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PREAMBLE

A resolution of the Township of Monroe, Licking County, Ohio, enacted in accordance with a comprehensive plan and the provisions of Chapter 519, Ohio Revised Code, dividing the unincorporated portion of the township into zones and districts, encouraging regulating and restricting therein the location, construction, alteration and use of structures and land; promoting the orderly development of residential, business, industrial, recreational, and public areas; providing for adequate light, air, and convenience of access to property by regulating the use of land and buildings and the bulk of structures in relationship to surrounding properties; limiting congestion in the public right-of-way; providing the compatibility of different land uses and the most appropriate use of land; providing for the administration of this resolution, defining the powers and duties of the administrative officers as provided hereafter, and prescribing penalties for the violation of the provisions in this resolution of any amendment thereto, all for the purpose of protecting the public health, safety, comfort, and general welfare; and for the repeal thereof.

Therefore, be it resolved by the Board of Township Trustees of Monroe Township, Licking County, State of Ohio.

Monroe Township Zoning Resolution
Article 1

INTRODUCTION

Section 1.0 Title

This resolution shall be known and may be cited to as the "Monroe Township, Licking County, Ohio, Zoning Resolution."

Section 1.1 Provisions Declared Minimum Requirements

In their interpretation and application, the provision of this resolution shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and the general welfare. Wherever the requirements of this resolution conflict with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive, or that imposing the higher standards shall govern.

Section 1.2 Separability Clause

Should any section or provision of this resolution be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the resolution as a whole, or any part thereof other than the part to be declared to be unconstitutional or invalid.

Section 1.3 Repeal of Conflicting Resolution, Effective Date

All resolutions or parts of resolutions in conflict with this zoning resolution or inconsistent with the provisions of this resolution are hereby repealed to the extent necessary to give this resolution full force and effect. This resolution shall become effective from and after the date of its approval and adoption, as provided by law.

Monroe Township Zoning Resolution
Article 2

DEFINITIONS

Section 2.0 Interpretation of Terms of Words

For the purpose of this resolution, certain terms of words used herein shall be interpreted as follows:

1. The word "person' includes firm, association, organization, partnership, trust, company or corporation as well as individual.
2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
3. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is preferred requirements.
4. The words "used" or "occupied" include words "intended, designed, arranged to be used or occupied."

Accessory Use or Structure: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use of structure.

Adult Entertainment Facilities: See Section 17.33.

Agriculture: The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packaging, treating, or storing the produce, provided, however, that the operations of any such accessory uses shall be secondary to that of normal agricultural activities and provided further that the above uses shall not include the commercial feeding of garbage or offal to swine or other animals.

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

Alley: See Thoroughfare.

Altercations, Structural: Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.

Automotive, Manufactured Home, Travel Trailer, and Farm Implement Sales: The sale or rental of new and used motor vehicles, manufactured homes, travel trailers, or farm implements, but not including repair work except incidental warranty repair of same, to be displayed and sold on the premises.

Automotive Repair: The repair, rebuilding, or reconditioning of motor vehicles or parts thereof, including collision service, painting, and steam cleaning of vehicles.

Automotive Wrecking: The dismantling or wrecking of used motor vehicles, manufactured homes, trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

Basement: A story whose floor line is below grade at any entrance or exit and whose ceiling is not more than five feet above grade at any such entrance or exit.

Beginning of Construction: The incorporation of labor and material within the walls of the building or buildings; the incorporation of labor and materials at the site, lot or parcel where a building is to be constructed, the incorporation of labor and material where land is to be used for purposes other than construction of a building.

Board: The Board of Zoning Appeals of the township.

Building: Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property – including tents, lunch wagons, dining cars, trailers, billboards, signs, and similar structures, whether stationary or movable.

Building, Accessory: A subordinate building detached from, but located on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use.

Building Height: The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge of gable, hip, and gambrel roofs.
Building Line: See Setback Line.

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

Business, Convenience: Commercial establishments which cater to and can be located in close proximity to or within residential districts without creating undue vehicular congestion, excessive noise, or other objectionable influences. To prevent congestion, convenience uses include, but need not be limited to, drugstores, beauty salons, barber shops, carry-outs, dry cleaning and laundry pickup facilities, and grocery stores, if less than 10,000 square feet in floor area. Use in this classification tends to serve a day-to-day need in the neighborhood.

Business, General: Commercial uses which generally require location on or near major thoroughfares and/or their intersections, and which tend, in addition, to serve day-to-day needs of the community, also supply the more durable and permanent needs of the whole community. General business uses include, but need not be limited to, such activities as supermarkets, stores that sell hardware, apparel, footwear, appliances, and furniture; department stores.

Business, Highway: Commercial uses which generally require locations on or near major thoroughfares and/or their intersections, and which tend to serve the motoring public. Highway business uses include, but need not be limited to, such activities as filling stations; truck and auto sales and services; restaurants and motels, and commercial recreation.

Business, Office Type: Quasi-commercial uses which may often be transitional between retail business and/or manufacturing, and residential uses. Office business generally accommodates such occupations as administrative, executive, professional, accounting, writing, clerical, stenographic, and drafting. Institutional offices of a charitable, philanthropic, religious or educational nature are also included in this classification.

Business, Refuse: Any land, property, structure, building or combination of the same, on which refuse is stored or processed. Refuse businesses also include garbage dumps and sanitary landfills.

Business, Services: Any profit-making activity which renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances

and machines used in homes and businesses.

Business, Wholesale: Business establishments that generally sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments, or manufacturing establishments. These commodities are basically for further resale, for use in the fabrication of a product, or for use by a business service.

Cemetery: Land used or intended to be used for the burial of the human or animal dead matter dedicated for cemetery purposes, including crematories, mausoleum, and mortuaries if operated in connection with and within the boundaries of such cemetery.

Channel: A natural or artificial watercourse of perceptible extent, with bed and banks and conduct continuously or periodically flowing water.

Clinic: A place used for the care, diagnosis, and treatment of sick, ailing, infirm, or injured persons, and those who are in need of medical and surgical attention, but who are not provided with board or room nor kept overnight on the premises.

Club: A building or portion thereof or premises owned or operated by a person or organizations of persons for a social, literary, poetical, educational, or recreational purpose primarily for the exclusive use of members and their guests.

Commercial Entertainment Facilities: Any profit-making activity which is generally related to the entertainment field, such as motion picture theaters, carnivals, nightclubs, cocktail lounges, and similar entertainment.

Commission: The Township Zoning Commission.

Comprehensive Development Plan: A plan, or any portion thereof, adopted by the Planning Commission and the legislative authority of Licking County showing the general location and extent of present and proposed physical facilities including housing, industrial, and commercial uses, major thoroughfares, parks, schools, and other community facilities. This plan establishes the general goals, objectives, and policies of the community.

Conditional Use: A use permitted within a district other than a principally permitted use, requiring a conditional use permit and approval of the Board of Zoning Appeals.

Conditional uses permitted in each district are listed in the Official Schedule and District Regulations.

Conditional Use Permit: A permit issued by the Zoning Inspector upon approval by the Board of Zoning Appeals to allow a use other than a principally permitted use to be established within the district.

Corner Lot: See Lot Types.

Cul-de-Sac: See Thoroughfare.

Dead-End Street: See Thoroughfare.

Density: A unit of measurement; the number of dwelling units per acre of land.

1. Gross Density: The number of dwelling units per acre of the total land to be developed.
2. Net Density: The number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

Dwelling: Any building or structure which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants.

Dwelling, Manufactured Home: A dwelling that is fabricated and/or constructed in an off-site facility and which is constructed to Federal Law (42 U.S.C.A. 5401).

Dwelling, Multi-Family: A dwelling consisting of three or more dwelling units including condominiums with varying arrangements of entrances and parting walls. Multi-family housing may include public housing and industrialized units.

Dwelling, Rooming House (Boarding House, Lodging House, Dormitory): A dwelling or part thereof, other than a hotel, motel, or restaurant where meals and/or lodging are provided for compensation, for three or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.

Dwelling, Single-Family: A dwelling consisting of a single dwelling unit only, separated from other dwelling units by open space.

Dwelling, Two-Family: A dwelling consisting of two dwelling units which may be either attached side by side or one above the other, and each unit having a separate or combined entrance or entrances.

Dwelling Units: Space, within a dwelling, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities, all used by one family and its household employees.

Easements: Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

Erosion: Erosion is defined as follows:

1. The wearing away of the land surface by running water, wind, ice or other geological agents, including such processes as gravitational creep.
2. Detachment and movement of soil or rock fragments by wind, water, ice, or gravity.
3. Erosion includes:

    a. Accelerated Erosion: Erosion much more rapid that the normal, natural, or geological erosion, primarily as a result of the influence of the activities of man.

    b. Flood Plain Erosion: Abrading and wearing away of the nearly level land situated on either side of a channel due to overflowing flooding.

    c. Gully Erosion: The erosion process whereby water accumulates in narrow channels during and immediately after rainfall or snow or ice melt and actively removes the soil from this narrow area to considerable depths such that the channel would not be obliterated by normal smoothing or tillage operations.

    d. Natural Erosion (Geological Erosion): Wearing away of the earth's surface by water, ice, or other natural environmental conditions of climate, vegetation, etc., undisturbed by man.

e. Normal Erosion: The gradual erosion of land used by man which does not greatly exceed natural erosion.

f. Rill Erosion: An erosion process in which numerous small channels only several inches deep are formed; occurs mainly on recently disturbed soils.

g. Sheet Erosion: The removal of a fairly uniform layer of soil from the land surface by wind or runoff water.

Essential Services: The erection, construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies, of underground gas, electrical, steam or water transmission, or distribution systems, collection, communication, supply or disposal systems or sites, including poles, wires, mains, drains, sewers, pipes, traffic signals, hydrants, or other similar equipment and accessories in connection therewith which are reasonable necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

Family: One or more persons occupying a single-dwelling unit, provided that unless all members are related by blood, adoption, or marriage, no such family shall contain over four unrelated persons.

Farm Vacation Enterprises (Profit or Non-Profit): Farms adopted for use as vacation farms, picnicking and sports areas, fishing waters, camping, scenery, and nature recreation areas; hunting areas; hunting preserves, and watershed projects.

Flood Plain: That land, including the flood fringe and the floodway, subject to inundation by the regional flood.

Flood, Regional: Large floods which have previously occurred or which may be expected to occur on a particular stream because of like physical characteristics. The regional flood generally has an average frequency of the 100-year recurrence interval flood.

Floodway: That portion of the flood plain, including the channel, which is reasonably required to convey the regional flood waters. Floods of less frequent recurrence are usually contained completely within the floodway.

Floodway Fringe: That portion of the flood plain, excluding the floodway, where development may be allowed under certain restrictions.

Floor Area of a Non-Residential Building (To Be Used in Calculating Parking Requirements): The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows, and fitting rooms, and similar areas.

Floor Area of a Residential Building: The sum of the gross horizontal area of the several floors of a residential building, excluding basement floor areas not devoted to residential uses. All dimensions hall be measured between interior faces of walls.

Floor Area, Usable: Measurement of usable floor area shall be the sum of the horizontal area of the several floors of the building, measured from the interior faces of the exterior walls.

Food Processing: The preparation, storage, or processing of food products. Examples of these activities include bakeries, dairies, canneries, and other similar businesses.

Garage, Private: A detached accessory building or portion of a principal building for the parking or temporary storage of automobiles, travel trailers, and/or boats of the occupants of the premises and wherein:

1. Not more that one space is rented for parking to person not resident on the premises.
2. No more than one commercial vehicle permitted.

Garage, Public: A principle or accessory building other than a private garage, used for parking or temporary storage of passenger automobiles, and in which no service shall be provided for remuneration.

Garage, Service Station: Buildings and premises where gasoline, oil, grease, batteries, tires, and motor vehicle accessories may be supplied and dispensed at retail, and where, in addition, the following services may be rendered and sales made:

1. Sales and service of spark plugs, batteries, distributors, and parts.
2. Tire servicing and repair, but not recapping or regrooving.
3. Replacement of mufflers and tail pipes, water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and blades, grease retainers, wheel bearing mirrors, and the like.
4. Radiator cleaning and flushing.
5. Washing, polishing, and sale of washing and polishing materials.
6. Greasing and lubrication.
7. Providing and repairing fuel pumps, oil pumps, and lines.
8. Minor servicing and repair of carburetors.
9. Adjusting and repairing brakes.
10. Sales of cold drinks, packaged food, tobacco, and similar convenience goods for service station customers, as accessory and incidental to principle operations.
11. Provisions of road maps and other informational material to customers, provision of restroom facilities.
12. Warranty maintenance and safety inspections.

Uses permissible at a service station garage do not include major or mechanical and body work, straightening of body parts, painting, welding, storage of autos not in operational condition, or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in filling stations. A service station is not a repair garage nor a body shop.

Home Occupation: An occupation conducted in a dwelling unit, provided that:

1. No more than one person other than members of the family residing on the premises shall be engaged in such occupation.
2. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more that 25 percent of floor area of the dwelling unit shall be used in the conduct of the home occupation.
3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not to exceed four square feet in area, non-illuminated, and mounted flat against the wall of the principal building.
4. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for

parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this resolution, and shall not be located in a required front yard.

5. 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 lot, if the occupation is conducted in a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

Hotel or Motel and Apartment Hotel: A building in which lodging or boarding and lodging are provided and offered to the public for compensation. As such, it is open to the public in contradistinction to a boarding house, rooming house, lodging house, or dormitory which is herein separately defined.

Institution: Building and/or land designed to aid individuals, in need of mental, therapeutic, rehabilitative counseling, or other correctional services.

Junk Motor Vehicle: See Section 17.27 for definition.

Junk Yards: Any open area where waste, discarded or salvaged materials of any kind are stored, bought, sold, exchanged, baled, packed, disassembled or handled, including, but no limited to, auto wrecking yards, house-wrecking yards, used lumber yards and places or yards for storage and equipment whether or not for commercial purposes. Also includes garbage dumps, sanitary landfills, and hazardous waste sites.

Kennel: Any structure or premises on which five or more dogs over four months of age are kept.

Loading Space, Off-Street: Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space. All off-street loading spaces shall be located totally outside of any street or alley right-of-way.

Location Map: See Vicinity Map.

