

AMENDED
WASHINGTON TOWNSHIP ZONING RESOLUTION

Effective November 21, 1988

Prepared for:

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PREFACE TO THE WASHINGTON TOWNSHIP ZONING RESOLUTION

This preface is provided to give a measure of guidance in the understanding, application and administration of the Zoning Resolution by setting forth the purpose and nature of zoning, the organization of the Zoning Resolution and the nature and intent of each of the several zoning districts.

PURPOSE OF ZONING

The purpose of this Zoning Resolution as is prescribed by Chapter 519 of the Ohio Revised Code, shall be to regulate buildings and land use for public purpose. Such public purpose is the promotion of the public health, safety and morals, and general welfare through the Township.

To promote such public purpose, these regulations are designed to encourage an appropriate use of land; to stabilize and preserve the value of property; to prevent congestion and hazard in the streets and roads; to secure safety from fire, flood, water contamination, air pollution and other dangers; to provide adequate light, air and open space, to prevent the overcrowding of land and to avoid undue concentrations of population.

To further promote such public purpose these regulations are further intended to be used to facilitate an appropriate and desirable comprehensive pattern of land uses upon which to plan and economically provide adequate roads and highways, water supply, sewer facilities, schools, parks, and other essential public facilities and services.

NATURE OF ZONING

This Zoning Resolution, as an exercise of the public power derived from Chapter 519 of the Ohio Revised Code, must bear a reasonable and substantial relationship to the public health, safety and morals (general welfare).

The characteristic feature of this Zoning Resolution that distinguishes it from most other police power regulations is that its regulations may differ from zoning district to zoning district, rather than being uniform throughout the township. Despite such differences in various zoning districts, the regulations must be uniform for each class and kind of building within a zoning district.

The purposes of this Zoning Resolution are accomplished by the division of the unincorporated territory of the township (formerly known as Precincts A and B) into zoning districts in which there are only certain specific uses of land allowed and the regulations pertaining to the development and use of the land and buildings are uniform for each class or kind of building or use in such zoning districts.

To the extent possible, the zoning districts as they are delineated on the Zoning District map shall be comprehensive by their inclusion of all land similar in nature or circumstance as is determined by the type and extent of existing land use and the desirability of conserving such use. The zoning districts and the fixing of their boundaries shall further be determined in accordance with the need for encouraging such use as is made appropriate by a change in the character of land use, or the growth and development of the Township, and to this extent, the zoning districts should be based on land use plans as such plans may exist from time to time.

THE NATURE OF THE ZONING DISTRICTS

Each of the Zoning Districts includes all land so zoned or classified in Washington Township and differs from all others by reason of the uses that are permitted or by reason of the standards of development that are applicable in the Zoning Districts.

The nature and intent of application for each of the Zoning Districts is set forth in the following statements. The order of these statements is based on the similarity of uses and development standards rather than the organization of the text of the Zoning Resolution. The number preceding the name of the Zoning District is the section number of the Zoning District in the text of the Zoning Resolution.

THE RESIDENTIAL DISTRICTS

The Residential Zoning Districts are intended to define and protect residential areas from the intrusion of uses not performing a function appropriate to the principal use of the land for residential dwellings and related facilities desirable for a residential environment. Attractiveness, order and efficiency are encouraged by allowing a density of development appropriate to the ability to provide water and sewer facilities while maintaining adequate space for light and air. In order to achieve a comprehensive and balanced overall residential area, it is intended that development at one density be in association with other residential development in a manner appropriate to the public's ability to provide and maintain adequate levels of essential services and facilities including schools, recreation, fire and police protection, and with consideration of the characteristics of the land and surrounding land use. Residential Zoning Districts are intended to allow a variety of dwelling units in a manner appropriate to development of areas with distinct density and physical qualities such as will encourage each area to achieve its full development with a healthful and safe environment and amenities for sustained livability.

The Standard Residential Zoning Districts

Section 302. (R-1A) The Restricted Suburban Residential District is provided in recognition of the sections of the Township with very low density residential development and land which appears appropriate for such development. Among these sections is land along water courses leading to reservoirs where central water and sewer treatment systems are not available and intensive development will pollute the water; land of unusual or irregular topographical or subsurface characteristics where the problem of site development generally results in a certain amount of openness; and land where the established use character or density of development would be best protected by these regulations.

Section 306. (R-1B) The Limited Suburban Residential District is provided in recognition of sections of the Township with low density residential development and land which appears appropriate for such development within the limits of these regulations. Among these sections is land appropriate for residential development but without central water and sewer systems readily available. Of importance in the consideration of placing land in this District is the ability of the soil to allow proper function of individual water and sewer systems; the character of the land and surrounding land use; and land where the established use character or density of development would be best protected by these regulations.

The Planned Residential Zoning District

The Planned Residential District is provided in recognition of conceptual and technological advances in housing design and construction, and the ability of the housing industry to provide desirable and stable residential areas through unified design and development principles. Such land as is to be included in the Planned Residential District is intended to be developed in recognition of the existing and potential development character of the vicinity to assure adequate public utilities, streets, community facilities, and other closely associated land uses, including useable public open space.

Section 410. (PR-10) The Planned Residential District is intended to provide latitude in the arrangement and design of primarily two-family or town house dwelling structures based on a unified development plan conceived and carried out for a limited amount of land. Such limitation on the amount of land to be developed in this district should be based on such land's relationship to adjacent development in terms of the vicinity's overall density and total population even though a variety of dwelling type and arrangement may be allowed that is different from that on the adjacent land. Natural features such as topography and drainage ways should be used as well as internal arrangement so as to achieve a unified and integrated development to maximize desirability and stability of the whole residential area.

THE COMMERCIAL DISTRICTS

The Commercial Zoning Districts are intended to promote a convenient and efficient distribution of a broad range of retail goods and services, (1) to meet consumer demands, (2) to satisfy commercial land use space requirements, (3) to achieve a stable and compatible land use pattern, and (4) to encourage a visually satisfying urban environment.

The proper development of commercial areas is not only a right under this Zoning Resolution, but a responsibility to the entire Township. Because these commercial areas are subject to public use which is a matter of important concern to the whole community, they should provide an appropriate appearance, ample parking, controlled traffic movement, and suitable relationship to adjacent areas.

The Standard Commercial Zoning Districts.

Section 322. (SO) Suburban Office District is provided in recognition of the need to locate office and institutional land uses in outlying suburban areas where adequate space can be made available in accordance with the contemporary development standards of these land uses.

The Suburban Office District is intended for offices and institutions that may locate independently or in small clusters and that desire buildings or groups of buildings surrounded by landscaped open areas away from the concentrations of people and traffic of retail, wholesale and industrial areas in the community. The space, location and aesthetic needs of these uses make a suburban location near residential neighborhoods or rural countryside desirable.

Section 325. (NC) The Neighborhood Commercial District is intended to encourage grouping of small individual retail establishments to promote convenience in serving the daily staple needs of the people in residential areas. These groups of establishments generally occupy land area in close proximity to the residential population served. In that the commercial establishments allowed in the Neighborhood Commercial District will be closely associated with residential, religious, recreational requirements for light, air and open space are necessitated and educational land uses at the neighborhood level, more restrictive than in other Commercial Zoning Districts.

Planned Commercial Districts

Section 427. (PCD) The Planned Commercial District is provided in recognition that many commercial establishments seek to develop within unified commercial areas usually under single ownership and control, and typically called "shopping centers." These centers have all necessary services and facilities comprehensively provided in accordance with a predetermined development plan. Because these concentrations of retail and service establishments are generally stable and offer unified internal arrangement and development, potentially detrimental effects can be better controlled. For these reasons, the Planned Commercial District is allowed greater development latitude and usually will occur in close proximity to the residential areas served.

The Planned Commercial District is intended to provide areas having adequate development and expansion space, parking, service, utilities, and other facilities. Because the development of the Planned Commercial District takes place in accordance with an approved development plan, adequate separation

from adjacent areas and other land use can be achieved. In general such development is a good neighbor to surrounding areas of other land use and a visual asset to the total community. Buildings within this District are to be architecturally attractive and the tract well landscaped. Parking and loading areas are to be screened and pedestrian-vehicular separation achieved. The relationship among individual establishments is to be harmonious, and inasmuch as the principal tenant and the size of the center have much to do with its physical character, relationship to the community, and economic success, these factors should be of concern in considering a Planned Commercial District application. Furthermore, it is intended that the Planned Commercial District and the area surrounding it be protected from the intrusion of unrelated or dissimilar land uses, except those clearly complimentary, supplementary, and physically compatible with the development of the center and the vicinity.

Section 435. (PHS) The Planned Highway Service District is provided in recognition of those land uses which serve the traveler. Such uses are commercial service types and typically seek locations adjacent to heavily traveled cross-country roadways near freeway interchanges. Because these uses have unique locational, space, and physical development requirements, and because they are subject to the public view, their development is a concern to the entire community. Care must be taken to provide them adequate space in appropriate locations while maintaining the integrity and development character they possess as well as that of other land use areas in their vicinity.

The Planned Highway Service District is intended to provide highway service areas having adequate development space, parking, services, utilities, and other facilities. Because the development of the Planned Highway Service District takes place in accordance with a development plan, adequate separation from adjacent areas of other land use can be achieved. Development within the Planned Highway Service District can be a good neighbor, if care is taken to assure that the operational characteristics are so controlled as not to be in immediate and direct conflict with the function of adjacent land use areas of the street system.

THE INDUSTRIAL DISTRICTS

The Industrial Zoning Districts are intended to define and protect areas suitable to the development of a variety of industrial activities, and to set forth Development Standards for the mutual protection of industrial development and areas for other land use activity in the vicinity. Industry should be protected from the intrusion of other land uses which neither perform a function appropriate to an industrial environment nor provide an essential service to the establishment or the employees of the industrial area.

The Industrial Zoning Districts are intended to encourage the appropriate development and maintenance of industrial areas. Important in determining the location and size of these industrial areas is the accessibility of the location to regional transportation facilities, especially highways, the availability of public utilities, and the adequacy of fire and police protection. The topography of the areas should be relatively level with no flood hazard. These industrial areas may be in close proximity to other land use areas, but wherever possible appropriate physical features should be used as boundaries.

The Standard Industrial Zoning Districts

Section 342. (RI) The Restricted Industrial District is provided in recognition of industrial uses which seek locations in suburban areas or in very close proximity to residential areas. These industrial uses generally require a minimum of services and facilities and generate little industrial traffic. They typically operate within an enclosed structure and have little or no adverse effect on adjacent land by producing noise, odor, dust, smoke, glare or hazard.

The Restricted Industrial District is intended to encourage areas of industrial use with architecturally attractive structures surrounded by landscaped yards. Such industrial development may be in close proximity to other land use areas, but is best accomplished at the periphery of such areas.

Section 344. (LI) The Limited Industrial District is provided in recognition of the location and space needs of a broad range of industrial activities diverse in products, operational techniques, and size, but possessing compatible development characteristics and seeking similar locations. These industrial uses should be encouraged to group in industrial areas where greater economies can be achieved by sharing necessary

services and facilities and where individual plant efficiency can be improved by a larger, appropriately developed, and stable industrial environment.

Section 444. (PID) Planned Industrial District is provided in the recognition that many industrial establishments seek to develop within unified industrial areas having all necessary services and facilities comprehensively provided in accordance with a predetermined development plan. Because these industrial areas are generally stable and offer unified internal arrangement and development, potentially detrimental effects can be better controlled. For these reasons, the Planned Industrial District is allowed a greater development latitude.

The Planned Industrial District is intended to provide industrial areas having adequate development and expansion space, parking, services, utilities, and other facilities. Because the development of a Planned Industrial District takes place in accordance with a predetermined development plan, adequate separation from areas of other land use and a visual asset to the total community can be achieved. Buildings within this district are to be architecturally attractive and well landscaped. Plan parking, storage, loading and processing operations are to be screened. The relationship among individual establishments within the district is to be harmonious, each having adequate space for the operation performed and all sharing those facilities necessary to industrial operations.

THE SPECIAL DISTRICTS

Special Zoning Districts are intended to provide for the use or development of land under certain unique circumstances or developmental requirements that cannot be appropriately or adequately provided for in the provisions of the Standard or Planned Development Zoning Districts. These Special Districts are to be delineated in addition to the Standard Zoning Districts and the Planned Development Districts by superimposing the Special Districts based on the criteria established for their delineation.

Section 610. The Exceptional Use District is provided in recognition of certain specified uses which are of such a nature as to warrant individual consideration and regulation due to the unique demands they place upon the public health, safety and morals and the requirements of location and development that generally are peculiar to these uses.

The Exceptional Use District is intended to allow these uses to be suitably located and developed to appropriate and necessary standards of development in relation to other land use and development with a minimum of conflict and without undue demand on the necessary public services and facilities. To this end these uses are intended to be developed in a manner of appropriate architectural and landscape design with necessary space or other provisions regarding development or operation to overcome any obnoxious or hazardous effect on adjacent lands as such effect may be a potential in the proposed use.

ARTICLE I
GENERAL PROVISIONS

SECTION 100 AUTHORITY AND PURPOSE FOR ZONING RESOLUTION.

100.010 AUTHORITY. This Zoning Resolution adopted under authority granted to Ohio Townships by the Legislature of the State of Ohio in Chapter 519 of the Ohio Revised Code. This resolution and all provisions contained herein shall be known as the Washington Township Zoning Resolution and may be cited as such or as the Zoning Resolution.

100.020 PURPOSE OF ZONING. The purpose of this Zoning Resolution is as prescribed by Section 519.02 of the Ohio Revised Code.

SECTION 105 SCOPE OF THE ZONING RESOLUTION.

105.010 TERRITORIAL LIMITS. The provisions of this Zoning Resolution shall apply to all land in the unincorporated territory of Washington Township.

SECTION 110 APPLICATION OF THE ZONING RESOLUTION.

110.010 EXEMPT FROM REGULATION. The regulations set forth in this Zoning Resolution shall affect all land, every structure and every use of land or structure, except agriculture and public utilities or railroads as are now specifically exempt by law or as may be hereafter amended by law or as is exempted by paragraph 110.015.

110.011 Agriculture. Agriculture, including farming, dairying, pasturage, horticulture, floriculture, viticulture, and animal and poultry husbandry shall not be prohibited. 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 or structures are located shall not be prohibited and no zoning certificate shall be required for any such building or structure. (Ohio Revised Code, §519.21) Landscape services and nurseries (wholesale or retail), and the stockpiling of plant material shall not be considered as farming activities or as agricultural, horticultural, or floricultural in nature. Farm markets may be regulated as set forth in Ohio Revised Code §§519.02 and 519.21.

110.012 Public Utilities and Railroads. Public utilities or railroads shall not be prohibited in respect to the location, erecting, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement of any buildings or structures for the operation of its business. (Ohio Revised Code, §519.21)

110.013 Sale or Use of Alcoholic Beverages. The sale or use of alcoholic beverages shall not be prohibited in areas where the establishment and operation of any retail business, hotel, lunchroom, or restaurant is permitted. (Ohio Revised Code, §519.21)

110.014 Outdoor Advertising. Outdoor advertising shall be classified as a business use and be permitted in all districts zoned for industry, business or trade or lands used for agricultural purposes. (Ohio Revised Code, §519.20)

110.015 Governmental Functions. Any local, state or federal activity carried on for the purpose of administrative, protective, executive, legislative or judicial function shall not be prohibited.

110.020 NEW DEVELOPMENT. New development, including the subdivision of land and the construction and the use of land or structures shall conform with the regulations for the Zoning District in which such development is located.

110.021 Subdivision. The subdivision or resubdivision of land shall not create lots less than the minimum size required for the Zoning District in which such land is located nor shall lots be provided or intended for uses not permitted in the Zoning District.

110.022 New Structures. New structures and/or developments shall be permitted only on lots subdivided to meet the requirements of this Zoning Resolution and in accordance with the Subdivision Regulations of Franklin County, Ohio, and shall conform with the development standards of the Zoning Districts in which such construction is permitted, except as is otherwise provided for in paragraph 110.041.

110.023 New Uses. Any use of land or a structure shall be a permitted use or a conditional use of the Zoning District in which such use is to be located.

110.030 EXISTING CONFORMING LOTS, STRUCTURES OR USES. Lots, structures, or the use of lots and/or structures which conform with the regulations of the Zoning District in which they are located may be continued, provided that they may be altered, extended, or changed only in accordance with the following:

110.031 Conforming Lots. A conforming lot may be changed, altered, enlarged or reduced in dimension; provided, however, that the remaining lot and/or resulting lots shall conform to the development standards for the Zoning District in which the lot is located.

110.032 Conforming Structure. A conforming structure may be altered, reconstructed, or extended only in such manner as will comply with the development standards of the Zoning District in which the structure is located.

110.033 Conforming Use. A conforming use may be expanded, modified or changed only in such a manner as will comply with the permitted use, or conditional use regulations and with the development standards of the Zoning District in which the conforming use is located.

110.040 NON-CONFORMING LOTS, STRUCTURES OR USES. Existing lots, structures and accessory development or the use of lots and/or structures which would be prohibited under the regulations for the Zoning Development in which they are located shall be considered as non-conforming.

110.041 Non-Conforming Lots. The construction of a conforming structure and/or the conduct of a permitted use may be allowed on any lot or parcel of record which has an area and/or width less than that required for such structure or permitted use in the Zoning District in which the lot is located. Variance of any development standard relating to minimum area and/or minimum width shall be obtained only through action of the Board of Zoning Appeals in accordance with the provisions of ARTICLE VIII. BOARD OF ZONING APPEALS.

Such non-conforming lots or parcels must be in separate ownership and not of continuous frontage with other lands in the same ownership on the effective date of this amendment to the Zoning Resolution. Otherwise, development shall be permitted only in accordance with the development standards of the Zoning District in which such ownership is located.

110.042 Non-Conforming Structures and Development. Structures and/or accessory development, which by reason of size, type, location on the lot or otherwise, is in conflict with the regulations of the Zoning District in which they are located may be altered, reconstructed or extended only in such manner that the alteration, reconstruction or extension will comply with the development standards of the Zoning District in which the structure and/or accessory development is located.

Such alteration, reconstruction, or extension shall include such additional development and compliance with the development standards of the Zoning District as would be required of a new structure and/or accessory development to the extent practicable and so that the spirit and intent of the development standards are accomplished.

110.043 Non-Conforming Uses. The non-conforming use of a lot and/or a structure may be continued, expanded or changed, subject to the following:

1) Change of a non-conforming use shall be allowed to a permitted use of the Zoning District in which the non-conforming use is located.

2) On approval of an appeal to the Board of Zoning Appeals, a non-conforming use may be changed to a use found to be more nearly in character with the Zoning District in which the non-conforming use is located.

3) On approval of an appeal to the Board of Zoning Appeals, for good cause and hardship shown, a non-conforming use may be expanded within an existing structure or lot or parcel of record.

4) No non-conforming use may be reestablished where such non-conforming use has been discontinued for a period of not less than two (2) years. The non-conforming use of any structure damaged by fire, explosion, flood, riot or act of God may be continued and used as before any such calamity, provided the building or structure has not been destroyed to an extent of more than one-half (1/2) of its fair value, and provided such reconstruction is started within six (6) months of such calamity and is completed within twelve (12) months after the occurrence of such calamity.

5) In the case of conflict among the foregoing requirements applicable in any given situation, the most restrictive of such applicable requirements shall apply.

ARTICLE II
ZONING DISTRICT MAP ADOPTED

SECTION 200 ZONING DISTRICT MAP ADOPTED.

200.010 DIVISION OF LAND. All land in Washington Township within the scope of this Zoning Resolution is placed into Zoning Districts as is shown on the Zoning District Map of Washington Township, Franklin County, Ohio, which is hereby adopted and declared to be a part of this Zoning Resolution.

200.011 Final Authority. The Zoning District Map, as amended from time to time, shall be the final authority for the Zoning District status of land and land use under the jurisdiction of this Zoning Resolution.

200.012 IDENTIFICATION OF THE ZONING DISTRICT MAP. The Zoning District Map, with any amendments, shall be identified by the signatures of the Board of Washington Township Trustees, Washington Township, Franklin County, Ohio, under the following words:

"Zoning District Map of Washington Township, Franklin County, Ohio. Adopted by the Board of Township Trustees, Washington Township, Franklin County, Ohio."

Board of Township Trustees
WASHINGTON TOWNSHIP, FRANKLIN COUNTY, OHIO

DATE

SECTION 201 DESIGNATION OF ZONING DISTRICTS.

201.010 STANDARD ZONING DISTRICTS. The name and symbol for Standard Zoning Districts as shown on the Zoning District Map are as follows:

<u>Name</u>	<u>Symbol</u>
Restricted Suburban Residential	R-1A
Limited Suburban Residential	R-1B
Suburban Office	SO
Neighborhood Commercial	NC
Restricted Industrial	RI
Limited Industrial	LI
General Industrial	GI

201.020 PLANNED DEVELOPMENT ZONING DISTRICT. The name and symbol for Planned Development Zoning Districts as shown on the Zoning District Map or as prescribed by this Zoning Resolution are as follows:

<u>Name</u>	<u>Symbol</u>
Planned Residential	PR-10
Planned Commercial District	PCD
Planned Highway Service	PHS
Planned Industrial Park	PIP

201.030 SPECIAL DISTRICT. The name and symbol or pattern for a Special District as shown on the Zoning District Map or as prescribed by this Zoning Resolution are as follows:

201.031 Exceptional Use EU

201.080 LEGEND. There shall be provided on the Zoning District Map a legend which shall list the name and symbol for each Zoning District.

201.081 Use of Color or Pattern. In lieu of a symbol, a color or black and white pattern may be used on the Zoning District Map to identify each Zoning District as indicated in the Legend. A Planned Zoning District boundary shall be in blue. A Special District boundary shall be in green. A Special District shall have a black and white pattern.

201.082 Explanatory Notes. A Residential Zoning District symbol is suffixed by a number which indicates the number of dwelling units per acre of land obtainable under the regulations of the Residential Zoning District.

A Planned Zoning District is prefixed by the letter "P."

SECTION 205 INTERPRETATION OF ZONING DISTRICT BOUNDARIES.

205.010 RULES FOR DETERMINATION. When uncertainty exists with respect to the boundaries of Zoning Districts as shown on the Zoning District Map, the following rules shall apply:

205.011 Along a Street or Other Right-of-Way. Where Zoning District boundary lines are indicated as approximately following a center line of street or highway, alley, railroad easement or other right-of-way, or a river, creek or other watercourse, such center line shall be the Zoning District boundary.

205.012 Along a Property Line. Where Zoning District boundary lines are indicated as approximately following a lot or property line, such lot or property line shall be the Zoning District boundary.

205.013 Parallel to Right-of-Way on Property Line. Where Zoning District boundary lines are indicated as approximately being parallel to a center line or a lot or property line, such Zoning District boundary lines shall be parallel thereto and, in the absence of specified dimension on the map at such scaled distance therefrom as indicated on the Zoning District Map.

205.014 Actual Conflict with Map. When the actual street or lot layout existing on the ground is in conflict with that shown on the Zoning District Map, the party alleging that such a conflict exists, shall furnish an actual survey for interpretation by the Board of Washington Township Trustees.

ARTICLE III
STANDARD DISTRICT REGULATIONS

SECTION 300 ADOPTION OF STANDARD ZONING DISTRICT REGULATIONS AND
RULES OF APPLICATION.

300.010 REGULATION OF THE USE AND DEVELOPMENT OF LAND AND STRUCTURES. Regulations pertaining to the use of land and/or structures, and the physical development thereof within each of the Zoning Districts as adopted as a Standard Zoning District in ARTICLE II and as shown on the Zoning District Map are hereby established and adopted.

300.020 RULES OF APPLICATION. The Standard District Regulations as set forth in this ARTICLE III shall be interpreted and enforced according to the following rules:

300.021 Identification of Uses. Listed uses are to be defined by their customary name or identification, except where they are specifically defined or limited in this Zoning Resolution.

When a listed use has a number preceding the name it is the code number and activity title as listed in the Standard Industrial Classification Manual, Executive Office of the President, Bureau of the Budget (Washington, 1957), including the 1973 and 1977 supplements.

Group code and title [three (3) digits] shall include all activities listed under the industry code other than those specifically excepted.

The full text of the listings in the Standard Industrial Classification Manual shall be a part of the definition of the use listed in this Zoning Resolution and is hereby adopted as a part of this ARTICLE III.

300.022 Permitted Uses. Only a use designated as a Permitted Use and conforming to the applicable Development Standards and other requirements of this Zoning Resolution shall be allowed as matter of right in a Zoning District and any use not so designated shall be prohibited except, when in character with the Zoning District, such additional use may be added to the Permitted Uses of the Zoning District by amendment of this Resolution.

