

BOWLING GREEN TOWNSHIP
ZONING RESOLUTION

Adopted Date: April 29, 1985

Effective Date: February 18, 1986 and

Adopted Date: February 11, 1992

Effective Date: June 16, 1992

AMENDMENTS

AMENDMENT DATE	AMENDMENT AFFECTIVE DATE	ARTICLE/SECTION NUMBER	DESCRIPTION
February 27, 2007	March 27, 2007	Section 9.11 Article 2	Limitation of the number of principal structures per lot. Definitions
May 7, 2007	June 7, 2007	Section 9.5	AG District: 250' frontage and 5 acre minimum.
May 26, 2015	June 26, 2015	Article 5 Section 5.11	
March 28, 2023	April 28, 2023	Article 9, Section 9.5	Removal of conditionally uses in Ag
December 11, 2023	January 11, 2024	Article 9, Section 9.5- 9.14	Edited Permitted uses & added conditionally uses. Added 9.12-9.14

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PREAMBLE

This resolution is enacted for the purpose of promoting public health, safety, morals, comfort and general welfare; to conserve and protect property and property values; to secure the most appropriate use of land, and facilitate adequate and economical provisions for public improvements, all in accordance with a comprehensive plan for the desirable future development of Bowling Green Township, and to provide a method of administration and to prescribe penalties for violation of provisions hereafter described – all as authorized by the Ohio Revised Code.

ARTICLE 1

Section 1.0 Title

This resolution shall be known and may be cited to as the “Zoning Resolution – for Bowling Green Township, Licking County, Ohio.”

Section 1.1 Provisions Declared Minimum Requirements

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

Section 1.2 Separability Clause

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

Section 1.3 Repeal of Conflicting Resolution, Effective Date

This resolution shall supersede all previous resolutions and give this resolution full force and effect. This resolution shall become effective from and after the date of its approval an adoption, as provided by law.

ARTICLE 2

DEFINITIONS

Section 2.0 Interpretation of Terms of Words

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

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

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

Agriculture: The use of land for farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce, provided however that:

1. The operation of any such accessory use shall be secondary to that of normal agricultural activities.
2. The above uses shall not include the feeding or sheltering of animals or poultry in penned enclosures within 100 feet of any residential zoning district or dwelling units. Agriculture does not include the feeding of garbage to animals or the operation or maintenance of a commercial stockyard or feedyard.

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

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

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

Basement: A part of a structure all or partly underground, but having at least three-fourths of its height below the highest level of adjoining ground, except a dwelling constructed which, when completed, is in its greatest portion underground.

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

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

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

Building Line: See Setback Line.

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

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

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

Cemetery: Land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries if operated in connection with and without the boundaries of such cemetery.

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

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

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

Conditional Use: A use permitted within a district other than a principally permitted use, requiring a conditional use permit and approval of the Board of Zoning Appeals. Conditional uses permitted in each district are listed in the Official Schedule and District Regulations.

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

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

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

Dwelling: Any building or structure (except a manufactured home as defined by Ohio Revised Code 4501.01) which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants.

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

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

Dwelling, Two-Family: A dwelling consisting of two dwelling units which may be either attached side by side or one above the other, and each unit having a separate or combined entrance for cooking, bathing, and toilet facilities, all used by one family and its household employees.

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

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

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

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

Flood, Regional: Large floods which have previously occurred or which may be expected to occur on a particular stream because of an average frequency of the 100 year interval flood.

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

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

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

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

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

Garages, Private: A detached accessory building or portion of a principal building for the parking or temporary storage of automobiles, travel trailers, and/or boats.

Garage, Service Station: Buildings and premises where gasoline, oil, grease, batteries, tires, and motor vehicle accessories may be supplied and dispensed at retail, and where in addition, automotive repair may take place subject to the following:

Uses permissible at a filling station do not include storage of autos not more than 90 days in an inoperable condition, or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normal found in filling stations.

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

1. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants.
2. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding four square feet in area and non-illuminated.
3. No traffic shall be generated by such home occupation in greater volume that would normally be expected in a residential neighborhood, and need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this resolution, and shall not be located in a required front yard.
4. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

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

Kennel: Any lot or premises on which four or more domesticated animals (dogs or cats) more than four months of age are groomed, bred, boarded, trained, or sold and which offers provisions for minor medical treatment.

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

Location Map: See Vicinity Map.

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

1. A single lot of record.
2. A portion of lot of record on the same deed.
3. A combination of complete lots of record, or complete lots of record and portions of lots of record, or of portions of lots of record on the same deed.

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

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

Lot Measurements: A lot shall be measured as follows:

1. **Depth:** The distance between the mid-points of the lines connecting the side lot lines in front of the property and the back of the property.
2. **Width:** The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the building setback line, except as otherwise provided within this resolution.

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

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

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

Manufactured Home: Any non self-propelled vehicle or self-propelled transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body 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 with or without a permanent foundation when connected to the required utilities, and includes plumbing, heating, air conditioning, and electrical systems contained therein. Calculations used to determine the number of square feet in a structure are based on the structure's exterior dimensions measured at the largest horizontal projections when erected on site. These dimensions include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows.

Manufacturing, Extractive: Any mining, quarrying, excavating, processing, storing, separating, cleaning, or marketing or any mineral natural resources.

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

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

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

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

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

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

Principal Structure: The structure on a lot within which the main or primary use of the property is conducted.

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

Public Service Facility: The erection, construction, alteration, operation, or maintenance buildings, power plants, or substations, water treatment plants or pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water and sewage services.

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

Public Way: An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, path, or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

Quasipublic Use: Churches, Sunday Schools, Parochial Schools, colleges, hospitals, and other facilities of an educational, religious, charitable, philanthropic, or non-profit nature.

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

Recreation Facilities: Public or private facilities that may be classified as either “extensive” or generally require and utilize considerable areas of land and include, but need not be limited to hunting, fishing, and riding clubs and parks. Intensive facilities generally require less land (used more intensively) and include, but need not be limited to miniature golf courses, amusement parks, stadiums, and bowling alleys.

Right-of-Way: A strip of land taken or dedicated for use as a public way, in addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts, and bridges.

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

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

Setback Line: A line established by the zoning resolution generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory buildings, or structures may be located above ground, except as may be provided in said code.

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

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

1. **Sign, On Premises:** Any sign related to a business or profession conducted, or to a commodity or service sold or offered upon the premises where such sign is located.
2. **Sign, Off Premises:** Any sign unrelated to a business or professional conducted, or to a commodity or service sold or offered upon the premises where such sign is located.
3. **Sign, Illuminated:** Any sign illuminated by electricity, gas, or other artificial light including reflecting or phosphorescent light.
4. **Sign, Lighting Device:** Any light, string of lights, or group of lights located or arranged so as to cast illumination on a sign.
5. **Sign, Projecting:** Any sign which projects from the exterior of a building.

Solar Energy: Accessory System: A solar collection system consisting of one or more roof and/or ground mounted solar collector devices and solar energy equipment, which has a rated capacity of less than or equal to twenty five (25) kilowatts (for electricity) or rated storage volume of less than or equal to two hundred forty (240) gallons or that has a collector area of less than or equal to one thousand (1,000) square feet (for thermal), and is intended to primarily reduce on-site consumption of utility power. A system is considered solar energy accessory system only if it supplies electrical or thermal power solely for on-site use, except that when a property upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company and/or the regional transmission organization.

Solar Energy: Production System: An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy and/or thermal energy. A large solar energy production system consists of one or more free-standing ground, or roof mounted solar collector devices, solar energy equipment and other accessory structures and buildings including light reflectors, concentrators, heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities, which has a rated capacity of more than twenty-five (25) kilowatts (for electricity) or a rated storage volume of the system of more than two hundred forty (240) gallons or that has a collector area of more than one thousand (1,000) square feet (for thermal).

Solar Energy Equipment: Items including but not limited to a solar photovoltaic cell, solar panels, lines, pumps, batteries, mounting brackets, framing and/or foundation used for or intended to be used for the collection of solar energy.

Solar Photovoltaic (PV): The technology that uses a semiconductor to convert light directly into electricity.

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

Structure: Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures include buildings, manufactured homes, and billboards.

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

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

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

Thoroughfare, Street, or Road: A full width between property lines bounding every public way or whatever nature, with a part thereof to be used for vehicular traffic.