Lot: For the purposes of this resolution, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, and may consist of:

1. A single lot of record.
2. A portion of a lot of record.
3. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.

Lot Coverage: The ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.

Lot Frontage: The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under "Yards" in this section.

Lot Measurements: A lot shall be measured as follows:

1. Depth: The distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rearmost of the side lot lines in the rear.
2. Width: The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the building setback line.

Lot, Minimum Area of: The area of a lot is computed exclusive of any portion of the right-of-way of any public or private street.

Lot of Record: A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot Types: Terminology used in this resolution with reference to corner lots, interior lots, and through lots is as follows:

1. Corner Lots: A lot located at the intersection of two or more streets. A lot

abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.

2. Interior Lot: A lot with only one frontage on a street.
3. Through Lot: A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
4. Reversed Frontage Lot: A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

Maintenance and Storage Facilities: Land buildings, and structures devoted primarily to the maintenance and storage of equipment and material.

Major Thoroughfare Plan: A portion of comprehensive plan adopted by the Regional Planning Commission indicating the general location recommended for arterial, collector, and local thoroughfares within the appropriate jurisdiction.

Manufactured Home: A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the secretary of housing and urban development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974," 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable federal construction and safety standards.

Manufactured Home Park: Any site, or tract of land under single ownership, upon which three or more manufactured homes used for habitation are parked, either free of charge or for revenue purposes; including any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park.

Manufacturing, Heavy: Processing, assembling, storing, testing, and similar industrial uses which are generally major operations and extensive in character; requiring large sites, open storage and service areas, extensive services and facilities, ready access to regional transportation; and normally generate some nuisances such as smoke, noise, vibration, dust, glare, air pollution, and water pollution, but not beyond the district boundary.

Manufacturing, Light: Manufacturing or other industrial uses which are usually controlled operations; relatively clean, quiet, and free of objectionable or hazardous

elements such as smoke, noise, odor, or dust; operating and storing within enclosed structures; and generating little industrial traffic and no nuisances.

Nonconformities: A building, structure, or use of land existing at the time of enactment of this resolution, which does not conform to the regulations of the district or zone in which it is situated.

Nursery, Nursing Home: A home or facility for the care and treatment of babies, children, pensioners, or elderly people.

Nursery, Plant Materials: Land, building, structure, or combination thereof for the storage, cultivation, transplanting of live trees, shrubs, or plants offered for retail sale on the premises including products used for gardening or landscaping.

Open Space: An area substantially open to the sky, which may be on the same lot with a building. The area may include, along with the natural environmental features, water areas, swimming pools, and tennis courts, and any other recreational facilities that the Zoning Commission deems permissive. Streets, parking areas, structure for habitation, and the like shall not be included.

Parking Space, Off-Street: For the purpose of this resolution, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with property-related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or alley right-of-way.

Performance Bond or Surety Bond: An agreement by a subdivider or developer with the county and/or township for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement.

Personal Services: Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repair, barber shops, beauty parlors, and similar activities.

Planned Unit Development: An area of land in which a variety of housing types and subordinate commercial and industrial facilities are accommodated in a preplanned

environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles, and landscaping plans.

Planning Commission, Licking County: (LCPC).

Professional Activities: The use of offices and related spaces for such professional services as are provided by medical practitioners, lawyers, architects, and engineers, and similar professions.

Public Nuisance: Includes the following:

1. The physical condition, or use of any premises regarded as a public nuisance at common law.
2. Any physical condition, use or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations, and unsafe fences or structures.
3. Any premises designated as unsafe for human habitation or use.
4. Any premises which have unsanitary sewerage or plumbing facilities.
5. Any premises which are manifestly capable of being a fire hazard or are manifestly unsafe or unsecure as to endanger life, limb, or property.
6. Any premises from which the plumbing, heating, and/or facilities required by this code or the county building code have been removed, or from which utilities have been disconnected, destroyed, removed, or rendered ineffective, or the required precautions against trespassers have not been provided.
7. Any premises which are unsanitary, or which are littered with rubbish or garbage, or which have an uncontrolled growth of weeds.
8. Any structure or building that is in a state of dilapidation, deterioration or decay; is faulty construction; is open, vacant or abandoned; is damaged by fire to the extent as not provide shelter; is in danger of collapse or failure and is dangerous to anyone on or near the premises.

Public Service Facility: The erection, construction, alteration, operation, or maintenance of buildings; power plants, or substations, water treatment plants or pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned,

or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water and sewage services.

Public Uses: Public parks, schools, administrative and cultural buildings and structures, not including public land or buildings devoted solely to the storage of maintenance of equipment and materials and public service facilities.

Public Way: An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk or bicycle path, or easements in which the general public or a public entity has a right of use, or which are dedicated, whether improved or not.

Quaisipublic Use: Churches, Sunday schools, parochial schools, colleges, hospitals, and other facilities of an educational religious, charitable, philanthropic, or non-profit nature.

Recreation Camp: An area of land on which two or more travel trailers, campers, tents, or other similar temporary recreation structures are regularly accommodated with or without charge, including any building, structure or fixture of equipment that is used or intended to be used in connection with providing such accommodations.

Recreation Facilities: Public or private facilities that may be classified as either "extensive" or "intensive" depending upon the scope of services offered and the extent of use. Extensive facilities generally require and utilize considerable areas of land and include, but need not be limited to hunting, fishing, and riding clubs and parks. Intensive facilities generally require less land (used more intensively) and include, but need not be limited to, miniature golf courses, amusement parks, stadiums, and bowling alleys, with the exception of agricultural research, development, and testing.

Research Activities: All research, development, and testing related to such field s as chemical, pharmaceutical, medical, electrical, transportation and engineering. All research, testing and development shall be carried on within entirely enclosed buildings, and no noise, smoke, glare, vibration, or odor shall be detected outside of said building.

Right-of-Way: A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities, and may include special features (required by the topography or

treatment) such as grade separation, landscaped areas, viaducts, and bridges.

Roadside Stand: A temporary structure designed or used for the display or sale of agriculture and related products.

Satellite Dish Antennas: See Section 17.32.

Seat: For purposes of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating units installed or indicated, or each 24 lineal inches of benches, pews, or space for loose chairs.

Setback Line: A line established by the zoning resolution generally parallel with and measured from the lot line, deeming the limits of a yard in which no building; other than an accessory building or structure may be located above ground, except as otherwise provided herein.

Sewers, Central or Group: An approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community, or region.

Sewers, On-Site: A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

Sidewalks: That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic.

Sign: Any device designated to inform or attract the attention of persons not on the premises on which the sign is located:

1. Sign, On-Premises: Any sign related to a business or profession conducted, or to a commodity or service sold or offered upon the premises where such sign is located.
2. Sign, Off-Premises: Any sign unrelated to a business or profession conducted, or to a commodity or service sold or offered upon the premises where such sign is located.

3. Sign, Illuminated: Any sign illuminated by electricity, gas, or other artificial light including reflecting or phosphorescent light.
4. Sign, Lighting Device: Any light, string of lights, or group of lights located or arranged so as to cast illumination on a sign.
5. Sign, Projecting: Any sign which projects from the exterior of a building.

Stable, Commercial: A stable for horses, donkeys, mules, or ponies, which are let, hired, used, or boarded on a commercial basis and for compensation.

Stable, Private: An accessory building for the keeping of horses, donkeys, mules, or ponies owned by the occupant of the premises and not kept for remuneration, hire, or sale.

Story: That part of a building between the surface of a floor and the ceiling immediately above.

Structure: Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures include buildings, manufactured homes, walls, fences, billboards, decks, and porches (with or without covers).

Supply Yards: A commercial establishment storing and offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods.

Swimming Pools: A pool, pond, lake, or open tank containing at least five feet of water at any point and maintained by the owner or manager.

1. Private: Exclusively used without paying an additional charge for admission by the residents and guests of a single household, a multi-family development, or community, the members and guests of a club or the patrons of a motel or hotel; an accessory use.
2. Community: Operated with a charge for admission, a primary use.

Tent: A collapsible shelter of canvas or other material stretched and sustained by poles and used for camping outdoors or as a temporary building.

Thoroughfare, Street, or Road: A full width between property lines bounding every

public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:

1. Alley: A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.
2. Arterial Street: A general term denoting a highway primarily for through traffic, carrying heavy loads and a large volume of traffic, usually on a continuous route.
3. Collector Street: A thoroughfare, whether within a residential, industrial, commercial or other type of development, which primarily carries traffic from local streets, including the principal entrance and circulation routes within residential subdivisions.
4. Cul-de-Sac: A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.
5. Dead-End Street: A street temporarily having only one outlet for vehicular traffic and intended to be extended or continued in the future.
6. Local Street: A street primarily for providing access to residential or other abutting property.
7. Loop Street: A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the 180 degree system of turns are not more than 1,000 feet from said arterial or collector street, not normally more than 600 feet each other.
8. Marginal Access Street: A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street).

Through Lot: See Lot Types.

Transportation, Director of: The Director of the Ohio Department of Transportation.

Use: The specific purposes for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

Variance: A variance is a modification of the strict terms of the relevant regulations authorized by the Board of Zoning Appeals in specific cases where such modification will not be contrary to the public interest and where a literal or strict enforcement of the provisions of this resolution would result in practical difficulties.

Veterinary Animal Hospital or Clinic: A place used for the care, grooming, diagnosis, and treatment of sick, ailing, or injured animals, and those animals who are in need of medical or surgical attention, and may include overnight accommodations on the premises for the treatment, observation, and/or recuperation. It may also include boarding that is incidental to the primary activity.

Vicinity Map: A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the general area in order to better located and orient the area in question.

Walkway: A public way, four feet or more in width, for pedestrian use only, whether along the side of a road or not.

Yard: A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three feet above the general ground level of the graded lot upward; provided, accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.

1. Yard, Front: A yard extending between side lot lines across the front of a lot and from the lot line to the front of the principal building.
2. Yard, Rear: A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.
3. Yard, Side: A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

Zoning Inspector: The Zoning Inspector of the township, or his/her authorized representative.

Zoning Map: The zoning map or maps of the township, together with all amendments subsequently adopted.

Zoning Permit: A document issued by the Zoning Inspector authorizing the use of lots, structures, uses of land and structures, and the characteristics of the uses.

Monroe Township Zoning Resolution
Article 3

ENFORCEMENT

Section 3.0 Zoning Permits Required

No building or other structure shall be erected, moved, added to, structurally altered, nor shall any building, structure, or land be established or changed in use without a permit therefore, issued by the Zoning Inspector. Zoning permits shall be issued only in conformity with the provisions of this resolution unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal, conditional use or variance from Board of Township Trustees approving a Planned Unit Development District, as provided by this resolution.

Section 3.1 Content of Application for Zoning Permit

All departments, officials, and public employees of the township vested with the duty or authority to issue permits and licenses shall conform with the provisions of this resolution and shall issue no permit or license for any use, building, or purpose in conflict with the provisions of this resolution. Any permit or license issued in conflict with the provisions of this resolution shall be null and void.

The application for zoning permit shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire and may be revoked if work has not begun within one year or substantially completed with 2 1/2 years. At a minimum, the application shall contain the following information:

1. Name, address, and phone number of applicant.
2. Legal description of property.
3. Existing use.
4. Proposed use.
5. Zoning district.
6. Plans in triplicate drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any, and the location and dimensions of the proposed building(s) or alteration.
7. Building heights.
8. Number of off-street parking spaces or loading berths.
9. Number of dwelling units.

10. Such other matters as may be necessary to determine conformance with, and provide for the enforcement of this resolution.
11. Zoning permit application for uses to be located in the Flood Plain Overlay District must submit a copy of the approved flood plain development permit from the Licking County Flood Plain Administrator.

Section 3.2 Approval of Zoning Permit

Within 30 days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this resolution. All zoning permits shall, however, be made conditional upon the commencement of work within one year. One copy of the plans shall be retained by the Zoning Inspector. The Zoning Inspector shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the use or alteration is in conformance with the provisions of the resolution.

Section 3.3 Submission to Director of Transportation

Before any zoning permit is issued affecting any land within 300 feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certification to local officials, by the Director of Transportation or any land within a radius of 500 feet from the point of intersection of said centerline with any public road or highway, the Zoning Inspector shall give notice, by registered mail to the Director of Transportation that he shall not issue a zoning permit for 120 days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Zoning Inspector that he shall proceed to acquire the land needed, then the Zoning Inspector shall refuse to issue the zoning permit. If the Director of Transportation notifies the Zoning \Inspector that acquisition at this time is not in the public interest or upon the expiration of the 120-day period of any extension thereof agreed upon the Director of Transportation and the property owner, the Zoning Inspector shall, if the application is in conformance with all provisions of this resolution, issue the zoning permit.

Section 3.4 Expiration of Zoning Permit

If the work described in any zoning permit has not begun within one year from the date of issuance thereof, said permit shall expire; it shall be revoked by the Zoning Inspector, and written notice thereof shall be given to the persons affected. If the work

described in any zoning permit has not been substantially completed within 2 1/2 years of the date of issuance thereof, said permit shall expire and be revoked by the Zoning Inspector, and written notice thereof shall be given to the persons effected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new zoning permit has been obtained or extension granted.

Section 3.5 Certificate of Occupancy

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a certificate of occupancy shall have been issued thereof by the Zoning Inspector stating that the proposed use of the building or land conforms to the requirements of this resolution.

Section 3.6 Record of Zoning Permits and Certificates of Occupancy

The Zoning Inspector shall maintain a record of all zoning permits and certificates of occupancy and copies shall be furnished upon request to any person.

Section 3.7 Failure To Obtain a Zoning Permit or Certificate of Occupancy

Failure to obtain a zoning permit or certificate of occupancy shall be a violation of this resolution and punishable under Section 3.11 of this resolution.

Section 3.8 Construction and Use To Be as Provided in Applications, Plans, Permits, and Certificates

Zoning permits or certificates of occupancy issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use, and arrangement, set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of this resolution, and punishable as provided in Section 3.11 of this resolution.

Section 3.9 Complaints Regarding Violations

Whenever a violation of this resolution occurs, or is alleged to have occurred, any

person may file a written complaint. Such complaint shall fully state the causes and basis thereof and shall be filed with the Zoning Inspector. The Zoning Inspector shall properly record such complaint, immediately investigate, and take action thereon as provided by this resolution.