300.023 Conditional Use. A use designated as a Conditional Use shall be allowed in a Zoning District when such Conditional Use and its location and extent and method of development will not substantially alter the character of the neighborhood or vicinity or unduly interfere with the use of adjacent lots or parcels in the manner prescribed for the Zoning District. To this end the Board of Zoning Appeals may, in

addition to the Development Standards for the Zoning District, set forth such additional requirements as will, in its judgment, render the Conditional Use compatible with the existing and future use of adjacent lots or parcels and the neighborhood or vicinity.

300.024 Development Standards. The Development Standards set forth shall be the minimum allowed for development in a Zoning District. If the Development Standards are in conflict with the requirements of any other lawfully adopted rules, regulations or laws, the more restrictive or higher standard shall govern.

SECTION 302 (R1-1A) RESTRICTED SUBURBAN RESIDENTIAL DISTRICT REGULATIONS.

302.020 PERMITTED USES. Land and buildings in the RESTRICTED SUBURBAN RESIDENTIAL DISTRICT shall be used only for the following purposes:

302.021 Dwelling Structures. One-family dwelling structures.

302.022 Home Occupation. Home Occupation in association with a permitted dwelling, and in accordance with the provisions of SECTION 511, ARTICLE V.

302.023 Accessory Uses. Accessory buildings and uses in association with permitted dwellings as specified in SECTION 512, ARTICLE V, including:

Quarters for domestic servants employed on the premises.

302.024 Public School and Parks. Public school offering general educational courses and having no rooms regularly used for housing or sleeping of students, provided it occupies a lot or parcel of not less than five (5) acres.

Parks, playgrounds, and playfields open to the public without fee.

302.025 Day-Care Center or Private School. Day-care center offering instructional classes or private school offering general educational courses similar to those ordinarily given in public schools, having no rooms regularly used for housing or sleeping of students, provided it occupies a lot or parcel of not less than five (5) acres.

302.026 Religious. Church or other place of worship provided it occupies a lot of not less than three (3) acres and there is one (1) acre or more per one hundred (100) seats or similar accommodations in the main assembly area.

302.030 CONDITIONAL USE. The following uses shall be allowed in the RESTRICTED SUBURBAN RESIDENTIAL DISTRICT subject to approval in accordance with SECTION 815, ARTICLE VIII.

302.031 Community-Based Care Facilities. Placement of Community-Based Care Facilities in accordance with Section 510, Article V and Section 815, Article VIII.

302.040 DEVELOPMENT STANDARDS. In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the RESTRICTED SUBURBAN RESIDENTIAL DISTRICT.

302.041 Lot Area and Coverage. For each dwelling unit constructed as a permitted use there shall be a lot area of not less than forty thousand (40,000) square feet per dwelling.

For each Permitted Use and Conditional Use the lot area shall be adequate to meet the sanitation requirements of the County Board of Health and the Ohio EPA, but shall not be less than that prescribed for such use.

One (1) principal use shall be permitted on a lot or parcel, and such lot or parcel shall not be covered more than twenty percent (20%) by structures.

302.042 Lot Width. For a one-family dwelling, there shall be a lot width of one hundred fifty (150) feet or more at the front line of the dwelling, and such lot shall have access to and abut on a public right-of-way for a distance of sixty (60) feet or more.

For Permitted Uses other than one-family dwellings, the frontage of the lot or parcel, which shall have access to and abut on a public right-of-way, shall be not less than one-third (1/3) of the average depth of the lot or parcel.

For Conditional Use, the lot width shall be adequate, as determined by the Board of Zoning Appeals.

302.043 Side Yard. For dwellings or associated accessory buildings, there shall be a total of side yards of fifty (50) feet or more with a minimum eight (8) feet on one (1) side, and where a side yard is less than twenty-five (25) feet, no structure shall be constructed closer to an existing structure on an adjoining lot or parcel than fifty (50) feet.

For a Conditional Use, except dwellings and accessory buildings thereto, there shall be side yard on each side of a building of twenty-five (25) feet or more.

302.044 Front and Rear Yards. For main buildings, there shall be a front and a rear yard, each, of not less than twenty percent (20%) or more of the lot depth, except that a rear yard of more than fifty (50) feet shall not be required and, to the extent that SECTIONS 504.010 and 504.011 impose a requirement of a front yard greater than imposed by this SECTION, SECTIONS 504.010 and 504.011 shall control.

302.045 Living Area. For a one-family dwelling structure there shall be not less than eighteen hundred (1800) square feet of living space, calculated exclusive of garage area, breezeways, unfinished attic space, and space more than one-half (1/2) below grade.

SECTION 306 (R1-B) LIMITED SUBURBAN RESIDENTIAL DISTRICT REGULATIONS.

306.020 PERMITTED USES. Land and buildings in the LIMITED SUBURBAN RESIDENTIAL DISTRICT shall be used only for the following purposes:

306.021 Dwelling Structures. One-family dwelling structures.

306.022 Home Occupation. Home Occupation in association with a permitted dwelling, and in accordance with the provisions of SECTION 511. ARTICLE V.

306.023 Accessory Uses. Accessory buildings and uses in association with permitted buildings as specified in SECTION 512, ARTICLE V.

306.024 Public School and Parks. Public school offering general educational courses and having no rooms regularly used for housing or sleeping of students, provided it occupies a lot or parcel of not less than five (5) acres.

Parks, playgrounds, and playfields open to the public without fee.

306.025 Day-Care Center or Private School. Day-care center offering instructional classes or private school offering general educational courses similar to those ordinarily given in public schools, having no rooms regularly used for housing or sleeping of students, provided it occupies a lot or parcel of not less than five (5) acres.

306.026 Religious. Church or other place of worship provided it occupies a lot of not less than three (3) acres and there is one (1) acre or more per one hundred (100) seats or similar accommodations in the main assembly area.

306.030 CONDITIONAL USE. The following uses shall be allowed in the LIMITED SUBURBAN RESIDENTIAL DISTRICT subject to approval in accordance with SECTION 815, ARTICLE VIII.

306.031 Flexible Arrangement of Structures. Arrangement of structures in accordance with the provisions of SECTION 506, ARTICLE V.

306.032 Community-Based Care Facilities. Placement of Community-Based Care Facilities in accordance with Section 510, Article V and Section 815, Article VIII.

306.040 DEVELOPMENT STANDARDS. In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the LIMITED SUBURBAN RESIDENTIAL DISTRICT.

306.041 Lot Area and Coverage. For each dwelling unit constructed as a permitted use there shall be a lot area of not less than thirty thousand (30,000) square feet per dwelling.

For each Permitted Use and Conditional Use the lot area shall be adequate to meet the sanitation requirements of the County Board of Health and the Ohio EPA, but shall not be less than that prescribed for such use.

One (1) principal use shall be permitted on a lot or parcel, and such lot or parcel shall not be covered more than twenty percent (20%) by structure.

306.042 Lot Width. For a one-family dwelling, there shall be a lot width of one hundred twenty-five (125) feet or more at the front line of the dwelling, and such lot shall have access to and abut on a public right-of-way for a distance of sixty (60) feet or more.

For Permitted Uses other than one-family dwellings, the frontage of the lot or parcel, which shall have access to and abut on a public right-of-way, shall be not less than one-third (1/3) of the average depth of the lot or parcel.

For Conditional Use, the lot width shall be adequate, as determined by the Board of Zoning Appeals.

306.043 Side Yard. For dwellings or associated accessory buildings, there shall be a total of side yards of forty (40) feet or more with a minimum eight (8) feet on one (1) side, and where a side yard is less than twenty (20) feet, no structure shall be constructed closer to an existing structure on an adjoining lot or parcel than forty (40) feet.

For a Conditional Use, except dwellings and accessory buildings thereto, there shall be side yard on each side of a building of twenty (20) feet or more.

306.044 Front and Rear Yards. For main buildings, there shall be a front and a rear yard, each, of twenty percent (20%) or more of the lot depth, except that a rear yard of more than fifty (50) feet shall not be required and, to the extent that SECTIONS 504.010 and 504.011 shall impose a requirement of a front yard greater than imposed by this SECTION, SECTIONS 504.010 and 504.011 shall control.

306.045 Living Area. For a one-family dwelling structure there shall be not less than sixteen hundred (1600) square feet of living space, calculated exclusive of garage area, breezeways, unfinished attic space, and space more than one-half (1/2) below grade.

SECTION 322 (SO) SUBURBAN OFFICE DISTRICT.

322.020 PERMITTED USE. The following uses shall be permitted in the SUBURBAN OFFICE DISTRICT.

322.021 Residential. Dwellings ancillary to permitted institutional uses.

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

Business offices carrying on no retail trade with the general public and having no stock of goods maintained for sale to customers.

- 153 Operative Builders, Office
- 602 Commercial and Stock Savings Banks
- 603 Mutual Savings Banks
- 604 Trust Companies Not Engaged in Deposit Banking
- 605 Establishments Performing Functions Closely Related to Banking
- 611 Rediscount and Financing Institutions for Credit Agencies Other Than Banks
- 612 Savings and Loan Associations
- 613 Agricultural Credit Institutions
- 614 Personal Credit Institutions
- 615 Business Credit Institutions
- 616 Mortgage Bankers and Brokers
- 621 Security Brokers, Dealers and Flotation Companies
- 622 Commodity Contracts Brokers and Dealers
- 623 Security and Commodity Exchanges
- 628 Services Allied with the Exchange of Securities or Commodities

- 631 Life Insurance
- 632 Accident and Health Insurance and Medical Service Plans
- 633 Fire, Marine, and Casualty Insurance
- 635 Surety Insurance
- 636 Title Insurance
- 637 Pension, Health and Welfare Funds
- 639 Insurance Carriers, not elsewhere classified
- 641 Insurance Agents, Brokers and Service
- 651 Real Estate Operators and Lessors
- 653 Real Estate Agents and Managers
- 654 Title Abstract Companies
- 655 Subdividers and Developers
- 661 Combinations of Real Estate, Insurance, Loans, Law Offices
- 671 Holding Company Offices
- 672 Investment Companies
- 673 Trusts
- 679 Miscellaneous Investing

322.023 Professional. Professional offices engaged in providing tangible and intangible services to the general public, involving both persons and their possessions.

- 074 Offices of Veterinarians and Animal Hospitals (except that no pens or cages shall be permitted outside of buildings)
- 801 Offices of Physicians
- 802 Offices of Dentists
- 803 Offices of Osteopathic Physicians
- 804 Offices of Other Health Practitioners
- 805 Nursing and Personal Care Facilities
- 807 Medical and Dental Laboratories
- 808 Outpatient Care Facilities
- 809 Health and Allied Services
- 811 Legal Services
- 891 Engineering, Architectural, and Surveying Services
- 893 Accounting, Auditing, and Bookkeeping Services
- 899 Services, not elsewhere classified.

322.024 Institutions. Institutions providing social, cultural, educational and health services to member agencies, organizations and individuals or to the general public.

- 806 Hospitals
- 821 Elementary, and Secondary Schools
- 822 Colleges, Universities, Professional Schools, and Junior Colleges
- 823 Libraries
- 841 Museums and Art Galleries
- 866 Religious Organizations

322.025 Organizations and Associations. Organizations and associations, organized on profit-making or nonprofit-making basis, for the promotion of membership interests.

- 861 Business Associations
- 862 Professional Membership Organizations
- 863 Labor Unions and Similar Labor Organizations
- 864 Civic, Social, and Fraternal Associations
- 865 Political Organizations
- 869 Membership Organizations, not elsewhere classified

322.030 CONDITIONAL USE. The following uses shall be allowed in the SUBURBAN OFFICE DISTRICT subject to approval in accordance with SECTION 815, ARTICLE VIII.

322.032 Personal Service. Personal services generally involving the care of the person or his apparel.

- 722 Photographic Studios, Portrait
- 723 Beauty Shops
- 724 Barber Shops
- 726 Funeral Service and Crematories

322.033 Educational and Research. Educational and research establishments engaged in providing tangible and intangible services to members of the general public.

- 7391 Research, Development, and Testing Laboratories
- 8243 Data Processing Schools
- 8244 Business and Secretarial Schools
- 8249 Vocational School, except Vocational high schools, not elsewhere classified
- 829 School and Educational Services, not elsewhere classified
- 892 Nonprofit Educational, Scientific, and Research Agencies

322.034 Food and Lodging. Food and lodging includes commercial establishments and institutions engaged in furnishing lodging and meals on a fee basis.

- 581 Eating and Drinking Places (Except those establishments offering or featuring entertainment including totally nude, topless, bottomless, strippers, male or female impersonators, or similar entertainment or services as defined in Section 720, Article VII0.
- 704 Organization Hotels and Lodging Houses on Membership Basis.

322.035 Social Services. Establishments providing social services and rehabilitation services to those persons with social or personal problems requiring special services and to the handicapped and the disadvantaged. Also included are organizations soliciting funds to be used directly for these and related services.

- 832 Individual and Family Social Services
- 833 Job Training and Vocational Rehabilitation Services
- 835 Child Day Care Services
- 839 Social Services, not elsewhere classified

322.040 DEVELOPMENT STANDARDS. In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the SUBURBAN OFFICE DISTRICT.

322.041 Intensity of Use. No minimum lot size is required; however, lot size shall be adequate to provide the yard space required by these DEVELOPMENT STANDARDS.

One (1) or more main buildings or PERMITTED USES may be placed on a lot; however, main and accessory structures shall not occupy more than fifty percent (50%) of a lot, nor in total gross floor area exceed eighty percent (80%) of the lot area.

322.042 Lot Width. No minimum lot width is required; however, all lots shall abut a street and have adequate width to provide the yard space required by these DEVELOPMENT STANDARDS.

322.043 Side Yard. A side yard shall be required adjacent to a Residential Zoning District or Planned Development Zoning District as listed in SECTION 201, ARTICLE II. Such required side yards shall be not less than one-fourth (1/4) the sum of the height of the structure and the length of the wall most nearly parallel to side lot line, but in no case shall the side yard be less than twenty (20) feet.

322.044 Rear Yard. A rear yard shall be required adjacent to a Residential Zoning District or a Planned Development Zoning District as listed in SECTION 201, ARTICLE II. These required rear yards shall be no less than one-fourth (1/4) the sum of the height of the structure and the length of the wall most nearly parallel to rear lot line, but in no case shall the rear yard be less than twenty-five (25) feet.

SECTION 325 (NC) NEIGHBORHOOD COMMERCIAL DISTRICT REGULATIONS

325.020 PERMITTED USE. The following uses shall be permitted in the NEIGHBORHOOD COMMERCIAL DISTRICT:

325.021 Retail Stores. Retail stores primarily engaged in selling merchandise for personal or household consumption and rendering services incidental to the sale of the goods (including the buying or processing of goods for resale).

- 5251 Hardware Stores
- 541 Grocery Stores
- 542 Meat and Fish (Se Food) Markets
- 543 Fruit Stores and Vegetable Markets
- 544 Candy, Nut and Confectionery Stores
- 545 Dairy Products Stores
- 546 Retail Bakeries
- 591 Drug Stores and Proprietary Stores
- 592 Liquor Stores
- 5992 Florists

325.022 Personal Services. Personal services generally involving the care of the person or his personal effects.

- 7215 Self-Service Laundries
- 723 Beauty Shops
- 724 Barber Shops
- 725 Shoe Repair Shops, Shoe Shine Parlors and Hat Cleaning Shops
- 727 Pressing, Alteration, and Garment Repair

325.023 Business and Professional Offices. Business offices carrying on no retail trade with the general public and having no stock of goods maintained for sale to customers.

Professional offices engaged in providing tangible and intangible services to the general public, involving both persons and their possessions.

- 602 Commercial and Stock Savings Banks
- 612 Credit Agencies other than Banks
- 614 Personal Credit Institutions
- 641 Insurance Agents, Brokers and Services
- 653 (Real Estate) Agents, Brokers and Managers
- 661 Combinations of Real Estate, Insurance, Loans, Law Offices
- 801 Offices of Physicians and Surgeons
- 802 Offices of Dentists and Dental Surgeons
- 803 Offices of Osteopathic Physicians
- 804 Offices of Chiropractors
- 811 Legal Services

325.030 CONDITIONAL USE. The following uses shall be allowed in the NEIGHBORHOOD COMMERCIAL DISTRICT subject to approval in accordance with SECTION 815 of ARTICLE VIII.

325.040 DEVELOPMENT STANDARDS. In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings shall be required in the NEIGHBORHOOD COMMERCIAL DISTRICT.

325.041 Intensity of Use. No minimum lot size is required; however, lot size shall be adequate to provide the yard space required by these DEVELOPMENT STANDARDS.

325.041 Lot Width. No minimum lot width is required; however, all lots shall abut a street and have adequate width to provide the yard space required by these DEVELOPMENT STANDARDS.

325.043 Side Yard. A side yard shall be required adjacent to a Residential Zoning District or a Planned Residential Zoning District as listed in SECTION 201, ARTICLE II: Such side yards shall be not less than one-fourth (1/4) the sum of the height and depth of the building, but in no case shall be less than twenty (20) feet.

325.044 Rear Yard. A rear yard shall be required adjacent to a Residential Zoning District or a Planned Development Zoning District as listed in SECTION 201, ARTICLE II. Such required rear yards shall be not less than one-fourth (1/4) the sum of the height and width of the building, but in no case shall be less than twenty-five (25) feet.

A use to be serviced from the rear shall have a service court, alleyway or combination thereof not less than forty (40) feet wide.

SECTION 342 (RI) RESTRICTED INDUSTRIAL DISTRICT REGULATIONS

342.020 PERMITTED USE. The following uses shall be permitted in the RESTRICTED INDUSTRIAL DISTRICT.

342.021 Manufacturing.

- 203 Canning and Preserving Fruits, Vegetables
- 205 Bakery Products
- 2071 Candy and Other Confectionery Products
- 231 Men's, Youth's, and Boys' Suits, Coats, and Overcoats
- 232 Men's, Youth's, and Boys' Furnishings, Work Clothing and Allied Garments

233 Women's, Misses', and Juniors' Outerwear
 234 Women's, Misses', Children's, and Infants' Under
 Garments
 235 Hats, Caps, and Millinery
 236 Girls', Children's, and Infants' Outerwear
 237 Fur Goods
 238 Apparel and Accessories
 239 Fabricated Textile Products
 271 Newspapers: Publishing, Publishing and Printing
 272 Periodicals: Publishing, Publishing and Printing
 273 Books; Printing and Publishing
 275 Commercial Printing
 276 Manifold Business Forms Manufacturing
 277 Greeting Card Manufacturing
 278 Bookbinding and Related Industries
 279 Service Industries for the Printing Trade
 314 Footwear, except Rubber
 315 Leather Gloves and Mittens
 316 Luggage
 317 Handbags and other Personal Leather Goods
 323 Glass Products, made of Purchased Glass
 366 Communication Equipment
 367 Electronic Components and Accessories
 381 Engineering, Laboratory, and Scientific and
 Research Instruments and Associated Equipment
 382 Instruments for Measuring, Controlling, and
 Indicating Physical Characteristics
 383 Optical Instruments and Lenses
 384 Surgical, Medical, and Dental Instruments and
 Supplies
 385 Ophthalmic Goods
 386 Photographic Equipment and Supplies
 387 Watches, Clocks, Clockwork Operated Devices, and
 Parts
 391 Jewelry, Silverware and Plated Ware

 342.022 Wholesaling.

 502 Drugs, Chemicals, and Allied Products
 503 Dry Goods and Apparel
 504 Groceries and Related Products
 506 Electrical Goods
 507 Hardware and Plumbing and Heating Equipment and
 Supplies
 508 Machinery, Equipment and Supplies
 5094 Tobacco and its Products
 5095 Beer, Wine, and Distilled Alcoholic Beverages
 5096 Paper and its Products
 5097 Furniture and Home Furnishings

342.030 CONDITIONAL USE. The following uses shall be allowed in the RESTRICTED INDUSTRIAL DISTRICT, subject to approval in accordance with SECTION 815, ARTICLE VIII.

342.031 Laboratories.

7391 Research, Development and Testing Laboratories

342.032 Other Industry. PERMITTED USES of the LIMITED INDUSTRIAL DISTRICT developed in accordance with the provisions of this district.

342.040 DEVELOPMENT STANDARDS. In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the RESTRICTED INDUSTRIAL DISTRICT.

342.041 Intensity of Use. Lot size shall be adequate to provide the yard space required by these DEVELOPMENT STANDARDS and the following provisions:

- 1) A use allowed in this district shall operate entirely within an enclosed structure, emitting no dust, smoke, noxious odor or fumes outside this structure, and producing a noise level audible at the property line no greater than the average noise level occurring on any adjacent street.
- 2) Open service areas and loading docks shall be screened. These walls or fences shall have an opaqueness of ninety percent (90%) or more, so as to effectively conceal service and loading operations from adjoining streets and from a Residential Zoning District or a Planned Development District as listed in SECTION 201, ARTICLE II.

342.042 Lot Width. All lots shall abut a public street and have adequate lot width to provide the yard space required by these DEVELOPMENT STANDARDS.

342.043 Side Yards. For main and accessory structures, including open service and loading areas, the required side yards shall not be less than one-third (1/3) the sum of the height and depth of the structure, but in no case shall be less than fifteen (15) feet from the interior lot line and twenty-five (25) feet from any Residential Zoning District or Planned Development District as listed in SECTION 201, ARTICLE II.

342.044 Rear Yards. For main and accessory structures, the required rear yards shall be not less than one-third (1/3) the sum of the height and width of the structure, but in no case shall be less than fifteen (15) feet from any interior lot line and twenty-five (25) feet from any Residential Zoning District or Planned Development District as listed in SECTION 201, ARTICLE II.

SECTION 344 (LI) LIMITED INDUSTRIAL DISTRICT REGULATIONS

344.020 PERMITTED USE. The following uses shall be permitted in the LIMITED INDUSTRIAL DISTRICT.

344.021 Restricted Industrial Districts. Any PERMITTED USE of the RESTRICTED INDUSTRIAL DISTRICT shall be permitted in the LIMITED INDUSTRIAL DISTRICT.

344.022 Manufacturing.

- 202 Dairy Products
- 204 Grain Mill Products
- 208 Beverage Industries
- 221 Broad Woven Fabric Mills, Cotton
- 222 Broad Woven Fabric Mills, Man-Made Fiber and Silk
- 223 Broad Woven Fabric Mills, Wool: including Dyeing and Finishing
- 224 Narrow Fabrics and Other Smallwares Milles: Cotton, Wool, Silk, and Man-Made Fiber
- 225 Knitting Mills
- 226 Dyeing and Finishing Textiles, except Wool Fabrics and Knit Goods
- 227 Floor Covering Mills
- 228 Yarn and Thread Mills
- 229 Miscellaneous Textile Goods
- 251 Household Furniture
- 252 Office Furniture
- 253 Public Building and Related Furniture
- 254 Partitions, Shelving, Lockers and Office and Store Fixtures
- 259 Miscellaneous Furniture and Fixtures
- 265 Paperboard Containers and Boxes
- 313 Boot and Shoe Cut Stock and Findings
- 319 Leather Goods, not elsewhere classified
- 336 Nonferrous Foundries
- 344 Sheet Metal Work
- 359 Machine Shops, Jobbing and Repair
- 363 Household appliances
- 364 Electric Lighting and Wiring Equipment
- 369 Miscellaneous Electrical Machinery, Equipment and Supplies

- 370 Retail Lumber
- 393 Musical Instruments and Parts
- 394 Toys, Amusements, Sporting and Athletic Goods
- 395 Pens, Pencils and Other Office and Artists' Materials
- 396 Costume Jewelry, Costume Novelties, Button and Miscellaneous Notions, except Precious Metal

344.023 Warehousing, Wholesaling, and Transportation Service

- 401 Railroads
- 402 Sleeping Car and Other Passenger Car Service
- 404 Railway Express Service
- 421 Trucking, Local and Long Distance
- 422 Public Warehousing
- 471 Freight Forwarding
- 472 Arrangement of Transportation
- 474 Rental of Railroad Cars
- 478 Miscellaneous Services Incidental to Transportation
- 501 Motor Vehicles and Automotive Equipment
- 502 Drugs, Chemicals and Allied Products
- 503 Dry Goods and Apparel
- 504 Groceries and Related Products
- 505 Farm Products - Raw Materials
- 506 Electrical Goods
- 507 Hardware and Plumbing and Heating Equipment and Supplies
- 508 Machinery, Equipment and Supplies

344.024 Service Industries.

- 152 General Building Contractors
- 161 Highway and Street Construction
- 162 Heavy Construction including construction contractors
- 171 Plumbing, Heating and Air Conditioning
- 172 Painting, Paper Hanging, and Decorating
- 173 Electrical Work
- 174 Masonry, Stonework, Tile Setting and Plastering
- 175 Carpentering and Wood Flooring
- 176 Roofing and Sheet Metal Work
- 177 Concrete or Asphalt work or paving contractors
- 178 Water Well Drilling

344.030 CONDITIONAL USE. The following uses shall be allowed in the LIMITED INDUSTRIAL DISTRICT, subject to approval in accordance with SECTION 815, ARTICLE VIII.