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

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

Variance: A variance is a modification of the strict terms of the relevant regulations 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 applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

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

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

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

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

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

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

ARTICLE 3

ENFORCEMENT

Section 3.0 Zoning Permits Required

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

Section 3.1 Content of Application for Zoning Permit

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

1. Name, address, and phone number of applicant.
2. Legal description of property.
3. Existing use.
4. Proposed use.
5. Zoning district.
6. Plans in triplicate 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).
7. Building heights,
8. Number of off-street parking spaces or loading berths.
9. Number of dwelling units.

Section 3.2 Submission to Director of Transportation

Before any zoning permit is issued affecting any land within 300 feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certification to local officials by the Director of Transportation or any land within a radius of 500 feet from the point of intersection of said centerline with any public road or highway, the Zoning Inspector shall give notice by registered mail to the Director of Transportation that he shall not issue a zoning permit for 120 days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Zoning Inspector that he shall proceed to acquire the land needed, then the

Zoning Inspector shall refuse to issue the zoning permit. If the Director of Transportation notifies the Zoning Inspector that acquisition of the 120 day period of any extension thereof agreed upon the Director of Transportation and the property owner, the Zoning Inspector shall, if the application is in conformance with all provisions of this resolution, issue the zoning permit.

Section 3.3 Approval of Zoning Permit

Within 30 days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this resolution. All zoning permits shall, however, be conditional upon the commencement of work within one year. One copy of the plans shall be returned to the applicant by the Zoning Inspector, after the Zoning Inspector shall have marked such copy either as approved or disapproved, and attested to same by his signature on such copy. One copy of plans, similarly marked, shall be retained by the Zoning Inspector. The Zoning Inspector shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the use in conformance with the provisions of the resolution.

Failure to notify the applicant in case of such refusal within the said 30 days shall entitle the applicant to a zoning certificate unless the applicant consents to an extension of time.

Section 3.4 Expiration of Zoning Permit

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

Section 3.5 Record of Zoning Permits

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

Section 3.6 Failure to Obtain a Zoning Permit

Failure to obtain a zoning permit shall be a violation of this resolution and punishable under Section 3.9 of this resolution.

Section 3.7 Construction and Use to be as Provided in Applications, Plans, Permits

Zoning permits issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use, and arrangement, set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of this resolution, and punishable as provided in Section 3.9 of this resolution.

Section 3.8 Complains Regarding Violations

Whenever a violation of this resolution 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 Inspector shall record properly such complaint, investigate within three days and take action thereon as provided by this resolution.

Section 3.9 Penalties for Violation

Whoever violates the provisions of this resolution or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$100 and shall pay all costs and expenses involved in the case. Each day such violation continues after receipt of a violation, notice, shall constitute a separate offense. The owner or tenant of any 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 herein provided. Nothing herein shall prevent the Board of Township Trustees from taking such other lawful action as is necessary to prevent or remedy any violation.

Section 3.10 Schedule of Fees, Charges, and Expenses

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

ARTICLE 4

NONCONFORMITIES

Section 4.0 Existing Nonconforming Uses – Continuation

Except as hereinafter specified, the lawful use of a building or premises existing at the time of the adoption of amendment of this resolution may be continued, although such use, building or structure does not conform with the provisions of this resolution for the district in which it is located.

Section 4.1 Nonconforming Uses or Buildings – Enlargement, Substitution, Etc.

No existing building or premises devoted to a use not permitted by this resolution in the district in which such building or premises is located, except when required to do so by law or order, shall be enlarged, extended, reconstructed, substituted, or structurally altered, unless authorized by the Board in accordance with Section 5.4.

Section 4.2 Discontinue of a Use

No building, structure, or premises where a nonconforming use has been discontinued for a period of 24 months or more shall be put to a nonconforming use.

Section 4.3 Repairs and Maintenance

Repairs and maintenance work as required to keep it in sound condition may be made to a nonconforming building or structure.

Section 4.4 Replacing Damaged Buildings

Any nonconforming building or structure, or one or more of a group of nonconforming buildings or structures related to one industry and under one ownership, which has been or may be damaged by fire, flood, explosion, earthquake, war, riot, or act of God, may be reconstructed and used as before, if construction has begun within 12 months of such calamity or if the area restored does not exceed the square foot area as it existed at the time of such calamity.

Section 4.5 Avoidance of Undue Hardship

To avoid undue hardship, nothing in this resolution shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this

resolution and upon which actual building construction has been carried on diligently. Actual is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that the work shall be carried out diligently.

Section 4.6 Single Nonconforming Lots of Record

In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this resolution, notwithstanding limitations imposed by other provisions of this resolution. Such lots must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lots fail to meet the requirements for area or width, or both, or the lot shall conform to the regulations for the district in which such lot is located. Variances of requirements listed in Articles 9 and 10 of this resolution other than lot area or lot width shall be obtained only through action of the Board of Zoning Appeals as provided in Section 508 and 518.

Section 4.7 Nonconforming Use of Land

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

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

Section 4.8 Nonconforming Structures

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

1. No such nonconforming structure may be enlarged or altered in a way, which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity.
2. Should such structure be moved for any reason for any distance whatsoever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

Section 4.9 Nonconforming Uses of Structures of Land in Combination

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

1. No existing structure devoted to a use not permitted by this resolution in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district which it is located.
2. Any nonconforming use may be extended throughout any parts of a building, which were manifestly arranged or designed for such use at the time of adoption or amendment of this resolution, but no such use shall be extended to occupy any land outside such building.
3. If no structural alterations are made, any nonconforming use of a structure or structure of land, may upon appeal to the Board of Zoning Appeals, be changed to another nonconforming use provided that the Board of Zoning Appeals shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accordance with other provisions of this resolution.
4. Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the nonconforming use may not thereafter be resumed.
5. When a nonconforming use of a structure, or structure and land in combination is discontinued or abandoned for more than two years (except when government action impedes access to the premises), the structure or structure and land in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.

Section 4.10 Uses Under Conditional Use Provisions Not Nonconforming Uses

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

ARTICLE 5

ADMINISTRATION

Section 5.0 Office of Zoning Inspector Created

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

Section 5.1 Duties of Zoning Inspector

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

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

Section 5.2 Proceedings of Zoning Commission

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

Section 5.3 Duties of the Zoning Commission

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

1. Initiate proposed amendments to this resolution.

2. Board of Township Trustees as specified in Section 6.

Section 5.4 Board of Zoning Appeals Created

A Board of Zoning Appeals is hereby created, which shall consist of five members to be appointed by the Board of Township Trustees each for a term of five years, except that the initial appointments shall be one member each for one, two, three, four and five year terms. Each member shall be a resident of the township. Members of the Board may be removed from office by the Board of Township Trustees for cause upon written charges and after public hearing. Vacancies shall be filled by appointment by the Board of Township Trustees for the un-expired term of the member affected.

Section 5.5 Proceedings of the Board of Zoning Appeals

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

Section 5.6 Duties of the Board of Zoning Appeals

In exercising its duties, the Board may, as long as such action is in conformity with the terms of this resolution, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination as ought to be made and to that end shall have the powers of the Zoning Inspector from whom the appeal is taken. The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision, determination of the Zoning Inspector, or to decide in favor of the applicant on any matter upon which it is required to pass under this resolution or to effect any variation in the application of this resolution. For the purpose of this resolution the Board has the following specified responsibilities:

1. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, interpretation, or determination made by the Zoning Inspector.
2. To authorize such variances from the terms of this resolution as will not be contrary to the public interest, where, owing to the special conditions, a literal enforcement of this resolution will result in unnecessary hardships, and so that the spirit of this resolution shall be observed and substantial justice done.
3. To grant conditional use permits as specified in the Official Schedule of District Regulations and under the conditions specified in Articles 9 and such additional safeguards as will uphold the intent of this resolution.

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

It is the intent of this resolution that all questions of interpretation and enforcement shall be first presented to the Zoning Inspector, and that such questions shall be presented to the Board only on appeal from the decision of the Zoning Inspector, and that recourse from the decisions of the Board shall be to the courts as provided by law. It is further the intent of this resolution that the duties of the Board of Township Trustees in connection with this resolution shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this section and this resolution. Under this resolution the Board of Township Trustees shall have only the duties of considering the adopting or rejecting proposed amendments or the repeal of this resolution as provided by law, and of establishing a schedule of fees and charges as stated in Section 312 of this resolution. Nothing in this resolution shall be interpreted to prevent any official of the township from appealing a decision of the Board to the courts as provided in Chapters 2505 and 2506 of the Ohio Revised Code. Any such appeal shall be made within ten days of the Boards written decision.