Section 3.10 Penalties for Violation

Violators of the provisions of this resolution or those who fail to comply with any of its requirements, including violation of conditions and safeguards established in various sections of this resolution or failure to comply with any of its requirements shall upon conviction thereof be fined not more than $100 or imprisonment for not more that 30 days, or both, and, in addition, shall pay all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice shall be considered a separate offense. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits , participates in, assists in, or maintains such violation may be found guilty of a separate offense, and suffer the penalties herein provided. Nothing herein contained shall prevent the township from taking such other lawful action as is necessary to prevent or remedy any violation.

Section 3.11 Schedule of Fees, Charges, and Expenses

The Board of Township Trustees shall by resolution establish a schedule of fees, charges, and expenses and a collection procedure for zoning permits, amendments, appeals, variances, conditional use permits, plan approvals, and other matters pertaining to the administration and enforcement of this resolution requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the office of the Zoning Inspector and may be altered or amended only by the Board of Township Trustees. Until all applicable fees, charges, and fees have been paid in full, no action shall be taken on any application or appeal.

Monroe Township Zoning Resolution
Article 4

NONCONFORMITIES

Section 4.0 Intent

Within the districts established by this resolution or amendments that may later be adopted there exists lots, uses of land, structures, and uses of structures and land in combination which were lawful before this resolution was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this resolution or future amendments. It is the intent of this resolution that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

Section 4.1 Incompatibility of Nonconformities

Nonconformities are declared by this resolution to be incompatible with permitted uses in the districts in which such use is located. A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land in combination shall not be extended or enlarged after passage of this resolution by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be generally prohibited in the district in which such use is located.

Section 4.2 Avoidance of Undue Hardship

To avoid undue hardship, nothing in this resolution shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this resolution and upon which actual building construction has been carried on diligently. Actual is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that the work shall be carried out diligently.

Section 4.3 Single Nonconforming Lots of Record

In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the

effective date of adoption or amendment of this resolution, notwithstanding limitations imposed by other provisions of this resolution. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, or the lot shall conform to the regulations for the district in which such lot is located. Variances of requirements listed in Articles 8 and 9 of this resolution other than lot area or lot width shall be obtained only through action of the Board of Zoning Appeals as provided in Section 5.8 and 5.18.

Section 4.4 Nonconforming Lots of Record in Combination

If two or more lots or a combination of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this resolution and if all or part of the lots with no buildings do not meet the requirements established for lot width and area, the lands involved shall be considered to be undivided parcel for the purposes of this resolution and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this resolution, nor shall any division of any parcel be made which creates a lot with a width or area below the requirements states in this resolution.

Section 4.5 Nonconforming Use of Land

Where, at the time of adoption of this resolution, lawful uses of land exist which would not be permitted by the regulations imposed by this resolution, the uses may be continued so long as they remain otherwise lawful, provided:

1. No such nonconforming uses shall be enlarged or increases, nor extended to occupy a greater area of land than was occupied by such uses at the effective date of adoption or amendment of this resolution.
2. No such nonconforming uses shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such uses at the effective date of adoption or amendment of this resolution.
3. If any such nonconforming uses of land are discontinued or abandoned for more than two years (except when government action impedes access to the premises), any subsequent use of land shall conform to the regulations specified by this resolution of the district in which such land is located.
4. No additional structure not conforming to the requirements of this resolution

shall be erected in connecting with such nonconforming use of land.

Section 4.6 Nonconforming Structures

Where a lawful structure exists at the effective date of adoption or amendment of this resolution that could not be built under the terms of this resolution by reason of restriction on area, lot coverage, height, yards, its location on the lot, bulk, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity, but any structure or portion thereof may be altered to decrease in nonconformity, provided that all such alternations are in accordance with this resolution or changes are reviewed by the Board of Zoning Appeals.
2. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved. Replacing the structure that has been moved with another nonconforming structure shall be prohibited unless approved by the Board of Zoning Appeals in accordance with this resolution.

Section 4.7 Nonconforming Uses of Structure or of Structures And Land in Combination

If a lawful use involving individual structures, or a structure and land in combination, exists at the effective date of adoption or amendment of this resolution that would not be allowed in the district under the terms of this resolution, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this resolution in the district in which it is located shall be enlarged, extended, constructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
2. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this resolution, but no such use shall be extended to occupy any land outside such building.
3. If no structural alterations are made, any nonconforming use of a structure or

structure and land, may, upon approval by the Board of Zoning Appeals, be changed to a more restrictive nonconforming use provided that the Board of Zoning Appeals shall find that the proposed use in more appropriate to the district than the existing nonconforming use that the proposed use will not have a greater impact on the neighborhood, and that it will not prolong the natural life of a nonconforming use (i.e., costly improvements are indicators that the natural life of the nonconforming use will be extended). In permitting such change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accord with other provisions of this resolution and any or all of the following:

a. The nonconforming structure or use shall not be detrimental to the public welfare or seriously affect or be injurious to other property or improvements in the neighborhood in which the property is located.
b. The nonconforming structure or use shall not contribute substantially to increasing congestion of streets or create a traffic hazard.
c. The proper number of parking and loading spaces as required by this resolution is provided for the use or structure to the maximum extent possible.

Section 4.8 Repairs and Maintenance

On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, provided that the cubic content existing when it became nonconforming shall not be increased. Nothing in this section shall not be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

Section 4.9 Uses Under Conditional Use Provisions Not Nonconforming Uses

Any use which is permitted as a conditional use in a district under the terms of this resolution shall not be deemed a nonconforming use in such district, but shall without further action be considered a conforming use.

Monroe Township Zoning Resolution
Article 5

ADMINISTRATION

Section 5.0 Office of Zoning Inspector Created

A Zoning Inspector designated by the Board of Township Trustees shall administer and enforce this resolution. He/she may be provided with the assistance of such other persons as the Board of Township Trustees may direct. The township Zoning Inspector, before entering upon his/her duties, shall give bond as specified in Section 519.161, Ohio Revised Code.

Section 5.1 Duties of Zoning Inspector

For the purpose of this resolution, the Zoning Inspector shall have the following duties:

1. Upon finding that any of the provisions of this resolution are being violated, he/she shall notify in writing the person responsible for such violation(s), ordering the acting necessary to correct such violation.
2. Order discontinuance of illegal uses of land, buildings, or structures.
3. Order removal of illegal buildings or structures or illegal additions or structural alterations.
4. Order discontinuance of any illegal work being done.
5. Take any other action authorized by this resolution to ensure compliance with or to prevent violation(s) of this resolution. This may include the issuance of and action on zoning and certificate of occupancy permits and such similar administrative duties as are permissible under the law.
6. The Zoning Inspector shall have the right to inspect all property in the township, subject to restrictions imposed by law.

Section 5.2 Proceedings of Zoning Commission

The Commission shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this resolution. Meetings shall be held at the call of the chairman and at such other times as the Commission may determine. All meetings shall be open to the public. The Commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of

the Commission.

Section 5.3 Duties of the Zoning Commission

For the purpose of this resolution, the Commission shall have the following duties:

1. Initiate proposed amendments to this resolution.
2. Review all proposed amendments to this resolution and make recommendations to the Board of Township Trustees as specified in Section 6.
3. Review all planned unit developments and make recommendations to the Board of Township Trustees.

Section 5.4 Board of Zoning Appeals Created

A Board of Zoning Appeals shall consist of five members to be appointed by the Board of Township Trustees each for a term of five years. Each member shall be a resident of the township. Members of the Board may be removed from office by the Board of Township Trustees for cause upon written charges and after public hearing. Vacancies shall be filled by appointment by the Board of Township Trustees for the unexpired term of the member affected.

Section 5.5 Proceedings of the Board of Zoning Appeals

The Board shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this resolution. Meetings shall be held at the call of the chairman and at such other times as the Board may determine. The chairman or, in his or her absence, the acting chairman may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examination and other official actions, all of which shall be a public record and immediately filed in the office of the Board.

Section 5.6 Duties of the Board of Zoning Appeals

In exercising its duties, the Board may, as long as such action is in conformity with the terms of this resolution, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and may make such order,

requirement, decision, or determination as ought to be made, and to that end shall have the powers of the Zoning Inspector from whom the appeal is taken. The concurring vote of three members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Inspector, or to decide in favor of the applicant on any matter upon which it is required to pass under this resolution or to effect any variation in the application of this resolution. For the purpose of this resolution the Board has the following specified responsibilities:

1. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, interpretation, or determination made by the Zoning Inspector.
2. Variances from the terms of the Zoning Resolution shall be granted only where the property owner shows that the application of a zoning requirement to the property owner's property is inequitable, causing the property owner practical difficulties in the use of the property. The factors to be considered and weighted by the Board in determining whether a property owner has encountered practical difficulties in the use of property include, but are not limited to:

    a. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
    b. Whether the variance is substantial.
    c. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
    d. Whether the variance would adversely affect the delivery of governmental services such as water, sanitary sewer or garbage removal.
    e. Whether the property owner purchased the property with knowledge of the zoning resolution.
    f. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
    g. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

3. To grant conditional use permits as specified in the Official Schedule of District Regulations and under the conditions specified in Articles 9 through 17 and such additional safeguards as will uphold the intent of this resolution.

Section 5.7 Duties of Zoning Inspector, Board of Zoning Appeals, Legislative Authority, and Courts on Matters of Appeal

It is the intent of this resolution that all questions of interpretation and enforcement shall be first presented to the Zoning Inspector, and that such questions shall be presented to the Board only on appeal from the decision of the Zoning Inspector, and that recourse from the decisions of the Board shall be to the courts as provided by law. It is further the intent of this resolution that the duties of the Board of Township Trustees in connection with this resolution shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this section and this resolution. Under this resolution the Board of Township Trustees shall have only the duties of considering the adoption or rejection of proposed amendments or the repeal of this resolution as provided by law and of establishing a schedule of fees and charges as stated in Section 3.12 of this resolution. Nothing in this resolution shall be interpreted to prevent any official of the township from appealing a decision of the Board to the courts as provided in Chapters 2505 and 2506 of the Ohio Revised Code. Any such appeal shall be made within thirty days of the Board's written decision and subsequent approval of the minutes and notification of the board's decision.

Section 5.8 Procedures and Requirements for Appeal and Variances

Appeals and variances shall conform to the procedures and requirements of Sections 5.9 through 5.18, inclusive, of this resolution. As specified in Section 5.6, the Board of Zoning Appeals has appellate jurisdiction relative to appeal and variances.

Section 5.9 Appeals

Appeals to the Board of Zoning Appeals concerning interpretation or administration of this resolution may be taken by any person aggrieved or by any officer or bureau of the legislative authority of the township affected by 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 Board of Zoning Appeals, a notice of appeal specifying the grounds upon which the appeal is being taken. The Zoning Inspector shall transmit to the Board of Zoning Appeals all the paper constituting the record upon which the action appeal was taken.

Section 5.10 Stay of Proceedings

An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Inspector from whom the appeal is taken certifies to the Board of Zoning Appeals after the notice of appeal is filed with him that, by reason of facts stated in the application, a stay would, in his/her opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Zoning Appeals or by a court of record on application, on notice to the Zoning Inspector from whom the appeal is taken on due cause shown.

Section 5.11 Variance

See Section 2 of this resolution for the definition of Variance.

Section 5.12 Application and Standards for Variances

A variance from the terms of this resolution shall not be granted by the Board of Zoning Appeals unless and until a written application for a variance is submitted by the owner or lessee to the Zoning Inspector and the Board of Zoning Appeals containing:

1. Name, address, and phone number of applicants.
2. Legal description of property.
3. Description of the nature of variance requested.
4. A narrative statement demonstrating that the requested variance conforms to the following standards:

   The factors to be considered and weighed in determining whether a property owner seeking an area variance has encountered practical difficulties in the use of his property include, but are not limited to:

   a. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
   b. Whether the variance is substantial.
   c. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
   d. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage).

e. Whether the property owner purchased the property with knowledge of the zoning restriction.
f. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
g. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

A variance shall not be granted unless the Board makes specific findings of fact based directly on the particular evidence presented to it, which support conclusions that the standards and conditions imposed by subsection four of this section have been met by the applicant.

Section 5.13 Supplementary Conditions and Safeguards

Under no circumstances shall the Board of Zoning Appeals grant an appeal or variance to allow a use not permissible under the terms of this resolution in the district involved, or any use expressly or by implication prohibited by the terms of this resolution in said district. In granting any appeal or variance or conditional use, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards at the Board's discretion. Violation of such conditions and safeguards, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this resolution and punishable under Section 3.11 of this resolution.

Section 5.14 Public Hearing by the Board of Zoning Appeals

The Board of Zoning Appeals shall hold a public hearing within 30 days after the receipt of an application for an appeal or variance from the Zoning Inspector or an applicant.

Section 5.15 Notice of Public Hearing in Newspaper

Before holding the public hearing required in Section 5.14, notice of such hearing shall be given in one or more newspapers of general circulation in the township at least ten days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance.

Section 5.16 Notice to Parties of Interest

Before holding the public hearing required in Section 5.14, written notice of such hearing shall be mailed by the chairman of the Board of Zoning Appeals, by first class mail, at least ten days before the day of the hearing to all property owners contiguous to or directly across the street from the parcel(s). The notice shall consist of the same information as required for notices published in newspapers as specified in Section 5.15.

Section 5.17 Action by Board of Zoning Appeals

Within 30 days after the public hearing required in Section 5.14, the Board of Zoning Appeals shall either approve, approve with supplementary conditions as specified in Section 5.13, or disapprove the request for appeal or variance. Appeals from Board decisions shall be made in the manner specified in Section 5.7. In making its ruling, the Board shall not deprive the landowner of all reasonable uses of his/her land.

Section 5.18 Procedure and Requirements for Approval of Conditional Use Permits

Conditional uses shall conform to the procedures and requirements of Sections 5.19 through 6.26, inclusive, of this resolution.

Section 5.19 General

It is recognized that an increasing number of new kinds of uses are appearing daily, and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, design, size, method of operation, circulation, and public facilities that each specific use must be considered individually. These specific uses, as they are conditionally permitted under the provisions of Article 9, shall follow the procedures and requirements set forth in Section 5.19 through 5.26, inclusive.

