufferyard and Landscaped Areas

All landscaping materials shall be installed and maintained according to accepted nursery industry procedures. The Owner of the property shall be responsible for the continued property maintenance of all landscaping materials, and shall keep them in a proper, neat and orderly appearance, free from refuse and debris at all times and shall remove all noxious, invasive, or poison type plants. All unhealthy or dead plant material shall be replaced within one (1) year, or by the next planting period, whichever comes first. Violation of these installation and maintenance provisions shall be grounds for the Zoning Inspector to: find the owner of the property in violation of the conditions of the Zoning Permit; require replacement of the landscape material; or institute legal proceedings to enforce the provisions of this Resolution.

**B. Screening and Bufferyard Establishment**

Once a screened area or bufferyard has been approved by the Zoning Inspector and established by the owner, it may not be used, disturbed or altered in anyway that would decrease its effectiveness for any purpose.

**C. Screening and Bufferyard Requirement**

In order to provide protective screening and buffers for residentially zoned areas that are adjacent to nonresidential areas, the Zoning Inspector may require a wall, fence or greenbelt to be provided by the nonresidential property owner if the nonresidential property is not sufficiently screened.

Buffers and Screening shall be in accordance with the following:

1. Screening areas and bufferyards shall be provided for the purpose of minimizing the friction between incompatible land uses and improving the aesthetic and functional quality of new development.
2. Where vegetative and/or topographic conditions that provide a natural screen and buffer exist prior to development of properties in question, every effort shall be made to retain such conditions. In such cases, additional screening may not be required by the Zoning Inspector, provided that provision is made for maintenance of such areas.
3. The Zoning Inspector may waive the requirement for a wall, fence or greenbelt if equivalent screening is provided by existing or planned parks, parkways, recreation areas or by topography or other natural conditions found on the subject property.

4. Bufferyard Standards

**Table 10**  
**Bufferyard Standards**

WHEN...	IS PROPOSED TO ABUT...	A MINIMUM BUFFERYARD OF...
Any commercial or office land use	Any E, S or U District	A. If proposed; a wall or fence should be three to seven feet in height and placed near the nonresidential property line. The area between such wall or fence and the property line shall be treated with plantings to form a permanent landscaped area.  or  B. If proposed; a greenbelt strip along the property line should be of at least ten (10) feet in width. Such greenbelt shall be planted and maintained with evergreens such as spruce, pine or firs at least five (5) feet in height or a hedge of evergreens at least four (4) feet in height, situated so as to provide an effective and permanent visual buffer. The portion of the landscaped area not covered by plantings shall be kept in a neat and orderly appearance.
Any industrial land use	Any E, S, U, B or BB District	
Any multi-family land use	Any E or S District	
Any institutional land use (including assisted living facilities, educational institutions and religious places of worship)	Any E, S or U District	

a. Walls and Fences

When walls or fences are used to fulfill screening requirements, they shall be detailed on the plan. They are to be of weather-proof materials. This includes pressure treating or painting of lumber if it is not redwood or cedar and using aluminum or galvanized hardware. Chain link fences with or without wooded or synthetic slat material shall not be permitted when used to satisfy bufferyard and landscaping requirements.

b. Plants

All plants are to be healthy upon planting. Plant materials used in conformance with the provision of this Section shall conform to the standards of the American Association of Nurserymen and shall have passed any inspection required under State regulations. Trees and plant materials shall be species indigenous to Zone 6 of the United States Department of Agriculture Plant Hardiness Zone Map. Trees shall be balled and burlapped or in containers. Shrubs, vines and ground covers can be planted as bare root as well as balled and burlapped or containers.

1. Deciduous Trees

Deciduous trees shall have a minimum caliper of at least two and one half (2½) inches conforming to acceptable nursery industry procedures at the time of planting. If deciduous trees are to be used for screening purposes, additional materials listed in this Article must be used to create a dense buffer.

2. Evergreen Trees

Evergreen trees shall be a minimum of six (6) feet in height at the time of planting when used for screening purposes when adjacent to a *developed* Residential District and three (3) feet in height at the time of planting when adjacent to an undeveloped Residential District. Evergreen plantings used for screening shall be planted so as to provide an effective, dense screen upon the time of planting. The height at installation of the planting shall be measured from the level of the surface of the evergreen base.

3. Shrubs and Hedges

Shrubs and hedges shall be at least forty-eight (48) inches in height at the time of planting. All shrubs and hedges shall be designed to provide an effective, dense screen and mature height of at least six (6) feet within four (4) years after the date of the final approval of each planting. The height at installation of the planting shall be measured from the level of the surface of the plant base at the edge closest to the screening.

4. Grass or Ground Cover

Grass shall be appropriate for the soil type. In swales or other areas subject to erosion, solid sod, erosion reducing net or suitable mulch shall be used and nursegrass seed shall be sown for immediate protection until complete coverage otherwise is achieved and shall be reviewed by the Clermont Soil and Water Conservation District. Grass sod shall be clean and free of weeds and noxious pests or diseases. Ground cover shall be planted at a maximum spacing of one (1) foot on center to provide seventy-five (75) percent complete coverage after two growing seasons.

5. Earth Mounds

Earth mounds may be used as physical barriers which block or screen a view. A difference in elevation between areas requiring screening does not constitute an earth mound. Earth mounds shall be constructed of earthen materials and shall conform to the following standards:

- a. The maximum side slope shall be three horizontal to one vertical (3:1) and the design shall be reviewed by the Zoning Inspector to ensure that proper erosion prevention and control practices have been utilized.
- b. Berms and earth forms shall be designed with physical variations in height and alignment throughout their length.
- c. Landscape plant material installed on berms and earth forms shall be arranged in an irregular pattern to accentuate the physical variation and achieve a natural appearance.
- d. The Landscape Plan shall show sufficient detail, including a plan and profile of the berm or earth form, soil types and construction techniques to demonstrate compliance with the above provisions.
- e. Berms and earth forms shall be located and designed to minimize the disturbance to existing trees located on the site or adjacent thereto.
- f. For adequate sight distance for points of ingress and egress, no part of any berm or earth form which is elevated more than eighteen (18) inches above natural grade shall be located within twenty (20) feet of any right-of-way or property line.
- g. Adequate ground cover shall be used and maintained to prevent erosion of the earth mound.

**Section 24.6 Screening and Landscaping for Off-Street Parking Areas**

Screening and Landscaping for off-street parking areas shall be as established in Article 23, Off-Street Parking and Loading.

**Section 24.7 Screening for Service Structures**

Service structures shall include but not be limited to: loading docks, propane tanks, and dumpsters, electrical transformers, above ground utility vaults and other equipment or elements providing service to a building or a site. Structures may be grouped together. However, screening height shall be based upon the tallest of the structures.

A. Location of screening

A continuous planting of evergreen, fence or wall of earth must enclose any service structure on all sides, unless such structure must be frequently moved or accessed. In such cases, screening may not be required on the side of the service structure where service is occurring.