Section 5.8 Procedures and Requirements for Appeals and Variances

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

Section 5.9 Appeals

Appeals to the Board of Zoning Appeals concerning interpretation or administration of this resolution may be taken by any person aggrieved or by any officer or bureau of the legislative authority of the township affected by any decision of the Zoning Inspector. Such appeal shall be taken within 20 days after the decision by filing, with the Zoning Inspector and with the Board of Zoning Appeals, a notice of appeal specifying the grounds upon which the appeal is being taken. The Zoning Inspector shall transmit to the Board of Zoning Appeals all the paper constituting the record upon which the action appeal was taken.

Section 5.10 Stay of Proceedings

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

Section 5.11 Variance

The Board of Zoning Appeals may authorize upon appeal in specific cases such variance from the terms of this resolution as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this resolution would result in unnecessary hardship. Variances shall not be granted on the grounds of convenience or profit, but only where strict application of the provisions of this resolution would result in unnecessary hardship.

The factors to be considered and weighed in determining whether a property owner seeking a use variance has encountered unnecessary hardship in the use of the property include, but are not limited to:

Section 5.11.A Use Variance

A1 That special conditions and circumstances exist which are peculiar to the land, structure, or buildings in the same district.

A2 That a literal interpretation of the provisions of this resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this resolution.

A3 That special conditions and circumstances do not result from the applicant.

A4 That granting the variance requested will not confer on the applicant by special privilege that is denied by this resolution to other lands, structures, or buildings in the same district.

A5 Owner's consent to application or satisfactory evidence showing applicant's legal or equitable interest in property. Copy of the deed showing the applicant's legal ownership of said property.

A6 Names and addresses of adjoining owners within 500 feet of property, including across the roadway. This list shall be typed or printed on mailing labels.

A7 Fees need to be paid in accordance to fee schedule set by trustees.

A8 Other information as specified by the Board of Zoning Appeals.

Section 5.11.B Area Variance

The Board of Zoning Appeals in regards to lot area, lot width and setbacks may authorize upon appeal in specific cases such variance from the terms of this resolution as will not be contrary to the public interest where, owing to special conditions of the

land, a literal enforcement of the provisions of this resolution would result in practical difficulties. The Board of Zoning Appeals shall not grant a variance from the terms of this resolution unless and until practical difficulty is proven. The factors to be considered and weighed in determining whether a property owner seeking an area variance has encountered practical difficulties in the use of the property include; but are not limited to:

Section 5.11.B.01 Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance;

Section 5.11.B.02 Whether a variance is substantial;

Section 5.11.B.03 Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;

Section 5.11.B.04 Whether the variance would adversely affect the delivery of governmental services, (e.g. water, sewer, garbage, medical, fire, police.);

Section 5.11.B.05 Whether the property owner purchased the property with knowledge of the zoning restriction;

Section 5.11.B.06 Whether the property owner's predicament feasibly can be prevented or corrected through some method other than a variance; and

Section 5.11.B.07 Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Section 5.12 Application and Standards for Variances

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

1. Name, address, and phone number of applicants.
2. Legal description of property.
3. Description of nature of variance requested.
4. A narrative statement demonstrating that the requested variance conforms to the following standards:
 - a. That special conditions and circumstances exist which are peculiar to the land, structure, or buildings in the same district.
 - b. That a literal interpretation of the provisions of this resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this resolution.
 - c. That special conditions and circumstances do not result from actions of

- the applicant
 - d That granting the variance requested will not confer on the applicant any special privilege that is denied by this resolution to other lands, structures, or buildings in the same district.
 - e Owner’s consent to application or satisfactory evidence showing applicant’s legal or equitable interest in property.
5. Names and mailing addresses of adjoining owners within 500 feet of the property, including across the roadway. This list must be typed on mailing labels.
 6. Other information as specified by the Board of Zoning Appeals.

Section 5.12.B Basis for Granting a Variance

A variance shall not be granted unless the Board makes specific findings of facts based directly on the particular evidence presented to it, which support conclusions that the standards, and conditions imposed by subsection four of this section have been met by the applicant. Variances may be granted as guided by, but not limited to, any or all of the following examples:

5.12.B.01 To permit any yard or setback less than the yard or setback required by the applicable regulations.

5.12.B.02 To permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots, but generally the respective area and width of the lot or lots should not be less than eighty (80) percent of the required area and width.

5.12.B.03 To permit the same off-street parking facility to qualify as required facilities for two (2) or more uses, provided that substantial use of such facility by each use does not take place at approximately the same hours of the same days of the week.

5.12.B.04 To reduce the applicable off-street parking or loading facilities required, but generally by not more than thirty (30) percent of the required facilities.

5.12.B.05 To allow for the deferment of required parking facilities for a reasonable period of time, such period of time to be specified as a condition of the variance.

5.12.B.06 To increase the maximum distance that required parking spaces are permitted to be located from the use served, but generally not more than forty (40) percent. (See Section 19.08 - Location of Parking Spaces and 19.09 - Screening and/or Landscaping.)

5.12.B.07 To increase the maximum allowable size or area of signs on a lot, but generally by not more than twenty-five (25) percent.

5.12.B.08 To increase the maximum gross floor area of any use so limited by the applicable regulations, but generally not more than twenty-five (25) percent.

5.12.B.09 Under no circumstance shall a variance be granted due to personal hardship. Variances are granted for reasons associated with difficulties with the land only (i.e. topographical, floodplain, soils, natural feature, and the like).

Section 5.13 Supplementary Conditions and Safeguards

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

Section 5.14 Public Hearing by the Board of Zoning Appeals

The Board of Zoning Appeals shall hold a public hearing within 20 days after the receipt of an application for an appeal or variance from the Zoning Inspector of an applicant.

Section 5.15 Notice of Public Hearing in Newspaper

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

Section 5.16 Notice to Parties in Interest

Before holding the public hearing required in Section 5.15, written notice of such hearing shall be mailed by the chairman of the Board of Zoning Appeals, by first class mail, at least ten days before the day of the hearing to all parties in interest. The notice shall consist of the same information as required for notices published in newspapers as specified in Section 5.15.

Section 5.17 Action by Board of Zoning Appeals

Within 30 days after the public hearing required in Section 5.14, the Board of Zoning Appeals shall either approve, with supplementary conditions as specified in Section 5.13, or disapprove the request for appeal or variance. The Board of Zoning Appeals shall further make possible a reasonable use of the land, building, or structure. Appeals from Board decisions shall be made in the manner specified in Section 5.7.

Section 5.18 Procedures and Requirements for Approval of Conditional Use Permits

Conditional uses shall conform to the procedures and requirements of Sections 5.19 through 5.26, inclusive of this resolution.

Section 5.19 General

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

Section 5.20 Contents of Application for Conditional Use Permit

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

1. Name, address, and phone number of applicant.

2. Legal description of property.
3. Description of existing use.
4. Zoning District.
5. Description of proposed conditional use.
6. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards, and such other information as the Board may require to determine if the proposed conditional use meets the intent and requirements of this resolution.
7. A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, glare, odor, fumes, and vibration on adjoining property; a discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to the comprehensive plan.
8. Such other information as may be required in Section 5.22.

Section 5.21 General Standards Applicable to all Conditional Uses

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

1. Is in fact a conditional use as established under the provisions of Article 9 and appears on the Official Schedule of District Regulations for the zoning districts involved.
2. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the township’s Comprehensive plan, and /or the zoning resolution.
3. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
4. Will not be hazardous or disturbing to existing or future neighboring uses.
5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
7. Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odor.

8. Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
9. Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

Section 5.22 Specific Criteria for Conditional Uses

Following is a list of specific requirements for conditionally permitted uses as specified under the Official Schedule of District Regulations.