Section 5.20 Contents of Application for Conditional Use Permit

An application for conditional use permit shall be filed with the chairman of the Board of Zoning Appeals by at least one owner or lessee of property for which such conditional use is proposed. At a minimum, the application shall contain the following information:

1. Name, address, and phone number of applicant.
2. Legal description of property.
3. Description of existing use.
4. Zoning district.
5. Description of proposed conditional use.
6. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards, and such other information as the Board may require to determine if the proposed conditional use meets the intent and requirements of this resolution.
7. A narrative statement evaluating the effects on 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.
8. Such other information as may be required in Section 5.22.
9. A list of all property owners and their mailing addresses who are within, contiguous to, or directly across the street from the parcel(s) that have applied for the conditional use permit, and others that may have a substantial interest in the case.

Section 5.21 General Standards Applicable to All Conditional Uses

In addition to the specific requirements for conditionally permitted uses as specified in Section 5.22, the Board shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

1. Is in fact a conditional use as established under the zoning district involved.
2. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan and/or the zoning resolution.
3. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
4. Will not be hazardous or disturbing to existing or future neighboring uses.
5. Will be served adequately by essential public facilities and services such as

highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

6. Will not create excessive additional requirements at public cost of public facilities and services and will not be detrimental to the economic welfare of the community.
7. Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odor.
8. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
9. Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

Section 5.22 Specific Criteria for Conditional Uses

The following is a list of specific requirements for conditionally permitted uses as specified under the Official Schedule of District Regulations and shall be considered by the Board in acting upon the conditional use application:

1. All structures and activity areas should be located at least 100 feet from all property lines.
2. Loud speakers which cause a hazard or annoyance shall not be permitted.
3. All points of entrance or exit should be located no closer than 200 feet from the intersection of two arterial thoroughfares or no closer than 100 feet from the intersection of an arterial street and a local or collector street.
4. There shall be no more than one sign oriented to each abutting street identifying the activity.
5. Lighting shall not constitute a nuisance nor in any way impair safe movement of traffic on any street or highway, and no lighting shall shine directly on adjacent properties.
6. Structures should have primary access to a collector thoroughfare.
7. Such development should have primary access to arterial thoroughfares or be located at intersections of arterial and/or collector streets.
8. Such developments should be located adjacent to non-residential uses such as churches, parks, industrial, or commercial uses.

9. Site locations should be preferred that offer natural or man-made barriers that would lessen the effect of intrusion into a residential area.
10. Such uses should be properly landscaped to be harmonious with surrounding residential uses.
11. Such structures should be located adjacent to parks and other non-residential uses such as schools and shopping facilities where use could be made of joint parking facilities.
12. All permitted installations shall be kept in a neat and orderly condition so as to prevent injury to any single property, and any individual or to the community in general.
13. The area of use shall be completely enclosed by a six-foot fence and appropriately landscaped to be harmonious with surrounding properties.
14. Such uses should be located on an arterial thoroughfare, adjacent to non-residential uses such as commerce, industry, or recreation, or adjacent to sparsely settled residential uses.
15. Truck parking areas, maneuvering lanes, and accessways to public thoroughfares shall be designed to cause no interference with the safe and convenient movement of automobile and pedestrian traffic on and adjacent to the site. The site shall be used for the storage of trucks, and truck parking shall be limited to a time not to exceed 24 hours.
16. Such developments should be located on or immediately adjacent to state highways.
17. Such uses shall not be conducted closer that 500 feet from any residential district, nor closer than 200 feet from any structures used for human occupancy in any other district.
18. There shall be filed with the Zoning Inspector a location map which clearly shows areas to be mined and the location of adjacent properties, road, and natural features.
19. Information shall be submitted on the anticipated depth of excavations and on depth and probably effect on the existing water table and coordinated with the Ohio Division of Water.
20. All work conducted in connection with such operations shall be done between the hours of 7:30 AM and 5:00 PM.
21. All equipment and machinery shall be operated and maintained in such a way as to minimize dust, noise, and vibration. Access roads shall be maintained in dust-free condition by surfacing or other treatment as may be specified by the County Engineer.
22. There shall be filed with the Board a detailed plan for the restoration of the area

to be mined which shall include the anticipated future use of the restored land, the proposed final topography indicated by contour lines of no greater interval than five feet, the type and number per acre of trees or shrubs or grass to be planted, and the location of future roads, drives, drainage courses, or other improvements contemplated.

23. All excavation shall be made either to a water producing depth, such depth to be not less than five feet below the low water mark, or shall be graded of backfilled with non-noxious, non-flammable, and noncombustible solids, to secure:

    a. That the excavated area shall not collect the permit to remain therein stagnant water.
    b. That the surface of such area which is not permanently submerged is graded or backfilled as necessary so as to reduce the peaks and depressions thereof, so as to produce a gently running surface that will be in substantial conformity to the adjoining land area. The banks of all excavations not backfilled shall be sloped which shall not be less than three feet horizontal to one foot vertical and said bank shall be seeded.

24. There shall be filed with the Board of Trustees a bond, payable to the township and conditioned on the faithful performance of all requirements contained in the approved restoration plan. The rate of the required bond shall be fixed by resolution of the Board of Township Trustees. The bond shall be released upon written certification of the Zoning Inspector that the restoration is complete and in compliance with the restoration plan.

Section 5.23 Supplementary Conditions and Safeguards

In granting any conditional use, the Board may prescribe appropriate conditions and safeguards in the Board's discretion. Violations of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this resolution and punishable under Section 3.11 of this resolution.

Section 5.24 Procedure for Hearing, Notice

Upon receipt of the application for the conditional use permit specified in Section 5.20, the Board shall hold a public hearing, publish notice in a newspaper, and give written

notice to all parties in interest according to the procedures specified in Sections 5.14 through 5.16.

Section 5.25 Action by the Board of Zoning Appeals

Within 30 days after the public hearing required in Section 5.24, the Board shall either approve with supplementary conditions as specified in Section 5.23, or disapprove the application as presented. If the application is approved or approved with modifications, the Board shall direct the Zoning Inspector to issue a conditional use permit listing the specific conditions specified by the Board for approval. If the application is disapproved by the Board, the applicant may seek relief through the Court of Common Pleas. Appeals from Board decisions shall be made in the manner specified in Section 5.17.

Section 5.26 Expiration of Conditional Use Permit

A conditional use permit shall be deemed to authorize only one particular conditional use and said permit shall automatically expire if, for any reason, the conditional use shall cease for more than two years.

Monroe Township Zoning Resolution
Article 6

AMENDMENT

Section 6.0 Procedure for Amendments or District Changes

This resolution may be amended by utilizing the procedures specified in Sections 6.1 through 6.113, inclusive of this resolution.

Section 6.1 General

Whenever the public necessity, convenience, general welfare, or good zoning practice require, the Board of Township Trustees may be resolution after receipt of recommendation thereon from the Zoning Commission, and subject to the procedures provided by law, amend, supplement, change or repeal the regulations, restrictions, and boundaries, or classification of property.

Section 6.2 Initiation of Zoning Amendments

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

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

Section 6.3 Contents of Application

Applications for amendments to the official zoning map adopted as part of this resolution by Section 7.0 shall contain at least the following information:

1. Name, address, and phone number of applicant.
2. Proposed amended resolution.
3. Present use.
4. Present zoning district.
5. Proposed use.
6. Proposed zoning district.
7. A vicinity map at a scale approved by the Zoning Inspector showing property lines, thoroughfares, existing proposed zoning, and such other items as the Zoning Inspector may require.

8. A list of all property owners and their mailing addresses who are within, contiguous to, or directly across the street from the parcel(s) proposed to be rezoned. Review Sections 6.8 and 6.9 determine if the list of all property owners and their mailing addresses are required.
9. A statement on how the proposed amendment relates to the comprehensive plan.
10. A fee as established by the Board of Township Trustees according to Section 3.11.

Section 6.4 Transmittal to Zoning Commission

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

Section 6.5 Submission to County Planning Commission

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

Section 6.6 Submission to Director of Transportation

Before any zoning amendment is approved affecting any land within 300 feet of the centerline of a proposed new highway or highway for which changes are proposed as described in the certification to local officials by the Director of Transportation or within a radius of 500 feet from the point of intersection of said centerline with any public road or highway, the Commission shall give notice, by registered or certified mail to the Director of Transportation. The Zoning Commission may proceed as required by law; however, the Board of Township Trustees shall not approve the amendment for 120 days from the date the notice is received by the Director of Transportation and he notifies the Board of Township Trustees that he shall proceed to acquire any land

needed; then the Board of Township Trustees shall refuse to approve the rezoning. If the Director of Transportation notifies the Board of Township Trustees that acquisition at this time is not in the public interest or upon expiration of the 120-day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the Board of Township Trustees shall proceed as required by law.

Section 6.7 Public Hearing by Zoning Commission

The Zoning Commission shall schedule a public hearing after the adoption of their motion, transmittal of a resolution from the Board of Township Trustees, or the filing of an application for zoning amendment. Said hearing shall not be less than 20 nor more than 40 days from the date of adoption of such motion, transmittal of such resolution, or the filing of such application.

Section 6.8 Notice of Public Hearing in Newspaper

Before holding the public hearing as required in Section 6.7, notice of the time, date and place of such hearing shall be given by the Zoning Commission by at least one publication in one or more newspapers of general circulation of the township at least 10 days before the date of said hearing.

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

    a. The name of the Zoning Commission that will be conducting the public hearing on the proposed amendment.
    b. A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution.
    c. The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least 10 days prior to the public hearing.
    d. The name of the person responsible for giving notice of the public hearing by publication.
    e. A statement that after the conclusion of such hearing the matter will be submitted to the Board of Township Trustees for its action.
    f. Any other information requested by the Zoning Commission.

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

Monroe Township Zoning Resolution
Article 7

PROVISIONS FOR OFFICIAL ZONING MAP

Section 7.0 Official Zoning Map

The districts established in Article 7 of this resolution as shown on the official zoning map which, together with all explanatory matter thereon, are hereby adopted as part of this resolution.

Section 7.1 Identification of the Zoning Map

The official zoning map shall be identified by the signature of the chairman of the Board of Township Trustees, attested by the Township Clerk, and shall bear the seal of the township. It shall also be dated.

Section 7.2 Interpretation of District Boundaries

Where uncertainty exists with respect to the boundaries of any of the zoning districts as shown on the official zoning map, the following rules shall apply:

1. Where district boundaries are indicated as approximately following the center lines of thoroughfares or highways, street lines, or highway right-of-way lines, these lines shall be construed to be such boundaries.
2. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries.
3. Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or the center lines of right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the official zoning map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the official zoning map.
4. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line.
5. Where the boundary of a district follows a stream, lake, or other body of water, said boundary line shall be deemed to be at the limit of the jurisdiction of the township unless otherwise indicated.

Monroe Township Zoning Resolution
Article 8

DISTRICT REGULATIONS

Section 8.0 Compliance with Regulations

The regulations for each district set forth by this resolution shall be minimum regulations and shall apply uniformly to each class or kind of structure of land, except as hereinafter provided:

1. No building, structure, or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all the regulations herein specified for the district in which it is located.

2. No building or other structure shall be erected or altered:

   a. To provide for greater height or bulk than otherwise provided herein.
   b. To accommodate or house a greater number of families than otherwise provided herein.
   c. To occupy a greater percentage of lot area than otherwise provided herein.
   d. To have narrower or smaller rear yards, front yards, side yards, or other open spaces than otherwise provided herein.

3. No yard of lot existing at the time of passage of this resolution shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this resolution shall meet at least the minimum requirements set forth herein.

Section 8.1 Official Schedule of District Regulations Adopted

District regulations shall be as set forth in the Official Schedule of District Regulations hereby adopted and declared to be "Supplementary District Regulations."

Section 8.2 Intent of District Regulations

It is the intent of these regulations to set forth within the district regulations the permitted uses, the conditionally permitted uses, the general requirements of the district, and other regulations as they pertain in general to each Zoning district. Conditionally permitted uses are in addition to the permitted uses in each district and

as such are governed by Article 4, Article 5, and other articles of these regulations. Rules, regulations, requirements, standards, resolution, articles, and/or sections not specifically included for each district but which are contained in these regulations and which are applicable to each district or use shall be applied as if stated in full in district articles of these regulations. Uses not specifically defined or stated which cannot reasonable be interpreted by the Zoning Commission as permitted or conditionally permitted in any district shall be referred to the Board of Zoning Appeals for an order in the determination of such use and the district to which and under what circumstances will prevail as specified in Article 5, Administration.

Section 8.3 Intent

The following zoning district articles are hereby established for the Township of Monroe, Licking County, Ohio. For the interpretation of this zoning districts have been formulated to realize the general purposes as set forth in the preamble of this resolution. In addition, the specified purposes of each zoning district shall be stated.

Section 8.4 Amendments

Nothing in Article 8 through 17 shall be interpreted in such a manner as to preclude amendment of the district regulations as provided under the Ohio Revised Code, Chapter 519.12.

Monroe Township Zoning Resolution
Article 9

(FP) FLOOD PLAIN OVERLAY DISTRICT

Section 9.0 Purpose

It is the purpose of this article to promote the public health, safety, and general welfare and to minimize losses resulting from periodic inundation of flood waters in Monroe Township by restricting or prohibiting uses which are dangerous to health, safety of property in times of flooding or which may cause excessive increases in flood height or velocities, requiring that uses vulnerable to floods be protected from flood damage at time of initial construction, controlling the filling, grading, dredging, and other development which may increase flood damage, and controlling the alteration of natural flood plains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters.

Section 9.1 Finding of Fact

The flood hazard areas of Monroe Township are subject to periodic inundation which may result in loss of life and property, hazards to health and safety, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare. These flood losses are caused by:

1. The cumulative effect of obstructions in flood plains, causing increased flood heights and velocities; and
2. The occupancy of flood hazard area by uses vulnerable to floods and which are not adequately elevated or protected from flood damage.

Section 9.2 Applicable Lands

This article shall apply to all lands within the township boundaries shown on the Official Zoning Map within the boundaries of floodway, or floodway fringe, as identified by the Federal Emergency Management Agency on the FIRM and Floodway Map No. 390328-0025B and 390328-0100B, dated December 1, 1983.