B. Curbs to protect screening material

Whenever screening material is placed around any dumpster, trash disposal unit or waste collection unit which is emptied or removed mechanically on a regular basis, a curb to contain the placement of the container shall be provided within the screening material. The curbing shall be at least one (1) foot from the material and shall be designed to prevent possible damage to the screening when the container is moved or emptied.

**Section 24.8 Easements, Right-of-Way, and Setbacks**

Required screening, bufferyards and landscaping may be placed wholly or partially in utility or other easements providing all requirements of this Article can be fulfilled and approval is granted by the holder of the easements.

In no case, however, shall landscaping and bufferyards be established so as to block the sight distance at street or drive intersections. Ground cover and trees with at least six (6) feet of limbless trunk shall be permitted within the sight distance triangle. In the case of a street intersection, the sight triangle shall consist of the area between points twenty (20) feet along both intersecting streets from their respective edge of pavements.

**Section 24.9 Modifications**

The Board of Zoning Appeals shall have the authority to modify or waive any of the aforementioned requirements in this Article in considering an individual site with respect to changes in elevation, environmental impact, durability of plant material, aesthetic appeal, and any other factor that will provide a compatible screen or buffer with the surrounding property or neighborhood at the time of application.

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**ARTICLE 25**  
**NON CONFORMING USES AND BUILDINGS**

**Section 25.1 Existing Non Conforming Structures and Uses**

The lawful use of any dwelling, building or structure and of any land or premises as existing and lawful at the time of enactment of this Resolution or amendment thereto, may be continued although such use does not conform to the provisions of this Resolution or amendment. Furthermore, whenever the use of any dwelling, building or structure and of any land or premises becomes non conforming through an amendment of this Resolution or map, such use may be continued if no structural alterations are made.

**Section 25.2 Discontinuance of Non Conforming Structures and Uses**

In the event that a non conforming use of any dwelling, building or structure and of any land use or premises is voluntarily discontinued for a period of two (2) years or more, any future use thereof shall be in conformity with the provisions of this Resolution.

**Section 25.3 Substitution of Non Conforming Uses**

The substitution for a non conforming use existing at the time of enactment of this Resolution for another non conforming use may be permitted by the Board of Zoning Appeals if no structural alterations, except those required by law or Resolution, are made. Such substitution shall be of equal or less in land use intensity and non conformity.

**Section 25.4 Enlargement, Extension and Alteration of Non Conforming Structures and Uses**

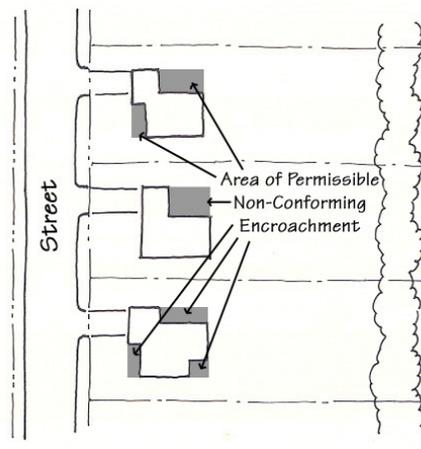
The moving, reconstruction, extension, enlargement, or alteration of non conforming buildings or structures shall be as follows:

- A. Alterations. Alterations within the building footprint are permitted if the alteration conforms with off-street parking, loading, landscaping and maneuvering standards of this Zoning Resolution.

For the purposes of this Article, "alteration" shall mean any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders, or interior partitions, as well as any change in doors, windows, means of ingress and egress, or any enlargement to or reduction of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

- B. Enlargement. The enlargement of nonconforming structures is permissible in the front, side and rear yards if:
  1. Such enlargement does not encroach into a required yard setback and if such enlargement does not further encroach closer to a lot line than the existing non conforming structure.
  2. The enlargement of the structure shall not exceed the height of the existing structure and shall conform with off-street parking, loading, landscaping and maneuvering standards of this Resolution.

3. No enlargement shall cause additional non conformities with respect to other lot development standards in the District the lot is located.
4. The total of all enlargements of a non conforming structure shall not exceed thirty (30) percent of the gross floor area of the non conforming structure prior to enlargement.
5. If the enlargement of a non conforming structure is proposed to encroach into a required yard, a variance is required by the Board of Zoning Appeals.



- C. Reconstruction. In the event that any non conforming building or structure is involuntarily destroyed, the building or structure may be reconstructed on the existing footprint or building pad. In the event that any non-conforming building or structure is voluntarily destroyed or dismantled, to the extent of more than fifty (50) percent of the fair market value of such structure, exclusive of foundation, it shall not be rebuilt, restored, or reoccupied for any use unless it conforms to all regulations of this Zoning Resolution. When a non conforming structure is damaged or destroyed to the extent of fifty (50) percent or less of the replacement cost, no repairs or rebuilding shall be permitted except in conformity with all applicable regulations of this Resolution and the following conditions:
1. A Zoning Permit pertaining to such restoration shall be applied for and issued within one (1) year of such destruction, and the rebuilding shall be diligently pursued to completion;
  2. Such restoration shall not cause a new non conformity, nor shall it increase the degree of non conformance or non-compliance existing prior to such damage or destruction;
  3. Any lawfully existing non conforming single or multi-family dwelling, in the event of damage or destruction, including loss up to one hundred (100) percent of the structure, may be reconstructed substantially to the same size, density, dimension and setback as existed before the loss. Reconstruction must commence within two (2) years of the loss, and be completed no later than four (4) years after the loss. If reconstruction is not commenced or completed within this time frame, current zoning regulations will then apply.

**Section 25.5 Non Conforming Nuisances**

Any use undertaken subsequent to the effective date of this amendment, or any prior use changed, altered, increased, expanded, or extended subsequent to the effective date of this amendment, which becomes non conforming by reason of more stringent Federal, State, County or Township regulations becoming current, shall not be considered in violation until one (1) year after the effective date of such regulations. Where the effectiveness of more stringent regulation causes an existing use to become non conforming, and owing to special circumstances, meeting the requirements of the regulation would result in undue hardship, the Board of Zoning Appeals may grant a variance upon appeal. Such variance may be permitted only where evidence of reasonable diligence in meeting the requirements of the regulation is presented by the appellant, and shall be specifically limited to those levels of nuisance and/or hazard existing at the time the use becomes non conforming.

**Section 25.6 Non Conforming Mobile Homes**

Removal and replacement of a manufactured home which constitutes a non-conforming use on an individual lot or within a manufactured home park, or removal of any manufactured or mobile home unit which does not conform with current federal manufactured housing construction and safety standards may be replaced with a manufactured unit which conforms with the following standards:

Each mobile home must have been constructed pursuant to the “Manufactured Housing Construction and Safety Standards Act of 1974,” 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and have a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, and manufactured after January 1, 1995, and replacement must take place within sixty (60) days of removal.<sup>17</sup>

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**ARTICLE 26  
ALTERNATE ENERGY<sup>12</sup>**

**Section 26.1 Purpose**

The requirements of this Resolution shall apply to all alternate energy facilities and structures as defined in this Article. No Wind Energy Conversion System, or private stand-alone solar panel, or commercial solar panel installation, or any components thereof shall be constructed, erected, installed, or located within Stonelick Township, Clermont County, until prior siting approval has been obtained pursuant to the Stonelick Township Zoning Resolution. The Board of Zoning Appeals may upon the review of individual site and development plans determine adjustments or modifications necessary to the requirements of Article 26 and deem them part of the findings necessary for issuance of a Conditional Use Permit.