1. All structures and activity areas should be located at least 100 feet from all property lines.
2. Loud speakers which cause a hazard or annoyance shall not be permitted.
3. There shall be no more than one sign oriented to each abutting street identifying the activity.
4. No lighting shall constitute a nuisance and shall in no way impair safe movement of traffic on any street or highway, and no lighting shall shine directly on adjacent properties.
5. Such developments should, if possible, be located adjacent to non-residential uses such as churches, parks, industrial, or commercial uses.
6. Site locations should be preferred that offer natural or man-made barriers that would lessen the effect of intrusion into a residential area.
7. Such uses should be landscaped to conform with surrounding residential uses.
8. All permitted installations shall be kept in a neat and orderly condition so as to prevent injury to any single property, any individual, or to the community in general.
9. Truck parking areas, maneuvering lanes, and accessways to public thoroughfares shall be designed to cause no interference with the safe and convenient movement of automobile and pedestrian traffic on and adjacent to the site.
10. Such uses shall not be conducted closer than 500 feet from any residential district, nor closer than 200 feet from any structures used for human occupancy in any district.
11. There shall be filed with the Zoning Inspector a location map which clearly shows areas to be mined and the location of adjacent properties, roads, and natural features.
12. Information shall be submitted on the anticipated depth of excavations and on depth and probable effect on the existing water table and coordinated with the Ohio Division of Water.
13. All equipment and machinery shall be operated and maintained in such a way as to minimize dust, noise, and vibration. Access roads shall be maintained in dust-free condition by surfacing or other treatment as may be specified by the County Engineer.
14. There shall be filed with the Board a detailed plan for the restoration of the area to be mined, which shall include the anticipated future use of the restored land.

15. Granting of a conditional use permit for mining shall be further conditioned upon submission to the Board of Certification that all state and local laws applicable to severing natural resources and land reclamation have been complied with by the operator.

Section 5.23 Supplementary Conditions and Safeguards

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

Section 5.24 Procedure for Hearing Notice

Upon receipt of the application for a conditional use permit specified in Section 5.20, the Board shall hold a public hearing, publish notice in a newspaper, and give written notice to all parties in interest according to the procedures specified in Sections 5.14 through 5.16.

Section 5.25 Action by the Board of Zoning Appeals

Within 30 days after the public hearing required in Section 5.24, the Board shall either approve, approve with supplementary conditions as specified in Section 5.23, or disapprove the application as presented. If the application is approved or approved with modifications, the Board shall direct the Zoning Inspector to issue a conditional use permit listing the specific conditions specified by the Board for approval. If the application is disapproved by the Board, the applicant may seek relief through the Court of Common Pleas. Appeals from Board decisions shall be made in the manner specified in Section 5.7.

Section 5.26 Expiration of Conditional Use Permit

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

ARTICLE 6

AMENDMENT

Section 6.0 Procedure for Amendments or District Changes

This resolution may be amended by utilizing the procedures specified in Sections 6.1 through 6.13, inclusive of this resolution.

Section 6.1 General

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

Section 6.2 Initiation of Zoning Amendments

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

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

Section 6.3 Contents of Application

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

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

8. A list of all property owners and their mailing addresses who are within, contiguous to, or directly across the street from the parcel(s) proposed to be rezoned and other that may have a substantial interest in the case, except that addresses need not be included where more than ten parcels are to be rezoned.
9. A statement on how the proposed amendment relates to the comprehensive plan.
10. A fee as established by the Board of Township Trustees according to Section 3.12.

Applications for amendments proposing to amend, supplement, change or repeal portions of this resolution other than the Official Zoning Map shall include items (1), (2), (9), and (10) listed above.

Section 6.4 Transmittal to Zoning Commission

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

Section 6.5 Submission to County Planning Commission

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

Section 6.6 Submission to Director of Transportation – State, County, or Local

Before any zoning amendment is approved affecting any land within 300 feet of the centerline of a proposed new highway or highway for which changes are proposed as described in the certification to local officials by the Director of Transportation or within a radius of 500 feet from the point of intersection of said centerline with any public road or highway, the Commission shall give notice, by registered or certified mail to the Director of Transportation. The Zoning Commission may proceed as required by law, however, the Board of Township Trustees shall not approve the amendment for 120 days from the date the notice is received by the Director of Transportation notifies the Board of Township Trustees that he shall proceed to acquire any land needed, then the Board of Township Trustees shall refuse to approve the rezoning. If the Director of Transportation notifies the Board of Township Trustees that acquisition at this time is not in the public interest or upon the expiration of the 120 day period or any extension thereof agreed upon

the Director of Transportation and the property owner, the Board of Township Trustees shall proceed as required by law.

Section 6.7 Public Hearing by Zoning Commission

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

Section 6.8 Notice of Public Hearing in Newspaper

Before holding the public hearing as required in Section 6.7, notice of such hearing shall be given by the Zoning Commission by at least one publication in one or more newspapers of general circulation of the township at least 15 days before the date of said hearing. The time and place where the motion, application, or resolution proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the public hearing. This notice shall set forth the time and place of the public hearing, the nature of the proposed amendment, and a statement that after the conclusion of such public hearing the matter will be referred to the Board of Township Trustees for further determination.

Section 6.9 Notice of Property Owners by Zoning Commission

If the proposed amendment intends to rezone or redistrict ten or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least 20 days before the date of the public hearing to all owners of property within, contiguous to, and directly across the thoroughfare from such area proposed to be rezoned or redistricted to the address of such owners appearing on the county auditor's current tax list or the treasurer's mailing list and to such other list or lists that may be specified by the Board of Township Trustees. The notice shall contain the same information as required of notices published in newspapers as specified in Section 6.8. The failure of receipt of such notice, as provided in this section, shall not invalidate any such amendment.

Section 6.10 Recommendation by Zoning Commission

Within 30 days after the public hearing required by Section 6.7, the Zoning Commission shall recommend to the Board of Township Trustees that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be not granted.

Section 6.11 Public Hearing by Board of Township Trustees

Within 30 days from the receipt of the recommendation of the Zoning Commission, the Board of Township Trustees shall hold a public hearing. Notice of such public hearing in a newspaper shall be given by the Board of Township Trustees as specified in Section 6.8.

Section 6.12 Action by Board of Township Trustees

Within 20 days after the public hearing required by Section 6.11, the Board of Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. In the event the Board of Township Trustees denies or modifies the recommendation of the Commission, the unanimous vote of the Board of Township Trustees is required.

Section 6.13 Effective Date and Referendum

Such amendment adopted by the Board of Township Trustees shall become effective 30 days after the date of such adoption unless within 30 days after the adoption of the amendment there is presented to the Board of Township Trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the township or part thereof include in the zoning plan equal to not less than 8 percent of the total vote cast for all candidates for governor in such area at the last preceding general election at which a governor was elected, requesting the Board of Township Trustees to submit the amendment to the electors of such area, for approval or rejection, at the next primary or general election.

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

ARTICLE 7

PROVISIONS FOR OFFICIAL ZONING MAP

Section 7.0 Official Zoning Map

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

Section 7.1 Identification of the Official Zoning Map

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

Section 7.2 Interpretation of District Boundaries

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

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

ARTICLE 8

ESTABLISHMENT AND PURPOSE OF DISTRICTS

Section 8.0 Intent

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

Section 8.1 Medium-Low Density Residential District (R-2)

The purpose of the R-2 District is to preserve the established medium-low density single-family dwellings within previously platted subdivisions within the township not to exceed one dwelling unit per one-half gross acre. All dwellings within such district must all meet requirements of the County Board of Health regarding water and sewage disposal facilities.

Section 8.2 Integrated Use Settlement District (S-1)

The purpose of the S-1 District is to preserve the established settlement areas of the township which have served the township over the years as local residential and commercial areas that promote the public welfare and are of historical significance as part of state and local heritage.

Section 8.3 Agricultural District (AG)

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

Section 8.4 Light Manufacturing District (M-1)

The purpose of the M-1 District is to encourage the development of manufacturing and wholesale business establishments which are clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke or glare; operate entirely within enclosed structures and generate little industrial traffic. Research activities are

encouraged. This district is further designed to act as a transitional use between heavy manufacturing uses and other less intense business and residential uses.

Section 8.5 Flood Plain District (FP)

The purpose of the FP District is to guide development in the flood prone areas of any watercourses that are consistent with the requirements for the conveyance of flood flows, and to minimize the expense and inconvenience to the individual property owners and the general public through flooding. Uses permitted in this district are generally associated with open space, recreational, and agricultural land uses and shall not hinder the movement of floodwaters.

Section 8.6 Amendments

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

ARTICLE 9

DISTRICT REGULATIONS

Section 9.0 Compliance with Regulations

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

1. No building, structure, or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, or moved, except in conformity with all the regulations herein specified for the district in which it is located.
2. No yard or lot existing at the time of passage of this resolution shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this resolution shall meet at least the minimum requirements set forth herein.