344.031 General Industrial Districts. Any PERMITTED USE of the GENERAL INDUSTRIAL DISTRICT developed in accordance with the DEVELOPMENT STANDARDS OF THIS DISTRICT.

344.032 Commercial Establishments. Commercial establishments normally associated with and intended to serve the industrial establishments of their employees.

- 581 Eating and Drinking Places (except those establishments offering or featuring entertainment including totally nude, topless, bottomless, strippers, male or female impersonators, or similar entertainment or services as defined in Section 720, Article VII
- 602 Commercial and Stock Savings Banks
- 612 Savings and Loan Associations
- 614 Personal Credit Institutions
- 615 Business Credit Institutions
- 801 Offices of Physicians and Surgeons
- 802 Offices of Dentists and Dental Surgeons
- 803 Offices of Osteopathic Physicians
- 807 Medical and Allied Services
- 891 Engineering and Architectural Services
- 893 Accounting, Auditing, and Bookkeeping Services

344.033 Administrative Offices. Administrative offices primarily engaged in general administrative supervision, purchasing, accounting and other management functions.

344.034 Personal and Consumer Services. Personal services generally involving the care and maintenance of tangible property or the provision of intangible services for personal consumption intended to serve the industrial establishments or their employees.

Personal

- 723 Beauty Shops
- 724 Barber Shops
- 725 Shoe Repair Shops, Shoe Shine Parlors, and Hat Cleaning Shops
- 727 Pressing, Alterations and Garment Repair

Business

- 731 Advertising
- 732 Consumer Credit Reporting Agencies, Mercantile Reporting Agencies, and Adjustment and Collecting Agencies
- 733 Duplicating, Addressing, Blueprinting, Photocopying, Mailing, Mailing List, and Stenographic Services
- 736 Private Employment Agencies

344.040 DEVELOPMENT STANDARDS. In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the LIMITED INDUSTRIAL DISTRICT.

344.041 Intensity of Use. Lot size shall be adequate to provide the yard space required by these DEVELOPMENT STANDARDS and the following provisions:

- 1) A use allowed in this district shall entirely enclose its primary operation within a structure. Open storage and service areas and loading docks shall be screened by walls or fences at least six (6) feet but not more than twelve (12) feet in height. These walls or fences shall have an opaqueness of ninety percent (90%) or more, so as to effectively conceal production, storage, service, and loading operations from adjoining streets and from a Residential Zoning District or a Planned Development District as listed in SECTION 201 of ARTICLE II.
- 2) PERMITTED USES of this district may be developed in accordance with the DEVELOPMENT STANDARDS of SECTION 342, RESTRICTED INDUSTRIAL DISTRICT.

344.042 Lot Width. All lots shall abut a public street for a distance of one hundred (100) feet or more and have adequate lot width to provide the yard space required by these DEVELOPMENT STANDARDS.

344.043 Side Yards. For main and accessory structures, including open storage, service and loading areas, the required side yards shall be not less than one-third (1/3) the sum of the height and depth of the structure, but shall not be less than fifty (50) feet from any Residential Zoning Districts listed in SECTION 201, ARTICLE II, except in accordance with the DEVELOPMENT STANDARDS OF SECTION 342, RESTRICTED INDUSTRIAL DISTRICTS.

344.044 Rear Yards. For main and accessory structures, including open storage, service and loading areas, the required rear yards shall be not less than one-third (1/3) the sum of the height and width of the structure, but shall not be less than fifty (50) feet from any Residential Zoning District as listed in SECTION 201, ARTICLE II, except in accordance with the DEVELOPMENT STANDARDS OF SECTION 342, RESTRICTED INDUSTRIAL DISTRICTS.

SECTION 346 (GI) GENERAL INDUSTRIAL DISTRICT REGULATIONS

346.020 PERMITTED USES. The following uses shall be permitted in the GENERAL INDUSTRIAL DISTRICT.

346.021 Restricted Industrial District. Any PERMITTED USE of the RESTRICTED INDUSTRIAL DISTRICT shall be permitted in the GENERAL INDUSTRIAL DISTRICT.

346.022 Limited Industrial District. Any PERMITTED USE of the LIMITED INDUSTRIAL DISTRICT shall be permitted in the GENERAL INDUSTRIAL DISTRICT.

346.023 Manufacturing.

207	Chocolate and Cocoa Products
207	Chewing Gum
242	Sawmills and Planing Mills
243	Millwork, Veneer, Plywood, and Prefabricated Structural Wood Products
244	Wooden Containers
312	Industrial Leather Belting and Packing
321	Flat Glass
322	Glass and Glassware, Pressed or Blown
325	Structural Clay Products
326	Pottery and Related Products
328	Cut Stone and Stone Products
332	Iron and Steel Foundries
341	Metal Cans
342	Cutlery, Hand Tools and General Hardware
343	Heating Apparatus (except electric) and Plumbing Fixtures

ARTICLE IV
PLANNED DEVELOPMENT PROCEDURES AND REGULATIONS

SECTION 400 PROCEDURES AND REGULATIONS FOR PLANNED DEVELOPMENT DISTRICTS ADOPTED.

400.010 PROCEDURES FOR THE ESTABLISHMENT OF A PLANNED DEVELOPMENT ZONING DISTRICT. Planned Development Zoning Districts may be established by application in accordance with the provisions of ARTICLE VII and the requirements of Procedure of the PLANNED DEVELOPMENT ZONING DISTRICT petitioned.

400.020 REGULATIONS OF THE USE AND DEVELOPMENT OF LAND AND STRUCTURES. Regulations pertaining to the use of land and/or structures, and the physical development thereof within each of the Zoning Districts as adopted as a PLANNED DEVELOPMENT DISTRICT in ARTICLE II, and as may be drawn on the Zoning District Map are hereby established and adopted.

400.030 RULES OF APPLICATION. The PLANNED DEVELOPMENT REGULATIONS set forth in this ARTICLE IV shall be interpreted and enforced according to the following rules.

400.031 Identification of Uses. Listed uses are to be defined by their customary name or identification, except where they are specifically defined or limited in this Zoning Resolution.

400.032 Permitted Uses. Only uses designated as a Permitted Use shall be allowed as a matter of right in a PLANNED DEVELOPMENT ZONING DISTRICT and any use not so designated shall be prohibited except when in character with the proposed development, such additional uses may be approved as a part of the Development Plan.

400.033 Procedures. The procedures and conditions set forth for the determination of PLANNED DEVELOPMENT DISTRICTS and developments therein shall be followed except when a written statement by the applicant clearly shows that such procedures or conditions do not or should not apply in the specific case. Such statement shall accompany the application and is subject to approval by the Washington Township Board of Trustees.

400.034 Development Standards. The Development Standards set forth shall be the minimum allowed for development in a PLANNED DEVELOPMENT ZONING DISTRICT.

SECTION 406 (PR-6) PLANNED RESIDENTIAL DISTRICT REGULATIONS

406.020 PERMITTED USE. Land and buildings in the PLANNED RESIDENTIAL DISTRICT shall be used only for the following purposes:

406.021 Residential Development. Residential use developed in a unified manner in accordance with the approved Development Plan.

406.022 Home Occupation. Home occupation in association with a permitted dwelling and in accordance with the provisions of SECTION 511 of ARTICLE V.

406.023 Accessory Use. Accessory buildings; and uses in association with a permitted dwelling as specified in SECTION 512 of ARTICLE V, including:

Office facilities for the management functions, including property sales, necessary to the development and operation of the area included in the Development Plan.

Such other facilities including recreation facilities as may be provided for the use and/or the amenities of the occupants of the dwellings and provided that such facilities are an approved part of the Development Plan.

406.024 Schools and Parks. Public and private schools offering general educational courses and having no rooms regularly used for housing or sleeping of students.

Parks, playgrounds and playfields open to the public without fee.

406.025 Religious. Church or other place of worship, provided there is one (1) acre or more per one hundred (100) seats or similar accommodations in the main assembly area.

406.030 PROCEDURE. The following procedure shall be followed in placing land in the PLANNED MEDIUM DENSITY RESIDENTIAL DISTRICT.

406.031 Submission of Application. The owner or owners of a tract of land four (4) acres or more in area may request that the Zoning District Map be amended to include such tract in the PLANNED RESIDENTIAL DISTRICT in accordance with the provisions of ARTICLE VII.

There is no minimum tract size if the proposed development is in keeping with the density and development character of adjacent lands.

406.032 Development Plan. Three (3) copies of a Development Plan shall be submitted with the application to amend the Zoning District Map. Such Development Plan shall include in text or map form:

- 1) The proposed location and size of areas of residential use, indicating dwelling unit densities, dwelling unit types, the total number of dwelling units for each density area, and the total number of dwelling units proposed in the Development Plans.
- 2) The proposed size, location, and use of nonresidential portions of the tract, including useable open areas, parks, playgrounds, school sites, and other areas and spaces with the suggested ownership of such areas and spaces.
- 3) The proposed provision of water, sanitary sewer, and surface drainage facilities, including engineering feasibility studies or other evidence of reasonableness.
- 4) The proposed traffic circulation patterns, including public and private streets, parking areas, walks, and other accessways, indicating their relationship to topography, existing streets, or showing other evidence or reasonableness.
- 5) The proposed schedule of site development, construction of structures, and associated facilities including sketches and other materials indicating design principles and concepts to be followed in site development, construction, landscaping, and other features. Such schedule shall include the proposed use or reuse of existing features such as topography, structures, streets and easements.
- 6) The relationship of the proposed development to existing and future land use in the surrounding area, the street system, community facilities, services and other public improvements.
- 7) Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan. Evidence of control includes property rights and the engineering feasibility data which may be necessary.

406.033 Basis of Approval. The basis for approving a PLANNED RESIDENTIAL DISTRICT application shall be:

- 1) That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution;
- 2) That the proposed development is in conformity with a comprehensive plan or portion thereof as it may apply;

- 3) That the proposed development advances the general health, safety and welfare of the Township and the immediate vicinity; and
- 4) That the benefits, improved arrangement, and the design of the proposed development justify the deviation from standard residential development requirements included in this Zoning Resolution.

406.034 Effect of Approval. The Development Plan as approved by the Washington Township Trustees shall constitute an amendment to the PLANNED RESIDENTIAL DISTRICT regulations as they apply to the land included in the approved amendment.

The approval shall be for a period of two (2) years to allow the preparation of the required Subdivision Plat, submitted in accordance with the Subdivision Regulations for Franklin County, Ohio. Unless the required Subdivision Plat is submitted and recorded within the two (2) year time limit, the approval shall be voided and the land shall revert to its last previous Zoning District, except if an application for an extension of time is submitted and approved in accordance with 406.036.

406.035 Plat Required. In the PLANNED MEDIUM DENSITY RESIDENTIAL DISTRICT no use shall be established or changed and no structure shall be constructed or altered until the required Subdivision Plat has been recorded in accordance with the Subdivision Regulations for Franklin County, Ohio. The Subdivision Plat shall be in accord with the approved Development Plan and shall show or include:

- 1) Site arrangement, including building set-back lines or space to be built upon; water, sewer, and other public utility installations, including sanitary sewage, surface drainage, and waste disposal facilities; public and private street right-of-way, easements and walks; school sites, recreation areas, and other land to be dedicated to public use, including the purpose and intent of such dedication; the land to be commonly owned and maintained.
- 2) The nature and extent of earthwork required for site preparation and development.
- 3) Deed restrictions, covenants, easements and encumbrances to be used to control the use, development and maintenance of the land, the improvements thereon, including those areas which are to be commonly owned and maintained.

406.036 Extension of Time or Modification. An extension of the time limit or the modifications of the approved Development Plan may be approved by the Board of Township Trustees. Such approval shall be given upon a finding of the purpose and necessity for such extension or modification and evidence of reasonable effort toward the accomplishment of the original Development Plan, and that such extension or modification is not in conflict with the general health, safety and welfare of the public or the Development Standards of the PLANNED RESIDENTIAL DISTRICT.

406.040 DEVELOPMENT STANDARDS. In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the PLANNED RESIDENTIAL DISTRICT.

406.041 Intensity of Use. The maximum net density shall be six (6) dwelling units per acre of area devoted to residential use as defined below, except that the density may be reduced to comply with the health and sanitation requirements of the Franklin County Board of Health.

406.042 Calculation of Density. The calculation of residential density shall include all land devoted to residential use, and shall further include easements for utilities except major facilities which do not serve individual dwellings, minor surface drainage channels, recreation space and other areas provided as common open space including land dedicated to public use except required street rights-of-way.

406.043 Open Space. A minimum of twenty percent (20%) of the area included in the calculation of residential density shall be provided as open space or public use organized, arranged and restricted by easement, covenant, deed or dedication and not included in the minimum yard space required for dwelling or used to provide the required off-street parking.

- 1) Public use that will give benefit to the occupants of the dwelling units. Such public use may include but is not limited to educational and recreational facilities, flood protection, additional street rights-of-way (such additional street rights-of-way shall be defined as that which is more than sixty (60) feet in width), or other public improvements necessary to the health, safety and welfare of the people.
- 2) Common use and benefit of the occupants of the dwelling units. Such common use may include but is not limited to landscaped areas, recreational

facilities; or other common use as will provide amenity to the area, but does not include required yards.

406.044 Arrangement of Areas. The location and arrangement of areas of various density within the PLANNED RESIDENTIAL DISTRICT, in addition to achieving these DEVELOPMENT STANDARDS, shall be so arranged and distributed that development of higher density shall be appropriately balanced by open space and/or low density development.

Residential development, at a density higher than that permitted on land in adjacent Residential Zoning District, or other Permitted Uses shall not be located nearer than one hundred (100) feet to such Zoning District boundary.

406.045 Yards. The physical relationship of dwelling units and their minimum yard space shall be determined in accordance with one or more of the following methods:

- 1) The Development Standards of the Residential Zoning District most appropriate for the dwelling type.

One-family dwellings, R-1 or R-2, according to the density of development.
- 2) Arrangement in accordance with the provisions of SECTION 502 of ARTICLE V.
- 3) Arrangement of structures and provisions of yard space and building setbacks in accordance with a plan of the site and structure prepared by an architect licensed to practice in the State of Ohio or a landscape architect licensed to practice in the State of Ohio. Such plan shall be subject to approval as the Development Plan or in conjunction with the subsequent Subdivision Plat as complying with the other requirements of these DEVELOPMENT STANDARDS and in accord with the purpose and intent of the PLANNED RESIDENTIAL DISTRICT regulations.

406.046 Other Yard Space. The arrangement of other uses and associated yard space shall be determined in accordance with the Development Standards of the Zoning District in which the use is a PERMITTED USE except that arrangement may be determined as in (2) or (3) of 406.045 above.

406.047 Private Roads and Parking. Private roads as a common easement may be used to provide access to clustered lots and/or structures in accordance with the following:

- 1) The easement shall not be counted as required open space.
- 2) The easement does not serve an area larger than two (2) acres.
- 3) The easement is approved as a part of the Subdivision Plat as the most appropriate form of access to the lots and/or structures.

Off-street parking shall be provided in accordance with SECTION 531 of ARTICLE V, except residential parking may be provided in group garages or parking lots within one hundred and fifty (150) feet of the dwellings served. Curb indented parking bays or courts may be provided within the street right-of-way, but in addition to the required roadway. Such parking shall be permitted only along streets internal to the area and not on a major thoroughfare.

SECTION 427 (PCD) PLANNED COMMERCIAL DISTRICT REGULATIONS.

427.020 PERMITTED USE. Land and buildings in the PLANNED SHIPPING CENTER DISTRICT shall be used only for the following purposes:

427.021 Commercial establishments operated and maintained within an organized development of associated commercial activities such as a shopping center, in accordance with the approved Development Plan.

427.022 Community facilities, such as libraries, offices, or educational facilities operated by a public agency or government.

427.023 Other commercial facilities as detailed and described in the Development Plan and approved as a part of that Development Plan.

427.030 PROCEDURE. The following procedure shall be followed in placing land in the PLANNED COMMERCIAL DISTRICT.

427.031 Submission of Application. The owner or owners of a tract of land two (2) acres or more in any area may request that the Zoning District Map be amended to include such tracts in the PLANNED COMMERCIAL DISTRICT in accordance with the provisions of ARTICLE VII.

427.032 Development Plan. Three (3) copies of a Development Plan shall be submitted with the application to amend the Zoning District Map. Such Development Plan shall include in text or map form:

- 1) The proposed location and size of structures and ancillary uses, indicating tenant types (uses) and total square feet in buildings.
- 2) The proposed size, location, and use of other portions of the tract, including landscaped, parking, loading, service, maintenance, and other areas or spaces.
- 3) The proposed provision of water, sanitary sewer, and surface drainage facilities, including engineering feasibility studies or other evidence of reasonableness.
- 4) The proposed traffic circulation pattern, including access drives, parking arrangement, pedestrian walks and safety areas, and the relationship to existing and proposed external streets and traffic patterns with evidence of reasonableness.
- 5) The proposed schedule of site development, construction of structures, and associated facilities, including sketches and other materials indicating design principles and concepts to be followed in site development, construction, landscaping, and other features. Such schedule shall include the proposed use or reuse or existing features such as topography, structures, streets and easements.
- 6) The relationship of the proposed development to existing and future land use in the surrounding area, the street system, community facilities, services, and other public improvements.
- 7) Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan. Evidence of control includes property rights and engineering feasibility data which may be necessary and economic feasibility studies (market analysis or other data) justifying the proposed development.

427.033 Basis of Approval. The basis for approving a PLANNED COMMERCIAL DISTRICT application shall be:

- 1) That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution;

- 2) That the proposed development is in conformity with a comprehensive plan or portion thereof as it may apply;
- 3) That the proposed development advances the general welfare of the Township and the immediate vicinity; and
- 4) That the economic character and improved site arrangement justify the location, size and design proposed in the Development Plan.

427.034 Effect of Approval. The Development Plan as approved by the Washington Township Trustees shall constitute an amendment to the PLANNED COMMERCIAL DISTRICT regulations as they apply to the land included in the approved amendment.

The approval shall be for a period of two (2) years to allow the preparation of the required Subdivision Plat, submitted in accordance with the Subdivision Regulations for Franklin County, Ohio. Unless the required Subdivision Plat is properly submitted and recorded within the two (2) year period, the approval shall be voided and the land shall revert to its last previous Zoning District, except if an application for time extension is submitted and approved in accordance with 427.036.

427.035 Plat Required. In the PLANNED COMMERCIAL DISTRICT, no use shall be established or changed and no structure constructed or altered until the required Subdivision P been recorded in accordance with the Subdivision Regulation Franklin County, Ohio. The Subdivision Plat shall be in accordance with the approved Development Plan and shall show or include:

- 1) Site arrangement, including building setback lines and buildable space within the site; water, sewer and other public utility installations, including sanitary sewer, surface drainage, and waste disposal facilities; easements, access points to public rights-of-way, parking areas, and pedestrian ways; and land reserved for non-commercial use with indication of the nature of the use.
- 2) The nature and extent of earthwork required for site preparation and development.
- 3) Deed restrictions, covenants, easements and encumbrances to be used to control the use, development and maintenance of the land, the improvements thereon, and the operations of tenants, including those applicable to areas within the tract to be developed noncommercially.

427.036 Extension of Time or Modification. An extension of the time limit or the modification of the approved Development Plan may be approved by the Township Trustees. Such approval shall be given upon a finding of the purpose and necessity for such extension or modification and evidence of reasonable effort toward the accomplishment of the original Development Plan, and that such extension or modification is not in conflict with the general health, safety and welfare of the public or the Development Standards of the PLANNED COMMERCIAL DISTRICT.

427.040 DEVELOPMENT STANDARDS. In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the PLANNED COMMERCIAL DISTRICT.

Open storage, sales, service, and loading areas shall be screened by walls, fences, or other enclosures at least six (6) feet but not more than ten (10) feet in height. These walls, fences, or enclosures shall have an opaqueness of ninety percent (90%) or more, so as to effectively conceal sales, service, storage and loading operations.

427.042 Lot Width. No minimum lot width is required. However, adequate lot width shall be provided to achieve the yard space required by these DEVELOPMENT STANDARDS.

427.043 Side Yards. A side yard shall be required adjacent to a Residential Zoning District or another Planned Development District as listed in SECTION 201 of ARTICLE II. Such required side yards shall equal one-fourth (1/4) the sum of the height and depth of the structure, but in no case shall be less than twenty (20) feet.

427.044 Rear Yards. A rear yard shall be required adjacent to Residential Zoning District or another Planned Development District as listed in SECTION 201 of ARTICLE II. Such required rear yards shall equal one-fourth (1/4) the sum of the height and width of the structure, but in no case shall the rear yard be less than twenty-five (25) feet.

427.045 Arrangement of Areas. The location and arrangement of structures, parking, access drives, outdoor lighting, signs, and other uses and developments within the PLANNED COMMERCIAL DISTRICT, in addition to achieving these DEVELOPMENT STANDARDS, shall be accomplished in accordance with an approved Development Plan established to assure compatibility with the existing and future land use development in the vicinity. The Development Plan should include walks, fences, landscaping, and other devices which will meet the purpose and intent of the PLANNED COMMERCIAL DISTRICT.

427.046 Reserve Areas. All areas designated for future expansion or not intended for immediate improvement or development shall be specified as Reserve Area. The future use and the limitations on future use of such area shall also be specified, although the use of such area may later be reconsidered in accordance with 427.036. Reserve Areas shall be landscaped or otherwise maintained in a neat and orderly manner.

427.047 Parking and Loading. Off-street parking, loading and service areas shall be provided in accordance with SECTION 531 of ARTICLE V. These areas shall be arranged for an internal traffic circulation pattern adapted to the site and the structural arrangement set forth in the Development Plan.

SECTION 435 (PHS) PLANNED HIGHWAY SERVICE DISTRICT REGULATIONS

435.020 PERMITTED USE. Land and buildings in the PLANNED HIGHWAY SERVICE DISTRICT shall be used only for the following purposes.

Commercial establishments normally associated with and intended to service the traveling public. These establishments are motels, restaurants, gasoline service stations, and automotive facilities.

435.030 PROCEDURE. The following procedure shall be followed in the PLANNED HIGHWAY SERVICE DISTRICT.

435.031 Submission of Application. The owner or owners of a tract of land two (2) acres or more in area may request that the Zoning District Map be amended to include such tract in the PLANNED COMMERCIAL DISTRICT in accordance with the provisions of ARTICLE VII and the following requirements:

435.032 Development Plan. Three (3) copies of a Development Plan shall be submitted with the application to amend the Zoning District Map. Such Development Plan shall include in text or map form:

- 1) The proposed location and size of structures and ancillary uses, indicating service types (uses) and total square feet in buildings.
- 2) The proposed size, location, and use of other portions of the tract, including landscaped, parking, loading, service, maintenance, and other areas or spaces.
- 3) The proposed provisions of water, sanitary sewer, and surface drainage facilities, including engineering feasibility studies or other evidence of reasonableness.

- 4) The proposed traffic circulation pattern, including access drives, parking arrangement, pedestrian walks and safety areas, and the relationship to existing and proposed external streets and traffic patterns with evidence of reasonableness.
- 5) The proposed schedule of the site development and associated facilities, including sketches and other materials indicating design principles and concepts to be followed in site development, construction, landscaping, and other features. Such schedule shall include the proposed use or reuse of existing features such as topography, structures, streets and easements.
- 6) The relationship of the proposed development to existing and future land use in the surrounding area, the street system, community facilities, services and other public improvements.
- 7) Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan. Evidence of control includes property rights, engineering feasibility data which may be necessary and economic feasibility studies (market analysis or other data) justifying the proposed development.

435.033 Basis of Approval. The basis for approving a PLANNED HIGHWAY SERVICE DISTRICT application shall be:

- 1) That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution;
- 2) That the proposed development is in conformity with a comprehensive plan or portion thereof as it may apply;
- 3) That the proposed development advances the general welfare of the Township and the immediate vicinity; and
- 4) That the economic character and improved site arrangement justify the location, size and design proposed in the Development Plan.

435.034 Effect of Approval. The Development Plan as approved by the Washington Township Trustees shall constitute an amendment to the PLANNED HIGHWAY SERVICE DISTRICT regulations as they apply to the land included in the approved amendment.

The approval shall be for a period of two (2) years to allow the preparation of the required Subdivision Plat, submitted in accordance with the Subdivision Regulations for Franklin County, Ohio. Unless the required Subdivision Plat is properly submitted and recorded within the two (2) year period, the approval shall be voided and the land shall revert to its last previous Zoning District, except if an application for time extension is submitted and approved in accordance with 435.036.