**Section 26.2 The Power to Regulate Wind Energy Systems**

Ohio Revised Code (ORC) Section 519.213 confers power on the Board of Trustees or Board of Zoning Appeals with respect to the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use, or enlargement of any small wind farm, whether publicly or privately owned, or the use of land for that purpose, which regulations may be more strict than the regulations prescribed in rules adopted under division (B)(2) of Section 4906.20 of the Ohio Revised Code.

**Section 26.3 Regulations for Residential Wind Energy Systems**

Wind energy systems shall be a permitted use in all zoning districts and considered a conditional use which is intended to primarily serve the needs of the consumer at that site and shall be designed for capability of operation at aggregate maximum capacity of no more than service normally provided by the local grid power company. Saleable surplus power shall be limited to the peak amount used by the consumer of the site. All proposed wind energy systems shall be subject to certain requirements as set forth below and after review by the Board of Zoning Appeals, additional restrictions or conditional uses may be added as deemed necessary.

- A. Minimum Parcel Size: One (1) acre
- B. Tower Height: For property sizes between one (1) and five (5) acres the tower height shall be limited to sixty-five (65) feet including the highest point of the turbine blades. For property sizes of five (5) acres or more, tower heights shall be limited to a height of eighty (80) feet, including the highest point of the turbine blades, except as may be imposed by Federal Aviation Administration (FAA) regulations.
- C. Clearance of Blade: No portion of the wind energy system blade sweep shall extend within twenty (20) feet of the ground. No blade sweep may extend over parking areas, driveways, property lines, or any type of building.
- D. Set-Backs: Set-backs for the system tower shall be no closer from the property line than the height of the tower, provided the setback also complies with any applicable fire setback requirements. All towers must be located one and one half (1.5) times the tower height from the Public Right of Way. Guy wire anchor points may extend to ten (10) feet from the property line. Building mounted systems shall be set-back thirty (30) feet from the property line.

- E. Automatic Over-speed Controls: All wind energy conversion systems shall be equipped with manual (electronic or mechanical) and automatic over speed controls to limit the blade rotation speed to within the design limits of the residential wind energy system. Turbine blade systems shall be rated to wind speeds of no less than one hundred ten (110) MPH measured at sea level.
- F. Sound: Residential wind energy systems shall not exceed sixty (60) dBA, as measured at the closest property line to the tower. The level, however, may be exceeded during short-term events such as utility outages and/or severe wind storms.
- G. Approved Wind Turbines: Residential wind turbines must be approved by a small wind certification program recognized by the American Wind Energy Association (American Wind Energy Association, 1501 M Street NW, Suite 1000, Washington, DC 20005. Phone: 202-383-2500, Fax: 202-383-2502. On-line at: [www.awea.org](http://www.awea.org)).
- H. Compliance with FAA Regulations: Residential wind energy systems must comply with applicable FAA regulations.
- I. Utility Notification: No residential wind energy system shall be installed until evidence has been provided which verifies the utility company has been informed of the customer's intent to install an interconnected, net metered customer-owned generator. Off-grid systems shall be exempt from this requirement.

#### Section 26.4 Regulations for Utility Grid Wind Energy Systems

A Utility Grid Wind Energy System (UGWES) is designed and built to commercially provide electricity to the electric utility grid. A UGWES shall only be permitted in the Agricultural, "I" Industrial, "II" Planned Industrial, and "BB" Planned Business Districts.

- A. Site Approval Application: The applicant must submit an application to the Zoning Inspector for review and approval by the Stonelick Township Board of Zoning Appeals and must include the following information:
  - 1. Name and address of the applicant.
  - 2. Evidence the applicant is the owner of the property.
  - 3. A plot and development plan drawn in detail to clearly describe the following:
    - a. Physical dimensions of the property, existing structures and proposed structures.
    - b. Location of existing and proposed structures including such structures as anemometer and SCADA towers.
    - c. Location of existing and proposed electrical lines facilities.
    - d. Existing topography
    - e. Existing wetlands
    - f. Proposed grading, removal of natural vegetations and relocation of wetlands (if applicable).
    - g. Set-backs
    - h. Proposed ingress and egress

- i. Proposed safety fencing to prevent trespassing
    - j. Manufacturer's specifications and recommended installation methods for all major equipment, including solar panels, mounting systems, and foundations for poles or racks.
    - k. The number of panels to be installed
    - l. A description of the method of connecting the array to a building or substation
  4. Utility interconnection data and a copy of written notification to the utility of the proposed connection.
  5. Specific information of the type, size, height, rotor material, rated power output, performance, safety, and noise characteristics of each Wind Turbine Generator (WTG) model, tower and electrical transmission equipment.
  6. A soil boring report.
  7. Any additional information as normally required by the Township as part of this Zoning Resolution.
  8. Prior to receiving site approval under this Resolution, the applicant, owner, and/or operator shall formulate a Decommissioning Plan to ensure the UGWES and all facilities in the project are properly decommissioned after their useful life. Decommissioning of wind towers must occur in the event they are not in use for twelve (12) consecutive months. The plan shall include provisions for removal of all structures and foundations, restoration of soil and vegetation and a plan ensuring financial resources will be available to fully decommission the site. Disposal of structures and/or foundations shall meet the provisions of the Clermont County Building Department and the requirements of the Ohio Environmental Protection Agency for solid waste disposal. A valid demolition permit from the Clermont County Building Department shall also be required before removal of any towers, debris, access roads, electrical cabling, or structures. The Board of Zoning Appeals may require the posting of a bond, letter of credit or the establishment of an escrow account to ensure proper decommissioning.
- B. Compliance with the Federal Aviation Administration: The applicant shall comply with all applicable Federal Aviation Administration (FAA) requirements. If lighting is required by the FAA the light shall not be strobe lighting or any other intermittent white lighting fixtures, unless expressly required by the FAA. Such intermittent lighting shall be alternated with steady red lights at night if acceptable to the FAA. No additional lighting will be permitted beyond the FAA minimum.
- C. Environment: The site plan and other documents and drawings shall show mitigation measures to minimize potential impacts on the natural environment including, but not limited to wetlands and other fragile ecosystems, historical and cultural sites, and antiquities.
- D. Climb Protection: All UGWES towers must be anti-climbable by design or protected by anti-climbing devices.