Section 9.1 Official Schedule of District Regulations Adopted

District regulations shall be as set forth in the Official Schedule of District Regulations hereby adopted and declared to be part of this resolution.

Section 9.2 Intent of District Regulations

It is the intent of these regulations to set forth within the district regulations the permitted uses, the conditionally permitted uses, the general requirements of the district, and other regulations as they pertain in general to each zoning district. Conditionally permitted uses are in addition to the permitted uses in each district and as such are governed by Article 5 and other articles of these regulations. Rules, regulations, requirements, standards, resolutions, articles, and/or sections not specifically included for each district, but which are contained in these regulations and which are applicable to each district or use shall be applied as if stated in full in Article 8 of these regulations. Uses not specifically defined or stated which cannot reasonably be interpreted by the Zoning Inspector or the Zoning Commission as permitted or conditionally permitted in any district shall be referred to the Board of Zoning Appeals for an order in the determination of such use and the district to which and under what circumstances will prevail as specified in Article 5.

Section 9.3 Medium-Low Density Residential District (R-2)

Permitted uses, dimensional requirements and other regulations of the R-2, Medium-Low Density Residential District:

Permitted Uses: After obtaining a valid zoning permit in accordance with these regulations, the following uses are permitted:

1. Single-Family dwellings.
2. Public parks and playgrounds.
3. Private community parks and playgrounds.
4. Outdoor swimming pools subject to the following: No outdoor swimming pool, exclusive of portable swimming pools with a diameter less than 12 feet or with an area of less than 100 square feet shall be allowed in the district unless it complies with the following:
 - a. Community or club swimming pools must be intended for the sole use and enjoyment of members, families, and guests of members of the association or club under whose ownership or jurisdiction the pool is operated and shall meet all requirements set forth in subsection b (i) and (ii) below.
 - b. Private swimming pools shall be an accessory use only and shall be intended for the sole use and enjoyment of the occupants and guests of the property on which it is located.
 - i. The pool and any accessory structures thereto shall not be closer than 15 feet from any property line.
 - ii. The pool, or the entire property on which it is located shall be walled or fenced to prevent uncontrolled access from the street or from adjacent properties. Said wall or fence shall not be less than six feet in height nor more than 12 feet in height and shall be maintained in good condition and shall have a gate and lock.
5. Home occupations.
6. Accessory use and structures.

Prohibited Uses: No use other than those which reasonably can be deemed to fall under the above permitted uses shall be permitted within the R-2 District. Manufactured homes shall be prohibited within the R-2 District.

General Requirements of the R-2 District

Lot Area, Width and Depth: Every lot shall meet county subdivision regulations in effect at the tie of the subdivision platting.

Yards: Front – 40 Feet
Side – 10 Feet Each
Rear – 40 Feet

Parking Requirements: Parking requirements shall be as regulated in Section 9.9 of these regulations.

Accessory Structures: No accessory structure on any lot of record shall be erected in the front yard and no accessory structure shall be located less than five feet from a side or rear lot line.

Savings Provisions: Should any principal structure, otherwise lawful, located on a lot which becomes nonconforming upon passage of this resolution, be damaged or destroyed by a means other than through a voluntary act of the owner, said structure may be repaired, restored or rebuilt to the same outside dimensional specifications that existed prior to damage or destruction, other provisions of this resolution to the contrary notwithstanding.

Section 9.4 Integrated Use Settlement District (S-1)

Permitted uses, dimensional requirements, and other regulations of the S-1, Integrated Use Settlement District; the following regulations shall apply:

Permitted Uses:

1. Single-Family dwellings.
2. Two-Family dwellings.
3. Multi-Family dwellings.
4. Manufactured homes.
5. Churches.
6. Public and private schools.
7. Public parks and playgrounds.
8. Government buildings.
9. Local retail business or service including: general store, service station and general auto repair, drug stores, beauty or barber shop, other local business or service supplying commodities or performing local services.
10. Automobile sale and service facilities.
11. Lodge and fraternal organizations.
12. Restaurants.
13. Accessory uses and structures.
14. Agriculture.
15. Home occupations.
16. Swimming pools, same as R-2 District.
17. Garage for truck, and service facilities.
18. Contract construction storage of machinery & materials.

Prohibited Uses: No use other than those which reasonably can be deemed to fall under the above permitted uses shall be permitted within the S-1 District.

General Requirements of the S-1 District

Yards: Front – 20 Feet
Side – 5 Feet Each
Rear – 20 Feet

Parking Requirements: Parking requirements shall be as regulated in Section 9.9 of these regulations.

Savings Provisions: Should any principal structure, otherwise lawful, located on a lot which becomes nonconforming upon passage of this resolution, be damaged or destroyed by a means other than through a voluntary act of the owner, said structure may be repaired, restored or rebuilt to the same outside dimensional specifications that existed prior to damage or destruction, other provisions of this resolution to the contrary notwithstanding.

Section 9.5 Agricultural District (AG)

Permitted uses, conditionally permitted uses, dimensional requirements, and other regulations of the AG District:

Permitted Uses

1. Agriculture (pursuant to Section 519.12 of the Ohio Revised Code – no permit is required for uses defined in Article 2 of these regulations).
2. Gas and oil wells: in any and all districts of the township, a well may be drilled for the exploration for or production of natural oil or gas only after or when the following conditions have been complied with:
 - a. Compliance with all applicable laws of the State of Ohio.
 - b. No tanks or reservoirs erected or intended for the storage of petroleum products shall be located within 50 feet of any public right-of-way nor either 100 feet of dwelling units.
3. Single-Family dwellings.
4. Two-Family dwellings.
5. Manufactured homes.
6. Public parks and playgrounds owned and operated by the township, county, municipal corporation or a public park district.
7. Private community parks and playgrounds.
8. Nursery – plant materials and sales.
9. Private stables.
10. Outdoor swimming pools subject to R-2 regulations.
11. Home occupations.
12. Accessory uses and structures.
13. Forestry
14. Kennels
15. Shipping containers- not more than 2 per 5 acres

Conditionally permitted Uses: After obtaining a valid conditional use permit in accordance with Article 6, and the other provisions of these regulations, the following uses may be conditionally permitted:

1. Local retail business or service including grocery, fruit and vegetable store, meat market, barber or beauty shop.
2. Grain handling facilities
3. Veterinary Hospital clinic and/or cattery
4. Farm implement sales and service facilities
5. Quarrying and mining of natural resources, following the guidelines in ORC 5 19.141

General Requirements of the AG District

Yards: Front – 40 Feet
Side – 10 Feet Each
Rear – 40 Feet

Lot Area, Width and Depth: Every lot shall have a minimum contiguous lot area of not less than five (5) acres and a contiguous lot width of not less than 250 feet throughout the lot. Lot area is exclusive of right-of-way and shall be in addition to any easements of record.

Savings Provisions: Should any principal structure, otherwise lawful, located on a lot which becomes nonconforming upon passage of this resolution, be damaged or destroyed by a means other than through a voluntary act of the owner, said structure may be repaired, restored or rebuilt to the same outside dimensional specifications that existed prior to damage or destruction, other provisions of this resolution to the contrary notwithstanding.

Section 9.6 Light Manufacturing District (M-1)

Permitted uses, dimensional requirements, and other regulations of the M-1, Light Manufacturing District; the following regulations shall apply:

Permitted Uses

1. Agriculture.
2. Public parks and playgrounds.
3. Small item manufacturing.
4. Paper, printing, and associated products.
5. Cleaning, dyeing, and similar services.
6. Food products.
7. Poultry, horticulture, and forestry facilities.
8. Machinery, office equipment and furniture manufacturing.
9. Fiber and clothing goods manufacturing.
10. Utility facilities.
11. Non-metallic goods manufacturing.
12. Household appliances and vehicle services, storage and maintenance.
13. Garage for truck and service facilities.

Conditionally Permitted Uses: After obtaining a valid conditional use permit in accordance with Article 6, and the other provisions of these regulations, the following uses may be conditionally permitted:

1. Metal cans and containers manufacturing.
2. Lumber yards.
3. Contract construction storage of machinery and materials.
4. Building materials (general retail).

General Requirements of the M-1 District

Height Limit: No building shall be erected or enlarged to exceed two and one-half (2 ½) stories or 35 feet.

Lot Area, Width and Depth: Every lot shall have a minimum of 100 feet and a minimum lot area of not less than one acre (43,560 square feet) in area, exclusive of road right-of-way and shall be in addition to any easements of record.