435.035 Plat Required. In the PLANNED HIGHWAY SERVICE DISTRICT, no use shall be established or changed and no structure shall be constructed or altered until the required Subdivision Plat has been recorded in accordance with the Subdivision Regulations for Franklin County, Ohio. The Subdivision Plat shall be in accord with the approved Development Plan and shall show or include:

- 1) Site arrangement, including building setback line and buildable space within the site; water, sewer and other public utility installations, including sanitary sewage, surface drainage, and waste disposal facilities, easements, access points to public rights-of-way, parking areas, and pedestrian ways; and land reserved for non-highway service use with indication of the nature of the use.
- 2) The nature and extent of earthwork required for site preparation and development.
- 3) Deed restrictions, covenants, easements and encumbrances to be used to control the use, development and maintenance of the land, the improvements thereon, and the operation of tenants, including those applicable to areas within the tract to be developed for non-highway service uses.

435.036 Extension of Time or Modification. An extension of the time limit for the modification of the approved Development Plan may be approved by the Board of Township Trustees. Such approval shall be given upon a finding of the purpose and necessity for such extension or modification and evidence of reasonable effort toward the accomplishment of the original Development Plan, and that such extension or modification is not in conflict with the general health, safety and welfare of the public or the Development Standards of the PLANNED HIGHWAY SERVICE DISTRICT.

435.040 DEVELOPMENT STANDARDS. In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the PLANNED HIGHWAY SERVICE DISTRICT.

435.041 Intensity of Use. Open storage, service, and loading area shall be screened by walls, fences, or other enclosures at least six (6) feet but not more than ten (10) feet in height. These walls, fences, or enclosures shall have an opaqueness of ninety percent (90%) or more, so as to effectively conceal storage, service, and loading operations.

435.042 Lot Width. A minimum lot width of three hundred (300) feet is required at the front setback lines; however, adequate lot width shall be provided to achieve the yard space required by these DEVELOPMENT STANDARDS.

The width or the depth of the lot shall not be more than two (2) times the other.

435.043 Side Yards. A side yard shall be required adjacent to a Residential Zoning District or another Planned Development District as listed in SECTION 201 of ARTICLE II. Such required side yards shall equal one-fourth (1/4) the sum of the height and depth of the structures, but in no case shall be less than thirty-five (35) feet.

435.044 Rear Yards. A rear yard shall be required adjacent to a Residential Zoning District or another Planned Development District as listed in SECTION 201 of ARTICLE II. Such required rear yards shall equal one-fourth (1/4) the sum of the height and width of the structure, but in no case shall be less than thirty-five (35) feet.

435.045 Arrangement of Areas. The location and arrangement of structures, parking, access drives, outdoor lighting, signs, and other uses and developments within the PLANNED HIGHWAY SERVICE DISTRICT, in addition to achieving these Development Standards, shall be accomplished in accordance with an approved Development Plan established to assure compatibility with the existing and future land use development in the vicinity. The Development Plan should include walks, fences, landscaping, and other devices which will meet the purpose and intent of the PLANNED HIGHWAY SERVICE DISTRICT.

435.046 Reserve Areas. All areas designated for future expansion or not intended for immediate improvement or development shall be specified as Reserve Area. The future use and the limitations on future use of such area shall also be specified, although the use of such area may later be reconsidered in accordance with 435.031. Reserve Area shall be landscaped or otherwise maintained in a neat and orderly manner.

435.047 Parking and Loading. Off-street parking, loading, and service areas shall be provided in accordance with SECTION 531 of ARTICLE V. These areas shall be arranged for an internal

traffic circulation pattern adopted to the site and the structural arrangement set forth in the Development Plan.

SECTION 444 (PIP) PLANNED INDUSTRIAL PARK DISTRICT REGULATIONS

444.020 PERMITTED USE. The following uses shall be permitted in the PLANNED INDUSTRIAL PARK DISTRICT.

444.021 Industrial Development. Manufacturing, processing, warehousing, industrial service, and commercial activities located and maintained within the limits of the Development Standards of these PLANNED INDUSTRIAL PARK DISTRICT regulations and in accordance with the approved Development Plan.

Commercial establishments normally associated with and intended to serve the industrial establishment or their employees and approved as a part of the Development Plan. These commercial establishments include but are not limited to: Financial Institutions, Restaurants, Gasoline Service Stations, Automotive Repair Establishments, recreation or other personal enrichment (except adults only entertainment establishments as defined in SECTION 720 of ARTICLE VII) facilities established primarily for employees of industrial establishments or in conjunction with commercially operated recreation establishments, developed as a part of the approved Development Plan.

444.030 PROCEDURE. The following procedure shall be followed in placing land in the PLANNED INDUSTRIAL PARK DISTRICT.

444.031 Submission of Application. The owner or owners of a tract of land two (2) acres or more in area may request that the Zoning District Map be amended to include such tracts in the PLANNED INDUSTRIAL PARK DISTRICT in accordance with the provisions of ARTICLE VII and the following requirements:

444.032 Development Plan. Three (3) copies of a Development Plan shall be submitted with the application to amend the Zoning District Map. Such Development Plan shall include in text or map form:

- 1) The proposed location and size of industrial areas, indicating by sketch, map, or text the general development character of the tract, limitations or controls to be placed on industrial uses, processes, operations, locations, or the types of tenants, probable lot size, and other development features, including the landscaping plan.
- 2) The proposed location and size of nonindustrial uses within the tract indicating types of proposed uses such as commercial, community service or facility, or other associated non-industrial activity.

- 3) The proposed provisions of water, sanitary sewer, industrial waste disposal, and surface drainage facilities, including engineering feasibility studies or other evidence of reasonableness.
- 4) The proposed traffic circulation pattern showing public and private streets and other transportation facilities, including their relationship to topography and existing transportation facilities with evidence of reasonableness.
- 5) The proposed schedule of the site development and associated facilities, including streets, other transportation facilities, utilities, services and other facilities.
- 6) The relationship of the proposed development to existing and future land use in the surrounding area, the street system, community facilities, services and other public improvements.
- 7) Evidence that the applicant has sufficient control over the land to prepare required land improvements, including street, water, sanitary sewers, waste disposal, surface drainage, and other facilities for subdivision development required by the Subdivision Regulations for Franklin County, Ohio. Evidence of control includes property rights and the engineering feasibility data which may be necessary.

444.033 Basis of Approval. The basis for approving a PLANNED INDUSTRIAL PARK DISTRICT application shall be:

- 1) That the proposed development is consistent in all respect with the purpose, intent, and applicable standards of this Zoning Resolution;
- 2) That the proposed development is in conformity with a comprehensive plan or portion thereof as it may apply;
- 3) That the proposed development advances the general welfare of the Township and the immediate vicinity;
and
- 4) That the benefits of improvement arrangement and design of the development justifies deviation from the standard requirements for industrial development.

444.034 Effect of Approval. The Development Plan as approved by the Washington Township Trustees shall constitute an amendment to the PLANNED INDUSTRIAL PARK DISTRICT regulations as they apply to the land included in the approved amendment.

The approval shall be for a period of two (2) years to allow the preparation of the required Subdivision Plat, submitted in accordance with the Subdivision Regulations for Franklin County, Ohio. Unless the required Subdivision Plat is properly submitted and recorded within the two (2) years, the approval shall be voided and the land shall revert to its last previous Zoning District, except if an application for time extension is submitted and approved in accordance with 444.036.

444.035 Plat Required. In the PLANNED INDUSTRIAL PARK DISTRICT, no use shall be established or changed and no structure shall be constructed or altered until the required Subdivision Plat has been recorded in accordance with the Subdivision Regulations for Franklin County, Ohio. The Subdivision Plat shall be in accord with the approved Development Plan and shall show or include:

- 1) Public and private street and block layout (lot divisions are not required, but probable arrangement should be indicated); building setback lines; water, sewer, firehydrant and other public utility installations, including sanitary sewage and waste disposal facilities; easements, rights-of-way, pavements and walks; and land reserved for non-industrial use with indication of the nature of the use.
- 2) The nature and extent of earthwork required for site preparation and the installation of public improvements such as streets and utilities.
- 3) Deed restrictions, covenants, easements and encumbrances to be used to control the private use, development and maintenance of the land and improvements thereon, including those applicable to areas within the tract to be developed for non-industrially.

444.036 Extension of Time or Modification. An extension of the time limit for the modification of the approved Development Plan may be approved by the Board of Township Trustees. Such approval shall be given upon a finding of the purpose and necessity for such extension or modification and evidence of reasonable effort toward the accomplishment of the original Development Plan, and that such extension or

modification is not in conflict with the general health, safety and welfare of the public or the Development Standards of the PLANNED INDUSTRIAL PARK DISTRICT.

444.040 DEVELOPMENT STANDARDS. In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the PLANNED INDUSTRIAL PARK DISTRICT.

444.041 Intensity of Use.

- 1) A use allowed in this district shall operate entirely within an enclosed structure, emitting no dust, smoke, noxious odor or fumes outside this structure, and producing a noise level audible at the property line no greater than the average noise level occurring on any adjacent street.
- 2) A use allowed in this District shall entirely enclose its primary operation within a structure. Open storage and service areas and loading docks shall be screened by walls or fences at least six (6) feet but not more than twelve (12) feet in height. These walls or fences shall have an opaqueness of ninety percent (90%) or more, so as to effectively conceal production, storage, service, and loading operations.

444.042 Lot Width. No minimum lot width is required. However, all lots shall abut a public street or otherwise provide access to such public street by means of roadway easement.

444.043 Side Yards. For main and accessory structures, including open storage, service, and loading areas, the required side yards shall equal one-third (1/3) the sum of the height and depth of the structure, but in no case shall be less than fifty (50) feet from any Residential Zoning District or Planned Residential District as listed in SECTION 201 of ARTICLE II.

444.044 Rear Yards. For main and accessory structures, including open storage, service, and loading areas, the required side yards shall equal one-third (1/3) the sum of the height and depth of the structure, but in no case shall be less than fifty (50) feet from any Residential District as listed in SECTION 201, ARTICLE II, except in accordance with the DEVELOPMENT STANDARDS of SECTION 342, RESTRICTED INDUSTRIAL DISTRICT.

444.045 Improvements Required. The following improvements shall be required:

- 1) Street improvements within or adjacent to the tract in accordance with the requirements of the Subdivision Regulations for Franklin County, Ohio.
- 2) Water and sewer facility improvements in accordance with the requirements of the Subdivision Regulations for Franklin County, Ohio.
- 3) An easement twenty-five (25) feet or more in width shall be provided around the entire tract and shall be landscaped in accordance with an approved landscape plan. Such plan shall include plantings which will achieve a height of ten (10) feet or more and an opaqueness of at least seventy-five percent (75%) within five (5) years of normal growth. This easement, when adjacent to a street right-of-way eighty (80) feet or more in width, or other industrial zoning district, may be reduced to fifteen (15) feet, a twenty-five percent (25%) opaqueness, and two (2) feet in height. The landscape plan shall be submitted with the Subdivision Plat and shall be subject to approval in the same manner as required of the Subdivision Plat.

444.046 Plat and Landscape Plan Required. The Subdivision Plat shall be developed and recorded in accordance with the Subdivision Regulations for Franklin County, Ohio. Landscaping shall be accomplished in accordance with the approved landscape plan in conjunction with development of adjacent lots in the industrial park.

ARTICLE V
GENERAL DEVELOPMENT STANDARDS

SECTION 500 GENERAL DEVELOPMENT STANDARDS ADOPTED.

500.010 GENERAL REGULATION OF THE ARRANGEMENT AND DEVELOPMENT OF LAND AND STRUCTURES. Standards pertaining generally and uniformly to the arrangement and development of land and structures within the Zoning Districts adopted in ARTICLE II are hereby established and adopted as supplementary to the District Regulations of ARTICLE III and ARTICLE IV. To the extent that there is conflict between the applicable standards set forth in any of ARTICLES II, III or IV, on the one hand, and the standards set forth in this ARTICLE V, the applicable standards in ARTICLE II, III or IV shall control.

SECTION 502 LOT AND YARD SPACE REQUIREMENTS.

502.010 MINIMUM REQUIREMENTS. Development Standards are minimum requirements for the arrangements of lots and spaces to be achieved in all developments.

502.020 LOT AREA AND YARD SPACE PRESERVED. The lot area and yard space required for a use or structure shall be maintained during its life and shall not be reduced below the minimum requirement, occupied by another use or structure, or counted as yard space for any other use or structure.

502.021 Yards Required Open. The yard space required for a use or structure shall, during its life, remain free of all uses or occupancies except as follows:

- 1) Fences, walls, and hedging shall be permitted in any required yard, or along the edge of any yard, provided that no fence or wall between a street and a front building line is more than three (3) feet in height; and provided that no hedging shall exceed three (3) feet in height within a public road right-of-way; and further provided that no fence permitted along the edge of any yard shall exceed six (6) feet in height except as required by the following sections in order to meet applicable screening requirement:

- a) Sections 521 of Article V, Required Screening

- b) Section 531.052, Screening required for Recreational Vehicles, Camping Trailers or other Trailers.

c) In accordance with an approved Development Plan of a Planned Development District.

- 2) Eaves, cornices, window sills, and belt courses may project into any required yard a distance not to exceed two (2) feet.
- 3) Open and uncovered porches may project beyond the front building line or into a required rear yard a distance not to exceed five (5) feet.
- 4) Residential driveways shall be permitted in required yards, but shall be five (5) feet or more from any property line, except where such driveways are developed jointly as a common drive to adjoining lots.
- 5) Parking areas shall be permitted in required yards developed in Industrial Zoning Districts to within fifteen (15) feet of a Residential Zoning District or a Planned Residential Zoning District as listed in SECTION 201 of ARTICLE II.

502.022 Yards Not Otherwise Required. Yard space not otherwise required but provided shall be twenty-five (25) feet or more in width.

502.023 Yards Maintained. All yard space shall be maintained in accordance with one or more of the following provisions:

- 1) Fenced as permitted or required.
- 2) Landscaped by lawns, shrubberies, trees, and other plantings, maintained in a neat and orderly natural manner, or used for permitted accessory or ancillary use.
- 3) Paved or graveled for parking as permitted.

SECTION 503 STRUCTURAL HEIGHT LIMITATIONS

No principal or accessory structure shall exceed thirty-five (35) feet in height, except that the Washington Township Board of Zoning Appeals may approve a Conditional Use Permit for a structure exceeding thirty-five (35) feet, provided the procedures and requirements of Section 815 of this Resolution are met.

SECTION 504 BUILDING LINES ALONG PUBLIC RIGHTS-OF-WAY

504.010 BUILDING LINES ESTABLISHED. Along every street right-of-way a building line shall be established from the centerline of that right-of-way a distance equal to the width of the existing right-of-way or the width of the right-of-way proposed in the Thorofare Plan as adopted by the Mid-Ohio Regional Planning Commission on October 6, 1961, (then Franklin County Regional Planning Commission) and as amended from time to time, whichever right-of-way is greater, but in no event shall the building line be less than 75 feet from the centerline of the right-of-way. However, where a property adjoins a limited access right-of-way, a building line shall be established in accordance with the applicable side and rear yard requirements or twenty-five (25) feet, whichever is greater. Where property adjoins a limited access right-of-way, accessory structures may be permitted within the established building line on the condition that a setback of not less than eight (8) feet from the property line is provided.

504.011 Required Setback. A structure or other use of land, except parking, shall locate no closer to a street right-of-way than the established building line.

504.012 Parking Setback. Open parking or loading spaces and associated access drives (other than those providing access to public rights-of-way) shall be permitted to extend toward the street right-of-way from the established building line a distance equal to forty percent (40%) of the required setback distance. The establishment of a reduced setback in accordance with 504.014 shall not alter the parking setback requirements of this section and Section 504.010 and 504.011.

504.014 Reduced Setback. If existing structures or uses on both lots adjacent to a lot have set backs less than the set back line established by these Regulations, the setback on the center lot shall be the average setback established on the adjacent lots.

504.020 SIGHT TRIANGLE ESTABLISHED. At every intersection of streets rights-of-way, a sight triangle shall be established as described by the right-of-way lines of the intersecting streets and the third side being a line passing through a point on each right-of-way line that is a distance from their point of intersection equal to the sum of the width of both rights-of-way divided by four (4).

504.021 Visibility Maintained. Within the sight triangle, there shall be maintained a clear visibility between the heights of two and one-half (2-1/2) feet and ten (10) feet above the average center line grade of the intersecting streets within the

sight triangle, except trunks of existing trees or light or sign supports. Such supports shall have a maximum dimension of six (6) inches or less of its horizontal section. If two (2) or more supports are on a framework, they shall not have an opaqueness of more than ten percent (10%) when viewed parallel to the third side of the sight triangle. The maintenance of clear visibility first requires that there shall be no vehicle parking or standing space provided within the sight triangle.

SECTION 510 COMMUNITY-BASED CARE FACILITIES

510.010 COMMUNITY-BASED CARE FACILITIES, PURPOSE. The intent of this section is to establish development standards for community-based care facilities and procedure for public review and approval of their location so as to:

- 1) Assure access to appropriate neighborhood environments; and
- 2) Prevent formation of de facto social service districts containing a concentraion of similar facilities; and
- 3) Maintain neighborhood stability.

510.011 LOCATION OF COMMUNITY-BASED CARE FACILITIES

- 1) A community-based care facility shall be a Conditional Use established in accordance with Section 815 of this Resolution.
- 2) A community-based care facility for the elderly, foster care of children, developmentally disabled, mentally retarded or physically handicapped approved in accordance with the requirements of this Section and Section 815, may be located in any Residential or Apartment-Residential District as listed in Section 201.01.
- 3) A community-based care facility other than those provided for in Section 510.011, 2 above, shall be located in a residential zoning district.

510.012 SPECIAL CONDITIONS REQUIRED FOR APPROVAL OF A COMMUNITY-BASED CARE FACILITY

In addition to the requirements of Section 815 of this Resolution, the applicant for a community-based care facility shall have the burden of demonstrating compliance with this Section 510.012.

- 1) A community-based care facility shall:

a) generate no traffic unreasonably greater in volume or different in nature than would otherwise normally occur in the neighborhood in which it is located;

b) be architecturally compatible with other residential dwellings in the immediate neighborhood and shall maintain the same degree of compatibility in the future; provided, however, that an improvement required by an applicable government code for access to or exit from the building shall not be deemed incompatible merely because surrounding buildings lack such facilities;

c) in the case of single dwelling unit, utilize no more than thirty-five percent (35%) of the net floor area of the living quarters for sleeping area and, in the case of a structure containing more than one dwelling unit, utilize no more than forty-five percent (45%) of the net floor area of the living quarters for sleeping area. In all cases, in computing the sleeping area, there shall be excluded halls, corridors, stairways, closets, and all other forms of areas not commonly used for sleeping;

d) in computing the net floor area of the living quarters, the applicant shall exclude the attic, garages, (whether attached or detached), vestibules, porches (whether open or closed), verandas, and any other room which is less than fifty percent (50%) above the grade;

e) in the case of any room designated as a "sleeping area," such room shall be provided with windows or skylights with a glass area, exclusive of muntins, not less than one-tenth of the floor area of such room and not less than six (6) square feet of the window area shall be openable. Required windows shall open on a court, yard or street either directly or through a porch with a minimum clear height of not less than 7 feet and a depth of not more than 7 feet. Such porch shall be at least fifty percent (50%) open on at least one side;

f) comply with the development standards applicable to all other properties in the zoning district in which they are located;

g) prior to occupancy and continually thereafter be licensed or certified by a federal, state, or other appropriate governmental agency which requires screening of potential residents;

h) be located in a census tract where fewer than two (2) community-based care facilities are situated;

i) be located no closer than within two thousand five hundred (2500) feet of any other community-based care facility as measured by the shortest straight line distance between the outside walls of the living units containing the existing and the proposed community-based care facility.

510.013 CONCENTRATION OF FACILITIES

1) The Washington Township Board of Zoning Appeals may waive the minimum distance requirement of two thousand five hundred (2500) feet if the applicant clearly demonstrates that the proposed community-based care facility is effectively separated from an existing community-based care facility by a limited access highway, or a railroad right-of-way.

2) The Washington Township Board of Zoning appeals may allow a reduction of the required distance between community-based care facilities to not less than one thousand (1000) feet, to be measured in accordance with the requirements of Section 510.012, 1, i above, if the applicant clearly demonstrates that the proposed location has unique advantages for the education or rehabilitation of the proposed residents of the facility. These advantages may include:

a) Proximity to other social service organizations, government agencies, businesses or institutions which will provide services to the residents.

b) Convenient access to public or private transportation facilities for purposes of travel to social service organizations, government agencies, businesses or institutions which will provide services to the residents of the facility.

SECTION 511 HOME OCCUPATION.

511.010 HOME OCCUPATION PERMITTED. A home occupation shall be permitted within a dwelling unit provided it does not occupy more than twenty percent (20%) of the gross floor area of the dwelling unit or two hundred (200) square feet, whichever is larger, and the same is registered with the Zoning Inspector.

511.011 Home Occupation Defined. "Home occupation" is an accessory use of a dwelling unit for a legitimate business, profession, trade, or vocation, whether or not for profit, carried on within an enclosed dwelling by the occupants residing therein, and provided:

- 1) The occupation is registered in writing with the Zoning Inspector and is clearly incidental and secondary to the use of the dwelling for residential

occupancy and does not change the residential character thereof;

- 2) No person, other than those residing on the premises, shall be engaged in such occupation;
- 3) There shall be no change in the outside appearance of the building or premises;
- 4) No home occupation shall be conducted in any accessory building or structure;
- 5) The exterior access to the space devoted to the home occupation shall not be used exclusively for such use;
- 6) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the premises, if the occupation is conducted in a single-family residence, or outside of the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment and or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises;
- 7) No "commercial vehicles," as that term is defined in the second paragraph of Section 531.051, shall be used for the delivery of materials to or from the premises in conjunction with the conduct of a home occupation;
- 8) There shall be no sales of commodities, articles or any other goods unless approved in accordance with Section 511.012; and
- 9) Signs for home occupations shall be placed in accordance with Section 541.03 (8) of Article V of the Washington Township Zoning Resolution.

511.012 Home Occupation Other than as Defined. A "home occupation" except as defined in Section 511.011, shall be allowed only upon obtaining approval in accordance with Section 815, Article VIII. The granting of such approval shall be limited to:

- 1) The conduct of the home occupation within a permitted structure accessory to the dwelling unit.

2) Sales of commodities, articles, or goods in conjunction with the home occupation.

SECTION 512 ACCESSORY USES AND STRUCTURES.

512.010 ACCESSORY USES AND STRUCTURES PERMITTED.

Accessory uses and structures shall be permitted in association with a principal use or structure provided that the area of the accessory use or structure shall be twenty-five percent (25%) or less of the gross floor area of the principal use or structure.

512.011 Accessory Use and Structure Defined. An accessory use or structure shall be defined as a subordinate use or structure which is incidental to and in association with a principal use or structure and which is customarily required or provided for the principal use or structure.

512.012 Required Location in Residential Zoning District. Unless otherwise noted in Section 512.014, in a Residential Zoning District as listed in SECTION 201 of ARTICLE II, unattached accessory structures shall be located to the rear of the dwelling structure, shall be no more than twelve (12) feet in height.

512.013 Required Location in Other Zoning Districts. In any Zoning District except a Residential Zoning District, accessory uses or structures shall be on the same premises as the principal use or structure and located subject to the Development Standards of the Zoning District in which it is located.

512.014 Swimming Pools as Accessory Structures. Swimming pools, exclusive of portable swimming pools with a diameter less than twelve (12) feet or with an area of less than one hundred (100) square feet, may be allowed in any Single Family Residential Zoning District or Multi-Family Zoning District as permitted by this Resolution subject to compliance with the following regulations:

512.015 Swimming Pools in Single Family Residential Zoning Districts. In Single Family Zoning Districts, the following regulations shall apply:

1) The swimming pool is intended and is to be used solely for the enjoyment of the occupants of the dwelling unit on the property on which it is located and their guests.

2) The swimming pool is an accessory use of the property on which it is located. It may not be located closer than twenty-five (25) feet to any property line.

3) The swimming pool shall be walled or fenced to prevent uncontrolled access from the street or from adjacent properties. Said fence or wall shall not be less than forty-two (42) inches in height and shall be maintained in good condition with a gate and lock.

512.016 Swimming pools in Multi-Family Residential Zoning Districts. A pool that is located within and is designed to service specifically a multi-family development shall be permitted as an accessory structure irrespective of whether or not such pool is owned or operated by a homeowners' association. A private pool designed to service specifically a multifamily development shall be subject to the same yard requirements as listed for principal structures in that district.

