

UNION TOWNSHIP Zoning Code

Preamble

1121.00 General Provisions

1121.01	Title	1
1121.02	Intent	1
1121.03	Interpretation.....	2
1121.04	Separability	2
1121.05	Repeal of Conflicting Ordinances.....	2
1121.06	Effective Date	2

1123.00 Definitions

1123.01	Construction of Language.....	3
1123.02	Definitions.....	3-23
1123.03	Illustrations/Exhibits	24-31

1125.00 Establishing Districts And Zoning Map

1125.01	Intent	32
1125.02	Establishment of Districts	32
1125.03	Zoning District Map.....	32
1125.04	Interpretation of District Boundaries	33

1127.00 District Regulations

1127.01	Compliance with Regulations	34
1127.02	Summary of Zoning District Requirements	35
1127.03	Summary of Permitted and Conditional Uses.....	36-38
1127.10	A-R Agriculture/Residential District	39-40
1127.20	R-1 Residential District.....	41-42
1127.30	R-1A Single-Family Residential District.....	43-44
1127.40	C Commercial District	45-46
1127.50	C-1 Light Commercial District.....	47-49
1127.60	I Industrial District.....	50-51
1127.70	I-1 Light Industrial District.....	52-53

1129.00 Supplemental District Regulations

1129.01	Intent	54
1129.02	Accessory Structures Uses	54
1129.03	Satellite Dish Antenna Regulations	54-55
1129.04	Radio and Television Antenna Regulations.....	55-56
1129.05	Buffer and Transition Between Residential/Commercial and Residential/Industrial Zoned Properties	56-57
1129.06	Principal Building Per Lot	58
1129.07	Parking and Storage of Vehicles and Trailers.....	58
1129.08	Required Refuse Collection Areas	58
1129.09	Fences	58
1129.10	Projections into Required Yards	58
1129.11	Visibility at Intersections	59
1129.12	Temporary Uses	59-60
1129.13	Swimming Pools	60
1129.14	Home Occupations	61
1129.15	Environmental Performance Standards.....	61-64
1129.16	Residential Design and Appearance Standards.....	64
1129.17	Adult Entertainment Facilities	64-69
1129.18	Bed and Breakfast Inns	70
1129.19	Automobile Washing Facilities.....	70-71
1129.20	Junk	71-72
1129.21	Billboards.....	72-73
1129.22	Landfills	73-76
1129.23	Transfer Stations	76-79
1129.24	Composting	80-81
1129.25	Mineral and Soil Extraction	81-85
1129.26	Ponds.....	85-86
1129.27	Flood Plain Controls	86
1129.28	Erosion Control/Landscaping Requirements	86
1129.29	Private Business or Family Gathering Facility	87
1129.30	Small Wind Energy Project Regulation	87-94
1129.31	Outdoor Woodburning Furnaces	94-96
1129.32	Manufactured Homes on Individual Parcels (Lots)	96
1129.33	Wireless Telecommunications Facilities	96-107
1129.34	Solar Energy Systems	108-111
1129.35	Portable Storage Containers.....	111-112

1131.00 Conditional Uses; Substantially Similar Uses

1131.01	Contents of Conditional Use Permit Application	113
1131.02	General Standards For All Conditional Uses.....	113-114
1131.03	Action by the Board of Zoning Appeals	114-115
1131.04	Additional Criteria	115
	• Additional Conditions	
	• Supplemental Conditions and Safeguards	
	• Expiration of Conditional Use Permit	
1131.05	Public Hearing	115
1131.06	Notice of Public Hearing in Newspaper	115
1131.07	Notice to Parties of Interest.....	116
1131.08	Procedure and Requirements to Determine that a Use is Substantially Similar	116-117

1133.00 Nonconformities

1133.01	Intent	118
1133.02	Uses Under Conditional Use Provisions, Not Nonconforming Uses	118
1133.03	Incompatibility of Nonconformities	118
1133.04	Avoidance of Undue Hardship.....	118-119
1133.05	Substitution of Nonconforming Uses.....	119
1133.06	Single Nonconforming Lots of Record.....	119
1133.07	Nonconforming Lots of Record in Combination	119
1133.08	Nonconforming Uses of Land.....	120
1133.09	Nonconforming Structures.....	120
1133.10	Nonconforming Uses of Structures or of Structures and Land in Combination	120-121
1133.11	Termination of Nonconformities	121
	• Termination of Use Through Discontinuance	
	• Termination of Use by Damage or Destruction	

1135.00 Off-Street Parking and Loading Facilities

1135.01	Intent	122
1135.02	General Parking Requirements	122
1135.03	Off-Street Parking Design Standards.....	122-124
1135.04	Determination of Required Spaces	125
1135.05	Joint or Collective Parking Facilities.....	125
1135.06	Off-Street Storage Areas for Drive-In Services.....	125-126
1135.07	Parking Space Requirements	126-130
1135.08	Handicapped Parking	130
1135.09	Off-Street Loading Space Requirements	130
1135.10	Off-Street Loading Design Standards.....	131

1137.00 Signage

1137.01	Intent	132
1137.02	Governmental Signs Excluded.....	132
1137.03	General Requirements for All Signs and Districts.....	132-133
1137.04	Permit Required	134
1137.05	Signs Permitted in All Districts Not Requiring a Permit.....	134
1137.06	Temporary Signs.....	135
1137.07	Political Signs	135
1137.08	Measurement of Sign Area	135
1137.09	Business Signs	135-137
1137.10	Attached Signs Pertaining to Nonconforming Uses	137
1137.11	Sign Setback Requirements	138
1137.12	Maintenance	138
1137.13	Nonconforming Signs and Structures	138
1137.14	Loss of Legal Nonconforming Status	138
1137.15	Violations.....	139
1137.16	Abandoned Signs	139

1139.00 Amendments

1139.01	Intent	140
1139.02	Initiation of Zoning Amendments.....	140
1139.03	Contents of Application for Zoning Map Amendment.....	140-141
1139.04	Contents of Application for Zoning Text Amendment.....	141
1139.05	Action by the Zoning Commission.....	141
1139.06	Public Hearing by Zoning Commission.....	141-142
1139.07	Action by the Zoning Commission.....	142
1139.08	Public Hearing by Board of Township Trustees.....	142-143

1141.00 Appeals and Variances

1141.01	Intent	144
1141.02	Administrative Appeals	144
1141.03	Variances.....	144
1141.04	Application and Standards for Variances	144-145
1141.05	Additional Conditions and Safeguards	145
1141.06	Public Hearing by the Board of Zoning Appeals.....	145-146
1141.07	Notice of Public Hearing in Newspaper	146
1141.08	Notice to Parties of Interest.....	146
1141.09	Action by Board of Zoning Appeals.....	146
1141.10	Term of Variance	146

1143.00 Administration

1143.01	Intent	147
1143.02	General Provisions	147
1143.03	Zoning Inspector	147
1143.04	Responsibilities of Zoning Inspector	147-148
1143.05	Duties of the Zoning Commission	148-149
1143.06	Duties of the Board of Zoning Appeals	149-151
1143.07	Trustees	152
1143.08	Township Trustee Duties	152
1143.09	Schedule of Fees	153

1145.00 Zoning Permit Requirements and Enforcement

1145.01	Intent	154
1145.02	Zoning Permits Required	154
1145.03	Recommended Contents of Application for Zoning Permits.....	154-155
1145.04	Site Plan Required Contents	155-156
1145.05	Approval of Zoning Permit.....	156-157
1145.06	Failure to Obtain a Zoning Permit	157
1145.07	Construction and Use to be as Provided in Applications, Plans, and Permits	157
1145.08	Entry and Inspection of Property	157
1145.09	Stop Work Order.....	157
1145.10	Zoning Permit Revocation	157
1145.11	Complaints Regarding Violations.....	158
1145.12	Notice of Violation	158
1145.13	Penalties and Fines.....	158
1145.14	Additional Remedies.....	159

PREAMBLE

AN ORDINANCE OF UNION TOWNSHIP, AUGLAIZE COUNTY, OHIO, ENACTED IN ACCORDANCE WITH A COMPREHENSIVE PLAN AND THE PROVISIONS OF THE OHIO REVISED CODE, DIVIDING THE TOWNSHIP INTO ZONES AND DISTRICTS, ENCOURAGING, REGULATING, AND RESTRICTING THEREIN THE LOCATION, CONSTRUCTION, RECONSTRUCTION, 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 ORDINANCE; DEFINING THE POWERS AND DUTIES OF THE ADMINISTRATIVE OFFICERS AS PROVIDED HEREFTER; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS IN THIS ORDINANCE OR ANY AMENDMENT THERETO, ALL FOR THE PURPOSE OF PROTECTING THE PUBLIC HEALTH, SAFETY, COMFORT, AND GENERAL WELFARE.

THEREFORE BE IT ORDAINED BY THE TRUSTEES OF UNION TOWNSHIP, AUGLAIZE COUNTY, STATE OF OHIO, PURSUANT TO LAW:

1121.00
General Provisions

1121.01	Title.....	1
1121.02	Intent	1
1121.03	Interpretation.....	2
1121.04	Separability	2
1121.05	Repeal of Conflicting Ordinances.....	2
1121.06	Effective Date	2

1121.00 GENERAL PROVISIONS

1121.01 Title

This Ordinance shall be known and may be cited to as the “Zoning Code of Union Township”, except as referred to herein, where it shall be known as “this Zoning Code”.

1121.02 Intent

The intent of this Zoning Code is to promote and protect the public health, safety, and general welfare of Union Township, in accordance with the Comprehensive Land Use Plan and planning process that is reflected in the contents of this Zoning Code and in the zoning map of Union Township by:

- A. Dividing Union Township into zones or districts within which specific regulations contained in this Zoning Code control the location, construction, reconstruction, alteration, and use of buildings, structures, and land for residence, commerce, industry, or other specific uses.
- B. Regulating the intensity of land use through the control of the amount of lot area on which construction is authorized and a determination of the area of open space surrounding any man-made improvements upon the land.
- C. Facilitating the orderly, efficient, and appropriate growth and development within Union Township.
- D. Protecting residential, business, commercial, and industrial land uses from encroachment by incompatible land uses that would not be conducive to the public health, safety, and general welfare.
- E. Regulating certain nonconforming uses of land, buildings, and structures.
- F. Promoting a pattern of rational land use relationships among residential, business, commercial, and industrial uses for the purposes of promoting the public health, safety, and general welfare.
- G. Establishing development densities by zoning district that economize the provision of water, sewer, streets and highways, fire and police protection, schools, parks, recreation facilities, and other government services.

The intent is to implement in accordance with the Comprehensive Land Use Plan for Union Township as manifested in this Zoning Code and its companion zoning map, Auglaize County Design Criteria, and Construction Standards and Drawings of and in various planning studies which have been or will be approved by the Trustees from time to time.

1123.00 Definitions

1123.01	Construction of Language.....	3
1123.02	Definitions.....	3-23
1123.03	Illustrations/Exhibits	24-31

<p>Accessory Structure3</p> <p>Agriculture4</p> <p>Alley.....4</p> <p>Alteration4</p> <p>Animal Grooming4</p> <p>Animal Hospital or Clinic.....4</p> <p>Automobile Repair, Painting, and Body Shops4</p> <p>Automobile Sales.....4</p> <p>Automobile Service Station4</p> <p>Automobile Washing Facilities.....4</p> <p>Bars, Taverns, and Nightclubs5</p> <p>Basement.....5</p> <p>Bed and Breakfast Inns5</p> <p>Beginning of Construction.....5</p> <p>Billboard5</p> <p>Block.....5</p> <p>Board of Zoning Appeals (BZA)5</p> <p>Boarding or Lodging Houses5</p> <p>Building.....5</p> <p>Building Line5</p> <p>Building Lot.....6</p> <p>Building; Principal6</p> <p>Building and Related Trades.....6</p> <p>Building Services and Supplies6</p> <p>Business, Professional, and Administrative Offices.....6</p> <p>Car Wash.....6</p> <p>Carry-Out6</p> <p>Cemetery6</p> <p>Channel6</p> <p>Clinic.....6</p> <p>Club.....7</p> <p>Commercial Entertainment Facilities .7</p> <p>Commercial Outdoor Recreation Facilities.....7</p>	<p>Community-Oriented Residential Social Service Facility.....7</p> <p>Comprehensive Land Use Plan7</p> <p>Conditional Use.....7</p> <p>Construction Trade Facility.....7</p> <p>Convenience Store.....8</p> <p>Corner Lot8</p> <p>Day Care Facility.....8</p> <p>Days.....8</p> <p>Density.....8</p> <p>Development Plan8</p> <p>District8</p> <p>Drive-In Commercial Uses.....8</p> <p>Dwelling8</p> <p>Dwelling; Efficiency Apartment8</p> <p>Dwelling; Multi-Family9</p> <p>Dwelling; Permanently-Sited Manufactured Home.....9</p> <p>Dwelling; Single-Family9</p> <p>Dwelling; Two-Family9</p> <p>Dwelling Unit.....9</p> <p>Easement9</p> <p>Educational Institutions, Elementary, Junior High, and High Schools.....9</p> <p>Elderly Housing Facilities.....9</p> <p>Erected.....10</p> <p>Essential Services10</p> <p>Factory-Built Housing10</p> <p>Family.....10</p> <p>Feedlot.....10</p> <p>Fence10</p> <p>Financial Establishments.....10</p> <p>Flood, Regional10</p> <p>Floodplain.....11</p> <p>Floodway11</p> <p>Floodway Fringe.....11</p> <p>Floor Area of a Non-Residential Building11</p>
---	---

Floor Area of a Residential Building	11	Nonconformities	16
Front Lot Line	11	Nurseries and Garden	
Front Yard	11	Supplies Stores	16
Funeral Home	11	Nursing Home	16
Garage; Private	11	Off-Street Parking	16
Gas Station	11	Open Space	16
General Merchandise Stores	12	Parking Lot	16
Grain Elevators and Feed Mills	12	Parking Space; Off-Street	16
Ground Mounted Solar Energy		Permitted Use	16
Systems	12	Personal Services	16
Group Home	12	Pet Shops	16
Heavy Equipment Rental, Sales,		Places of Worship	17
Service, and Storage	12	Planning Commission	17
Home Occupations	12	Pool; Swimming	17
Household Items Repair Shop	12	Preexisting Use	17
Industrial; Enclosed	12	Principal Use	17
Industrial; Open	12	Private Business or Family Gathering	
Integrated Solar Energy Systems	13	Facility	17
Interior Lot Line	13	Private Landing Strips and Heliports	17
Junk	13	Private Schools	17
Junk Motor Vehicles	13	Professional Offices	17
Junk Yard or Salvage Yard	13	Public Offices and Public Buildings	17
Kennels	13	Public Recreation Facilities	17
Land Use Plan	13	Public Service Facility	18
Loading Space	13	Public Way	18
Lock and Store Warehousing (or Store		Rear Lot Line	18
and Lock)	13	Rear Yard	18
Lot	14	Reconstructed	18
Lot Coverage	14	Recreation Vehicle	18
Lot Line	14	Regional Planning Commission	18
Lot Measurements	14	Religious Places of Worship	18
Lot; Minimum Area of	14	Restaurant	18
Lot of Record	14	Retail Business	18
Lot Types	14	Right-of-Way	19
Lumber Yards and Building Materials		Rooftop Solar Energy Systems	19
Sale and Storage	15	Screening	19
Manufactured Home	15	Seat	19
Manufactured Home Court	15	Service Garage	19
Manufacturing	15	Service Station	19
Medical Offices and Clinics	15	Setback Line	19
Mineral Extraction, Storage, and		Sewers, Central or Group	19
Processing	15	Side Lot Line	19
Mini-Warehouse	15	Side Yard	19
Mixed Use	15	Sign	19
Multi-Family Dwelling	15	Single-Family Dwelling	20
Nightclub	15	Solar Energy	20

Solar Energy System.....	20
Solar Panel	20
Small Solar Energy System	20
Story	20
Street	20
Structural Alteration.....	20
Structure	20
Survey	20
Swimming Pool.....	20
Tavern	20
Temporary Use of Building	21
Thoroughfare.....	21
Through Lot	21
Trailer Park	21
Transport Trucking Terminal.....	21
Two-Family Dwelling.....	21
Use	21
Utility Service Companies	21
Variance	21
Vision Clearance on Corner Lots....	22
Warehouse.....	22
Wholesale Business	22
Yard.....	22
Zone	22
Zoning Board of Appeals.....	22
Zoning Certificate	22
Zoning Commission.....	22
Zoning Inspector	23
Zoning Permit	23

1123.00 DEFINITIONS

1123.01 Construction of Language

For the purposes of this Zoning Code, certain terms or words used herein shall be interpreted as follows:

- A. The word "PERSON" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- B. The present tense includes the future tense.
- C. The singular number includes the plural, and the plural number includes the singular.
- D. The word "SHALL" is mandatory, and the word "MAY" is permissive.
- E. The word "BUILDING" includes the word "STRUCTURE."
- F. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."
- G. The word "lot" includes the words "plot" or "parcel."
- H. In case of any difference of meaning or implication between the text of this Zoning Code and any caption or illustration, the text shall control.
- I. Regardless of capitalization, definitions are standard.

Terms not herein defined shall have the meaning customarily assigned to them.

1123.02 Definitions

ACCESSORY STRUCTURE

An object or structure constructed or installed on, above, or below the surface of a parcel, which is located on the same lot as a principal object or structure, and which is subordinate to or serves the principal object or structure, is subordinate in the area to the principal object or structure, and is customarily incidental to the principal object or structure. Among other things, "accessory structure" includes anything of a subordinate nature attached to or not attached to a principal structure, such as, satellite dishes, antennas, sheds, detached garages, decks, and carports if not attached. Except as otherwise required in this Zoning Code an "accessory structure" shall be a permitted use.

BARS, TAVERNS, AND NIGHTCLUBS

Establishments primarily engaged in the retail sale of drinks, such as beer, ale, wine, liquor, and other alcoholic beverages for consumption on the premises. The sale of food may also be a part of the operation.

BASEMENT

A story all or partly underground, but having at least one-half of its height below the average level of the adjoining ground. (See "Story") (See Illustration, Exhibit "C" following this Section.)

BED AND BREAKFAST INNS

A residential, single-family dwelling or portion thereof, which is owner-occupied, that has as a secondary use of the structure, one to five guestrooms for rent. Guests shall not stay longer than 14 consecutive days. Breakfast shall be the only meal served and the kitchen shall not be remodeled into a commercial kitchen. The facility shall be located in an existing structure and a structure cannot be built for this purpose. The operator of the Inn shall live on the premises.

BEGINNING OF CONSTRUCTION

"Beginning of Construction" means the utilization of labor, equipment, and materials for the purpose of erecting or altering a structure.

BILLBOARD

A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than on the lot where displayed on only incidentally on such lot.

BLOCK

Property abutting one side of a street and lying between the two nearest intersecting streets, crossing or terminating, or between the nearest street and railroad right-of-way, un-subdivided acreage, waterway, or between any of the foregoing and any other barrier to the continuity of development or corporate lines of Union Township.

BOARD OF ZONING APPEALS (BZA)

Union Township Board of Zoning Appeals hereinafter referred to as "BZA".

BOARDING OR LODGING HOUSES

A building other than a hotel, not exceeding ten sleeping rooms, where, for compensation and by prearrangement for definite periods, meals or lodging and meals are provided.

BUILDING

A building is a structure, designed, intended, or used for shelter, enclosure, or protection of persons, animals, chattels, or property.

BUILDING LINE

(See Setback Line)

CLUB

A building or portion thereof or premises owned or operated by a person for a social, literary, political, educational, fraternal 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. These facilities include motion picture theaters; sports arenas; tennis, racquetball, and handball courts; health clubs; bowling alleys; and similar entertainment activities.

COMMERCIAL OUTDOOR RECREATION FACILITIES

Any outdoor profit-making activity which is generally related to the recreation field. These facilities include amusement parks, drive-in theaters, carnivals, fairgrounds, golf driving ranges, golf courses, miniature golf courses, racetracks, skating rinks, and similar outdoor activities.

COMMUNITY-ORIENTED RESIDENTIAL SOCIAL SERVICE FACILITY

A state licensed or authorized home for children or adults that is operated by the state or a political subdivision or pursuant to a license issued by or to a contract with the state or a political subdivision. Community-oriented residential social service facilities include the following categories: agency group homes for children or adults, residential homes for children or adults, or residential homes for children or adolescents 18 years of age or under, dependent or neglected, who have not been adjudged delinquent, and who for various reasons cannot reside with their natural family.