Yards: Front – 40 Feet
Side – 25 Feet Each
Rear – 25 Feet

Parking Requirements: Parking requirements shall be as regulated in Section 9.9 of these regulations.

Signs: Signs shall be as regulated in Section 9.10 of these regulations.

Section 9.7 Flood Plain District (FP)

Permitted uses and other requirements of the FP, Flood Plain District; the following regulations shall apply:

1. Agricultural uses such as general farming, pasture and grazing, plant nurseries, horticulture, viticulture, forestry, sod farming and wild crop harvesting.
2. Private and public recreational uses herein described: golf courses, picnic grounds, parks, tennis courts, wildlife and nature preserves, and hiking trails.
3. Residential uses limited to lawns, gardens, parking and play areas.

Section 9.8 Supplemental Regulations for Light Manufacturing District Only

The purpose of these supplemental regulations is to set specific conditions for various uses or areas in which problems are frequently encountered.

1. Temporary Buildings: Temporary buildings, construction trailers, equipment, and materials used in conjunction with construction work may only be permitted in the districts during the period in which the construction work is in progress. Such temporary facilities shall be removed upon completion of the construction work. Storage of such facilities or equipment beyond three months of the completion date of the project shall require a zoning permit authorized by the Zoning Inspector.
2. Required Trash Areas: All commercial uses provide trash and/or garbage collection areas shall have those areas enclosed on at least three sides by a solid wall or fence at least four feet in height if such area is not with an enclosed building. Provisions for adequate vehicular access to and from such area or areas for collection of trash and/or garbage shall be required as determined by the Zoning Inspector.
3. Side and Rear Yard Requirements for Non-Residential or Non-Agricultural Uses Abutting Residential Uses: Non-Residential or non-agricultural buildings or uses shall not be located nor conducted closer than 40 feet to any lot line of a residential use, except that the minimum yard requirements may be reduced to 50 percent of the stated requirements if acceptable landscaping or screening approved by the Zoning Inspector is provided. Such screening shall be a wall or solid fence at least four feet and not more than eight feet in height maintained in a good condition and free of all advertising or other signs. Landscaping provided in lieu of such wall or fence shall consist of a strip of land not less than 20 feet in width planted within evergreen shrubs not less than four feet in height at the time of planting. Either type of screening shall not obscure traffic visibility within 50 feet of an intersection.
4. Fire Hazards: Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire fighting and fire prevention equipment and by such safety devices as are normally used in the

handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance, which is compatible with the potential danger involved.

5. Radioactivity or Electrical Disturbance: No activity shall omit radioactivity at any point, or create electrical disturbance adversely affecting the operation of any equipment at any point other than that of the creator of such disturbance.
6. Enforcement Provisions: The Zoning Inspector, prior to the issuance of a zoning permit, may require the submission of statements and plans dictating the manner in which dangerous and objectionable elements involved in the use of the premises are to be eliminated or reduced to acceptable limits and tolerances.

Section 9.9 Parking Regulations

1. Parking Space Dimension: A parking space shall have a minimum rectangular dimension of not less than nine feet in width and 19 feet in length for 90 percent parking, nine feet in width and 23 feet in length for parallel parking, ten feet in width and 19 feet in length for 60 percent parking and 12 feet in width and 19 feet in length for 42 percent parking. All dimensions shall be exclusive of driveways. This does not include private driveways for single-family dwellings in any district.
2. Drainage: All parking and loading areas shall provide for property drainage of surface water to prevent the drainage of such water onto adjacent properties or walkways.
3. Maintenance: The owner of such property used for parking shall maintain such area in good condition.
4. Screening and/or Landscaping: All parking areas shall be effectively screened on all sides which adjoin or face any property used for residential purposes by an acceptably designed wall, fence, or planting screen. Such fence, wall or planting screen shall not be less than four feet nor more than eight feet in height and shall be maintained in good condition. The space between such fence, wall, or planting screen and the lot line of the adjoining premises shall be landscaped with grass, hardy shrubs or evergreen ground cover and maintained in good condition. In the event that terrain or other natural features are such that the erection of such fence, wall, or planting screen will not serve the intended purpose, then no such fence, wall, or planting screen and landscaping shall be required.
5. Joint Use: Two or more non-residential uses may jointly provide and use parking spaces when their hours of operation do not normally overlap, provided that a written agreement approved by the Zoning Inspector shall be filed with the application for a zoning permit.
6. Location of Parking Spaces: Spaces for non-residential and non-agricultural uses shall be located nor more than 700 feet from the principal use.
7. Parking Space Requirements: For the purpose of this resolution, the following parking space requirements shall apply:
 - a. Two-family dwelling units – two spaces for each dwelling unit.

- b. Manufactures homes – two spaces for each unit.
- c. Automobile service garage which also provided repair – two spaces for each gasoline pump and four spaces for each service bay.
- d. Hotels and motels – one space for each sleeping room, plus one space for each two employees.
- e. Dining rooms, restaurants, and taverns – one space for each 200 square feet of floor area.
- f. Outdoor swimming pools, community houses, and clubs – one space for each ten persons capacity or one space fore each 60 square feet of floor area used for seating purposes, whichever is greater.
- g. Retail stores, banks, financial institutions, offices, public and professional buildings and all other types of business or commercial uses conditionally permitted in the district – one space for each 300 feet of floor area.
- h. Churches and other places of religious assembly – one space fore each six seats.

In the interpretation of these parking regulations, parking spaces for other permitted or conditional uses not listed above shall be determined by the Board of Zoning Appeals upon appeal from the decision of the Zoning Inspector.

Section 9.10 Signs

- 1. Signs permitted in all districts – no permit required:
 - 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 districts where the area of the sign shall not be more than six square feet.
 - b. Professional name plates or home occupation signs not exceeding four square feet in area and not exceeding one sign per home or business.
 - c. Non-farm signs denoting the name and address of the occupant of the premises, not exceeding four square feet in area; and not exceeding one sign per home or business.
 - d. Farm signs, denoting the name and address of occupant, denoting advertising for produce or merchandise grown on such farms, and denoting membership or organizations not to exceed 25 square feet fo sign face area per farm.
 - e. Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs, or societies, which signs or bulletin boards shall not exceed 30 square feet in area which shall be located o the premises of such institutions and shall be setback from all street lot lines at least 12 feet.
 - f. Entrance and exit signs containing only directional signs.
 - g. Temporary signs announcing special public or institutional events, the erection of a building, or signs for familiar uses. Such signs shall be removed within two weeks of the completion of the event or project.

- h. Political signs, provided such signs shall be removed within two weeks following election day.
2. Permit is required for any sign other than those in Section 9.10-1. Shall have a setback from the street line or road right-of-way a distance of ten feet. Shall not exceed 100 square feet.
3. Advertising devices adjacent to the interstate and primary highways as regulated by the Ohio Revised Code, Section 55166.13 and 5531.07, as amended shall be permitted in accordance with those state laws.

Section 9.11 Limitation of the Number of Principal Structures Per Lot

Unless otherwise specified within this resolution, no lot shall contain upon it more than one principal structure.

Section 9.12 Marijuana

Marijuana and the cultivation, processing, and retail dispensing of medical marijuana shall be excluded from the Bowling Green Township Zoning. Marijuana cultivators, processors, and retail dispensaries are expressly prohibited from being located in the unincorporated territory of Bowling Green Township.”

Section 9.13 Portable Storage Container (shipping containers)

Portable Storage Container: A purpose built transportable, fully enclosed, box-like container that is designed for temporary storage of materials and/or equipment. Such containers are uniquely designed for their ease of loading to and from a transport vehicle. For the purposes of this resolution, the trailer portion of a tractor-trailer shall be considered a portable storage container when expressly used for the purpose of on-site storage. Portable Storage Units include but are not limited to the following terms: Pods, Containers, Shipping Containers, Storage, Containers, Mobile Storage Containers, Mobile Storage Units, and Moving Containers

Storage containers must follow set backs and limited to not more than 2 per 5 acre.

Section 9.14 Solar panels

1. Solar panels are permitted as an accessory use in all districts to promote clean, sustainable, and renewable energy resources. The intent of these regulations is to establish general guidelines for the location of solar panels and solar collection systems to prevent off-site nuisances including unreasonable visual interference, light glare, and heat that the incorrect placement of solar panels or solar collection systems may create such that they may have a negative effect on surrounding properties.
2. A solar energy accessory system shall be used for the generation of power to reduce on-site consumption of utility power and/or provide power to a structure that is not connected to utility service. This provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company and/or

the regional transmission organization, however it is intended prohibit commercial, utility scale production of power within Bowling Green township.

