

# Pleasant Township Zoning Resolution

Adopted: November 8, 1970

Revised: November 6, 2004

Revised: August 26, 2005

Revised: September 24, 2006

Revised: June 20, 2011

Revised: January 16, 2017

Revised: March 15, 2021

PREAMBLE

RESOLUTION AMENDING THE ZONING RESOLUTION OF PLEASANT TOWNSHIP,  
MARION COUNTY, OHIO

WHEREAS, by action of the Board of Trustees of Pleasant Township, and the subsequent ratification by the electorate of Pleasant Township, a Zoning Resolution was established on November 8, 1970 and

WHEREAS, said Zoning Resolution for Pleasant Township was thereafter duly amended by the action of the Township Zoning Commission and the Board of Trustees, and

WHEREAS the within amended Zoning Resolution was approved by the Pleasant Township Zoning Commission following a public hearing and was subsequently submitted to the Pleasant Township Trustees, and

WHEREAS, the Board of Trustees of Pleasant Township, held a public hearing upon said amended Zoning Resolution, and

WHEREAS, upon consideration of the foregoing and in accordance with the provisions of Chapter 519.12 of the Ohio Revised Code, the Board of Trustees of Pleasant Township deem it to be in the interest of the public health, safety, morals, comfort, and general welfare of the residents of Pleasant Township to adopt said amended Zoning Resolution,

BE IT THEREFORE RESOLVED, by the Board of Trustees of Pleasant Township that the Zoning Resolution of Pleasant Township, Marion County, Ohio is hereby amended as hereinafter set forth and shall be in full force and effect from and after the earliest date allowed by law as provided by Section 519.12 of the Ohio Revised Code.

Approved and Passed by the  
Pleasant Township Board of  
Trustees, Marion County, Ohio

DATE: March 15, 2021

# CHAPTER 1

## GENERAL PROVISIONS

### 1.01 RESOLUTION AND EFFECTIVE DATE

#### PLEASANT TOWNSHIP ZONING RESOLUTION

The Board of Trustees of Pleasant Township, Marion County, Ohio, hereby establishes a revised comprehensive zoning plan in Pleasant Township in the interest of public safety, health, property values, morality and the general welfare of its residents.

The Board of Township Trustees of Pleasant Township will regulate the location, height, bulk, number of stories and size of structures, including buildings, tents, cabins and mobile homes, the percentage of lot areas which may be occupied, set-back building lines, size of yards, courts, and other open spaces, density of population, uses of structures and uses of land for residential commercial, industrial and other purposes in Pleasant Township, as shown on a map titled "Official Map of Pleasant Township Zoning Resolution". This Zoning Resolution shall be in effect after ratification by the electorate of Pleasant Township, Marion County, Ohio, as provided by law.

### 1.02 PURPOSE-INTENT

This Zoning Resolution is to promote the public health, safety, morality and general welfare and to protect and conserve property and property values; and in addition to and in support of the purpose of zoning set forth in Chapter 519 of the Ohio Revised Code, this resolution is adopted in for the following purposes:

- A. To protect the character, values and orderly development of agricultural, residential, institutional, commercial and industrial uses.
- B. To promote public safety by locating buildings and uses in a manner which will avoid interference, accidents and damage by traffic.
- C. To provide open spaces for light and air, to prevent excessive concentration of population where public water supply and sanitary sewers are not now available.
- D. To guide the future development of the Township in a manner which will promote the prudent extension of public improvements and services.

### 1.03 INTERPRETATION

The provisions of this Resolution shall be held to be the minimum requirements adopted for the enhancement of health, safety, morality, and general welfare of the public.

Where this Resolution Imposes a greater restriction upon the use of buildings or premises, or more strict development standards, than are imposed or required by other existing laws, ordinances, rules, or regulations, this Resolution shall prevail, and where other laws, ordinances, rules, or regulations are more restrictive, they shall prevail.

## **CHAPTER 2**

### **LEGAL PROVISIONS**

#### **2.01 CONFORMANCE REQUIRED**

Except as may be provided in other Sections of this Resolution, no land or structure shall be used, located, erected, moved or altered except in conformity with the regulations specified in the District in which it is located.

#### **2.02 SEPARABILITY**

Should any part of this Resolution be decided by the courts, to be unconstitutional or invalid, such decision shall not affect the validity of this Resolution as a whole, only the part declared invalid.

#### **2.03 VIOLATIONS, PENALTIES**

It shall be unlawful to locate, construct, change, maintain or use any building or land in violation of any of the provisions of this Resolution or any amendment thereto. Any violation of this Resolution shall be a misdemeanor and, upon conviction, shall subject the owner or any person who has assisted in the commission of such violation, or who uses or maintains any building or premises in which such violation exists, to a fine established on the fee and fine schedule in place. Each day that a violation exists may constitute a separate offense.

## CHAPTER 3

### NON-CONFORMING USES AND STRUCTURES

#### 3.01 INTENT

It is the intent of this Resolution to recognize that the eventual elimination of existing uses and structures which are not in conformity with the provisions of this Resolution is as much a subject of health, safety and welfare as is the prevention of the establishment of new uses and structures which would violate the provisions of this Resolution. However, it is also the intent of this Resolution that any elimination of non-conforming uses or structures shall be effected in such a manner so as to avoid unreasonable invasion of established private property rights.

#### 3.02 NON-CONFORMING USES

##### 3.021 Abandonment of Non-Conforming Uses

A non-conforming use existing at the time this Resolution takes effect may be continued, except that if such use is voluntarily discontinued for two (2) years or more, it shall then be deemed abandoned and any further use must be in conformity with the uses permitted in the district in which it is located.