COMPREHENSIVE LAND USE PLAN

A plan, which may consist of several maps, data, policies, and other descriptive matter, for the physical development of Union Township which has been adopted by Union Township to indicate the general location for proposed physical facilities including housing, industrial, and business uses, major streets, parks, schools, public sites, and other similar information.

CONDITIONAL USE

A use that is permitted, but only by application to the BZA in each specific instance, and after determination by the BZA that all regulations and standards of this Zoning Code applying to the specific use in the particular location will be met, along with such additional conditions or safeguards as the BZA may prescribe in the specific case and circumstances, in order to prevent harm or injury to adjacent uses and the neighborhood, and/or in order to improve the public health, safety, convenience, order, prosperity, and general welfare.

CONSTRUCTION TRADE FACILITY

These activities include heavy construction, building, electrical, heating and air conditioning, masonry, plumbing, painting and wallpapering, roofing, glazing, but does not include salvage materials or debris.

A dwelling consisting of three or more dwelling units including condominiums with varying arrangements of entrances and party walls.

DWELLING; PERMANENTLY-SITED MANUFACTURED HOME

A building manufactured in an off-site facility designated for or occupied exclusively by one family shall be considered a single-family dwelling provided it meets all of the following criteria:

- A. The structure is affixed to a permanent foundation and is connected to appropriate utilities;
- B. The structure, excluding any addition, has a minimum width of 22 feet, a minimum length of 22 feet, and a minimum floor area of 1200 square feet;
- C. The structure has a minimum roof pitch of 3:12, conventional residential siding, and a minimum 6 inch eave overhang, including appropriate guttering;
- D. The structure was manufactured after January 1, 1995;
- E. The structure has a permanent label or tag certifying that it was constructed in conformance with all applicable federal construction and safety standards.

DWELLING; SINGLE-FAMILY

A dwelling consisting of a single dwelling unit only, separated from other dwelling units by open space, including permanently-sited manufactured homes as defined herein.

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 UNIT

A building, or a portion thereof, designed for occupancy of one family for residential purposes and having living, cooking, sleeping, and sanitation facilities.

EASEMENT

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

EDUCATIONAL INSTITUTIONS, ELEMENTARY, JUNIOR HIGH, AND HIGH SCHOOLS

Public, private, and/or religious schools including grades K through 12.

ELDERLY HOUSING FACILITIES

Residential developments specially designed to house retired and elderly persons and which may include a mixture of living options including apartments, group quarters, and nursing care facilities.

FLOODPLAIN

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

FLOODWAY

That portion of the floodplain, including the channel, which is reasonably required to convey the regional floodwaters. Floods of less frequent recurrence are usually contained completely within the floodway.

FLOODWAY FRINGE

That portion of the floodplain, 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, fitting rooms, and similar areas.

FLOOR AREA OF A RESIDENTIAL BUILDING

The sum of the gross horizontal area of all floors of a residential building, excluding garages, basement floor areas, roofed porches, and roofed terraces. All dimensions shall be measured between exterior faces of walls.

FRONT LOT LINE

(See Lot)

FRONT YARD

(See Yard)

FUNERAL HOME

A building or part thereof used for human funeral services. Such building may contain space and facilities for embalming and the performance of other services used in preparation of the dead for burial; the performance of autopsies and other surgical procedures; the storage of caskets, funeral urns, and other related funeral supplies; and the storage of funeral vehicles, but shall not include facilities for cremation. Where a funeral home is permitted, a funeral chapel and residency shall also be permitted.

GARAGE; PRIVATE

An accessory building or portion of a main building designed or used solely for the storage of motor driven vehicles, boats, and similar vehicles owned or used by the occupants of the building to which it is an accessory.

GAS STATION

(See Automobile Service Station)

INTEGRATED SOLAR ENERGY SYSTEMS

A solar energy system that is incorporated into or replaces standard building materials and does not have mounting equipment. For example, these systems may include materials that replace traditional roofing, shingle, or siding materials, awnings, canopies, skylights, or windows.

INTERIOR LOT LINE

Any lot line shown by plat or deed of separately described parcels of land making up a building lot and located within its boundaries.

JUNK

“Junk” includes but is not limited to: old scrap copper, brass, rope, rags, trash, or waste; old and used building materials, batteries, paper, or rubber; junked, dismantled, or wrecked automobiles, or parts thereof; old or discarded household furniture or appliances; iron, steel, and other old or scrap ferrous or non-ferrous materials.

JUNK MOTOR VEHICLES

Any vehicle shall be deemed a junk motor vehicle if it is an unlicensed vehicle.

JUNK YARD OR SALVAGE YARD

An open area where waste, used or second-hand materials are bought and sold, exchanged, stored, baled, packaged, disassembled, or handled including, but not limited to, scrap iron and other metals, paper, rags, rubber tires, and bottles. A "junk yard" includes automobile wrecking yards and includes any area of more than 200 square feet for storage, keeping, or abandonment of junk, but does not include uses established entirely within enclosed buildings. Two or more inoperative or unlicensed vehicles shall be construed to be a “junk yard”.

KENNELS

Any lot or premises used for the sale, boarding, or breeding of dogs, cats, or other household pets.

LAND USE PLAN

The long-range plan for the desirable use of land as adopted by the Planning Commission; the purpose of such plan being to serve as a guide in future development and zoning of the community.

LOADING SPACE

A loading space is an off-street space on the same lot with a building or group of buildings, used for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials.

LOCK AND STORE WAREHOUSING (or Store and Lock)

A building or group of buildings in a controlled access compound that contains equal or varying sizes of compartmentalized and controlled access stalls or lockers for storage of customer goods or wares.

LUMBER YARDS AND BUILDING MATERIALS SALE AND STORAGE

Buildings or premises used for the storage and sale of lumber and building materials.

MANUFACTURED HOME

Any vehicle not self-propelled transportable in one or more sections which, in the traveling mode, is 8 feet or more in width or 40 feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, and which bears a label certifying that it is built in compliance with Federal Manufactured Housing Construction and Safety Standards. Manufactured Home is sometimes referred to as a Mobile Home.

MANUFACTURED HOME COURT

Any plot of ground upon which two or more trailer coaches or Manufactured Homes occupied for dwelling or sleeping purposes may be located. Only permitted within a Planned Unit Development.

MANUFACTURING

The mechanical, chemical, or biological transformation or assembly of materials, substances, or component parts into new products or components, usually for distribution to wholesale markets, or for interplant transfer to industrial users.

MEDICAL OFFICES AND CLINICS

Offices of physicians, dentists, and other health practitioners and medical and dental laboratories. Establishments primarily engaged in outpatient care with permanent facilities and with medical staff to provide diagnosis and/or treatment for patients who are ambulatory and do not require in-patient care.

MINERAL EXTRACTION, STORAGE, AND PROCESSING

Any mining, quarrying, or processing of limestone, shale, clay, sand, gravel, coal, or other mineral resources.

MINI-WAREHOUSE

(See Self-Service Storage Facility)

MIXED USE

A combination of two or more principally permitted or conditionally permitted uses within a district, as approved by the Board of Appeals, in the same building or on the same premises.

MULTI-FAMILY DWELLING (See Dwelling; Multi-Family)

NIGHTCLUB

(See Bars, Taverns, and Nightclubs)

PLACES OF WORSHIP

Establishments of recognized religious organizations operated for worship or for promotion of religious activities.

PLANNING COMMISSION

The Regional Planning Commission of Auglaize County.

POOL; SWIMMING

(See Swimming Pool)

PREEXISTING USE

An existing use of the type listed as a special use in the zoning district that was lawfully established on the effective date of this Zoning Code.

PRINCIPAL USE

The primary or predominant use of any land or improvement on it.

PRIVATE BUSINESS OR FAMILY GATHERING FACILITY

A private facility, which is owner occupied, that has a secondary use of the structure as a private rental facility for family gatherings, business functions, and community events. The facility shall be located in and outside of the existing structure and a structure cannot be built for this purpose without notice and written consent of the board of zoning appeals. The operator of the facility shall live on the property.

PRIVATE LANDING STRIPS AND HELIPORTS

A site built to the current FAA recommendations where aircraft arrive and depart.

PRIVATE SCHOOLS

Private schools, including but not limited to, business or commercial schools, dance or music academies, kindergarten, nursery, play, and special schools other than educational facilities.

PROFESSIONAL OFFICES

(See Business, Professional, and Administrative Offices)

PUBLIC OFFICES AND PUBLIC BUILDINGS

Establishments for local, county, regional, state, or federal government agencies.

PUBLIC RECREATION FACILITIES

Parks, playgrounds, golf courses, sports arenas, gymnasiums, Union Township centers, swimming pools, skating rinks, tennis, racquetball and handball courts, senior citizen and youth centers, arboretums, hiking and jogging trails, ice skating rinks, nature areas, picnic areas, tot lots, and arid wildlife sanctuaries, but not including commercial recreation and entertainment facilities listed elsewhere in this Zoning Code.

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.

ROOFTOP SOLAR ENERGY SYSTEMS

A solar energy system that is mounted to a structure or building's roof on racks.

SCREENING

The placement of landscaping or fencing on a lot in a manner to reduce any negative effects resulting from the location of two or more dissimilar uses next to one another.

SEAT

For the purpose 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.

SERVICE GARAGE

(See Automobile Repair, Painting, and Body Shops)

SERVICE STATION

(See Automobile Service Station)

SETBACK LINE

A line established by the Zoning Code, generally parallel with and measured from the lot line/right-of-way, defining the limits of a yard in which no portion of any principal structure, other than accessory building, may be located except as may be provided in said Zoning Code. No portion of the submerged lot shall be counted toward the required setback. (See Yard)

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, township, or region.

SIDE LOT LINE

(See Lot Line)

SIDE YARD

(See Yard)

SIGN

A name, identification, description, display, or illustration which is affixed, painted, or represented, directly or indirectly, upon a building structure, parcel, or lot and which directs attention to an object, product, place, activity, person, institution, organization, or business. (See Section 1137.00 Signage.)

TEMPORARY USE OF BUILDING

The temporary use of land or a building permitted by the Zoning Inspector construction, or for special events. (See Section 1129.12 Temporary Uses.)

THOROUGHFARE

The 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:

- A. Alley - A right-of-way used primarily for vehicular service access to the back or side of properties abutting on another street.
- B. 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.
- C. Collector Street - A thoroughfare, whether a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
- D. Cul-de-sac - A local street with one end open to traffic and the other end terminating in a vehicular turnaround.

THROUGH LOT

(See Lot)

TRAILER PARK

(See Mobile Home Court)

TRANSPORT TRUCKING TERMINAL

Any business, structures, or premises which primarily receives or distributes goods by tractor trailer or similar vehicle.

TWO-FAMILY DWELLING

(See Dwelling; Two-Family)

USE

The purpose for which land or a building is arranged, designed, or intended, or for which land or a building is or may be occupied or maintained.

UTILITY SERVICE COMPANIES

Utility buildings, telephone exchanges, and transformer stations or uses other than general offices.

VARIANCE

A modification of the strict terms of this Zoning Code where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of this Zoning Code which would result in unnecessary and undue hardship for a use variance or practical difficulty for an area variance.

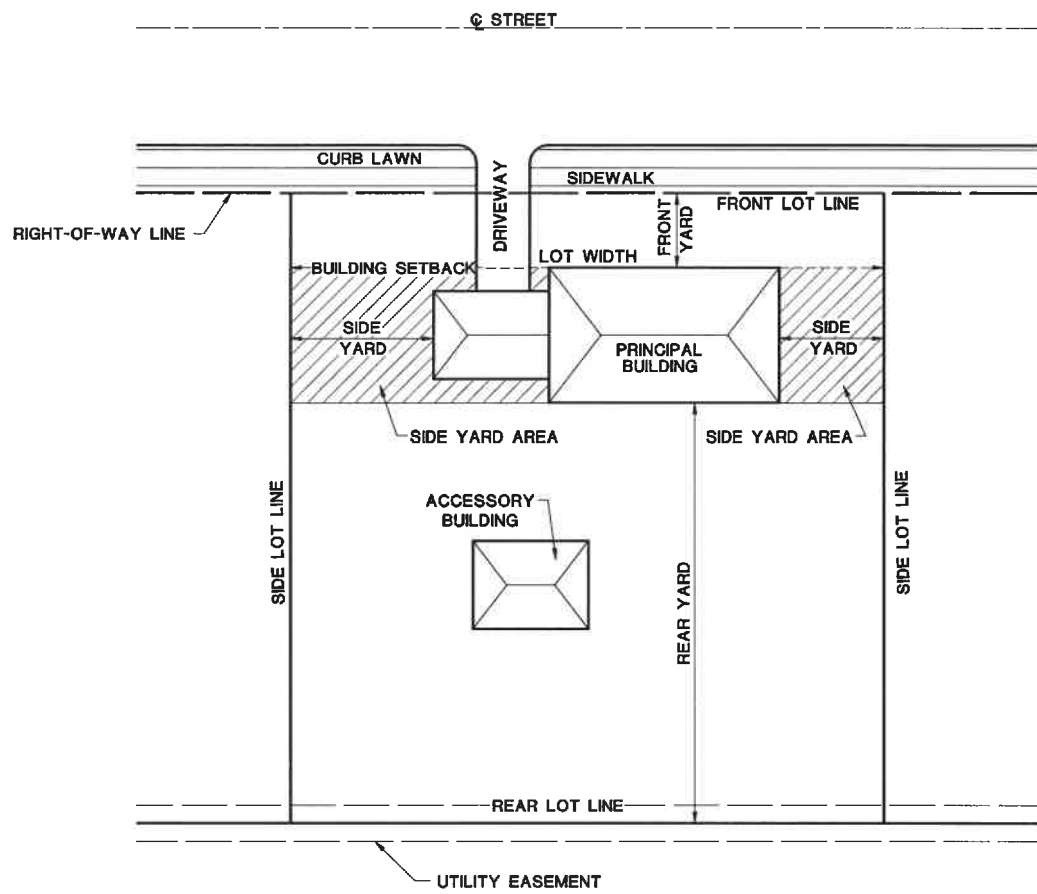
Union Township Zoning Commission as appointed by the Union Township Trustees according to the Ohio Revised Code.

ZONING INSPECTOR

A person appointed by the Union Township Trustees to handle the administration of Union Township.

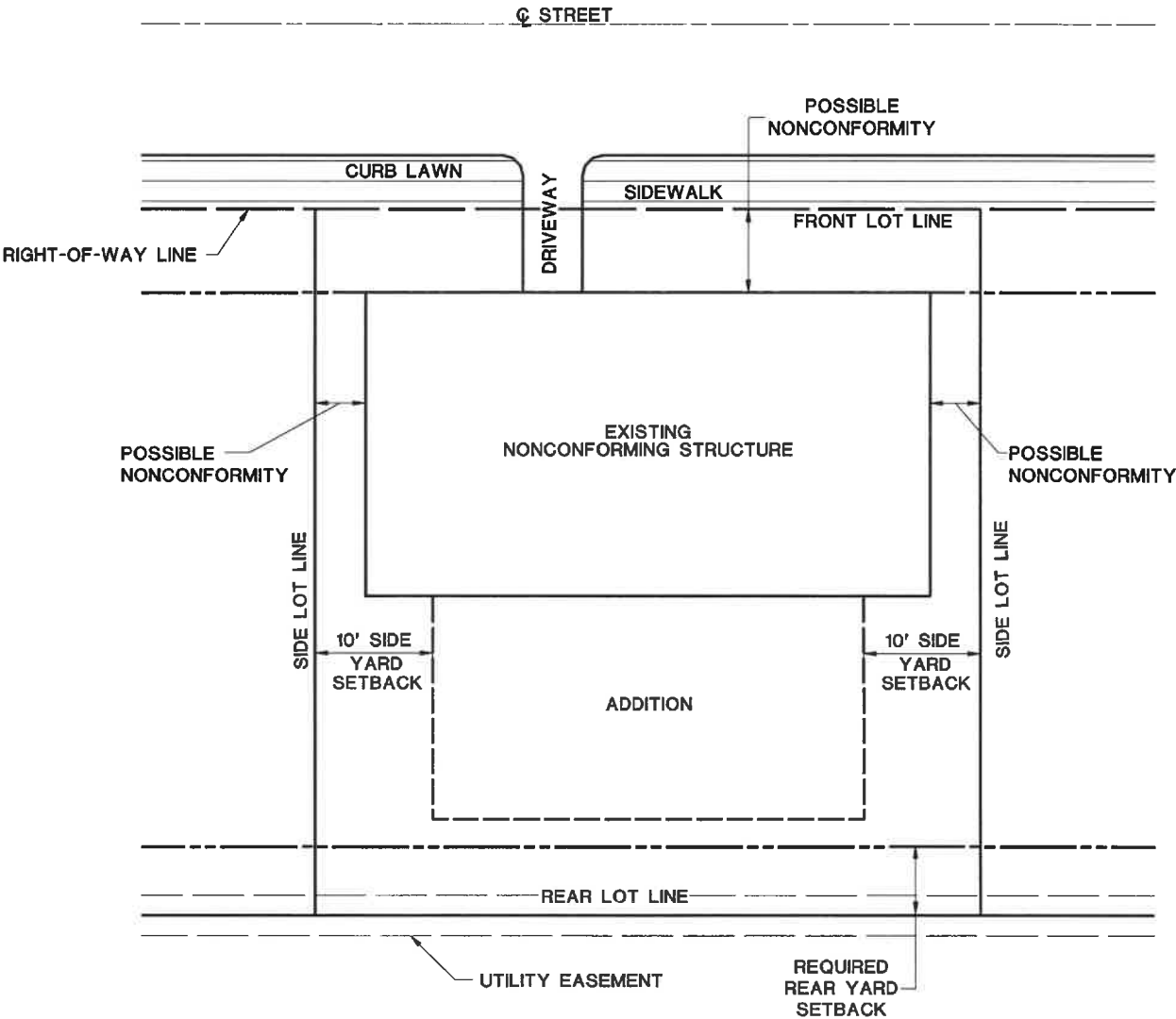
ZONING PERMIT

The document issued by the Zoning Inspector authorizing the use of lots, structures, uses of land and structures, and the characteristics of the uses consistent with the terms of this Ordinance and for the purpose of carrying out and enforcing its provisions.