512.017 Community or Club Pools. Where permitted by an Exceptional Use Zoning District, community or club pools, to be interpreted as being used for the enjoyment of the members and families, and guests of members of the association or club under those jurisdiction the pool is operated, shall be walled or fenced to prevent uncontrolled access to the pool. Such wall or fence shall not be less than four (4) feet in height and access to such pool shall be adequately controlled by gate and lock. The pool and all accessory structures to include decks or areas used by bathers shall not be closer than fifty (50) feet to any property line.

512.018 Towers, Antennas, Windmills, and Similar Structures. Radio and T.V. towers, antennas, satellite earth stations (dish antennas), solar collectors, and similar structures shall be permitted in association with a principal use or structure provided that the following standards are met:

- 1) All towers, antennas, windmills and similar accessory structures shall be located to the rear of the principal structure on the premises. No such accessory structure shall be permitted to encroach upon the minimum required sideyard or rear yard;
- 2) No such structure shall be permitted to exceed twenty-five (25) feet in total height, inclusive of the height of any building or base upon which said structure is erected, except upon issuance of a Conditional Use Permit in accordance with SECTION 815 of this Resolution;
- 3) Any guy anchorage or similar device shall be at least ten (10) feet from any property line; and

- 4) No structure shall be in excess of a height equal to the distance from the base of the structure to the nearest overhead electrical power line or phone line less five (5) feet (excluding lines which serve only the lot on which said structure is placed);
- 5) No structure shall be in excess of a height equal to the distance from the base of the structure to the nearest lot line less five (5) feet;
- 6) Suitable fencing and/or landscaping or other treatment is provided to effectively prevent unauthorized climbing of the structure; and
- 7) The structure or activity for which the structure is used shall not interfere with radio and television reception on nearby properties.

512.019 Plot Plan for Towers, Antennas, Windmills and Similar Structures. Prior to issuance of any Certificate of Zoning Compliance for a tower or similar structure as described in 512.018, the applicant shall submit a plot plan and supporting information to the Zoning Inspector which meets the criteria of SECTION 705.020 of this Resolution and which, in addition, shows the following:

- (1) Proposed location and height of proposed structure, support systems, and distances to the nearest phone, electric lines and property lines;
- (2) Type of structure and construction materials, and, if required by the Zoning Inspector, a structural engineering analysis;
- (3) Documentation of any maintenance program which may be necessary;
- (4) Proof that a building permit can be obtained or is not necessary for the proposed structure;
- (5) Proof that any license which may be required has been or will be obtained;
- (6) All fencing, landscaping or other treatment which may be required; and
- (7) Other information as may be requested by the Zoning Inspector.

SECTION 514 USE OF INDIVIDUAL SEWAGE TREATMENT AND INDIVIDUAL WATER SUPPLY

514.010 DEVELOPMENT WITH INDIVIDUAL SEWAGE TREATMENT OR WATER SUPPLY. A tract of land that was of record on the date of adoption of this Zoning Resolution shall not be developed with individual sewage treatment or individual water supply for more than fifteen (15) dwelling units or not to more than fifty percent (50%) of the area of the tract (whichever is the most restrictive) within a three-year period without the approval of the Franklin County District Board of Health. Approval shall be with a finding of adequate control of water pollution and sewage disposal in accordance with the Board of Health rules and regulations.

514.011 Required Lot Sizes. The size of lot or area provided for each dwelling unit shall be of a size or larger than as approved by the Board of Health, but shall be not less than the minimum lot size for the Zoning District in which it is located.

SECTION 521 SCREENING BY STRUCTURE OR LANDSCAPING REQUIRED.

521.010 SCREENING REQUIREMENTS. Certain activities shall be screened by structures, walls, fences, or landscaping so that these activities will not be detrimental to adjacent land.

521.011 Screening Standards. Required screening shall be provided in accordance with the following standards, except as provided in other sections of this Zoning Resolution:

- 1) It shall have an opaqueness of seventy-five percent (75%) or more.
- 2) If the screening is man made, it shall be at least six (6) feet but not more than ten (10) feet in height.
- 3) If screening is to be accomplished by landscaping, the landscape materials shall achieve the minimum standards stated above within a period of three (3) years or less.

521.012 Adjacent to Residential Zones and Planned Development. Any commercial or industrial building, parking lot or other accessory use permitted by this Resolution which is located adjacent to land in a Residential Zoning District or a Planned Residential District as listed in Section 201 of Article II, shall be screened as prescribed, unless it is separated by a street right-of-way eighty (80) feet or more in width.

521.013 Along a Public Street. The following list of activities, in addition to being screened as prescribed, shall be screened so that the activity is not visible from a public street within three hundred (300) feet of the lot on which the activity is located.

Articles or materials being stored, maintained, repaired, processed, erected, fabricated, dismantled, salvaged, or otherwise not being offered for retail sale in a completed, useable and normal condition.

SECTION 531 OFF-STREET PARKING AND LOADING.

531.010 OFF-STREET PARKING SPACE REQUIRED. Off-street parking facilities shall be provided for the use of occupants, employees, and patrons of all uses, and off-street loading and vehicle storage space shall be provided for the handling of materials and products of commercial and industrial uses.

Such required facilities, additional space provided, and access drives thereto, including required curb-cuts, shall be sloped and constructed to provide adequate drainage of the area, surfaced with a sealed surface pavement, and maintained in such a manner that no dust will be produced by continuous use. The design and construction of all facilities provided shall be subject to approval by the County Engineer.

531.011 Parking Space Size. A parking space for one (1) vehicle shall be rectangular area having dimensions of not less than nine (9) feet by twenty (20) feet plus adequate area for ingress and egress.

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

Churches may establish with public or commercial establishments joint parking facilities for fifty percent (50%) or less of their required spaces provided that a written agreement thereto is obtained and that all parking areas so designated lie within three hundred (300) feet of an entrance to the church.

531.020 MINIMUM NUMBER OF PARKING SPACES REQUIRED. A minimum number of off-street parking spaces shall be provided in accordance with the following schedule:

531.021 Schedule of Parking Spaces. The parking space requirements for a use not specifically named herein shall be the same as required for a listed use similar in nature.

<u>Use</u>	<u>Spaces Required</u>
Residence	
Institutional Housing (Unless otherwise specified)	One (1) space per five (5) occupants plus one (1) space per each two (2) employees and staff on the combined work shifts
One (1) or Two (2) Dwelling Units per Lot	Two (2) spaces per dwelling unit
Three (3) Dwelling Units per Lot	One and one-half (1-1/2) spaces per dwelling unit
Four (4) or More Dwelling Units per Lot	One and one-half (1-1/2) spaces per dwelling unit
Commerce	
Commercial Lodging	One (1) space per sleeping room
Barber Shop, Beauty Shop or Similar Personal Service	Two (2) spaces per barber or beautician.
Restaurant, Bar or Similar Place for the Sale and Consumption of Food and/or Drink on the Premises	One (1) space per one hundred (100 square feet of gross floor area
All Outdoor Display and Sales	One (1) space per one thousand (1,000) square feet of display area
Indoor Sales Exclusively of Motor Vehicles, Aircraft, Watercraft, Lumber, Plants and Furniture	One (1) space per one thousand (1,000) square feet of sales area
Retail Sales or Service Establishment not Elsewhere Specified	Three (3) parking spaces per first one thousand (1,000) square feet of gross floor area per structure plus one (1) space per two hundred and fifty (250) square feet of gross floor area excluding the first one thousand (1,000) square feet of gross floor area

Funeral Parlors, Mortuaries	One (1) parking space per one hundred and fifty (150) square feet of gross floor area on the first floor of the structure devoted to this use
Administrative or Business Office	One (1) space per three hundred (300) square feet of gross floor area
Medical and Health Medical/Dental Office/Clinic	One (1) parking space per hundred fifty (150) square feet of gross floor area
Convalescent and Nursing	One (1) parking space per each two (2) beds
Hospital or Similar Medical Facility	One and one-half (1-1/2) spaces per bed
Education Day Care Centers	Two (2) parking spaces for each classroom but not less than six (6) per school or institution
Elementary Schools	One (1) space per teacher and staff member, plus one (1) parking space per student, up to five percent (5%) of the student body
High Schools	One (1) parking space per four (4) students
Business, Technical and Trade Schools	One (1) parking space per two (2) students
Colleges and Universities	One (1) parking space per two (2) students
Libraries, Museums, Art Galleries and Similar Uses	One (1) parking space per four hundred (400) square feet of gross floor area
Recreation and Religion Auditorium, Church, Stadium, or Similar Place with Fixed Seating for Assembly	One (1) space per three (3) seat

Assembly Hall, Club Room,
Place of Amusement or Similar
Place of Assembly

One (1) space per one
hundred (100) square feet
of area devoted to
assembly

Tennis Court, Bowling Alley
or Similar Establishment
Providing Facilities for
Intensive Public Partici-
pation in Sports Activity

Four (4) parking spaces
per lane, court or similar
activity area, plus addi-
tional parking spaces as
required for supplementary
uses, such as restaurant,
etc.

Golf Course

Seven (7) spaces per hole
plus one (1) space per two
(2) employees on the
combined work shifts

Miniature Golf Course

Two (2) spaces per hole
plus one (1) space per two
(2) employees on the
combined work shifts

Driving Range

Two (2) spaces per three
(3) playing locations

Indoor Public Swimming Pool
or Natatorium of a Public or
Semi-Public Type

One (1) space per five (5)
persons capacity computed
on the basis of one (1)
person per thousand
(1,000) gallons of pool
capacity, plus one (1) for
each 4 seats or thirty
(30) square feet of gross
floor area used for
seating purposes,
whichever is greater

Outdoor Swimming Pool of
a Public or Semi-Public Type

One (1) space per five (5)
persons capacity computed
on the basis of one (1)
person per five hundred
(500) gallons of pool
capacity, plus additional
spaces as required for any
supplementary uses such as
restaurant, etc.

All Other Recreational
Facilities

One (1) space per each
three (3) patrons the
establishment is designed
to serve

Industry

Manufacturing, Warehousing,
Wholesaling, or Similar
Establishments

One (1) space per two (2) employees on the combined work shifts, on an annual average, plus one (1) space per ten thousand (10,000) square feet of gross building area

531.022 Computing Number of Spaces. Where two (2) or more uses are provided on the same lot, the total number of spaces required shall equal or exceed the sum of their individual requirements.

The parking spaces required shall be to the next highest whole number where a fractional space results in computation.

531.030 MINIMUM NUMBER OF LOADING SPACES REQUIRED. A loading space shall consist of a rectangular area of one (1) of the following classes:

Class A - An area at least fourteen (14) feet by fifty-five (55) feet having a vertical clearance of fifteen (15) feet or more, plus adequate area for ingress and egress.

Class B - An area at least twelve (12) feet by thirty (30) feet having a vertical clearance of fifteen (15) feet or more, plus adequate area for ingress and egress.

531.031 Schedule of Loading Spaces. Loading space shall be provided for retailing, wholesaling, warehousing, processing, and similar activities or uses in accordance with the following schedule:

<u>Access or Use</u>	<u>Class Required</u>
Building Area less than Seven and Fifty (750) Square Feet.	None Required Hundred
Building Area more than Seven Hundred and Fifty (750) Square Feet but less than Fifteen Hundred (1500) Square Feet.	One (1) Class B space required.
Building Area Fifteen Hundred (1500) Square Feet but less than Twenty-five Hundred (2500) Square Feet.	One (1) Class A space or (2) Class B spaces required.

Building Area Twenty-five Hundred (2500) Square Feet but less than Ten Thousand (10,000) Square Feet. required

One (1) Class A space and one (1) Class B space, or three (3) Class B spaces

Building Area Ten Thousand (10,000) Square Feet but less than Fifty Thousand (50,000) Square Feet

One (1) Class A space and one (1) Class B space, or three (3) Class B spaces, plus one (1) Class A space for each ten thousand (10,000) square feet over ten thousand (10,000) square feet of building area.

Building Area Fifty Thousand (50,000) Square Feet or More

One (1) Class A space for each ten thousand (10,000) square feet over ten thousand (10,000) square feet of building area, plus one (1) Class A space for each twenty-five thousand (25,000) square feet over fifty thousand (50,000) square feet of building area.

531.040 ACCESS DRIVES. Access drives (driveways) leading to and from a street shall be developed as follows:

531.041 Width of Drive. An access drive shall not exceed twenty-five (25) feet in width, except at curb returns.

531.042 Location of Drive. A non-residential access drive, exclusive of curb returns, shall be a minimum of twenty (20) feet or more from the side lot line except that the Zoning Inspector may limit the number, location and configuration of access drives for residential, commercial and industrial uses. Any limitation(s) imposed by the Zoning Inspector shall be based on the establishment of proper circulation which insures maximum possible public safety in matters of ingress and egress onto public streets and roads. The Zoning Inspector may determine adequate public safety based upon recommendations from the State of Ohio Department of Transportation, the Franklin County Engineer or the Regional Planning Commission when determining public safety issues in the placement of access drives.

Residential driveways shall be permitted in required yards, but shall be five (5) feet or more from any property line, except where such driveways are developed jointly as a common drive to adjoining lots.

531.050 LIMITATION OF PARKING IN RESIDENTIAL ZONING DISTRICTS. The provision of parking space, either open or enclosed for the parking or storage of vehicles in a Residential Zoning District or Planned Residential Zoning District as listed in SECTION 201, ARTICLE II shall be subject to the following:

531.051 Commercial Vehicles. Not more than one (1) truck limited to being a two-axle, four-tired pickup, panel or light truck and which has operating characteristics similar to those of a passenger car shall be allowed per one (1) dwelling unit.

Trucks having dual tires on one (1) or more axles, or having more than two (2) axles, designed for the transportation of cargo and including tractor-trucks, trailers, and semi-trailers shall not be allowed except.

531.052 Recreational Vehicles, Camping Trailers or Other Trailers. Recreational vehicles, camping trailers or other trailers, including boat, cargo, horse or other similar trailers (none of which may exceed thirty [30] feet in length) may be parked or stored for a period not to exceed fourteen (14) days in any calendar year, except when such trailer is enclosed by structure, fence or otherwise protected so that it shall be screened and cannot be entered upon or seen from an adjacent lot or street.

531.053 Inoperable Vehicle. Not more than one (1) wrecked, or otherwise inoperable motor vehicle shall be allowed per one (1) dwelling unit. Such motor vehicle may be parked or stored only for a period not to exceed fourteen (14) days in any calendar year except when such motor vehicle shall be enclosed by structure, fence or otherwise protected so that the motor vehicle shall be screened and cannot be entered upon or seen from an adjacent lot or street.

SECTION 541 SIGN REGULATIONS

PREFACE. The SIGN REGULATIONS are intended to protect the public health, safety and welfare by regulating the placement, size and general appearance of signs in order to:

1. Control the number, size and location of signs to reduce the clutter;
2. Reduce the hazards to the public that may be caused by signs overhanging public rights-of-way; and
3. Regulate signs so that they do not obstruct vision or interfere with the functions performed by drivers.

541.010 SIGNS, GENERAL REQUIREMENTS IN ALL ZONING DISTRICTS. The following general requirements shall apply to signs in all zoning districts and are in addition to other specific requirements enumerated in following sections:

1. No illuminated sign or lighting device used in conjunction with a sign shall be placed or directed so as to permit the illumination therefrom to be directly beamed upon a public thoroughfare, highway, sidewalk, or adjacent premises so as to cause direct glare or reflection that may constitute a hazard to public safety or create a nuisance;
2. Where applicable, all wiring, fittings, and materials used in the construction, connection, and operation of electrically illuminated signs shall be in accordance with the provisions of the State of Ohio and local electrical codes in effect.
3. Flashing lights, banners, posters, pennants, strings of lights, ribbons, streamers, or other similar moving devices shall not be used for advertising or attracting attention, either independently or as part of a sign;
4. No sign shall be installed, erected, or attached in any form, shape, or manner to a fire escape or any door or window giving access to any fire escape;
5. All signs hung and erected shall be plainly marked with the name of the person, firm, corporation, or group responsible for maintaining the sign;
6. All signs shall be kept in a secure, safe condition. Should any sign be or become unsafe or be in danger of falling, the owner thereof or the person maintaining the same, shall upon receipt of written notice from the Zoning Inspector proceed at once to put such sign or billboard in a safe and secure condition or remove the sign;
7. No signs shall be mounted within any public right-of-way except by the government agencies having jurisdiction within that right-of-way, unless otherwise allowed by the provisions of the Washington Township Zoning Resolution;
8. No signs or other object shall be erected, used or maintained which in any way simulates official, directional or warning signs erected or maintained by the State of Ohio, by the County of Franklin, or by

any township or municipality, or by any railroad, public utility or similar authorized agency concerned with the protection of public health or safety;

9. No sign shall be painted or attached to, or maintained on a utility pole, rock, tree or other form of vegetation;
10. Signs shall be erected and maintained only as accessory uses and or structures to the principal use of a building or land. Whenever a principal use of a building or land changes, all signs which are accessory to the principal use shall be removed within 90 days, unless a new principal use of a building or land is established and the sign(s) can be adapted to the new principal use in a manner permitted by this Zoning Resolution.
11. No sign shall obstruct pedestrian or vehicular visibility or otherwise interfere with the safe operation of vehicles or the safety of pedestrians.
12. For purposes of these regulations, portable signs, including trailer signs or "rollaway" signs, "A-frame" signs and air activated attractions and devices shall not be permitted.
13. When conflict arises between the sign requirements of this Resolution and those of the State of Ohio (ORC Chapter 5516) regarding the placement of signs adjacent to state highways, the more restrictive regulation shall govern.

541.020 SIZE OF SIGNS. Except as otherwise specified in the regulations which follow, no signs shall be displayed in the township which have a surface area in excess of eight (8) square feet per display surface. No signs shall have in excess of two display surfaces.

541.030 SPECIAL LIMITATIONS ON SIGNS. The erection and maintenance of signs shall be permitted for the purposes listed below in accordance with the following provisions:

1. Free-standing Signs.
 - a. Except as otherwise provided, any building housing one or more activities may display one free-standing sign, provided the following additional provisions are met.

- 1) The building has off-street parking on the premises.
- 2) The sign and its supporting structure are set back at least 15 feet from the existing adjacent highway right-of-way.
- 3) The building does not display a projecting sign.
- 4) The height of the free-standing sign shall be measured from the established grade of the property.
- 5) No additional sign shall be attached to any part of a free-standing sign other than on the display surfaces originally constructed as part of such sign. Attach-on signs, such as credit card decals and symbols of nationally known products, must be included within the original display surfaces; otherwise, attach-on signs are prohibited.
- 6) In areas where the existing building locations or other permanent obstructions prevent free-standing signs or projecting signs from being seen by passing motorists when erected in accordance with the provisions of this section, a free-standing sign not to exceed 30 inches in height may be located to within 15 feet of the curb line or edge of pavement; however, in no case shall the free-standing sign be located within an existing right-of-way.
- 7) A zoning certificate shall be obtained for each free-standing sign in accordance with the provisions of Section 705.020.
- 8) If a free-standing sign consists of more than one section or module per facing, the area of each individual graphic component shall be added together and shall not exceed the permitted sign area for that particular location.

b. Exceptions to Setback Requirements for Free-Standing Signs.

2. Wall Signs. Except as otherwise provided by this Section, any activity may display one wall sign for each wall of the building which faces a public street, providing the additional requirements are met:

- a. The allowable area of a wall sign permitted by Section 541.020 shall be that of the advertising area of individual letters and symbols when they are attached directly to the building, thereby utilizing the building wall as the background. Where the sign incorporates its own background, the allowable area of the sign shall be computed by using the background.
- b. A wall sign may be attached flat to or be pinned away from the wall of a building, but such sign shall not project from the wall by more than 12 inches.
- c. A wall sign may be located in the plane of, but below the fronting wall of a building.
- d. A wall sign may be located at the front edge of a canopy or marquee, providing the following additional conditions are met:
 - 1) The structural support for the sign must be enclosed to form a background to the message, and the sides of the support shall be concealed or made to appear as a continuation of the sign.
 - 2) Such sign shall not project beyond the horizontal or vertical dimensions of the wall with which it is associated.
 - 3) Such sign shall be no taller than any adjacent sign nor shorter than any adjacent sign.
 - 4) A canopy must have additional loading capacity designed and adequate to support a sign.
- e. A wall sign may not interrupt major architectural features including but not limited to, windows and doors.
- f. A wall sign placed in the horizontal space between windows shall not exceed in height more than two-thirds of the distance between the top of a window and the sill of the window above, or major architectural details related thereto.
- g. A wall sign shall not extend beyond the perimeter of the wall or facia to which it is attached.

- h. In addition to the above provisions, one wall sign may be displayed on the side or rear of a building adjacent to the off-street parking area provided for that building for the purpose of instructing customers of parking procedures, provided, however, that the sign does not exceed eight (8) square feet in size. The sign may be illuminated during the hours of operation of the activity.
 - i. A sign attached to the side wall of a building other than those permitted above, but oriented to a street on which the building faces, may be displayed in lieu of the permitted projecting graphic on the front wall, but it shall be counted as part of the total wall sign allotment associated with the building front.
 - j. Window signs will not be regulated provided that the building is at least one hundred (100) feet behind the right-of-way line. For buildings within the 100-foot setback, window signs, both permanent and temporary, shall not occupy more than 20% of any window. Permanent window signs shall be counted as part of the total allowable sign area.
 - k. A zoning certificate shall be obtained for each wall sign in accordance with the provisions of Section 705.02.
3. Roof Signs. A roof sign shall be displayed only in accordance with the following provisions:
- a. Buildings in excess of 40 feet in height may display a roof sign in addition to those signs permitted in other sections of 541.03, providing the total area of the roof sign and any wall signs used does not exceed the maximum sign area permitted by Section 541.020.
 - b. Buildings up to and including 40 feet in height may display a roof sign in lieu of a wall sign and not in excess of the area permitted by Section 541.020. Such sign shall be oriented only to a public street upon which the building fronts.
 - c. Roof signs permitted under both conditions, whether a part of the building's initial design or an addition after the building is

constructed, shall be constructed to appear as an integral part of the supporting building. All roof signs must meet the following minimum specifications:

- 1) The structural support for the sign must be enclosed to form a background to the message.
 - 2) The plane of the sign's advertising area must appear as a vertical continuation of the plane of the building's wall with which it is associated, unless otherwise originally designed as an integral part of the building.
 - 3) A roof sign shall not project beyond the vertical boundaries of the wall with which it is associated.
 - 4) The combined height of the building and the roof sign shall not exceed the height restriction of the underlying zoning district.
 - 5) The message of a roof sign shall be limited to the identification of the building or the principal occupant.
 - 6) A roof sign shall be enclosed so that no support structure is visible from any public right-of-way or any residential use or residentially zoned district within 500 feet.
- d. A zoning certificate compliance shall be obtained for each roof sign in accordance with the provisions of Section 705.02.
4. Projecting Signs. Except as otherwise provided by this Section, any building housing one or more activity may display one projecting sign on each street frontage in accordance with the Tables of Elements, provided the following additional requirements are met.
- a. The building does not display a free-standing sign.
 - b. Projecting signs must clear the established grade of the property by at least seven and one-half (7 1/2) feet.

- c. Projecting signs shall not extend above the wall or fascia to which they are attached, except that free-standing signs treated as projecting signs shall not exceed 20 feet in height.
 - d. A wall sign permitted by Section 541.03, 2 is not used.
 - e. A zoning certificate shall be obtained for each projecting sign in accordance with the provisions of Section 705.020.
5. Development Area Identification Signs. A Development Area Identification sign shall be permitted for residential subdivisions, multi-family residential complexes, shopping centers or institutions in accordance with the following:
- a. A Development Area Identification sign shall be permitted adjacent to arterial streets as defined by the Franklin County Throughfare Plan at major access points to the subdivision, complex, shopping center or institution.
 - b. A Development Area Identification sign shall not be located within fifteen (15) feet of the public right-of-way of the arterial street abutting the Development Area.
 - c. A Development Area Identification sign shall not be located within eight (8) feet from the pavement or curb of any internal street or private drive within the Development Area. In no case shall a Development Area Identification Sign be located within a public right-of-way.
 - d. The message shall be limited to the name, logo and street address of the complex;
 - e. A zoning certificate shall be obtained for each development area sign in accordance with the provisions of Section 705.020.
 - f. The sight Triangle required by Section 504.020 shall be maintained.
6. Directional and Informational Signs. Directional signs conveying only directions or instruction with respect to the premises on which it is located may be constructed on the premises. Directional signs shall be limited to eight (8) square feet in area. A

certificate of zoning compliance must be obtained for each directional and informational sign, in accordance with the provisions of Section 705.02.

