

**CENTER TOWNSHIP  
ZONING RESOLUTION  
WOOD COUNTY, OHIO**

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**ZONING RESOLUTION**

A resolution providing for regulating the location, size, height and use of buildings and structures, the area and dimensions of lots and yards, and the use of lands, and for such purposes, dividing the unincorporated portion of the Township into zones or districts of such number, sizes and shapes as are deemed best suited to carry out said purposes, and providing for a method and proceedings for the administration and enforcement of this resolution.

WHEREAS, the Board of Trustees of Center Township, deem it in the interest of the public health, safety, morals, comfort and general welfare of said township and its residents to adopt a zoning plan.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Center Township, Wood County, Ohio, that the Zoning Resolution of Center Township read as follows:

**ZONING RESOLUTION FOR CENTER TOWNSHIP**

**ARTICLE I. PURPOSE**

For the purpose of promoting public health, safety, morals and general welfare; to conserve and protect property values to secure the most appropriate use of land; to facilitate adequate and economical provision of public improvements; and to promote, orderly development of property in the Township, all in accordance with the comprehensive plan or plans developed and coordinated by the County Planning Commission, the Board of Trustees of Center Township find it necessary and advisable to regulate the location, height, bulk, size of buildings and use of buildings and other structures, including tents, cabins, and trailer coaches, percentages of lot areas which may be occupied, set back building lines, sizes of yards and other open spaces, and the use of land for trade, agriculture, industry, residence, recreation or other purposes and for such purposes divides the township into districts or zones, all as shown on the district map on file in the office of the Board of Township Trustees.

**ARTICLE II. IDENTIFICATION**

Whenever the word “Township” appears in this resolution, it shall be deemed to mean the Township of Center, Wood County, State of Ohio, and whenever the word “County” appears in this resolution, it shall be deemed to mean the County of Wood, State of Ohio.

**ARTICLE III. INTERPRETATION**

- 1) In interpretation and application, the provisions of this resolution shall be held to the minimum requirement adopted for the promotion of public health, safety, morals, comfort and general welfare.
- 2) Nothing herein shall repeal, abrogate, annul, or in any way impair or interfere with any provision of law or any rules or regulations, other than zoning regulation, adopted or issued pursuant to law relating to the construction and use of buildings or premises.
- 3) Words used in this resolution in the present tense shall be interpreted to include the future tense; words used in the singular number shall include the plural number, as the plural number shall include the singular number. The word “shall” as used in this resolution shall be construed to mean mandatory, the word “may” is permissive. The masculine gender as used in this resolution shall include the feminine and neuter gender and vice-versa.
- 4) Where this resolution imposes a greater restriction upon the use of buildings or premises or upon the height of buildings or requires larger yards, than are imposed or required by other provisions of law, rules, regulations, covenants, or agreements, the provisions of this resolution shall apply, but nothing herein shall interfere with, abrogate or annul any easements, covenants, deed restrictions or agreements between the parties which impose restrictions greater than those imposed by this resolution.
- 5) [eff.1-12-11] – Where there is a proposed use that is not currently listed in any District, the Zoning Board of Appeals shall review the proposed use and make a determination.



## **ARTICLE IV. EXEMPTIONS**

### **Uses Exempted from Provisions of Resolution**

- 1) The use of land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, including buildings or structures that are used primarily for vinting and selling wine that are located on land any part of which is used for viticulture, shall be permitted in all districts established by this Resolution, and no zoning certificate shall be required for such building or structure.
- 2) The location, erection, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement of any building or structures of any public utility or railroad, whether publicly or privately owned, or the use of land by any public utility or railroad for the operation of its business or the use of land for essential services as herein defined shall be permitted in all districts established by this Resolution and no zoning certificate shall be required for any building or structure or for the use of any land essential to the operations of a public utility or railroad.
- 3) The sale or use of alcoholic beverages shall not be prohibited in areas where the establishment and operation of any retail business, hotel, lunchroom, or restaurant is permitted.
- 4) The use of any land owned or leased by an industrial firm shall not be prohibited for the conduct of oil or natural gas well drilling or production activities or the location of associated facilities or equipment when such oil or natural gas obtained by the industrial firm's used for the operation of its plants.
- 5) It is the intent of Center Township to regulate 1) agricultural uses in residential areas and 2) public utilities engaged in transporting persons or property, subject to the limitations of ORC 519.21 and 519.211 or any subsequent amendment thereto.

## **ARTICLE V. DEFINITIONS**

Definitions which shall be applicable in construing this resolution:

Accessory Use [eff. 8-12-09] – An “accessory use” is a use subordinate to and which serves the principle building, structure or use:

- a. Whose use is clearly incidental to the use of the principal building, other structure or use of land;
- b. Which is customary in connection with the principal building, other structure or use of land, and
- c. Which is located on the same lot as the principal building, other structure or use of land and is subordinate in area, extend, and purpose to the principle building or use served.

Adult Family Home [eff. 8-12-09] – A residence or facility, licensed by an agency of the State of Ohio, that provides accommodations from three (3) to five (5) unrelated adults and also provides supervision and personal care for at least three (3) persons.

Agriculture, Agricultural [eff. 8-12-09] — As provided in ORC 519.01, Agriculture includes farming; ranching; aquaculture; apiculture; horticulture, viticulture, animal husbandry, including but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

A township zoning resolution, or an amendment to such resolution, may in any platted subdivision approved under section 711.05, 711.09, or 711.10 of the Revised Code, or in any area consisting of fifteen or more lots approved under section 711.131 [711.13.1] of the Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road regulate:

- a. Agriculture on lots of one acre or less;
- b. Building or structures incident to the use of land for agricultural purposes on lots greater than one acre but not greater than five acres by: set back building lines; height; and size;
- c. Dairying and animal and poultry husbandry on lots greater than one (1) acre but not greater than five (5) acres when at least thirty-five (35) per

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cent of the lots in the subdivision are developed with at least one (1) building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured homes under section 4503.06 of the Revised Code. After thirty-five (35) per cent of the lots are so developed, dairying and animal and poultry husbandry shall be considered nonconforming use of land and buildings or structures pursuant to section 519.19 of the Revised Code. (519.21(B))

Agricultural Zone – Areas of land may be classified as agricultural provided that the general area is not built up for urban use and the general area is open space.

Alteration [eff. 8-12-09] – Any change to a building or structure, which does not involve a structural change.

Apartments [eff. 8-12-09] – See Dwelling, Multiple-Family

Area of Building – The number of square feet included within the outside walls excluding porches, breezeways, and terraces.

Assisted Living [eff. 8-12-09] – See Nursing Home

Bank [eff. 1-12-11] – A financial institution that accepts deposits and channels those deposits into lending activities.

Bar [eff. 1-12-11] – See Tavern.

Basement [8-12-09] – A story partly or wholly underground. For height measurement a basement shall be counted as a story where more than one-half (1/2) of its height is above the average level adjoining the ground.

Bed and Breakfast Inn [eff. 8-12-09] – An owner-occupied, single-family residential dwelling in which rooms are rented to paying guests on an overnight basis and breakfast only is provided; the entire service to be included in one (1) stated price.

Boarding/Rooming House [eff. 8-12-09] – A dwelling unit which is the residence of four (4) or more persons.

Building [eff. 8-12-09] – Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, chattels or property. A mobile home or manufactured home is a building, for the purpose of this Resolution, if the home is affixed to a permanent foundation and is located on land owned by the owner of the home and the certificate of title has been surrendered and inactivated by the clerk of common pleas court that issued it so that the home may be taxed as real property.

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Building or Structure, Accessory [eff. 8-12-09] – A subordinate building or structure, the use of which is customarily incidental to that of the principal building or use, no part of which accessory building may be devoted to human occupancy either before or after the erection of the principal building.

Building, Front Line Of [8-12-09] – The line of that face of the building nearest the front line of the lot. This face includes porches, but does not include steps.

Building, Principle [eff. 8-12-09] – A building in which is conducted the main or principal use of the lot on which said building is situated, including all appurtenances thereto.

Building Floor Area [eff. 8-12-09] – See Floor Area

Business Services [eff. 8-12-09] – Any activity conducted for gain which renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes or businesses.

Campground [eff. 8-12-09] – Any land or open-air location where one or more persons erect or occupy a temporary shelter, such as a tent or recreational vehicle, providing outdoor recreational facilities, for a temporary period of time; includes camps, and summer camps.

Car Wash [eff. 8-12-09] – A facility designated to provide interior vacuuming and exterior washing services, either automatic or self-service, to passenger motor vehicles, light trucks, and vans.

Cemetery/Memorial Gardens [eff. 8-12-09] – 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 within the boundaries of such cemetery. The use shall comply with the Ohio Revised Code regulations.

Child Day Care [eff. 8-12-09] – Pursuant to ORC 5104.01, a child day care center or child care home licensed by the Department of Job and Family Services administers to the non-educational needs of infants, toddlers, pre-school and school children outside of school hours by persons other than parents, guardians, custodians or relatives by blood, marriage, or adoption for any part of a twenty-four (24) hour day in a place of residence other than the child's home. Types of facilities are outlined below:

- a. Day Care Center – Any place that provides child day care to thirteen (13) or more children, with or without compensation, or any place that is not the permanent residence of the licensee or administrator that provides day care for seven to twelve (7-12) children, with or without compensation.

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- b. Type A Family Day Care Home – A permanent residence of the administrator in which privately or publicly-funded child day care service is provided for seven to twelve (7-12) children at one time or four to twelve (4-12) children if four (4) or more children are under two (2) years of age. In the process of counting children, any child under six (6) years of age related to administrator, licensee or employee shall be counted.
- c. Type B Family Day Care Home – The permanent residence of the care provider in which day care service is provided for one to six (1-6) children if no more than three (3) children are under two (2) years of age at any one time.

Clear and Convincing Evidence [eff. 8-12-09] – Evidence indicating that the thing to be proved is highly probable or reasonably certain.

Clear Fall Zone [eff. 8-24-11] - An area surrounding the wind turbine unit into which the turbine and/or turbine components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing turbine failure that shall remain unobstructed and confined within the property lines of the primary parcel where the turbine is located. The purpose being that if the turbine should fall or otherwise become damaged, the falling structure will be confined to the primary parcel and will not fall onto dwellings, **any inhabited buildings**, and will not intrude onto a neighboring property.

Clinic, Medical [eff. 8-12-09] – An establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians practicing medicine together, or professionals licensed to practice the healing arts.

Club [eff. 8-12-09] – A building or portion thereof or premises owned or operated by a corporation, association, person or persons for a social, educational or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.

Commercial Classifications:

Community Business District (C-2) [eff. 1-12-11] – Retail and service establishments which, in addition to catering to the community residents' and workers' daily needs for convenience goods and services, also include establishments offering comparative-type shopping facilities.

Highway Commercial (C-3) [eff. 1-12-11] – Includes commercial uses requiring location on major thoroughfares and at their principal intersections.

Neighborhood Business District (C-1) [eff. 1-12-11] – Retail and service establishments which cater to and can be located in close proximity to or within

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residential districts without creating undue vehicular congestion, excessive noise, or other objectionable influence. To prevent congestion, local retail and service uses include only enterprises normally employing less than ten (10) persons.

Commercial School [eff. 1-12-11] – An educational facility that trains persons in a skill or for a license for profit.

Commercial Entertainment/Recreational Facilities [eff. 8-12-09] – Facilities open to the public, established and operated for a profit, such as theaters, carnivals, amusement parks, commercial golf courses, miniature golf courses, golf driving ranges, stadiums, skateboard, ice or roller skating rinks, swimming pools, riding stables, race tracks, bowling alleys, racquet ball clubs, and similar enterprises.

Commercial, Highway – Includes commercial uses requiring location on major thoroughfares and at their principal intersections. Highway uses include hotels, gas stations, restaurants, drive-in establishments, auto and farm implement sales and services, building trades and services, commercial recreation and similar commercial activities.

Commercial, Neighborhood – Retail and service 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 influence. To prevent congestion, local retail and service uses include only those enterprises, which normally employ less than ten (10) persons. Permitted uses include drugstores, beauty salons, barber shops, carry-outs, dry cleaning and laundry pick-up facilities, and hardware and grocery stores, if less than ten thousand square feet (10,000 sq. ft) of floor area. Other small businesses of an equally restricted and local nature may be permitted, based on the discretion of the Board of Zoning Appeals.

Commercial, Shopping Center – Retail and service establishments which, in addition to catering to the community residents' and workers' daily needs for convenience goods and services, also include establishments offering comparative-type shopping facilities. Shopping center business includes, but is not limited to, supermarkets and stores for the sale of drugs, hardware, appliances, furniture, apparel, footwear, business and personal services, professional services, offices and other similar or related activities which lend themselves to contributing to the design and economics of a unified shopping center.

Commercial Vehicle [eff. 8-12-09] – Any vehicle or trailer licensed and registered as a commercial vehicle or trailer with a gross vehicle weight of 10,000 pounds or more and used or designed to be used for business or commercial purposes, but not transportation-for-hire.

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Commission [eff. 8-12-09] – The Zoning Commission of Center Township, Wood County, Ohio.

Community Residence [eff. 8-12-09] – See Group Home.

Conditional Use [eff. 8-12-09] – A use which is subject to conditional approval by the Board of Zoning Appeals. A conditional use may be granted by the Board only when there is a special provision for such use made in the resolution. A conditional use is not considered to be a non-conforming use.

Cottage [eff. 8-12-09] – Building designed and/or constructed for seasonal occupancy only.

Drive-in Commercial Uses [eff. 8-12-09] – Any retail commercial use catering primarily to vehicular trade such as drive-in restaurants, drive-in theaters, car wash facilities, drive-in/through retail facilities and similar uses.

Dwelling [eff. 8-12-09] – Any building or any portion thereof which is designed for or used for residential purposes.

Dwelling Unit [eff. 8-12-09] – A dwelling unit is a suite of one (1) or more rooms within a dwelling, forming a single habitable unit with facilities which are used for sleeping, living, cooking and dining, whether or not such unit is occupied or vacant.

Dwelling, Single-Family [eff. 8-12-09] – A building designed for occupancy by one (1) family for living purposes and including not more than two (2) lodgers or boarders.

Dwelling, Two-Family [eff. 8-12-09] – A building containing two (2) dwelling units each designed for occupancy by one (1) family for living purposes and including not more than two (2) lodgers or boarders.

Dwelling, Multiple-Family [eff. 8-12-09] – A building containing three (3) or more dwelling units designed for occupancy by families or unrelated individuals. Also known as an apartment.

Easement [eff. 8-12-09] – A grant by the property owner for the use of a part of the property by the public, a corporation, or persons for specific purposes.

Essential Services [eff. 8-12-09] – The erection, construction, alteration, or maintenance, by public utilities or municipal or governmental agencies, of underground or overhead gas, electrical, steam or water transmission systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing

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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, other than structures for mainly enclosing essential services described herein.

Family [eff. 8-12-09] – An individual or married couple and natural or adopted children thereof, or foster children placed by a duly constituted state or county agency, occupying a dwelling for the purpose of habitation and including other persons related directly to the individual or married couple by blood or marriage.

Floor Area [eff. 8-12-09] – The sum of the exterior dimensions of the building times the number of floors, excluding basement, garage and attic.

Front Yard [eff. 8-12-09] – See Yard.

Frontage [eff. 8-12-09] – All the parcel on one side of a dedicated public street right of way between two intersecting streets, measured along the line of the street right of way. The width of the lot shall be at a minimum maintained for the entire depth of the lot.

Full-Time Equivalent Employee – Measurement calculated to access number of staff based on a forty (40)-hour workweek and/or a 2080 (two thousand eighty)-hour work year. For example: one(1) person working forty (40) hours per week or two (2) persons each working twenty (20) hours per week would equal one (1) full-time equivalent employee.

Funeral Home [eff. 1-12-11] – See Mortuary.

Garage, Private [eff. 8-12-09] – An accessory building designed or used for the storage of motor vehicles owned and used by the occupants of the building to which it is accessory. Not more than one (1) of the vehicles may be a commercial vehicle, which vehicle shall not exceed a two (2) ton capacity.

Garage, Public [eff. 1-12-11] – A building or portion thereof, other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling or storing motor-driven vehicles.

Gas Station [eff. 8-12-09] – Any building, structure or land used only for the sale of motor vehicle fuels, oils, lubricants and automobile accessories directly to the consumer, and may include minor repairs incidental to such use. Storage tanks shall be located completely within lot lines and underground.

Golf Course or Country Club [eff. 1-12-11] – An area of land laid out for golf, both for public and private usage, with a series of nine (9) or eighteen (18) holes each including tee, fairway, putting green, and one or more natural or artificial hazards. A driving range is accessory to a golf course. A club house, containing a pro



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shop, is an accessory use. The club house may offer food and drink for sale to only users of the golf course. The club house may not be used for catering, wedding receptions, private parties, or similar events.

Greenhouse [eff. 8-12-09] – A building where plants are cultivated.

Greenhouse Business [eff. 8-12-09] – A commercial business where not only plants are raised for sale, but plants are brought on site from elsewhere and offered for sale.

Gross Area [eff. 8-12-09] – Outside dimensions of the building times number of floors.

Gross Leasable Area – The total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors, if any; expressed in square feet and measures from the center line of joint partitions and from outside wall faces. It is all that area on which the tenants pay rent; it is the area producing income, abbreviated GLA.

Group Home or Community Residence [eff. 8-12-09] – A dwelling occupied by unrelated individuals which is licensed or administered by the federal, state, county, or city government, or a contracted entity thereof. A group home or community residence is not a rooming house, boarding house, or dormitory as defined in this section.

Hardware Store [eff. 1-12-11] – Any commercial establishment with retail sales of household hardware including: fasteners, hand tools, power tools, keys, locks, hinges, chains, building supplies, electrical supplies, cleaning products, house wares, tools, utensils, paint and lawn and garden products directly to consumers for use at home or for business.

Health Spa [eff. 8-12-09] – Any commercial establishment that offers to the public barbering or cosmetology services and massage therapy performed by persons licensed by the State of Ohio.

Highway, Major [eff. 8-12-09] – A street or road of considerable continuity and used primarily as a traffic artery among large areas.

Home Occupation [eff. 8-12-09] – An accessory use which is a business activity, profession, occupation, service, craft or revenue-enhancing hobby which is incidental and subordinate to the use of the premises as a dwelling unit.

Hospital [eff. 8-12-09] – A human health care facility which provides for diagnostic, medical, surgical or psychiatric treatment and care. It may include but not be limited to related facilities for educational and training facilities for health professionals.

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Hotel/Motel [eff. 8-12-09] – A building in which lodging or boarding and lodging are provided and offered to the public for compensation, with an inside lobby or office supervised by a person in charge at all hours.

Industrialized Unit [eff. 8-12-09] – A building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site intended use. “Industrialized unit” includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction needs to form a completed structural entity. “Industrialized unit” does not include a manufactured modular or mobile home as defined herein. ORC 3781.10(H)

Institution [eff. 8-12-09] – A building occupied by a non-profit corporation or a non-profit establishment for public use.

In The Home Business [eff. 8-12-09] – See Home Occupation.