3. No solar panel or solar collection system shall be constructed, erected, installed or located without a zoning permit.
4. Requirements and Regulations. Solar panels or solar collection systems shall conform to or be evaluated for compliance with the following standards:
 - a. If roof mounted, the solar or photovoltaic system shall:
 - i. May be mounted to a principal or accessory structure.
 - ii. Be flush mounted on the roof unless good cause is shown by the applicant that the solar panel is not at an appropriate angle to obtain maximum sun exposure if mounted flush to the roof.
 - iii. Not extend higher than the peak of a sloped roof or higher than 5 feet from the top of a flat roof. Combined height of the solar energy accessory system and structure to which it is mounted may not exceed the maximum building height allowed in that zoning district for the type of structure to which it is attached.
 - b. If freestanding, the solar or photovoltaic system shall:
 - i. Not extend more than 10 feet above the existing grade in all districts.
 - ii. Not be located in the front yard.
 - iii. Not be located in any required side or rear yard setback areas for accessory uses, or within 30 feet from the property line, whichever is greater.
 - iv. Not be positioned so as to reflect sunlight onto neighboring property, public streets, or sidewalks, including on any neighboring structures.
 - v. The surface area of a ground mounted system, regardless of the mounted angle, shall be calculated as part of the overall lot coverage. Not to exceed 10% of lot size.
 - vi. Be landscaped at the base up to the height of the of the panel structure if structure is visible from neighboring property or the street(s).
 - c. All signs, both temporary and permanent, are prohibited on solar panel or solar collection systems, except as follows:
 1. Manufacturer's or installer's identification information on the system.
 - ii. Appropriate warning signs and placards.
5. Solar panel or solar collection systems shall comply with all applicable sections of the Licking County Building Code Department.
6. All mechanical equipment of solar energy systems including any structure for batteries or storage cells shall be completely enclosed by a minimum eight (8) foot high fence with a self- locking gate.
7. All electrical wires and connections on freestanding solar or photovoltaic collection system shall be located underground.
8. Maintenance: All solar panel or solar collection systems shall be maintained in good working order.
9. Solar energy accessory systems that are no longer functioning shall be completely removed from the property within twelve (12) months from the date they are no longer producing electricity. Any earth disturbance as a result of the removal of the ground mounted solar energy system shall be returned to natural condition within thirty (30) days of removal or as soon as weather permits.
10. Procedure for Review. The review and approval of solar panels or a solar collection system shall comply with the following requirements:

1. Plan Review. A plan shall be submitted for review for all solar panel or solar collection systems. The following items shall be the minimum requirements to be considered a complete application and shall include the following:
 - i. Property lines, physical dimensions, and setbacks of the applicant's property.
 - ii. Location, dimensions, and types of existing structures on the subject property
 - iii. Location of the proposed solar panel or solar collection system, and associated equipment, including elevations of the proposed system(s) at its maximum tilt.
11. Compliance with all development standards as outlined in this section.
 1. Zoning Compliance. A Zoning permit must be obtained in accordance with this Zoning Resolution.
 2. Building Permit. A Building Permit must be obtained from the Licking County Building Code Department.

APPENDIX

**APPLICATION FOR ZONING PERMIT
Bowling Green Township, Ohio**

Application No. _____

The undersigned applies for a zoning permit for the following use, said permit is to be issued on the basis of the information contained within this application. The applicant is required, in addition to the information requested on this form to submit plans, in duplicate and drawn to scale, showing the actual dimensions and shape of the lot, and the location and dimensions of the proposed buildings or alterations.

1. Location Description: Subdivision Name _____

Section _____ Township _____ Range _____

Block _____

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

2. Mailing Address of the Property Owner (Property addresses are assigned by the County Engineer's Office) _____

3. Name of Owner _____

Mailing Address _____

Phone Number: Home _____ Business _____

4. Existing Use _____

5. Property Presently Zone As _____

6. Proposed Use: New Construction _____ Business _____

Remodeling _____ Industry _____

Accessory Building _____ Sign _____

Size _____ Residence _____

Number of Units _____

Other (Explain) _____

7. Type of Sewage Disposal _____

8. Lot Width _____ Lot Width _____ Lot Area _____

9. Square Feet of Living Area (Residences must have a minimum of 1,200 square feet, exclusive of porches, garages, cellars or basement, an must have a width of 25 feet in the AG District) _____ sq. feet

Garage (sq. ft.) _____ Basement (sq. ft.) _____

Commercial (sq. ft.) _____ Industrial (sq. ft.) _____

Office (sq. ft.) _____

10. Building Heights: Stories _____ Feet _____

11. Yard Dimensions: Front _____ Rear _____

One Side _____ Sum of Side Yards _____

12. Accessory Building Dimensions: Height _____ Side Dimensions _____

13. Number of Off-Street Parking Spaces to be provided _____

14. Number of Off-Street Loading Berths to be provided _____

15. On a separate sheet, attach a list of other supplemental requirements or conditions that will be met, or explain any points you feel need clarification.

NOTE: This permit shall be void if work is not started within one year or completed within 2 1/2 years.

The applicant hereby certifies that all information and attachments to this application are true and correct.

Signature _____ Date _____

-----For Official Use Only-----

Date Received _____ Fee Paid _____

Date of Action on Application _____ Approved _____ Denied _____

If application denied, reason for denial _____

Zoning Inspector

REVOCATION OF ZONING PERMIT

Date _____

To: _____

You are hereby advised that for the reason that _____

Zoning Permit Number _____ 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
Section 311 of the zoning resolution. Section 311 states:

“Any person who violates this resolution or fails to comply with any of its
requirement, shall upon conviction, thereof, be fined no more than \$100 or
imprisoned for not more than 30 days or both, 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 this office so we may discuss this matter.

Township, Ohio

Zoning Inspector

Address

Phone

STATEMENT OF ZONING VIOLATION

This statement is voluntarily given to the Bowling Green 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 Bowling Green Township Zoning Resolution.

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 proposed location at _____ was being used for _____ and in my opinion this use is in violation of Section(s) _____ of the Bowling Green Township Zoning Resolution.

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

NOTICE OF ZONING VIOLATION

Date _____

Dear _____:

You are hereby advised that you are in violation of Section _____ of the Bowling Green Township Zoning Resolution. The nature of this violation is as follows:

You are further informed that unless this violation is corrected otherwise made to comply by _____, 20____, you will be subject to the penalty as provided by Section 311 of the Bowling Green Township Zoning Resolution.

Section 311 provides in part, that: “Any person who violates this resolution or fails to comply with any of its requirement, shall upon conviction, thereof, be fined no more than \$100 or imprisoned for not more than 30 days or both, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense”.

In case any building is, or is supposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used in violation of this resolution, or any amendment or supplement thereto, the Board of Township Trustees, the Prosecuting Attorney of Licking County, the Zoning Inspector, or any adjacent or neighboring property owner who would be specifically damaged by such violation in addition to other remedies provided by law may institute injunction, mandamus, abatement, or other appropriate action or actions, proceeding or proceeding to prevent , enjoying, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change maintenance, or use. The township Trustees may employ special counsel to represent it in any proceeding or to prosecute any action brought under this article.

Bowling Green Township, Ohio

Zoning Inspector

APPLICATION FOR APPEAL
BOARD OF ZONING APPEALS
Bowling Green Township, Ohio

Application No. _____

Name of Applicant _____

Mailing Address _____

Phone Number: Home _____ Business _____

Address or Location of Property _____

The undersigned requests review of the decision by the Zoning Inspector or 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.

Appellant

(For Official Use Only)

Date Filed _____

Date of Notice to Parties in Interest _____

Date of Notice in Newspaper _____

Date of Public Hearing _____

Fee Paid \$ _____

Decision of Board of Zoning Appeals: _____ Approved _____ Denied

If approved the following conditions and safeguards were prescribed:

1. _____

2. _____

- 3. _____
- 4. _____
- 5. _____
- 6. _____

If denied, reason for denial: _____

Board of Zoning Appeals Chairman **Date**

NOTE: One (1) copy to be filed with the Zoning Inspector and two (2) with the Board of Zoning Appeals.