7. Bulletin Boards. Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs, or societies may be erected on the premises of such institutions in any zoning district, provided:
 - a. That their maximum area shall not exceed 15 square feet.
 - b. That a certificate of zoning compliance must be obtained for each bulletin board in accordance with the requirements of Section 705.02.
8. Home Occupations. One (1) sign shall be permitted for a home occupation in compliance with Section 511.01 and 511.011. Such sign must be flatly affixed against the surface of the dwelling, it may be indirectly illuminated by reflected light or back light. The intensity of illumination shall be limited or shielded to prevent demonstrable adverse affects on adjacent property.
 - a. The maximum permitted area is three (3) square feet.
 - b. A zoning certificate shall be required.
9. Conditional Uses. Signs for conditional uses shall be indicated on the development plan, submitted in accordance with Section 815.022, and shall be constructed and maintained in accordance with these regulations.
10. Signs in Planned Development Areas. Signs in a Planned Development Zoning District shall be constructed and maintained in accordance with these regulations and with the plans, guidelines, and concepts established for signs approved as a part of the development plan.
11. Temporary Signs in Non-Residential Zoning Districts. One (1) temporary sign may be erected in any office, commercial or industrial zoning district to announce special public or institutional events, or the erection, sale, leasing or remodeling of a building or development.

- a. A temporary sign may be erected for a period of 60 days, plus the construction period, if applicable.
 - b. No temporary sign shall be located closer than twenty (20) feet to the pavement of any public street. No temporary sign shall be located within a public right-of-way.
 - c. A zoning certificate must be obtained prior to construction of a temporary sign, as required by Section 705.02.
12. Temporary Signs in Residential Zoning Districts. Signs announcing the sale or lease of a building or the construction or remodeling of a building may be erected in the residential zoning districts, provided:
- a. That such sign shall not be illuminated;
 - b. That the maximum area of signs advertising a sale or lease of a building must not exceed eight (8) square feet;
 - c. That no certificate of zoning compliance shall be required for signs advertising the sale, lease or rent of a building;
13. Political Graphics. Political signs for candidates and issues on the ballot may be erected no sooner than 60 days before the date of an election and may remain in place no later than 7 days after the date of the election. Political graphics shall conform to the following requirements:
- a. In residential zoning districts, the maximum permitted area of political signs is eight (8) square feet; and
 - b. No political graphic shall be located closer than ten (10) feet to the pavement of any public street. No political sign shall be located within a public road right-of-way.
 - c. No certificate of zoning compliance shall be required for political signs.

SECTION 551: PUBLIC NUISANCE REGULATIONS

551.010 Prevention of Nuisance. Every structure or use subject to the provisions of this Zoning Resolution shall be located, arranged and operated in accordance with the following

provisions so that it will not interfere with the development and enjoyment of adjacent property.

551.020 Required Limits. The following limits of development and operation are provided to control hazardous, obnoxious or other nuisance activity of uses subject to the provisions of this Zoning Resolution.

551.021 Noise. Noise or vibration shall be so controlled that at the property line on which such noise or vibration is produced it will not be at a level above that normally perceptible from other activities in the area.

551.022 Air Pollution. No visible smoke, dust or other particulate emissions, excluding steam, shall be permitted, excepting those produced from fossil fuel, wood-burning stoves, fireplaces, furnaces or similar systems so long as such systems are primarily used for heating or cooking purposes and are not used in connection with the manufacture of goods or other commercial activity.

551.023 Odor or Fumes. Odor or noxious fumes shall be so controlled so they are not offensive or hazardous.

551.024 Radioactivity or Electrical Disturbance. No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation of any equipment at any point other than that located at the source of such activity.

551.025 Lighting and Glare. No direct or reflected glare from processing, lighting or other activities shall be perceptible beyond the property lines of the lot or property on which such glare or heat is produced.

551.026 Toxic and Hazardous Substances. No toxic substance shall be emitted or otherwise discharged into the atmosphere, ground, surface waters or ground waters. No storage, use or transport of toxic or hazardous substances shall be permitted unless such activity is in full compliance with applicable state and federal environmental protection regulations and the express written approval of the Fire Chief of the Washington Township Fire Department is obtained.

551.027 Fire Hazards and Explosives. There shall be no storage, utilization or manufacture of detonateable materials or intense burning materials unless the express prior written approval of the Fire Chief of the Washington Township Fire Department is obtained. The said Fire Chief shall have the authority to specify the location, quantity, methods of storage and methods of utilization, and otherwise exert other controls

which are necessary to protect the health and safety of the residents of Washington Township.

551.028 Trash. The storage of trash or waste materials, including but not limited to discarded household goods, discarded commercial products, industrial by-products, brush and other similar materials shall not be visible from any property line on which such materials are being stored or otherwise placed. For purposes hereof, dilapidated and structurally unsound outbuildings, and the like shall be considered to be trash or waste material. All such materials shall be housed in an appropriate container or enclosure, excepting trash that is properly placed in an appropriate enclosed container at an assigned location for regularly scheduled trash pickup. In all cases, there shall be full compliance with applicable zoning district standards.

551.029 Use of Groundwater, etc. No groundwater or water from any other source shall be used for geothermal heating or cooling if the same is to be discharged into a storm sewer, onto the surface of the ground, or into a drainage ditch. Such water may be used if it is returned to the ground, is used in a closed system, or is discharged directly into the streambed or pond or lake from which it was drawn.

SECTION 552 LANDSCAPING REQUIREMENTS

552.010 Intent. The intent of these requirements is to improve the appearance of vehicular use areas and property abutting public rights-of-way; to require buffering between noncompatible land uses; and to protect, preserve and promote the aesthetic appeal, character and value of the surrounding neighborhoods; to promote public health and safety through the reduction of noise pollution, air pollution, visual pollution, air temperature, and artificial light glare.

552.011 Purpose. The purpose of these requirements is to specifically promote the preservation and replacement of trees and significant vegetation removed in the process of land development, and to promote the proper utilization of landscaping as ease between land uses to minimize the opportunities of nuisances.

552.012 Site Affected. New Sites - No certificate of zoning compliance or building permit shall be issued hereafter for any site development or the construction or improvement of any building, structure, or vehicular use except where

landscaping for such development, construction or improvement shall have been approved as required by the provisions of the Washington Township Zoning Resolution. Single family uses shall be exempt.

552.013 Where Landscape Materials Required. This section describes the minimum requirements that shall be met in regard to perimeter landscaping for noncompatible land use areas, landscaping for service areas, and interior landscaping for businesses, buildings, structures or other new developments of the land.

- 1) Perimeter Landscaping Requirements - Unless otherwise provided, landscape materials shall be installed to provide a minimum of fifty (50) percent winter and seventy (70) percent summer opaqueness, between one (1) foot above finished grade level to the top of the required planting, hedge, fence, wall, or earth mound within three (3) years after installation.
- 2) Building Permit - Where landscaping is required, no building permit shall be issued until the required landscaping plan has been submitted to and approved by the Zoning Inspector.
- 3) Posting of Bond or Irrevocable Letter of Credit - After a bond or irrevocable letter of credit has been posted, the landscaping material required in the approved landscaping plan shall be installed within six (6) months after the date of posting the bond or irrevocable letter of credit. A one (1) month extension of the planting period may be granted by the Zoning Inspector upon a demonstration by the property owner or developer that such an extension is warranted because of adverse weather conditions or unavailability of required plant materials. No more than three (3) such one (1) month extensions may be granted. Foreclosure proceedings shall be brought against the performance bond or irrevocable letter of credit if the required landscaping plans have not been complied with by the end of the approved planting period.
- 4) Landscape Buffer Zone Conflicts - The required landscape buffer zone may be combined with a utility or other easement as long as all of the landscape requirements can be provided in addition to, and separate from, any other easement. Cars or other objects shall not overhang or otherwise intrude upon the required landscape buffer zone more than 2-1/2 feet, and wheel stops or curbs will be required.

- 5) Interior Landscaping for Vehicular Use Areas - Any open vehicular use area (excluding loading, unloading, and storage areas in an industrial zone, or business zone) containing more than 6,000 sq. ft. of area, or twenty or more vehicular parking spaces, shall provide interior landscaping, in addition to, the previously required perimeter landscaping. Interior landscaping may be peninsular or island types.
- a) Landscape Area - for each 100 sq. ft., or fraction thereof, of vehicular use area, a minimum total of five (5) sq. ft. of landscaped area shall be provided.
- (1) Minimum Area - The minimum landscape area permitted shall be sixty-four (64) sq. ft., with a four (4) foot minimum dimension to all trees from edge of pavement where vehicles overhang.
- (2) Maximum Contiguous Area - In order to encourage the required landscape areas to be properly dispersed, no individual landscape area shall be larger than 350 sq. ft. in size, and no individual area shall be larger than 1,500 sq. ft. in vehicular use areas over 30,000 sq. ft. In both cases, the least dimension of any required area shall be four (4) feet minimum dimension to all trees from edge of pavement where vehicles overhang. Individual landscape areas larger than above are permitted as long as the additional area is in excess of the required minimum total.
- b) Minimum Trees - The following minimums are required, based upon total ground coverage of structures and vehicular use areas:
- (1) A minimum of one (1) tree per 5,000 sq. ft. of ground coverage and, a total tree planting equal to one inch (1") in tree trunk size for every 2,000 sq. ft. of ground coverage.
- (2) Trees shall have a clear trunk of at least five (5) feet above the ground, and the remaining area shall be landscaped with shrubs, or ground cover, not to exceed two (2) feet in height.

- (3) Vehicle Overhang - Parked vehicles may hang over the interior landscaped area no more than two and one half (2-1/2) feet, as long as concrete or other wheel stops are provided to ensure no greater overhang or penetration of the landscaped area. (Exhibit C)
- 6) Landscaping for Service Structures - Any service structure (accessory use) shall be screened. Structures may be grouped together; however, screening height requirements will be based upon the tallest of the structures.
 - (a) Location of Screening - A continuous (having 100% opaqueness) planting, hedge, fence, wall, mound of earth, which would enclose any service structure on all sides unless such structure must be frequently moved, in which case screening on all but one (1) side is required. The average height of the screening material shall be three (3) feet more than the height of the enclosed structure, but shall not be required to exceed ten (10) feet in height.

552.014 Landscape Materials. The landscaping materials shall consist of the following, and as described in detail in the Plant List for Washington Township which may be obtained from the Zoning Inspector.

The proposed landscape materials should complement the form of the existing trees and plantings, as well as the general design and architecture of the proposed development.

- 1) For any proposed new building, residential or otherwise, where stone fencing exists, said stone fencing shall be retained and improved as part of the approved landscaping.
- 2) Earth Mounds - Earth mounds shall be physical barriers which block or screen the view similar to a hedge, fence, or wall. Mounds shall be constructed with proper and adequate plant material to prevent erosion. A difference in elevation between areas requiring screening does not constitute an existing earth mound, and shall not be considered as fulfilling any screening requirement.

- 3) Plants - All plant materials shall be living plants (artificial plants are prohibited) and shall meet the following requirements:
- a) Quality - Plant materials used in conformance with provision of these requirements shall conform to the standards of the American Association of Nurserymen and shall have passed any inspections required under State of Ohio regulations.
 - b) Deciduous Trees - (Trees which normally shed their leaves in the Fall) - Shall be species having an average mature crown spread of greater than fifteen (15) feet in Central Ohio and having a trunk which can be maintained with over five (5) feet of clear wood in areas which have visibility requirements, except at vehicular use area intersections where eight (8) foot clear wood requirement will control.
 - c) Prohibited Trees - Shall be those listed on the Plant List for Washington Township.
 - d) Evergreen Trees - Evergreen trees shall be a minimum of five (5) feet high with a minimum caliper of one and one-half inches (1-1/2") immediately after planting.
 - e) Shrubs and Hedges - Shall be at least three (3) feet in height when planted and shall conform to the opacity and other requirements within three (3) years after planting.
 - f) Vines - Shall be at least fifteen inches (15") high at planting, and are generally used in conjunction with walls or fences.
 - g) Grass or Ground Cover - Grass (of fescue, 'Gramineak', or bluegrass, 'Poaceae' family) shall be planted in species normally grown as permanent lawns in Central Ohio, and may be sodded or seeded, except in swales or other areas subject to erosion. In such areas solid sod, erosion reducing net, or suitable mulch shall be used, nursegrass seed shall be sown for immediate protection until complete coverage otherwise is achieved. Grass sod shall be clean and free of weeds and noxious pests or diseases. Ground Cover shall be planted in such a manner

as to present a finished appearance and 75% of complete coverage after one (1) complete growing season. Plantings to be maximum of eight inches (8") on center. In certain cases, ground cover also may consist of rocks, pebbles, sand, and similar materials as approved by the Zoning Inspector.

- 4) Maintenance and Installation - All landscaping materials shall be installed in a sound, workmanship like manner, and according to accepted good construction and planting procedures. The Owner of the property shall be solely responsible for the continued proper maintenance of all landscaping materials, and shall keep them in a proper, neat and orderly appearance, free from refuse and debris, at all times. All unhealthy or dead plant material shall be replaced within one (1) year or by the next planting season, whichever comes first. Any defective landscape material shall be replaced or repaired within three (3) months.

552.015 Definitions. For the purpose of these requirements, certain terms are herewith defined so as to ensure uniform interpretation of the text.

Accessory Use or Service Structure - A use or structure which is subordinate to the principal use or building and serving a purpose customarily incidental thereto.

Landscape Buffer Zone - That area adjacent to any vehicular use area and/or along common boundaries in which the perimeter landscape requirements are to be met.

Interior Landscape - The use of landscape materials within the innermost boundaries of the landscape buffer zone and perimeter landscaping.

Parking Area, Parking Structure - An off-street area or structure for required parking or loading spaces, including driveways, access ways, aisles, parking and maneuvering space, but excluding required front yard, or public right-of-way.

Parking Lot, Parking Structure - An off-street area or structure, other than the parking or loading spaces or areas required or permitted under these Zoning Resolutions, for the parking of automobiles, and available to the public customarily for a fee.

Perimeter Landscaping - The use of landscape materials within the landscape buffer zone to achieve the required opaqueness.

Service Structures - See Accessory Use.

Vehicular Use Area - Any area used by vehicles.

ARTICLE VI
SPECIAL DISTRICTS

SECTION 600 SPECIAL DISTRICTS AND REGULATIONS ADOPTED.

600.010 SPECIAL DISTRICTS ESTABLISHED. Districts providing for use or development of land for certain purposes or under certain conditions, as hereafter specified, are hereby established and adopted.

600.020 SPECIAL DISTRICT REGULATIONS. Regulations pertaining to use or development of land in SPECIAL DISTRICTS are provided for the following:

600.021 Exceptional Uses. Provisions pertaining to certain uses of a unique nature as to warrant individual consideration are provided to allow appropriate location and development in relation to other land uses and development in a manner appropriate to promote the public health, safety and general welfare.

600.030 RELATION TO ZONING DISTRICTS. Special Districts and Regulations thereof shall be in addition to the Zoning Districts as established on the Zoning District Map and nothing herein is intended to amend, modify or otherwise change the Zoning District Regulations except as specifically set forth in the Special District Regulations.

600.031 Relation to Zoning District Map. The inclusion of land in a Special District shall be in addition to the Zoning District as established on the Zoning District Map, and nothing herein is intended to amend, modify or otherwise change the Zoning District boundaries as shown on the Zoning District Map.

SECTION 610 EXCEPTIONAL USE DISTRICT REGULATIONS.

610.020 SPECIAL USES. The following listed uses shall be subject to these EXCEPTIONAL USE DISTRICT REGULATIONS, except as they may be permitted by other provisions of this Zoning Resolution.

610.021 Transportation. Airport or Flying Field, Transportation Terminals, Depots or other transportation facilities not exempt from regulation.

610.022 Recreation and Amusement. Amusement Center, Amusement Park, Skating Rink, Miniature Golf, Swimming Pool, Drive-In Theater (except Adult Motion Picture Theater as defined in SECTION 720 of ARTICLE VII) or similar facility.

Athletic Field, Stadium, Race Track or similar sports facility not otherwise allowed by the provisions of this Zoning Resolution.

Golf Club, Country Club, Fishing Club or Lake, Riding Stable, including boarding of animals, or similar recreational facility operated on an admission fee or membership basis.

Resort establishment, park, camping or boating facilities, picnic grounds or similar recreational facility operated on an admission fee or membership basis.

610.023 Social and Cultural Institution. Cemetery or Crematory not otherwise allowed by the provisions of this Zoning Resolution.

Hospital, Sanatorium, Convalescent Home, Rest Home or Home for Children or the Aged, not otherwise allowed by the provisions of this Zoning Resolution.

Private school or college including those with students or faculty in resident, not otherwise allowed by the provisions of this Zoning Resolution.

610.024 Other Uses Not Provided For. Other legal uses of unique or exceptional requirements or circumstances that are otherwise not permitted by this Zoning Resolution.

610.030 PROCEDURE. The following procedure shall be followed in placing land in the EXCEPTIONAL USE DISTRICT.

610.031 Development Plan. Three (3) copies of a Development Plan shall be submitted with the application for amendment of the Zoning District Map and such plan shall include in text or map form:

- 1) The proposed location and size of areas of use, indicating size, location and type of structure.
- 2) The proposed location, size and use of all open areas landscaped and other open space with suggested ownership of such areas.
- 3) The proposed provision of water, sanitary sewer and surface drainage facilities including engineering feasibility or other evidence of reasonableness.
- 4) The proposed circulation pattern including streets, both public and private, parking areas, walks and other accessways including their relation to topography, existing streets and other evidence of reasonableness.

- 5) The proposed schedule of site development and construction of buildings and associated facilities including sketches or other documentation indicating design principles or concepts for site development, buildings, landscapes or other features. Such schedule shall include the use or redevelopment of existing features such as structures, streets, easements, utility lines and land use.
- 6) The relationship of the proposed development to the existing and future land use in the surrounding area, the street system, community facilities and services and other public improvements.
- 7) Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan within three (3) years. Such control includes property rights, economic resources and engineering feasibility as may be necessary.

610.032 Basis of Approval. The basis of approval for the EXCEPTIONAL USE DISTRICT shall be:

- 1) That the proposed development is consistent in all respects to the purpose, intent and applicable standards of this Zoning Resolution;
- 2) That the proposed development is in conformity with a Comprehensive Plan or a portion thereof as it may apply;
- 3) That the proposed development advances the general welfare of the Township and that the benefits to be derived from the proposed use justifies the change in the land use character of the area.

610.033 Effect of Approval. The Development Plan as approved by the Washington Township Trustees shall constitute an amendment of the Special District Map and a supplement to the EXCEPTIONAL USE DISTRICT REGULATIONS as they apply to the land included in the approved amendment.

The approval shall be for a period of two (2) years to allow the preparation of the Subdivision Plat, submitted in accordance with the Subdivision Regulations for Franklin County, Ohio, if required; or if no plat is required for the completion of plans for application for a Certificate of Zoning Compliance. If the plat is not submitted and filed nor such Certificate applied for and used within the two (2) year period, the approval shall become voided and the land shall revert to its last previous Zoning District, except if an application for time extension is submitted and approved in accordance with 640.034.

610.034 Extension of Time or Modification. An extension of the time limit or the modification of the approved Development Plan may be approved by the Board of Township Trustees. Such approval shall be given upon a finding of the purpose and necessity for such extension of modification and evidence of reasonable effort toward the accomplishment of the original Development Plan, and that such extension or modification is not in conflict with the general health, safety and welfare of the public or the Development Standards of the EXCEPTIONAL USE DISTRICT.

610.040 DEVELOPMENT STANDARDS. The provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, shall pertain to the EXCEPTIONAL USE DISTRICT. Because of the unique nature and requirements of these uses, and because their locations cannot be readily predetermined, appropriate Development Standards cannot be set forth, but full usage of Development Standards, requirements, and other provisions of this Zoning Resolution as they may be appropriate, shall be used.

ARTICLE VII
ADMINISTRATION

SECTION 705 ENFORCEMENT OF REGULATIONS.

705.010 ZONING INSPECTOR. This Zoning Resolution shall be administered and enforced by a township Zoning Inspector or his designated representative who shall be appointed by the Board of Washington Township Trustees as is prescribed by Section 519.16, Ohio Revised Code, and is hereby empowered:

705.011 Zoning Certificate. To issue a Zoning Certificate when these regulations have been followed or, to refuse to issue the same in the event of non-compliance.

705.012 Collection of Fees. To collect the designated fees as set forth in this Zoning Resolution for copies of this Zoning Resolution, Certificates of Zoning Compliance, Application for Amendment or Changes, Appeal, Variance and Conditional Use.

705.013 Making and Keeping of Records. To make and keep all records necessary and appropriate to the office, including record of the issuance and denial of all Certificates of Zoning Compliance and of receipt of complaints of violation of this Zoning Resolution and action taken on the same.

705.014 Inspection of Building or Land. To inspect any building or land to determine whether any violations of this Zoning Resolution have been committed to exist.

705.015 Enforcement. To enforce this Zoning Resolution and take all necessary steps to remedy any condition found in violation by ordering in writing, the discontinuance of illegal uses or illegal work in progress, and may request the Franklin County Prosecuting Attorney to commence appropriate action.

705.016 Advise Zoning Commission. To keep the Township Zoning Commission advised of all matters other than routine duties pertaining to the enforcement of this Zoning Resolution and to transmit all applications and records pertaining to supplements and amendments.

705.017 Advise Board of Appeals. To keep the Board of Zoning Appeals advised of all matters pertaining to Conditional Use Permits, Appeals or Variances and to transmit all applications and records pertaining thereto.

705.020 ZONING CERTIFICATE. No occupied or vacant land shall hereafter be changed in its use in whole or part until a Zoning Certificate shall have been issued by the Township Zoning Inspector. No existing or new structures, including principal and accessory structures, existing use of a lot or portion thereof shall hereafter be changed in its use in whole or in part until the Zoning Certificate shall have been issued by the Township Zoning Inspector. Based upon the extent of the proposed change and the potential impact(s) on the immediate area, the Township Zoning Inspector shall have the discretionary authority to require any application for a Certificate of Zoning Compliance to be evaluated for approval or disapproval by the Township Zoning Commission at the next regularly scheduled meeting. This section shall in no way be construed as requiring a Certificate of Zoning Compliance in the event of a change in ownership or tenancy only, without a change in use or intended use, provided that no alterations or additions are proposed for such structure or accessory structures.

705.021 For purposes of this Resolution, changes or alterations involving any non-conforming structure and/or accessory development (see SECTION 110.42) shall result in the modification of all other non-conforming structures and accessory development on the lot or lots involved in the Application for a Zoning Certificate so that any alteration, re-construction or extension will comply with the development standards of the Zoning District in which the structure and/or accessory development is located.

705.022 Building Permit. No building permit for the extension, erection or alteration of any building shall be issued before an application has been made and a Certificate of Zoning Compliance issued, and no building shall be occupied until such certificate is approved.

705.023 Application for Certificates. Each application for a Certificate of Zoning Compliance for new development shall be accompanied by a plan in triplicate drawn to scale, one (1) copy of which shall be returned to the owner upon approval. The plan shall show the following:

- (1) The actual dimensions of the lot including easements.
- (2) The exact size, location and height of all existing buildings on the lot.
- (3) The existing and intended use of all parts of the land or buildings.
- (4) Existing zoning on the subject tract and on all adjacent lots.

- (5) Existing and, or proposed parking spaces, traffic, flow, wheel stops, access drive(s) and parking set-backs.
- (6) The proposed provisions of water and waste water treatment and disposal facilities, including a written indication of at least preliminary approval of such provisions from the applicable Franklin County or State of Ohio regulatory agency.
- (7) Existing and proposed screening as required by Section 521 of this Resolution.
- (8) Existing and proposed signs including lighting and size detail.
- (9) The proposed provision of surface and subsurface drainage features and facilities. Refer to the Franklin County Subdivision Regulations. A grading and drainage plan and storm sewer layout, to include existing and proposed surface and subsurface drainage features shall be submitted, indicating how storm runoff will be handled.
- (10) Such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Zoning Resolution.
- (11) The requirements of 705.023 (9) and 705.026, or portions thereof, may be waived by the Township Zoning Inspector when, in his opinion, the applicant has satisfactorily demonstrated that all aspects relative to the above have been suitably addressed.

705.024 Fees. When making application for a Zoning Certificate, the investigation and compliance fees shall be paid in accordance with the Schedule of Fees Resolution as adopted by the Board of Washington Township Trustees.

705.025 Issuance of Zoning Certificates. Zoning Certificates shall be issued or refusal thereof given within seven (7) working days after the date of application. Written notice of such refusal and reason thereof shall be given to the applicant.

705.026 Validity of Zoning Certificates. Zoning Certificates shall be valid for construction commenced within six months of issuance. If no construction is commenced within that period of time the Zoning Certificate is thereafter void. All construction must be completed within one year after commencement.