Section 9.3 Overlay District Designation

The areas of floodway or floodway fringe identified on the Official Zoning Map shall be shown as an overlay district. This overlay district shall be designated as the Flood

Plain Overlay (FP) District.

Those areas within the Flood Plain Overlay District designated as floodway on the Official Zoning Map shall be subject to all the requirements of the Flood Plain Overlay District, as well as those specific sections that address the floodway.

The Flood Plain Overlay (FP) District shall be superimposed over the Official Zoning Map. The underlying zoning district, as shown on the Official Zoning Map, shall hereafter be called the base district. Uses and minimum requirements shall be determined by the base district. However, if the provisions and requirements governing the Flood Plain Overlay District are more restrictive than those of the base district, the provisions of this article shall supersede those of the base district.

Section 9.4 Interpretation of Boundaries

When disagreement exists as to the boundaries of the Flood Plain Overlay District or the floodway, those boundaries shall be interpreted to be the boundaries of the floodway and floodway fringe as shown on the Flood Insurance Rate Maps and Floodway Map No. 390329-0025B and 390329-0100B, dated December 1, 1983. Disagreement as to boundaries of the flood hazard areas will be resolved by the procedures outlined in the Licking County Flood Damage Regulations, and not by the Monroe Township Board of Zoning Appeals.

Section 9.5 Warning and Disclaimer of Responsibility

The degree of flood protection required by this resolution is considered reasonable for regulatory purposes. Larger floods may occur or flood heights may be increased by man-made or natural causes, such as ice jam, and bridge openings restricted by debris. This resolution does not imply that areas outside the Flood Plain Overlay District boundaries or land uses permitted within such district will be free from flooding or flood damages. This resolution shall not create liability on the part of Monroe Township, Licking County, or any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

Section 9.6 Compliance

Unless specifically exempted as stated in Section 4.2 of the Licking County Flood

Damage Prevention Regulations, no structure or land shall hereinafter be located, extended, converted, or structurally altered without full compliance with the terms of this article and other applicable ordinances of the township and Licking County.

Section 9.7 Abrogation

This article is not intended to repeal , abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this article and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Section 9.8 Flood Plain Development Permit

A flood plain development permit shall be obtained before the start of construction or development of land in the Flood Plain Overlay District. This permit shall be in addition to the zoning permit required in Section 3.0 of this resolution. Application for a flood plain development permit shall be made to the Licking County Planning Commission's Flood Plain Administrator, 22 North Second Street, Newark, Ohio 43055, (740) 3349-6555. This permit will be applied for and be approved by the Flood Plain Administrator of the Licking County Planning Commission prior to the zoning permit being applied for and approved. The Zoning Inspector must receive a copy of the flood plain development permit before the zoning permit is issued.

All structures of uses to be located in the Flood Plain Overlay District shall comply with the requirements of the Monroe Township Zoning Resolution and the Licking County Flood Damage Prevention Regulations and any amendments or revisions thereto.

Section 9.9 Other Requirements

Any building, structures, or land uses to be located in an identified flood hazard area shall comply with the requirements of the Licking County Flood Damage Prevention Regulations adopted by the Licking County Commissioners.

Changes to Non-Flood Plain District. Changes of district classification from FP to any other classification provided by this resolution may be initiated in accordance with the requirements of this resolution; provided that the applicant can show that any flood condition existing at the time the FP District was originally established does no longer exist or has been remedied to the satisfaction of the Licking County Flood Plain Administrator, and that the area in question in now reasonably well protected from

floods for the intended purpose and occupancy. Prior to recommendation of a change of zoning to the Township Trustees, the township Zoning Commission shall obtain certification from the Licking County Planning Commission, or the agency or department administering the Flood Hazard Prevention Regulations, that the area proposed to be removed from the FP District is free from inundation from a 100-year flood event, and the amendment procedures of Article 6 shall be followed.

Section 9.10 Required Lot Area, Lot Width, Height, Packing Yards, and Sign Requirements

The lot area, lot width, building height, parking yards, and sign requirements shall comply with the base district requirements as outlined in Section 9.3 of this article.

Any proposed lot for residential use shall comply with the Licking County Board of Health and Licking County Subdivision Regulations. Any structure intended for four-family residential, commercial, or industrial land use shall comply with the Ohio Environmental Protection Agency, or any other appropriated authority regulations.

Monroe Township Zoning Resolution
Article 10

AG, AGRICULTURAL DISTRICT

Section 10.0 Purpose

The purpose of the AG District is to preserve and protect the decreasing supply of prime agricultural land. This district also is established to control the indiscriminate infiltration of urban development in agricultural areas which adversely affects agricultural operators.

Section 10.1 Uses Permitted in the AG District

1. Agriculture.
2. Single-family dwelling.
3. Public parks and playgrounds.
4. Public and private schools.
5. Churches.
6. Commercial grain storage.
7. Accessory uses and structures.
8. Private swimming pools.
9. Cemeteries.

Section 10.2 Conditionally Permitted Uses

After obtaining a valid conditional use permit in accordance with Article 5 and the other provisions of these regulations, the following uses may be conditionally permitted:

1. Real estate, professional and small announcement signs, subject to the provisions of Article 20.
2. Uses of land including quarrying and mining of natural resources. (See Article 17).
3. Cemeteries, golf courses, and similar uses.
4. Private aviation fields.
5. Home occupations.
6. Sawmills.
7. Veterinary clinic-office.
8. Implement sales and repairs.
9. Feed and seed sales.
10. Fertilizer and agricultural chemical sales.

11. Outdoor advertising, displays, and/or billboards.
12. Manufactured homes.

Section 10.3 Required Lot Area and Lot Width in the AG District for Residential Uses

Each dwelling shall be located on a lot having an area of not less than three acres (130,600 square feet) and a lot width of not less than 225 feet at road frontage, exclusive of road right-of-way, and shall be in addition to any easements of records.

Section 10.4 Height Regulation in the AG District

No dwelling shall exceed 2 1/2 stories or 35 feet in height.

Section 10.5 Required Yard in the AG District

All dwellings shall have the following minimum yard spaces:

Front Yard:	50 feet*
Side Yard:	15 feet each side
Rear Yard:	50 feet

*Or 70 feet from the center of the road if no right-of-way has been established. Corner lots shall provide the minimum front yard requirements on each street side to the lot.

Section 10.6 Required Floor Area in the AG District

Any building intended in whole or part for residential purposes shall provide a minimum floor area as hereinafter specified.

<u>Single-Family Dwelling</u>

With basement:	1,000 square feet
Without basement:	1,200 square feet

Single-family dwellings shall not be less than 29 feet in width or depth, whichever is the smaller dimension.

Section 10.7 Agricultural Structures: Area, Width, and Yard Requirements

Front Yard	50 feet*
Side Yard:	15 feet on both sides
Rear Yard:	25 feet
Lot Area:	None

*Or 80 feet from the center of the street if no right-of-way has been established.

Section 10.8 Signs

Signs shall be as provided in Article 19 of these regulations.

Section 10.9 Parking Requirements

Parking requirements shall be as regulated in Article 18 of these regulations.

Section 10.10 Agricultural Buildings and Uses

Agricultural buildings and uses shall be regulated in accordance with the provisions of this resolution and the Ohio Revised Code, Sections 519.21, and as amended. (See Appendix I).

Monroe Township Zoning Resolution
Article 11

R-1, SUBURBAN RESIDENCE DISTRICT

Section 11.0 Purpose

The purpose of the Suburban Residence District is to provide an area for rural small estate residential development; to provide an area for light agricultural pursuits; and, to conserve areas physically unsuitable for intensive development.

Section 11.1 Uses Permitted in the R-1 District

1. Single-family dwellings.
2. Churches.
3. Public and private schools.
4. Public parks and playgrounds.
5. Governmental buildings.
6. Cemeteries.
7. Clubs, golf courses.
8. Nursery, plant materials and sales.
9. Private swimming pools as an accessory use.
10. Accessory uses and structures.

Section 11.2 Conditionally Permitted Uses

After obtaining a valid conditional use permit in accordance with Article 5, and the other provisions of these regulations, the following uses may be conditionally permitted:

1. Institutions, nursery, nursing homes, clinics.
2. Home occupations.

Section 11.3 Required Lot Area and Lot Width in the R-1 District

Each residential dwelling shall be located on a lot having an area of not less than 1.6 acres (69,696 square feet), exclusive of road right-of-way and all easements, and must have at least 150 feet of road frontage.

Section 11.4 Required Floor Area in the R-1 District

	Lot Area Square Feet	Required Road Frontage
Single-Family	45,000	150
Two-Family	87,120	200
Other Permitted Uses	90,000	200

Section 12.4 Required Floor Area – Square Feet

One-Family	Square Feet
With Basement	1,000
Without Basement	1,200

Two-Family	Square Feet
With Basement	2,000 (1,000 square feet per unit)
Without Basement	24,000 (1,200 square feet per unit)

Single-family and two-family dwellings shall not be less than 29 feet in width or depth, whichever is the smaller.

Section 12.5 Height Regulation

No dwelling shall exceed 2 1/2 stories or 35 feet in height, whichever is greater.

Section 12.6 Required Yard

All dwellings and permitted uses shall have the following minimum yard spaces:

One- and Two-Family

Front Yard:	40 feet*
Side Yard:	15 feet each side
Rear Yard:	45 feet

Other Permitted Uses

Front Yard:	40 feet*
Side Yard:	20 feet each side
Rear Yard:.	50 feet

*Or 70 feet from the center line of the road if no right-of-way has been established.

Corner lots shall have the same minimum front yards on each street side of the lot.

Section 12.7 Parking Requirements

Parking requirements shall be as regulated in Article 18 of these regulations.

Section 12.8 Signs

Signs shall be as regulated in Article 19 of these regulations.

Monroe Township Zoning Resolution
Article 13

R-3, MEDIUM-DENSITY RESIDENTIAL DISTRICT

Section 13.0 Purpose

The purpose of the R-3 District is to permit the establishment of medium density single-, two- and multiple-family dwellings not to exceed four dwelling units per gross acre. Centralized water and sewer facilities are required.

Section 13.1 Permitted Uses

1. Single-family dwelling units.*
2. Two-family dwelling units.*
3. Multi-family dwelling units.*
4. Churches.
5. Public and private schools.
6. Public parks and playgrounds.
7. Governmental buildings.
8. Accessory uses and structures.

*Pubic utility supplies of water and sewer are required to accommodate these uses under the R-3 density.

Section 13.2 Conditionally Permitted Uses

After obtaining a valid conditional use permit in accordance with Article 5, and the other provisions of these regulations, the following uses may be conditionally permitted:

1. Professional and business offices.
2. Tourist homes, lodging houses, rest homes, funeral homes.

Section 13.3 Height Limit

No building shall be erected or enlarged to exceed 2 1/2 stories or 35 feet, whichever is greater.

Section 13.4 Lot Area, Width, and Depth

Every lot for a single-family dwelling shall have a minimum width of at least 80 feet and a minimum lot area of not less than 15,000 square feet; every lot or tract of land upon which there is erected a two-family dwelling or multiple-family dwelling shall have a minimum width of at least 90 feet and a minimum lot area of not less than 17,000 square feet. All lot area measurements shall be exclusive of road right-of-way, and shall be in addition to any easement of record.

Section 13.5 Required Yard

Front Yard: There shall be a front yard of not less than 35 feet.
Side Yard: There shall be a side yard of not less than 10 feet on each side.
Rear Yard: There shall be a rear yard of not less than 25 feet.

Section 13.6 Required Floor Area – Square Feet

One- and Two-Family Dwelling Units	Square Feet
With Basement	1,000
Without Basement	1,200

Multi-Family Dwelling Units	Square Feet
With Basement	800 per unit
Without Basement	900 per unit

All dwelling bulk requirements for the R-3 District are to be determined from outside dimensions exclusive of porches, garages, and cellars or basements.

Single-family, two-family, and multi-family dwellings shall not be less than 29 feet in width or depth, whichever is the smaller dimension.

Section 13.7 Parking Requirements

Parking requirements shall be as regulated in Article 18 of these regulations.

Section 13.8 Signs

Signs shall be as regulated in Article 19 of these regulations.

Monroe Township Zoning Resolution
Article 14

MANUFACTURED HOME PARK DISTRICT (MHP)

Section 14.0 Purpose

The purpose of the MHP District is to encourage the development of manufactured home parks in a well-planned environment. Such districts shall abut upon an arterial or collector thoroughfare as identified on the Major Thoroughfare Plan. Manufactured home parks shall comply with the regulations of Chapter HE-27 of the Ohio Sanitary Code of such other rules and regulations of the State of Ohio which are hereinafter enacted.

Section 14.1 Permitted Uses

1. Buildings or permanent type structures used exclusively to provide services for occupants of the park: such as recreation building, swimming pools, and bath house, laundry room, manufactured home park office, storage rooms, and the like.
2. Accessory buildings or structures that are clearly incidental and attached to a manufactured home, such as a carport, cabana, Florida room, and the like.
3. Advertising signs subject to all the following provisions:

    a. One identification type sign advertising the manufactured home park upon which it is located may be erected provided that no portion of the sign or its supports shall be within the required front yard area. Such sign may be double faced, and may be lighted if lighting is arranged in such manner that it will not distract or temporarily blind a motorist on the adjacent public street. The maximum area of the sign, including any border around it, shall be not more than one square foot for each lineal foot of frontage of the manufactured home park or 100 square feet, whichever is less. The maximum height of the sign shall not exceed 25 feet above the found.
    b. Directional signs as approved necessary by the Commission to assist in guiding persons to various locations of the park. Such signs may be double faced and lighted. The maximum area of each sign shall not exceed two square feet per sign face.

Section 14.2 Prohibited Uses

Within a manufactured home park, only those uses specifically listed as permitted

uses shall be authorized, and all other uses, including but not necessarily limited to the following, shall be prohibited:

1. Boats and recreational vehicles of any type, except those owned by the occupants of the park, and stored in the area within the park – designed and intended as a common storage area for such vehicles.
2. Repair and/or sale of vehicles of any type, including manufactured homes, except for the repair or sale of any individual vehicle by the owner of occupant thereof.
3. Building or permanent type structures for uses other than those listed as permitted uses.
4. Any advertising sign other than that listed as a permitted use.