LOT AREA - TOTAL HORIZONTAL AREA NOT INCLUDING ANY RIGHT-OF-WAY
LOT WIDTH - MEASURED AT BUILDING SETBACK LINE
LOT COVERAGE – PERCENT OF LOT OCCUPIED BY BUILDING

ILLUSTRATION – EXHIBIT “B”
BUILDING - PRINCIPAL AND LOT TERMS



ALL DISTRICTS

**ILLUSTRATION – EXHIBIT “D”
EXAMPLES FOR ADDITIONS TO NONCONFORMING STRUCTURES
SEE SECTION 1133.09 NONCONFORMING STRUCTURES**

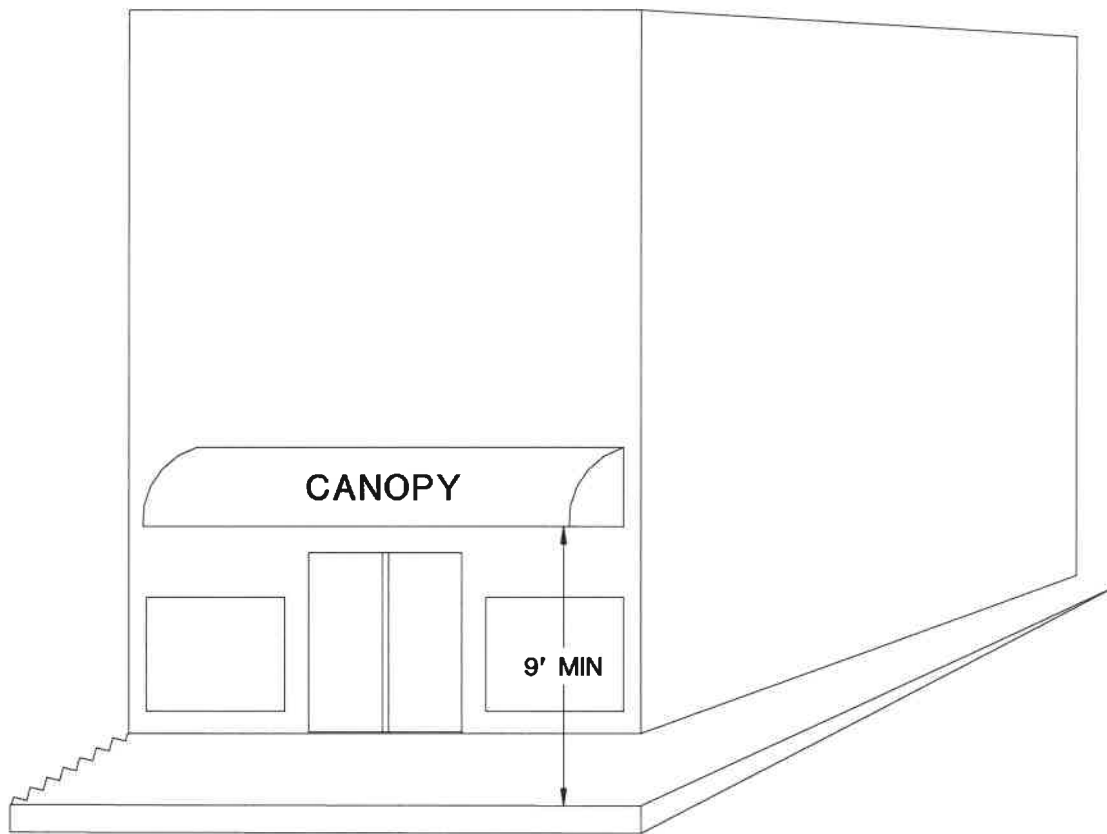


ILLUSTRATION – EXHIBIT “F”
SEE SECTION 1137.09C ARCHITECTURAL CANOPY SIGNS

- A. Signs shall not be located on or project over any right-of-way except in a C Commercial District in which it may extend 4 feet from face of building or 3 feet off the back of curb.
- B. Signs shall not be permitted to obstruct or adversely affect traffic visibility.
- C. Signs shall not be closer than 25 feet to the adjacent lot.

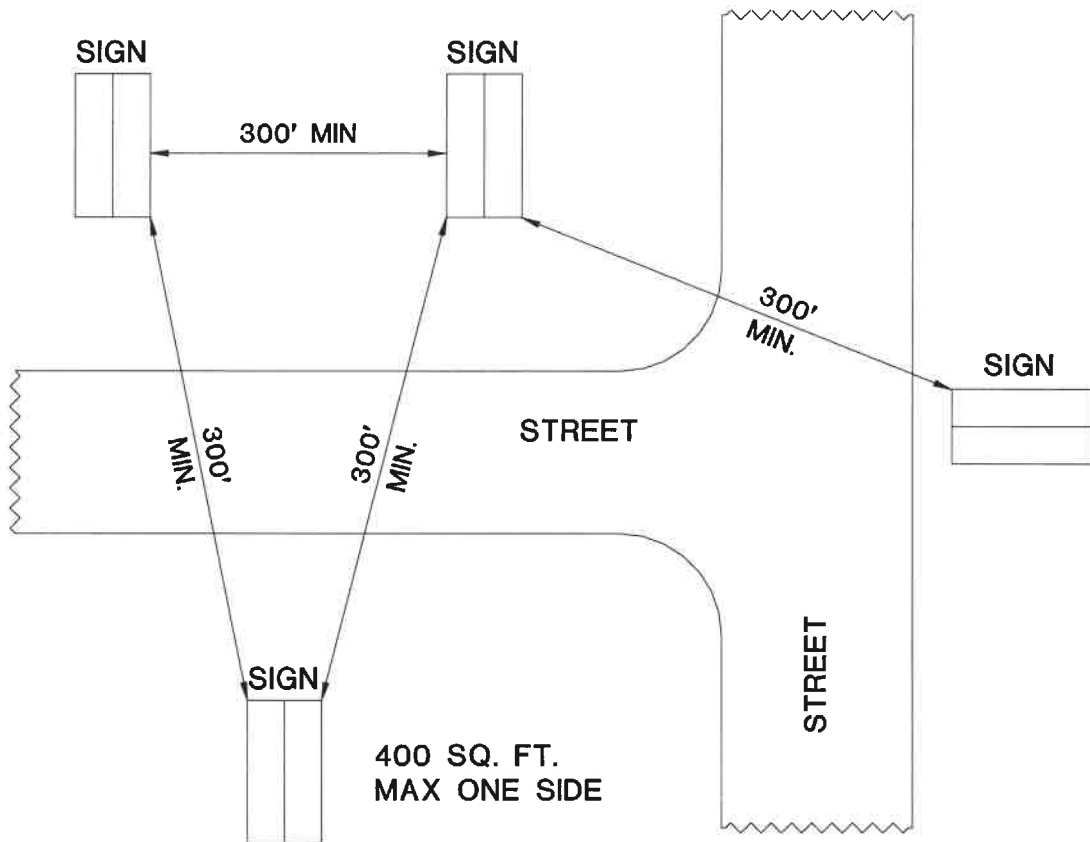


ILLUSTRATION – EXHIBIT “H”
SEE SECTION 1129.21 BILLBOARDS

- A. Billboards will be set back from all right-of-way at least as far as required front yard depth for principal buildings in the district where located.
- B. No billboards will exceed the height of the roof line of the building.
- C. No more than two billboards shall be attached together.
- D. There shall be a 400 sq. ft. maximum area per side of the billboards.

1125.00
Establishing Districts And Zoning Map

1125.01	Intent	32
1125.02	Establishment of Districts.....	32
1125.03	Zoning District Map.....	32
1125.04	Interpretation of District Boundaries	33

1125.00 ESTABLISHING DISTRICTS AND ZONING MAP

1125.01 Intent

The intent of this article is to establish zoning districts in order to realize the general purpose set forth in the Preamble of this Zoning Code, to provide for orderly growth and development, and to protect the property rights of all individuals by assuring the compatibility of uses and practices within districts.

1125.02 Establishment of Districts

The following zoning districts are hereby established for Union Township, Auglaize County, Ohio:

A-R	Agriculture/Residential District
R-1	Residential District
R-1A	Single-Family Residential District
C	Commercial District
C-1	Light Commercial District
I	Industrial District
I-1	Light Industrial District

1125.03 Zoning District Map

- A. The districts established above, as shown on the official zoning map, which, together with all data, references, explanatory material, and notations thereon, are hereby officially adopted as part of this Zoning Code and hereby incorporated by reference herein, thereby having the same force and effect as if herein fully described in writing.
- B. The official zoning map shall be identified by the signature of the Trustees and clerk of Union Township. If, in accordance with the provisions of this Zoning Code, changes are made in district boundaries or other matter portrayed on the official zoning map, these changes shall be made on the official zoning map within 30 normal working days after effective date of the amendment.
- C. The original and one copy of the official zoning map are to be maintained and kept up to date; one copy on public display in the Union Township chambers, accessible to the public, and shall be final authority as to the current zoning status of lands, buildings, and other structures in Union Township.

1127.00
District Regulations

1127.01	Compliance with Regulations	34
1127.02	Summary of Zoning District Requirements	35
1127.03	Summary of Permitted and Conditional Uses.....	36-38
1127.10	A-R Agriculture/Residential District	39
1127.20	R-1 Residential District.....	41
1127.30	R-1A Single-Family Residential District.....	43-44
1127.40	C Commercial District	45-46
1127.50	C-1 Commercial District.....	47-49
1127.60	I Industrial District.....	50-51
1127.70	I-1 Industrial District.....	52-53

1127.00 DISTRICT REGULATIONS

1127.01 Compliance with Regulations

The Regulations for each district set forth by this Zoning Code shall be the minimum Regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided.

- A. No building, structure, or land shall be used or occupied and no building, structure, or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations specified for the district in which it is located.
- B. Except as otherwise provided in this Zoning Code, no building or other structure shall be erected or altered:
 - 1. To provide for greater height or bulk;
 - 2. To accommodate or house a greater number of families;
 - 3. To occupy a greater percentage of lot area;
 - 4. To have narrower or smaller rear yards, front yards, side yards, or other open spaces; than required in its district, or in any other manner be contrary to the provisions of this Zoning Code.
- C. Except as otherwise provided in this Zoning Code, no yard or lot existing at the time of passage of this Zoning Code shall be reduced in dimension or area below the minimum requirements set forth in the district. Yards or lots created after the effective date of this Zoning Code shall meet at least the minimum requirements set forth in the district.

TOWNSHIP ZONING CODE
Summary of Zoning District Requirements

Zoning District	Minimum Lot Area (1)	Minimum Lot Width (2)	Minimum Front Yard Setback* (3)	Minimum Side Yard Setback (4)	Minimum Rear Yard Setback (5)	Maximum Percent Lot Coverage (6)	Minimum Square-feet
A-R AGRICULTURE/ RESIDENTIAL	2.0 acres	200'	80'	20'	30'	20%	1200 s.f. ** 1500 s.f.
R-1 RESIDENTIAL	20000 sq. ft. with central sewer or 1 acre without	125'	50' with central sewer 80' without central sewer	20'	30' principal 20' accessory	25%	1200 s.f. ** 1500 s.f.
R-1A RESIDENTIAL	8450 sq. ft. central sewer only	65'	20'	10'	20'	N/A	** 1500 s.f. 1200 s.f.
C COMMERCIAL	20000 sq. ft. with central sewer or 1 acre without	125'	100'	20'	40' principal 20' accessory	40%	
C-1 LIGHT COMMERCIAL	10200 sq. ft. central sewer only	85'	35'	10'	30'	N/A	
I INDUSTRIAL	1 acre	200'	100'	20'	40' principal 20' accessory	50%	
I-1 LIGHT INDUSTRIAL	12000 sq. ft. central sewer only	100'	40'	20' ***	20' ***	N/A	

* All front yard measurement from road right-of-way line.

** Other than one story.

*** Except when abutting an R-District, it must be 50 feet.

For definitions, see:

1. Lot, Minimum Area of; also Illustration Exhibit "B"
2. Lot Measurements, Width; also Illustration Exhibit "B"
3. Yard, Front Yard; also Illustration Exhibit "B"
4. Yard, Side Yard; also Illustration Exhibit "B"
5. Yard, Rear Yard; also Illustration Exhibit "B"
6. Lot Coverage; also Illustration Exhibit "B"

USE	ZONING DISTRICT						
	A-R	R-1	R-1A	C	C-1	I	I-1
P = Principal Permitted Use C = Conditional Use	Agriculture Residential	Residential	Single Family Residential	Commercial	Light Commercial	Industrial	Light Industrial
Elderly Housing Facilities				C	C		
Farm Implement Sales						P	P
Financial Establishments				P	P		
Funeral Homes				P	P		
General Merchandise Stores							
Grain Elevators and Feed Mills						P	P
Group Homes	C	P	P	C	C		
Home Occupations	C	C	C	C	C	C	C
Heavy Equipment Rental, Sales, Service, and Storage						C	C
Household Items Repair Shop				C	C		
Industrial; Enclosed						C	C
Industrial; Open							
Junk Yard and Salvage Yard						C	C
Kennels						C	C
Lock and Store Warehousing				C	C		
Lumber Yards and Building Materials Sale and Storage				C	C		
Manufacturing							
Medical Offices and Clinics				P	P	P	P
Mineral Extraction Storage and Processing							
Mobile Home Court					C	C	C
Nurseries and Garden Supplies Stores				C	C		
Nursing Homes				C	C		
Personal Services				P	P		
Pet Shops and Animal Grooming				C	C		
Private Business or Family Gathering Facility	C						
Private Landing Strips and Heliports	C						
Private Schools				C	C		
Public Service Facilities	C	C	C	C	C	C	C
Public Offices and Public Buildings	P	P	P	P	P	P	P
Public Recreation Facilities	P	P	P	P	P	P	P
Religious Places of Worship	C	C	C	C	P		
Retail Business				P	P		
Restaurants				P	P		

1127.10 A-R Agriculture/Residential District

1127.11 Intent

The intent of this district is to provide rural land for single-family residences and farms, with uses customarily associated with both. It is intended to be utilized in rural areas that are already developed, of marginal agricultural value, or adjacent to communities. The minimum lot dimensions are intended to reflect the requirements of on-site sewage.

1127.12 Principal Permitted Uses

- A. Agriculture
- B. Dwellings, Single-Family
- C. Public Offices and Public Building
- D. Public Recreation Facilities

1127.13 Conditional Uses

A building or premises may be used for the following purposes in the A-R Agriculture/ Residential District if a Conditional Use Permit for the use has been obtained in conformance with the provisions of these Regulations - Conditional Use Permit.

- A. Animal Hospitals/Clinics
- B. Bed & Breakfast Inns
- C. Cemetery
- D. Day Care Facility
- E. Group Homes
- F. Home Occupations
- G. Private Landing Strips and Heliports
- H. Public Service Facilities
- I. Religious Places of Worship
- J. Private Business or Family Gathering Facility
- K. Small Solar Energy Systems as Provided for in Section 1129.34 of this Zoning Resolution

1127.14 Area Regulations

The width, area, and setback regulations within the A-R Agriculture/Residential District shall be as follows:

General Requirements:

Minimum Lot Area	2.0 acres
Minimum Lot Width	200 feet
Minimum Front Yard Setback	80 feet
Minimum Side Yard Setback	20 feet
Minimum Rear Yard Setback	30 feet
Maximum Lot Coverage	20%
Minimum Square Feet for Dwellings	1200 s.f. (1500 s.f. min. other than 1 story)

1127.20 R-1 Residential District

1127.21 Intent

The intent of this district is to provide property exclusively for single-family dwellings plus the public and private facilities serving residents of the area. It is intended to be utilized in non-agricultural areas with central sewers. The minimum lot dimensions are intended to promote the preservation of property values.

1127.22 Principal Permitted Uses

- A. Dwellings, Single-Family
- B. Group Homes
- C. Public Offices and Public Buildings
- D. Public Recreation Facilities

1127.23 Conditional Uses

A building or premises may be used for the following purposes in the R-1 Low Density Residential District if a Conditional Use Permit for the use has been obtained in conformance with the provisions of these Regulations - Conditional Use Permits.

- A. Agriculture
- B. Bed & Breakfast Inns
- C. Day Care Facility
- D. Dwellings, Two-Family
- E. Home Occupations
- F. Public Service Facilities
- G. Religious Places of Worship
- H. Wholesale Business
- I. Small Solar Energy System, Roof Mounted Only, as provided for in Section 1129.34 of this Zoning Resolution

1127.24 Area Regulations

The width, area, and setback regulations within the R-1 Low-Density Residential District shall be as follows:

General Requirements:

Minimum Lot Area	20,000 sq. ft. with central sewer or 1 acre without
Minimum Lot Width	125 feet
Minimum Front Yard Setback	50 feet with central sewer 80 feet without central sewer
Minimum Side Yard Setback	20 feet
Minimum Rear Yard Setback	30 feet principal, 20 feet accessory

1127.30 R-1A Single-Family Residential District

1127.31 Intent

The intent of this district is to provide medium-density, single-family dwellings, plus those public and private facilities serving the residents of the area. It is intended to be utilized in areas with central sewers

1127.32 Principal Permitted Uses

- A. Dwellings, Single-Family
- B. Group Homes
- C. Public Offices and Public Buildings
- D. Public Recreation Facilities

1127.33 Conditional Uses

A building or premises may be used for the following purposes in the R-1A Single-Family Residential District if a Conditional Use Permit for the use has been obtained in conformance with the provisions of these Regulations - Conditional Use Permits.

- A. Agriculture
- B. Bed & Breakfast Inns
- C. Day Care Facility
- D. Dwellings, Two-Family
- E. Home Occupations
- F. Public Service Facilities
- G. Religious Places of Worship
- H. Wholesale Business
- I. Small Solar Energy System, Roof Mounted Only, as provided for in Section 1129.34 of this Zoning Resolution

1127.34 Area Regulations

The width, area, and setback regulations within the R-1A Single-Family Residential District shall be as follows:

General Requirements:

Minimum Lot Area	8,450 square feet
Minimum Lot Width	65 feet
Minimum Front Yard Setback	20 feet
Minimum Side Yard Setback	10 feet
Minimum Rear Yard Setback	20 feet
Maximum Height	35 feet
Minimum Floor Area	1,200 square feet
	1,500 square feet (other than one story)

1127.40 C Commercial District

1127.41 Intent

The intent of this district is to provide property to meet the retail and other commercial needs of Union Township. It is intended to be utilized in areas along major roads with good access. The minimum lot dimensions are intended to provide adequate room for fire separation, fire-fighting clearance, off-street parking, and on-site drainage retention.

1127.42 Principal Permitted Uses

- A. Agriculture
- B. Animal Hospitals/Clinics
- C. Automotive Filling Stations Sales, Service Station, and Washing Facilities
- D. Building and Related Trades
- E. Business, Professional, and Administrative Offices
- F. Clubs
- G. Convenience Store
- H. Day Care Facility
- I. Financial Establishments
- J. Funeral Homes
- K. General Merchandise Stores
- L. Medical Offices and Clinics
- M. Personal Services
- N. Public Offices and Public Buildings
- O. Public Recreation Facilities
- P. Retail Business
- Q. Restaurants
- R. Wholesale Business

1127.43 Conditional Uses

A building or premises may be used for the following purposes in the C Commercial General Business District if a Conditional Use Permit for the use has been obtained in conformance with the provisions of these Regulations - Conditional Use Permits.

- A. Adult Entertainment Facilities
- B. Automotive Repair, Painting, and Body Shops
- C. Bars, Taverns, Nightclubs
- D. Carryout
- E. Commercial Entertainment Facilities
- F. Commercial Outdoor Recreation Facilities
- G. Community-Oriented Residential Social Service Facility
- H. Drive-In Commercial Uses
- I. Dwellings; Efficiency Apartment
- J. Dwellings, Two-Family

1127.50 C-1 Light Commercial District

1127.51 Intent

This district is intended to provide an integrated collection of structures and uses designed to supply a majority of the daily needs of Township residents.

1127.52 Principal Permitted Uses

- A. Animal Hospitals/Clinics
- B. Automotive Filling Stations Sales, Service Station, and Washing Facilities
- C. Business, Professional, and Administrative Offices
- D. Clubs
- E. Convenience Store
- F. Day Care Facility
- G. Financial Establishments
- H. Funeral Homes
- I. General Merchandise Stores
- J. Medical Offices and Clinics
- K. Personal Services
- L. Public Offices and Public Buildings
- M. Public Recreation Facilities
- N. Religious Places of Worship
- O. Retail Business
- P. Restaurants
- Q. Wholesale Business

1127.53 Conditional Uses

A building or premises may be used for the following purposes in the C-1 Commercial District if a Conditional Use Permit for the use has been obtained in conformance with the provisions of these Regulations - Conditional Use Permits.

- A. Agriculture
- B. Adult Entertainment Facilities
- C. Automotive Repair, Painting, and Body Shops
- D. Bars, Taverns, Nightclubs
- E. Building and Related Trades
- F. Carryout
- G. Commercial Entertainment Facilities
- H. Commercial Outdoor Recreation Facilities
- I. Community-Oriented Residential Social Service Facility
- J. Drive-In Commercial Uses
- K. Dwellings; Efficiency Apartment
- L. Dwellings; Single-Family
- M. Dwellings, Two-Family

1127.55 Cross References

Supplemental District Regulations, 1129.00	53-107
Conditional Uses; Substantially Similar Uses, 1131.00	108-112
Off-Street Parking and Loading Facilities, 1135.00	117-126
Signage, 1137.00.....	127-134
Zoning Permit Requirements and Enforcement, 1145.00.....	149-154

1127.64 Area Regulations

The width, area, and setback regulations within the I Industrial District shall be as follows:

General Requirements for all Permitted Uses:

Minimum Lot Area	1 acre
Minimum Lot Width	200 feet
Minimum Front Yard Setback	100 feet
Minimum Side Yard Setback	20 feet
Minimum Rear Yard Setback	40 feet principal, 20 feet accessory
Maximum Lot Coverage	50%

1127.65 Cross References

Supplemental District Regulations, 1129.00	53-107
Conditional Uses; Substantially Similar Uses, 1131.00	108-112
Off-Street Parking and Loading Facilities, 1135.00	117-126
Signage, 1137.00.....	127-134
Zoning Permit Requirements and Enforcement, 1145.00.....	149-154

1127.74 Area Regulations

The width, area, and setback regulations within the I-1 Industrial District shall be as follows:

General Requirements for all Permitted Uses:

Minimum Lot Area	12,000 feet
Minimum Lot Width	100 feet
Minimum Front Yard Setback	40 feet
Minimum Side Yard Setback	20 feet*
Minimum Rear Yard Setback	20 feet*
Maximum Height	35 feet
* Except when abutting an R-District, it must be 50 feet.	