Junk Yard [eff. 8-12-09] – An open area where the accumulation or storage of any of the following occurs: one or more junk vehicle(s), junk, disabled or inoperative machinery or equipment, and/or components parts thereof, rags, paper, scrap metal, waste or other debris defined as junk in the Ohio Revised Code 4737.05(A). A junk yard includes wrecking yards or any other facility or area where any of the above mentioned item(s) are bought, sold, exchanged, packed, stored or handled but excludes uses taking place entirely within enclosed building.

kennel [eff. 8-12-09] – A building, collection of buildings or an enclosed area on a property in which dogs are housed, boarded, or maintained for a fee.

Laborer, Seasonal Agricultural [eff. 8-12-09] – An individual employed only during the growing and/or harvesting or processing of agricultural products and whose place of employment is primarily on the premises on which the product is grown.

Landscaping [eff. 8-12-09] – Any activity that modifies the visible features of an area of land, including but not limited to:

- a. Living elements, such as flora or fauna; or what is commonly referred to as gardening, the art and craft of growing plants with a goal of creating a beautiful environment within the landscape,
- b. Natural elements, such as landforms, terrain shape and elevation, or bodies of water,
- c. Human elements, such as structures, buildings, fences or other material objects created and/or installed by humans, and,
- d. Abstract elements, such as the weather and lighting conditions.

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Landscaping Business [eff. 8-12-09] – Any commercial entity that offers for sale or hire landscaping, which may include installation.

Loading Space [eff. 8-12-09] – A space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of trucks. Such space shall have direct usable access to a street or other appropriate means of access. Where such loading space has been provided, an additional space lying alongside, contiguous to and not separated from the first such loading space need not be wider than twelve (12) feet.

Lodging House [eff. 8-12-09] – A building other than a hotel where lodging for three (3) or more persons is provided for compensation pursuant to previous arrangement and not to anyone who may apply.

Lot [eff. 8-12-09] – A parcel of land occupied or intended for occupancy by a use permitted in this Resolution, including one (1) main building, together with its accessory building, the open spaces and parking spaces required by this Resolution, and having its frontage upon a street or upon an officially approved place.

- a. Lot, Area [eff. 8-12-09] – The total horizontal area within the lot lines of a lot.
- b. Lot, Corner [eff. 8-12-09] – Any lot at the junction of and abutting on two (2) or more intersecting streets.
- c. Lot, Coverage [eff. 8-12-09] – 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.
- d. Lot, Depth [eff. 8-12-09] – The horizontal distance between the front and rear lot lines, measured along the median between the two (2) side lot lines.
- e. Lot, Interior [eff. 8-12-09] – Any lot other than a corner lot.
- f. Lot Line, Front [eff. 8-12-09] – For an interior lot, a “front lot line” is a street line. On a corner lot, the street line having the least dimension shall be considered the “front lot line”.
- g. Lot Line, Rear [eff. 8-12-09] – Any lot line, other than a street line, which is parallel to the front lot line or within forty-five (45) degrees of being parallel to the front lot line.
- h. Lot Line, Side [eff. 8-12-09] – A “side lot line” is any lot line which is not a front lot line or a rear lot line.
- i. Lot of Record [eff. 8-12-09] – A lot which has been recorded in the office of the County Recorder of Wood County, Ohio.
- j. Lot Width [eff. 8-12-09] – See Frontage

Manufactured/Modular Home [eff. 8-12-09] – A building unit or assembly of closed construction fabricated in an off-site facility, that conforms with the federal construction and safety standards established by the Secretary of Housing and

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Urban Development pursuant to the “Manufactured Housing Construction and Safety Standards Act of 1974.” and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards.

Manufactured Home Pad [eff. 8-12-09] – That portion of a manufactured home site that is designed, constructed, and improved in such a manner as to provide a base upon which a manufactured home shall rest, and which also serves as a base upon which blocks or other materials are placed to assist in leveling the floor of the manufactured home and provide a temporary type of foundation.

Manufactured Home Park [eff. 8-12-09] – One (1) or more contiguous parcels of land under a single management, which have been designed and developed in such a manner as to provide individual homes. The term manufactured home park shall mean the same as a trailer park, trailer court, trailer camp; however, only mobile homes or trailers with the HUD certification shall be located therein.

Manufactured Home Site [eff. 8-12-09] – An area of land within a manufactured home subdivision or manufactured home park that is designed and developed in such a manner as to provide a location for one (1) manufactured home.

Manufactured Home Subdivision [eff. 8-12-09] – A subdivision designed and/or intended for the sale of lots for manufactured home sites. A manufactured home subdivision will be subject to the same land development and site improvement standards that apply to conventional subdivisions under the Subdivision Rules and Regulations of Wood County, except as provided under Article XVI, Section 3 herein.

Manufacturing [eff. 8-12-09] – Any manufacturing or industrial process, which by the nature of the materials, equipment and process utilized are not objectionable by reason of odor, noise, vibration, cinders, gas fumes, dust, smoke, refuse matter or water carried waste.

Manufacturing, General – Any manufacturing or industrial process including food processing and plant product processing, except that which is incident to agricultural operations on an individual’s property holdings, which by the nature of the materials, equipment and process utilized are not objectionable by reason of odor, gas fumes, dust, smoke, refuse matter or water carried waste.

Manufacturing, Restricted – Any manufacturing or industrial processing, which by the nature of the materials, equipment and process utilized are to a considerable measure clean, quiet and free of any objectionable or hazardous element. Restricted industrial uses shall include the industrial uses listed below and any other uses which are determined to be of the same general character: drugs, jewelry, musical instruments, sporting goods; processing and assembly of glass products, small household appliances, electronic products and parts for

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production of finished equipment; research and testing laboratories; printing and engraving plants.

Mineral Extraction and Storage [eff. 8-12-09] – Any mining, quarrying, or storage of coal, limestone, clay, or other mineral resources except sand and gravel.

Mini-Warehouse [eff. 8-12-09] – See Self-Storage Facility.

Mobile Home [eff. 8-12-09] – A building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five (35) body feet in length, or when erected on site, is three hundred twenty (320) or more square feet, that is built on a permanent chassis and is transportable in one of more sections and does not qualify under this Resolution’s definition of a manufactured home or industrialized unit.

Mortuary [eff. 1-12-11] – A building or part thereof used for human funeral services. Such building may contain space and facilities for embalming and the performance of other services used in preparation of the dead for burial; the performance of autopsies and other surgical procedures, the storage and/or sale of caskets, funeral urns, and other funeral supplies; the storage of funeral vehicles; and a funeral chapel, but shall not contain facilities for cremation unless approved by the appropriate regulatory agency.

Motel- [eff. 8-12-09] – See Hotel/Motel.

Motor Court or Motel – A building or a group of buildings used for the temporary residence of motorists or travelers.

Motor Home [eff. 8-12-09] – See Recreational Vehicle or Travel Trailer.

Motor Vehicle [eff. 8-12-09] – A self-propelled device used for the transportation of people or goods or land surfaces and licensed as a motor vehicle.

Multiple Family Dwelling [eff. 8-12-09] – See Dwelling, Multiple Family.

Non-Conforming Uses [eff. 8-12-09] – Any use whether of a building, other structure, or land, which does not comply with the regulations established for the particular use, district or zone in which it is situated, either at the effective date of this resolution or as a result of subsequent amendments made to the resolution.

Nursery School or Pre-School [eff. 8-12-09] – A school for children not yet enrolled in first grade, generally between the ages of three (3) and five (5), staffed by qualified teachers and other professionals who encourage and supervise educational play rather than simply providing childcare.

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Nursing Home [eff. 8-12-09] – A home or facility maintained for the purpose of providing skilled nursing care and medical supervision of persons requiring extended special care at a lower level than that available in a hospital and licensed under section 3721.02 or 3721.09 of the Revised Code, including any part of a home for the aging licensed as a nursing home; or a facility or part of a facility, other than a hospital, that is certified as a skilled nursing facility under Title XVIII of the “Social Security Act”, 49 Stat. 620 (1935), 42 U.S.C.A. 301, as amended; or a nursing facility as defined in ORC Section 5111.20(M), other than a portion of a hospital certified as a nursing facility.

Office [eff. 1-12-11] – A structure where a company or organization has an official presence and performs business-related tasks.

Off-Street Parking Space [eff. 8-12-09] – An off-street space available for the parking of one (1) motor vehicle and having an area of not less than two hundred (200) square feet, exclusive of passageways, driveways and other maneuvering areas appurtenant thereto and giving access thereto. Such space shall have direct access to a street or alley.

On-Site Wind Turbine – [eff. 8-24-11] One wind turbine for generation of electricity intended for use on-site.

Outdoor Advertising Structures [eff. 8-12-09] – See Sign.

Parcel [eff. 8-12-09] – An area of land shown as a unit or contiguous units on the County Auditor’s map.

Parking Area [eff. 8-12-09] – An open unoccupied space used or required for use for parking of motor vehicles exclusively.

Parking Space [eff. 2-8-12] - A surface area, enclosed in the main building or in an accessory building, or unenclosed, having an area of not less than one hundred eighty (180) square feet, either nine feet by twenty feet or ten feet by eighteen feet, exclusive of driveways.

Permanently sited manufactured home [eff. 8-12-09] – A manufactured home that meets all of the following criteria:

- a. The structure is affixed to a permanent foundation and is connected to appropriate facilities; [eff. 8-12-09]
- b. The structure, excluding any addition, has a width of at least 22 feet at one point, a length of at least twenty-two (22) feet at one point, and a total living area of at least nine hundred (900) square feet, excluding garages, porches, or attachments; [eff. 8-12-09]
- c. The structure has a minimum 3:12 residential roof pitch, conventional

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- residential siding, and a six inch minimum eave overhang, including appropriate guttering; [eff. 8-12-09]
- d. The structure was manufactured after January 1, 1995; [eff. 8-12-09]
  - e. The structure is not located in a manufactured home park. [eff. 8-12-09]

Personal Services [eff. 8-12-09] – Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repair, barber shop, beauty parlors, and similar activities.

Planning Commission [eff. 8-12-09] – Whenever Planning Commission or County Planning Commission is referred to, it shall be the Wood County Planning Commission.

Plant Cultivation- The cultivation of crops, fruit trees, nursery stock, truck garden products and similar plant materials outside of structures, such as greenhouses.

Plat Required [eff. 8-12-09] – When more than five (5) parcels are created from one (1) parcel or a new road is dedicated.

Platting [eff. 8-12-09] – Platting shall mean the platting for residential development in accordance with Wood County Subdivision Rules and Regulations.

Pond [eff. 8-12-09] – A still body of water used for recreation, storm water, drainage by retention or detention, or potable water supply.

Porch [eff. 8-12-09] – A roofed area, enclosed or unenclosed, projecting from the front, side, or rear wall of a building.

Premises [eff. 8-12-09] – A lot or parcel of land, along with residential buildings, accessory structures, outbuildings, barns, farm sheds, pole buildings, etc. and meeting minimum standards as established in the Resolution, such as, but not limited to setback requirements, square footage, lot area, signage, parking requirements, etc.

Printing and Publishing [eff. 8-12-09] – Any establishment that prints, copies or duplicates printed matter and/or produces or releases for publication any printed matter.

Professional Activities [eff. 8-12-09] – The use of offices and related spaces for professional services in any of the following related specialized fields: accounting, architecture, law, dentistry, medical, engineering, optical, psychology and therapists.

Public Display [eff. 8-12-09] – The act of exposing, placing, posting, exhibiting, or in any fashion displaying in any location, whether public or private, an item in such a manner that it may be readily seen and its content or character distinguished

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by normal unaided vision viewing it from a street, highway, or public sidewalk, or from the property of others, or from any portion of the premises where items and material other than sexually-oriented materials are on display to the public.

Public Right-of-way [eff. 8-12-09] – A strip of land acquired by reservation, dedication, forced dedication, prescription, condemnation or eminent domain and intended to be occupied by a road, drainage ditch, utilities, waterline, sanitary storm sewer, and other similar uses.

Public Service Facilities [eff. 8-12-09] – The erection, construction, alteration, operation or maintenance of a utility or service 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 [eff. 8-12-09] – Public parks, schools and administrative, cultural, and service buildings, police and fire stations.

Quarry [eff. 8-12-09] – Any land from which rock, stone, gravel, sand, earth or mineral is removed or excavated for the purpose of disposition away from the immediate premises. However, this shall not include excavation necessary for the actual foundations of any building or structure for which a zoning certificate has been issued.

Rear Yard [eff. 8-12-09] – See Yard.

Recreational Facilities-Commercial [eff. 8-12-09] – Recreational facilities open to the public, established and operated for a profit and restricted to bowling alleys, swimming pools, ice skating rinks, miniature golf and similar recreation activities requiring limited land area.

Recreational Facilities-Non-Commercial [eff. 8-12-09] – Private and semi-public recreational facilities which are not operated for commercial gain, including private country clubs, riding clubs, golf courses and other private non-commercial recreation areas and facilities or recreation centers including private community swimming pools.

Recreational Facilities-Restricted Commercial – Recreational facilities open to the public, established and operated for a profit and restricted to bowling alleys, swimming pools, ice skating rinks, miniature golf and similar recreation activities requiring limited land area.

Recreational Vehicle [eff. 8-12-09] – A vehicle designed to be used primarily for recreational purposes, including temporary sleeping quarters or cooking facilities, or a unit designed to be attached to a vehicle and used for such purposes, including self-propelled motor homes, pick-up campers, travel trailers and tent



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trailers, provided such vehicle or unit which is thirty-five (35) feet or more in overall length shall be considered a mobile home and shall be subject to all regulations of this ordinance applicable to mobile homes. See Travel Trailer or Motor Home.

Recycling Center [eff. 8-12-09] – See Junk Yard

Residence or Residential [eff. 8-12-09] – A “residence” or “residential” shall include a building, or any part of a building, which contains dwelling units for permanent occupancy. “Residences” therefore include all one-family and multi-family dwellings. However, “residences” do not include: transient accommodations, as in hotels, motels, tourist cabins, and trailer camps; and that part of a building which is used for any non-residential uses; and institutional uses, as in rest homes, nursing homes, homes for the aged, orphanages and other institutional residential uses.

Residential Floor Area [eff. 8-12-09] – The area of a dwelling devoted to living purposes, including stairways, halls, and closets, but excluding basements, porches and space used for a garage or carport.

Rest Home [eff. 8-12-09] – See Nursing Home.

Restaurant [eff. 8-12-09] – A private or public eating establishment which provides for the preparation and serving of food to be consumed on the premises.

Retail Sales [eff. 8-12-09] – A commercial enterprise that provides goods and/or services directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser.

Right-of-way – Land which is set aside between property lines for streets, alleys, easements, utilities or other physical improvements.

Road [eff. 8-12-09] – See Street/Road.

Roadside Stand [eff. 8-12-09] – A structure used for the display and sale of agricultural products.

Satellite Dish [eff. 8-12-09] – A device (normally dish or disk shape) used as an antenna for reception of signals via satellites. For determining the location on the property, the dishes shall be considered an accessory use.

Self-Storage Service [eff. 8-12-09] – A building or complex providing individual rental warehouse units for the private storage of personal property.

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Self-Storage Facility [eff. 8-12-09] – A structure containing separate, individual, and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time.

Semi-public Uses [eff. 8-12-09] – Churches, Sunday schools, parochial schools, colleges, hospitals and other institutions of an educational, religious, charitable or philanthropic nature.

Set Back Building Line [eff. 8-12-09] – Line perpendicular to the set back distance at the specified distance.

Set Back Distance [eff. 8-12-09] – The minimum horizontal distance between the road right-of-way and the building line.

Sewage Disposal-Combined – An approved sewage disposal system which provides for a combined collection and disposal of sewage from a group of residential, commercial or industrial buildings.

Sewage-Disposal-Individual – A septic tank installation on an individual lot which utilizes an anaerobic bacteriological process for the elimination of solid wastes and provides for the proper and safe disposal of the effluent, subject to the approval of health or sanitation officials having jurisdiction.

Sexually Oriented Business [eff. 8-12-09] – An establishment where a substantial portion of the use is distinguished or characterized by its emphasis on sexually-oriented materials. Sexually-oriented businesses include sexually-oriented cabarets/theatres, sexually-oriented media stores, and sexually-oriented motels, more specifically defined hereunder this regulation. Sexually-oriented business shall not include nude model studios, sexual encounter centers, sexually-oriented escort agencies, sexually-oriented spas, or sexually-oriented viewing booth or arcade booth facilities each more specifically defined herein by this zoning resolution.

- 1) Sexually-Oriented Cabaret/Theatre; Adult Motion Picture Theater; Adult Motion Picture Drive-In Theater; Adults Only Entertainment Establishment [eff. 8-12-09] – A sexually-oriented auditorium, bar, concert hall, movie house, nightclub, restaurant, theatre, or similar business establishment which for any form of consideration displays or depicts sexually-oriented materials to patrons in a seating area exceeding 600 square feet as a substantial portion of its entertainment or presentation time, including: on-site live performances on a stage that features horizontal and/or physical barriers to prevent contact between the performers and the audience, including exhibitions, dance routines, gyrational choreography, strippers (male or female), female impersonators, lingerie modeling, or lingerie dancers; or other media, including films, motion pictures, computer files or software, laser discs, video cassettes, DVD's, slides, and similar photographic reproductions.

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- 2) Sexually-Oriented Media Store/Adult Book Store [eff. 8-12-09] – A sexually-oriented business establishment which offers sexually-oriented materials for retail sale or rental for any form of consideration as a substantial portion of its stock in trade, including books, magazines, periodicals, or other printed matter, visual representations, instruments, devices or paraphernalia.
- 3) Sexually-Oriented Motel [eff. 8-12-09] – A sexually-oriented hotel, motel, or similar business establishment that offers accommodations to the public for any form of consideration and provides patrons with closed-circuit television transmissions, films, motion pictures, laser discs, videocassettes, DVD's, slides, or other photographic reproductions that are characterized by the depiction or description of sexually- oriented material, and:
  - a. has a sign visible from the public right-of-way that advertises the availability of adult and/or sexually-explicit materials along with room rentals; or
  - b. offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
  - c. allows a tenant or occupant of a sleeping room to sub-let the room for a period of time that is less than ten (10) hours.
- 4) Nude Model Studio [eff. 8-12-09] – An establishment where a person who exhibits specified sexual anatomical areas is to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons for any form of consideration. A Nude Model Studio shall not include a proprietary school licensed by the State of Ohio or a College, Junior College, or University supported entirely or in part by public taxation, a private college or university that maintains and operates educational programs in which credits are transferable to a College, Junior College, or University supported entirely or partly by taxation, is in a structure, provided such institution meets all the following criteria:
  - a. There is no sign visible from the exterior of the structure and no other advertising that indicates a person exhibiting specified sexual anatomical areas is available for viewing; and
  - b. In order to participate in a class a student must enroll at least three (3) days in advance of the class; and
  - c. No more than one person exhibiting specified sexual anatomical areas is on the premises at any one time.
- 5) Sexual-Oriented Encounter Center [eff. 8-12-09] – An establishment that for any form of consideration, offers activities or physical contact between male and female persons and/or persons of the same sex in a private or semi-private area, six hundred (600) sq. ft. or less, and where one or more of the persons, displays or exhibits specified sexual anatomical areas or performs specified

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sexual activities including but not limited to, wrestling, tumbling, lap dancing or body painting.