- E. Set-backs: All UGWES towers shall be set back a distance of no less than one point one (1.1) times the UGWES tower height from any primary structure. The distance for indicated setback shall be measured from the point of the primary structure foundation closest to the UGWES tower to the center of the UGWES tower.
- All UGWES towers shall be set back a distance of at least one and one half times (1.5) the UGWES combined tower height and highest point of the turbine blades from public roads. The distance for the indicated setback shall be measured from the edge of the public road right of way to the center of the UGWES tower foundation.
- All UGWES towers shall be set back a distance of at least one and one half times (1.5) the combined tower height and highest point of the turbine blades from any adjacent property line.
- F. Signage: A sign of no less than four (4) square feet must be displayed in an easily noticed area from a public street or road indicating an address and toll-free telephone number, answered by a person twenty-four (24) hours per day, seven (7) days per week, for emergency calls and information inquires. No UGWES tower or any part thereof, no fence surrounding the UGWES site, or any building or structure located upon the UGWES site may include or display any advertising sign, banner, insignia, graphics or lettering.
- G. Local Fire Department: The applicant, owner or operator shall submit to the local Fire Department a copy of the site plan. Upon request of the local Fire Department, the owner or operator shall co-operate with the Fire Department to develop an emergency response plan.
- H. Noise Levels: Noise levels from each UGWES tower of an UGWES project shall be in compliance with applicable State of Ohio regulations.
- I. Wind Access Buffer: A wind access buffer of a minimum of nine hundred (900) feet must be observed to protect the wind rights of landowners adjacent to, but not participating in, the permitted project.
- J. Birds: A qualified professional such as an ornithologist or wildlife biologist shall conduct an avian habitat study as part of the siting approval application process to determine if the installation of the UGWES project will have a substantial adverse impact on birds.
- K. Shadow Flicker: Site plan and other documents and drawings shall show mitigation measures to minimize potential impacts from shadow flicker.
- L. Liability Insurance: The owner or operator of each UGWES tower shall maintain a current general liability policy covering bodily injury and property damage with limits of at least three (3) million dollars per occurrence.
- M. Expenses: All reasonable expenses incurred by the Stonelick Township Zoning Commission, the Stonelick Township Board of Zoning Appeals and the Stonelick Township Board of Trustees to review and certify the UGWES project plan shall be paid for by the applicant.

- N. Performance Surety: A Performance Surety Bond shall be provided by the applicant or owner/operator to assure repairs to public roads which may be damaged by the construction of the UGWES project. The amount of this bond will be determined by mutual agreement of the applicant, owner/operator and the Stonelick Township Board of Trustees.
- O. Engineering Certification: The manufacture’s engineer or another qualified engineer shall certify the foundation and design of the Wind Turbine Towers are within accepted professional standards given local soil and climate conditions.
- P. Compliance with Other Standards: All power and communication lines running between UGWES towers, any adjacent structures, and to electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted by the Stonelick Township Board of Zoning Appeals in instances where shallow bedrock, water courses, or other elements of the natural landscape interferes with the ability to bury lines.
- Q. Schedule of Fees, Charges and Expenses: Any UGWES project shall abide by all applicable fees, charges and expenses as stated in the Stonelick Township Fee Schedule.

**Section 26.5 Regulations for Solar Energy**

Solar Panels, either free-standing or roof mounted, shall be permitted in all Districts with zoning requirements related to visual appearance and appropriate safeguards.

- A. Site Approval Application: In all districts, the applicant shall submit to the Zoning Administrator, along with a zoning permit application, the following information:
  - 1. Maps, plans and/or detailed sketches showing the proposed location of the proposed solar panels.
  - 2. Measurements from property lines and the public-right-way.
  - 3. Distances from structures on neighboring properties.
- B. In the Residential or Business Districts all solar panels exceeding two (2) square feet in area are not permitted in any front yard, on any face of a primary building or structure facing a street unless integrated with the ordinary construction of said building or structure, or in view of any adjacent street, except roof-mounted solar panels as set forth below.
- C. Ground mounted solar panels shall:
  - 1. Not be installed without a valid permit from the Clermont County Building Department.
  - 2. Be located in side or rear yards only and adhere to conditional use setback requirements.
  - 3. Valid, non-conforming lot owners shall apply for review by the Board of Zoning Appeals for approval of solar panel placement.
- D. Roof mounted solar panels shall:
  - 1. Not be installed without a valid permit from the Clermont County Building Department.
  - 2. Solar panels installed on a building or structure with a sloped roof surface shall not project vertically above the peak of the roof to which it is attached, or project more than five (5) feet above a flat roof installation.

3. In the Residential and Business Districts roof mounted solar panels shall be located on a rear or side facing roof, as viewed from any adjacent street or road, unless such installation is proven to be ineffective or impossible. The removal of potential obstructions such as interceding vegetation shall not be sufficient cause for permitting a front facing installation.
4. Roof mounted solar panes shall be located so as to not increase the total height of the structure above the maximum allowable height of the structure on which it is located, in accordance with the applicable zoning regulations.

### Section 26.6 Regulations for Utility Grid Solar Energy Systems

A Utility Grid Solar Energy System (UGSES) is designed and built to commercially provide electricity to the electric utility grid. A UGSES shall only be permitted in the Agricultural and Industrial Districts.

- A. A Site Approval Application: The applicant must submit a Zoning Application to the Zoning Administrator for review and approval by the Stonelick Township Board of Zoning Appeals and must also include the following information:
  1. A plot and development plan drawn in sufficient detail to clearly describe the following:
    - a. Physical dimensions of the property, existing structures and proposed structures.
    - b. Location of existing and proposed structures
    - c. Existing topography
    - d. Existing wetlands
    - e. Proposed grading, removal of natural vegetations and relocation of wetlands (if applicable)
    - f. Setbacks
    - g. Proposed ingress and egress
    - h. Proposed safety fencing to prevent trespassing
    - i. Manufacturer's specifications and recommended installation methods for all major equipment, including solar panels, mounting systems, and foundations for poles or racks.
    - j. the number of panels to be installed
    - k. a description of the method of connecting the array to a building or substation.
  2. Utility interconnection data and a copy of written notification to the utility of the proposed connection.
  3. Specific information of the type, size, height, rated power output of each proposed unit, performance, safety, and glare characteristics of each solar unit and accompanying equipment, if any.
  4. A soil boring report.
  5. Any additional information as normally required by the Township as part of this Zoning Resolution.
  6. A decommissioning plan shall be required to ensure all facilities are properly removed after their useful life. Decommissioning of solar panels must occur in the event they are not in use for twelve (12) consecutive months. The plan shall include provisions for removal of all structures and foundations, restoration of soil and vegetation and a plan ensuring financial resources will be available to fully decommission the site. Disposal of structures and/or foundations shall meet the provisions of the Clermont County Building Department and the requirements of the

Ohio Environmental Protections Agency for solid waste disposal. A valid demolition permit from the Clermont County Building Department shall also be required before removal of any panels or structures. The Stonelick Township Board of Zoning Appeals may require the posting of a bond, letter of credit or the establishment of an escrow account to ensure proper decommissioning.