1127.75 Cross References

Supplemental District Regulations, 1129.00	53-107
Conditional Uses; Substantially Similar Uses, 1131.00	108-112
Off-Street Parking and Loading Facilities, 1135.00	117-126
Signage, 1137.00.....	127-134
Zoning Permit Requirements and Enforcement, 1145.00.....	149-154

1129.00

Supplemental District Regulations

1129.01	Intent	54
1129.02	Accessory Structures Uses	54
1129.03	Satellite Dish Antenna Regulations	54-55
1129.04	Radio and Television Antenna Regulations.....	55-56
1129.05	Buffer and Transition Between Residential/Commercial and Residential/Industrial Zoned Properties.....	56-57
1129.06	Principal Building Per Lot	58
1129.07	Parking and Storage of Vehicles and Trailers.....	58
1129.08	Required Refuse Collection Areas.....	58
1129.09	Fences	58
1129.10	Projections into Required Yards	59
1129.11	Visibility at Intersections	59
1129.12	Temporary Uses	59-60
1129.13	Swimming Pools	60
1129.14	Home Occupations.....	61
1129.15	Environmental Performance Standards.....	61-64
1129.16	Residential Design and Appearance Standards.....	64
1129.17	Adult Entertainment Facilities	64-69
1129.18	Bed and Breakfast Inns	69-70
1129.19	Automobile Washing Facilities.....	70-71
1129.20	Junk.....	71-72
1129.21	Billboards.....	72-73
1129.22	Landfills	73-76
1129.23	Transfer Stations	76-79
1129.24	Composting.....	80-81
1129.25	Mineral and Soil Extraction	81-85
1129.26	Ponds.....	85-86
1129.27	Flood Plain Controls	86
1129.28	Erosion Control/Landscaping Requirements	86
1129.29	Private Business or Family Gathering Facility	87
1129.30	Small Wind Energy Project Regulation	87-94
1129.31	Outdoor Woodburning Furnaces	94-96
1129.32	Manufactured Homes on Individual Parcels (Lots)	96
1129.33	Wireless Telecommunications Facilities	96-107
1129.34	Solar Energy Systems	108-111
1129.35	Portable Storage Containers.....	111-112

1129.00 SUPPLEMENTAL DISTRICT REGULATIONS

1129.01 Intent

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

1129.02 Accessory Structures Uses

- A. It is the purpose of this Zoning Code to regulate accessory structures in order to promote public health, safety, and welfare. It is the intent of these Sections to permit such uses to be established and maintained in a manner which makes them compatible with principal uses and harmonious with uses upon adjacent properties.
- B. Except as otherwise provided in this Zoning Code, an accessory use or structure shall be permitted in association with a principal use or structure provided that:
 - 1. It shall be 50% or less of the gross floor area of the principal structure except in the A-R Agriculture/Residential zone and lots of 5 acres or more.
 - 2. It shall not contain or be used as a dwelling unit.
 - 3. It shall not exceed height of the primary structure except in the A-R Agriculture/Residential zone where there is not a height restriction.
 - 4. It shall meet all yard requirements of the principal use except the structure shall be no closer than 10 feet to the side and rear lot lines, not placed on a recorded easement, and no closer than 10 feet to the principal structure.
- C. All accessory structures require a Zoning Permit.

1129.03 Satellite Dish Antenna Regulations

Satellite dish antennas shall be permitted as an accessory structure in all zone districts, and are subject to requirements as follows:

- A. Ground-mounted satellite dishes installed in residential districts shall be limited to rear yard areas of the rearward portion of the lot or parcel.
- B. Setbacks for all satellite dish installations shall be a minimum of 10 feet from any property line, a minimum of 15 feet from public rights-of-way, and of a sufficient safe distance from all overhead and/or underground power lines as determined by the Zoning Inspector.

- E. All antenna systems shall be properly grounded, resistant to lightning strikes, and meet all Electrical Code requirements.
- F. All antenna systems shall be noncorrosive, designed, engineered, and permanently installed to withstand wind and snow loads specified by the Ohio Basic Building Code.
- G. A Zoning Permit shall be required prior to installation of any antenna system. Installation instructions, sketches, site plans, or other documents shall be submitted in accordance with the Zoning Inspector's requirements, for the purpose of verification of each of the provisions of this Section.

1129.05 Buffer and Transition Between Residential/Commercial and Residential/Industrial Zoned Properties

- A. Under those circumstances where the development of either a single-family residential project is proposed to occur adjacent to or abutting property zoned and/or used for industrial or commercial purposes, or in the case where an industrial or commercial project is proposed to occur adjacent to or abutting property zoned or used for single-family residential purposes, the owner or developer of the project must undertake improvements to provide for the creation of a suitable transition and buffer between the noncompatible uses. The purpose of the buffer is to obscure noncompatible uses and diminish the impact that the industrial or commercial activity may have on the environment found in the single-family residential area. It is intended to protect the interest of the existing or future occupant of the residential area. This requirement would only be triggered when new development occurs; it does not apply to existing conditions.
- B. The following provisions shall apply with respect to screening:
 - 1. Screening shall be provided for one or more of the following purposes:
 - a. A visual barrier to partially or completely obstruct the view of structures or activities.
 - b. An acoustic screen to aid in absorbing or deflecting noise.
 - c. A physical barrier to contain debris and litter.
 - 2. Screening may consist of one of the following, or a combination of two or more, as determined by the Zoning Inspector, or BZA, in the event of an appeal, variance, or conditional use:
 - a. A solid masonry wall.
 - b. A solidly constructed decorative fence.
 - c. A louvered fence.
 - d. A dense vegetative planting.
 - e. Landscaped mounding.

1129.06 Principal Building Per Lot

Only one principal building shall be permitted on each lot in any zoning district, subject to the provisions established in each district. However, in all districts permitting enclosed light or heavy industrial uses, it is permissible to erect more than one principal building devoted to such industrial use on the same lot.

1129.07 Parking and Storage of Vehicles and Trailers

No commercial vehicles, including commercial tractors, trucks over 1 ton, buses, manufactured homes, and semi-trailers, shall be parked or stored on any property within a residential zoning district other than in a completely enclosed building, except those commercial vehicles conveying the necessary tools, materials, and equipment to a premises where labor using such tools, materials, and equipment is to be performed during the actual time of parking. All automotive vehicles or trailers of any type must be operable with current license plates or shall be parked or stored in an area completely screened from public streets or adjoining property.

1129.08 Required Refuse Collection Areas

The refuse collection areas provided by all multi-family residential, commercial, and industrial uses for the collection of trash, garbage, and other refuse shall be enclosed on three sides by a solid wall, fence, or shrubbery of at least 4 feet in height, unless within an enclosed building or structure. Provisions shall be made for regular and adequate vehicular access to such areas for collection purposes, as determined necessary by the Zoning Inspector. Storage areas of proper density in residential districts shall utilize such additional screening as required in this Zoning Code.

1129.09 Fences

- A. Fences constructed within a rear and side yard shall not be higher than 6 feet.
- B. No fence, wall, or hedge shall rise over 36 inches in height on any required front yard. No fence, wall, or hedge planting shall interfere with visibility from a driveway or public right-of-way. The Zoning Inspector is hereby empowered to cause all obstructions to be removed in the interest of public safety.
- C. All support structures shall face to the inside.
- D. It shall be the property owner's responsibility to ensure that all fences shall be erected within the property.
- E. Fences are not permitted in utility easements.

written permission of the property owners, and shall be prominently displayed at the site. The Zoning Inspector shall not issue a permit for such temporary use if he determines that it encroaches upon more than 25% of the required parking area.

- D. Temporary retail sales and services, such as the sale of plants, flowers, arts and crafts, farm produce, or similar items on lots other than parking lots, including any lot on which an existing business is operating or on which a business is vacated, may be permitted for any for-profit individuals or organizations in any commercial district. A Temporary Use Permit valid for a period not to exceed 2 consecutive days shall only be issued three separate times for any particular lot within any 12-month period, and not more than one permit may be issued at the same time for any lot. The applicant must submit a current vendor's license or transient vendor's license, and a written statement from the property owner giving permission for such use. In any case, the Temporary Use Permit shall be prominently displayed at the site.
- E. Garage sales, which for the purposes of this section shall include yard sales, barn sales, and similar activities, may be permitted within any district in which dwellings are permitted. Any individual or family may conduct two such sales within any 12-month period upon the property at which he or they reside for a period not to exceed 3 consecutive days without obtaining a Temporary Use Permit, so long as the provisions of this Zoning Code pertaining to signs and parking are observed. Garage sale permits shall only be issued to groups of families, neighborhood organizations, and community organizations two times within any 12-month period and shall not exceed a period of 3 consecutive days, so long as the provisions of this Zoning Code pertaining to signs and parking are observed.

1129.13 Swimming Pools

Swimming pools in excess of 30 inches in depth shall comply with the following requirements:

- A. The swimming pool is intended to be used and is used solely for the enjoyment of the occupants of the property on which it is located and their guests.
- B. The swimming pool may be located anywhere on the premises except in required front yards, provided that it shall not be located closer than 10 feet to any property line or easement and/or directly under any type of electrical wiring.
- C. The swimming pool, or the entire property upon which it is located, shall be walled or fenced in such a manner as to prevent uncontrolled access by children from the street and from adjacent properties. Fence shall be at least 6 feet in height, and it shall be maintained in good condition with a self-closing, latching gate and lock. Above-ground pools that have integral fences or railings and have a swing up securing/locking ladder is acceptable in lieu of fence. A swimming pool with an installed automatic rigid cover complying with industry standards ASTM F1346 shall not be required to comply with the fencing requirements contained within this paragraph.
- D. All swimming pools require a Zoning Permit.

land, structure or building. Any change in the principal use of land, structure or building shall constitute a discontinuance and be fully subject to these standards and provisions.

B. Noise

No activity on private property shall emit noise in excess of sound levels indicated in the table below. Sound levels shall be determined by the use of a sound level meter designed to give measurements designated as dBA or dB(A). Measurements may be taken, at the discretion of the Zoning Inspector, at the property line or anywhere beyond the property line of the source property. The maximum noise levels will be established by the receiving property or zoning district regardless of the proximity of the source property to it. The source property need not be contiguous to the receiving property.

Maximum Permitted Sound Levels

Source Property		Receiving Property		
Noise Source	Time	Agriculture/ Residential	Commercial	Industrial
Agriculture/Residential	Daytime ¹	55 dBA	55 dBA	55 dBA
	Nighttime ²	50 dBA	50 dBA	50 dBA
Commercial	Daytime ¹	55 dBA	60 dBA	60 dBA
	Nighttime ²	50 dBA	50 dBA	50 dBA
Industrial	Daytime ¹	55 dBA	60 dBA	70 dBA
	Nighttime ²	50 dBA	50 dBA	60 dBA

¹ Daytime shall be considered as the hours between 7:00 a.m. and 10:00 p.m.

² Nighttime shall be considered as the hours between 10:00 p.m. and 7:00 a.m.

C. Exemptions

The following noise levels shall be exempt from the noise provisions during the daytime only:

1. Firearms on authorized ranges.
2. Legal blasting.
3. Temporary construction activity and equipment.
4. Installation of utilities.
5. Lawn mowers, chain saws and garden equipment.

The following noise sources shall be exempt from the noise provisions at all times:

1. Aircraft.
2. Railroads.
3. Emergency vehicles and equipment.
4. Warning devices operating continuously for not more than 5 minutes.
5. Bells, chimes or carillons operating continuously for not more than 5 minutes per hour.

J. Erosion

No erosion, by either wind or water or other liquid shall be permitted which will carry substances onto neighboring properties or rights-of-way. Erosion control methods shall be implemented on all sites where the existing ground surface is altered or disturbed. All such work shall comply with all local, state, and federal erosion control regulations or standards.

1129.16 Residential Design and Appearance Standards

Single-Family, Two-Family, and Multi-Family residential dwellings and accessory buildings when located in a residential zone whether of modular or site-built construction, shall comply with the following design and appearance standards:

- A. The structure is affixed to a permanent foundation and is connected to appropriate utilities. All dwellings hereafter erected including all modular homes and all mobile homes outside mobile home parks shall have a continuous masonry foundation extending from ground level to the bottom-most portion of the first floor;
- B. The structure, excluding any addition, has a minimum width of 22 feet, a minimum length of 22 feet, and a minimum floor area of 1200 square feet;
- C. The structure has a minimum roof pitch of 3:12, conventional residential siding, and a minimum 6 inch eave overhang, including appropriate guttering;

1129.17 Adult Entertainment Facilities

A. Intent

This Section is based upon the Union Township's recognition of certain possible adverse secondary effects of adult entertainment facilities and thereby protects the health, safety, and welfare of the citizens; protects the citizens from increased crime; preserves the quality of life; preserves the property values and the character of surrounding neighborhoods and businesses; deters the spread of urban blight and protects against the threat to health from the spread of communicable and social diseases.

B. Definitions

Specific words and terms as used in this Section are defined as follows:

- 1. Adult bookstore, adult novelty store, or adult video store means an establishment, from which minors are excluded, having as a substantial or significant portion of its stock for trade, sale, or rental of the following:
 - a. Books, magazines, other periodicals or printed material, photograph films, motion pictures, films, video cassettes, slides, computer media, or other visual

6. Adult motel means a motel, hotel, or similar commercial establishment which:
 - a. Offers public accommodations, for any form of consideration, which provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by depiction or description of "specified sexual activities" or "specified anatomical areas" and which advertise the availability of this sexually-oriented type of material by means of a sign visible from a public right-of-way, or by means of any off-premises advertising including but not limited to, newspapers, magazines, pamphlets, or leaflets, radios, or televisions; or
 - b. Offers a sleeping room for rent for a period of less than ten hours; or
 - c. Allows a tenant or occupant to sub-rent the sleeping room for a time period of less than ten hours.
7. Adult mini-motion picture theater means an enclosed building with a capacity of less than fifty 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.
8. Adult motion picture theater means an enclosed building with a capacity of fifty 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.
9. Mainstream performance house means a theater, concert hall, auditorium, or similar establishment, which regularly features movies or live performances such as plays or concerts which are not distinguished or characterized by an emphasis on the depiction, description, or display or the featuring of "specified anatomical areas" or "specified sexual activities" and where such depiction, if any, is only incidental to the primary purpose of any performance.
10. Nude model studio means a place where a person, who regularly appears in a state of nudity or displays "specified anatomical areas" is provided for money or any form of consideration to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons.
11. Nude or state of nudity means the showing, representation, or depiction of human male or female genitals, bare buttocks, anus, or the areola or nipple of the female breast with less than full, opaque covering of any portion thereof below the top of the nipple or of uncovered male genitals in a discernibly turgid state.

6. All building openings, entries, windows, etc., for adult uses shall be located, covered, or surfaced in such a manner as to prevent a view into the interior from any public or semi-public area, sidewalk, or street. For new construction, the building shall be oriented so as to minimize any possibility of viewing the interior from public or semi-public areas.
7. In granting any such conditional use, the BZA may prescribe any conditions that it deems necessary in the public interest. However, no conditional use shall be approved by the BZA unless it finds that the use for which such approval is sought, is not likely to be dangerous or detrimental to nearby properties, that the use will not be contrary to any program of conservation, or improvement, either residential or nonresidential, or be contrary to the public safety, and general welfare of Union Township.
8. The measure of distances for purposes of this Section shall be from property line to property line along the shortest possible course, regardless of any customary or common route or path of travel, i.e., "as the crow flies".
9. Nothing contained in this Code shall apply to the premises of any mainstream performance house or museum.
10. Any establishment offering live dancing performances shall adhere to the following regulations:
 - a. The dancing performances shall be confined to a clearly defined stage or platform area that is elevated at least two feet above the normal floor elevation of the establishment.
 - b. There shall be a clearly defined and delineated three-foot "buffer" area or space between the aforesaid stage or platform and any area of the establishment in which customers are customarily seated and/or served.
 - c. Said "buffer" zone shall be clearly and permanently delineated by rail, rope, enclosure, or other similar means.
 - d. All dancing or entertainment shall be confined to the stage or platform area as defined herein.
 - e. At no time during the performance shall the patrons or the entertainers be permitted to encroach on the aforesaid "buffer" zone.
 - f. The entertainers and patrons are prohibited from commingling with or touching one another while the entertainers are on stage or platform.

D. Savings Clause

- J. The plans for the proposed Bed and Breakfast Inn shall be reviewed by the Fire Chief, and a Zoning Permit shall not be issued by the Zoning Inspector until the Fire Chief has inspected the Bed and Breakfast Inn.
- K. The applicant shall submit the proposed Bed and Breakfast Inn to the Auglaize County Health Department for review.
- L. Other appropriate conditions may be prescribed by the BZA on an individual basis.

1129.19 Automobile Washing Facilities

- A. All washing activities shall be carried on within a building.
- B. The minimum lot size shall be 15,000 square feet, with no less than 100 feet of frontage.
- C. Automobile washing structures shall be located at least 50 feet from any adjoining residential property and shall be no closer than ten feet from side property lines.
- D. Vacuuming or steam cleaning equipment may be located outside a building, but shall not be placed closer than 50 feet to any adjacent residential property and at least 20 feet from a public right-of-way.
- E. Water or residue from the washing process shall not be allowed to drain from the site containing such establishment.
- F. All parking and access drives shall be hard-surfaced and dust-free.
- G. The following waiting and parking requirements shall be minimum requirements:
 - 1. A minimum of six off-street waiting spaces shall be provided for every bay of a self-service washing facility, and a minimum of ten off-street waiting spaces shall be provided for every bay with automatic or assembly-line type washing facilities. Waiting spaces shall not block or otherwise interfere with site circulation patterns.
 - 2. A minimum of two parking spaces shall be provided at the exit end of each washing bay for drying and hand finishing of vehicles.
 - 3. One parking space for each regular employee of the premises with a minimum of two employee parking spaces for the site.
- H. A solid fence, wall, or evergreen shrubbery at least 6 feet in height shall be required when an automobile washing facility is adjacent to a Residential or Agriculture District, or adjacent to any residential property. (See Section 1129.05 Buffer and Transition Between Residential/Commercial and Residential/Industrial Zoned Properties).
- I. Access shall only be from arterial or commercial collector streets to which the automobile washing facility shall adjoin. Alleys shall not be used for access to or from an

E. Removal of Junk Vehicles

No junk vehicle shall remain stored or parked in violation of this section after receipt of a notice of violation.

1129.21 Billboards

A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than on the lot where displayed on only incidentally on such lot. All billboards require a Zoning Permit. (See Illustration – Exhibit H.)

A. Required Conformance

All billboards within Union Township shall be in accordance with the provisions of this Section.

B. Permitted Locations

Billboards may be erected on free-standing structures and on any side or rear building wall only in the A-R Agriculture/Residential District.

C. Number of Faces

Free-standing billboards can be double-faced and each side shall be considered as facing traffic flowing in the opposite direction.

D. Maximum Height

The top of a free-standing billboard shall not extend more than 25 feet above the grade of the street.

E. Required Spacing

No billboard shall be located closer than 1500 feet to another billboard facing traffic flowing in the same direction.

F. Maximum Sign Area

The maximum sign area permitted for a free-standing billboard shall not exceed 250 square feet of total area. The maximum sign area for a wall billboard shall not exceed 10% of the wall area or 200 square feet of total area, whichever is less.

G. Structural Design

4. A plan for monitoring underground water contamination.
5. A transportation plan for the site illustrating any proposed external routes or access to the landfill site and any proposed internal circulation routes within the landfill site.
6. Proposed methods of control for insects, rodents, and other disease vectors.
7. Proposed methods of controlling odor, dust, and/or blowing debris such as paper.
8. Proposed methods for screening.
9. Proposed hours of operation.
10. The location and size of proposed shelters for landfill personnel and equipment.
11. A proposed plan for future use of the site.

C. Permit To Install Required

All proposed landfill operations shall be required to secure a "Permit to Install" from the OEPA prior to the Conditional Use Permit becoming effective.