- 6) Sexually-Oriented Escort Agency [eff. 8-12-09] – An establishment which for any form of consideration advertises, offers, or furnishes a companion, guide, or date for a service which includes the exposure of specified sexual anatomical areas or specified sexual activities, the modeling of lingerie, or private striptease performances in a private or semi-private area of six hundred (600) square feet or less.
- 7) Sexually-Oriented Spa [eff. 8-12-09] – An establishment which for any form of consideration provides massages by persons who are not medical professionals or certified massage therapists, or provides patrons with bathing, sauna, shower, or hot tub services in a private or semi-private area of six hundred (600) square feet or less, and which provides sexually-oriented materials or engages in or offers to engage patrons in specified sexual activities, or activities commonly associated with a sexual encounter center.
- 8) Sexually-Oriented Viewing Booth or Arcade Booth Facility [eff. 8-12-09] – An establishment which for any form of consideration provides a booth, cubicle, stall, or compartment less than or equal to six hundred (600) square feet in area that is primarily designed, constructed, or used to hold or seat patrons to view sexually-oriented materials, including live entertainment or any photographic, electronic, magnetic, digital, or other means or media (including, but not limited to, film, video, or magnetic tape, laser disc, cd-rom, books, magazines, or periodicals).

Sexually-Oriented Materials [eff. 8-12-09] – Media, matter, visual representations, performances, or services distinguished or characterized by the emphasis on specified sexual anatomical areas or specified sexual activities or which are otherwise harmful to juveniles or obscene. Sexually-oriented materials may include any one or more of the following: books, magazines, newspapers, periodicals, pamphlets, posters, prints, pictures, photographs, slides, transparencies, figures, images, descriptions, motion picture films, previews, trailers, video cassettes, compact discs, laser discs, DVD's, computer files or software, phonographic records, tapes, or other printed matter, visual representations, tangible devices or paraphernalia designed for use in connection with specified sexual activities, plays, shows, skits, dances, exhibitions, or any service capable of arousing prurient or scatological interests through sight, sound, or touch.

Sewage Disposal System [eff. 8-12-09] – A system which provides for collection and disposal of sewage from residential, commercial or industrial buildings, subject to the approval of health or sanitation officials having jurisdiction.

Side Yard [eff. 8-12-09] – See Yard.

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Sign [eff. 2-8-12] - Any structure or part thereof or any device attached to a structure or painted or represented on a structure on which letters, figures, or pictorial matter is displayed or used for the purpose of bringing the subject thereof to the attention of the public. A “sign” includes any billboard, but does not include any flag, badge, or insignia of any government or governmental agency or of any charitable, religious, educational, or similar organization.

- a) Sign, On-Site [eff. 2-8-12]: Any sign related to a business or profession conducted, or a commodity or service sold or offered upon the premises where such sign is located.
- b) Sign, Off-Site [eff. 2-8-12]: Any billboard authorized by the Zoning Board of Appeals.

Single-family dwelling – A permanent structure entirely detached: independent from any other principal structure placed on a permanent foundation, having one or more rooms, with provisions for living, sanitary and sleeping facilities specifically designed and arranged exclusively for the use of one or more individuals of the same family. These dwellings include site built homes, industrialized homes, manufactured homes and mobile homes but not barns, sheds or other structures designed for uses other than single family.

Small Wind Farm [eff. 8-24-11] - A single turbine or multiple turbines that alone or in the aggregate are capable of generating five megawatts (5mw) or less of electrical power, with their primary intention being to generate and/or produce electrical power to distribute into the existing electrical grid system.

Social Activities [eff. 8-12-09] – The use of land and buildings for clubs, fraternal organizations, veteran’s organizations and similar social purposes.

Special District “S-1” – A zoning classification established by this resolution whose primary purpose is to retain natural areas of the township, such as flood plains or other topographic conditions which would preclude development; and, institutional uses or land areas administered by federal, state, or local governments or agencies thereof, such as parks or cemeteries.

Specialized Animal Raising and Care – The use of land and buildings for the raising and care of fur-bearing animals such as rabbits and domestic pets; and the stabling and care of horses, animal kennels, or birds of a similar nature.

Specified Sexual Activities [eff. 8-12-09] – Includes the display or depiction of any of the following activities as part or in connection with any of the uses of an establishment set forth in this resolution:

- a. The fondling, rubbing, or erotic touching of human genitals, pubic

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- region, buttocks, anus, or female breasts by any bodily part of another person or stimulating device under the control of another person, including lap dancing, friction dancing, table dancing, straddle dancing, face dancing, or any other method of erotic touching, but not including casual touching;
- b. Human male genitals in a discernible turgid state even if completely and opaquely covered;
  - c. Sexual activity, normal or perverted, actual or simulated, including intercourse, oral copulation, sodomy, bestiality, sadomasochistic activities, or other extreme or bizarre violence, cruelty, or brutality used to arouse lust;
  - d. Actual or simulated masturbation, or the penetration of an orifice with a sex toy;
  - e. Excretory functions, actual or simulated, including urination, defecation, male ejaculation, or the aftermath of male ejaculation.

Storm Water Management Plan [eff. 8-12-09] – A description of controls appropriate for each construction operation covered by these regulations in order to control storm water damage and sediment pollution of water resources, wetlands, riparian areas, other natural areas, and public and private lands.

Story [eff. 8-12-09] – That portion of a building included between the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.

Story, Half [eff. 8-12-09] – A story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than four (4) feet above the floor of such story.

Street/Road [eff. 8-12-09] – A public or private thoroughfare which affords the principal means of access to abutting property.

Street Line [eff. 8-12-09] – A dividing line separating a lot, tract or parcel of land and a contiguous street.

Structure [eff. 8-12-09] – Anything constructed, erected, or placed on the land, the use of which requires a more or less permanent location on the land, or attached to something having a permanent location on the land. Structures include, but are not limited to buildings, fences, walls, towers, billboard signs, etc.

Structural Change [eff. 8-12-09] – Wherever mentioned in this resolution means any change in the supporting members of a building such as bearing walls or partitions, columns, beams or girders, excepting such structural change as may be required for the safety of the building or occupants thereof. This does not include repairing, re-roofing or re-siding.

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Substantial Portion [eff. 8-12-09] – A measurement, count, or ratio used in the determination whether an establishment is a sexually-oriented business computed as follows:

- a. For retail sales or rental of sexually-oriented materials in displays visible or self-accessible to the public – more than ten (10) percent of the content, stock-in-trade, shelf space, or inventory of the establishment;
- b. For retail sales or rental of sexually-oriented materials of a media nature only (i.e. not including sexually-oriented toys or novelties, lingerie which reveals specified sexual anatomical areas, or leather goods marketed or presented in a context to suggest their use for sadomasochistic practices) displayed in separate rooms or areas with access controls which isolate the room or area from other parts of the store and prevents patrons from viewing sexually-oriented material from the rest of the establishment – more than forty (40) percent of the gross floor area of the establishment.
- c. For performance activities or the showing of films, motion pictures, video cassettes, slides, or similar visual or photographic reproductions – more than ten (10) percent of the presentations or performances within any ninety (90) day period in the establishment are characterized by the depiction or description of:
  1. Presentations emphasizing specified sexual activities, specified sexual anatomical areas, or material that is harmful to juveniles or obscene; or
  2. The showing of movies where the Motion Picture Association of America Movie Rating System or a rating system using similar constitutionally acceptable standards would apply an “adults only” rating, including, but not limited to: “NC-17”, “X”, “XX”, or “XXX”, or unrated films with comparable content.

Swimming Pool [eff. 8-12-09] – Any body of water or open tank, temporary or permanent, above or below ground, where swimming is normally permitted, not located within a completely enclosed building, and containing water to a depth at any point greater than three (3) feet.

Tavern [eff. 1-12-11] – An establishment devoted primarily to the sale of alcoholic beverages. Food service may be provided, but is secondary to the sale of alcoholic beverages.

Tourist Home [eff. 1-12-11] – A building other than a hotel where lodging is provided and offered to the public for compensation for not more than twenty (20) individuals and open to transient guests.

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Tourist Home- A building other than a hotel where lodging is provided and offered to the public for compensation for not more than twenty (20) individuals and open to transient guests.

Township [eff. 8-12-09] – Wherever township is referred to, it shall be Center Township, Wood County, Ohio.

Travel trailer [eff. 8-12-09] – A non-self-propelled recreational vehicle that does not exceed an overall length of thirty-five (35) feet, exclusive of bumper and tongue or coupling, and contains less than three hundred twenty (320) square feet when erected on site. “Travel trailer” includes tent-type and foldout camping trailers. See Recreational Vehicle and Motor Home.

Truck Stop [eff. 8-12-09] – A business which caters primarily to the needs of the trucking industry by offering fuel, dining facilities, gift shops, emergency repair, or similar types of services.

Truck Terminal [eff. 8-12-09] – An area and structure designed and primarily used as a terminus of trucks for the purpose of hauling materials, where consignment property is loaded, unloaded, transferred, or housed.

Trustees, Board of [eff. 8-12-09] – The Board of Trustees of Center Township, Wood County, Ohio.

Unrelated Individual [eff. 8-12-09] – One (1) or more persons who are not related by blood, marriage, or adoption occupying a dwelling unit for purposes of habitation.

Use [eff. 8-12-09] – Any purpose for which buildings, other structures or land may be arranged, designed, intended, maintained or occupied.

Used Vehicle Lot [eff. 8-12-09] – A state-licensed lot on which two (2) or more vehicles in operating condition are offered for sale.

Variance [eff. 8-12-09] – A variance is a relaxation of requirements where such variation will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of this Resolution would result in unnecessary and undue hardship.

Vehicle Repair [eff. 8-12-09] – Any building, premises and land in which or upon which a business, service or industry involving the maintenance, servicing, repair or painting of vehicles is conducted.

Veterinary Animal Hospital or Clinic [eff. 8-12-09] – A place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those are in need of medical or surgical attention, and may include overnight accommodations on the premises for the treatment, observation and/or



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recuperation. It may also include boarding that is incidental to the primary activity.

Warehousing [eff. 8-12-09] – The receiving, storage, and distribution of manufactured products, commodities and equipment.

Wholesale Activities [eff. 8-12-09] – Shall not include retail sales to the general public.

Wind Turbine [eff 8-24-11] - A device that converts kinetic energy from the wind into mechanical energy and the mechanical energy is used to produce electricity.

Wind Turbine Tower Height [eff 8-24-11] - The distance from the rotor blade at its highest point to the top surface of the Wind Power Generating Facility (WPGF) foundation.

Yard [eff. 8-12-09] – An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward including all roof overhangs, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of the rear yard, the minimum horizontal distance between the lot line and the main building shall be used. See Lot.

- a. Yard, Front – A yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the street or place line and the main building or any projections thereof other than the projections of the usual uncovered steps, uncovered balconies or uncovered porch. On corner lots the front yard shall be considered as parallel to the street upon which the lot has its least dimension.
- b. Yard, Rear – A yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projections of uncovered steps, unenclosed balconies or unenclosed porches.
- c. Yard, Side – A yard between the main building and the side line of the lot, extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side of the main building or any projections thereto.

Zoning Appeals Board [eff. 8-12-09] – Board of Appeals of Center Township, Wood County, and Ohio.

Zoning Permit/Certificate [eff. 8-12-09] – The document issued by the Zoning Inspector authorizing the use of land or building.

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Zoning Commission [eff. 8-12-09] – Wherever “Commission” or “Zoning Commission” is referred to, it shall be the Zoning Commission of Center Township, Wood County, and Ohio.

Zoning Inspector [eff. 8-12-09] – The Zoning Inspector or his authorized representative appointed by the Board of Trustees.

Zoning District Map [eff. 8-12-09] – The Zoning District Map of the Township together with all amendments subsequently adopted.

**ARTICLE VI. DISTRICTS**

For the purpose of carrying out the provisions of this resolution the unincorporated area of the township may hereby be divided into the following districts:

“A”	Agricultural District
“R-1”	Residential District
“R-2”	Residential District
“R-3”	Residential District
“C-1”	Neighborhood Business District [eff. 1-12-11]
“C-2”	Community Business District [eff. 1-12-11]
“C-3”	Highway Commercial District
“I”	Industrial District
“S-1”	Special

These zones are designated on a zoning map and are hereby established and said map is made a part of the resolution. No buildings or premises shall be used and no buildings shall be erected except in conformity with regulations prescribed herein for the district in which it is located.

**ARTICLE VII. CLASSIFICATION OF USES**

**Uses in “A” – Agricultural District**

Permitted Uses:

- 1) Any agricultural use.
- 2) Any use or structure permitted and as regulated in the “R-1 District.

Accessory Uses [eff. 8-15-12]:

- 1) Private garage, which may include living quarters not to be rented for profit.
- 2) Summer houses and other customary incidental structures.
- 3) Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.
- 4) One (1) bulletin board or sign not exceeding twenty (20) square feet in area for any permitted church, school, or other public or semi-public institution.

Conditional Uses Requiring Board Approval

1. Roadside stands:
  - A. Structures used for the display and sale of agricultural products of which fifty (50) percent or more must be produced on the premises where the stand is located;
  - B. Such stands or displays shall be a minimum of twenty (20) feet from the edge of a right-of-way;
  - C. Adequate parking facilities shall be maintained on the premises and not in the road right-of-way for customer parking;
  - D. Any roadside stand shall have points of ingress-egress so situated that the visibility on the highway affording said ingress-egress be unobstructed for a distance of five hundred (500) feet in each direction.
2. Manufactured homes as permitted in ARTICLE XVI.
3. Structures for seasonal, agricultural laborers:
  - A. The location of such structures shall be as provided in ARTICLE XI and ARTICLE XII;
  - B. The minimum dwelling size as provided in ARTICLE XII shall not apply to such structures;
  - C. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines;

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- D. Occupancy of such structures shall not start before April 1 or extend more than thirty (30) days beyond the end of harvest season.
4. Home Occupations [eff. 8-15-12]
- A. No more than one person other than members of the family residing on the premises shall be engaged in such occupation.
  - B. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for the residential purposes by its occupants, and not more than twenty-five (25) per cent floor area of the dwelling shall be used in the conduct of the home occupation. One accessory building may be conditionally permitted for use, as home occupation in lieu of a single-family dwelling provided no more than 750 square feet are utilized in such building. Only one (1) home occupation may be conditionally permitted on the premises.
  - C. 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 (1) sign, not exceeding three (3) square feet in area, non-illuminated, and mounted flat against the wall of the principal building.
  - D. No traffic shall be generated by such occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall not be located in a required front yard.
  - E. 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 other than a single family residence or outside of the dwelling unit if conducted in other than a single family residence. No equipment or process shall be used which creates visual and audible interference in any radio or television receivers off the premises, or causes fluctuation in line voltage off the premises.
5. Golf Courses:
- A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
  - B. The club house shall be located a minimum of three hundred (300) feet from any property line;
  - C. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines;
  - D. Hours of operation shall be from dawn until dark;
  - E. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;

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- F. Parking areas shall be screened from residential structures by a four-foot high landscape mound, with nursery-grade evergreen trees of at least six feet in height planted not more than twenty-five (25) feet apart, on center. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way. The Board of Zoning Appeals may approve an alternative buffer or equal or greater quality. Approved landscape plans shall be recorded with the deed at the Wood County Recorder's office.
6. Cemeteries:
- A. All driveway access shall be from a county road or State Highway. State Highway access will have approval from the Ohio Department of Transportation.
  - B. The minimum lot area shall be forty (40) acres;
  - C. All structures, except for grave markers, shall be set back a minimum of two hundred (200) feet from any lot line;
  - D. Decorative fencing shall enclose the site.
7. Veterinary Animal Hospital or Clinic
- A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
  - G. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
  - B. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.
  - C. The minimum lot area shall be five (5) acres;
  - D. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines;
  - E. All structures shall be located a minimum of one hundred (100) feet from any lot line;
  - F. Any outside runs or kennels shall be located a minimum of one hundred (100) feet from any lot lines.
8. Outdoor Wood Fired Boilers
- A. An outdoor wood fired boiler may be installed and only in accordance with all of the following conditions:
    - 1. The outdoor wood fired boiler shall be installed and used only areas zoned A – Agricultural.
    - 2. The outdoor wood fired boiler shall not be used to burn any items listed in Section C, items 1 through 17.

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3. The outdoor wood fired boiler shall be located at least 500 ft. from the nearest residence which is not located on the same property as the wood fired boiler.
  4. The outdoor fired boiler shall be located a minimum of 50 ft. from any property line on the property that the outdoor wood fired boiler will serve.
  5. All outdoor wood fired boilers installed shall meet OEPA's Phase II Emission Standard. Documentation of this standard shall be provided by the manufacturer of the boiler unit and the applicant shall provide this documentation to the Board of Zoning Appeals at the time of application.
- B. The outdoor wood fired boiler shall have a chimney that extends at least five (5) ft. higher than peak of the structure located nearest to the outdoor wood fired boiler.
- C. Prohibited Fuels. No person shall burn any of the following items in an outdoor wood fired boiler:
1. Any wood that does not meet the definition of clean wood
  2. Garbage
  3. Tires
  4. Lawn clippings or yard waste
  5. Materials containing plastic
  6. Materials containing rubber
  7. Waste petroleum products
  8. Paints and paint thinners
  9. Chemicals
  10. Coal
  11. Glossy or colored papers
  12. Construction or demolition debris
  13. Plywood
  14. Particleboard
  15. Manure
  16. Animal carcasses
  17. Asphalt products
9. Commercial Vehicle(s) and Trailer Storage
- A. A commercial vehicle is defined as any vehicle or trailer licensed and registered as a commercial vehicle or trailer with a gross vehicle weight of ten thousand (10,000) pounds and used or designed to be used for business or commercial purposes.
  - B. Not more than one commercial vehicle or trailer or herein defined shall be parked in an "A" or "R" district. The parking of a commercial vehicle herein described shall be accessory to the driver/owner owner-occupied residential dwelling.
  - C. Additional parking or storage of commercial vehicles and trailer(s), not to exceed three (3), in excess of ten thousand (10,000) pounds of gross

vehicle weight may be permitted by the Zoning Board of Appeals as a conditional use in an “A” district, provided the following conditions are met.

- a) The site, lot or parcel of land is located along a Major Street and Highway as defined by the Wood County Major Street and Highway Plan (Nims Road, Newton Road, Poe Road, St. Rt. 105, Napoleon Road, Gypsy Lane, Dunbridge Road, Sugar Ridge and St. Rt 6).
  - b) The parking surface area shall be within the defined setbacks of an “A” district and shall be accessory to owner-occupied dwelling.
  - c) No business activity, loading, or unloading of materials shall be conducted at or on the site, lot or parcel of land.
  - d) No other residence shall be located within five hundred (500) feet of the property line of the site or parcel of land.
- D. Vehicles and trailers licensed and used as agricultural vehicles or trailers which are integral parts of an on-site agricultural business are exempt.
- E. Infrequent short term parking of a commercial vehicle or trailer for conveying tools and materials to a premise for use on the premises or delivery or moving of goods to or from a dwelling unit are exempt.