Section 14.3 Manufactured Home Park Size

A manufactured home park shall contain a minimum of ten acres of land area and have 250 feet of road frontage.

Section 14.4 Manufactured Home Park Regulations

All manufactured home parks developed in the township shall comply with all state laws for the development and licensing, (Ohio Revised Code 3733 and amendment thereto), such as buffers, parking, and tornado shelters.

Monroe Township Zoning Resolution
Article 15

B-1, LOCAL BUSINESS DISTRICT

Section 15.0 Purpose

The purpose of the B-1 District is to encourage the establishment of areas for convenience business uses which tend to meet the daily needs of the residents of an immediate neighborhood. Such districts shall be strategically located with access to a collector thoroughfare as specified in the Major Thoroughfare Plan. Marginal strip development shall be prohibited.

Section 15.1 Permitted Uses

1. Churches
2. Public and private schools.
3. Public parks and playgrounds.
4. Governmental buildings.
5. Cemeteries.
6. Local retail business or service including: grocery, fruit-vegetable store, meat market, drug store, barber or beauty shop, clothes cleaning and laundry pickup station, laundromat, shoe store, mortician and the like, supplying commodities or performing services primarily for the residents of a local community.
7. Lodge and fraternal organizations.
8. Nursery (plant materials) and/or greenhouse.
9. Accessory uses and structures.
10. Auto service station.
11. Business and professional offices.
12. Motels and hotels.
13. Hospital, clinic, nursery, nursing home.
14. Pubic swimming pool.
15. Auto and/or farm implement sales.
16. Taverns, restaurants, or restaurants providing entertainment.
17. Commercial and public entertainment fields, amusements, or establishments similar, but not restricted to baseball fields, pool halls, swimming pools, skating rinks, golf driving ranges, miniature golf, bowling alleys, but not to include adult entertainment facilities.
18. Trade or commercial schools.
19. Wholesale business or warehousing when no processing, fabrication or assembly is involved, if conducted entirely in an enclosed building.

20. Public garages.
21. Boarding houses.
22. Building materials and sales, if conducted entirely in an enclosed building.
23. Professional offices.
24. General retail outlets.

Section 15.2 Conditionally Permitted Uses

After obtaining a valid conditional use permit in accordance with Article 5, and other provisions of these regulations, the following uses may be conditionally permitted:

1. Veterinary hospital, clinic, kennel, and/or cattery.
2. Marinas.
3. Watercraft and/or recreational vehicle storage.
4. Radio or television broadcasting station and towers (applies to commercial stations and equipment only).

Section 15.3 Height Limit

No building shall be erected or enlarged to exceed 2 1/2 stories or 35 feet, whichever is greater.

Section 15.4 Lot Area, Width, and Depth

Business Uses: Every lot shall have a minimum width of 200 feet of road frontage and a minimum lot area of not less than one acre (43,560 square feet), exclusive of road right-of-way and shall be in addition to any easement of record.

Section 15.5 Required Yard

All permitted uses shall have the following minimum yard spaces:

Front Yard:	50 feet*
Side Yard:	40 feet each side
Rear Yard:	25 feet

*Or 80 feet from the center of the road if no right-of-way has been established.

Corner lots shall have the same minimum front yards on each street side of the lot.

Section 15.6 Parking Requirements

Parking requirements shall be as regulated in Article 18 of these regulations.

Section 15.7 Signs

Signs shall be as regulated in Article 19 of these regulations.

Section 15.8 Landscaping or Screening Provisions

Landscaping or screening provisions shall be as regulated in Section 17.12 of these regulations.

Monroe Township Zoning Resolution
Article 16

M-1, LIGHT MANUFACTURING DISTRICT

Section 16.0 Purpose

The purpose of the M-1 District is to encourage the development of manufacturing and wholesale business establishments which are clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare; operate entirely within enclosed structures and generate little industrial traffic. Research activities are encouraged. This district is further designed to act as a transitional use between heavy manufacturing uses and other less intense business and residential uses.

Section 16.1 Permitted Uses

1. Agriculture.
2. Pubic parks and playgrounds.
3. Small item manufacturing.
4. Paper, printing and associated products.
5. Cleaning, dyeing, and similar services.
6. Foot products.
7. Poultry, horticulture, and forestry facilities.
8. Machinery, office equipment, and furniture manufacturing.
9. Fiber and clothing goods manufacturing.
10. Utility facilities.
11. Non-metallic goods manufacturing.
12. Sales and repair of household appliances.
13. Vehicle service, storage and maintenance.
14. All permitted uses as specified in Local Business District.
15. Research activities.

Section 16.2 Conditionally Permitted Uses

After obtaining a valid conditional use permit in accordance with Article 5, and the other provisions of these regulations, the following uses may be conditionally permitted:

1. Metal can and container manufacturing.
2. Lumber yards.
3. Contract construction storage of machinery and materials.

4. Building materials (general retail).
5. Off-premises advertising signs or structures.

Section 16.3 Height Limit

No building shall be erected or enlarged to exceed 2 1/2 stories or 35 feet, whichever is greater.

Section 16.4 Lot Area, Width, and Depth

Every lot shall have a minimum width of 200 feet of road frontage, and a minimum lot area of not less than one acre (43,560) square feet) in area, exclusive of road right-of-way and shall be in addition to any easements of record.

Section 16.5 Required Yard

Front Yard:	50 feet
Side Yard:	40 feet each side
Rear Yard:	40 feet

Section 16.6 Parking Requirements

Parking requirements shall be as regulated in Article 18 of these regulations.

Section 16.7 Signs

Signs shall be as regulated in Article 19 of these regulations.

Section 16.8 Screening

Screening shall be as regulated in Section 17.12 of this resolution.

Monroe Township Zoning Resolution
Article 17

SUPPLEMENTARY DISTRICT REGULATIONS

Section 17.0 General

The purpose of supplementary district regulations is to set specific conditions for various uses, classifications of uses, or areas wherein problems may occur, in order to alleviate or preclude such problems, and to promote the harmonious exercise of property rights without conflict.

Section 17.1 Conversions of Dwellings to More Than One Unit

A residence may not be converted to accommodate an increased number of dwelling units unless all of the following conditions are met:

1. The conversion is in compliance with all other local codes and resolutions and any applicable State or federal regulations.
2. The district within which the residence is located is so regulated as to allow such an increase in dwelling units.
3. The yard dimensions still meet the yard dimensions required by zoning regulations for new structures in that district.
4. The lot area per family equals the lot area requirements for new structures in that district.
5. The floor area per dwelling unit is not reduced to less than that which is required for new construction in that district.
6. The conversion is in compliance with all other relevant codes and resolutions.

Section 17.2 Private Swimming Pools

No private swimming pool, exclusive of portable swimming pools with a diameter less than 12 feet or with an areas of less than 100 square feet shall be permitted in any commercial or residential district, except as an accessory use and unless it complies with the following conditions and requirements:

1. The pool is intended and is to be used solely for the enjoyment of occupants of the principal use of the property on which it is located.
2. It may not be located closer than ten feet to any property line.
3. The swimming pool, or the entire property on which it is located shall be walled or fenced to prevent uncontrolled access by children from the street or from

adjacent properties. Said fence or wall shall not be less than four feet in height and shall be maintained in good condition with a gate and lock.

Section 17.3 Community or Club Swimming Pool

Community and club swimming pools, where permitted, shall comply with the following conditions and requirements:

1. The pool is intended solely for the enjoyment of the members and families and guests of members of the association or club under whose ownership or jurisdiction the pool is operated.
2. The pool and accessory structures thereto, including the areas used by the bathers, shall not be closer than 50 feet to any property line.
3. The swimming pool and all of the area used by the bathers shall be walled or fenced to prevent uncontrolled access by children from the thoroughfare or adjacent properties. Said fence or wall shall not be less than six feet in height and shall be maintained in good condition and locked.

Section 17.4 Temporary Buildings

Temporary buildings, construction trailers, equipment, and materials used in conjunction with construction work only may be permitted in any district during the period construction work is in progress, but such temporary facilities shall be removed upon completion of the construction work. Storage of such facilities or equipment beyond the completion date of the project shall require a zoning permit authorized by the Zoning Inspector.

Section 17.5 Parking and Storage of Certain Vehicles

Motor vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any residentially-zoned property other than in a completely enclosed building. One boat and one travel trailer may be stored in the rear yard if the vehicles have a current license.

Section 17.6 Required Trash Areas

All commercial, industrial, and multi-family residential uses which provide trash and/or garbage collection areas shall be enclosed on at least three side by a solid

wall or fence of at least four feet in height if such area is not within an enclosed building or structure. Provisions for adequate vehicular access to and from such area or areas for collection of trash and/or garbage as determined by the Zoning Inspector shall be required.

Section 17.7 Supplementary Yard and Height Regulations

In addition to all yard regulations specified in the Official Schedule of District Regulations, and in other sections of this resolution, the provisions of Sections 17.8 through 17.14, inclusive, shall be used for interpretation and clarification.

Section 17.8 Setback Requirement for Corner Buildings

On a corner lot, the principal building and its accessory structures shall be required to have the same setback distance from all street right-of-way lines as required for the front yard in the district in which such structures are located.

Section 17.9 Visibility at Intersections

On a corner lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede or restrict vision between a height of 2 1/2 feet and ten feet above the center line grades of the intersecting streets in the area bounded by the right-of-way lines of such corner lots and a line joining pointing along said street lines 50 feet from the point of intersection.

Section 17.10 Fence and Wall Restrictions in Front Yards

In any required front yard, no fence or wall shall be permitted which materially impedes vision across such yard above the height of 2 1/2 feet, and no hedge or other vegetation shall be permitted which materially impedes vision across such yard between the height of 2 1/2 feet and ten feet.

Section 17.11 Yard Requirements for Multi-Family Dwellings

Multi-family dwellings shall be considered as one building for the purpose of determining front, side, and rear yard requirements. The entire group as a unit shall require one front, one rear, and two side yards as specified for dwellings in the appropriate district. Each individual building shall meet all yard requirements for the

appropriate district as thought it were on an individual lot.

Section 17.12 Side & Rear Yard Requirements for Non-Residential Uses Abutting Residential Districts

Non-residential buildings or uses shall not be located nor conducted closer than 40 feet to any lot line of a residential district. There shall be screening consisting of masonry or solid fence between four and eight feet in height maintained in good condition and free of all advertising or other signs. Landscaping provided in lieu of such wall or fence shall consist of a strip of land not less than 20 feet in width planted within an evergreen shrub not less than four feet in height at the time of planting. Either type of screening shall not obscure traffic visibility within 50 feet of an intersection.

Section 17.13 Architectural Projections

Open structures such as porches, canopies, balconies, platforms, carports, covered patios, and similar architectural projections shall be considered parts of the building to which they are attached and shall not project into the required minimum front, side, or rear yard.

Section 17.14 Exceptions to Height Regulations

The height limitations contained in the Official Schedule of District Regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy except when the height of such structures will constitute a hazard to the safe landing and take-off of aircraft at an established airport.

Section 17.15 Special Provisions for Commercial and Industrial Uses

No land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious, or otherwise objectionable conditions which could adversely affect the surrounding areas or adjoining premises, except that any use permitted by this resolution may be undertaken and maintained if acceptable measures and safeguards to reduce dangerous and objectionable conditions to acceptable limits as established by the requirements in Sections 17.15 through 17.25, inclusive, have been performed.

Section 17.16 Fire Hazard

Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire-prevention equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance which is compatible with the potential danger involved.

Section 17.17 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 of the creator of such disturbance.

Section 17.18 Vibration

No vibration shall be permitted which is discernible without instruments on any adjoining lot or property.

Section 17.19 Air Pollution

Air pollution shall be subject to the requirements and regulations established by the Director of the Ohio Environmental Protection Agency.

Section 17.20 Glare

No direct or reflected glare shall be permitted which is visible from any property outside a manufacturing district or from any street.

Section 17.21 Erosion

Erosion by wind or water will not be permitted on or off the site that will cause degradation to the soil, plants, air, or water quality. All requirements as outlined in Article 6: Urban Soil and Sediment Pollution Control of the Licking County Subdivision Regulations and/or all State laws pertaining to erosion control must be adhered to.

Section 17.22 Water Pollution

Water pollution shall be subject to the requirements and regulations established by the Ohio Environmental Protection Agency as well as those outlined in the State of Ohio's Wellhead Protection Guidelines.

Section 17.23 Enforcement Provisions

The Zoning Inspector, prior to the issuance of a zoning permit, may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerances.

Section 17.24 Measurement Procedures

Methods and procedures for the determination of the existence of any elements which are dangerous or create a nuisance shall conform to applicable standard measurement procedure published by the American Standards Institute, Inc., New York, Chemical Manufacturers' Association, Washington, D.C., the United States Bureau of Mines, and the Ohio and Federal Environment Protection Agency.

Section 17.25 Street Frontage Required

Except as required by other provisions of these regulations, no lot shall have less than required frontage (lot width) as measured along the edge of the road right-of-way of an existing improved paved/gravel public street or road. Only one principal structure shall be permitted on any lot.

Section 17.26 Junk Yards – Motor Salvage Yard

Junk yards are prohibited except when approved as a conditional use. Should the Conditional Use Permit be denied, then the area will be modified within 30 days of the date of the Conditional Use Permit denial to a state that will be as such as not to fall into the definition of a junk yard.

Section 17.27 Junk Motor Vehicle

For the purpose of this section, "junk motor vehicle" means any motor vehicle which is:

1. Three years old or older.
2. Extensively damaged; such damage including but not limited to any of the following: missing wheels, tires, motor, or transmission.
3. Apparently inoperable, that is left uncovered in the open on private property for more than 72 hours with the permission of the person having the right to the possession of the property, except if the person is operating a junk yard or scrap metal processing facility licensed under authority of Section 4737.05 to 4737.12 of the Ohio Revised Code; or regulated under other sections of this zoning resolution.

The Zoning Inspector of Monroe Township may send notice by certified mail with return receipt requested, to the person having the right to the possession of the property on which a junk motor vehicle is left, that within ten days of receipt of the notice, the junk motor vehicle either shall be covered by being housed in a garage or other suitable structure, or shall be removed from the property.