- B. Signage: A sign of no less than four (4) square feet must be displayed in an easily noticed area from a public street or road indicating an address and toll-free telephone number, answered by a person twenty-four (24) hours per day, seven (7) days per week, for emergency calls and information inquiries. No UGSES panel or any part thereof, no fence surrounding the UGSES site, or any building or structure located upon the UGSES site may include or display any advertising sign, banner, insignia, graphics or lettering.
- C. Local Fire Department: The applicant, owner/operator shall submit to the local Fire Department a copy of the site plan. Upon request of the local Fire Department, the owner/operator shall co-operate with the Fire Department to develop an emergency response plan.
- D. Climb Protection: All UGSES platforms must be anti-climbable by design or protected by anti-climbing devices.
- E. Liability Insurance: The owner/operator of each UGSES facility shall maintain a current general liability policy covering bodily injury and property damage with limits of at least three (3) million dollars per occurrence.
- F. Expenses: All reasonable expenses incurred by the Stonelick Township Zoning Commission, Stonelick Township Board of Zoning Appeals and the Stonelick Township Board of Trustees to review and certify the UGSES project plan shall be paid for by the applicant.
- G. Performance Surety: A Performance Surety Bond shall be provided by the applicant or owner/operator to assure repairs to public roads which may be damaged by the construction of the UGSES project. The amount of this bond will be determined by mutual agreement of the applicant, owner/operator and the Stonelick Township Board of Trustees.
- H. Engineering Certification: The manufacturer's engineer or another qualified engineer shall certify the foundation and design of the solar panels are within accepted professional standards, given local soil and climate conditions.
- I. Compliance with Other Standards: All power and communication lines running between banks of solar panes and to electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted by the Stonelick Township Board of Zoning Appeals in instances where shallow bedrock, water courses, or other elements of the natural landscape interferes with the ability to bury lines.
- J. Schedule of Fees, Charges and Expenses: Any UGWES project shall abide by all applicable fees, charges and expenses as stated in the Stonelick Township Fee Schedule.

**Section 26.7 Definitions to be applied to Article 26 – Alternate Energy**

**Access Roads** – Provide construction and service access to each wind turbine.

**Adverse Visual Impact** – An unwelcome visual intrusion that diminishes the visual quality of an existing landscape.

**Adjoining Lot Line** – The property boundary lines between the real property for the proposed siting of a wind turbine generator or anemometer tower subject of the Application and real property owned by another person, persons or entity.

**Anemometer** – The instrument for measuring and recording the speed of the wind.

**Anemometer Tower** – A free-standing or guyed structure, which includes all accessory facilities on which an anemometer is mounted for the purposes of documenting whether a site has wind resources sufficient for the operation of a wind turbine generator. May also be referred to as a meteorological tower.

**Decibel** – A logarithmic unit of measurement that expresses the magnitude of sound pressure and sound intensity.

**Db(A)** – The sound pressure level in decibels. Refers to the “a” weighted scale defined by the American National Standards Institute (ANSI). A method for weighting the frequency spectrum to mimic the human ear.

**Hub Height** – The distance measured from ground level to the center of a wind turbine hub.

**Electrical Collection System** – Consists of underground and overhead cables that carry electricity from and within groups of wind turbines and transmits it to a collection substation and point of interconnection switchyard, which transfers the electricity generated by the project to the regional power grid.

**Electromagnetic Fields (EMF)** – A combination of invisible electric and magnetic fields of force. They can occur both naturally or due to human constructions.

**Electromagnetic Radiation (EMR)** – A wavelike pattern of electric and magnetic energy moving together through space.

**Nacelle** – The structure on a Wind Turbine Tower that houses all of the generator components including, but limited to, the gearbox and the drive train.

**Megawatt** – A unit used to measure power, equal to one million watts.

**SCADA Tower** – A freestanding tower containing instrumentation that is designed to provide present moment wind data for use by the supervisory control and data acquisition (SCADA) system.

**Sensitive Environmental Areas** – Any areas determined by the Ohio Department of Natural Resources which consist of unique or sensitive ecological, biological or related ecosystems.

**Shadow Flicker** – The effect caused by the sun’s casting shadows from moving wind turbine blades.

**Utility Grid Solar Energy System** – A Utility Grid Solar Energy System is defined as an energy generation facility or area of land principally used to convert solar energy to electricity for resale at a profit.

**Utility Grid Wind Energy System** – A Utility Grid Wind Energy System is defined as an energy generation facility primarily consisting of Wind Turbines principally used to convert wind energy to electricity for resale at a profit.

**Wetlands** – Lands on which water covers the soil or is present either at or near the surface of the soil or within the root zone, all year or for varying periods of time during the year, including during the growing season.

**Wind Access Buffer** – The distance from adjacent landowners’ properties to the nearest wind turbine generator. In a Utility Grid Wind Energy System, this term also applies to the distance between any two or more wind turbine generators.

**Wind Energy Conversion Systems** – Wind Turbines and associated facilities for generating electric power from wind with an interconnection to the common electrical grid, or an on-site single building, or a series of buildings.

**Wind Turbine** – Consists of three major mechanical components: tower, nacelle and rotor.

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**ARTICLE 27**  
**OPEN FOR FUTURE EXPANSION**

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**ARTICLE 28**  
**OPEN FOR FUTURE EXPANSION**

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**ARTICLE 29**  
**OPEN FOR FUTURE EXPANSION**

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**ARTICLE 30**  
**ADMINISTRATION AND ENFORCEMENT**

**Section 30.1 Purpose**

This Article sets both the powers and duties of the Zoning Commission, the Board of Zoning Appeals and the Zoning Inspector with respect to the administration of the provisions of this Resolution.

**Section 30.2 Responsibilities of the Zoning Inspector**

The Zoning Inspector, as established by Section 519.16 of the Ohio Revised Code, shall have the following responsibilities and powers:

- A. Enforce the provisions of this Resolution and interpret the meaning and application of its provisions.
- B. Receive, review and make determinations on applications for Zoning Permits and Certificates of Occupancy.
- C. Issue Zoning Permits and Certificates of Occupancy as provided by this Resolution, and keep a record of same with notations of special conditions involved.
- D. Review and process plans pursuant to the provisions of this Resolution.
- E. Make determinations as to whether violations of this Resolution exist, determine the nature and extent thereof, and notify the owner in writing, specifying the exact nature of the violation and the manner in which it shall be corrected by the owner, pursuant to the procedures in this Resolution.
- F. Conduct inspections of buildings and uses of land to determine compliance or non-compliance with this Resolution.
- G. Maintain permanent and current records required by this Resolution, including but not limited to the Official Zoning Map, Zoning Permits, inspection documents and records of all variances, amendments and Conditional Uses. These records shall be made available for use of the Board of Township Trustees, Zoning Commission, the Township Board of Zoning Appeals and to the public.
- H. Determine the existence of any violations of this Resolution and enforce this Resolution.
- I. Revoke a Zoning Permit or approval issued contrary to this Resolution or based on a false statement or misrepresentation on the application.
- J. Document non conforming uses and buildings and validate such uses on an annual basis.
- K. Such other duties as specified from time to time by the Board of Township Trustees.