10. Private Swimming Pools and Ponds

- A. A private swimming pool shall be any pool or open tank, where swimming is normally permitted, not located within a completely enclosed building, and containing water to a depth at any point greater than three and one-half (3 1/2) feet. Such swimming pools shall be allowed in following conditions and requirements.
- a) The pool is intended as is to be used solely for the enjoyment of the occupants of the principle use of the property on which it is located.
  - b) No part of the water area, exposed equipment or structure housing the equipment shall be closer than ten (10) feet from any property line. Paved walks adjoining a pool may not be closer than five (5) feet from a property line.
  - c) The swimming pool or the entire property on which it is located shall be fenced so as to prevent uncontrolled access by children from the street or from adjacent properties. Said fence to be not less than four (4) feet in height and maintained in good condition with a lock and gate.
  - d) The pool is not greater than twelve hundred (1,200) square feet in surface area and no more than twelve (12) feet in depth.
- B. A private pond is permitted in all districts, with the following conditions:
- a) A site plan to scale, must be prepared, showing the locations of the proposed pond, final grades, location of any existing or proposed buildings, septic tanks, leach fields, wells, underground fuel or gasoline tanks, easements, ditches and utility lines within five hundred (500) feet of the perimeter of the area.
  - b) Any man made or naturally occurring pond used for recreation, storm water retention or detention, shall be located at least fifty (50) feet from any public road right-of-way or drainage ditch. The natural grade of



the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.

- c) If ponds are to be utilized for potable water supplies, approval of the Wood County Health Department shall be required.
- d) Pond(s) shall not be permitted to be located in a 100 year floodplain.
- e) Pond(s) shall provide at least one overflow. Adequate provisions for drainage shall be made subject to approval of the Wood County Engineer.
- f) Pond(s) shall be at least one-fourth (1/4) acre in area and shall have a minimum depth of ten (10) feet.
- g) Fill dirt may be hauled off-site. Any fill dirt retained on-site shall not be mounded so as to obstruct a view from neighboring property and may not exceed a height of 6' from the original grade of the property.
- h) After completion, a pond shall be properly maintained and supervised so that it will not become a danger or nuisance to area residents.

#### 11. Wind Turbines

##### ON-SITE WIND TURBINES

Wind turbines for generation and use on-site shall be a conditional use in all districts.

##### Conditions:

Center Township recognizes the importance of clean, sustainable and renewable energy sources. Center Township has established the following regulations for wind turbines for on-site electric generation and use, to ensure the health, safety, comfort, and welfare of all township residents. These regulations should be interpreted to minimize noise radiation, light strobing, ice throw, and other negative health, safety, aesthetic, property value, and general welfare impacts on adjoining and neighboring uses.

- 1. Height: 100 feet maximum.
- 2. Setback: Height of the turbine plus 25% from property lines of adjacent property owners and any road right-of-ways to prevent damage and injury from ice throws and structural collapse.

##### SMALL WIND FARMS

Small wind farms shall be a conditional use in "A" – Agricultural and "I" – Industrial districts only.

##### Conditions:

Center Township recognizes the importance of clean, sustainable and renewable energy sources. Center Township has established the following regulations for wind turbines for small wind farms to ensure the health, safety, comfort, and welfare of all township residents. These regulations should be interpreted to minimize noise radiation, light strobing, ice throw, and other negative health, safety, aesthetic, property value, and general welfare impacts on adjoining and neighboring uses.

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1. Turbines on small wind farms shall meet all of the requirements of on-site wind turbines, except:
  - a. Small wind farm turbine towers shall have a height minimum of 150 feet.
  - b. The noise level measured at the closest property line shall not exceed 60 dBA.
2. Warning signs, anti-climb apparatuses, and other measures aimed at eliminating trespassing and protecting public safety are required.
3. Location of all public and private airports in relation to the location of the turbine tower height must be obtained from the Wood County Planning Commission.
4. An engineering report signed and sealed by a professional engineer that shows:
  - a. The total size and height of the unit.
  - b. The total size and depth of the unit's concrete mounting pad, as well as soil and bedrock data.
  - c. A list and/or depiction of all safety features including, but not limited to: anti-climb apparatuses, grounding devices, lightning protection, braking systems, guy-wiring, and anchors.
  - d. Data specifying the kilowatt size and generating capacity of the particular unit.
  - e. The maximum decibel level of the particular unit as confirmed by the turbine manufacturer.
  - f. A site drawing showing the location of the unit in relation to existing structures on the property, roads and other public right-of-ways, and neighboring properties.
  - g. A "clear fall zone" as recommended by the manufacturer.
  - h. A maintenance schedule.
  - i. A dismantling plan.

**Uses in "R-1 Residential District**

The residential zone is intended as an area chiefly designed for single family homes with related community facilities such as religious and public recreation facilities, which go into making up a balanced residential neighborhood.

**Agricultural Uses In Residential Areas:**

The use of land for agricultural purposes or the construction or use of buildings or structures incident to the use of agricultural purposes or land on which buildings or structures are located is exempt from zoning districts established by this Resolution except as regulated below:

- 1) A parcel with the following characteristics is subject to the agricultural use restrictions listed below in a), b), and c): (1.) The parcel is within a platted

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subdivision approved under O.R.C. 711.05, 711.09 or 711.10, or in any area consisting of fifteen (15) or more lots approved under O.R.C. 711.131 that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road and; (2.) The parcel is a lot of one (1) acre or less.

- a) Dairying, pasturage and animal husbandry of animals raised for their meats, skins or other byproducts are conditional uses subject to approval by the Board of Zoning Appeals. The Board shall consider:
    - i) Size of the lot or parcel
    - ii) Type and number of animals
    - iii) Size area devoted to the above animal uses
    - iv) Feed and waste management plan
    - v) Uses of adjacent properties
    - vi) Location and type of animal housing
  - b) Agricultural uses not involving animals are permitted so long as they are not extended beyond the front setback line for the district in which the parcel is located and does not exceed more than thirty-three and one-third (33 1/3) percent of the total open space of such parcel.
  - c) Building and structures accessory to the agricultural use of the property shall meet side and rear setbacks and shall be constructed in a design and of materials which harmonize to existing residential, commercial or industrial structures on the property. Such buildings shall not exceed thirty-five (35) feet in height, shall not exceed one-eighth (1/8) of the total area of the parcel and shall be placed behind the front set back line for the district in which the parcel is located.
- 2) On parcels which (1) meet the requirements of Section 11, 1) above and (2) are larger than one (1) acre but less than five (5) acres, the following agricultural uses are permitted subject to application for and approval of a conditional use permit therefore by the Board of Zoning Appeals
- a) Building and structures incident to the agricultural use of property are subject to the setback, construction and design requirements set forth in Section 11,1c) above.
  - b) When at least 35% of the lots of the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured homes under O.R.C. 4503.06; dairying, pasturage and animal husbandry of animals raised for their meats, skins or other byproducts are conditional uses subject to approval by the Board of Zoning Appeals. The Board shall consider:
    - i) Size of the lot or parcel
    - ii) Type and number of animals

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- iii) Size area devoted to the above animal uses
  - iv) Feed and waste management plan
  - v) Uses of adjacent properties
  - vi) Location and type of animal housing
- c) Any dairying and animal and poultry husbandry which exist prior to 35% of the lots being developed, shall be considered a non-conforming use of land and building or structures pursuant to O.R.C. 519.19.
- 3) The regulations in subsection 1) and 2) above do not apply to agriculture, buildings or structure and dairying and animal and poultry husbandry on lots greater than five acres.

**Uses in “R-1” Residential District**

Permitted Uses:

- 1) One (1) single family or one (1) two-family dwelling per lot for residential purposes, and buildings accessory thereto; but excluding the use of tents, cabins, and basements for residential purposes.
- 2) Adult Family Home.
- 3) Group Home or Community Residence.
- 4) Schools and colleges for academic instruction.
- 5) Churches and Parish houses, including Sunday schools and meeting facilities.
- 6) Public buildings and properties of the cultural, administrative or public service type, but not including such uses as storage yards and warehouses.
- 7) Hospitals and sanatoriums but not including correctional institutions.
- 8) Platting of land for residential development in accordance with the SUBDIVISION REGULATIONS for Wood County.

Accessory Uses:

- 1) All accessory uses in the “A” District

Conditional Uses Requiring Board Approval:

- 1) Manufactured homes as permitted in ARTICLE XVI.
- 2) Type B Day Family Care Home, subject to the condition that there are no unrelated employees.
- 3) Home Occupations, as permitted in the “A” District
- 4) Bed and Breakfast subject to the following conditions:
  - A. A minimum of 1.5 parking spaces must be allotted per sleeping room, in addition to the parking needed as regulated by ARTICLE XIV;
  - B. A single sign may not exceed six (6) square feet;
  - C. The dwelling must be owner occupied and operated and the use as a bed and breakfast subordinate to the use as a single-family dwelling;

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D. There shall be no more than one (1) unrelated and nonresident, full time equivalent employees.

- 5) [eff. 8-24-11]- On-Site Wind Turbines, as permitted in the “A” District.
- 6) Commercial Vehicle(s) and Trailer Storage as permitted in the “A” District
- 7) Private Swimming Pools and Ponds as permitted in the “A” District

**Uses in “R-2” Residential District**

Permitted Uses:

- 1) Any Use as permitted in the “R-1” District
- 2) Multiple Family Dwellings.

Accessory Uses:

- 1) All accessory uses in the “A” District

Conditional Uses Requiring Board Approval:

- 1) All conditional uses permitted in the R-1 District, subject to the same conditions.

**Uses in “R-3” Residential District**

Permitted Uses:

- 1) Any Use as permitted in the “R-2” District;
- 2) Boarding/Rooming Houses.

Accessory Uses:

- 1) All accessory uses in the “A” District

Conditional Uses:

- 1) All conditional uses permitted in the R-1 District, subject to the same conditions;
- 2) Mobile Home Parks, Manufactured Home Parks, Manufactured Home Subdivisions, subject to ARTICLE XVI.
- 3) Campgrounds, subject to the following conditions:
  - A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
  - B. The club house shall be located a minimum of three hundred (300) feet from any property line;

- C. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines;
- D. Hours of operation for accessory recreational equipment (includes 4-wheeler, scooter, boat or golf cart) shall be from dawn until dark;
- E. Driveway areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
- F. Camping areas shall be screened from residential structures by a four-foot high landscape mound, with nursery-grade evergreen trees of at least six feet in height planted not more than twenty-five (25) feet apart, on center. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way. The Board of Zoning Appeals may approve an alternative buffer or equal or greater quality. Approved landscape plans shall be recorded with the deed at the Wood County Recorder's office.

**General Requirements of the “C-1”, “C-2”, “C-3” Commercial Districts**

The various commercial zones are intended as areas wherein commercial uses are concentrated categorically for the benefits of the residents of the township and others doing business within the commercial area. By concentrating the commercial areas the following will be better accomplished. For the safety and welfare of the commercial uses through better sharing of water, sewer, fire protection, trash collection, off-street parking, and other community services; and for the economy and efficiency of the public agencies which provide these services.

**Commercial Requirements**

- 1) Commercial structures shall meet all requirements set forth by the Ohio Building Code. Plans must be approved in accordance with the same layout with the issuance of a zoning permit.
- 2) Lot size, side yards and set back lines shall be in accordance with ARTICLES XI, XII, XIII.
- 3) Off-street parking shall be provided in accordance with ARTICLE XIV and shall be on the same side of the public road as the establishment.

**Uses in “C-1” Neighborhood Business District**

Permitted Uses:

- 1) Personal Services

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- 2) Business Services
- 3) Professional Activities
- 4) Offices And Banks
- 5) Drive-In Commercial Uses
- 6) Restaurants
- 7) Agricultural
- 8) Public Uses
- 9) Semi-Public Uses
- 10) Essential Services
- 11) Social Activities
- 12) Hotel/Motel
- 13) Retail sales of 10,000 sq ft or less.

**Conditional Uses Requiring Board Approval:**

- 1) Commercial Schools
  - A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
  - B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
  - C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.
  - D. The minimum lot area shall be five (5) acres;
  - E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines.
  
- 2) Mortuaries
  - A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
  - B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
  - C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.
  - D. The minimum lot area shall be five (5) acres;
  - E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health

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Department or approved tap permits to public water and sanitary sewer lines;

- F. The required site plan shall show the location of all buildings, drives, parking screening or screen planting, and the interior location and size of any parlors or service rooms;
- G. The interior size and location of all gift shops, casket or tombstone sales, or flower sales shall be noted on the site plan;
- H. A single dwelling unit, interior size and location noted on the site plan, for the exclusive use by the person(s) on call for the mortuary may be provided;
- I. Applicant shall show approval for the crematory by the appropriate regulatory agency for the incinerator and emissions at the time of application.

**3) Entertainment Facilities**

- A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
- B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
- C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way;
- D. The minimum lot area shall be five (5) acres;
- E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines.

**4) Offsite Outdoor Advertising**

- A. There shall not be more than one (1) sign structure per parcel of land.
- B. Said structures may have two advertising faces with permits required of both.
- C. No building wall shall be used for such off-site advertising.
- D. All such structures must be placed at least thirty (30) feet from adjoining property line.
- E. No such sign or advertising structure shall be permitted which faces the front or side lot line of any lot in an “R” District and is within one hundred (100) feet of such lot line or which faces any public park, school, library, church or similar institution and is within three hundred (300) feet thereof.

**5) Gas Stations**



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- A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
- B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
- C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.
- D. The minimum lot area shall be five (5) acres;
- E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines;
- F. The required site plan shall include the location of buildings, drives, pumps, underground storage tanks, signs, screening and fences.

6) Veterinary Animal Hospital or Clinic

- A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
- B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
- C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.
- D. The minimum lot area shall be five (5) acres;
- E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines;
- F. All structures shall be located a minimum of one hundred (100) feet from any lot line;
- G. Any outside runs or kennels shall be located a minimum of one hundred (100) feet from any lot lines.

7) Day Care Center or Nursery School

- A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
- B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;

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- C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.
- D. The minimum lot area shall be five (5) acres;
- E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines.

8) [eff. 8-24-11] - On-Site Wind Turbines, as permitted in the “A” District

**Prohibited Uses**

- 1) Sexually-oriented Businesses
- 2) Residential Uses
- 3) Taverns

**Uses in “C-2” Community Business District**

**Permitted Uses:**

- 1) Retail sales
- 2) Personal Services
- 3) Business Services
- 4) Professional Activities
- 5) Commercial Schools
- 6) Offices And Banks
- 7) Restaurants
- 8) Drive-In Commercial Uses
- 9) Entertainment Facilities
- 10) Garage, Public
- 11) Agricultural
- 12) Essential Services
- 13) Public Uses
- 14) Semi-Public Uses

**Conditional Uses Requiring Board Approval:**

- 1) Mortuaries
  - A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
  - B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
  - C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain

undisturbed within fifteen (15) feet of any property line and road right of way.

- D. The minimum lot area shall be five (5) acres;
- E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines;
- F. The required site plan shall show the location of all buildings, drives, parking screening or screen planting, and the interior location and size of any parlors or service rooms;
- G. The interior size and location of all gift shops, casket or tombstone sales, or flower sales shall be noted on the site plan;
- H. A single dwelling unit, interior size and location noted on the site plan, for the exclusive use by the person(s) on call for the mortuary may be provided;
- I. Applicant shall show approval for the crematory by the appropriate regulatory agency for the incinerator and emissions at the time of application.

2) Automotive Sales

- A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
- B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
- C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.
- D. The minimum lot area shall be five (5) acres;
- E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines;
- F. The site plan shall show interior circulation, parking areas, display areas, and sales areas;
- G. All signage, both size and location shall be shown.

3) Hotels And Motels

- A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
- B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;

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- C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.
- D. The minimum lot area shall be five (5) acres;
- E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines.

**4) Gas Stations**

- A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
- B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
- C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.
- D. The minimum lot area shall be five (5) acres;
- E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines;
- F. The required site plan shall include the location of buildings, drives, pumps, underground storage tanks, signs, screening and fences.

**5) Offsite Outdoor Advertising**

- A. There shall not be more than one (1) sign structure per parcel of land.
- B. Said structures may have two advertising faces with permits required of both.
- C. No building wall shall be used for such off-site advertising.
- D. All such structures must be placed at least thirty (30) feet from adjoining property line.
- E. No such sign or advertising structure shall be permitted which faces the front or side lot line of any lot in an "R" District and is within one hundred (100) feet of such lot line or which faces any public park, school, library, church or similar institution and is within three hundred (300) feet thereof.

**6) Health Spas and Massage Facilities**

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- A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
  - B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
  - C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.
  - D. The minimum lot area shall be five (5) acres;
  - E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines.
- 7) Day Care Center Or Nursery School
- A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
  - B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
  - C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.
  - D. The minimum lot area shall be five (5) acres;
  - E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines.
- 8) Printing and Publishing
- A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
  - B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
  - C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.
  - D. The minimum lot area shall be five (5) acres;

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E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines.

9) [eff/ 8-24-11] - On-Site Wind Turbines, as permitted in the “A” District

**Prohibited Uses.**

- 1) Sexually-oriented Businesses
- 2) Residential Uses
- 3) Taverns

**Uses in “C-3” Highway Commercial**

**Permitted Uses:**

- 1) Wholesale Activities
- 2) Sale Or Storage Of Building Materials
- 3) Hotel/Motel
- 4) Retail Sales
- 5) Restaurants
- 6) Gas Stations
- 7) Garage, Public
- 8) Entertainment Facilities
- 9) Mortuaries
- 10) Offices
- 11) Essential Services
- 12) Public Uses
- 13) Semi-Public Uses
- 14) Drive-In Commercial Uses
- 15) Warehousing
- 16) Self-Storage Facilities and Self-Storage Service
- 17) Farm Implement Sales And Service
- 18) Printing and Publishing

**Conditional Uses Requiring Board Approval:**

- 1) Taverns
  - A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
  - B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
  - C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain

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undisturbed within fifteen (15) feet of any property line and road right of way.

- D. The minimum lot area shall be five (5) acres;
- E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines.

**2) Veterinary Animal Hospital Or Clinic**

- A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
- B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
- C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.
- D. The minimum lot area shall be five (5) acres;
- E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines;
- F. All structures shall be located a minimum of one hundred (100) feet from any lot line;
- G. Any outside runs or kennels shall be located a minimum of one hundred (100) feet from any lot lines.

**3) Offsite Outdoor Advertising**

- A. There shall not be more than one (1) sign structure per parcel of land.
- B. Said structures may have two advertising faces with permits required of both.
- C. No building wall shall be used for such off-site advertising.
- D. All such structures must be placed at least thirty (30) feet from adjoining property line.
- E. No such sign or advertising structure shall be permitted which faces the front or side lot line of any lot in an “R” District and is within one hundred (100) feet of such lot line or which faces any public park, school, library, church or similar institution and is within three hundred (300) feet thereof.

**4) Health Spas and Massage Facilities**

- A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;

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- B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
- C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.
- D. The minimum lot area shall be five (5) acres;
- E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines.

**5) Trucking And Transport Terminals**

- A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
- B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
- C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.
- D. The minimum lot area shall be five (5) acres;
- E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines;
- F. The site plan shall show all buildings, loading/unloading docks, interior circulation, and storage areas.

**6) Truck Stops**

- A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
- B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
- C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.
- D. The minimum lot area shall be five (5) acres;



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- E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines;
- F. The required site plan shall include the location of buildings, drives, pumps, underground storage tanks, signs, screening and fences.
- G. The location and size of all truck washing areas, food service areas, and retail sales shall be shown.

7) [eff. 8-24-11] - On-Site Wind Turbines, as permitted in the “A” District

**Prohibited Uses**

- 1) Sexually-oriented Businesses
- 2) Residential Uses

**Uses in “I” Industrial District**

The Industrial District is designed to provide for industrial and other uses that can be operated in such a manner as to conform to the applicable performance standards of this district. These uses perform essential and necessary functions and are provided for in areas that are best suited for such intensive industrial development by reason of locations and availability of the adequate utility and transportation systems, and accordingly, are isolated from residential neighborhoods.