705.027 Structures Placed on Real Property. No residential or other structure shall be constructed or placed on real property subject to this Zoning Resolution without the owner thereof first depositing a bond, or cash, with the Board of Township Trustees of Washington Township. The amount of such deposit shall be specified by the Trustees. Such amount shall be equal to the cost of complying with all requirements relating to affixing the structure to the real property, including but not limited to providing the appropriate foundation and water and sewerage treatment. The deposit shall be returned in full upon issuance of a certificate of zoning clearance.

SECTION 710 PENALTIES FOR VIOLATION.

710.010 PENALTY FOR VIOLATION OF ZONING RESOLUTION. Any person violating any provision of any article of this Zoning Resolution, or who shall violate or fail to comply with any order made thereunder; or who shall falsify plans or statements filed thereunder; or who shall continue to work upon any structure after having received written notice from the Township Zoning Inspector to cease work, shall be guilty of a misdemeanor, and subject to the penalty provided in Section 519.99, Ohio Revised Code.

SECTION 715 AMENDMENTS OR SUPPLEMENTS TO ZONING RESOLUTION.

715.010 CHANGE OR AMENDMENT BY BOARD OF TOWNSHIP TRUSTEES. The Board of Township Trustees may change or amend the text of this Zoning Resolution, the Zoning District Map or the Special District Map.

715.011 Initiation by Resolution. Proposed changes or amendments may be initiated by the Board of Township Trustees by resolution or by motion of the Township Zoning Commission.

715.012 Initiation by Application. Proposed changes or amendments may be initiated by one or more owners or lessees of land within the area proposed to be changed or affected by the proposed amendment or change of the Zoning Resolution.

715.013 Resubmission of Application. If a proposed amendment or supplement initiated by application is disapproved by the Board of Township Trustees, another application for amendment or supplement affecting the land included in the disapproved application shall not be submitted by the same applicant or by any person or entity controlled by that applicant within one (1) year from the date of disapproval, except with a statement by the Zoning Commission of changed or changing conditions affecting the land sufficient to warrant consideration.

715.050 INITIATION OF ACTION BY OWNER OR LESSEE OF LAND. Two (2) copies of a provided application form shall be filed with the Zoning Commission.

715.051 Application. The application for any proposed change or amendment shall contain:

- 1) A description or statement of the present and proposed provisions of this Zoning Resolution or the proposed change of the district boundaries of the Zoning District Map or Special District Map.
- 2) A description by map or text of the property to be affected by the proposed change or amendment.
- 3) A statement of the relation of the proposed change or amendment to the general health, safety and welfare of the public in terms of need or appropriateness within the area by reason of changed or changing conditions and the relation to appropriate plans for the area.

A list of owners of property within, contiguous to, and directly across the road from and all other property owners within two hundred (200) feet of such area proposed to be rezoned. Such list shall be in accordance with the Franklin County Auditor's current real estate tax list.

715.052 Fees. A fee paid in accordance with the Schedule of Fees Resolution adopted by the Board of Washington Township Trustees shall be paid to Washington Township for each change or amendment to cover the necessary administrative and advertising costs.

SECTION 716 PROCEDURE FOR CONSIDERATION OF PROPOSED CHANGE OR AMENDMENT

716.010 ESTABLISHMENT OF PUBLIC HEARING BY TOWNSHIP ZONING COMMISSION. Upon the certification of such resolution by the Board of Township Trustees, the adoption of such motion by the Washington Township Zoning Commission or the filing of such application for a proposed change or amendment of the text of this Zoning Resolution, the Zoning District Map or Special District Map, the Township Zoning Commission shall set a date for a public hearing.

716.011 Hearing Date. The date for a public hearing shall be set for not less than twenty (20) days nor more than forty (40) days from the date of the resolution, motion or application.

716.012 Notice of Hearing. Notice setting forth the time and the place of such hearing and the nature of the proposed change or amendment shall be given by the Township Zoning Commission by one (1) publication in one (1) or more newspapers of general circulation in the Township at least fifteen (15) days before the date of such public hearing.

If the proposed change or amendment intends to affect (rezone or redistrict) ten (10) or fewer parcels of land, as listed on the tax duplicate, written notice of the public hearing shall be mailed by the Township Zoning Commission, by first class mail, at least twenty (20) days before the date of the public hearing to all owners of property within and contiguous to and directly across the road from such area and all other property owners within two hundred (200) feet of such area affected by the proposed change or amendment. Such notice is to be mailed to the address of such owners appearing on the County Auditor's current tax list or the County Treasurer's mailing list.

716.013 Notice to Regional Planning Commission. One (1) copy of the proposed change or amendment, together with text and map pertaining thereto, shall be forwarded to the Regional Planning Commission within five (5) days from the date of the resolution, motion or application.

716.020 ACTION BY THE REGIONAL PLANNING COMMISSION. The Regional Planning Commission shall consider the proposed change or amendment and make recommendations concerning the approval, denial or some modification thereof to be considered by the Zoning Commission.

716.021 Staff Review. The staff of the Regional Planning Commission together with the Franklin County Engineer, the Franklin County Board of Health and other appropriate agencies or bodies shall present to the Regional Planning Commission a written report including all apparent facts, implications and conclusions concerning the proposed change or amendment.

716.022 Consideration. The Regional Planning Commission shall consider approval, denial or some modification of the proposed change or amendment as such proposal in the Commission's judgment relates to the general health, safety and welfare of the public as set forth in plans for the area and to this end encourages appropriate use of the land within the existing and future development of the area.

716.023 Recommendation. The recommendation of the Regional Planning Commission shall be submitted to the Zoning Commission for consideration at a public hearing.

716.030 ACTION BY THE TOWNSHIP ZONING COMMISSION. After a public hearing, the Township Zoning Commission shall act on a proposed change or amendment.

716.031 Consideration. The Township Zoning Commission shall consider the approval, denial or some modification of the proposed change or amendment as such proposal in the Commission's judgment advances the general health, safety and morals of the public by encouraging appropriate use and development of the land affected and the comprehensive or overall development of the surrounding areas.

716.032 Recommendation. Within thirty (30) days after the public hearing, the Township Zoning Commission shall submit to the Board of Township Trustees a recommendation of approval, denial or some modification of the proposed change or amendment including a statement of reasons for such recommendation, together with such resolution or application, the text and map pertaining thereto, and the recommendation of the Regional Planning Commission.

716.040 ACTION BY THE BOARD OF TOWNSHIP TRUSTEES. Upon receipt of such recommendation concerning proposed change or amendment the Board of Township Trustees shall set a time for a public hearing.

716.041 Hearing Date. The date for a public hearing shall be set for not more than thirty (30) days from the date of the receipt of such recommendation from the Township Zoning Commission.

716.042 Notice of Hearing. Notice setting forth the time and place of the public hearing and a summary of the proposed change or amendment shall be given by the Board of Township Trustees by one (1) publication in one (1) or more newspapers of general circulation in the Township at least ten (10) days before the date of the public hearing.

Written notice by first class mail shall be given as set forth in SECTION 519.12 OHIO REVISED CODE.

716.043 Final Action. Within twenty (20) days after such public hearing the Township Trustees shall either adopt or deny the recommendations of the Township Zoning Commission or adopt some modification thereof.

In the event the Board of Township Trustees denies or modifies the recommendation of the Township Zoning Commission, the unanimous vote of the Board of Township Trustees shall be required.

716.044 Date of Effect. Such change or amendment as the Board of Township Trustees shall adopt shall become effective in thirty (30) days after the date of such adoption unless within such thirty (30) day period there is presented to the Board of Township Trustees a petition, as set forth in Section 519.12 Ohio Revised Code, requesting the Township Trustees to submit the proposed change or amendment to referendum vote.

SECTION 720 DEFINITIONS

720.010 DEFINITION OF WORDS. Except where specifically defined herein, all words used in this Zoning Resolution shall carry their customary meanings. Words used in the present tense include the future tense; the singular number includes the plural; the word structure includes the words building; the word lot includes the word plot or parcel; the term "shall" is always mandatory; the words "used" or "occupied," as applied to any land or structure shall be construed to include the words "intended, arranged or designed to be used or occupied."

720.011 Specifically Defined Words. The following listed words are specifically defined for use in this Zoning Resolution.

ADULT BOOK STORE. Adult Book Store means an establishment deriving 25% or more of its gross income from the sale or rental of, or having a majority of its stock in trade in, books, magazines or other periodicals, films, VCR tapes, or mechanical or non-mechanical devices, which constitute Adult Materials.

ADULT MATERIAL. Adult material means any book, magazine, newspaper, pamphlet, poster, print, picture, slide, transparency, figure, image, description, motion picture film, phonographic record or audio tape, video tape, other tangible thing, or any service, capable of arousing interest through sight, sound, or touch, and:

(1) Which material is distinguished or characterized by an emphasis on matter displaying, describing, or representing sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination; or

(2) Which service is distinguished or characterized by an emphasis on sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions or elimination.

ADULT MOTION PICTURE THEATER. Adult Motion Picture Theater means an enclosed motion picture theater or motion picture drive-in theater used for presenting and deriving 25% or more of its gross income from Adult Material for observation by patrons therein.

ADULTS ONLY ENTERTAINMENT ESTABLISHMENT. Adults Only Entertainment Establishment means an establishment which features services which constitute Adult Material, or which features exhibitions of persons totally nude, or topless, bottomless, strippers, male or female impersonators, or similar entertainment which constitute Adult Material.

ALLEY. Secondary accessway of not less than twenty (20) feet in width dedicated to public use for travel or transportation and affording vehicular access to abutting property.

BOARD. The Board of Zoning Appeals.

BORROW PIT. A lot or parcel of land or part thereof used for the purpose of extracting sand, gravel or topsoil for sale or use on another premises, and exclusive of the process of grading a lot preparatory to the construction of a building for which application for a building permit has been made.

BOTTOMLESS. Bottomless means less than full opaque covering of male or female genitals, pubic area or buttocks.

BUILDING. A structure intended for shelter, housing or enclosure of persons, animals or chattel. When separated by dividing walls without openings, each portion of such structure so separated shall be deemed a separate building.

BUILDING, HEIGHT OF. The vertical distance measured from the grade to the highest point of the coping of a flat roof; to the deck line of a mansard roof; or to the mean height level between the eaves and ridge of a gable, hip or gambrel roof.

BUILDING SETBACK LINE. A line establishing the minimum allowable distance between the nearest portion of any building and the center line of any street when measured perpendicularly thereto.

CHILD CARE. Any place, home or institution which cares for young children apart from their parents when received for regular periods of time for compensation such as kindergarten, nursery school or class for young children that develops basic skills and social behavior by games, exercises, toys and simple handicraft.

COMMUNITY-BASED CARE FACILITY. "Community-based care facility" means the use of a dwelling unit or dwelling units within a building primarily for providing supervised room, board, and care in a residential setting to not less than three and no more than ten residents thereof who live together in such a facility as a single housekeeping unit and whose disabilities or status limit their ability to live independently, and only

secondarily for training, rehabilitation, and nonclinical services. The term excludes use as a social and cultural institution as listed in Section 640.023, food and lodging establishments as defined in Section 322.034, day care centers for children and/or adults, nursery schools, dormitories, clinics, institutions, hospitals, nursing homes, convalescent homes, and other similar uses. Rooming houses, boarding houses, and other single-family and multiple-family residential units which house persons who live independently shall not be classified as a community-based care facility.

DETONATEABLE MATERIALS. Generally unstable materials having the propensity to explode violently from a moderately irritating force. Examples of such materials include, but are not limited to, Fulminates, nitrocellulose, black powder, dynamite, nitroglycerine, ozonides, perchlorates, gasoline, fuel oil, and other flammable gases and vapors.

DEVELOPMENT DISABILITY. "Developmental disability" means having a disability that continues or can be expected to continue indefinitely, and constitutes a substantial handicap to the person's ability to function normally in society, and is attributable to one of the following:

(1) mental retardation, cerebral palsy, the epilepsies, or autism;

(2) Any other condition found to be closely related to mental retardation because it results in impairment of general intellectual functioning or adaptive behavior similar to that of mentally retarded persons and requires treatment and services similar to those required for such persons;

Dyslexia resulting from a disability described in this definition. As used herein "special handicap" means a handicap that results in significant deficiencies in two or more areas of adaptive behavior. Individuals are developmentally disabled, under this definition, when deficiencies in two or more areas of adaptive behavior are commensurate with those of an individual diagnosed as moderately, severely, or profoundly mentally retarded.

DWELLING, APARTMENT. A building arranged or intended for four (4) or more families living independently of each other in separate dwelling units, any two (2) or more provided with a common entrance or hall and all dwelling units are intended to be maintained under single ownership or owned under condominium.

DWELLING, SINGLE-FAMILY. A building arranged or designed to be occupied by one (1) family, the structure having only one (1) dwelling unit.

DWELLING, TWO-FAMILY. A building arranged or designed to be occupied by two (2) families, the structure having only two (2) dwelling units with separate entrances.

DWELLING, UNIT. A "dwelling unit" means one or more rooms arranged, intended or designed for the primary purpose of independent residential occupancy by the individuals residing therein who live together in such a unit as a single housekeeping unit for living and sleeping purposes, and containing cooking facilities for the exclusive use of such occupants residing therein, and physically separated from any other rooms or dwelling units which may be in the same structure and containing independent cooking, living and sleeping facilities.

EPA. Environmental Protection Agency, Federal and State.

INTENSE BURNING MATERIALS. Materials having the propensity to burn with great intensity by virtue of characteristics such as low ignition temperature, high rate of burning and large heat evolution. Such materials include, but are not limited to, manganese, pyrotechnics and pyroxylin.

LOT, MINIMUM. A parcel of land occupied or to be occupied by a principal structure or group of structures and accessory structures together with such yards, open spaces, lot width and lot area as are required by this Zoning Resolution, and having not less than the minimum required frontage upon a street, either shown and identified by lot number on a plat of record, or considered as a unit of property and described by metes and bounds.

LOT, DEPTH OF. The average ho front and rear lot lines.

LOT LINE. A line bounding or demarcating a plot of land on ground as established by a plat of record.

LOT WIDTH. The average horizontal distance between side lot lines.

MENTAL RETARDATION. "Mental Retardation" means having significantly sub-average general intellectual functioning existing concurrently with deficiencies in adaptive behavior, manifested during the developmental period.

NON-CONFORMING USE. A legal use of building and/or of land that antedates the adoption of these Regulations and does not conform to the Regulations for the Zoning District in which it is located.

NUDE (NUDITY). Nude (Nudity) means the showing, representation, or depiction of human male or female genitals, pubic area, or buttocks with less than full, opaque covering of

any portion thereof below the top of the nipple, or of covered male genitals in a discernibly turgid state.

NURSERY. A place or piece of ground on which young trees, shrubs or other plants are grown for sale.

ODOR. A scent of spicy, flowery, fruity, resinous, foul or burnt character of sufficient intensity and duration to be irritating to one or more individuals.

OPAQUENESS. The degree to which a wall, fence, structure, landscaping, or closing is solid or impenetrable to light or vision in a general uniform pattern over its surface.

PARTICULATES. Fine particles, either solid or liquid, which are small enough to be dispensed or otherwise carried into the atmosphere.

PHYSICAL HANDICAP. "Physical handicap" means having a physical conditions which is a substantial impediment to a person's activities or functions and which is of such a nature that, if not corrected, will continue to result in limiting a person's activities or functioning.

RECREATIONAL VEHICLE. A recreational vehicle is a vehicle manufactured or modified to contain temporary living quarters for travel, recreation, or vacation purposes. This definition shall include but is not necessarily limited to campers, travel trailers, truck campers, and motorhomes.

RESIDENTIAL ZONING DISTRICT OR USE. Residentially zoned District or Use means any residential zoning district as listed in SECTION 201, ARTICLE II or any area where person may reside.

SEXUAL ACTIVITY. Sexual Activity means sexual conduct or sexual contact, or both.

SEXUAL CONDUCT. Sexual Conduct means vaginal intercourse between a male and a female, and anal intercourse, fellatio, and cunnilingus between persons regardless of sex. Penetration, however slight, is sufficient to complete vaginal or anal intercourse.

SEXUAL CONTACT. Sexual contact means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.

SEXUAL EXCITEMENT. Sexual Excitement means the condition of human male or femal genitals, when in a state of sexual stimulation or arousal.

STREET RIGHT-OF-WAY LINE. The dividing line between a street right-of-way and the contiguous property.

STRUCTURE. Anything constructed or erected, the use of which requires permanent location on the ground, or to something having permanent location on the ground including advertising signs and other construction or erection with special function or form, except fences or walks, and for purposes of this Resolution, Mobile Homes which are otherwise herein defined and restricted.

STRUCTURE, ACCESSORY OR ANCILLARY. A subordinate structure, the use of which is incidental to that of a principal structure on the same lot.

STRUCTURE, PRINCIPAL. A structure in which is conducted the principal use of the lot on which it is situated.

TOPLESS. Topless means the showing of a female breast with less than a full opaque covering of any portion thereof below the top of the nipple.

TOXIC SUBSTANCE. Those toxic substances as defined by regulations adopted pursuant to the Recourse Conservation and Recovery Act of 1976, and any future law or regulation of like tenor or effect.

YARD, REAR. An open space between the rear line of the principal structure (exclusive of steps) and the rear line of the lot and extending the full width of the lot and may be used for accessory structures.

YARD, SIDE. An open, unoccupied space on the same lot with a structure between the side line of the structure (exclusive of steps) and the side line of the lot and extending from the front line to the rear line of the lot.

TOWNHOUSE. A building consisting of a series of three (3) or more attached or semi-detached dwelling units, each with a ground floor and a separate ownership or condominium.

ZONING DISTRICT. Any section of Washington Township in which zoning regulations are uniform.

ZONING INSPECTOR. The official charged with the administration and enforcement of the Zoning Resolution.

SECTION 725 EXISTING ZONING RESOLUTION.

725.010 Repeal of Conflicting Resolution. The existing Zoning Resolutions now in effect in Washington Township, Franklin County, Ohio, not otherwise adopted as part of this Zoning Resolution, and in conflict with the Zoning Regulations as they

are established or established hereafter are hereby repealed. However, all suits at law or in equity and/or all prosecutions resulting from violation of any Zoning Resolution heretofore in effect, which are now pending in any of the Courts of the State of Ohio or of the United States, shall not be abated or abandoned by reason of the adoption of this Zoning Resolution but shall be prosecuted to their finality the same as if this Zoning Resolution had not been adopted; and any and all violations of existing Zoning Resolutions, prosecutions for which have not yet been instituted, may be hereafter filed and prosecuted; and nothing in this Zoning Resolution shall be so construed as to abandon, abate, or dismiss any litigation or prosecution now pending, and/or which may have heretofore been instituted or prosecuted.

SECTION 730 SEVERABILITY OF ZONING RESOLUTION.

730.010 INVALID PROVISION. If for any reason any one (1) or more sections, sentences, clauses or parts of this Zoning Resolution are held invalid, such judgement shall not affect, impair or invalidate the remaining provisions of this Zoning Resolution but shall be confined in its operation to the specific sections, sentences, clauses or parts of this Zoning Resolution held invalid and the invalidity of any section, sentence, clause, or part of this Zoning Resolution in any one (1) or more instances shall not attest or prejudice in any way the validity of this Zoning Resolution in any other instance.

ARTICLE VIII
BOARD OF ZONING APPEALS

SECTION 800 CREATION OF THE BOARD OF ZONING APPEALS.

800.010 Appointed by the Washington Township Trustees. There shall be a Washington Township Board of Zoning Appeals ("BZA") consisting of five (5) members appointed by the Washington Township Trustees as provided by Section 519.13 of the Ohio Revised Code.

800.020 Organization and Members. The BZA shall organize and adopt rules in accordance with the Zoning Resolution. Meetings of the BZA shall be held at the call of the chairman, in accordance with this Zoning Resolution, and at such other times as the Board determines. The chairman, or in his absence the acting chairman, may administer oaths, and the BZA may compel the attendance of witnesses. All meetings of the BZA shall be open to the public. The BZA shall keep minutes of its proceedings, showing the vote, indicating such fact, and shall keep records of its examinations, findings of fact and other official actions, all of which shall be immediately filed in the office of the Washington Township Trustees, and be a public record.

SECTION 801 POWERS AND DUTIES OF THE BZA.

801.010 Powers and Duties. The BZA shall have the following powers and duties:

801.011 Administrative Review. To hear and decide appeals where it is alleged that there is error in any order, requirement, decision, or determination made by the Zoning Inspector in the enforcement of this Zoning Resolution.

801.012 Variances. To hear and decide, upon appeal, in specific cases such variance from the terms of this Zoning Resolution as well not be contrary to the public interest where, owing to special conditions on the land, a literal enforcement of the provisions of this Zoning Resolution would result in unnecessary hardship. In granting such variance, the BZA shall prescribe appropriate conditions and safeguards to maintain the intent and spirit of the Zoning District in conformity with this Zoning Resolution.

801.013 Conditional Use. To authorize only such conditional uses as the BZA is specifically authorized to consider by the terms of this Resolution.

SECTION 802 GENERAL PROCEDURES FOR APPEALS, VARIANCES, AND
CONDITIONAL USES.

802.010 Applicability. In addition to any other requirement or rule contained within this Zoning Resolution or duly adopted by the BZA in accordance with this Resolution, the general procedures contained within Section 802 shall apply to all appeals, including variances and conditional uses.

802.020 Schedule of Hearings. All appeals, including variances and applications for conditional uses shall be set down for hearing 30 days after the filing with the Zoning Inspector or at the next regularly scheduled meeting of the BZA, whichever is later.

802.030 Decisions of the BZA. Within 30 days after a hearing, the BZA shall issue its decision based upon the criteria of and in accordance with this Zoning Resolution.

SECTION 805 ADMINISTRATIVE APPEAL.

805.010 Procedure. Appeals to the BZA may be taken by any person aggrieved or by any officer of Washington Township affected by any decision of the Zoning Inspector. Such appeal shall be taken within 20 days after the decision by filing, with the Zoning Inspector and with the BZA, a notice of appeal specifying the grounds upon which the appeal is being taken. The Zoning Inspector shall transmit to the BZA all the papers constituting the record upon which the action appealed from was taken. The BZA shall fix a reasonable time for the public hearing of the appeal, give at least 10 days notice in writing to the parties in interest, give notice of such public hearing by one publication in one or more newspapers of general circulation in Franklin County at least 10 days before the date of such hearing and decide the appeal within a reasonable time after it is submitted.

SECTION 810 PROCEDURES FOR VARIANCES.

810.010 Nature of Variance. The BZA may authorize, upon appeal or upon application, in specific cases, such variance from the terms of this Zoning Resolution as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Resolution would result in unnecessary hardship. No nonconforming use of neighboring lands, structures, or buildings in the same district and no permitted or nonconforming use of lands, structures, or buildings in any other districts shall be considered grounds for issuance of a variance.

810.020 Written Application. In addition to the requirements set forth in Section 805 of this Resolution, the notice of appeal shall be accompanied by three (3) copies of a

provided application for variance, along with a copy of the denied Certificate of Zoning Compliance.

810.021 Description of Property. The provided application shall contain the following information:

- (1) name, address and phone number of applicant;
- (2) legal description of the property;
- (3) a list of the names and addresses of all adjacent property owners and those property owners within 200 feet of the subject tract as set forth in the real estate tax list kept by the County Auditor;
- (4) a detailed description of the nature of the variance requested, including the specific provisions of the Zoning Resolution upon which the variance is requested; and
- (5) a narrative statement demonstrating that the requested variance conforms to the standards of Section 810.041.

810.022 Plot Plan. The application shall be accompanied by three (3) copies of a plot plan drawn to an appropriate scale clearly showing the following:

- (1) the boundaries and dimensions of the subject tract;
- (2) the nature of the special conditions or circumstances giving rise to the application for approval;
- (3) the size and location of existing and proposed structures;
- (4) the proposed use of all parts of the subject tract, including structures, access ways, walks, offstreet parking and loading spaces, and landscaping; and
- (5) the relationship of the requested variance to the Development Standards; and
- (6) the use of land and location of structures on adjacent property.

810.030 Regional Planning Commission Review. The Zoning Inspector shall forward copies of the application and plot plan to the Mid-Ohio Regional Planning Commission, the Washington Township Zoning Commission, and any other township or county

departments or agencies which, in the opinion of the Zoning Inspector, may have an interest in the variance. The Regional Planning Commission, acting through its staff, the Washington Township Zoning Commission, and all other departments or agencies receiving said application and plot plan may forward their recommendations to the BZA for consideration at the public hearing thereon.

810.040 Actions of the Board of Zoning Appeals. In considering the variance request, the BZA shall proceed as if on appeal pursuant to Section 805 of the Zoning Resolution.