D. Screening

The site shall contain mounding or screening adequate to obscure the view of the landfilling operation from any public street, existing dwelling unit, or any residentially-zoned property.

E. Water Pollution

The site shall be limited to areas where surface or underground water pollution will not occur.

F. Access From Residential Areas

The site shall not be accessible from any established residential area.

G. Odor Control

The site shall be so located and operated as to minimize the effects of winds carrying objectionable odors to urbanized or urbanizing areas.

H. Attendant Required

1. The full legal and corporate name of the site operator to include any other names used by said site operator within the past 5 years, and the names of all the officers of the said proposed operator and include detailed resumes of same indicating prior experience or expertise in the operation of a hazardous waste storage-burial facility.
2. A detailed listing of the specific types of hazardous waste to be stored on site to include chemical and generic designation and known effects on flora and fauna of same.
3. A complete fire and population evacuation plan for all areas within 5 miles of the site center.
4. A complete geologic and hydrologic study of the site showing site barrier control sufficient to prevent all off-site leachate transmission and ensure protection of all water supplies.
5. Operator shall submit the name of its waste transport company to include the type of vehicles to be used to transport the hazardous waste and the training of the driver-operators.
6. Operator shall submit a plan for the control of malodorous airborne pollutants so that no such odors are transported off-site.
7. Operator/applicant shall present proof to the Board of Licensure for Hazardous Waste Storage under Section 3734.03 of the Ohio Revised Code prior to issuance of any Conditional Use Permit by the BZA.
8. Operator/applicant shall present proof of bond or surety to the sum set by Zoning Board of Appeals subject to the approval of the Union Township Trustees. Proof of bond shall be required prior to the grant of a Conditional Use Permit for hazardous waste storage in Union Township.

P. Inspections and Enforcement

The Zoning Inspector or a Auglaize County Health Department employee may visit the site at any time and may have cause for a cease and desist order if the owner and/or operator of a landfill is in violation of any of the above sections or any other conditions imposed by the BZA.

1129.23 Transfer Stations

A. Required Conditions

Transfer Stations may be permitted, with all operations performed inside an enclosed building, as a conditional use upon submission of satisfactory proof that such operations will not be detrimental to surrounding properties or to the environment. Compliance with

The site shall contain mounding or screening adequate to obscure the view of the transfer station operation from any public street, existing dwelling unit, or any residentially zoned property.

E. Water Pollution

The site shall be limited to areas where surface or underground water pollution will not occur.

F. Access From Residential Areas

The site shall not be accessible from any established residential area.

G. Odor Control

The site shall be so located and operated as to minimize the effects of winds carrying objectionable odors to urbanized or urbanizing areas.

H. Attendant Required

An attendant shall be on duty during the time the transfer station site is open to supervise the unloading of refuse.

1129.24 Composting

A. Required Conditions

Composting may be permitted as a conditional use upon submission of satisfactory proof that such operations will not be detrimental to surrounding properties or to the environment. Compliance with the requirements contained in this Section inclusive shall be guaranteed by the applicant prior to the issuance of a Conditional Use Permit.

B. Application Requirements

All Conditional Use Permit applications for composting within Union Township shall be accompanied by the following information, at a minimum:

1. Proposed methods of control for insects, rodents, and other disease vectors.
2. Proposed methods of controlling odor, dust, and/or blowing debris.
3. Proposed methods for screening.

C. Screening

The site shall contain mounding or screening adequate to obscure the view of the composting operation from any public street, existing dwelling unit, or any residentially zoned property.

D. Odor Control

The site shall be so located and operated as to minimize the effects of winds carrying objectionable odors to urbanized or urbanizing areas.

E. Control Of Blowing Debris

Blowing debris shall be controlled by providing a portable fence near the working area. The fence and area shall be policed daily.

F. Vector Control

Conditions unfavorable for the production of insects, rodents, and other disease vectors shall be maintained by carrying out routine composting operations promptly in a systematic manner.

5. The location, description, and size of the areas to be excavated during the first year as well as an estimate of the total anticipated area of excavation.
 6. A list of the types of resources or minerals to be extracted.
 7. The proposed method of removal of such resources and whether or not blasting and other uses of explosives if required (storage of explosives is forbidden anywhere in Union Township).
 8. A study of the anticipated depth of excavations and probable effect to the existing water table, conducted by a qualified professional engineer who is registered in the State of Ohio. If the water is to be effected, the operator shall provide proof, before permission for excavation is given, the source of any public or private water supply shall not be adversely affected due to a lowering of the water table or contamination of the supply.
 9. The location of any processing plant to be used, and any accessory of kindred operations that may be utilized in connection with the operation of a processing plant by the mining processor or any other firm, person, or corporation.
 10. A general description of the equipment to be used for excavating processing, and/or transporting excavated mineral resources.
 11. A transportation plan for the site illustrating any proposed external routes of access to the site and any proposed internal circulation routes within the site.
 12. A plan for the rehabilitation and reclamation of the excavated area as specified in this Section; and any other information the BZA may deem necessary in order to determine if the proposed extraction operation will not be detrimental to surrounding land uses and the community in general.
- D. All proposed mineral extraction operations shall require a permit for such activities from the Chief of the Division of Reclamation, Ohio Department of Natural Resources prior to the issuance of a Conditional Use Permit.
- E. A description of adequate operational controls shall be used to minimize the creation of detrimental ground vibrations, sound, pressure, smoke, noise, odors, or dust which would injure or be a nuisance to any persons living or working in the vicinity.
- F. The location of any storage or processing activities upon the site shall be subject to approval by the BZA because of possible detrimental external effects, such as air or water contamination. All such activities shall be naturally or artificially screened from any public street, existing dwelling unit, or any residentially-zoned property.
- G. Mineral extraction to a depth not exceeding 6 feet may be conducted to within 100 feet of any residential district, provided the operation is conducted over a temporary period not

- N. When any quarrying has been completed, such excavated area shall be left as a permanent spring fed lake, or the bottom floor thereof shall be leveled to prevent the collection and stagnation of water and to provide proper drainage without excessive erosion. Said floor shall be covered with soil of adequate thickness for the growing of turf or other ground cover.
- O. To guarantee the restoration, rehabilitation, and reclamation of mined-out areas, every applicant granted permission by the BZA to conduct a mineral extraction operation, as herein provided shall furnish a reclamation plan and performance bond to the Clerk of Union Township, Auglaize County, Ohio. The amount of the performance bond shall be based on an estimate of costs to meet the aforementioned requirements prepared by a professional civil engineer registered in the State of Ohio and submitted by the applicant. The amount of the performance bond shall be established by resolution of the Union Township Trustees depending upon the type and extent of restoration required. The performance bond shall be a guarantee that such applicant in restoring, reclaiming, and rehabilitating such land, shall be completed within a reasonable time and to the satisfaction of the BZA meet the requirements of this Section.
- P. The reclamation plan for the extracted area shall contain at a minimum the following information:
1. A map at a scale of 1 inch equals 100 feet showing the existing contours at intervals of 5 feet or less, any existing buildings or structures, and any public utilities or easements on the property.
 2. The depth of the proposed cover which shall be at least as great as the depth of the unusable overburden which existed at the commencement of operation, but which in no event need be more than 18 inches.
 3. The angle of slope of all earthen banks, which shall be no greater than 1 foot vertical to 3 feet horizontal. In areas where at the commencement of excavation a greater angle existed, the angle of slope shall be no greater than that which existed at the commencement of excavation.
 4. The angle of slope of all banks consisting of rock and the required cover.
 5. The location of fences or effective plantings in those locations where the BZA determines that such angles of slope are not physically or economically feasible to reduce.
 6. The number of trees and shrubs, and the type ground cover to be provided. The type and number per acre of trees, shrubs, ground cover, or legume to plant shall be determined in consultation with the Auglaize County Agricultural Extension Agent.
 7. The location of proposed ultimate land uses, and physical improvements such as roads, drives, and drainage courses, utilities and other improvements as determined in

- K. All pond setbacks shall be the same distances as the setbacks for the main residence in the district in which it is located. Setbacks shall be measured from the property line to the edge of the pond. The edge of the pond is the point where the grade approaching the pond changes either higher or lower than the original elevation for the area before pond construction began. If no grade change occurs, the edge of the water when the pond is filled to normal capacity shall determine the edge of the pond.
- L. All ponds require a Zoning Permit.

1129.27 Flood Plain Controls

- A. Those areas designated as flood plains by the Auglaize County Engineer shall be mapped and superimposed on the Zoning District Map to delineate the flood plain as it relates to each district it crosses.
- B. Structures where human habitation may be provided, for either a place of residence or employment, shall not be permitted on a flood plain.
- C. The following uses shall be permitted to occur within flood plains:
 - 1. Grade level parking on the open portion in any use district within which a flood plain is located, provided no structure is built thereon.
 - 2. A flood plain may be used for yards, parking areas, and for computing density in Residential Districts.
 - 3. Temporary uses may be permitted by the Zoning Commission in conformity with requirements relative to the granting of temporary permits, provided that a structure shall not be permitted on a flood plain.
 - 4. Any construction, filling, or excavation in the flood plain shall be reviewed by the Zoning Commission and when approved shall be so designed, constructed, and placed on the lot or parcel so as not to decrease the rate and volume of the flow of water and the storage volume of the entire flood plain, and be fixed to the site to withstand the force of flood waters.
 - 5. Topographic data, engineering studies, or other studies needed to determine the effects of flooding on a proposed filling or excavation or the effect of same on the flow of water shall be submitted by the applicant.

1129.28 Erosion Control/Landscaping Requirements

Within 1 year of the completion of any residential or commercial structure, the owner/occupant shall cause appropriate landscaping to be completed within the 1-acre area adjacent to and surrounding the structure.

An area surrounding the wind turbine unit into which the turbine, tower and/or turbine components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing turbine failure. The area shall remain confined within the property lines of the primary parcel where the turbine is located. The purpose of the zone being that, if the turbine should fall or otherwise become damaged, the falling structure will be confined to the primary parcel, will not fall onto dwellings or accessory buildings, and will not intrude onto a neighboring property.

2. Megawatt

Unit of power equal to one million watts.

3. Met Tower

A tower, including any anchor, base, base plate, boom, cable, electrical or electronic equipment, guy wire, hardware, indicator, instrument, telemetry device, vane, or wiring, that is used to collect or transmit meteorological data, including wind speed and wind flow information, in order to monitor or characterize wind resources at or near a small wind energy project.

4. Equipment Owner or Owner

The person or entity that owns a small wind energy project or met tower.

5. Participating Landowner

The owner of the property on which a small wind energy project is built.

6. Non-participating Landowner

An owner of property on which a small wind energy project is not being built.

7. Rotor Diameter

The cross sectional dimension of the circle swept by the rotating blades.

8. Small Wind Energy Project

A wind energy project that has a capacity of more than 2 kilowatts and less than 5 megawatts, including the wind turbine generator or anemometer or any parts thereof and is primarily used to generate energy for use on the property where it is located. If the wind energy project is affixed to a primary or accessory structure and not a tower then the project developer must provide definitive evidence that the existing structure has adequate capacity to support that additional weight, overturning moments and

2. Sound – The noise generated by the operation of a small wind energy project may not exceed 40 decibels measured from all adjacent non-participating landowners' property lines.
3. Blade Clearance - The vertical distance from ground level to the tip of a wind generator blade when the blade is at its lowest point shall be at least 30 feet.
4. Access - All ground-mounted electrical and control equipment must be labeled and secured to prevent unauthorized access. A tower may not have step bolts or a ladder within 16 feet of the ground that is readily accessible to the public.
5. Electrical Wires - All electrical wires associated with a small wind energy project, other than wires necessary to connect the wind generator to the tower wiring, the tower wiring to the disconnect junction box, and the grounding wires, must be located underground.
6. Lighting - A wind tower and generator shall be artificially lighted only if lighting is required by the Federal Aviation Administration or Ohio Department of Transportation.
7. Appearance, Color, and Finish - The wind generator and tower shall remain painted or finished. The color cannot be a distractive color which causes a safety issue.
8. Signs - No sign, other than a warning sign or installer, owner, participating landowner, or manufacturer identification sign, may be placed on any component of a small wind energy project.
9. Code Compliance - A small wind energy project, including tower, shall comply with all applicable State construction and electrical codes, and the National Electrical Code.
10. Signal Interference - The owner of a small wind energy project or met tower must take reasonable steps to prevent and eliminate any interference with the transmission and reception of electromagnetic communications, such as microwave, radio, telephone, or television signals.
11. Utility Interconnection - A small wind energy project that connects to the electric utility must comply with all pertinent provisions of the Ohio Revised Code.

E. Standards – Met Tower

A met tower is a conditional use in any district subject to the same standards as a small wind energy project set forth in this Section, except for the standards contained in Sections 534.D.2 and 534.D.3 in these Standards - Small Wind Energy Project.

7. The Conditional Use permit application for a small wind energy project shall include standard drawings and an engineering analysis and report of the system's tower and certification by a professional engineer.

G. Maintenance

Wind turbines shall be maintained in good working order.

1. The equipment owner shall, within 30 days of permanently ceasing operation of a met tower or small wind energy project, provide written Notice of Abandonment to the Zoning Enforcement Officer.
2. A small wind energy project or met tower that is out-of-service for a continuous 12 month period will be deemed to have been abandoned. The Zoning Enforcement Officer may issue a Notice of Abandonment to the equipment owner of the small wind energy project or met tower that is deemed to have been abandoned. The equipment owner shall have the right to respond to the Zoning Enforcement Officer's Notice of Abandonment within 30 days from the Notice date. The Zoning Enforcement Officer shall withdraw the Notice of Abandonment and notify the equipment owner that the Notice has been withdrawn if the owner provides verification that demonstrates that the small wind energy project or met tower has not been abandoned.
3. If the small wind energy project or met tower is determined to be abandoned or the Zoning Enforcement Officer receives a Notice of Abandonment from the equipment owner, the small wind energy project or met tower must be removed within 90 days of the Notice of Abandonment and the site must be reclaimed. "Reclamation" includes removal of all equipment and apparatuses, supports and/or other hardware associated with the existing wind turbine, including removal of the above mentioned items to a depth of three (3) feet below grade. If the owner fails to remove a small wind energy project or met tower and reclaim the site, the Township may remove or cause the removal of the small wind energy project or met tower and cause the site to be reclaimed. The cost of removal and reclamation shall become a lien upon the property and may be collected in the same manner as property taxes.

H. Conditional Use Permit Procedure

1. An Owner shall submit an application to the Zoning Enforcement Officer for a Conditional Use permit for a small wind energy project. The application shall be on a form approved by the Township and shall be accompanied by three (3) copies of the site plan identified in Section 1129.30.F.2.
2. The Board of Zoning Appeals shall authorize issuance of a permit or deny the application within the time provisions set out in the Zoning Ordinance.

This regulation does not abrogate, annul, impair, interfere with, or repeal any existing regulation.

L. Penalty

1. Any person who fails to comply with any provision of this regulation or a building permit issued pursuant to this regulation shall be subject to enforcement and penalties as stipulated in the Zoning Ordinance.
2. Nothing in this section shall be construed to prevent the Township from using any other lawful means to enforce this regulation.

1129.31 Outdoor Woodburning Furnaces

A. Purpose

1. It is generally recognized that the type of fuel used, and the scale and duration of burning by outdoor woodburning furnaces, creates noxious and hazardous smoke, soot, fumes, odors and air pollution, can be detrimental to citizens' health, and can deprive neighboring residents of the enjoyment of their property or premises. It is the intention of the Union Township Trustees to establish and impose restrictions upon the construction and operation of outdoor woodburning furnaces within the limits of the Township for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare and prosperity of the Township and its inhabitants.

B. Definitions

As used in this section, the following terms shall have the meanings indicated:

1. Outdoor Woodburning Furnace – An accessory structure, designed and intended, through the burning of wood, for the purpose of heating the principal structure or any other site, building, or structure on the premises.

- b. Should the outdoor woodburning furnace not be removed within the time specified, the Union Township Trustees shall take reasonable steps to effect its removal.
 - c. The costs incurred by the Township to effect said removal (including any attorneys fees incurred by the Township to effect the removal), plus an amount equal to 50% of said costs of removal, shall be charged to the owner of said premises. Said expense shall be paid by the owner of the property so affected within 30 days from the date said costs are presented to the owner. If said expense is not paid within said thirty-day time frame, then said expense shall be charged to the property so affected by including such expense in the next annual Township tax levy against the property.
4. No existing outdoor woodburning furnace which has been damaged by any reason to the extent of more than 75% of its assessed value shall be repaired or rebuilt.

1129.32 Manufactured Homes on Individual Parcels (Lots)

It is the intent of this ordinance that no Manufactured Home shall be permitted in any zoning district except those which exist in other districts prior to the enactment of this ordinance. Manufactured Homes which are in place on individual parcels (lots) at the enactment of this ordinance may continue, provided the following conditions are met:

- A. An existing Manufactured Home is a vehicle or mobile structure more than 40-feet long, on wheels, skids, rollers, or blocks, designed to be pulled, pushed, or carried by motor vehicle on a highway, and designed for living as a one-family dwelling, complete and ready for occupancy as such except for minor and incidental packing and assembly operations, location on permanent foundations, connections to utilities, and the like.
- B. An existing Manufactured Home may be replaced by a newer Manufactured Home of the same or larger size as long as the minimum zoning lot requirements of the district in which it is located are met.

If in so replacing the existing Manufactured Home, it is not physically possible to meet the minimum zoning lot requirements of this ordinance, the replacement will be permitted as long as the yard setbacks of the existing Manufactured Home being replaced are maintained. In no way shall the nonconforming yard setbacks be decreased.

- C. If an existing Manufactured Home is removed from said individual parcel (lot) for a period of 3 months or longer, the use of the parcel (lot) reverts to that for which that district is zoned, and no Manufactured Home will be permitted thereafter.

1129.33 Wireless Telecommunications Facilities

1. Antenna - Any panel, whip, dish, or other apparatus designed for communications through the sending and/or receiving of electromagnetic waves, excluding any support structure other than brackets.
2. Antenna Support Structure - Any building or other structure other than a tower which can be used for location of wireless telecommunications facilities.
3. Clear Fall Zone - An area surrounding the wireless telecommunication facility into which the tower and/or support structure components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing failure. The area shall remain confined within the property lines of the primary parcel where the facility is located. The purpose of the zone being that, if the facility should fall or otherwise become damaged, the falling structure will be confined to the primary parcel, will not fall onto dwellings or accessory buildings, and will not intrude onto a neighboring property.
4. Co-location - The use of a wireless telecommunications facility by more than one wireless telecommunications provider.
5. Emergency - A reasonably unforeseen occurrence with a potential to endanger personal safety or health, or cause substantial damage to property, that calls for immediate action.
6. Equipment Shelter- The structure in which the electronic receiving and relay equipment for a wireless telecommunications facility is housed.
7. FAA - The Federal Aviation Administration and any legally-appointed, designated, or elected agent or successor.
8. FCC - Federal Communications Commission and any legally-appointed, designated, or elected agent or successor.
9. Monopole - A support structure constructed to a single, self-supporting hollow metal tube securely anchored to a foundation.
10. Person - Any natural person, firm, partnership, association, corporation, or other legal entity, private or public, whether for profit or non-profit.
11. Tower - A self-supporting lattice, guyed, or monopole structure constructed from grade which supports wireless telecommunications facilities. The term tower shall not include amateur radio operator's equipment as licensed by the FCC.
12. Wireless Telecommunications Facility - Any cables, wires, lines, wave guides, antennas, and any other equipment or facilities associated with the transmission or reception of communications as authorized by the FCC which a person seeks to locate

8. Abandonment - All wireless telecommunications facilities shall be subject to the abandonment requirements set forth in this Section.
 9. Setback from Edge of Roof - Any wireless telecommunications facility and its appurtenances permitted on the roof of a building shall be set back 1 foot from the edge of the roof for each 1 foot in height of the wireless telecommunications facility. However this setback requirement shall not apply to antennas that are less than 2 inches in thickness mounted to the sides of antenna support structures and do not protrude more than 6 inches from the side of such an antenna support structure. This requirement is subject to change by the Township upon review of the photo simulation provided in compliance with this Section.
 10. Security Enclosure Required - All towers and equipment shelters shall be enclosed either completely or individually as determined by the Township. No fencing shall be permitted in a residential zone. The Township and co-locators shall have reasonable access. No fence shall be required on top of a building or other structure if access to the roof or top of the structure or building is secure.
 11. Existing Vegetation and Buffer Plantings - Existing vegetation (trees, shrubs, etc.) shall be preserved to the maximum extent possible. Buffer plantings shall be located around the perimeter of the security enclosure as deemed appropriate by the Township. An evergreen screen may be required around the perimeter of the property in lieu of such buffer plantings.
 12. Access Control and Emergency Contact - "No Trespassing" signs shall be posted around the wireless telecommunications facility, along with a telephone number of who to contact in the event of an emergency.
 13. The Owner shall provide for a "clear fall zone" that shall be maintained at all times the tower or support structure is standing. The "clear fall zone" along with the manufacturer's recommendations of such a zone, must be attached to the engineering report submitted as part of the application.
- E. Co-Location Requirements
1. Exemption from Proof of Co-Location Availability - Persons locating a wireless telecommunications facility on a publicly-owned property shall be exempted from the requirements herein regarding presentation of proof that co-location is not available. However, persons locating a wireless telecommunications facility on publicly-owned property shall continue to be subject to the requirements contained in this Section.
 2. Exemption from Certain Requirements - Persons locating a wireless telecommunications facility on a publicly-owned property identified by the Township to be suitable for such purposes shall be exempt from the requirements of this Section.