**Permitted Uses:**

- 1. Manufacturing or assembly processes which by the nature of the materials, equipment, and process used are to a considerable measure clean, quiet, and free of objectionable or hazardous elements.
- 2. Hardware Store
- 3. Contractors' yards and offices.
- 4. Warehouses.
- 5. Printing and publishing
- 6. Monument works and sales.
- 7. Grain and feed dealers.
- 8. Railroad yards and terminal facilities.
- 9. Nurseries and greenhouses
- 10. Bakeries and bottling plants.
- 11. Truck and motor freight terminals.
- 12. Moving and storage companies.
- 13. Compounding, processing, and packaging of meat, dairy and food products, exclusive of slaughtering.
- 14. Machine shops and tool die shops.
- 15. Public Service Facilities and Public Uses.
- 16. Research and engineering laboratories.

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17. Commercial radio and television transmitting stations and antenna towers.
18. Sign painting and manufacturing.
19. Stamping plants.

Conditional Uses Requiring Board Approval:

1. Sexually-oriented businesses, subject to the following conditions:

The following regulations shall apply to adult entertainment business as herein defined.

Purpose

The purpose of Sections A to D inclusive of this Resolution is to promote the public health, safety and welfare through the regulation of adult entertainment businesses. It is the intent of these sections to regulate entertainment businesses, as defined herein, in such a manner as to prevent the erosion of the character of the surrounding neighborhoods and to prohibit the establishment of such businesses within close proximity to existing adult entertainment businesses, residentially zoned areas, schools, churches, parks and playgrounds within Center Township.

No building shall be erected, constructed, or developed and no building or premises shall be reconstructed, remodeled, arranged for use or used for any adult entertainment business unless authorized by the issuance of a conditional use permit in accordance with the provisions of this Resolution. In addition to said provisions, an adult business shall comply with the following conditional use criteria:

1. Adult entertainment businesses shall comply with the district regulations applicable to all properties in any district in which they are located.
2. No adult entertainment business shall be permitted in a location which is within one thousand five hundred (1,500) feet of another adult entertainment business;
3. No adult entertainment business shall be permitted in a location which is within one thousand five hundred (1,500) feet of any church, any public or private school, any park, any playground or any social services facility or neighborhood center;
4. No adult entertainment business shall be permitted in a location, which is within one thousand five hundred (1,500) feet of any residence or boundary of any residential district.
5. All measurements are from lot line to lot line.

2. Extraction of sand and gravel, topsoil, and other natural resources. Such uses shall meet the following additional criteria:
  - A. Any extraction operation that is intended to, or will, result in the creation of a body of water shall be effectively fenced along the property lines and provided with a locking gate. Such fence shall be of a non-climbable design installed and maintained at a height of four (4) feet.
  - B. No excavation shall be permitted nearer than fifty (50) feet to any property line.
  - C. Any processing or storage of materials shall be conducted within an enclosed structure and/or effectively screened from view.
  - D. Before granting a conditional use permit, the applicant shall provide the township with documentation evidencing the approval of the appropriate state and/or federal regulatory agencies and the necessary permits and licenses for such operations.
  - E. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
  - F. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
  - G. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.
  - H. The minimum lot area shall be twenty (20) acres;
  - I. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines.
  
3. Non-exempt public utilities pursuant to ORC 519.21.1 as follows:
  - A. Electric substations, equipment buildings, transmission lines and towers.
  - B. Telephone substations, distribution centers and transmission equipment buildings.
  - C. Gas regulator and meter stations
  - D. Water filtration plants
  - E. Water pumping stations
  - F. Sanitary sewage treatment plants
  - G. Sanitary sewage pumping plants
  - H. Recycling facilities

4. [eff. 8-24-11] - On-Site Wind Turbines and Small Wind Farms, as permitted in the “A” District.

Prohibited Uses

- 1) Residential Uses

**Uses in Special “S-1” District**

Permitted Uses:

Essential Services

Public Services

Public Uses

Public buildings or structures erected, leased or used by any department of a municipal, township, county, state or federal government, including public and semipublic facilities such as economic development agencies, fire and police stations, post offices and libraries.

**Conditional Uses Requiring Board Approval**

1. Semi-public uses
  - A. All driveway access shall be from a State Highway, with approval from the Ohio Department of Transportation;
  - B. Parking areas shall be paved. Grading and storm water drainage provisions shall be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion;
  - C. Parking areas shall be screened from residential structures by a four-foot high landscape mound. The natural grade of the land shall remain undisturbed within fifteen (15) feet of any property line and road right of way.
  - D. The minimum lot area shall be five (5) acres;
  - E. At the time of application for conditional use, the applicant shall provide proof of approved water and sewer permits from the Wood County Health Department or approved tap permits to public water and sanitary sewer lines.

2. [eff. 8-24-11] - On-Site Wind Turbines, as permitted in the “A” District.

Prohibited Uses

- 1) Sexually-oriented Businesses
- 2) Residential Uses

**ARTICLE VIII. PROHIBITED USES**

Prohibited uses are listed at the end of each District in ARTICLE VII, CLASSIFICATION OF USES.

**ARTICLE IX. NON-CONFORMING USES**

- 1) A non-conforming use existing at the time of the resolution or any amendment thereto takes effect, may be continued, except that if it is voluntarily discontinued for two (2) or more years, it shall be deemed abandoned and any further use must be in conformity with the uses permitted in such district.
- 2) Any building arranged, intended or designed for a non-conforming use, the construction of which has been started at the time of the passage of this resolution or any amendment thereto, but not completed, may be completed and put to such non-conforming use provided it is done within one (1) year after this resolution or any amendment thereto takes effect.
- 3) Any structure or building existing as a non-conforming use at the time this resolution or any amendment thereto takes effect, which is destroyed by fire, accident, public enemy or the elements, may be reconstructed and restored providing the same is done within two (2) years from the date of said destruction, and is rebuilt as nearly as possible to conform with the zoning requirements within the district in which it is located.
- 4) Any building or structure or land area devoted to a non-conforming use at the time this resolution or any amendment thereto takes effect may not be altered or enlarged so as to extend said non-conforming use more than twenty five (25) percent of the original area, providing the alterations or enlargement is toward conformity with the zoning resolution within the district in which it is located.
- 5) When a non-conforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted or non-conforming use.

**ARTICLE X. RELOCATION OF A STRUCTURE**

When any structure is relocated, it shall conform to all zoning requirements for the district in which it is to be placed, and a permit is required.

**ARTICLE XI. SET BACK BUILDING LINES**

- 1) [eff. 8-24-11] - Setback building lines shall pertain to all structures but not including fences.
- 2) [eff. 8-24-11] - Minimum set-back distance shall be measured from the eaves and shall be as follows:

**Distance in Feet from Road Right-of-Way**

<u>District</u>	<u>Township or County</u>	<u>State or Federal</u>
All*	50	75

- 3) [eff. 8-24-11] - Setback lines on corner lots shall be the same distance from each road according to its classification above.

\*[eff. 8-24-11] - See exceptions ARTICLE XVIII



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**ARTICLE XII. LOT AND FLOOR REQUIREMENTS**

District	Min Front Yard Depth in Ft. (see Article XI for Exception)	Min. Side Yard in Feet	Min Rear Yard in Feet	Min. Lot Size	Min. Lot Frontage in Feet	Min. Building Floor Area Per Family in Sq. Feet
<b>Agricultural "A" Individual Sewage Disposal and Water Supply</b>						
1 Family	50	10	10	2 Acre	300	1,600
2 Family	50	10	10	3 Acre	300	3,200
<b>Residential "R-1" Individual Sewage and Water Supply</b>						
1 Family	50	10	10	2 Acre	300	1,600
2 Family	50	10	10	3 Acre	300	3,200
<b>Either Public Sanitary Sewer or Public Water Supply</b>						
1 Family	50	10	10	2 Acre	300	1,600
2 Family	50	10	10	3 Acre	300	3,200
<b>Both Public Sanitary Sewer and Public Water Supply</b>						
1 Family	50	10	10	2 Acre	300	1,600
2 Family	50	10	10	3 Acre	300	3,200
<b>Residential "R-2"</b>						
1 Family	50	10	10	2 Acre	300	1,600
2 Family	50	10	10	3 Acre	300	3,200
<b>Multi Family with Individual Sewage Disposal and Water Supply System</b>						
				<b>Not Permitted</b>		
Multi Family with Public Sanitary Sewer and Private Water Supply System	50	10	10	3 Acre plus 7500 sq. ft./unit	300	800
Multi Family with Public Sanitary Sewer and Public Water Supply System	50	10	10	3 Acre plus 7500 sq. ft./unit	300	800
<b>Residential "R-3"</b>						
1 Family	50	10	10	2 Acre	300	1600
2 Family	50	10	10	3 Acre	300	3200
<b>Multi Family with Individual Sewage Disposal and Water Supply System</b>						
				<b>Not Permitted</b>		
Multi Family with Public Sanitary Sewer and Private Water Supply System	50	10	10	3 Acre plus 7500 sq. ft./unit	300	800
Multi Family with Public Sanitary Sewer and Public Water Supply System	50	10	10	3 Acre plus 7500 sq. ft./unit	300	Efficiency 400 sq. ft. 1 Bedroom 525 sq. ft. 2 Bedroom 650 sq. ft. 3 Bedroom or more 800 sq. ft.
Rooming House	50	10	10	3 Acre plus 7500 sq. ft./unit	300	1600 sq. ft. for up to 4 occupants; plus 200 sq. ft. for each additional occupant
Neighborhood Business "C-1"	50	10	10			
Community Business "C-2"	50	10	10			
Highway Commercial "C-3"	50	10	10			
Industrial "I"	50	10	10			
Special "S-1"				Same as Agricultural "A"		

**ARTICLE XIII. MAXIMUM HEIGHT OF BUILDING**

No building shall exceed thirty-five (35) feet in height. This is the maximum height which the Township Fire Department can effectively reach with its equipment.

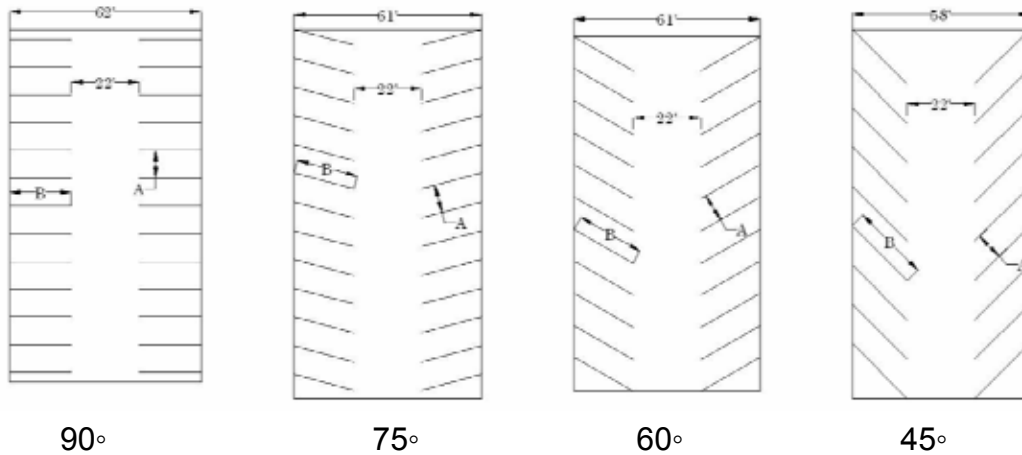
**ARTICLE XIV. PARKING FACILITIES**

Off Street parking

In computing the number parking spaces required by these regulations, a parking space as here in before defined is an enclosed or unenclosed area of not less than one hundred eighty (180) square feet permanently reserved for off-street parking, serviced by adequate access drives and connected with a street by a driveway which affords satisfactory ingress and egress.

The following general requirements shall prevail:

1.



Angle of Parking (Degrees)	Minimum Parking Stall Width (Feet) "A"	Minimum Parking Stall Length (Feet) "B"	Minimum Width of Parking Area Required "C"
45°	9'	25'	58'
60°	9'	22'	61'
75°	9'	20'	61'
90°	9'	20'	62'

NOTE: All parking spaces require a minimum of 180 Sq. Ft.  
Minimum width of 9', Maximum width of 10'

2. Location of parking spaces – all parking spaces shall be located on same lot or premise.
3. All districts- Off-street parking in front yards- A distance of ten (10) feet measured from the front public right-of-way toward the building shall remain unobstructed.

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4. Specific Requirements- There shall be provided at the time of change in land use, off-street parking and loading spaces in accordance with the following requirements:

<b>Use</b>	<b>Number of Off-Street Parking Spaces</b>
Dwellings One-Family Two-Family Multiple-Family	2 2 per unit 1 for every 320 gross square feet
Museums, Schools Libraries	One (1) per staff member and one (1) per 400 square feet of floor area.
Churches, Auditoriums, Arenas, Stadiums,	One (1) per every 2 lineal feet of seating.
Hospitals	1 for each 3 beds plus, 1 per 250 square feet of ER, Out-Patient and Specialized Clinics plus, 1 per employee at peak shift
Motels and Hotels	1.1 for each bedroom or sleeping room plus, 1 per employee at peak shift plus, 15 for the first 1,000 square feet plus, 1 per 100 square feet over 1,000 square feet of area used for restaurant, bar or other similar uses.
Theaters	One (1) per every 2 lineal feet of seating.
Hardware Store	2 plus, 1 for each 250 square feet over 1,000 gross square feet
Restaurants, Clubs, Lodges, Taverns and Similar Uses	15 for the first 1,000 square feet plus, 1 per 100 square feet over 1,000 square feet. Where drive-through service is available, three (3) vehicles stacking minimum.
Nursing Home	1 space for each 3 beds plus, 1 per employee at peak shift
Commercial Retail  Office Medical or Dental Office	One (1) per 300 square feet of gross floor area or fraction thereof. One (1) per 350 square feet of gross area or fraction thereof. One (1) per 250 square feet of gross area.
Industrial	One (1) per each employee on largest working shift.
Mobile Home Park	Two (2) per unit.

**ARTICLE XV. SIGNS AND OUTDOOR ADVERTISING STRUCTURES**

[eff. 2-8-12]

No sign shall be permitted in any district except as hereinafter provided.

The following general requirements shall prevail:

- 1) The surface area of a sign shall be computed as including the entire area within a regular, geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.
- 2) All signs and advertising structures shall be setback minimum of twenty-five (25) feet from all State and Federal Highway right-of-ways; and twenty (20) feet from all other roads-measured from the road right-of-way to the closest protruding edge of the sign.
- 3) Height shall be measured from the crown of the adjacent road pavement.
- 4) All signs and advertising structures may be illuminated internally or by reflected light provided the source of the light is not directly visible and is so arranged to reflect away from adjoining premises and provides that such illumination shall not be placed as to cause confusion or create a hazard to traffic.
- 5) Public notices, traffic control signs, and small signs bearing only property numbers or the names of the occupants of the premise are exempt from this resolution.
- 6) All signs require a zoning certificate prior to construction.

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Specific District Requirements:

<b>District</b>	<b>Number, Height and Maximum Square Footage</b>
A and R	One (1) per residence with a maximum square footage of nine (9) square feet.
C and I	<p>Each business may be permitted one flat wall sign. Such wall sign must project beyond the face of the building but shall not exceed two (2) feet measured from the face of the building. The area of all flat or wall signs for any single business enterprise may have an area equivalent to one and one-half (1 1/2) square feet of sign area for each lineal foot of building width, or part of a building, occupied by such enterprise but shall not exceed a maximum area of one hundred (100) square feet.</p> <p>Each business may also have two (2) free-standing on-site signs each not to exceed one hundred (100) square feet in area. The maximum height of a free-standing sign is twenty-five (25) feet.</p>
S-1	One (1) flat wall sign not to exceed twenty (20) square feet and one (1) free-standing sign, limited to a maximum height of eight (8) feet, not to exceed thirty-two (32) square feet.
All	<p>Bulletin boards and signs for a church, school, community or other public or semi-public building shall be permitted provided the area of such bulletin board or sign shall not exceed twenty (20) square feet in area.</p> <p>Portable or temporary signs not exceeding fifty (50) square feet in area, announcing special public or institutional events, the erection of a building, the architect, the builders, or contractors may be erected for a period of sixty (60) days plus the construction period.</p>

**ARTICLE XVI. MANUFACTURED HOUSING**

**Section 1. Permanently Sited Manufactured Homes**

- 1) Center Township hereby establishes the following standards for the placement of all single-family dwellings and permanently sited manufactured homes in areas of the Township which single-family dwellings are permitted.
  - a) All permanently sited single-family dwellings and permanently sited manufactured homes shall meet the minimum lot area, minimum setbacks, maximum height limitations for the particular district in which it will be located.
  - b) Off-street parking shall be provided according by ARTICLE XIV
  - c) The dwellings shall have all towing apparatus, wheels, axles, and exposed chassis, if any, removed before occupancy of any kind is permitted.
  - d) The dwelling must be approved for and permanently connected to all required utilities.
  - e) All dwellings shall be installed with properly engineered foundation systems that meet the manufacturer’s installation requirements and/or applicable state and local building codes for residential dwellings. A properly engineered foundation system is one that provides adequate support of the dwellings vertical and horizontal loads and transfers these and other imposed forces, without failure, from the dwelling to the undisturbed ground below the frost line.
  - f) All single family dwellings and permanently sited manufactured homes shall be taxed as real property.
- 2) Manufactured housing not meeting the criteria established for a permanently sited manufactured home shall be permitted in either a mobile manufactured home park or manufactured home subdivision.
  - a) Manufactured home parks and manufactured home subdivisions may be permitted/conditional use in an “R-3” residential district.
  - b) The Board of Appeals may permit one (1) nonconforming manufactured home per forty (40) acres or more as a temporary use. Permits for such use shall be for one (1) year and cannot be renewed. The location of such permitted manufactured home shall be in accordance with the yard requirements specified for residential uses in “R-1” Districts.
  - c) No porch, canopy, patio roof, room, structure for storage, or addition, may be attached to a manufactured home unless of a material or type of construction specifically designed and manufactured for such use.
  - d) All manufactured homes shall meet the minimum lot area, minimum setbacks, maximum height limitations for the particular district in which it will be located.
- 3) A manufactured home or travel trailer used for temporary living quarters or storage of materials or equipment used in conjunction with construction work may be permitted in any district during the period that the construction is in progress. Such permitted use shall be temporary and requires approval by the Board of Appeals and shall expire upon completion of the construction

work. Permits for such use shall be for one (1) year and will require renewal for continued use.