810.041 Approval of a Variance. The Board of Zoning Appeals shall only approve a variance or modification thereof if the following findings are made:

(1) that such variance or modification will not be contrary to the public interest;

(2) that owing to special conditions, a literal enforcement of this Zoning Resolution will result in unnecessary hardship;

(3) that the approval of such variance or modification thereof is consistent with the spirit of this Zoning Resolution, and substantial justice shall be done thereby;

(4) that granting the variance requested will not confer on the applicant the same effect as rezoning to another zoning district classification;

(5) that granting the requested variance will conform to the Washington Township Comprehensive Plan and the spirit and intent of the Washington Township Zoning Resolution;

(6) that the requested variance is the minimum variance necessary to accomplish the purpose of the request; and

(7) that granting the variance will not adversely affect the health or safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to persons or property in such vicinity, or injurious to private property or public improvements in the vicinity.

810.050 Conditions. In granting any variance request, the BZA may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violation of such conditions and safeguards, when made a part of the terms under which the

request for a variance is granted, shall be deemed a violation of this Resolution. Under no circumstances shall the BZA grant any variance or impose any conditions which allow a use not permissible under the terms of this Resolution in the Zoning District involved or any use expressly or by implication prohibited by the terms of this Resolution in said District.

810.060 Expiration of Approval. The applicant for a variance shall obtain the required Certificates of Zoning Compliance and building permits for the proposed use within one year of the BZA's approval of the variance; otherwise, the BZA's approval shall lapse, expire, and be null and void ab initio. Extensions of time may be requested by the applicant in writing by filing such a request with the Zoning Inspector at least 30 days prior to the expiration of the one-year period. The BZA for good cause shown may enlarge the one-year period prescribed by this Section 810.06.

SECTION 815 PROCEDURES FOR AUTHORIZING A CONDITIONAL USE.

815.010 Nature of Conditional Uses. 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 Districts. No unlisted conditional use may be permitted or otherwise allowed.

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

815.020 Written Application. Three (3) copies of a provided application form shall be filed with the Zoning Inspector by at least one owner or lessee of the property for which such conditional use is proposed. At a minimum, the applicant shall contain the following information:

815.021 Description of Property and Intended Use. (1) name, address and phone number of applicant; (2) legal description of the property;

(1) name, address and phone number of applicant;

(2) legal description of the property;

(3) a list of the names and addresses of all adjacent property owners and property owners within 200 feet of the proposed use as set forth in the real estate tax list kept by the County Auditor;

- (4) a detailed description of the existing use; .
- (5) the present Zoning District;
- (6) a narrative statement evaluating the impact upon adjoining property; the effect of such elements as noise, glare, odor, fumes, and vibration on adjoining property; a discussion of the general compatibility with adjacent and other properties in the District; and the relationship of the proposed use to the comprehensive plan;
- (7) such other information as may be required by Zoning District requirements; and

- (8) such other information regarding the property, proposed use, or surrounding areas as may be pertinent to the application or required for appropriate action by the BZA.

815.022 Plot Plan. The application shall be accompanied by three (3) copies of a plot plan, drawn to an appropriate scale, clearly showing the following:

- (1) the boundaries and dimensions of the subject tract;
- (2) the size and location of existing and proposed structures;
- (3) traffic access points, traffic circulation, and parking and loading facilities;
- (4) a listing of utilities servicing or proposed to service the subject tract;
- (5) the proposed use of all parts of the subject tracts, including structures, access ways, walks, open spaces, landscaping, signs and yards;
- (6) the relationship of the proposed development to the Development Standards;
- (7) the use of land and location of structures on adjacent property; and
- (8) such other information as the BZA may require to determine if the proposed conditional use meets the applicable requirements of this Resolution.

815.030 Review by Governmental Agencies. The Zoning Inspector shall forward copies of the application and plot plan to the Mid-Ohio Regional Planning Commission, the Washington Township Zoning Commission, and any other township or county department or agency which, in the opinion of the Zoning Inspector, may have an interest in the conditional use. All such commissions, departments, and other governmental agencies may forward their recommendations to the BZA for consideration at the public hearing.

815.040 Actions of the BZA. The BZA shall fix a reasonable time for a public hearing of the application, give at least 10 days' notice in writing to the parties in interest and to all property owners within 200 feet of the subject tract, give notice of such public hearing by publication in one or more newspapers of general circulation in Franklin County at least 10 days before the date of such hearing, and shall within a reasonable time after the application is submitted hold a public hearing and act on the conditional use in one of the following ways:

815.041 Approval. The BZA shall approve an application for a conditional use if the BZA specifically makes findings that the proposed use meets the following conditions:

(1) that the proposed use is a Conditional Use of the Zoning District, and the applicable Development Standards established in this Zoning Resolution are met;

(2) that the proposed use is harmonious with and in accordance with the general objectives, and with any specific objectives of the Washington Township Comprehensive Plan and Zoning Resolution;

(3) that the proposed use is designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;

(4) that the proposed use and development will not be hazardous or disturbing to existing or future neighboring uses;

(5) that the proposed use will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for any such services;

(6) that the proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the health or safety of the community;

(7) that the proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons or property by reason of excessive production of traffic, noise, smoke, fumes, glare or odor;

(8) that the proposed use will have vehicular access to the property which shall be so designed as not to create an interference with traffice on surrounding public streets, roads or highways;

(9) that the proposed use will not result in the destruction, loss, or damage of a natural, scenic or historic feature of major importance; and

(10) that the necessity or desirability of the proposed use to the neighborhood or community has been proven by the applicant.

815.042 Approval with Modification. The BZA may approve with modification an application for a conditional use, if the proposed use is a Conditional Use of the Zoning District and the applicable Development Standards are met and the requirements listed above are established by the applicant, but plot plan modifcation is required:

(1) to be in accordance with appropriate plans for the area; and

(2) to prevent undesirable effects on adjacent property and the surrounding area.

Such modification may be a limitation on the extent or necessity of development, a requirement for additional screening by fence or landscaping, a change in the method or plan for lighting, control of access, or other conditions of development as may be required by the BZA. Recommendations regarding the modifications of plans or other appropriate action shall be stated with reasons for each recommendation.

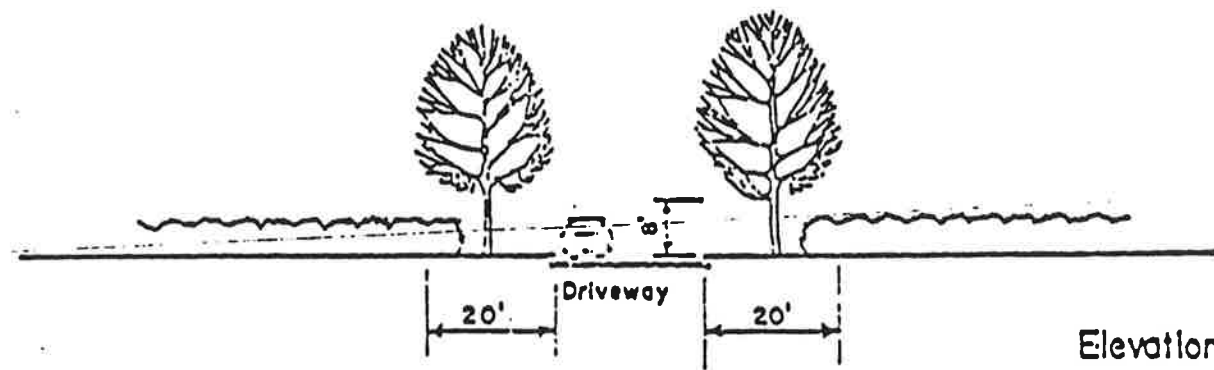
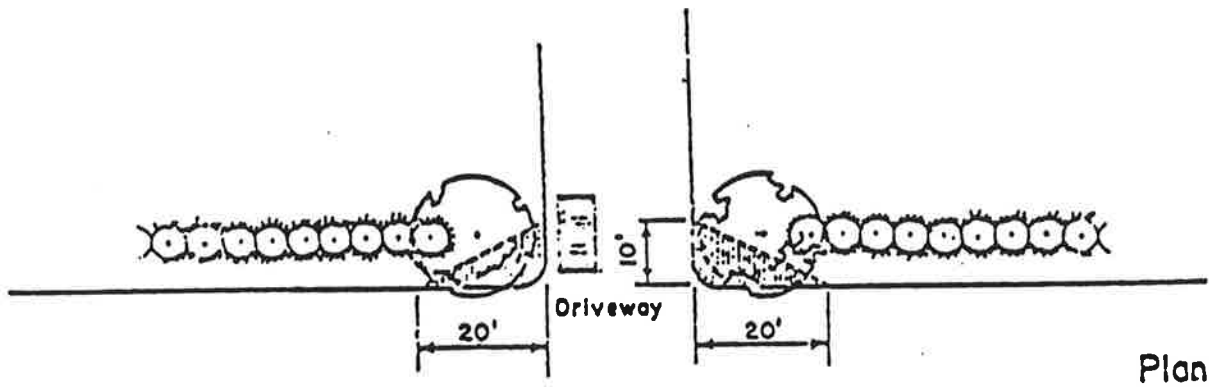
815.043 Disapproval. The BZA shall disapprove an application or a conditional use of the applicant does not clearly establish the requirements listed above.

815.044 Conditions. In granting any conditional use application, the BZA may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violation of such conditions and safeguards, when made a part of the terms under which the request for a conditional use is granted, shall be deemed a violation of this Resolution. Under no circumstances shall the BZA grant any conditional use request or impose any conditions which allow a use not permissible under the terms of this Resolution in the Zoning District involved, or any use expressly or by implication prohibited by the terms of this Resolution in said District.

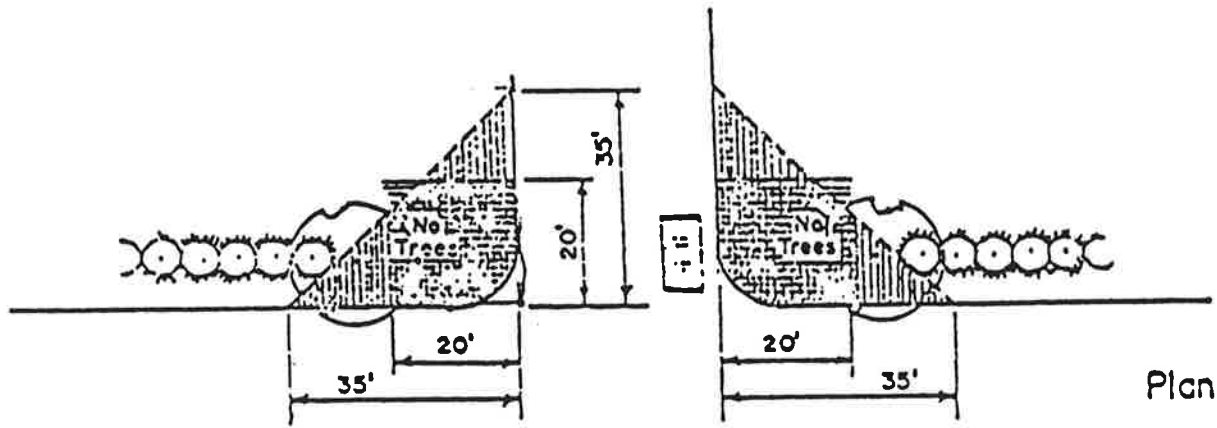
815.045 Expiration of Approval. The applicant for a conditional use shall obtain the required certificate of zoning compliance and building permits for the proposed use within one (1) year of the BZA's approval of the conditional use; otherwise, the BZA's approval shall lapse, expire, and be null and void ad initio. Extensions of time may be requested by the applicant in writing by filing a request with the Zoning Inspector at least 30 days prior to the expiration of the one (1) year period. The BZA for good cause shown may enlarge the one (1) year period prescribed by this Section 815.045.

821.010 Fees to Cover Administrative Costs and Advertising. In order to cover necessary administrative and advertising costs, fees for each variance or conditional use application shall be paid to Washington Township in accordance with a fee schedule established from time to time by the Washington Township Board of Trustees.

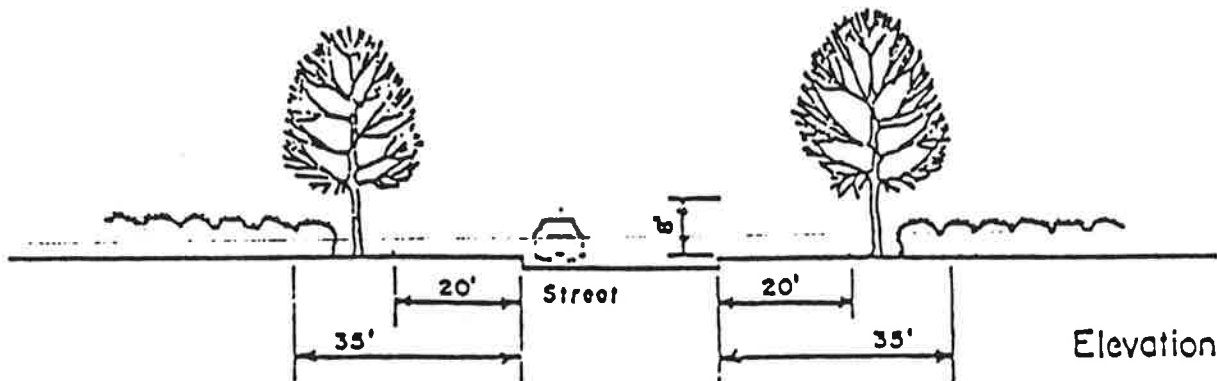
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SIGHT TRIANGLE

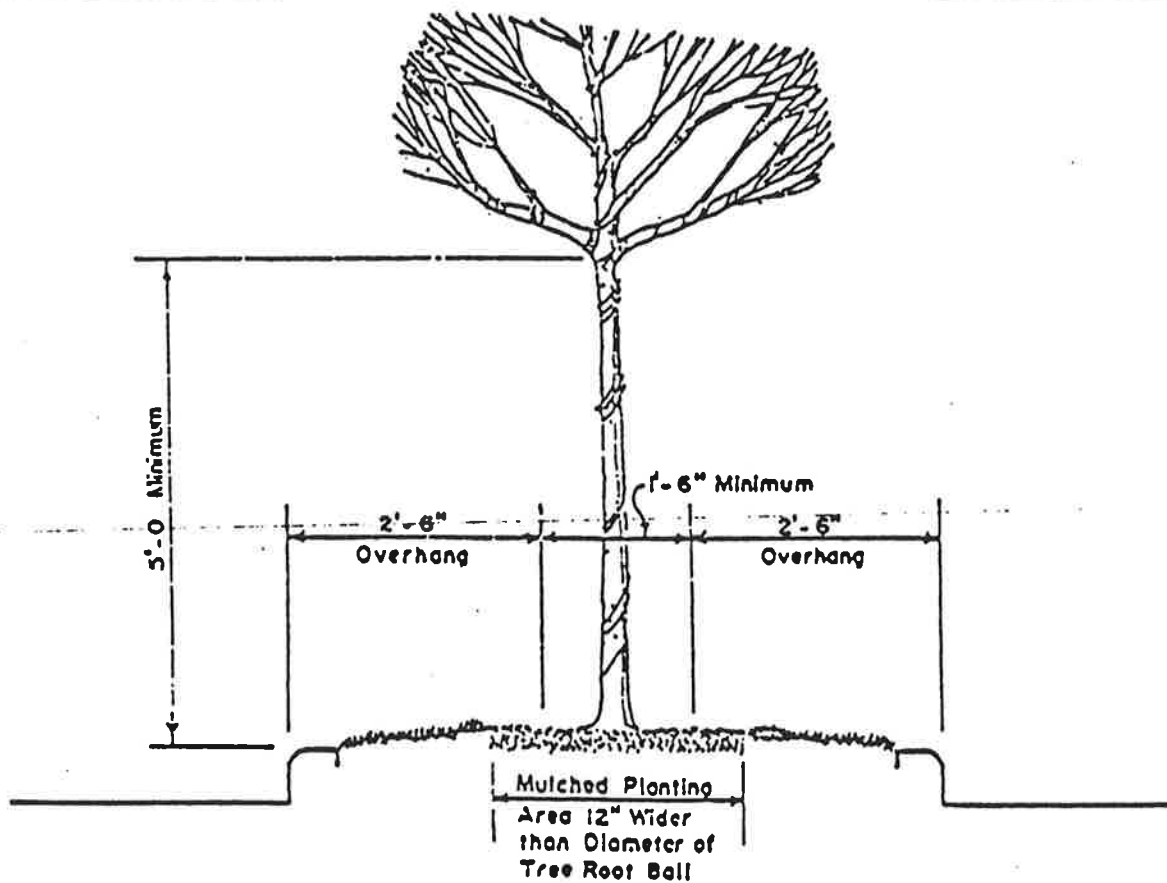
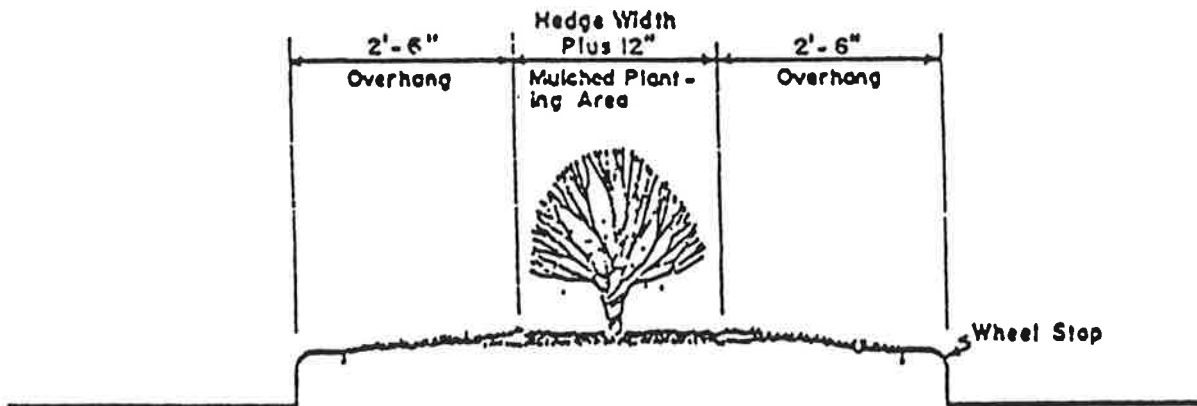


Plan



Elevation

VEHICLE OVERHANG



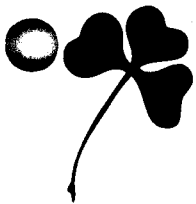
WASHINGTON TOWNSHIP
FRANKLIN COUNTY, OHIO

SCHEDULE OF FEES

Effective January 1, 1989, the Board of Trustees of Washington Township, Franklin County, Ohio, adopted the following Schedule of Fees payable with respect to various zoning matters:

Copy of Zoning Resolution	\$ 20.00	
Copy of Zoning Map	5.00	
Certificate of Zoning Compliance	20.00	25.00
Application for variance, appeal or other action of the Board of Zoning Appeals	75.00	
Application for rezoning or other action of the Zoning Commission	200.00	300.00
Additional fee for a special meeting of either the Board of Zoning Appeals or Zoning Commission	25.00	50.00
Home occupation permit	20.00	25.00

Such fees are payable to the Washington Township Trustees and must be submitted with any applicable application, appeal, request, etc.



CITY OF DUBLIN

ARCHITECTURAL REVIEW BOARD
BOARD ORDER

June 27, 2001

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/TDD: 614-410-4600
Fax: 614-761-6566
Web Site: www.dublin.oh.us

The Architectural Review Board took the following action at this meeting:

- 2. **Architectural Review Board 01-061ARB – Currie Porch – 5927 Rings Road**
Location: 5.022 acres located on the south side of Rings Road, 530 feet west of Wilcox Road.
Existing Zoning: R-1B, Semi-Rural Residential District (Washington Township).
Request: Review and approval of exterior modifications including an existing porch, steps and patio area.
Proposed Use: Single-Family Residence.
Applicant: Tom and Sally Currie, 5927 Rings Road, Dublin, Ohio 43016
Staff Contact: Warren Campbell, Planner.

MOTION: To approve the application with two conditions:

- 1) That the proposed decorative scrollwork be removed and that the porch detailing be subordinate to the front porch; and
- 2) That a building permit be obtained prior to construction.

*Tom Currie agreed to the above conditions.

VOTE: 4 – 0.

RESULT: The application was approved.

RECORDED VOTES:

Janet Axene	Yes
Allan Staub	Absent
Richard Taylor	Yes
David Larson	Yes
Thomas Holton	Yes

STAFF CERTIFICATION

Carson Combs
Planner

2. **Architectural Review Board 01-061ARB – Currie Porch – 5927 Rings Road**
Location: 5.022 acres located on the south side of Rings Road, 530 feet west of Wilcox Road.
Existing Zoning: R-1B, Limited Suburban Residential (Washington Township).
Request: Review and approval of exterior modifications including an existing porch, steps and patio area.
Proposed Use: Single-Family Residence.
Applicant: Tom and Sally Currie, 5927 Rings Road, Dublin, Ohio 43016
Staff Contact: Warren Campbell, Planner.

Summary and Action Recommended:

This proposal is for the review and approval of exterior modifications to a historic structure that include an existing porch, steps and patio area. The proposal meets the intent of the Old Dublin Design Guidelines, and staff recommends approval of this application with one condition.

Considerations:

- The Old Dublin Design Guidelines recommend retaining original elements of the existing porch to the extent possible. The removal of original elements should be avoided.
- The Old Dublin Design Guidelines recommend against the use of spindles and scrollwork unless they were traditionally used on similar buildings.

Narrative:

Site Location:

The site is located on the south side of Rings Road, approximately 530 feet west of Wilcox Road. The building is a two-story brick house with a sheet metal roof that was built between 1850 and 1860 and has had several additions to the structure. There are several other agricultural outbuildings on the site. The site is rectangular in shape with gently rolling topography and comprises an approximately five-acre site. Cramer's Ditch runs from west to east across the northern third of the site behind the primary structure.

Existing Zoning:

The site and properties to the west, south, and east are zoned R1-B, (Washington Township) Limited Suburban Residential District. Permitted uses within this district include single-family residences, schools, public parks, and churches. Properties to the north include single-family residences as part of the Balgriffin subdivision and municipal park land. Residential properties within Balgriffin are zoned PUD, Planned Unit Development District. Adjacent city lands are zoned R-1B, (Washington Township) Limited Suburban Residential District.

Proposal:

This is a request for the modification of an existing porch, steps, and patio area in need of repair. The existing 35 square-foot porch includes a transom window

above the door that was boarded over likely when the existing porch was added to the west elevation. The plaster underside of the porch has deteriorated significantly, exposing wood slats, and holes have been temporarily patched. The proposed alteration will retain the existing roof, gutters and downspouts, while replacing the existing post and rails with similarly dimensioned and designed wood (25 1/2" box beams). The porch will utilize a king truss feature that is currently located on the front entrance and will incorporate scroll cut cornices that are utilized under the building's eaves. Incorporation of the king truss design will restore the functionality of the transom window, which has been re-opened since its discovery, and improve lighting quality. The retrofitted porch will be painted with *Sear's Weatherbeater* semi-gloss white (#35015) to be compatible with existing trim color and finish.

A wooden deck constructed of 1x4 flooring will also be incorporated to blend with a proposed step design. The decking will be placed atop the existing stone foundation of the porch. The foundation will not be altered as part of this repair and modification. Staff believes that the proposed changes to the porch will improve the functionality of the entrance and enhance the condition of the porch, while reflecting the existing architectural features of the structure.

This proposal includes a plan to replace the existing concrete steps which are cracked and in need of repair or replacement. Visual inspection indicates that the concrete steps were an addition to the original building. Its construction covers a portion of a cellar window on the house. The proposed steps will be constructed of wood and will make a 90-degree turn from the landing onto the existing patio area. Construction will include the use of 4x4 posts, 2x4 railings and 1x1 1/2 spindles. Post caps will be included to match the existing style. If stone matching the porch foundation is found beneath the concrete steps, the applicant will attempt to integrate the stone into the step design. All construction of the porch and steps must meet building code requirements, and a permit will be required.

This application also includes a proposal to cover the existing concrete patio with brick pavers to improve the appearance of the primary entrance. The proposed pavers are proposed as a decorative improvement over the existing poured concrete slab. An existing stone walkway leading from the patio to the existing driveway will also be reconstructed to improve its appearance and function. The existing concrete patio has become cracked, and the stone walkway has become largely covered by soil and grass. While no specific materials have been submitted, staff believes the proposed improvements will improve the character and visual quality of the entrance area, and will be more functional for users.

Staff Recommendation:

Staff believes that the proposed modification to the porch, steps, and patio on the west elevation generally meets the intent of the Old Dublin Design Guidelines and uses design cues from the existing architectural treatments. Staff recommends approval of the proposed modification with one condition:

- 1) That a building permit be obtained prior to construction.