Any person wishing to appeal the decision of the provisions of this section may appeal such decision to the Monroe Township Board of Zoning Appeals in accordance with Sections 5.9 and 5.14 through 5.17.

Vehicles undergoing legitimate repairs in a timely and consistent manner shall be exempt from the provisions of this Section 17.27.

No person shall willfully leave a junk motor vehicle uncovered in the open for more than ten days after receipt of a notice as provided in this section. The fact that a junk motor vehicle is so left is prima facie evidence of willful failure to comply with the notice, and each subsequent day that a junk motor vehicle continues to be so left constitutes a separate offense under this zoning resolution.

Section 17.28 Vacant Structures and Land

All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure, and sanitary condition as provided herein so as not to cause an adverse affect on the public health or safety.

Section 17.29 Noxious Weeds

All areas shall be kept free from weeds or plant growth which are noxious or

detrimental to the public health and welfare or a public nuisance as defined in Article 2. These regulations shall apply to all zoning districts, except agricultural.

Section 17.30 Accessory Buildings or Structures

Accessory buildings and structures shall be located at least six feet from any dwelling situated on the same lot unless constituting an integrated part thereof; at least six feet from any other accessory building and at least ten feet from any lot lines of adjoining lots. Landscaping or screening provisions shall also be reviewed for business and manufacturing uses. See Section 17.12.

Section 17.31 Satellite Dish Antennas

Definitions of dish-type satellite signal-receiving antennas:

1. "Dish-type satellite signal-receiving antennas," also referred to as "earth stations" or "ground stations" shall mean one, or a combination of two or more of the following:

    a. A signal-receiving device (antenna, dish antenna, or dish-type antenna), the purpose of which is to receive communication or other signals for satellites in earth orbit and other extraterrestrial sources.
    b. A low-noise amplifier (LNA) which is situated at the focal point of the receiving component and the purpose of which is to magnify, store, transfer, and/or transmit electronic or light signals.
    c. A coaxial cable, the purpose of which is to carry or transmit said signals to a receiver.

2. "Receiver" shall mean a television set or radio receiver.
3. "Dish" shall mean that part of a satellite signal receiving antenna characteristically shaped like a saucer or dish.
4. "Grounding rod" shall mean a metal pole permanently positioned in the earth to serve as an electrical conductor through which electrical current may safety pass and dissipate.

<u>Location of Earth Station</u>

1. Ground-Mounted:

a. No earth station shall be constructed in any front or side yard, but shall be constructed to the rear of the residence or main structure.
b. No earth station, including its concrete base slab or other substructure, shall be constructed less than ten feet from any property line or easement.
c. An earth station shall not exceed a grade height of 12 feet.
d. An earth station must be bonded to a grounding rod.
e. No earth station shall be constructed upon the roof top of any garage, residential dwelling, church, school, apartment building, hospital or any other commercial building or structure unless said satellite dish antenna complies with the roof mounted regulations below.

2. Roof-Mounted:

a. Earth stations shall be mounted directly upon the roof of a primary or accessory structure, and shall not be mounted upon appurtenances such as chimneys, towers, trees, poles, or spires.
b. An earth station shall not exceed a height of more than three feet above the roof upon which it is mounted.
c. An earth station "dish" shall not exceed three feet in diameter.
d. An earth station must be bonded to a grounding rod.

Penalty Whosoever violates any of the provisions of this section shall be subject to the penalties set forth in Section 3.10.

Appeals: Appeals from decisions of the Zoning Inspector shall be made to the Board of Zoning Appeals as provided in this resolution.

Section 17.32 Adult Entertainment Facilities

17.32.00 Definitions

1. "Adult Entertainment Facility" means any establishment which is involved in one or more of the following categories:

a. Adult Book Store – An establishment having greater than 25 percent of its display area or items for sale or its stock in trade, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matters depicting or relating to "specified sexual activities" or

"specified anatomical area" as herein defined.

b. Adult Mini-Motion Picture Theater – A facility with a capacity for less than 50 persons, used for presenting materials distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.
c. Adult Motion Picture Theater – A facility with a capacity of 60 or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas," for observation by patrons therein.
d. Adult Entertainment Business – Any establishment involved in the sale or services of products characterized by the exposure or presentation of "specified anatomical areas" or physical contact of live males or females and which is characterized by salacious conduct appealing to prurient interest for the observation or participation in by patrons. Services or products included within the scope of adult entertainment business are photography, dancing, reading, massage, and similar functions which utilize activities as specified above.

2. "Specified Sexual Activities" means any of the following:

   a. Human genitals in a state of sexual stimulation or arousal.
   b. Acts, real or simulated, of human masturbation, sexual intercourse, sodomy, cunnilingus, fellatio, or sadomasochistic sexual abuse.
   c. Fondling or other erotic touching of human genitals, pubic regions, buttocks, or female breasts.

3. "Specified Anatomical Areas" mean any of the following:

   a. Less than completely covered human genitals, pubic region, buttocks, and female breasts below a point immediately above the top of the areola.
   b. Human male genitals in a discernible turgid state.

4. "Persons" means any individual, corporation, company, business, partnership, association, establishment, or other legal entity of any kind.
5. "Fine Art Gallery" means any display of art work which is individually crafted and signed by the artist or which is limited in edition to 1,000 or less.
6. "Sexually Explicit Nudity" means the sexually oriented and explicit showing of nudity, including, but not limited to, close-up views, poses, or depictions in such

position or manner which present or expose such nudity to prominent, focal, or obvious viewing attention.

7. "Sadomasochistic Sexual Abuse" means actual or simulated flagellation, rape, torture, or other physical or sexual abuse, by or upon a person who is nude or partially denuded, or the condition of being fettered, bound for sexual gratification or abused or represented in the context of a sexual relationship.
8. "Visibly Displayed" means the material is visible on a billboard, viewing screen, marquee, newsstand, display rack, window, show case, display case, or other similar display area that is visible from any part of the general public or otherwise, or that is visible from any part of the premises where a juvenile is or may be allowed, permitted, or invited, as part of the general public or otherwise, or that is visible from a public street, sidewalk, park, alley, residence, playground, school, or other place to which juveniles, as part of the general public or otherwise, have unrestrained and reasonably anticipated access and presence.
9. "Knowledge of Character" means having general knowledge, or reason to know, or a belief or grounds for belief which warrants further inspection or inquiry, of the nature and character of the material or performance involved. A person has such knowledge when he or she knows or is aware that the material or performance contains, depicts, or describes sexually explicit nudity, sexual activity, sadomasochistic sexual abuse, or lewd exhibition of the genitals, whichever is applicable, whether or not such person has precise knowledge of the specific contents thereof. Such knowledge may be proven by direct of circumstantial evidence, or both.
10. "Harmful to Juveniles" means any material or performance, whether through motion pictures, photographs, drawings, cartoons, slides, depictions, or descriptions in which the following subsections (a), (b), and (c) apply.

    a. The average adult person, applying contemporary community standards would find that the material or performance, taken as a whole, is intended to excite lustful or erotic thoughts in juveniles, or is designed or marketed to cater or appeal to a prurient interest in nudity, sex, or excretion.
    b. The material or performance depicts or describes sexually explicit nudity, sexual activity, sadomasochistic sexual abuse, or lewd exhibition of the genitals, in a way which is patently offensive to prevailing standards in the adult community with respect to what is suitable for juveniles.
    c. The material or performance, taken as a whole, lacks serious literary, artistic, political, educational, or scientific value for juveniles.

17.32.01 Exceptions

Nothing in this article shall be construed to pertain to:

1. The purchase, distribution, exhibition, and/or loan of any work of art, book, magazine, or other printed material or manuscript by any accredited museum, library, fine art gallery, school or institution of higher learning.
2. The exhibition and/or performance of any play, drama, tableau, or motion picture by any theater, museum, library, fine art gallery, school or institution of higher learning either supported by public appropriation or which is an accredited institution supported by private funds.

17.32.02 Location

Adult entertainment facilities, adult mini-motion picture theaters, adult motion picture theaters, and adult entertainment facilities of any kind are prohibited in Monroe Township. Violation of this zoning regulation shall be subject to the enforcement articles and penalties outlined in the zoning regulations of Monroe Township.

17.32.03 Unlawful Exhibition of Display of Harmful Material to Juveniles

No person having custody, control, or supervision, or any business or commercial establishment or premises, with knowledge of the character of the material involved, shall do or cause to have done any of the following:

1. Allow, permit, or fail to prevent any juvenile who is not accompanied by a parent or lawful guardian to enter or remain on premises if in that part of the premises where the juvenile is or may be allowed, permitted, or invited as part of the general public or otherwise, there is visibly displayed all or any part of any book, magazine, newspaper, or other form of any material which is either of the following: harmful to juveniles, when taken as a whole, or contain on its cover, package, wrapping, or within the advertisements therefore, depictions or photographs of sexually explicit nudity, sexual activity, sadomasochistic sexual abuse, or lewd exhibition of the genitals.
2. Visible display, exhibit, or otherwise expose to review, all or any part of such material in any business or commercial establishment where juveniles, as part of the general public or otherwise, are, or will probably be, exposed to view all or any part of such material from any public or private place.

3. Hire, employ, or otherwise place, supervise, control or allow in any business or commercial establishment or other place, any juvenile under circumstances which would cause such juvenile to engage in the business or activity of selling, distributing, disseminating, or otherwise dealing or handling such material, either to or for adults or juveniles.

17.32.04 Violation and Penalty

Whoever violates any provisions of this article shall be in violation of Section 3.10 of this resolution.

17.32.05 Adult Entertainment Facilities – Prohibited

All of the above subjects or establishments shall be prohibited within the border and boundaries of Monroe Township, Licking County, Ohio.

Section 17.33 Manufactured Homes – Exceptions

1. A manufactured home may be temporarily used on a lot while a dwelling is being constructed thereon, but such use shall not be continued for more than 18 months. A separate zoning certificate shall be required for the use of temporary quarters.
2. A manufactured home may be temporarily permitted on a lot in any District subject to the approval of the Board of Zoning Appeals.

Monroe Township Zoning Resolution
Article 18

OFF-STREET PARKING AND LOADING FACILITIES

Section 18.0 General Requirements

1. No building or structure shall be erected, substantially altered, or its use changed unless permanently maintained off-street parking and loading spaces have been provided in accordance with the provisions of this resolution.
2. The provisions of this article, except where there is a change of use, shall not apply to any existing building or structure. Where the new use involves no additions or enlargements, there shall be provided as many of such spaces as may be required by this resolution.
3. Whenever a building or structure constructed after the effective date of this resolution is changed or enlarged in floor area, number of dwelling units, seating capacity, or otherwise to create a need for an increase in the number of existing parking spaces, additional parking spaces shall be provided on the basis of the enlargement or change. Whenever a building or structure existing prior to the effective date of this resolution is enlarged to the extent of 50 percent or more in floor area, number of employees, number of housing units, seating capacity or otherwise, said building or structure shall then and thereafter comply with the full parking requirements set forth herein.

Section 18.1 Parking Space Dimensions

A parking space shall have minimum rectangular dimensions of not less than nine feet in width and 19 feet in length for 90 degree parking, nine feet in width and 23 feet in length for parallel parking, ten feet in width and 19 feet in length for 60 degree parking, and 12 feet in width and 19 feet in length for 45 degree parking. All dimensions shall be exclusive of driveways, aisles, and other circulation areas. The number of required off-street parking spaces is established in Section 18.17 of this resolution.

Section 18.2 Loading Space Requirements and Dimensions

A loading space shall have minimum dimensions of not less than 12 feet in width, 50 feet in length, exclusive of driveways, aisles, and other circulation areas, and a height of clearance of not less than 15 feet. One off-street loading space shall be provided and maintained on the same lot for every separate occupancy requiring delivery of goods and having a modified gross floor area of up to 5,000 square feet. One loading

space shall be provided for each additional 1,000 square feet or fraction thereof. Review Section 18.18, Off-Street Parking Design Requirements.

Section 18.3 Paving

The required number of parking and loading spaces as set forth in Sections 18.2 and 18.17, together with driveways, aisles, and other circulation areas. Shall be improved with material which shall provide a durable and dust-free surface.

Section 18.4 Drainage

All parking and loading areas shall provide for proper drainage of surface water to prevent the drainage of such water onto adjacent properties or walkways.

Section 18.5 Maintenance

The owner of property used for parking and/or loading shall maintain such area in good condition without holes and free of all dust, trash, and other debris.

Section 18.6 Lighting

All parking areas which are intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property.

Section 18.7 Location of Parking Spaces

The following regulations shall govern the location of off-street parking spaces and areas:

1. Parking spaces for all detached residential uses shall be located on the same lot as the use which they are intended to serve.
2. Parking spaces for commercial, industrial, institutional uses shall be located not more than 700 feet from the principal use.

Section 18.8 Screening and/or Landscaping

Whenever a parking area is located in or adjacent to a residential district it shall be

effectively screened on all sides which adjoin or face any property used for residential purposes by an acceptably designed wall, fence, or planting screen. Such fence, wall, or planting screen shall be not less than four feet nor more than six feet in height and shall be maintained in good condition. The space between such fence, wall, or planting screen, and the lot line of the adjoining premises in any residential district shall be landscaped with grass, hardy shrubs or evergreen ground cover, and maintained in good condition. In the event that terrain or other natural features are such that the erection of such fence, wall, or planting screen will not serve the intended purpose, then no such fence, wall, or planting screen and landscaping shall be required.

Section 18.9 Disabled Vehicles

The parking of a disabled vehicle within Monroe Township shall comply with this resolution as defined in Section 17.27 and as defined in junk motor vehicle under the Ohio Revised Code 4513.63 as amended.

Section 18.10 Minimum Distance and Setback

No part of any parking area for more than ten vehicles shall be closer than 20 feet to any dwelling unit, school, hospital, or other institution for human care located on the adjoining lot, unless separated by an acceptably designed screen such as described in Section 18.8. If on the same lot with a one-family residence, the parking area shall not be located within the front yard required for such building. In no case shall any part of a parking area be closer than fur feet to any established street or alley right-of-way.