3. Conditional Use - The following wireless telecommunications facilities are permitted as a conditional use on a lot, subject to the following requirements:
 - a. Tower - A wireless telecommunications tower may be an Accessory Use to a public or institutional use within a residential zoning district, provided the BZA finds the following standards have been met:
 - 1) Minimum Lot Size for Principal Use - The minimum lot size for principal use for which the tower is accessory shall be 5 acres.
 - 2) Minimum Setback from Property Lines and Residential Structures – The minimum setbacks and yard requirements shall be as per this ordinance.
 - 3) Maximum Height - The height of such tower shall be subject to approval by the BZA and be the minimum height necessary.
 - 4) Equipment Shelter - The minimum setbacks, height limits, bulk requirements, and screening standards shall be established by the BZA during the conditional use process. Such shelter shall not be located aboveground in any required front or side yard.
 - b. Antenna - The BZA may approve the location of an antenna extending more than 20 feet above the roof of an existing building or structure.
 - 1) Attachment to Existing Building - An antenna for a wireless telecommunications facility may be attached to an existing residential building four or more stories in height or to an existing nonresidential structure subject to the following conditions:
 - I. Roof Setback - The pole structure supporting such antenna shall be set back 1 foot from the edge of such roof for each 1 foot of height above such roof. This requirement shall not apply to antennas 2 inches or less in thickness without a supporting pole structure.
 - II. Separate Equipment Shelter - If the applicant proposes to locate the telecommunications equipment in a separate equipment shelter, not located in or attached to the building, the equipment shelter shall comply with the accessory building regulations of the district and not be located aboveground within any required front or side yard.
 - III. Required Buffer- A buffer shall be planted in accordance with this Section.
 - IV. Vehicular Access - Vehicular access to the equipment shelter shall be via the existing circulation system and be paved with asphalt or concrete.

- a. Tower 200 Feet or More in Height
 - 1) Minimum Setback from Property Lines - The minimum setbacks and yard requirements for principal structures shall apply.
 - 2) Minimum Setback from Residential Structure - No tower shall be located a distance less than its height from a structure used as a residence.
 - 3) Equipment Shelter - The minimum setbacks and yard requirements for principal structures shall apply and such shelter shall not be located above ground in any required front or side yard.
- b. Antenna - The antenna shall not be attached to a residential structure unless such structure is four or more stories in height.

H. Wireless Telecommunications Facilities in Industrial Districts

- 1. Permitted Principal Use - The following wireless telecommunications facilities are permitted as a principal use on a lot, subject to the following requirements:
 - a. Tower
 - 1) Maximum Height - The maximum height of such tower shall be less than the distance of such tower from the nearest property line.
 - 2) Minimum Setback from Property Lines - The minimum setbacks and yard requirements for principal structures shall apply.
 - 3) Minimum Setback from Residential Structure - No tower shall be located a distance less than its height from a structure used as a residence.
 - 4) Equipment Shelter- The minimum setbacks and yard requirements for principal structures shall apply and such shelter shall not be located aboveground in any required front or side yard.
- 2. Accessory Use - The following wireless telecommunications facilities are permitted as a conditional use on a lot, subject to the following requirements:
 - a. Tower
 - 1) Maximum Height - The maximum height of such tower shall be less than the distance of such tower from the nearest property line.
 - 2) Minimum Setback from Property Lines - The minimum setbacks and yard requirements for principal structures shall apply.

30-days notice and an opportunity to be heard before the BZA before initiating such action. After such notice has been provided the Township shall have the authority to initiate proceedings to either acquire the tower and its appurtenances attached thereto at the current fair market value at that time or in the alternative, order the demolition of the tower and all appurtenances.

3. Right To Public Hearing By Owner - The Township shall provide the tower owner with the right to a public hearing before the BZA which public hearing shall follow the 30-day notice required in this Section. All interested parties shall be allowed an opportunity to be heard at the public hearing.
4. Order of Abatement or Demolition - After a public hearing is held pursuant to this Section, the Township may order the abatement or demolition of the tower. The Township may require licensee to pay for all expenses necessary to acquire or demolish the tower.

J. Application and Review Requirements

1. Required Information for Applications - All applications for wireless telecommunications facilities including towers shall include the information required under this Section.
2. Plot Plan Required - When a proposed wireless telecommunications facility or antenna support structure is to include a new tower, a plot plan at a scale of not less than 1 inch equals 100 feet shall be submitted. This plot plan shall indicate all building and land uses within 200 feet of the proposed facility. Aerial photos and/or renderings may augment the plot plans.
3. Photo Simulations Required - Photo simulations of the proposed wireless telecommunications facility from affected residential properties and public rights-of-way taken at designated locations shall be provided.
4. Proof Why Nonresidential Tower Location Not Feasible - In applying for authorization to erect a tower within any residential district, the applicant must present sufficient evidence as to why it is not technically-feasible to locate such tower in a more appropriate nonresidential zone. This evidence shall be reviewed by the Township. If the Township refutes the evidence, then the tower is not permitted.
5. Technical Necessity - The applicant shall demonstrate that the telecommunication tower must be located where it is proposed in order to provide adequate coverage to the applicant's service area. There shall be an explanation of why a tower and the proposed site are technically necessary.
6. Land Owner Support and Access - Where the wireless telecommunications facility is located on a property with another principal use, the applicant shall present

1129.34 Solar Energy Systems

Solar facilities of fifty (50) megawatts or more shall be required to submit an application with the Ohio Power Siting Board (OPSB) at the Public Utilities Commission of Ohio (PUCO) and are required to meet OPSB regulations. No solar energy system or facility of greater than fifty (50) kilowatts and less than fifty (50) megawatts shall be permitted within any district of the Township.

A. Solar Energy System – General requirements and requirements in addition to other provisions set forth in this resolution, for solar panel systems are as follows:

1. Solar Energy Systems shall comply with all applicable federal, state, and local laws, rules, and regulations.
2. Solar Energy Systems and parts thereof shall obtain all applicable required building permits from the state of Ohio and County or other local building jurisdiction.
3. Solar Energy Systems and the property where located shall not be used for the display of advertising. For the purposes of this section, reasonable and customary identification (name, insignia, logo, and/or similar) of the manufacturer or operator of the system that is incorporated into or manufactured on the equipment itself shall not be considered advertising.
4. In addition to the requirements set forth herein Solar Energy Systems must comply with the setback requirements applicable to the zoning district where located.
5. Solar Energy Systems located on corner lots shall comply with the applicable requirements including, but not limited to, those for yards, buffering, and screening for lots in the zoning district where located.
6. Small Solar Energy System installations may be conditionally permitted when limited to a rated capacity of not more than 50KW for residences in the A-R, and R-1 districts. Additionally Small Solar Energy Systems may be conditionally permitted in the C and C-1 districts for buildings on parcels of five (5) acres or less.
7. Ground Mounted Small Solar Energy Systems may be conditionally permitted in the A-r, C and C-1 districts on parcels with a minimum of ten (10) feet from the property line or road right-of-way, where applicable; and shall have a maximum height of fifteen (15) feet. Otherwise, in the A-R, C and C-1 districts Small Solar Energy Systems in the R-1 and R-1A districts may only be Roof Mounted Solar Energy Systems.
8. A Small Solar Energy System shall service only one residential structure per parcel. An additional nonresidential structure service on the same parcel may be permitted but shall require an additional permit.

19. Solar Energy Systems must be maintained in good working order at all times. The owner of the property and owner of the Solar Energy Systems shall, within thirty (30) days of permanently ceasing operation of a Solar Energy System, provide written notice of abandonment to the zoning inspector. An unused Solar Energy System may stand no longer than three (3) months following abandonment. All costs associated with the dismantling/demolition of the Solar Energy System and associated equipment shall be borne by the property owner. A Solar Energy System is considered abandoned when it ceases transmission of electricity for thirty (30) consecutive days. Removal includes removal of all apparatuses, supports, and or other hardware associated with the existing Solar Energy System and, in the case of Ground Mounted Solar Energy Systems installed returning the property to a graded, seeded and/or landscaped state similar to its condition prior to the construction and installation construction.
20. Solar Energy Systems taken out of service for indefinite, but temporary reasons, shall provide the Township with proof of proper and effective maintenance. Units without proper maintenance shall be considered abandoned by the Township and shall be removed by owner.
21. The components of a Solar Energy System shall either be the stock color from the manufacture or painted with an approved non-reflective, unobtrusive color that blends in with the surrounding environment.
22. Prior to the installation of a Solar Energy System, a conditional use permit and zoning permit must be obtained. The applicant shall provide a detailed electrical and site drawings along with manufacturer information stating the size, shape and character of the proposed Solar Energy System. Information shall include generation kilowatt information, unit decibel criteria, height and construction specifications, light reflection potential, fencing information, clear fall zone, lighting plans and landscaping/buffering plans, battery bank placement with ventilation specifications and labeled means of disconnect, plus any other information deemed necessary by the Township.
23. Landscaping shall be designed to counter the effects of light reflection on any neighboring residences or roadways. The facility owner and operator shall make every reasonable effort to minimize light reflection to any occupied building on a nonparticipating landowner's property.
24. Criteria for conditional uses:
 - A. A Solar Energy System to be located in a zoning district in which it is identified as a conditional use is subject to and shall follow the application process for a conditional use permit provided under this zoning resolution.
 - B. Where identified as a conditionally permitted use, any- Solar Energy System shall comply with the following specific requirements:

2. No more than one (1) Portable Storage Container shall be placed on a residential property at any given time without the express permission of the zoning inspector; and
3. All Portable Storage Containers during the term of use shall be in good condition free from rust, peeling paint and other visible forms of deterioration; and
4. No Portable Storage Container shall be placed where it obstructs traffic vision or on any public sidewalk or street, nor placed within any required front yard set-back; and a Portable Storage Container shall be placed at least ten (10) feet away from any side-street property line and from any main building on an adjoining lot; and
5. Portable Storage Containers may be kept on a property during the term of a valid building permit issued by the zoning inspector for construction work on the property, and must be removed within fifteen (15) days of final cessation of construction or any thirty (30) day stop of construction; and
6. No Portable Storage Container shall exceed twenty (20) feet in length, ten (ten) feet in width, or ten (10) feet in height.

1131.00

Conditional Uses; Substantially Similar Uses

1131.01	Contents of Conditional Use Permit Application	113
1131.02	General Standards For All Conditional Uses.....	113-114
1131.03	Action by the Board of Zoning Appeals	114-115
1131.04	Additional Criteria	115
	• Additional Conditions	
	• Supplemental Conditions and Safeguards	
	• Expiration of Conditional Use Permit	
1131.05	Public Hearing	115
1131.06	Notice of Public Hearing in Newspaper	115
1131.07	Notice to Parties of Interest.....	116
1131.08	Procedure and Requirements to Determine that a Use is Substantially Similar	116-117

1131.00 CONDITIONAL USES; SUBSTANTIALLY SIMILAR USES

1131.01 Contents of Conditional Use Permit Application

Any owner, or agent thereof, of property for which a conditional use is proposed shall make an application for a Conditional Use Permit by filing it with the Zoning Inspector, who shall within 20 days transmit it to the BZA. Such application at a minimum shall contain the following information:

- C. Name, address, and phone number of the applicant.
- D. Locational description of the property.
- E. Zoning district.
- F. Description of existing use.
- G. Description of proposed conditional use.
- H. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, streets and traffic accesses, open spaces, refuse and service areas, utilities, signs, yards, lot lines, landscaping features, and such other information as the Zoning Inspector or the BZA may require.
- I. A narrative statement discussing the compatibility of the proposed use with the existing uses of adjacent properties and with the comprehensive plan, to include an evaluation of the effects on adjoining properties of such elements as traffic circulation, noise, glare, odor, fumes, and vibration.
- H. A fee as established by the Township Trustees.
- I. A narrative addressing each of the applicable criteria contained in the following section, General Standards For All Conditional Uses.

1131.02 General Standards For All Conditional Uses

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

- A. Is in fact a conditional use as established under the provisions of these Regulations and appears on the Schedule of District Regulations adopted for the zoning district involved;

information and/or modifications which are deemed necessary. Make a written finding that the application is denied and specify the reason(s) for disapproval.

1131.04 Additional Criteria

A. Additional Conditions

The BZA may impose other conditions for a conditional use in addition to those prescribed in this Section if, in the BZA's judgment, additional conditions are necessary for the protection of the public health and for reasons of safety, and convenience.

B. Supplemental Conditions and Safeguards

In granting approval for any conditional use, the BZA may prescribe appropriate conditions and safeguards in conformance with this Zoning Code. Any violation of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a punishable violation of this Zoning Code.

C. Expiration of Conditional Use Permit

A Conditional Use Permit shall be deemed to authorize only one particular conditional use, and said permit shall automatically expire if such conditionally permitted use has not been instituted or utilized within 30 days of the date on which the permit was issued, or if for any reason such use shall cease for more than 1 year.

1131.05 Public Hearing

A public hearing shall be held by the BZA in considering an application for a Conditional Use Permit.

The BZA shall hold a public hearing within 30 days after it receives an application for a Conditional Use Permit submitted by an applicant through the Zoning Inspector.

1131.06 Notice of Public Hearing in Newspaper

Before conducting a public hearing, notice of such hearing shall be given in one newspaper of general circulation in Union Township at least 10 days before the date of said hearing. The notice shall set forth the time and place of the hearing, and shall provide a summary explanation of the conditional use proposed.

substantial similarity was made, and the dates of any actions thereupon. This record shall also contain the same information for all uses which have been determined not to be substantially similar. The Zoning Inspector shall consult this record in the process of issuing future permits.

1133.00 Nonconformities

1133.01	Intent	118
1133.02	Uses Under Conditional Use Provisions, Not Nonconforming Uses	118
1133.03	Incompatibility of Nonconformities	118
1133.04	Avoidance of Undue Hardship.....	118-119
1133.05	Substitution of Nonconforming Uses.....	119
1133.06	Single Nonconforming Lots of Record.....	119
1133.07	Nonconforming Lots of Record in Combination.	119
1133.08	Nonconforming Uses of Land.....	120
1133.09	Nonconforming Structures.....	120
1133.10	Nonconforming Uses of Structures or of Structures and Land in Combination	120-121
1133.11	Termination of Nonconformities	121
	• Termination of Use Through Discontinuance	
	• Termination of Use by Damage or Destruction	

1133.00 NONCONFORMITIES

1133.01 Intent

Within the districts established by this Zoning Code, or by amendments thereto which may later be adopted, lots, uses of land, structures, and uses of structures and land in combination exist which were lawful before this Zoning Code was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this Zoning Code. The legitimate interest of those who lawfully established these nonconformities are herein recognized by providing for their continuance, subject to regulations limiting their completion, restoration, reconstruction, extension, and substitution. Furthermore, nothing contained in this Zoning Code shall be construed to require any change in the layout, plans, construction, size, or use of any lot, structure, or structure and land in combination, for which a Zoning Permit became effective prior to the effective date of this Zoning Code, or any amendment thereto. Nevertheless, while it is the intent of this Zoning Code that such nonconformities be allowed to continue until removed, they should not be encouraged to survive. Therefore, no nonconformity may be moved, extended, altered, expanded, or used as grounds for any other use(s) or structure(s) prohibited elsewhere in the district without the approval of the Zoning Board of Appeals, except as otherwise specifically provided for in this Zoning Code.

1133.02 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 Zoning Code shall not be deemed a nonconforming use in such district, but shall without further action be considered a conforming use.

1133.03 Incompatibility of Nonconformities

Nonconformities are declared by this Zoning Code to be incompatible with permitted uses in the districts in which such uses are 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 Zoning Code 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.

1133.04 Avoidance of Undue Hardship

To avoid undue hardship, nothing in this Zoning Code 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 Zoning Code and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in a permanent position and fastened in a permanent manner. Where demolition or removal of an existing building has been

1133.08 Nonconforming Uses of Land

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

- A. No such nonconforming uses shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Zoning Code.
- B. 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 Zoning Code.
- C. No additional structure not conforming to the requirements of this Zoning Code shall be erected in connection with such nonconforming use of land.

1133.09 Nonconforming Structures

Where a lawful structure exists at the effective date of adoption or amendment of this Zoning Code that could not be built under the terms of this Zoning Code by reason of restrictions on area, lot coverage, height, setbacks, 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:

- A. 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 its nonconformity. It shall not be considered an increase to its nonconformity if the addition meets all zoning requirements. (See Illustration – Exhibit “D” Section 1123.00 Definitions.)
- B. 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.

1133.10 Nonconforming Uses of Structures or of Structures and Land in Combination

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

- A. No existing structure devoted to a use not permitted by this Zoning Code in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.

1135.00

Off-Street Parking and Loading Facilities

1135.01	Intent	122
1135.02	General Parking Requirements	122
1135.03	Off-Street Parking Design Standards.....	122-124
1135.04	Determination of Required Spaces	125
1135.05	Joint or Collective Parking Facilities	125
1135.06	Off-Street Storage Areas for Drive-In Services	125-126
1135.07	Parking Space Requirements	126-130
1135.08	Handicapped Parking	130
1135.09	Off-Street Loading Space Requirements	130
1135.10	Off-Street Loading Design Standards.....	131

1135.00 OFF-STREET PARKING AND LOADING FACILITIES

1135.01 Intent

The intent of the off-street parking and loading regulations is to protect the public health, safety, and welfare by insuring that all land uses have adequate amounts of off-street parking and loading areas in order to not create traffic hazards on public streets.

1135.02 General Parking Requirements

In all districts, at any time any building, structure, or use of land is erected, enlarged, increased in capacity, or used, there shall be provided for every use off-street parking spaces for automobiles. A parking plan shall be required for all uses except for single- or two-family residential uses. The parking plan shall be submitted to the Zoning Inspector as part of the application for a Zoning Permit. The plan shall show the boundaries of the property, parking spaces, access driveways, circulation patterns, drainage and construction plans, and boundary walls, fences and a screening plan, as appropriate.