**Section 30.3 Township Zoning Commission**

The Stonelick Township Zoning Commission is established in accordance with Section 519.04 of the Ohio Revised Code and as follows:

A. Appointment

The Commission shall be composed of five (5) members who reside in the unincorporated area of the Township, to be appointed by the Board of Township Trustees, and the terms of the members shall be of such length and so arranged that the term of one member will expire each year. Two (2) alternates may also be appointed. 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 cause by the Board of Township Trustees, upon written charges being filed with the Board of Township Trustees, after a public hearing has been held regarding such charges, and after a copy of the charges has been served upon the members so charged at least ten (10) days prior to the hearing, either personally, by registered mail, or by leaving such copy at their usual place of residence. The member shall be given an opportunity to be heard and answer such charges. Vacancies shall be filled by the Board of Township Trustees and shall be for the unexpired term. The alternates shall take the place of an active Zoning Commission member upon absence and shall retain the full responsibilities as the other members. 7

B. Organization

The Zoning Commission shall organize and adopt rules for the transaction of business, and keep a record of its actions and determinations. Meetings of the Commission shall be held at the call of the Secretary or Chairman, and at other times as the Commission may determine. 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 record of its examinations and other official actions, all of which shall be filed in the Township Building and kept as public record.

Three (3) members of the Commission shall constitute a quorum. Such quorum may exercise the powers of the Commission and the actions of a majority of the full Commission. All actions of the Commission shall have the concurrence of at least three (3) members, and the failure of any proposed amendment, supplement or action to receive an affirmative vote of at least the majority of the Commission present shall be considered a recommendation or vote against such amendment, supplement, or action and shall be so recorded and certified as applicable.

The Commission may call upon Township or County Departments for assistance in the performance of its duties and it shall be the duty of such departments to render such assistance as may reasonably be required.

C. Responsibilities

For the purpose of this Resolution, the Commission shall have the following responsibilities:

1. Initiate advisable Official Zoning District Map changes, or changes in the text of the Zoning Resolution where same will promote the best interest of the public in general through recommendation to the Board of Township Trustees.
2. Review all proposed amendments to this Resolution (text and/or map) and make recommendations to the Board of Township Trustees.
3. Review all Planned Unit Developments and make recommendations to the Board of Township Trustees.

**Section 30.4 Township Board of Zoning Appeals**

The Township Board of Zoning Appeals is hereby created in accordance with Section 519.13 of the Ohio Revised Code and as follows:

A. Appointment

The Board of Zoning Appeals shall consist of five (5) members, who shall be residents of the unincorporated area of the Township to be appointed by the Trustees. One Alternate may also be appointed. The terms of all members shall be of such length and so arranged that the term of one (1) member will expire each year. Each member shall serve until his successor is appointed and qualified. Members of the Board shall be removable for non-performance of duty, misconduct in office or other causes, by the Board of Township Trustees upon written charges having been filed with the Board of Township Trustees and after a public hearing has been held regarding such charges, a copy of the charges having been served upon the member so charged at least ten (10) days prior to the hearing, either personally or by registered mail, or by having the same at their usual place of residence. The member shall be given an opportunity to be heard and answer such charges. Vacancies shall be filled by the Trustees, and shall be for the unexpired term.<sup>18</sup>

B. Organization

The Board of Zoning Appeals shall organize and adopt rules in accordance with the provisions of this Resolution. Meetings of the Board shall be held at the call of the Chairman, and at such other times as the Board may determine. The Chairman, or in his or her absence, the Acting Chairman, may administer oaths and the Board may compel the attendance of witnesses. 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 immediately filed in the office of the Board of Township Trustees and shall be a public record.

C. Responsibilities

The Board of Zoning Appeals shall have the following responsibilities:

1. Appeal

To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this Zoning Resolution.

2. Variances

To authorize such variances from the terms of this Zoning Resolution as will not be contrary to public interest, where, owing to the special conditions, a literal enforcement of this Resolution will result in unnecessary hardship, and so that the spirit of this Resolution shall be observed and substantial justice done. This Section shall not be construed to permit variances to allow uses that would not otherwise be permitted by this Zoning Resolution.

3. Boundary Lines

To permit the extension of a District where the boundary line of a District divides a lot held in a single ownership on the effective date of this Zoning Resolution.

4. Conditional Use

To hear and determine Conditional Use Zoning Permits for the use of land, buildings, or other structures.

5. Non-conforming Uses

To hear and determine the substitution, enlargement or extension of a non-conforming use existing at the time of enactment of this Resolution. Standards and procedures for non conforming uses shall conform to Article 25 of this Resolution.

6. Revocation of Permits

Violations of the regulations, provisions or amendments of this Zoning Resolution may result in the revocation of an issued permit as established in Article 36, Violations and Corrective Actions.

**Section 30.5 Procedure for Appeal**

The following provisions shall apply to the Board of Zoning Appeals for appeals:

A. Authorization

Any person aggrieved or affected by any decision of the Zoning Inspector or the Zoning Commission can be appealed to the Board of Zoning Appeals.

**B. Notice of Appeal**

Appeals to the Board shall be filed within twenty (20) days after the decision of the Zoning Inspector by filing a written notice of appeal with the Board of Zoning Appeals on the form specified by the Zoning Inspector. The notice of appeal shall specify the grounds for such appeal. Upon receipt of a notice of appeal, the Zoning Inspector shall forthwith transmit to the Board all of the papers constituting the record upon which the decision being appealed was based.

**C. Hearing on Appeal**

The Board of Zoning Appeals shall fix a reasonable time and place for the hearing of an appeal and give at least ten (10) days written notice thereof to the parties of interest, and decide the same, in writing, within sixty (60) days after it is submitted. Upon the hearing, any party may appear in person or by attorney. Any person adversely affected by a decision of a Board of Zoning Appeals may appeal to the Court of Common Pleas.

**Section 30.6 Procedure for Obtaining a Variance**

The procedures for obtaining a variance shall be as follows:

**A. Authorization**

The Board of Zoning Appeals may authorize variances from the terms of this Resolution when the Board has made written findings of fact, based upon the standards set out in Section 30.6 D. of this Resolution.

**B. Appeal for Variance**

An application for a Zoning Permit shall be filed with the Zoning Inspector, and if the application is rejected, a copy of the application and its written rejection shall be forwarded to the Secretary of the Board of Zoning Appeals. The applicant may file an appeal for a variance, which shall contain the following:

**1. Description of Property and Nature of Variance**

- a. The nature of the variance including the specific provisions of the Zoning Resolution from which the variance is requested.
- b. A description sufficient to identify the property, including a reference of the book and page of the last recorded deed.
- c. A list of property owners, including names and mailing addresses, within three hundred (300) feet of the property subject to the variance request.
- d. A statement of the special circumstances or conditions applying to the land or structure and not applying generally throughout the Zoning District.
- e. A statement showing that the special conditions and circumstances creating the unnecessary hardship do not result from the actions of the applicant.

- f. A statement showing that the granting of the variance is necessary to the preservation and enjoyment of substantial property rights.
- g. Such other information regarding the appeal as may be pertinent or required for appropriate action by the Board of Zoning Appeals.

2. Plot Plan

The appeal shall be accompanied by at least six (6) copies of a plot plan drawn to an appropriate scale showing the following:

- a. The boundaries and dimensions of the lot.
- b. The size and location of existing and proposed structures.
- c. The proposed use of all parts of the lot and structures, including access ways, walks, off-street parking and loading spaces and landscaping.
- d. The relationship of the requested variance to the standards set by the Zoning Resolution.
- e. The use of land and location of structures on adjacent property.