**Section 2. Manufactured Home Park Requirements**

General Requirements-Manufactured home parks shall be constructed pursuant to the Rules of the Ohio Department of Health, Public Health Council, Mobile Home Parks, Chapter 3701-27. In addition, manufactured home parks shall comply with the following:

- 1) A manufactured home park shall have a public water and sewer system and/or on the site water and wastewater treatment system acceptable to the Ohio EPA, Wood County Health Department or other approving agency of the State of Ohio or Wood County.
- 2) A manufactured home park shall be developed on a site of not less than ten (10) acres. Individual sites within a park shall be developed with sites having 5,500 square feet, including a minimum width of thirty (30) feet per manufactured home being served. This five thousand five hundred (5,500) square feet may be reduced by twenty (20) percent provided that the individual site shall be equal to at least four thousand four hundred (4,400) square feet. For each square foot lost through the reduction of the site below five thousand five hundred (5,500) square feet, at least an equal amount of land shall be dedicated to open space.
- 3) The minimum setback for a park shall be fifty (50) feet from a public right-of-way. The manufactured home shall be placed on the site so as to comply with the following:
  - a) Each manufactured home shall be placed upon the manufactured home site so as to provide no less than fifteen (15) feet between the side of one manufactured home and the side of another, fifteen (15) feet between the end of one manufactured home and the side of another, and ten (10) feet between the end of one manufactured home and the end of another. In computing these distance requirements, an auxiliary room or similar accessory connected to the manufactured home shall be considered as part of the manufactured home. A temporary porch or canopy, which is open on two or more sides, shall not be considered as part of a manufactured home.
  - b) No portion of any manufactured home, its appurtenance or parking space shall be located on a manufactured home site so as to be closer than fifteen (15) feet to a roadway boundary, or twenty-five (25) feet to a manufactured home park, boundary or property line.



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- 4) All manufactured home spaces shall abut upon a driveway of not less than twenty (20) feet in width, which shall have unobstructed access to a private or public street.
- 5) All land in a manufactured home park shall comprise a single parcel. Public thoroughfares, except extensions of local and collector streets proposed as part of a manufactured home site plat, shall not bisect or divide a manufactured home park to avoid unwarranted public traffic from traveling through the park.
- 6) Each manufactured home within a manufactured home park shall contain a complete bathroom, including flush toilet, kitchen facilities, sleeping accommodations and plumbing and electrical connections. Travel trailers, motor homes and other recreational vehicles shall not be occupied in a mobile home park.
- 7) All areas not used for access, parking, circulation, buildings and services shall be completely and permanently landscaped and the entire site maintained in good condition.
- 8) Each manufactured home located within a manufactured home park does not require individual approval by the Board of Zoning Appeals.

**ARTICLE XVII. CONDITIONAL USE PERMIT**

**Section 1. Permits for Conditional Uses**

The Zoning Inspector has no authority to approve a conditional use permit. Conditional uses are listed in each District in Article VII.

**Section 2. Procedure**

All requests for conditional use permits shall be reviewed by the Board of Zoning Appeals within the same time limits as set forth in Section 519.14 and 519.15, Ohio Revised Code for hearing appeals.

The Board of Zoning Appeals may require such supporting information, maps and sketches from the applicant as it deems necessary to review in order to reach a decision.

If the Board of Zoning Appeals finds the request meets all the conditions, is reasonable and that the use would be consistent with the spirit, purpose and intent of this resolution, and will not substantially injure the appropriate use of neighboring property and will generally serve the public convenience and welfare of the township it may grant the conditional use.

## **ARTICLE XVIII. PLANNED UNIT DEVELOPMENT**

### **Section 1. General**

The township recognizes that it is increasingly difficult to forecast the various conditions and the township should permit factors that may be encountered in sizeable developments and that certain flexibility in the execution of the design and layout of a project. This will allow the developer to take advantage of topography in order to utilize the natural surface drainage, to economize in the construction of streets, sewers and storm drainage facilities, to reduce the amount of grading and thus minimize destruction of trees and topsoil. It may further allow him to adjust the layout to geographical and cultural limitations such as property ownership lines and among other things, create architectural variation in the development as well as attractive and usable buildings and building sites, and further, such developments can be designed so as to enhance the community in general.

The owner or owners of any tract of land comprising an area of not less than five (5) acres may submit to the Township Trustees a preliminary plan for the use and development of all of the tract of land for residential, commercial, industrial and allied purposes. The development plan shall be referred to the Township Zoning Commission and the County Planning Commission for study and report and for public hearings. Procedures and publications for such public hearings shall conform to the procedures prescribed in Section 519.12, Ohio Revised Code for hearings on changes and amendments.

Planned Unit Developments may be residential, commercial or industrial developments, or they may be combinations of residential and commercial, or commercial and industrial. The minimum site area for a residential development shall be ten (10) acres; for a commercial development, five (5) acres; and for an industrial development, twenty-five (25) acres.

Planned Commercial Unit Development adjoining or adjacent to a residential area and shall consist of low intensity uses providing convenience, products and/or services to neighboring residents and the surrounding area.

The type of service and/or products dispensed, maximum hours of operation, approximate number of employees, signs, lighting, service and waste disposal facilities, parking, set-backs, screening, fencing and such other similar and related duties and facilities as may be required by the zoning commission shall be provided by the applicant any may be made part of the plan by the commission.

Such development shall be so located and designed so that it will not introduce outside commercial traffic into interior residential areas.

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Deed restrictions shall be drawn to subject the owners in fee, and all lessees or others holding, hereunder, to the requirements of the planned Unit Development by reference thereto and shall provide further that any residents or owner of property in or adjoining the Planned Unit Development, or the Township may enforce such requirements by injunction or other appropriate legal remedy. The original copy of the deed restrictions shall be provided to the zoning inspector after approval by the Trustees along with a check to the Wood County Recorder sufficient to pay for the recording of those deed restrictions. After inspection of the document(s) for compliance to those reviewed by the Trustees, the Zoning Inspector shall record the deed restrictions in the Wood County Recorder's Office. No zoning permit shall be issued prior to the recording of the deed restrictions by the Zoning Inspector.

Planned units shall be arranged progressively in relation to the zoning of the area adjoining and shall observe the setback requirements for each district as provided by this resolution.

Such a development plan may be submitted to the Township Trustees and shall be referred to the Zoning Commission for study and report and for public hearings. Notice and publication of such public hearings shall conform to the procedures and prescribed in ARTICLE XXII for hearings on changes and amendments.

**Section 2. Required Plan and Actions by the Zoning Commission and Board of Trustees**

- 1) In order that the Zoning Commission may determine that the Planned Unit Development is consistent with good zoning practice and in harmony with the welfare of the community, the developer shall furnish a preliminary plan of the entire tract showing topography, roads, lot lines, lot areas, streets easements for utilities, encumbrances, and other relevant data. The plans shall include the location of existing structures, areas of shrubs and/or trees of ten (10) inch diameter or more, existing contours and the proposed grading plan.
- 2) Upon determination by the Zoning Commission that the proposed Planned Unit Development project as shown on the preliminary plan conforms to paragraph 1 above and all other applicable provisions of this Resolution, it shall recommend approval to the Board of Trustees for a change of zoning districts as necessary. Such zoning approval shall be preliminary, subject to approval of a final development plan, prepared by the proponent, which shall incorporate all requirements of this Resolution and such conditions, changes or modifications as required by the Zoning Commission.

**Section 3. Requirements of the Final Plan**

- 1) After approval of the final plan of the Zoning Commission and Board of Trustees, adjustments or re-arrangement of buildings, parking areas, yards,

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driveways, streets, or entrances shall require resubmission of the final plan for approval by the Zoning Commission and Board of Trustees.

- 2) Planned Unit Developments shall be encouraged but they shall conform to the regulations of this Resolution or to the following modifications.
- 3) In “R-2” and “R-3” Districts, a Planned Unit Development may be permitted as follows:
  - a) The lot area per family may be reduced, but such reduction shall not exceed twenty (20) percent of the area required in ARTICLE XII.
  - b) Fifty (50) percent of the lot area reduction or not less than ten (10) percent of the total project area shall be devoted to open area and recreational facilities for the residents of the area being developed. Such open space land or recreational facilities shall be held in corporate ownership by the owners of the project area building sites, and the developer shall incorporate into protective covenants and/or deed restrictions, a clause giving an interest in such land to each owner who buys property within the development and provisions for maintenance and upkeep. As an alternate to a property owners’ association, the developer may (under conditions suitable to the township) deed the land to the township, which shall maintain the open space in lieu of a property owners’ association.
  - c) In no case shall the density of families per net residential acre be greater than ten (10) percent more than that which would develop due to the uses permitted by right in each of the “R-1”, “R-2” or “R-3” Districts.
  - d) The lot width or required yards may be reduced not to exceed a ten (10) percent reduction of the requirements of ARTICLE XII.
  - e) The design of single and two family residential structures to be erected in a planned unit development shall be so varied in placement of windows, entrance ways, roof design, coloring and height that no structure shall be closer than five (5) lots to another structure substantially similar in design. The lot widths may be varied due to the variety of structural designs and it is recommended that set-backs may be varied, but in no case shall a structure be closer to the street than is permitted by the front yard requirements as modified in paragraph (d) above. If lot widths for single or two family residential lots are varied by the developer, he shall enter into an agreement with the Township that the property owners within a planned unit development of this nature shall be assessed equally for any improvements which may be made by assessment.
  - f) Every property shall be designed to have suitable access directly to the open space or recreation facilities required.
  - g) Individual sewage disposal and/or water supply shall not be permitted in any planned unit development.

In “C” Districts, a planned unit development may be permitted in accordance with the following provisions provided:

- 1) The proponents of the development satisfactorily guarantee financial ability to complete the proposed project.
- 2) Construction is begun within one (1) year of the necessary zoning approval.

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- 3) The project is completed within a reasonable time as determined by the Zoning Commission.
- 4) Market studies or other evidences satisfactory to the Zoning Commission demonstrate a need for the proposed development.
  - a) Commercial buildings and establishments shall be planned as groups having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations at intersections with thoroughfares. In planning these groups of buildings or establishments, no yard space will be required between uses within the groups; however, the yard requirements must be observed at the edge of the complete development. Planting screens or fences as may be required by the Zoning Commission shall be provided.
  - b) Certain types of commercial uses, such as a restaurant, central secretarial or stenographic pool, or other business service type uses, repair services, or clinics which form a small commercial center to serve the needs of the industries or their personnel, may be permitted in a planned industrial area.
  - c) Off-street parking and loading areas shall conform to the provisions of this resolution.
  - d) Yards. No building shall be less than seventy-five (75) feet distance from any boundary of the tract on which the office, research, or industrial development is located. All intervening spaces between the street pavement and the right-of-way line and intervening spaces between buildings, drives, parking areas and improved areas shall be landscaped and properly maintained at all times.

## **ARTICLE XIX. SUPPLEMENTAL REGULATIONS**

### **Section 1. Satellite Dish**

A Satellite dish is permitted in all districts as an accessory use. A Satellite dish shall be within the required setbacks.

### **Section 2. Fences and Hedges**

- 1) Fences measuring less than four (4) feet in height do not require a permit for installation. Conversely, fences measuring four (4) feet in height or greater require a permit.
- 2) In any district, no fence, structure, hedge or other planting shall be built or maintained in such a manner that visibility is obstructed from intersecting streets within eighty (80) feet in each direction from the intersection of the street centerlines.
- 3) For purposes of this resolution, fences shall be treated as accessory uses and setbacks shall be maintained as per the zoning district.

### **Section 3. Disabled, Abandoned, and Junk Vehicles and Junk**

- 1) In order to prevent conditions conducive to the infestation of breeding vermin, insects or rodents, the establishment of an unattractive nuisance, the unsightly accumulation of discarded or salvaged items and materials and the devaluation of adjacent property, the accumulation or storage of the following in any district for more than 30 days is prohibited:
  - a) Junk, disabled, or inoperative vehicles, machinery or equipment;
  - b) Unused or discarded vehicles, equipment or machinery parts;
  - c) Rags and other used textile items, used paper products, and used or discarded tires;
  - d) Discarded building and construction materials;
  - e) Scrap metal, glass, plastic, and lumber;
  - f) Discarded home furnishings and appliances; and
  - g) Other junk items and those now and hereafter defined as “junk” in the Ohio Revised Code.
- 2) The above items are exempt if they are:
  - a) Stored in an enclosed garage or other accessory building and no business conducted therewith.

### **Section 4. Storm Water Management:**

Prior to the issuance of any zoning certificate for all commercial or industrial uses, including new uses and changes of uses encompassing a lot of area greater than one (1) acre the applicant shall prepare and the Wood County Engineer shall review and approve storm water management plans. Said plans shall be prepared by a licensed professional engineer and be designed using commonly accepted principles and practices. The Wood County Engineer shall

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promulgate rules and regulations governing storm water retention/detention based upon agricultural run-off rates and other measures as appropriate.



**ARTICLE XX. STATE ROUTE 25 (NORTH DIXIE HIGHWAY) OVERLAY DISTRICT**

**Section 1. Purpose and Intent**

The purpose of the State Route 25 Overlay District is to promote and protect the public health, safety, comfort, convenience, and general welfare by providing for consistent and coordinated treatment of the properties bordering State Route 25 in Plain, Center, and Middleton Townships. State Route 25 is a major north-south route through Wood County that links the City of Perrysburg with the City of Bowling Green to the south. State Route 25 is a regionally significant roadway that serves as a major corridor as the surrounding areas continue to grow and develop. The State Route 25 Overlay district provides standards and requirements intended to preserve the environmental and aesthetic qualities of the corridor and manage access to property in a manner that will maintain traffic safety and roadway capacity.

**Section 2. State Route 25 Overlay District Boundaries**

The boundaries of the District are hereby established as shown on the Zoning District map. The District includes those parcels with frontage along the Route 25 right-of-way to a depth of one thousand (1,000) feet from the centerline of the right-of-way along both sides, extending from the northern boundary of Middleton Township to the City of Bowling Green.

**Section 3. Review and Approval Procedures**

Site plan review and approval shall be necessary for all new development and for any existing structure that is enlarged by fifty percent (50%) or more, or when the enlargement contains five thousand (5,000) square feet or more in floor area. Single family dwellings are exempt from the Overlay Site Plan review requirement, but must meet the requirements of the Center Township Zoning Resolution. In addition, the Ohio Department of Transportation (ODOT) requires a driveway access permit application for any new or modified access, as well as for a change in use for the existing driveways. ODOT requires a traffic impact study for any proposed use that generates greater than one hundred (100) trips per peak hour.

**Section 4. Permitted and Special Uses**

All uses which are permitted or special uses in the underlying zoning district(s) are allowed in the Overlay District, except those uses expressly excluded below.

**Section 5. Excluded Uses**

- Auction market with outdoor display and/or storage
- Auto wrecking/salvage yard/junk yard

- Flea market
- Manufactured home, mobile home or industrialized dwelling unit sales
- Manufactured home park
- Truck transport terminal
- Off-premises sign
- Pole sign
- Roof sign

#### Section 6. Accessory Buildings and Uses

All accessory buildings and uses which are permitted in the underlying zoning district(s) are permitted within the district, except that any detached accessory building on any lot shall have on all sides, the same architectural features, or shall be architecturally compatible with the principal building(s) with which it is associated. Accessory buildings used for residential or agricultural purposes are exempt from this requirement.

#### Section 7. Development Standards

- 1) Minimum Front Yard Setback  
The minimum front yard setback along State Route 25 shall be the greater of fifty (50) feet from the right-of-way line or one hundred fifth (150) feet from the centerline of State Route 25. Parcels with frontage on more than one (1) street shall have a minimum front yard setback from the right-of-way line of the minor street of fifty (50) feet.
- 2) Minimum Side Yard Setback  
As specified in the underlying zoning district.
- 3) Minimum Rear Yard Setback  
As specified in the underlying zoning district. In addition, a twenty-five (25) foot rear yard landscape area shall be provided for any commercial or industrial use where the rear yard abuts an agricultural or residential zoning district outside the overlay district.
- 4) Maximum Building Height  
As specified in the underlying zoning district.
- 5) Minimum Front Yard Landscape Area  
Thirty (30) feet along State Route 25 and ten (10) feet along side streets. The landscape area shall be located within the front yard setback area(s) and no off-street parking shall be located within the landscape area. In those instances where a parallel service road is provided within the required front yard, the minimum landscape area width shall be ten (10) feet. Residential and agricultural uses are exempt from this requirement.

6) Lot Frontage

New lots shall have the same minimum frontage requirements as specified by the underlying zoning district. Existing lots of record at the time of this amendment's adoption with widths less than the minimum prescribed frontage shall retain their legal non-conforming status.

Section 8. Access to Individual Parcels

Access along State Route 25 shall be reviewed relative to the distance from other drive approaches and from roadway intersections. Access shall be reviewed by the Wood County Engineer and the Ohio Department of Transportation prior to approval. When deemed appropriate by the Wood County Engineer and the Ohio Department of Transportation, or the Township Zoning Inspector, the development may be required to prepare a traffic impact study or a traffic assessment study.

Section 9. Access Permits

All access permits shall be reviewed and approved by the Ohio Department of Transportation. Design and location of access driveways along State Route 25 shall be in compliance with applicable Ohio Department of Transportation guidelines and regulations.

Section 10. Access Options

The preferred method of providing access to parcels is to reduce or eliminate driveways and curb cuts by using front access drives (frontage roads), rear access drives, crow access easements and shared drive approaches. When parcels abut more than one roadway, the preferred access option is to locate access points on less-traveled roadways.

Section 11. Traffic Impact Study

If required by the Wood County Engineer, the Ohio Department of Transportation, or the Township Zoning Inspector, a traffic impact study shall be prepared by a qualified Professional Engineer at the developer's expense. The study shall investigate the feasibility and benefits of improvements such as signals, turn lanes, driveway movement limitations, etc. to protect the safety and welfare of the traveling public. The traffic impact study shall include the following elements.

- 1) A description of the site and study area
- 2) Anticipated development of adjacent parcels
- 3) Trip generation and distribution
- 4) Traffic assessment resulting from the development
- 5) Projected future traffic volumes

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- 6) An assessment of the impact resulting from driveway alternatives
- 7) Recommendations for site access and transportation improvements needed to maintain traffic flow at an acceptable and safe level of service.
- 8) An evaluation of the effects the proposed development will have on the level of service and roadway capacity.

**Section 12. Traffic Assessment Study**

In lieu of a Traffic Impact Study, The Wood County Engineer, the Ohio Department of Transportation, or the Township Zoning Inspector may request a Traffic Assessment Study to accompany the site plan for review and consideration. The following information shall be included with the Traffic Assessment Study:

- 1) Proposed and/or existing building size and use, driveways, parking areas, and drive aisles;
- 2) Current use, parking areas, drive aisles and driveways from all properties opposite and adjacent the proposed site;
- 3) Road details including public right-of-way within the limits of the traffic impact, including the number and type of vehicular traffic lanes, traffic signal locations, and traffic control signs such as stop and yield;
- 4) Anticipated daily and peak hour traffic volumes at site access point.

**Section 13. Architectural Review Requirements**

Site plan review shall include review of architectural design elements. The architectural design of buildings within the State Route 25 Overlay District shall include consideration of the following elements:

- 1) Scale and proportion;
- 2) Suitability of building materials;
- 3) Design in relation to surrounding buildings;
- 4) Design in relation to proposed landscaping; and
- 5) Aesthetics of the proposed building

**Section 14. Landscape Review Requirements**

Site plan review shall also include the review of landscape design elements and conformance with all applicable requirements.