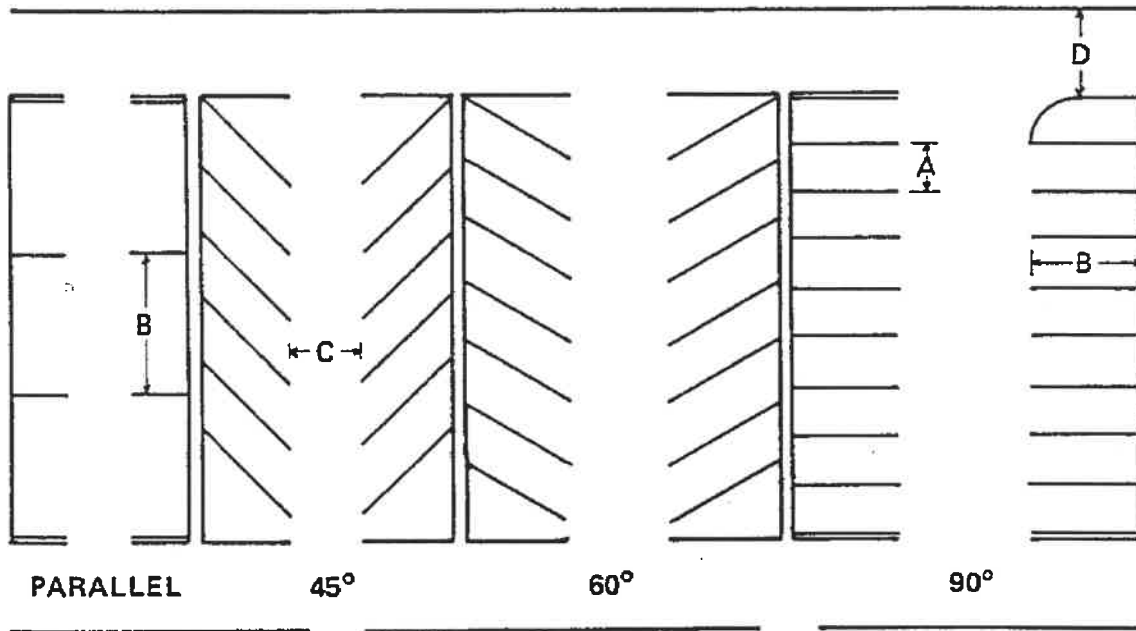
1135.03 Off-Street Parking Design Standards

All off-street parking facilities including entrances, exits, maneuvering areas, and parking spaces shall be in accordance with the following standards and specifications:

- A. Parking Space Dimensions: Each off-street parking space shall have an area of not less than 162 square feet exclusive of access drives or aisles, and shall be of usable shape and condition.
- B. Access: There shall be adequate provisions for ingress and egress to all parking spaces. Where the lot or parking spaces do not provide direct access to a public street, an access drive shall be provided, with a dedicated easement of access, as follows:
 - 1. For a single-, two-, or three-family residential dwelling, the access drive shall be a minimum of 10 feet in width.
 - 2. For all other residential uses and all other uses, the access drive shall be a minimum of 18 feet in width.
 - 3. All parking spaces, except those required for single-, two-, or three-family dwellings, shall have access to a public street in such a manner that any vehicle leaving or entering the parking area from or into a public street or alley shall be traveling in a forward motion.
- C. Setbacks: In C and I districts, off-street parking spaces may be located in the required front yard on lots where business or industry is located, provided that a 10-foot grass

L. Lighting: Any lights used to illuminate a parking lot shall be so arranged as to direct the light away from the adjoining property in any R Residential District.

M. Parking Space Dimensions: The minimum dimensions of parking spaces shall be as illustrated below:



Off-Street Parking Minimum Dimensional Table

		45°	60°	90°	Parallel
A	Width of Parking Space	12'	10'	9'	9'
B	Length of Parking Space	19'	19'	19'	23'
C	Width of Driveway Aisle	13'	17'6"	25'	12'
D	Width of Access Driveway	17'	14'	14'	14'

- A. Restaurants, drive-through beverage docks, and other similar commercial establishments that can normally serve customers in 3 minutes or less shall provide no less than five storage spaces per pick-up facility. Drive-in restaurants and other similar uses which require an additional stopping point for ordering shall provide a minimum of three additional storage spaces for each such stopping point.
- B. Other commercial establishments such as banks, savings and loan offices, or other similar facilities with service or money windows shall provide no less than four storage spaces per window.
- C. Motor vehicle service stations shall provide no less than two storage spaces for each accessible side of a gasoline pump island. Gasoline pumps shall not be located closer than 15 feet to any street right-of-way line.

1135.07 Parking Space Requirements

The amount of required off-street parking spaces for new uses or buildings, additions thereto, and additions to existing buildings shall be determined in accordance with the following minimum requirements. However, no parking area shall project into a required front yard in any residential district or be permitted between the curb line and property lines (within the right-of-way) in any district, except as otherwise provided. The number of parking spaces required for uses not specifically mentioned shall be determined by the BZA. The determination shall be based upon the expected number of parking spaces the particular type of use would require to satisfy estimated peak parking load requirements.

A. Residential Uses

- 1. Single-family detached dwellings: three spaces per dwelling unit.
- 2. Two-family dwellings: three spaces per dwelling unit.
- 3. Multi-family dwellings: three spaces per dwelling unit.
- 4. Mobile Home Courts: three spaces per mobile home site, plus one space per each five mobile home sites for guest parking.

B. Institutional and Public Uses

- 1. Elementary and Junior High Schools: one space per employee, plus one space per two classrooms.
- 2. High Schools: one space per employee, plus one space per six students at capacity.
- 3. Places of Worship: one space per four seats at maximum capacity of the main sanctuary.

5. Automobile Washing Facilities: one space for each employee with a minimum of four spaces, plus five off-street waiting spaces for each car washing device or stall, or five off-street waiting spaces for an assembly line type washing establishment, and two parking spaces at the end of each washing bay for drying and hand-finishing vehicles.
6. Convenience Food Stores, Carry-Outs, Mini-Markets: one and one-half spaces for every 200 square feet of floor area, plus one space for each employee.
7. Drive-Through and Drive-In Stores, and Stand-Alone Automatic Teller Machines: one space for each employee, plus off-street waiting space for five vehicles per transaction location, plus one space for each 200 square feet of sales area open to the public.
8. Fraternal and Social Associations, Dance Halls, Bingo Halls and Private Clubs: one space for every 50 square feet of floor area in assembly or meeting rooms, plus one space for every 200 square feet of other floor area.
9. Restaurants, Fast Food: one space per 50 gross square feet of floor area, plus one space per employee on the largest work shift with a minimum of fifteen total spaces and with off-street automobile waiting space for eight vehicles for each drive-in window, with such automobile waiting space to be located behind the point where a drive-in order is placed.
10. Bars, Taverns, and Nightclubs: one space for each three persons of capacity, plus one space for each employee on the largest work shift.
11. Vehicle Sales, Rental, and Service: one parking space for each 800 square feet of floor area, plus one space for each 3,000 square feet of open lot area devoted to the sale, rental, and display of motor vehicles.
12. Animal Hospitals and Veterinary Clinics: three spaces for each treatment area, plus one space for each staff and employee.
13. Commercial Schools and Studios: one space for every three students at capacity and one space for each employee.
14. Funeral Homes and Mortuaries: one space for every 50 square feet of public floor area, plus one space for each employee, plus one space for each business vehicle.
15. Home Furnishings and Home Improvement Stores: one space for each 400 square feet of indoor and outdoor sales and display area and one space for each 800 square feet of office, storage, and warehouse area.

5. Lumberyards and Building Materials; Sales and Storage: one space for each 800 square feet of floor area, plus one space for every 3,000 square feet of lot area devoted to the storage and display of building materials.
6. Heavy Equipment Rental, Sales, Service, and Storage: one space for every 800 square feet of floor area, plus one space for every 3,000 square feet of lot area devoted to the sale and display of vehicles.

1135.08 Handicapped Parking

Parking facilities serving buildings and facilities required to be accessible to the physically handicapped shall have conveniently located designated spaces provided as follows or by current ADA standards:

<u>Total Spaces in Lot/Structure</u>	<u>Number of Designated Accessible Spaces</u>
Up to 100	1 space per 25 parking spaces
101 to 200	4 spaces, plus 1 per 50 spaces over 100
201 to 500	6 spaces, plus 1 per 75 spaces over 200
Over 500	10 spaces, plus 1 per 100 spaces over 500

1135.09 Off-Street Loading Space Requirements

In any district in connection with every building or part thereof hereafter erected and having a gross floor area of 3,000 square feet or more, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, hotel, hospital, mortuary, laundry, dry cleaning, or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained, on the same lot with the building, at least one off-street loading space, and one additional loading space for each 10,000 square feet or fraction thereof of gross floor area so used in excess of 3,000 square feet.

1137.00 Signage

1137.01	Intent	132
1137.02	Governmental Signs Excluded.....	132
1137.03	General Requirements for All Signs and Districts	132-133
1137.04	Permit Required	134
1137.05	Signs Permitted in All Districts Not Requiring a Permit	134
1137.06	Temporary Signs	135
1137.07	Political Signs	135
1137.08	Measurement of Sign Area	135
1137.09	Business Signs	135-137
1137.10	Attached Signs Pertaining to Nonconforming Uses	137
1137.11	Sign Setback Requirements	138
1137.12	Maintenance	138
1137.13	Nonconforming Signs and Structures	138
1137.14	Loss of Legal Nonconforming Status	138
1137.15	Violations.....	139
1137.16	Abandoned Signs	139

1137.00 SIGNAGE

1137.01 Intent

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

1137.02 Governmental Signs Excluded

For the purpose of this Zoning Code, "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 regulation.

1137.03 General Requirements for All Signs and Districts

The regulations contained in this Section shall apply to all signs and all zoning districts.

- A. Any illuminated sign or lighting device shall employ only light emitting a light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights. In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination therefrom to be directed or beamed upon a public thoroughfare, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.
- B. No sign shall employ any parts or elements which revolve, rotate, whirl, spin, or otherwise make use of motion to attract attention. This item and item "A" shall not apply to any sign performing a public service function indicating time, temperature, or similar services.
- C. All wiring, fittings, and materials used in the construction, connection, and operation of electrically illuminated signs shall be in accordance with the provisions of the applicable building and electrical codes.
- D. No sign shall be placed on the roof of any building, except those signs whose supporting structure is screened so the sign appears to be a continuation of the face of the building.

1137.04 Permit Required

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

1137.05 Signs Permitted in All Districts Not Requiring a Permit

The following signs shall be permitted in all districts without the required permit:

- A. 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 zoning districts where the area of the sign shall not be more than 6 square feet.
- B. Professional nameplates shall not exceed 4 square feet in area.
- C. Signs denoting the name and address of the occupants of the premises, not to exceed 2 square feet in area.
- D. Signs or bulletin boards customarily incidental to places of worship, libraries, museums, schools, social clubs, or societies, which signs or bulletin boards shall not exceed 15 square feet in area and which shall be located on the premises of such institution.
- E. Any sign advertising a commercial enterprise, including real estate developers or subdividers, in a district zoned residential shall not exceed 12 square feet in area and shall advertise only the names of the owners, trade names, products sold and/or the business or activity conducted on the premises where such sign is located.

B. Detached Signs are signs which are not attached to a building, advertise an on-premises business or activity, and are 25 feet or less in height. There shall not be more than one detached business sign per business activity along each street frontage the use abuts. Where commercial uses are located on the same property with common features, such as shopping centers or commercial complexes, all such business signs shall be supported by only one structure per lot with street frontage. (See Illustration – Exhibit G.)

1. Shall not be located on or project over any right-of-way or required setbacks;
2. Shall not be larger than 100 square feet in area based on one side;
3. Shall not be higher than 25 feet in height;
4. Shall not obstruct or adversely affect vision clearance or traffic visibility;
5. Shall not be closer than 25 feet to the adjacent lot; and
6. Of a portable or temporary nature may be permitted in addition to permanently mounted detached signs, subject to the following provisions:
 - a) All portable and/or temporary signs shall comply with Section 1137.06 Temporary Signs and no such sign shall be permitted in the right-of-way of any street or alley.
 - b) The area of portable or temporary signs shall not exceed 50 square feet in area.
 - c) Not more than one portable or temporary sign shall be permitted for an individually-owned lot.
 - d) It shall be the applicant's or owner's responsibility to maintain portable or temporary signs in good condition and to remove such signs when the time limit for the sign has expired.
 - e) The maximum height for a temporary or portable sign shall be 6 feet and such signs shall not obstruct or adversely affect traffic visibility.
 - f) Portable and/or temporary business signs shall be permitted for a period not to exceed 3 weeks, a maximum of 4 times per year.

C. Architectural Canopy Signs are signs which are attached to a building with the message integrated into the canopy surface. (See Illustration – Exhibit F.)

1. The total area of all architectural canopy signs shall not exceed in the aggregate 2 square feet of area for each linear foot of building frontage and, if combined with attached signs, the total area of all signage shall not exceed in the aggregate 3 square feet of area for each linear foot of building frontage.
2. In applying sign area limits, only the area occupied by the sign message will be used. The sign area shall be the rectangular space occupied by lettering or insignia and the space immediately surrounding such lettering or insignia.

1137.11 Sign Setback Requirements

Except as otherwise provided in this Section, signs, where permitted, shall be set back from the established right-of-way line of any street at least 12 feet.

- A. Real estate signs and bulletin boards for a church, school, or any other public, religious, or educational institution may be erected less than 10 feet from the established right-of-way line of any street or highway provided such sign or bulletin board does not obstruct traffic visibility at street or drive intersections. Temporary real estate signs shall be a maximum of 10 square feet.
- B. On-premises signs, where permitted, shall be erected or placed in conformity with the side and rear yard requirements of the district in which located, except that in any residential district, on-premises signs shall not be erected or placed within 10 feet of a side or rear lot line. If the requirement for a single side yard in the appropriate zoning district is more than 10 feet, the latter shall apply.

1137.12 Maintenance

All signs shall be maintained in safe and sound structural condition at all times and shall be presentable. The Zoning Inspector shall remove any off-premises billboards or structure found to be unsafe or structurally unsound within 30 days of issuing a notification. Failure to comply shall be deemed a violation and shall be punishable under Section 1145.13 Penalties and Fines.

1137.13 Nonconforming Signs and Structures

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

1137.14 Loss of Legal Nonconforming Status

A legal nonconforming sign shall immediately lose its legal nonconforming status, and therefore must be brought into conformance with this Zoning Code or be removed, if the sign structure is altered; or if it is enlarged, relocated, replaced, or damaged; or if it is part of an establishment which discontinues operation for 90 consecutive days; or if it is structurally damaged to an extent greater than one-half of its estimated replacement value. This Section does not apply to changes in sign copy or sign panel replacements.

1139.00
Amendments

1139.01	Intent	140
1139.02	Initiation of Zoning Amendments.....	140
1139.03	Contents of Application for Zoning Map Amendment.....	140-141
1139.04	Contents of Application for Zoning Text Amendment.....	141
1139.05	Action by the Zoning Commission	141
1139.06	Public Hearing by Zoning Commission.....	141-142
1139.07	Action by the Zoning Commission	142
1139.08	Public Hearing by Board of Township Trustees...	142-143

1139.00 AMENDMENTS

1139.01 Intent

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

1139.02 Initiation of Zoning Amendments

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

- A. By a motion of the Zoning Commission.
- B. By the adoption of a resolution by the Trustees referring any amendment to Zoning Commission for recommendation.
- C. By the filing of an application by one or more of the owners or lessees of the affected property within the area proposed to be changed or affected by the proposed amendment with the Zoning Commission.

1139.03 Contents of Application for Zoning Map Amendment

Applications for amendments to the Official Zoning Map adopted as part of this Zoning Code shall contain at least the following information:

- A. The name, address, and phone number of the applicant.
- B. Present use.
- C. Present zoning district.
- D. Proposed zoning district.
- E. A vicinity map at a scale showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Inspector may require.
- F. A statement of the reason(s) for the proposed amendment.
- G. A list of all property owners and their mailing addresses, as appearing on the Auglaize County Auditor's current tax list, who are within and contiguous to and directly across the street from such area proposed to be rezoned or redistricted.

A. Notice of Public Hearing

Prior to holding the public hearing required, notice of such hearing shall be given by the Township Zoning Commission by one publication in one or more newspapers of general circulation in the Township at least 10 days before the date of such 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 Auglaize County Auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include those requirements listed in Ohio Revised Code 519.12(D).
2. If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land listed on the Auglaize County Auditor's current tax list, the published and mailed notices shall set forth the time, date, and place of the public hearing, and shall include those requirements listed in Ohio Revised Code 519.12(C), inclusive.

B. Notice to Parties of Interest

1. If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land, written notice of the hearing shall be mailed by first class mail by the Zoning Commission, at least 10 days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from such area proposed to be rezoned or redistricted, to the addresses of such owners appearing on the Auglaize County Auditor's current tax list. The failure of delivery of such notice shall not invalidate any such amendment. Published and mailed notices shall set forth the time, date, and place of the public hearing and shall include those requirements of Ohio Revised Code 519.12(C).

1139.07 Action by the Zoning Commission

The Township Zoning Commission shall, within 30 days after such hearing, recommend the approval or denial of the proposed amendment, or the approval of some modification thereof, and submit such recommendation together with such application or resolution, the text and map pertaining thereto, and the recommendation of the County or Regional Planning Commission thereon to the Board of Township Trustees.

1139.08 Public Hearing by Board of Township Trustees

The Board of Township Trustees shall, upon receipt of such recommendation, set a time for a public hearing on such proposed amendment, which date shall not be more than 30 days from the date of the receipt of such recommendation from the Zoning Commission.

1141.00
Appeals and Variances

1141.01	Intent	144
1141.02	Administrative Appeals	144
1141.03	Variances.....	144
1141.04	Application and Standards for Variances	144-145
1141.05	Additional Conditions and Safeguards	145
1141.06	Public Hearing by the Board of Zoning Appeals	145-146
1141.07	Notice of Public Hearing in Newspaper	146
1141.08	Notice to Parties of Interest.....	146
1141.09	Action by Board of Zoning Appeals.....	146
1141.10	Term of Variance	146

1141.00 APPEALS AND VARIANCES

1141.01 Intent

Appeals and variances shall conform to the procedures and requirements of this Zoning Code. The BZA has appellate jurisdiction relative to appeals and variances.

1141.02 Administrative Appeals

- A. Appeals to the BZA concerning interpretation or administration of this Zoning Code may be taken by any person aggrieved or by any officer or bureau of the legislative authority of Union Township affected by any decision of the Zoning Inspector. Such appeal shall be taken within 20 days after the decision by filing, with the Zoning Inspector and with the BZA, a Notice of Appeal specifying the grounds upon which the appeal is being taken. The Zoning Inspector shall transmit to the BZA all the papers constituting the record upon which the action appealed from was taken.
- B. A record capable of transcription and containing all documents presented as evidence or utilized by the BZA shall be made of any hearing held under this section.

1141.03 Variances

The BZA may authorize upon appeal in specific cases such variance from the terms of this Zoning Code as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Zoning Code would result in unnecessary hardship for use variance and practical difficulties for area variances. No nonconforming use of neighboring lands, structures, or buildings in the same district and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for issuance of a variance. Variances shall not be granted on the grounds of convenience or profit, but only where strict application of the provisions of this Zoning Code would result in unnecessary hardship for use variance and practical difficulties for area variances.

1141.04 Application and Standards for Variances

Except as otherwise permitted in this Zoning Code, no variance in the strict application of the provisions of this Zoning Code shall be granted by the BZA unless the BZA shall find that the written application for the requested variance contains all of the following requirements:

- A. Name, address, and phone number of applicant(s).
- B. Legal description of property.
- C. Description or nature of variance requested.
- D. A fee as established by Township Trustees.

The BZA shall hold a public hearing within a reasonable time after the receipt of an application for an appeal or variance from the Zoning Inspector.

1141.07 Notice of Public Hearing in Newspaper

Before conducting the public hearing required, notice of such hearing shall be given in one or more newspapers of general circulation in Union Township at least 10 days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance.

1141.08 Notice to Parties of Interest

Before conducting the public hearing required, written notice of such hearing shall be mailed, by first-class mail, at least 10 days before the day of the hearing to all parties within 200 feet. The failure to deliver the notification as provided in this Section shall not invalidate any such action. The notice shall contain the same information as required in Section 1141.07 Notice of Public Hearing in Newspaper.

1141.09 Action by Board of Zoning Appeals

Within a reasonable time after the public hearing, the BZA shall either approve, approve with supplemental conditions as specified in Section 1141.05 Additional Conditions and Safeguards, or disapprove the request for appeal or variance. The BZA shall further make a finding in writing that the reasons set forth in the application justify the granting of the variance that will make possible a reasonable use of the land, building, or structure.

1141.10 Term of Variance

No order of the BZA granting a variance shall be valid for a period longer than 12 months from the date of such order unless the Zoning Permit or zoning approval is obtained within such period, and the erection or alteration of a building is started or the use is commenced within such period.

1143.00
Administration

1143.01	Intent	147
1143.02	General Provisions	147
1143.03	Zoning Inspector	147
1143.04	Responsibilities of Zoning Inspector	147-148
1143.05	Duties of the Zoning Commission	148-149
1143.06	Duties of the Board of Zoning Appeals	149-151
1143.07	Trustees	152
1143.08	Township Trustee Duties	152
1143.09	Schedule of Fees	153

1143.00 ADMINISTRATION

1143.01 Intent

The intent is to set forth the powers and duties of the Zoning Commission, the BZA, the Trustees, and the Zoning Inspector with respect to the administration of the provisions of this Zoning Code.