Section 18.11 Joint Use

Two or more non-residential uses may jointly provide and use parking spaces when their hours of operation do not normally overlap, provided that a written agreement approved by the Zoning Inspector shall be filed with the application for a zoning permit.

Section 18.12 Wheel Blocks

Whenever a parking lot extends to a property line, wheel blocks, or other suitable devices shall be installed to prevent any part of a parked vehicle from extending

beyond the property line.

Section 18.13 Width of Driveway Aisle

Driveways serving individual parking spaces shall be not less than 25 feet wide for 90 degree parking, 12 feet wide for parallel parking, 17 1/2 feet wide for 60 degree parking, and 13 feet wide for 45 degree parking.

Section 18.14 Access

Any parking area shall be designed in such a manner that any vehicle leaving or entering the parking area from or into a public or private street shall be traveling in a forward motion. Access driveways for parking areas or loading spaces shall be located in such a way that any vehicle entering or leaving such area shall be clearly visible for a reasonable distance to any pedestrian or motorist approaching the access or driveway from a public or private street.

Section 18.15 Width of Access Driveway

The entrances and exits to the parking area shall be clearly marked. Interior vehicular circulation by way of access roads shall maintain the following minimum standards: For one-way traffic the minimum width of 14 feet except for 45 degree parking in which case the minimum width of the access road shall be 17 feet. Access roads for two-way traffic shall have a minimum width of 24 feet. Parking areas having more than one side or driveway shall have directional signs or markings in each aisle or driveway.

Section 18.16 Striping

All parking areas with a capacity of over 12 vehicles shall be striped with double lines (six inches both sides of center) between stalls to facilitate the movement into and out of the parking stalls.

Section 18.17 Parking Space Requirements

For the purpose of this resolution, the following minimum parking space requirements shall apply:

TYPE OF USE	MINIMUM PARKING SPACES REQUIRED
<u>Residential</u>	
Single-family or two-family dwellings	Two for each unit
Apartments, or multi-family dwellings	Two for each unit
Boarding houses, rooming houses, dormitories, and fraternity houses which have sleeping rooms	One for each sleeping room or two for each permanent occupant
<u>Commercial</u>	
Automobile service garage which also provides repair	Two for each gasoline pump and four for each service bay
Hotels, motels	One per each sleeping room plus one for each two employees
Funeral parlors, mortuaries, and similar uses	One for each 100 square feet of floor area in slumber room, parlors, or service rooms
Banks, financial institutions and similar uses	One for each 200 square feet of floor area
Offices, public, or professional administration, or service building	One for each 400 square feet of floor area
All other types of business or commercial uses permitted in any business district	One for each 300 square feet of floor area
<u>Recreational or Entertainment</u>	
Dining rooms, restaurants, taverns, night clubs, etc.	One for each 200 square feet of floor area

Bowling alleys	Four for each alley or lane plus one additional space for each 100 square feet of the area used for restaurant, cocktail lounge, or similar use
Dance floors, skating rinks	One for each 100 square feet of floor area used for the activity
Outdoor swimming pools, public, community, or club	One for each five persons capacity plus one for four seats or one for each 30 square feet of floor area used for seating purposes, whichever is greater
Auditoriums, sport arenas, theaters, and similar uses	One for each four seats
<u>Institutional</u>	
Churches and other places of religious assembly	One for each five seats
Hospitals	One for each bed
Sanitariums, homes for the aged, nursing homes, asylums and similar uses	One of each two beds
Medical and dental clinics	One for every 200 square feet area of examination, treating room office, and waiting room
Libraries, museums, and art galleries	One for each 400 square feet of floor area
<u>Schools (Public, Parochial or Private)</u>	

Elementary and junior high schools	Two for each classroom and one for every eight seats in auditoriums or assembly halls
High schools	One for every ten students and one for each teacher and employee
Business, technical and trade schools	One for each four students
Kindergartens, child care centers, nursery schools, and similar uses	Two for each classroom, no more than six for the building
Manufacturing	
All types of manufacturing, storage, and wholesale uses permitted in any manufacturing district	One for every two employees (on the largest shift for which the building is designed) plus one for each motor vehicle used in the business
Cartage, express, parcel delivery, and freight terminal	One for every two employees (on the largest shift for which the building is designed) and one for each motor vehicle maintained on the premises

Section 18.18 General Interpretation of Article 18

In the interpretation of Article 18, the following rules shall govern:

1. Parking spaces for other permitted or conditional uses not listed in this article shall be determined by the Board upon an appeal from a decision of the Zoning Inspector or a variance request.
2. Fractional numbers shall be increased to the next whole number.
3. Where there is an adequate public transit system or where for any other reason parking demand is unusually low, then the parking space provisions cited above may be reduced proportionately by the Board upon an appeal from a decision of the Zoning Inspector or upon a variance request.

Monroe Township Zoning Resolution
Article 19

SIGNS

Section 19.0 Intent

The purpose of this article is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor advertising signs, and outdoor signs of all types. It is intended to protect property values, create a more attractive economics and business climate, enhance and protect the physical appearance of the community, and preserve the scenic and natural beauty of designated areas. It is further intended to reduce sign or advertising distraction and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public right-of-ways, provide more open space, curb deterioration of the natural environment, and enhance community development.

Section 19.1 Governmental Signs Excluded

For the purpose of this resolution "sign" does not include signs erected and maintained pursuant to and in discharge of any governmental function, or required by any law, ordinance, or governmental regulations.

Section 19.2 General Requirements for all Signs and Districts

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

1. Any illumination sign or lighting device shall employ only light emitting a light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights. In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination therefrom to be directed or beamed upon a public thoroughfare, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.
2. All wiring, fitting, and materials used in the construction, connection, and operation of electrically illuminated signs shall be in accordance with the provisions of the Local or State Electric Code.
3. No projecting sign shall be erected or maintained from the front or face of a building a distance of more than four feet, including those projecting from the face of any theater, hotel, or motel marquee.
4. No portable or temporary sign shall be placed on the front or face of a building

or on any premises, except as provided in Section 19.4 herein.

5. No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners, or other similar moving devices. Such devices, as well as strings of lights, shall not be used for the purpose of advertising or attracting attention when not part of a sign.
6. No sign of any classification 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.
7. 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 in a safe and secure condition or remove the sign.
8. No sign shall be placed in any public right-of-way except publicly owned signs, such as traffic control signs and directional signs. Signs directing and building traffic and parking on private property but bearing no advertising matter shall be permitted on any property.
9. All off-premises advertising devices erected or maintained under Chapter 5516 of the Ohio Revised Code must also comply with Sections 19.3, 19.5, and 19.6 of this resolution.
10. The following are prohibited:

    a. Advertising devices erected or maintained on trees, or painted or drawn upon rocks or other natural features.
    b. Advertising devices which prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.
    c. Advertising devices illuminated so as to interfere with the effectiveness of an official sign, signal, or device.
    d. Advertising devices which attempt or appear to attempt to direct the movement of traffic or which interfere with, imitate or resemble an official sign, signal, or device.

Section 19.3 Measurement of Sign Area

The surface area of a sign shall be computed as including the entire area within a regular geometric form or combination of regular, geometric forms comprising all of the display area of the sign, including all of the elements of the matter displayed, and including all side surfaces, e.g., front, back, left, and right sides. Frames and structural members not being advertising matter shall not be included in computation

per surface area.

Section 19.4 Signs Permitted in all Districts – No Permit Required

1. Signs advertising the sale, lease, or rental of the premises upon which the sign is located, shall not exceed 12 square feet in area, except in all residential districts where the area of the sign shall not be more than six square feet.
2. Professional name plates or home occupation signs not exceeding four square feet in area and not exceeding one sign per home or business.
3. Non-farm signs denoting the name and address of the occupant of the premises, not exceeding fur square feet in area; and not exceeding one sign per home or business.
4. Farm signs, denoting the name and address of occupants, denoting advertising for produce or merchandise grown on such farms, and denoting membership or organizations not to exceed 25 square feet of sign face area per farm.
5. Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs, or societies, which signs or bulletin boards shall not exceed 30 square feet in area and which shall be located on the premises of such institutions and shall be setback from all street lot lines at least 12 feet.
6. Entrance and exit signs containing only directional signs.
7. Temporary signs announcing special public or institutional events, the erection of a building, or signs for similar uses. Such signs shall be removed within two weeks of the completion of the event or project.
8. Political signs, provided such signs shall be removed within two weeks following election day.

Section 19.5 Signs Permitted in Districts – No Permits Required

1. In a commercial or manufacturing district, each business shall be permitted one flat or wall on-premises sign. Project of wall signs shall not exceed four feet measured from the face of the main building, nor exceed ten square feet on any one face of the sign. The area of all permanent on-premises signs for any single business enterprise may have an area equivalent to 1 1/2 square feet of sign area for each lineal foot of building width, or part of a building, occupied by such enterprise but shall not exceed a maximum area of 100 square feet.
2. In addition to the above, each business or industry shall be permitted one on-

premises ground sign provided all parts of the sign shall be setback ten feet from the street right-of-way. The maximum area of such sign shall not exceed 30 square feet on any face of the sign.

3. In addition to the above, each business or industry shall be permitted two on-premises free standing signs not exceeding eight feet in height or 12 square feet in area on any face of the sign. Such signs shall not be located closer than 20 feet from any right-of-way line. Such sings shall not exceed 25 feet in height.
4. In lieu of permitted ground signs as permitted in item two above, groups of establishments of four or more businesses shall be permitted one larger ground sign for all businesses. Such signs shall not exceed 80 square feet on any face nor exceed 30 feet in height and shall be setback at least 20 feet from the street right-of-way.
5. Signs or advertising devices for business or industries adjacent to the interstate and primary highways as regulated by the Ohio Revised Code, Section 5516, as amended shall be permitted in accord with those state laws. Such signs shall be subject to the above regulations and all such signs, outdoor advertising displays and billboards shall also comply with Section 19.2, 19.3, and 19.6 of this resolution, and shall require a permit from the township Zoning Inspector, and the owner or agent of such sign must show proof of having obtained the required State of Ohio approval.

Section 19.6 Outdoor Advertising Displays and/or Billboards

1. Outdoor advertising shall be classified as a business use and be permitted in all industrial districts and conditionally permitted on lands zoned for agricultural purposes subject to the following regulations:

   a. Such signs or structures shall not be located within 100 feet of any street (or road) right-of-way.
   b. Such signs or structures shall not be located within 1,000 feet of any other outdoor advertising display or billboard on the same side of the street, except in industrial districts such distance may be reduces to 100 feet.
   c. Such signs or structures shall not be located on or within 100 feet of any building, except signs painted on barns.
   d. Such signs or structures shall not exceed 100 square feet on one face and/or 200 square feet for two or more faces, and in no case shall more than 100 square feet of display or sign area be visible from any road or street. These size limitations may be increased by 100 percent in industrial

areas.

2. Advertising devices adjacent to the interstate and primary highways as regulated by the Ohio Revised Code, Sections 5516 and 5531, as amended shall be permitted in accord with those state laws. All such sign, outdoor advertising, displays and billboards shall also comply with Sections 19.2, 19.3, 19.5 and 19.6 of this resolution.

Section 19.7 Setbacks for Public and Quasi-public Signs

Real estate signs and bulletin boards for a church, school or any other public, religious or educational institution may be erected not less than ten feet from the established right-of-way line of any street or highway provided such sign or bulletin board does not obstruct traffic visibility at street or highway intersections.

Section 19.8 Special Yard Provisions

On-premises signs, where permitted shall be erected or placed in conformity with the side and rear yard requirements of this district in which located, except that in any residential district, on-premises signs shall not be erected or placed within 20 feet of a side or rear lot line.

Section 19.9 Limitation

For the purposes or this resolution, outdoor advertising off-premises signs shall be classified as a business use and be permitted in all districts zoned for manufacturing and business or lands used for agricultural purposes. In addition, regulation of signs along interstate and primary highways shall conform to the requirements of the Ohio Revised Code, Chapter 5516, and the regulations adopted pursuant thereto. All such signs, outdoor advertising displays and billboards shall also comply with Sections 19.2, 19.3, 19.5, and 19.6 or this resolution.

Section 19.10 Violations

In case any sign shall be installed, erected, constructed, or maintained in violation of any of the terms of this resolution, the Zoning Inspector shall notify in writing the owner or lessee thereof to alter such sign so as to comply with this resolution. Failure to comply with any of the provisions of this article shall be deemed a violation

and shall be punishable under Section 3.10 of this resolution. Political signs posted in violation of Section 19.4 of this resolution are subject to removal by the Zoning Inspector five days after written notice of violation of Section 19.4 has been given.

Monroe Township Zoning Resolution
Appendix I

AG DISTRICT APPENDIX

519.21 Powers not conferred by chapter.

Text of Statute

A. Except as otherwise provided in division (B) of this section, sections 519.02 to 519.25 of the Revised Code confer no power on any township zoning commission, board of township trustees, or board of zoning appeals to prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, including buildings or structures that are used primarily for vinting and selling wine and that are located on land any part of which is used for viticulture, and no zoning certificate shall be required for any such building or structure.

B. A township zoning resolution, or an amendment to such resolution, may in any platted subdivision approved under section 711.05, 711.09, or 711.10 of the Revised Code, or in any area consisting of fifteen or more lots approved under section 711.131 [711.13.1] of the Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road regulate:
   1. Agriculture on lots of one acre or less:
   2. Buildings or structures incident to the use of land for agricultural purposes on lots greater than one acre but not greater than five acres by: set back building lines; height; and size;
   3. Dairying and animal and poultry husbandry on lots greater than one acre but not greater than five acres when at least thirty-five per cent of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured and mobile homes under section 4503.06 of the Revised Code. After thirty-five per cent of the lots are so developed, dairying and animal poultry husbandry shall be considered nonconforming use of land and buildings or structures pursuant to section 519.19 of the Revised Code.

   Division (B) of this section confers no power on any township zoning commission, board of township trustees, or board of zoning appeals to regulate agriculture, buildings or structures, and dairying and animal and

poultry husbandry on lots greater than five acres.

C. Such sections confer no power on any township zoning commission, board of township trustees, or board of zoning appeals to prohibit in a district zoned for agricultural, industrial, residential, or commercial uses, the use of any land for a farm market where fifty per cent or more of the gross income received from the market is derived from produce raised on [that property].