C. Hearing on Variance

A hearing on the appeal shall be held by the Board and notice thereof given, as specified under Section 30.5 B and C of this Resolution.

D. Standards for Variance

The Board of Zoning Appeals shall not grant a variance unless it shall, in each specific case, make specific findings of fact directly based upon the particular evidence presented to it, that support conclusions that:

- 1. The variance requested arises from special conditions of, or involving the property, which are unique, that is, a situation which is not ordinarily found in the same Zoning District and that the situation results from the enforcement of this Resolution and not by an action or actions of the property owner, the applicant, or any other person or party who has had control of the property;
- 2. The strict application of the provisions of this Resolution from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application;
- 3. The variance desired will not adversely affect the public general welfare, comfort, health, safety and morals of the community; and
- 4. The variance desired will not compromise the general spirit and intent of this Resolution and the adopted Growth Management Plan as may be amended from time to time.

**E. Conditions and Restrictions**

In granting a variance, the Board of Zoning Appeals may impose such conditions, safeguards and restrictions upon the premises benefited by the variance as may be necessary to comply with the standards set out in Section 30.6 D. of this Resolution to reduce or minimize potentially injurious affects of such variance upon other property in the neighborhood, and to carry out the general purpose and intent of this Resolution.

**F. Decision on Variance**

The Board of Zoning Appeals shall have all the powers of the Zoning Inspector with respect to such decision. The concurring vote of a majority of the members of the Board shall be necessary to reverse or modify any decision of the Zoning Inspector under this Resolution. The Board of Zoning Appeals shall render a written decision on the application without unreasonable delay after the close of a hearing, and in all cases, within thirty (30) days after the close of the hearing.

**G. Period of Validity**

A variance granted by the Board shall terminate at the end of twelve (12) months from the date on which the Board grants the variance, unless within such twelve (12) month period, a Zoning Permit is obtained.

**Section 30.7 Procedure for Conditional Use Permits**

The following provisions shall apply to the issuance of Conditional Use Permit:

**A. Authorization**

Specifically listed Conditional Uses are provided within the Zoning District regulations in recognition that such uses, although often desirable, will more intensely affect the surrounding area in which they are located than the Permitted Uses of such Zoning District.

The intent of the procedure for authorizing a Conditional Use is to set forth the Development Standards and criteria for locating and developing Conditional Uses in accordance with the nature of the surrounding area, conditions of development, and with regard to appropriate plans.

**B. Application for Conditional Use**

Any person owning or having an interest in property may file an application to use such property for one or more of the Conditional Uses provided for by this Resolution in the Zoning District in which the property is situated. An application for a Conditional Use Permit shall be filed with the Zoning Inspector and forwarded to the Secretary of the Board of Zoning Appeals.

The application for a Conditional Use shall contain the following:

1. Description of Property and Intended Use

- a. A description sufficient to identify the property including a reference of the book and page of the last recorded deed.
- b. The proposed use of the property.
- c. A statement of the necessity or desirability of the proposed use to the property and land use.
- d. A statement of the compatibility of the proposed use to adjacent property and land use.
- e. Such other information regarding the property, proposed use, or surrounding area as may be pertinent to the application or required for appropriate action by the Board of Zoning Appeals.

2. Plot Plan

The application shall be accompanied by at least six (6) copies of the plot plan, drawn to an appropriate scale clearly showing the following:

- a. The boundaries and dimensions of the lot.
- b. The size and location of existing and proposed structures.
- c. The proposed use of all parts of the lot and structures, including access ways, walks, off-street parking, loading spaces, and landscaping.
- d. The relationship of the proposed development to the Development Standards in the existing Zoning District.
- e. The use of land and location of structures on adjacent property.
- f. A list of property owners, including names and mailing addresses, within three hundred (300) feet of the property subject to the Conditional Use request.

3. Fees

Fees as established by the Board of Township Trustees for Conditional Use Permits.

C. Hearing on Conditional Use

A hearing on the application shall be held by the Board of Zoning Appeals and notice provided, as specified under Section 30.5 B. and C. of this Resolution.

**D. Standards for Conditional Use**

The Board of Zoning Appeals shall not grant a Conditional Use unless it shall, in each specific case, make specific written findings of fact directly based upon the particular evidence presented to it, that support conclusions that:

1. The proposed Conditional Use will comply with all applicable regulations of this Resolution, including lot size requirements, Development Standards and use limitations.
2. Adequate utility, drainage and other such necessary facilities have been or will be provided.
3. Adequate access roads or entrance and exit drives will be provided and will be so designed as to prevent traffic hazards and to minimize traffic conflicts and congestion to public streets and alleys.
4. All necessary permits, and licenses for the use and operation of the Conditional Use have been obtained, or evidence has been submitted that such permits and licenses are obtainable for the proposed Conditional Use on the subject property.
5. The location and size of the Conditional Use, the nature and intensity of the operation involved or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it, shall be such that it will be in harmony with the appropriate and orderly development of the District in which it is located.
6. The location, nature, and height of buildings, structures, walls, and fences on the site and the nature and extent of landscaping and screening on the site shall be such that the use will not unreasonably hinder or discourage the appropriate development, use and enjoyment of adjacent land, buildings and structures.
7. Evidence that the Conditional Use desired will not adversely affect the public general welfare, comfort, health, safety and morals of the community.

**E. Conditions and Restrictions**

In granting a Conditional Use Permit, the Board of Zoning Appeals may impose such conditions, safeguards and restrictions upon the premises benefited by the Conditional Use as may be necessary to comply with the standards set out in Section 30.7 D. to reduce or minimize potentially injurious affects of such Conditional Uses upon other property in the neighborhood, and to carry out the general purpose and intent of this Resolution.

F. Decision on Conditional Uses

The concurring vote of a majority of the members of the Board of Zoning Appeals present at the meeting shall be necessary to reverse or modify any decision of the Zoning Inspector under this Resolution. The Board of Zoning Appeals shall render a written decision on the application without unreasonable delay after the close of a hearing, and in all cases, within thirty (30) days after the close of the hearing.

G. Period of Validity

A Conditional Use Permit granted by the Board of Zoning Appeals shall terminate at the end of twelve (12) months from the date on which the Board grants the Conditional Use, unless within the twelve (12) month period a building permit is obtained and the erection or alteration of a structure is started.

**ARTICLE 31**  
**OPEN FOR FUTURE EXPANSION**

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**ARTICLE 32  
ZONING PERMIT**

**Section 32.1 Purpose**

Except as provided in the General Provisions Article, no building shall hereafter be located, constructed, reconstructed, enlarged or structurally altered nor shall any work be started upon same until a Zoning Permit for the same has been issued by the Zoning Inspector, which Zoning Permit shall state that the proposed building, land and use comply with all provisions of this Zoning Resolution.