1143.02 General Provisions

The formulation, administration, and enforcement of the Zoning Code is hereby vested in the following offices and bodies within Union Township government:

- A. Trustees
- B. Zoning Commission
- C. Board of Zoning Appeals
- D. Zoning Inspector

1143.03 Zoning Inspector

A Zoning Inspector designated by the Trustees shall administer and enforce this Zoning Code. He may be provided with the assistance of such other persons as the Trustees may direct.

1143.04 Responsibilities of the Zoning Inspector

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

- A. Enforce the provisions of this Zoning Code and interpret the meaning and application of its provisions.
- B. Respond to questions concerning applications for amendments to the Official Zoning District Map.
- C. Issue Zoning Permits as provided by this Zoning Code, and keep a record of same with a notation of any special conditions involved.
- D. Act on all applications upon which the Zoning Inspector is authorized to act by the provisions of this Zoning Code within the specified time or notify the applicant in writing of the Zoning Inspector's refusal or disapproval of such application and the reasons therefor. Failure to notify the applicant in case of such refusal or disapproval within the specified time shall entitle the applicant to submit the Zoning Inspector's request to the BZA.

2. Submit recommendations to the Township Trustees regarding any and all proposals for amendments to this Zoning Code.

1143.06 Duties of the Board of Zoning Appeals

The Board of Township Trustees shall appoint a Board of Zoning Appeals in accordance with the Ohio Revised Code.

The BZA shall organize in January of each year to elect a Chairman and Vice-Chairman. The BZA shall not have the power to alter or change the zoning district classification of any property, nor to make any change in the terms of this Zoning Code, but does have power to act on those matters where this Zoning Code provides for an administrative review, interpretation, exemption, or special approval permit and to authorize a variance as defined in this Section. The BZA has the following specific responsibilities:

A. Meetings

All meetings of the BZA shall be held at the call of the Chairman and at times determined by the BZA. All hearings conducted by the BZA shall be open to the public. The Zoning Inspector, or his representatives, 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 also keep records of its hearings and other official action. Three members of the BZA shall constitute a quorum for the conduct of its business. The BZA shall have the power to subpoena and require the attendance of witnesses, administer oaths, compel testimony, and the production of books, papers, files, and other evidence pertinent to the matters before it. The BZA shall adopt rules and regulations as it may deem necessary to effectuate the provisions of this Zoning Code.

B. Administrative Review

To hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, permit, decision, or refusal made by the Zoning Inspector or any other administrative official in carrying out or enforcing any provisions of this Zoning Code.

12-month extensions being permissible: uses which do not require the erection of any capital improvement of a structural nature.

The BZA, in granting permits for the above temporary uses, shall do so under the following conditions:

- a) The granting of the temporary use shall in no way constitute a change in the basic uses permitted in the district nor on the property wherein the temporary use is permitted.
 - b) The granting of the temporary use shall be granted in writing, stipulating all conditions as to time, nature of development permitted, and arrangements for removing the use at the termination of said temporary permit.
 - c) All setbacks, land coverage, off-street parking, lighting, and other requirements to be considered in protecting the public health, safety, peace, morals, comfort, convenience, and general welfare of the inhabitants of Union Township, shall be made at the discretion of the BZA.
 - d) In classifying uses as not requiring capital improvement, the BZA shall determine that they are either demountable structures related to the permitted use of the land, recreation developments, such as, but not limited to: golf driving ranges and outdoor archery courts; or structures which do not require foundations, heating systems, or sanitary connections.
 - e) The use shall be in harmony with the general character of the district.
 - f) No temporary use permit shall be granted without first giving notice to owners of adjacent property of the time and place a public hearing is to be held as further provided for in this Zoning Code. Further, the BZA shall seek the review and recommendation of the Zoning Commission prior to taking of any action.
- E. In consideration of all appeals and all proposed variations to this Zoning Code, the BZA shall, before making any variations from the Zoning Code in a specific case, first determine that the proposed variation will not impair adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of Union Township. The concurring vote of three members of the BZA shall be necessary to reverse any order, requirements, decision, or determination of the Zoning Inspector, or to decide in favor of the applicant any matter upon which it is authorized by this Zoning Code to render a decision.

1143.09 Schedule of Fees

Until all such appropriate fees, charges, and expenses have been paid in full, no action shall be taken on any application, appeal, or administrative procedure. All fees for the following shall be set by the Union Township Trustees under a separate resolution.

- Application for a Conditional Use Permit
- Application for Zoning Permit
 - Single-Family Residential
 - New Multi-Family Construction
 - Commercial and Industrial
 - Accessory Structures (attached and detached), Swimming Pools, Ponds
- Home Occupation Permit
- Sign permit (not including political)
- Application for Variance
- Administrative Appeal
- Application for Amendment to Zoning Map (Rezoning)
- Application for Temporary Use Permit

All fees shall be paid by cash or check and shall not be refundable.

1145.00

Zoning Permit Requirements and Enforcement

1145.01	Intent	154
1145.02	Zoning Permits Required	154
1145.03	Recommended Contents of Application for Zoning Permits.....	154-155
1145.04	Site Plan Required Contents	155-156
1145.05	Approval of Zoning Permit.....	156-157
1145.06	Failure to Obtain a Zoning Permit	157
1145.07	Construction and Use to be as Provided in Applications, Plans, and Permits	157
1145.08	Entry and Inspection of Property	157
1145.09	Stop Work Order.....	157
1145.10	Zoning Permit Revocation	157
1145.11	Complaints Regarding Violations.....	158
1145.12	Notice of Violation	158
1145.13	Penalties and Fines.....	158
1145.14	Additional Remedies.....	159

1145.00 ZONING PERMIT REQUIREMENTS AND ENFORCEMENT

1145.01 Intent

The intent is to stipulate the procedures to be followed in obtaining permits, and other legal or administrative approvals under this Zoning Code.

1145.02 Zoning Permits Required

No building or other structure shall be erected, moved, added to, or structurally altered; nor shall any building, structure, or land be established or changed in use; nor shall any accessory structure, sign, or swimming pool be installed without a permit issued by the Zoning Inspector. Zoning Permits shall be issued only in conformity with the provisions of this Zoning Code unless the Zoning Inspector receives a written order from the BZA deciding an appeal, conditional use, or variance as provided by this Zoning Code.

1145.03 Recommended Contents of Application for Zoning Permits

The Application for Zoning Permit shall be made in writing and be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire and may be revoked if work has not begun within 6 months or substantially completed within 2 years. At a minimum, the application shall contain the following information, if applicable to a particular use, and be accompanied by all required fees:

- A. Name, address, and phone number of owner.
- B. Legal description of property or lot number and must include directions to the nearest state highway.
- C. Existing use.
- D. Proposed use.
- E. Zoning District.
- F. Plans drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any; and the location and dimensions of the proposed building(s) or alteration.
- G. Building heights.
- H. Number of off-street parking spaces or loading berths, and their layout.

- D. A complete utilities plan, providing electric, gas, telephone, cable television, storm sewer, water, and sanitary sewer services, including connections to existing service lines and existing and proposed easements. Such plans shall comply with Auglaize County Design Criteria and Construction Standards and Drawings.
- E. The location, size, and type of fire hydrants; building plans; fire suppression system plans; fire department access areas; and fire lane signage. Such plans shall comply with state and local Building and Fire Codes and shall be approved by the Fire Chief (or authorized representative),
- F. A grading and drainage plan to illustrate proposed grading of the site and methods used to comply with Union Township storm water runoff, erosion, and sediment control specifications found in Auglaize County Design Criteria and Construction Standards and Drawings.
- G. A landscaping plan showing the location and types of screen planting, buffer areas, manmade screening, and other features, which shall enhance the site.
- H. An exterior lighting plan showing the location of lighting fixtures, their type and output as well as the proposed radius of lighted area for each fixture.
- I. The proposed internal vehicular circulation of access roads shall be delineated and related to connections with public streets. Existing and proposed traffic patterns and volumes and the anticipated effect on existing public streets serving the site shall be provided for the Auglaize County Engineer's review. Complexes shall provide curb or other types of internal access lane separations for parking spaces to assist in internal circulation and parking area delineation.
- J. The division of the development into sections shall be delineated if staged construction is contemplated, as well as which parking areas and other improvements shall be provided for each stage of development.
- K. Proposed complexes designed for condominium, cooperative, or other multiple ownership arrangements shall indicate proposed individual, joint, or common ownership areas to assure maintenance and operation of common features such as lighting and parking facilities. Any arrangements requiring subdivision approval shall also be subject to the Auglaize County Subdivision Regulations.

1145.05 Approval of Zoning Permit

Within 30 days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in accordance with the provisions of this Zoning Code. All Zoning Permits shall, however, be conditional upon the commencement of work within 6 months and completed within 2 years. One copy of the permit shall be returned to the applicant by the Zoning Inspector, after the Zoning Inspector has marked such copy either as approved or disapproved and attested to same by the Zoning Inspector's signature on such copy. One copy

1145.11 Complaints Regarding Violations

Whenever a violation of this Zoning Code occurs or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Inspector. The Zoning Inspector shall record properly such complaint, immediately investigate it, and take action thereon as provided by this Zoning Code.

1145.12 Notice of Violation

Whenever the Zoning Inspector or the Officer's agent determines that there is a violation of any provision of this Zoning Code, a warning letter shall be issued and shall serve as a notice of violation. Such order shall:

- A. Identify the violation.
- B. Include a statement of the reason or reasons why it is being issued and refer to the sections of this Zoning Code being violated.
- C. State the time by which the violation shall be corrected.

Service of notice of violation shall be as follows:

- A. By personal delivery to the person or persons responsible, or by leaving the notice at the usual place of residence of the owner with a person of suitable age and discretion; or
- B. Certified mail deposited in the United States Post Office addressed to the person or persons responsible at a last known address. If a certified mail envelope is returned with endorsement showing that the envelope is refused or is unclaimed, then service shall be sent by ordinary mail, and the mailing shall be evidenced by a certificate of mailing which shall be filed by the Zoning Inspector. Service shall be deemed complete when the fact of mailing is entered of record.

1145.13 Penalties and Fines

It shall be unlawful to erect, establish, locate, construct, reconstruct, enlarge, change, move, repair, maintain, or structurally alter any building, structure, or land in violation of any provision of this Zoning Code or any amendment thereto. Any person, firm, or corporation who violates this Zoning Code or fails to comply with any of its requirements shall upon conviction thereof be fined not more than the maximum allowable by law 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 each be found guilty of a separate offense and suffer the penalties provided in this Section.

Zoning Forms

Application for Zoning Permit
Zoning Permit
Revocation of Zoning Permit
Statement of Zoning Violation
Notice of Zoning Violation
Notice of Appeal
Application for Variance
Application for Conditional Use Permit
Application for Temporary Use Permit
Application for Zoning Map Amendment
Application for Zoning Text Amendment
Notice of Public Hearing To Property Owner
Notice of Public Hearing to Newspaper

**APPLICATION FOR ZONING PERMIT
UNION TOWNSHIP
AUGLAIZE COUNTY, OHIO**

Application No. _____

The undersigned applies for a Zoning Permit for the following use. Said permit to be issued on the basis of the information contained within this application. The applicant hereby certifies that all information and attachments to this application are true and correct. This application must be completed and approved by the Zoning Inspector before beginning construction.

1. **Location Description**

Fire No. _____ Road _____

2. **Name of Owner** (as it appears on deed) _____

Mailing Address _____

Phone Number: Home _____ Work _____

Estimated Cost _____ Builder _____

3. **Existing Use** _____

4. **Property presently zoned as** _____

5. **Proposed Use:** Residential _____ Commercial _____ Industrial _____

Number of Residential Units _____ Accessory Building _____

New Construction _____ Remodeling _____

Sign _____ Size _____ Area _____ (Attach drawings)

6. **Sanitary Sewer Permit Number** _____

7. **Proposed date of completion** _____

8. **Lot:** Width _____ Depth _____ Area _____

9. **Building Size:** (Square Feet)

Residential: Living area _____ sq.ft. Garage _____ Basement _____

Business _____ Industrial _____ Accessory Bldg. _____

10. **Building Heights:** Stories _____ Feet _____ (See illustration)

11. **Yard Setback Dimensions:** Front _____ Rear _____
One side _____ Sum of side yards _____

12. **Accessory Building Dimensions:** Height _____ Size _____

UNION TOWNSHIP ZONING PERMIT

NO. _____

Issued To: _____

Location: _____

Description of Use:

Zoning Classification: _____

Date: _____

Zoning Inspector

Note: This permit must be posted on the premises.

Footing Inspection will be performed by the Zoning Inspector to verify zoning setback. It is the responsibility of the Owner to provide proper notification to the Zoning Inspector.

**REVOCATION OF ZONING PERMIT
UNION TOWNSHIP
AUGLAIZE COUNTY, OHIO**

Date _____

TO: _____

You are hereby advised that for the following reason, namely:

Zoning Permit No. _____ **issued on** _____, 20____
is hereby revoked and declared to be null and void.

Further alteration or change in the use of any land or building must cease until a valid Zoning Permit has been obtained. Further alteration or change is punishable under the Zoning Code. The Zoning Code states: "Any person who violates this Zoning Code or fails to comply with any of its requirements, shall upon conviction thereof, be fined not more than \$100 and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense."

Please contact the Zoning Inspector at the telephone number below so we may discuss this matter.

Zoning Inspector

Telephone number to contact.

**STATEMENT OF ZONING VIOLATION
UNION TOWNSHIP
AUGLAIZE COUNTY, OHIO**

This Statement is voluntarily given to the Union Township Zoning Inspector this _____ day of _____, 20 ____, with the understanding that he may initiate legal proceedings in a court of competent jurisdiction charging _____ with violating the Union Township Zoning Code.

In the event such legal proceedings are initiated, I will appear to testify in court to the facts stated in the following statement.

Date _____ **Signature** _____

Address _____

Prior to _____, 20 ____ the property located at _____
_____ was being used for _____

_____. On _____, 20 ____,

I noticed that the above described property was being used for _____ and in my opinion this use is in violation of Section(s) _____ of the Union Township Zoning Code.

Describe below the uses being made of the property, give exact date and time where possible.

**NOTICE OF ZONING VIOLATION
UNION TOWNSHIP
AUGLAIZE COUNTY, OHIO**

Date _____

TO: _____

You are hereby advised that you are in violation of the Union Township Zoning Code. The nature of this violation is as follows:

You are further informed that unless this violation is corrected or otherwise made to comply by _____, 20____, you will be subject to the penalty as provided by the Union Township Zoning Code.

The Zoning Code provides, in part, that: "Any person who violates this Zoning Code or fails to comply with any of its requirements, shall upon conviction thereof, be fined not more than allowable by law and in addition shall pay all costs involved in the case. each day such violation continues shall be considered a separate offense."

Please contact the Zoning Inspector at the telephone number below so that we may discuss this violation.

Zoning Inspector

Telephone number to contact

**NOTICE OF APPEAL
BOARD OF ZONING APPEALS
UNION TOWNSHIP
AUGLAIZE COUNTY, OHIO**

Application No.: _____

Name of Applicant: _____

Mailing Address: _____

Telephone No.: (Home) _____ (Work) _____

The undersigned requests review of the decision by the Zoning Inspector of **Application For Zoning Permit No.** _____, denied (issued) on _____, 20____. It is the applicant's contention that the following error was made in the determination of the Zoning Inspector:

Signature of Applicant

**APPLICATION FOR CONDITIONAL USE PERMIT
BOARD OF ZONING APPEALS
UNION TOWNSHIP
AUGLAIZE COUNTY, OHIO**

Application No.: _____

The undersigned requests a Conditional Use Permit for the use specified below. Should this application be approved, it is understood that it shall only authorize that particular use described in this application and any conditions or safeguards required by the Board. If this use is discontinued for a period of more than six (6) months, this permit automatically expires.

1. **Name of Owner** _____

Mailing Address _____

Phone Number: (Home) _____ (Work) _____

2. **Locational Description:**

Subdivision Name _____ Lot No. _____
(If not in a platted subdivision, attached a legal description.)

Street Name and Number _____

3. **Existing Use** _____

4. **Zoning District** _____

5. **Description of Conditional Use** _____

6. **Supporting Information:** Attach a plan for the proposed use (in triplicate) showing the location of building, parking and loading areas, traffic access and circulation drives, open space, landscaping, utilities, signs, yards, and refuse and service areas. Also attach a narrative statement relative to the above requirements and also explain the economic, noise, glare, and odor effects on adjoining property and the general compatibility with adjacent and other properties in the district.

Signature of Owner

Date

**APPLICATION FOR TEMPORARY USE PERMIT
UNION TOWNSHIP
AUGLAIZE COUNTY, OHIO**

Application No. _____

The undersigned applies for a Temporary Use Permit for the use and the time period specified. Such permit to be issued on the basis of the information contained herein and attachments hereto are true and correct.

1. Locational Description: Attach a graphic description of the property on which the temporary use is proposed to occur, to include a site plan depicting the yard(s), setback(s), parking facilities, and sanitary facilities, and the location of the temporary use proposed.

2. Name of Owner _____

Mailing Address _____

Phone Number: (Home) _____ (Work) _____

3. Existing Use _____

4. Property Presently Zoned As _____

5. Description of Proposed Temporary Use _____

6. Date(s) of Proposed Temporary Use _____

7. Name of Applicant/Organization: _____

Mailing Address _____

Phone Number: (Home) _____ (Work) _____

Vendor's License Number: _____ (attach photocopy)

Signature of Owner

Date

**APPLICATION FOR ZONING MAP AMENDMENT
UNION TOWNSHIP
AUGLAIZE COUNTY, OHIO**

Application No. _____

The undersigned, owner(s) of the following legally described property hereby request the consideration of change in zoning district classification as specified below:

1. **Name of Owner** _____

 Mailing Address _____

 Phone Number: (Home) _____ (Work) _____
2. **Locational Description:** Subdivision Name _____

 Lot No. _____ Street Name and Number _____
 (If not located in a subdivision, attach legal description)
3. **Present Use** _____
4. **Present Zoning District** _____
5. **Proposed Use** _____
6. **Proposed Zoning District** _____
7. **Statement of Reason(s) for the Proposed Amendment:** _____

8. **Supporting Information:** Attach the following items to the application:
 - a. Vicinity map(s) showing property lines, streets and existing and proposed zoning.
 - b. Legal description of property.
 - c. A list of all property owners and their mailing addresses within, contiguous to and directly across the street from the proposed rezoning.
 - d. A statement of how the proposed rezoning relates it to the Comprehensive Plan.
 - e. The proposed amendment to the zoning map in ordinance form, approved as to form by the Union Township Trustees.

Signature of Owner

Date

**APPLICATION FOR ZONING TEXT AMENDMENT
UNION TOWNSHIP
AUGLAIZE COUNTY, OHIO**

Application No. _____

The undersigned, owner(s) of the following legally described property hereby request the consideration of change in zoning district classification as specified below:

1. **Name of Owner** _____

Mailing Address _____

Phone Number: (Home) _____ (Work) _____

2. **Locational Description:** Subdivision Name _____

Lot No. _____ Street Name and Number _____

(If not located in a subdivision, attach legal description)

4. **Statement of Reason(s) for the Proposed Amendment** _____

5. **Supporting Information:** Attach the following items to the application:

- a. Vicinity map(s) showing property lines, streets and existing and proposed zoning.
- b. Legal description of property.
- c. A list of all property owners and their mailing addresses within, contiguous to and directly across the street from the proposed rezoning.
- d. A statement of how the proposed rezoning relates it to the Comprehensive Plan.
- e. The proposed amendment to the zoning text in ordinance form, approved as to form by the Union Township Trustees.

Signature of Owner

Date

**NOTICE OF PUBLIC HEARING
TO PROPERTY OWNER
UNION TOWNSHIP
AUGLAIZE COUNTY, OHIO**

To: _____

Date: _____

Dear _____:

This is to inform you that the _____ will hold a

public hearing on an application for a proposed _____

_____ on the _____ day

of _____, 20__ at _____ a.m. (p.m.) at

_____. The application,

submitted by _____, requests that

_____ be

granted for the property located at _____

Township Clerk