**Section 15. General Requirements**

In addition to the required front yard landscape area, landscaping for all uses except single-family dwellings, shall be provided in the following areas:

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- 1) At the perimeter of parking lots to buffer, separate, and/or screen adjacent land uses;
- 2) At the perimeter of parking lots to shade, separate, and/or screen the view of parked cars from adjacent streets and land uses;
- 3) In the interior of parking lots to provide shade;
- 4) Around the perimeter of buildings to enhance the appearance of structures;
- 5) When barriers or fences are utilized, plant material shall be included;
- 6) Plants, fencing, and other landscape material areas shall not include any portion of the right-of-way;
- 7) All loading areas shall be landscaped for screening purposes;
- 8) Trash receptacles shall be screened and shall not be placed within any required setback areas.

**Section 16. Specific Requirements**

- 1) A planting strip of at least five (5) feet in width shall be located along the perimeter of a parking area but not within any right-of-way. Within the area, there shall be one (1) two and one-half (2.5) inch caliper deciduous shade tree per fifty (50) linear feet of perimeter parking area. There shall also be a four (4) foot tall hedge of shrubs (evergreen or deciduous) to provide screening. An alternate arrangement of perimeter landscaping materials such as mounding, fencing or walls may be considered as part of the site plan review process.
- 2) Landscaping within parking areas is necessary not only to reduce the generation of head and water runoff, but also to break up visually the expanse of paved areas. The use of parking islands shall be strategically placed throughout the parking lot. The use of shade trees in these landscape areas shall be required. Any open parking area (including loading areas) containing more than six thousand (6,000) square feet of area or fifteen (15) or more parking spaces shall provide the following interior landscaping in addition to the required perimeter screening:
  - (a) An area equal to five percent (5%) of the total area devoted to parking spaces and aisle ways shall be landscaped and permeable.
  - (b) For parking areas over thirty thousand (30,000) square feet in size, the required landscaping shall be designed to break up the visual expanse of pavement with landscape features such as boulevards, larger landscape islands, or areas of preserved on-site native vegetation. This landscaping requirement may also include storm water retention areas or drainage courses, if designated so as to provide an attractive natural asset to the site.

- (c) All required landscape areas shall be protected by curbing or a suitable barrier to prevent vehicle encroachment.
- (d) The required plant materials for the interior of parking areas shall be one (1) deciduous tree for every three thousand (3,000) square feet of area. Where site distance or maneuvering conflicts exist, trees shall have a clear trunk or at least five (5) feet above the ground, and the remaining required landscape areas shall be planted with shrubs or ground cover not to exceed two (2) feet in height.
- (e) Foundation plantings are required for all exterior building walls that are visible from a road. Foundation plantings shall be placed within five (5) feet of the building perimeter. Ten (10) shrubs shall be required for every one hundred (100) lineal feet of horizontal exterior building wall visible from the road, street, or highway. If foundation plantings are deemed not practical due to unique features of the site and/or building, an alternative plan may be considered as part of the site plan review process.
- (f) The required front yard landscape strip shall be unoccupied except for landscape material, steps, walks, terraces, and driveways. Innovative treatments are encouraged in this area, but the design must not interfere with adequate sight distance. Within the landscape strip, at least one (1) two and one-half (2.5) inch caliber deciduous or two (2), six (6) foot high evergreen trees or a combination, shall be installed for each one hundred (100) feet of property frontage along with other appropriate landscape materials.
- (g) An irrigation system shall be installed in all required landscape areas unless drought resistant, native species are utilized.

Section 17. Maintenance and Replacement Requirements

The lot owner shall be responsible for the maintenance of all landscaping. The following requirements shall apply:

- 1) Landscape material shall not interfere with public utilities, restrict pedestrian or vehicular access, or otherwise constitute a traffic hazard.
- 2) Within two (2) years of installation (or incorporation of existing vegetation), all trees, shrubs, ground covers and other plant material shall be replaced if they fail to thrive.
- 3) Replacement plants shall conform to the approved plan. Dead or unhealthy plants shall be replaced within the next planting season.
- 4) As part of the site plan, a bond, escrow, or other suitable guarantee shall be filed with the Zoning Inspector to ensure the landscape material is installed and maintained for a two (2) year period. No Zoning Certification shall be issued until the bond, escrow, or other suitable guarantee is received.

## **ARTICLE XXI. ADMINISTRATION**

### **Section 1. Purpose**

This article sets forth the powers and duties of the Zoning Commission, the Board of Zoning Appeals, the Board of Trustees, and the Zoning Inspector with respect to the administration of the provisions of this resolution.

### **Section 2. Zoning Inspector**

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.

### **Section 3. Responsibilities of Zoning Inspector**

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

- 1) Enforce the provisions of this resolution and interpret the meaning and application of its provisions.
- 2) Respond to questions concerning applications for amendments to the Zoning resolution text and the Official Zoning District Map.
- 3) Issue zoning permits as provided by this resolution, and keeps a record of it with a notation of any special conditions involved.
- 4) Act on all applications upon which he is authorized to act by the provisions of this resolution within the specified time or notify the applicant in writing of his refusal or disapproval of such application and the reasons therefore. Failure to notify the applicant in case of such refusal or disapproval within the specified time shall entitle the applicant to submit his request to the Board of Zoning Appeals.
- 5) Conduct inspections of buildings and uses of land to determine compliance with this resolution, and, in the case of any violation, to notify in writing the person(s) responsible, specifying the nature of the violation and ordering corrective action.
- 6) Maintain in current status the Official Zoning District Map, which shall be kept on permanent display in the township offices.
- 7) Maintain permanent and current records required by this resolution, including but not limited to zoning permits, zoning certificates, inspection documents, and records of all variances, amendments and special uses.
- 8) Make such records available for the use of the Township Trustees, the Zoning Commission and the Board of Zoning Appeals and the public.
- 9) Review and approve site plans pursuant to this resolution.
- 10) Determine the existence of any violations of this resolution, and cause such notifications, revocation notices, stop orders, or tickets to be issued or initiate such other administrative or legal action as needed, to address such violation.
- 11) Prepare and submit an annual report to the Township Trustees and Zoning Commission on the administration of this resolution, setting forth such

information as may be of interest and value in advancing and furthering the purpose of this resolution. Such report shall include recommendations concerning the schedule of fees.

**Section 4. Board of Zoning Appeals**

1) Membership

There is hereby established a Township Board of Zoning Appeals which shall consist of five (5) members, who are residents of the unincorporated area of the Township included in the area zoned. Members shall be appointed, and vacancies on the Board shall be filled by a majority vote of the Board of Township Trustees. The five (5) members first appointed shall serve for terms of one (1), two (2), three (3), four (4) and five (5) years respectively; thereafter appointment shall be made for five (5) year terms. Vacancies shall be filled by the Board of Township Trustees and shall be for the respective unexpired term. The members of the Board of Zoning Appeals may receive such compensation as the Board of Township Trustees provides.

2) Hearings, Rules, etc.

The hearings of the Board of Zoning Appeals shall be public. The Board shall organize annually and elect a Chairman, Vice-Chairman, and Secretary. The Board shall act by resolution in which three (3) members must concur. The Board shall adopt from time to time such rules and regulations, as it may deem necessary to carry into effect the provisions of this resolution. The Board shall hear any owner of property adjacent to the lot for which the granting of any zoning permit is pending, and shall also hear any other parties having substantial interest as determined by the Board.

3) Minutes and Records

The Board shall keep minutes of its proceedings, showing the vote of each member upon each question; or if absent or failing to vote, indicating such fact; and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the Office of the Board of Trustees and shall be a public record.

4) Witnesses, Oaths, etc.

The Board shall have the power to subpoena witnesses, administer oaths, and punish for contempt, and may require the production of documents, under such regulations as it may establish.

5) Assistance

The Board may call upon the various officials and employees of the township for assistance in the performance of its duties and it shall be the duty of such departments to render such assistance to the Board as may reasonably be required.

**Section 5. Zoning Commission**

1) Organization and Duties of Township Zoning Commission

The Township Zoning Commission shall hold an annual election for the purpose of selecting its officers which shall include a chairman, vice chairman



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and secretary. The election of such officers shall be held at the first meeting of each calendar year. An official record of the Commission's meetings, actions, and determinations shall be kept. A copy of the agenda and minutes of each meeting and public hearing shall be supplied to the Board of Township Trustees for its own file.

2) 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 procedure provided by law, amend, supplement or change the regulations, district boundaries or classifications of property, now or hereafter established by this Resolution or amendments thereof. It shall be the duty of the Zoning Commission to submit its recommendations regarding all applications or proposals for amendments or supplements to the Board of Township Trustees.

**Article XXII. Enforcement**

**Section 1. General**

This article stipulates the procedures to be followed in obtaining permits, certificates and other legal or administrative approvals under this resolution.

**Section 2. Zoning Permits Required.**

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

**Section 3. Contents of Application for Zoning Permit.**

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

- 1) Name, address and phone number of applicant;
- 2) Legal description of property;
- 3) Existing use;
- 4) Proposed use;
- 5) Zoning district;
- 6) Site plans in triplicate drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any; and the location and dimensions of the proposed building(s) or alteration;
- 7) Building heights;
- 8) Number of off-street parking spaces or loading berths, and their layout;
- 9) Location and design of access drives;
- 10) Number of dwelling units;
- 11) If applicable, application for a sign permit or a conditional, special, or temporary use permit, unless previously submitted;
- 12) Such other documentation as may be necessary to determine conformance with, and to provide for the enforcement of, this resolution.

**Section 4. Zoning Permit Application.**

Application for Zoning Permit is found in ARTICLE XXIX.

**Section 5. Approval of Zoning Permit.**

Within thirty (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 activity is in conformance with the provisions of this resolution.

**Section 6. Expiration of Zoning Permit.**

If the work described in any zoning permit has not begun within one year from the date of issuance thereof, said permit shall expire; it shall be revoked by the Zoning Inspector; and written notice thereof shall be given to the persons affected. If the work described in any zoning permit has not been, substantially completed within one (1) year of the date of issuance thereof, said permit shall expire and be revoked by Zoning Inspector, and written notice thereof shall be given to the persons affected, together with notice that further work described in the cancelled permit shall not proceed unless and until a new zoning permit has been obtained or an extension granted.

**Section 7. Record of Zoning Permits**

The Township shall maintain a record of all zoning permits and copies shall be furnished, upon request and upon payment or the established fee, to any person.

**Section 8. Failure to Obtain a Zoning Permit**

Failure to obtain a zoning permit shall be a punishable violation of this resolution.

**Section 9. Construction and Use to be as Provided in Applications, Plans, Permits, and Certificates**

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 punishable violation of this resolution.

**Section 10. Complaints Regarding Violations**

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

**Section 11. Entry and Inspection of Property**

The Zoning Inspector is authorized to make inspections of properties and structures in order to examine and survey the same, at any reasonable hour, for the purpose of enforcing the provisions of this resolution. Unless a construction-related inspection, where permission is granted as a part of the zoning permit, prior to seeking entry to any property or structure for such examination or survey, the Zoning Inspector shall attempt to obtain the permission of the owner or occupant to inspect. If such permission is denied or cannot be obtained, the Zoning Inspector shall request the assistance of the County Prosecutor in securing a valid search warrant prior to entry.

**Section 12. Stop Work Order**

Subsequent to his determination that work is being done contrary to this resolution, the Zoning Inspector shall write a stop work order and post it on the premises involved. Removal of a stop work order, except by the order of the Zoning Inspector, shall constitute a punishable violation of this resolution.

**Section 13. Zoning Permit Revocation**

The Zoning Inspector may issue a revocation notice to revoke a permit or administrative approval, which was issued contrary to this resolution or based upon false information or misrepresentation in the application.

**Section 14. Notice of Violation**

Whenever the Zoning Inspector or his agent determines that there is a violation of any provision of this resolution, a warning tag shall be issued and shall serve as a notice of violation. Such order shall:

- 1) Be in writing;
- 2) Identify the violation;
- 3) Include a statement of the reason or reasons why it is being issued and refer to the sections of this resolution being violated; and state the time by which the violation shall be corrected:

Service of notice of violation shall be as follows:

- 1) By personal delivery to the person or persons responsible, or by leaving the notice at the usual place of residence of the owner with a person of suitable age and discretion; or

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- 2) By Certified Mail deposited in the United States Post Office addressed to the person or persons responsible at a last known address. If a Certified mail envelope is returned with endorsement showing that the envelope is unclaimed, the service shall be sent by ordinary mail, and the mailing shall be evidenced by a certificate of mailing which shall be filed by the Zoning Inspector. Service shall be deemed complete when the fact of mailing is entered of record, provided that the ordinary mail envelope is not returned by the postal authorities with an endorsement showing failure of delivery; or
- 3) By posting a copy of the notice form in a conspicuous place on the premises found in violation.

## **ARTICLE XXIII. AMENDMENT TO TOWNSHIP ZONING RESOLUTION**

### **Section 1. Procedure for Amendments or District Changes**

This resolution may be amended by utilizing the procedures specified in this resolution.

### **Section 2. General**

Whenever the public necessity, convenience, general welfare, or good zoning practices 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 3. 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 by at least one (1) owner or lessee of property within the area proposed to be changed or affected by said amendment.

### **Section 4. Contents of Application for Zoning Map Amendment**

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

- 1) The name, address, and phone number of applicant;
- 2) A statement of the reason(s) for the proposed amendment;
- 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 and proposed zoning, and such other items as the Zoning Inspector may require;
- 8) A list of all property owners and their mailing address who are within, contiguous to, or directly across the street from the parcel(s), proposed to be rezoned and others that may have a substantial interest in the case, except that addressed need not be included where more than ten (10) parcels are to be rezoned;
- 9) A statement on the ways in which the proposed amendment relates to the comprehensive plan;
- 10) A fee as established by resolution of the Township Trustees.

### **Section 5. Contents of Application for Zoning Text Amendment**

- 1) Application for amendments proposing to change, supplement, amend, or repeal any portion(s) of this resolution, other than the Official Zoning Map, shall contain at least the following information:
- 2) The name, address, and phone number of the applicant;
- 3) The proposed amending resolution, approved as to form by County Prosecutor;
- 4) A statement of the reason(s) for the proposed amendment;
- 5) A statement explaining the ways in which the proposed amendment relates to

- the comprehensive plan;
- 6) A fee as established by resolution of the Township Trustees.

**Section 6. Procedural Steps for processing an application**

- 1) 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 (1) owner or lessee of property, said resolution or application shall be transmitted to the Zoning Commission.
- 2) Submission to Wood County Planning Commission  
Within five (5) days after the adoption of a motion by the Zoning Commission, transmittal of a resolution by the Township Trustees or the filing of an application by at least one (1) 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 Wood County Planning Commission. The Wood 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.
- 3) Submission to Director of Transportation (5511.01 O.R.C.)  
Before any zoning amendment is approved affecting any land within three hundred (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 five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Zoning 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 one hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Township Trustees that he shall proceed to acquire the land needed, then the Township Trustees shall refuse to approve the rezoning. If the Director of Transportation notifies the Township Trustees that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the Township Trustees shall proceed as required by law.
- 4) Public Hearing by Zoning Commission  
The Zoning Commission shall schedule a public hearing after the adoption of their motion, the transmittal of a resolution from the Township Trustees, or the filing of an application for zoning amendment. Said hearing shall be not less than twenty (20) nor more than forty (40) days from the date of adoption of such motion, transmittal of such resolution, or filing of such application.
- 5) Notice of Public Hearing in Newspaper  
Before holding the public hearing as required in Section 4, notice of such hearing shall be given by the Zoning Commission by at least one (1)

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publication in one (1) or more newspapers of general circulation in the Township at least ten (10) days before the date of said 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 Township Trustees for further determination.

6) Notice of Property Owners by Zoning Commission

If the proposed amendment intends to rezone or redistrict ten (10) 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 ten (10) 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 Township Trustees. The failure to deliver the notice as provided in this section shall not invalidate any such amendment. The notice shall contain the same information as required of notices published in newspaper as specified in Section 5.

7) Recommendation by Zoning Commission

Within thirty (30) days after the public hearing required by Section 4, the Zoning Commission shall recommend to the 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. The written decision of the Zoning Commission shall indicate the specific reason(s) upon which the recommendation is based, to include the basis for their determination that the proposed amendment is or is not consistent with the comprehensive plan.

8) Public Hearing by Board of Township Trustees

Within thirty (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 of general circulation shall be given by the Board of Township Trustees as specified in Section 5.

9) Action by Board of Township Trustees

Within twenty (20) days after the public hearing required in Section 8, 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 Zoning Commission; the unanimous vote of the Board of Township Trustees is required.

10) Effective Date and Referendum

Such amendment adopted by the Board of Township Trustees shall become effective thirty (30) days after the date of such adoption unless within thirty (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 included in the zoning plan equal to not less than eight (8) per cent of the total vote cast



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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 XXIV. PROCEDURES AND REQUIREMENTS FOR APPEALS AND VARIANCES**

**Section 1. General**

Appeals and variances shall conform to the procedures and requirements of Sections 2 to 12 inclusive, of this resolution. As specified in Section 3, the Board of Zoning Appeals has appellate jurisdiction relative to appeals and variances.

**Section 2. 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 the decision of the Zoning Inspector. Such appeal shall be taken within twenty (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 papers constituting the record upon which the action appealed from was taken.

**Section 3. Stay of Proceedings.**

An appeal stays all proceedings in furtherance of the action appealed from unless the Zoning Inspector from whom the appeal is taken certifies to the Board of Zoning Appeals after the notice of appeal is filed with him, that by reason of facts stated in the application, a stay would, in his opinion, cause imminent peril to life or 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 or due cause shown.

**Section 4. Variances**

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. No nonconforming use of neighboring lands, structures or buildings in the same district and no permitted or nonconforming use of lands, structures, or buildings or in other districts shall be considered grounds for issuance of a variance. Variances shall not be granted on the grounds of convenience or profit, but only where strict application of the provisions of this resolution would result in unnecessary hardship.

**Section 5. Application and Standards for Variances**

Except as otherwise permitted in this resolution, no variance in the strict application of the provisions of this resolution shall be granted by the Board of Zoning Appeals unless the Board finds that the written application for the requested variance contains all of the following requirements.

- 1) Name, address and phone number of applicant(s);
- 2) Legal description of the property;
- 3) Description or nature of variance requested;
- 4) A fee as established by resolution;
- 5) Narrative statements establishing and substantiating that the variance conforms to the following standards:
  - a) The granting of the variance shall be in accord with the general purpose and intent of the regulations imposed by this resolution on the district in which it is located and shall not be injurious to the area or detrimental to the public welfare.
  - b) The granting of the variance will not permit the establishment of any use, which is not otherwise permitted in the district.
  - c) There must exist special circumstances or conditions, fully described in the findings, applicable to the land or buildings for which the variance is sought, which are peculiar to such land or buildings and do not apply generally to land or buildings in the area, and which are such that the strict application of the provisions of this resolution would deprive the applicant of the reasonable use of such land or building. Mere loss in value shall not justify a variance; there must be deprivation of beneficial use of land.
  - d) There must be proof of undue hardship created by the strict application of this resolution. It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, the hardship complained of cannot be self-created, nor can it be established on this basis by one who purchases with or without knowledge of the restrictions; it must result from the application of this resolution; it must be suffered directly by the property in question; and evidence of variances granted under similar circumstances need not be considered.
  - e) The granting of the variance is necessary for the reasonable use of the land or building, and the variance as granted is the minimum variance that will accomplish purpose.
  - f) The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values of the adjacent area.
  - g) The granting of the variance requested will not confer on the applicant any special privilege that is denied this regulation to other lands, structures, or building in the same district.