APPLICATION FOR VARIANCE

BOARD OF ZONING APPEALS
Bowling Green Township, Ohio

Application No. _____

Name of Applicant _____

Mailing Address _____

Phone Number: Home _____ Business _____

Address or Location of Property _____

1. Location Description: Subdivision Name _____

Section _____ Township _____ Range _____

Block _____ Lot No. _____
(If not located in platted subdivision, attach a legal description)

2. Nature of Variance: Describe generally the nature of the variance

In addition, plans in triplicate and drawn to scale must accompany this application showing dimensions and shape of the lot, the size and locations of existing buildings, the locations and dimensions of proposed buildings or alterations, and any natural or topographic peculiarities of the lot in question.

3. Justification of Variance: In order for a variance to be granted, the applicant must prove to the Board of Zoning Appeals that the following items are true: (Please attach these comments on a separate sheet).

- a. Special conditions exist peculiar to the land or building in question.
- b. That a literal interpretation of the resolution would deprive the applicant of rights enjoyed by other property owners.
- c. That the special conditions do not result from previous actions of the applicant.
- d. That the requested variance is the minimum variance that will allow a reasonable use of the land or buildings.

I certify that the information contained in this application and its supplement is true and correct.

Applicant

Date

APPLICATION FOR CONDITIONAL USE PERMIT

BOARD OF ZONING APPEALS
Bowling Green Township, Ohio

Application No. _____

The undersigned requests a conditional use permit for the use specified below. Should this application be approved, it is understood that is shall only authorize that particular use described in this application and any conditions of safeguards required by the board. If this use is discontinued for a period of more than one (1) year, this permit shall automatically expire.

1. Name of Applicant _____

Mailing Address _____

Phone Number: Home _____ Business _____

2. Location Description: Subdivision Name _____

Section _____ Township _____ Range _____

Block _____ Lot No. _____
(If not located in platted subdivision, attach a legal description)

Address or Location of Property _____

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, compatibility with adjacent and other properties in the district.

Applicant

Date

**APPLICATION FOR ZONING AMENDMENT
Bowling Green Township, Ohio**

Application No. _____

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

1. Name of Applicant _____

Mailing Address _____

Phone Number: Home _____ Business _____

2. Location Description: Subdivision Name _____

Section _____ Township _____ Range _____

Block _____ Lot No. _____
(If not located in platted subdivision, attach a legal description)

3. Existing Use _____

4. Present Zoning District _____

5. Proposed Use _____

6. Proposed Zoning District _____

7. Supporting Information – Attach the following items to the application:

- a. A vicinity map showing property lines, streets, and existing and proposed zoning
- b. A list of all property owners and their mailing addresses within, contiguous to, and directly across the street from the proposed rezoning.
- c. A statement of how the proposed rezoning relates it to the Comprehensive Plan.
- d. The proposed amendment to the zoning map or text in resolution form, approved as to form by the township legal advisor.
- e. Fee as established according to Section 312.

Applicant Date

(For Official Use Only)
ZONING COMMISSION

Bowling Green Zoning Commission

Date Filed _____

Date of Notice in Newspaper _____

Date of Notice to Adjacent Property Owner _____

Date of Public Hearing _____

Fee Paid \$ _____

Recommendation of Zoning Commission: _____ Approved _____ Denied

Reason for Recommendation:

Zoning Commission Chairman Date

-----For Official Use Only-----

LEGISLATIVE AUTHORITY

Date of Recommendation Received _____

Date of Notice in Newspaper _____

Date of Public Hearing _____

Action by Legislative Authority: _____ Approved _____ Denied

If denied, reason for denial:

Clerk Date

NOTE: Three (3) copies of this form and supporting information must be filed with the Bowling Green Township Zoning Commission.

NOTICE OF PUBLIC HEARING TO NEWSPAPER

(Name of Body)

_____, Ohio

The _____ will hold a public hearing on an application
(Name of Body)

for a proposed _____ on the _____
(Type of Application)

day of _____, 20____, at _____ AM/PM at _____

_____. The application, submitted by _____
(Applicant's Name)

requests that _____

_____ be granted for the property located at _____

_____.

The proposed zoning amendment to the resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least ten (10) days prior to the public hearing at the following location _____ between the hours of _____ (AM/PM) and _____ (AM/PM).

The Bowling Green Township Zoning Commission will, within 30 days after the hearing, refer to the Board of Township Trustees a recommendation on the proposed amendment.

(Name of Body)

(Chairman, Clerk)

-----For Newspaper Use Only-----

Publish the above notice on the following dates: _____

And Charge to _____

NOTICE OF PUBLIC HEARING TO PROPERTY OWNER

(Name of Body)

_____, Ohio

Date _____

Dear _____:

This is to inform you that the _____ will hold
(Name of Body)
a public hearing on an application for a(n) _____ on the
_____ day of _____, 20____, at _____ AM/PM at _____
_____.
(Location)

This application, submitted by _____ requests that
(Summary of Application)
_____ be granted for the property located at
_____.
(General or Specific Location)

The proposed zoning amendment to the resolution, or application proposing to
amend the zoning resolution will be available for examination for a period of at least
ten (10) days prior to the public hearing at the following location: _____
_____ between the hours of _____ (AM/PM) and _____ (AM/PM).

(Name of Body)

(Chairman, Clerk)

In the case of public hearings held by the Bowling Green Township Zoning
Commission on proposed amendments, the Zoning Commission will refer to the
Board of Township Trustees a recommendation within 30 days of the hearing.

**ZONING PERMIT
BOWLING GREEN TOWNSHIP**

NO. _____

Issued to: _____

Address: _____
(Number, Street, Apt. #)

(City, State, ZIP)

Description of Use: _____

- Motel or Hotel
 - Dwelling Units _____
- Stick Home
- Double Wide
- Factory Home
- Masonry Home
- Underground
- Other _____

- Accessory
- Private Garage
- Service Garage
- Storage Building
- Pole Barn
- Other _____

Zoning Classification

- AG – Agricultural
- S1 – Settlement District
 - Light Commercial
 - Residential
- R1 – Residential
- M1 – Light Manufacturing
- FR – Floodplain
- Other _____

X _____
Zoning Inspector Date

NOTE: This permit must be posted on the premises.

APPLICATION FOR ZONING PERMIT
BOWLING GREEN TOWNSHIP, 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. The applicant is required, in addition to the information requested on this form to submit plans, in triplicate and drawn to scale, showing the actual dimensions and shape of the lot, exact sizes and locations of existing buildings on the lot, and the location and dimensions of the proposed buildings or alterations.

1. Locational Description: Subdivision Name _____

Section _____ Township _____ Range _____

Block _____ Lot No. _____
(If not located in a platted subdivision attach a legal description)

2. Name of Owner _____

Mailing Address _____

Phone Number: Home _____ Business _____

3. Existing Use _____

4. Description of Use

- Motel or Hotel Dwelling Units _____
- Stick Home
- Double Wide
- Factory Home
- Masonry Home
- Underground
- Other _____

- Accessory
- Private Garage
- Service Garage
- Storage Building
- Pole Barn
- Other _____

5. Zoning Classification

- AG – Agricultural
- S1 – Settlement District
- Light Commercial
- Residential
- R1 – Residential
- M1 – Light Manufacturing
- FP – Flood Plain
- Other _____

6. Type of Sewage Disposal _____

7. Percentage of Lot to be Occupied _____

8. Lot width _____ Lot Depth _____ Lot Area _____

9. Square feet of Living Area (Residences) _____ square feet.

Garage _____ Basement _____ Accessory Building _____

Commercial _____ Industrial _____ Office _____

10. Building Heights: Stories _____ Feet _____

11. Yard Dimensions: Front _____ Rear _____

One Side _____ Sum of Side Yards _____

12. Accessory Building Dimensions: Height _____ Side Dimensions _____

13. Number of Off-Street Parking Spaces to be provided _____

14. Number of Off-Street Loading Berths to be provided _____

15. On a separate sheet attach a list of other supplemental requirements or conditions that will be met, or explain any points you feel need clarification.

16. This property (is, is not) in an identified floodplain.

NOTE: This permit shall be void if work is not started within one year or completed within 2 1/2 years.

Signature _____ Date _____

(For Official Use Only)

Date Received _____ Fee Paid _____

Date of Action on Application _____ Approved _____ Denied _____

If application denied, reason for denial:

Zoning Inspector