No change of use shall be made in any building or part thereof, now or hereafter located, constructed, reconstructed, enlarged or structurally altered except for alterations of the interior for single family dwelling purposes, without a Zoning Permit being issued therefore by the Zoning Inspector. No Zoning Permit shall be issued to make a change unless the changes are in conformity with the provisions of this Zoning Resolution.

**Section 32.2 Non-Conformities**

- A. Nothing in this Article shall prevent the continuance of a non-conforming use as authorized in this Zoning Resolution unless discontinuance is necessary for the safety or life of property.
- B. A Zoning Permit shall be required of all non conforming uses. Application for the Zoning Permit of non-conforming uses shall be filed within twelve (12) months from the effective date of this Zoning Resolution.

**Section 32.3 Record of Certificate**

Zoning Permits shall be applied for prior or simultaneously with the application for a construction or building permit. A record of all Zoning Permits shall be kept on file in the office of the Zoning Inspector, and copies shall be furnished on request to any person having a proprietary or tenancy interest in the building affected.

**Section 32.4 Fee Required**

A reasonable fee for a Zoning Permit shall be fixed by the Board of Township Trustees by Resolution. Such Zoning Permit fees as are required in this Article shall be paid to the Zoning Inspector who shall deliver the same to the Board of Township Trustees.

**Section 32.5 Plat Required**

Each application for a Zoning Permit shall be accompanied by a plat and a plan in triplicate, drawn to scale, showing the actual shape and dimensions of the lot to be built upon or used, the exact size and location on the lot of the building, structures and accessory building(s) and the lines within which the proposed building or structure shall be erected or altered, the existing and intended use of each building, part of a building or structure, the number of families or housekeeping units the building is designed to accommodate, and such other information with regard to the lot and neighboring lots as may be necessary to enforce this Resolution. One (1) copy of such plat and plan shall be returned to the applicant when such plat and plan have been approved by the Zoning Inspector. All dimensions shown on these plats and plans relating to the location and size of the lot to be built upon shall be based on actual survey. The lot and location of the building or structures thereon shall be staked out on the ground before construction has started.

**Section 32.6 Expiration of Zoning Permit**

If the work described in any Zoning Permit has not begun within six (6) months from the date of issuance the Zoning Permit shall expire, and written notice thereof shall be given to the person(s) affected. If the work described in any Zoning Permit has not been substantially completed within one (1) year from the date of issuance, the Zoning Permit shall expire and written notice thereof shall be given to the person(s) affected, together with notice that further work as described in the canceled Zoning Permit shall not proceed unless and until a new Zoning Permit is obtained or extension is granted by the Zoning Inspector for good cause shown by the applicant.

**ARTICLE 33**  
**OPEN FOR FUTURE EXPANSION**

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**ARTICLE 34**  
**AMENDMENTS**

**Section 34.1 Amendments to Zoning Resolution**

Amendments or supplements to the Zoning Resolution shall be made in accordance with any applicable Ohio Laws relative to Township Zoning.

**Case # 749 Text Amendment Change January 2, 2007**  
**Adopted by Resolution # 002-07 Effective March 9, 2007**

1. Insertions and edits of Article 2 Definitions
2. Amended Sec 18.6 Minimum Performance Standards statement
3. Amended Sec 18.6.A and Table 1, inserted Sec 18.6.B and C
4. Changed incorrect reference to 18.6.E.3
5. Inserted new wording in Sec 18.8.A and B
6. Inserted two means of ingress/egress in Sec 18.9.A.7
7. Text change and insertion of two alternates in Sec 30.3.A

**Case # 751 Text Amendment Change August 4, 2008**  
**Adopted by Resolution # 006-08 Effective October 3, 2008**

8. Article 2 edit of Definition for “Dwelling”
9. Article 2 addition of “Dwelling Unit” Definition
10. Inserted new wording for clarification in Section 7.5
11. Inserted “Club” in Article 10, Section 10.4 Conditional Use

**Case # 753 Text Amendment Change September 6, 2010**  
**Adopted by Resolution # 05-010 Effective December 3, 2010**

12. Addition of Article 26, Alternate Energy
13. Addition of Alternate Energy to each Conditional Permitted Use Chart in:  
A Agricultural, E Estate Residence, S Suburban Residence, U Urban Residence, B  
Community Business, BB Planned Community Business, I Industrial, II Planned  
Industrial.
14. Article 2 edit of Definition for “Lot, Flag”
15. Inserted “Minimum Width at Front Lot Line” in each Lot Development  
Standards Chart in: A Agricultural, E Estate Residence, S Suburban Residence, U  
Urban Residence, B Community Business, I Industrial
16. Inserted new wording in Article 22, Supplemental Regulations, Section 22.4.D.1
17. Insertion of Section 25.6 to Article 25
18. Inserted “One Alternate may also be appointed” in Section 30.4.A of Article 30

**Case # 755 Text Amendment Change January 8, 2014**  
**Adopted by Resolution # 001-14 Effective February 7, 2014**

19. Inserted "Chapter 4501 and Chapter 4501-01" to definitions for Junk Vehicles.
20. Removed "All freestanding signs shall be designed to withstand eighty (80) mile per hour winds." Section 20.2.1 and 20.10.1
21. Amended Section 20.7.A.3.a added 20.7.A.3.b
22. Revised maximum height from 3 feet to 4 feet. Section 20.8.A.3.b
23. Increased location of signs from the right-of-way from 10 feet to 15 feet. Section 20.8.B.d.5.
24. Decrease location of signs from the right-of-way from 15 feet to 10 feet. Section 20.9.A.6.d
25. Inserted "as defined in the Ohio Revised Code, Chapter 4501 and 4501-01," to Article 22, Section 22.15 Junk Storage.
26. Inserted "with any conditions set forth" to Section 22.16.A.1
27. Revised exterior storage. Section 22.16.A.15

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**ARTICLE 35**  
**OPEN FOR FUTURE EXPANSION**

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**ARTICLE 36**  
**VIOLATIONS AND CORRECTIVE ACTIONS**

**Section 36.1 Unlawful Activity**

- A. It shall be unlawful to locate, erect, or construct any building or to use any land in violation of any regulation or any provision of this Zoning Resolution or any amendment or supplement thereto.
- B. It shall be unlawful to reconstruct, enlarge, change, maintain or use any building or to use any land in violation of any regulation or any part of this Zoning Resolution or any amendment or supplement thereto, except as otherwise permitted in this Zoning Resolution.

**Section 36.2 Violation**

Any person, firm, or corporation violating any regulation, provision, amendment or supplement of this Zoning Resolution, or fails to obey any lawful order of the Zoning Inspector issued in pursuance thereof, shall be deemed guilty of a misdemeanor each and every day during which the illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use may be deemed a separate offense.

**Section 36.3 Corrective Actions**

In case any building is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used or any land is or is proposed to be used in violation of any regulation, provision, amendment or supplement of this Zoning Resolution, the Board of Township Trustees, the Zoning Inspector, or any adjacent or neighboring property owner who would be specifically damaged by such violation, in addition to other corrective actions provided by law, any institute injunction, mandamus, abatement, or any other appropriate action, actions, proceeding or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change maintenance or use.

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