**Section 6. Additional Conditions and Safeguards**

The Board may further prescribe any conditions and safeguards that it deems necessary to insure that the objectives of the regulations or provisions to which the variance applies will be met. Any violation of such conditions and safeguards, when they have been made a part of the terms under which the variance has been granted, shall be deemed a punishable violation under this resolution.

**Section 7. Public Hearing by the Board of Zoning Appeals**

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

**Section 8. Notice of Public Hearing in Newspaper**

Before conducting the public hearing required in Section 7, notice of such hearing shall be given in one or more newspapers of general circulation in the Township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal of variance.

**Section 9. Notice to Parties in Interest**

Before conducting the public hearing required in Section 7, written notice of such hearing shall be mailed by the Zoning Inspector, by first class mail, at least ten (10) days before the day of the hearing to all parties in interest. The notice shall contain the same information as required of notices published in newspapers as specified in Section 8.

**Section 10. Action by Board of Zoning Appeals**

Within thirty (30) days after the public hearing required in Section 7, the Board of Zoning Appeals shall either approve, approve with supplementary conditions as specified in Section 6, or disapprove the request for appeal or variance. The Board of Zoning Appeals shall further make a finding in writing that the reasons set forth in the application justify the granting of the variance that will make possible a reasonable use of land, building or structure. Appeals from Board decision shall be made to the Court of Common Pleas.

**Section 11. Powers of the Board of Zoning Appeals**

Variations from the regulations of this resolution shall not be granted unless the Board of Zoning Appeals makes specific findings of fact, based directly on the particular evidence presented to it, which support conclusions that the standards and conditions imposed in Section 5, have been met by the applicant. Variations may be granted as guided by the following:

- 1) To permit any yard or setback less than the yard or setback required by the applicable regulations.
- 2) 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.
- 3) To permit the same off-street parking facility to qualify as required facilities for two or more uses, provided that substantial use of such facility by each user does not take place at approximately the same hours of the same days of the week.
- 4) 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) To allow for the deferment of required parking facilities for a reasonable period of time, such period of time to be specified in the variance.
- 6) 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.
- 7) To increase the maximum allowable size or area of signs on a lot, but generally by not more than twenty-five (25) percent.
- 8) 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.

**ARTICLE XXV. PROCEDURES AND REQUIREMENTS FOR CONDITIONAL USE PERMITS: SUBSTANTIALLY SIMILAR USES.**

**Section 1. Regulation of Conditional Uses**

The provisions of Section 1 to 12 inclusive of this resolution apply to the location and maintenance of any and all conditional uses.

**Section 2. Purpose**

In recent years, the characteristics and impacts of an ever-increasing number of new and unique uses, together with the broadening of numerous conventional uses, have fostered the development of more flexible regulations designed to accommodate these activities in a reasonable and equitable manner, while safeguarding both the property rights of all individuals and the health, safety, and general welfare of the community. Toward these ends, it is recognized that this resolution should provide for more detailed evaluation of each use conditionally permissible in a specific district with respect to such considerations as location, design, size, method(s) of operation, intensity of use, public facilities requirements, and traffic generation. Accordingly, conditional use permits shall conform to the procedures and requirements of Sections 1 to 12 of this resolution.

**Section 3. Contents of Conditional Use Permit Application**

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

- 1) Name, address and phone number of the applicant;
- 2) Legal description of the property;
- 3) Zoning district;
- 4) Descriptions of existing use;
- 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, streets and traffic accesses, open spaces, refuse and service areas, utilities, signs, yards, landscaping features, and such other information as the Board may require;
- 7) A narrative statement discussing the compatibility of the proposed use with the existing uses of adjacent properties and with the comprehensive plan, to include an evaluation of the effects on adjoining properties of such elements as traffic circulation, noise, glare, odor, fumes and vibration;
- 8) A list containing the names and mailing addresses of all owners of property within fifteen hundred (1,500) feet of the property in question;
- 9) A fee as established by this resolution.
- 10) A narrative addressing each of the applicable criteria contained in Section 4.

**Section 4. General Standards for All Conditional Uses**

In addition to the specific requirements for conditionally permitted uses as specified under the provisions of this Resolution, the Board of Zoning Appeals 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) Meets all the conditions listed for the specific conditional use;
- 2) Is in fact a conditional use as established under the provisions of this Resolution and appears on the Schedule of District Regulations adopted for the zoning district involved;
- 3) Will be in accordance with the general objectives, or with any specific objective, of the Township's Zoning Resolution;
- 4) 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;
- 5) Will not be hazardous or disturbing to existing or future neighboring uses;
- 6) 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;
- 7) 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.
- 8) Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;
- 9) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares;
- 10) Will not result in the destruction, loss, or damage or a natural, scenic, or historic feature or major importance.

**Section 5. Public Hearing**

The Board of Zoning Appeals shall hold a public hearing within thirty (30) days after it receives an application for a conditional use permit submitted by an applicant through the Zoning Inspector. The Zoning Inspector shall not transmit an application to the Board which does not meet all the conditions listed for the proposed conditional use.

**Section 6. Notice of Public Hearing**

Before conducting the public hearing required in Section 5, notice of such hearing shall be given in one or more newspapers of general circulation in the

Township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the hearing, and shall provide a summary explanation of the conditional use proposed.

**Section 7. Notice to Parties of Interest**

Prior to conducting the public hearing required in Section 5, written notice of such hearing shall be mailed by the Zoning Inspector, by first class mail, at least ten (10) days before the date of the hearing to all parties of interest, to include all property owners listed in the application. The notice shall contain the same information as required in Section 5 for notices published in newspapers.

**Section 8. Action by the Board of Zoning Appeals**

Within thirty (30) days after the date of the public hearing required in Section 5, the Board shall take one of the following actions:

- 1) Approve issuance of the conditional use permit by making an affirmative finding in writing that the proposed conditional use is to be located in a district wherein such use may be conditionally permitted, that all conditions for approval of such use in such district have been met, and that such use will neither result in significant negative impacts upon nor conflict with surrounding uses. Such written finding may also prescribe supplementary conditions and safeguards as specified in Section 9. Upon making an affirmative finding, the Board of Zoning Appeals shall direct the Zoning Inspector to issue a conditional use permit for such use which shall list all conditions and safeguards specified by the Board for approval.
- 2) Make a written finding that the application is deficient in information or is in need of modification and is being returned to the applicant. Such finding shall specify the information and/or modifications, which are deemed necessary.
- 3) Make a written finding that the application is denied, such finding specifying the reason(s) for disapproval.

If an application is disapproved by the Board of Zoning Appeals, the applicant may seek relief through the Court of Common Pleas.

**Section 9. Supplementary Conditions and Safeguards**

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

**Section 10. Expiration of Conditional Use Permit**

A conditional use permit runs with the land and does not expire.



**Section 11. Interpretation**

Where a specific use is proposed that is not listed or provided for in this resolution, the Board of Zoning Appeals may make a determination, upon appeal, that the proposed use is substantially similar to a specific use that is listed or provided for in this resolution. If the Board finds that a use is substantially similar to a specific use listed in this resolution, the substantially similar use is deemed to be a substantially similar permitted use in those districts where the specific use is a permitted use, and a substantially similar conditional use in those districts where the specific use is a conditionally permitted use.

In formulating a determination that a proposed use is a substantially similar use, the Board of Zoning Appeals shall follow the procedures relating to appeals and variances as specified in ARTICLE XXIV of this resolution. Upon making a determination that a proposed use is substantially similar, the Board shall notify the Township Trustees of its decision and shall include in its written findings the reasoning upon which the decision is based. Unless the decision is rejected within thirty (30) days of its receipt by the Township Trustees, such substantially similar use determination by the Board shall become effective.

**Section 12. Remedy by Application for Amendment**

If the Board of Zoning Appeals determines that a proposed use is not substantially similar, such determination shall not be appealed to the Township Trustees, but remedy may be sought by the appellant through the submission of an application for amendment as prescribed in ARTICLE XXIII.

**ARTICLE XXVI. PENALTIES**

- 1) In accordance with Section 519.99 of the Ohio Revised Code, any person, firm or corporation violating this resolution, or any regulation, provision or amendment thereto shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than one hundred dollars (\$100) for each offense. Each and every day there is a violation of this resolution, may be deemed a separate offense.
- 2) In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used, or any land is or is proposed to be used in violation of law or of this resolution or any amendment thereof, the Board of Township Trustees, the Prosecuting Attorney of the County, the Township Zoning Inspector or any adjacent or neighboring property owner who would be especially damaged by such violation in addition to other remedies provided by law, may institute injunction, mandamus, abatement or any other appropriate action, actions or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

**ARTICLE XXVII. VALIDITY**

Each section, sub-section, provision, requirement, regulation or restriction, established by this resolution or any amendment thereto is hereby declared to be independent and the holding of any part to be unconstitutional; invalid or ineffective for any cause shall not affect nor render invalid the resolution or amendments thereto as a whole or any part thereof except the particular part so declared to be invalid.

**ARTICLE XXVIII Zoning Fees**

**Center Township Zoning Fees**

Wood County, Ohio

Zoning Certificates issued by the Center Township Zoning Inspector

Any single family residential building construction	\$300.00
Any two-family residential building construction	\$300.00
Multiple family dwellings.....	\$400.00 plus \$10.00 per unit
Residential accessory buildings, garages or additions to buildings	\$50.00
Industrial or Commercial building construction or remodeling	\$300.00
Fences	\$50.00
Pools and Ponds	\$50.00
Signs	
Less than or equal to 100 Sq. Ft.	\$100.00
More than 101 Sq. Ft.	\$200.00
Appeals Board Hearing (conditional use permits, variances)	\$400.00
Zoning Commission Board Hearings (district map changes, resolution text changes)	\$400.00

**ALL FEES WILL BE COLLECTED BY THE CENTER TOWNSHIP ZONING INSPECTOR  
AND DEPOSITED IN THE CENTER TOWNSHIP GENERAL FUND.**



**Center Township Zoning Resolution – Approved 7-16-12; Adopted 8-15-12**  
**ARTICLE XXIX Zoning Forms**

The following forms are included in this article:

APPLICATION FOR ZONING PERMIT

APPLICATION FOR CHANGE IN ZONING CLASSIFICATION

APPLICATION FOR TEXT CHANGE

REQUEST FOR CONDITIONAL USE

REQUEST FOR VARIANCE



## APPLICATION for ZONING PERMIT

CENTER TOWNSHIP, WOOD COUNTY, OHIO

(PLEASE PRINT or TYPE INFORMATION)

Property Owner: Name _____	Location: Address _____
Address _____	Tax Parcel ID _____
Contractor _____	
Contractor's Address _____	

<b>Present Use:</b> <input type="checkbox"/> Single-Family <input type="checkbox"/> Two-Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Institutional <input type="checkbox"/> Non-Conforming Use <input type="checkbox"/> Other	<b>Proposed Use:</b> <input type="checkbox"/> Accessory Building <input type="checkbox"/> Addition (including deck) <input type="checkbox"/> Additional Units (#) ____ <input type="checkbox"/> Alteration <input type="checkbox"/> Change in Roof Pitch <input type="checkbox"/> Sign(s) <input type="checkbox"/> New Construction <input type="checkbox"/> Other (Specify: _____)	<input type="checkbox"/> Conditional Use <input type="checkbox"/> Patio <input type="checkbox"/> Driveway/Parking <input type="checkbox"/> Home Occupation <input type="checkbox"/> Change-in-Use <input type="checkbox"/> Fence <input type="checkbox"/> Swimming Pool <input type="checkbox"/> In-ground <input type="checkbox"/> Above-ground
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**SIGNATURE REQUIRED ON BACK**

**FOR TOWNSHIP USE ONLY**

Zoning District _____	<b><u>REVIEW</u></b>
DATE OF APPLICATION _____	FEE \$ _____
PERMIT NUMBER _____	
<b>REMARKS:</b>	Cash      Check # _____

**CONDITIONS OF ISSUANCE:**

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DATE ISSUED _____	SIGNATURE _____
DATE DENIED _____	TITLE _____

By signing below, the applicant has read, understands and agrees to the following:



**Center Township Zoning Resolution – Approved 7-16-12; Adopted 8-15-12**

- 1) The Zoning Inspector will have access to the property for on-site inspections prior to, during, and after construction.
- 2) There may be deed restrictions on the property that differ from the Center Township Zoning Resolution. The applicant is responsible for checking the deed and ensuring that any proposed project meets any restrictions that may be in effect.
- 3) There may be utility and/or ditch easements upon the property. The applicant is responsible for knowing if such easements exist. (Easement information is available in the Wood County Recorder's Office).
- 4) Any fence, structure or planting placed within a utility and/or ditch easement may be subject to damage or removal at the property owner's expense in the event that the utility company requires access.
- 5) Center Township has no responsibility for the correct placement of a fence on the applicant's property or misplaced on the neighbor's property. Property Owner is responsible for accurate location of property lines.

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For single or 2-family dwellings: Attach three (3) copies of a scale drawing showing the lot(s), the existing structure(s), and the proposed improvements with heights to the peak of the roof and the number of floors (including basements), with the accurate dimensions to the lot lines. **For plans of five (5) acres or less the scale shall be not less than 1 inch=20 feet.**

For all other uses: Attach three (3) copies of a scale drawing showing the lot(s), the existing structure(s), and the proposed improvements with heights to the peak of the roof and the number of floors (including basements), with the accurate dimensions to the lot lines. **For plans of more than five (5) acres the scale shall be not less than 1 inch=40 feet.**

**The drawing must show all Right-of-Way lines, lot lines, driveways and off-street parking areas.** All applications must comply with the Center Township Zoning Resolution. No application can be approved that does not comply with the Resolution.

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I HEREBY DECLARE AND AFFIRM THAT ALL OF THE INFORMATION ABOVE AND ATTACHED IS TRUE AND CORRECT. ALL USE OF THE PROPERTY WILL BE AS CERTIFIED AND ATTESTED TO HEREIN. I HAVE BEEN DULY AUTHORIZED BY THE OWNER TO MAKE THE ABOVE APPLICATION AND AGREEMENT.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

**BEFORE YOU DIG, CALL 1-800-362-2764 AND HAVE ALL UNDERGROUND UTILITIES SPOTTED**

**APPLICATION FOR  
CHANGE IN ZONING CLASSIFICATION  
CENTER TOWNSHIP ZONING COMMISSION**

Date: \_\_\_\_\_

**Name and address of property owner(s). If the property is owned by a privately held corporation, list all the names and addresses of the shareholders and officers of the corporation. If you are represented by an agent, also list the name and address of each agent.**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

The present zoning classification is: \_\_\_\_\_

The present use of the property is: \_\_\_\_\_

The proposed zoning classification is: \_\_\_\_\_

Size of parcel (s) in acres or square feet: \_\_\_\_\_

Attach a map showing the location of the property for which you are requesting rezoning.

Legal description of parcel(s):

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(If space is insufficient, attach separate description and map showing the site and adjacent property.)

**Center Township Zoning Resolution – Approved 7-16-12; Adopted 8-15-12**  
(continued)

Tax Parcel ID(s):

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What is the proposed use of the property?

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Rationale for the change in zoning classification:

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I give permission for the Zoning Inspector, Zoning Commission, and Center Township Trustees to enter the property for purposes of viewing the property, excluding all buildings, purposes of this request.

Signature of property owners, agents, and tenants if applicable.

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# APPLICATION FOR TEXT CHANGE

## CENTER TOWNSHIP ZONING COMMISSION

Date: \_\_\_\_\_

### Name and address of applicant(s).

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

The Article to be modified is: \_\_\_\_\_

Proposed language:

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(If space is insufficient, attach separate sheets.)

Center Township Zoning Resolution – Approved 7-16-12; Adopted 8-15-12  
(CONTINUED)

Rationale for the text change:

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If applicable, I give permission for the Zoning Inspector, Zoning Commission, and Center Township Trustees to enter the property for purposes of viewing the property, excluding all buildings, for purposes of this request.

Signature of property owners, agents, and tenants if applicable.

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## APPLICATION FOR **CONDITIONAL USE**

Date: \_\_\_\_\_

MEMBERS OF THE BOARD OF APPEALS – Center Township, Wood County, Ohio

Dear Members:

I am requesting approval from the Board of Zoning Appeals for the following conditional use:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Zoning District: \_\_\_\_\_

Conditional Use: \_\_\_\_\_

My application meets all the requirements of the conditional use.

I have enclosed a sketch of the improvement & the required \$\_\_\_\_\_ fee as stated under the Zoning Resolution.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Telephone Number (Township Use Only)

\_\_\_\_\_  
Address

If the property is owned by a privately held corporation, attach a separate sheet listing the names & addresses of the shareholders & officers of the corporation. If you are represented by an agent, also list the name & address of each agent.

I give permission for the Zoning Board of Appeals & Zoning Inspector to enter the property for purposes of viewing the property, excluding all buildings, for purposes of this request.

I affirm all the information is true and correct.

Signature of property owners, agents, & tenants if applicable.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name



Center Township Zoning Resolution – Approved 7-16-12; Adopted 8-15-12  
APPLICATION FOR **VARIANCE**

Date: \_\_\_\_\_

MEMBERS OF THE BOARD OF APPEALS – Center Township, Wood County, Ohio

Dear Members:

I am requesting a variance from the Board of Zoning Appeals in order to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The variance is requested for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I have enclosed a sketch of the improvement & the required \$\_\_\_\_\_ fee as stated under the Zoning Resolution.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Telephone Number (Township Use Only)

\_\_\_\_\_  
Address

If the property is owned by a privately held corporation, attach a separate sheet listing the names & addresses of the shareholders & officers of the corporation. If you are represented by an agent, also list the name & address of each agent.

I give permission for the Zoning Board of Appeals & Zoning Inspector to enter the property for purposes of viewing the property, excluding all buildings, for purposes of this request.

Signature of property owners, agents, & tenants if applicable.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name



## Requesting a Variance or an Appeal

The Zoning Board of Appeals is the body which grants variances from the Zoning Resolution. A variance is a deviation from the strict rules contained in the Resolution. An appeal is when you ask the Board to overrule a decision of the Zoning Inspector.

An application to the Board consists of a letter of application, a scale drawing, and the \$\_\_\_\_\_ fee. An application form is available for your use. It is necessary that you, or someone representing you, attend the hearing!

The Zoning Inspector will notify all adjoining property owners, run a notice in the newspaper of general circulation, ask you to post a site notice, and other notices will be posted as required by law during this timeframe. During this time, the Board members will visit your site to review your request, so they will be familiar with your property at the time of your hearing.

At the meeting, you will be sworn in and, after the Zoning Inspector explains why you need a variance, asked to explain your request. The Board will ask questions of you and there will be an opportunity for anyone who desires to comment on your request to have their say. At the conclusion of your hearing the Board will take a vote. A majority of the members present will determine if your request is granted or not. An appeal of the Board's decision is to the Common Pleas Court.

**ARTICLE XXX EFFECTIVE DATE**

This resolution shall become effective from and after the date of its approval and adoption, as provided by law.

**PASSED:** By unanimous vote, July 16, 2012

**ADOPTED:** August 15, 2012

	<b>Trustee</b>	<b>Dale Brown</b>
<b>Ridenour</b>	<b>Trustee</b>	<b>Shad</b>

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<b>Trustee</b>	<b>J. Roger Sarver</b>
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**ATTEST** \_\_\_\_\_

**BY ORDER OF THE CENTER TOWNSHIP TRUSTEES**