##### 3.022 Change of Non-Conforming Uses

No non-conforming use may be changed to another non-conforming use unless prior approval is granted by the Pleasant Township Board of Zoning Appeals in accordance with Section 13.023. In order to approve such applications, the Board of Zoning Appeals must find that the proposed non-conforming use is listed as a permitted use in the same district as the existing non-conforming use, or, is listed as a permitted use in a more restrictive district. The Board of Zoning Appeals must also find that the proposed use will not be more detrimental to the neighborhood or surrounding area than, the existing use.

##### 3.023 Expansion of Non-Conforming Uses

No non-conforming use may be expanded and no structure in which a non-conforming use occurs may be changed, altered, or expanded to provide for an expansion of a non-conforming use without prior approval from the Board of Zoning Appeals in accordance with Section 13.023.

### 3.03 NON-CONFORMING STRUCTURES

#### 3.031 Repair of Non-Conforming Structures

Whenever a non-conforming structure is damaged or destroyed by fire, floods, winds, acts of God, or other causes beyond the control of the owner, such non-conforming structure may be repaired or reconstructed and the non-conforming use, if any, may be continued, provided that such repair or reconstruction is completed within a period of two (2) years from the date of said destruction.

#### 3.032 Alteration of Non-Conforming Structures

A non-conforming structure may be altered without prior approval from the Board of Zoning Appeals provided such alteration does not increase the degree of non-conformity. For example, if a particular yard requirement (as set forth in the district in which the structure is located) is non-conforming as to a required dimension, such dimension shall not be further decreased. In the event a proposed alteration of a non-conforming structure does involve increasing the degree of non conformity (for example to further decrease a yard from what is required), prior approval must be obtained from the Board of Zoning Appeals in accordance with Section 13.023.

### 3.04 MOBILE HOMES

#### 3.041 Replacement of Mobile Homes

A mobile home, lawfully existing prior to the effective date of this Resolution outside of a mobile home park, may be voluntarily replaced by another mobile home. However, if a mobile home has been voluntarily removed from a site for more than six months, no mobile home may again be placed on said site.

#### 3.042 Repair of Mobile Homes

A mobile home, lawfully existing prior to the effective date of this Resolution outside of a mobile home park, which is destroyed by fire or the elements, may be reconstructed, replaced, or restored provided the same is done within six (6) months from the date of said destruction.

### 3.05 NON-CONFORMING LOTS

#### 3.051 Exceptions to Lot Width and Area Requirements

In a district where it is permitted, a single- or two-family dwelling may be erected on a lot which, at the time of passage of this Resolution, is non-conforming in terms of lot area or width. However, this exception shall not apply in cases where the owner of a non-conforming lot also owns two or more abutting vacant lots of record.

### 3.06 PUBLIC UTILITIES

This Resolution shall not apply to public utilities and railroads. However, Section 519.211 of the Ohio Revised Code permits townships to regulate cellular communication towers owned by public utilities in areas zoned for residential use.

The following regulations shall be met whenever a cellular communication tower is to be located, erected, constructed, reconstructed, or any other situation as defined in Section 519.211 (A) of the Ohio Revised Code:

- A. Cellular communication towers shall be located a minimum of thousand (1000) feet from any existing residence.
- B. Cellular communication towers shall be located a minimum of five thousand two hundred eighty (5280) feet from edge of any existing privately owned and privately used airport runway.
- C. Telecommunication or cellular communication towers shall be a minimum of one and one-half (1 1/2) tower heights (including base height if applicable) from any buildings, roads, alleys, utility lines, etc.

## **CHAPTER 4**

### **OFFICIAL ZONING MAP AND ZONING DISTRICTS**

#### **4.01 OFFICIAL ZONING MAP**

The Township of Pleasant is hereby divided into districts which are shown on a map entitled “Official Map of Pleasant Township Zoning Resolution”. This Official Map contains the signatures of the Pleasant Township Trustees and the Pleasant Township Clerk, and is a part of this Zoning Resolution. This Official Map remains on file in the office of the Pleasant Township Trustees and a copy remains on file in the office of the Pleasant Township Zoning Inspector.

#### **4.02 ZONING DISTRICTS**

Zoning District Boundaries are referenced and noted on the Official Map of Pleasant Township Zoning Resolution by a clearly designated line and/or written dimensions.

Pleasant Township is hereby divided into the following districts;

- "A-1" AGRICULTURAL DISTRICT
- "R-1" RESIDENTIAL DISTRICT
- "C-1" NEIGHBORHOOD COMMERCIAL & OFFICE DISTRICT
- "C-2" GENERAL COMMERCIAL DISTRICT
- "I-1" INDUSTRIAL DISTRICT
- "P-1" PLANNED UNIT DEVELOPMENT DISTRICT

#### **4.03 DEGREE OF RESTRICTIVENESS**

The order of zoning districts or the degree of restrictiveness refers the A-1 district being the most restrictive and the P-1 district being the least restrictive.

## CHAPTER 5

### GENERAL ZONING DISTRICT PROVISIONS

#### 5.01 REQUIRED LOT AREA OR OTHER OPEN SPACE CANNOT BE REDUCED

No lot, yard, parking area or other open space shall be reduced in area or dimension so as to make said area or dimension less than the minimum required by this Resolution. No part of a yard, parking area or other open space provided for building in compliance with this Resolution shall be included as a part of a yard, parking area or other space required for another building.

#### 5.02 GENERAL ZONING DISTRICT REGULATIONS

Regulations governing the use of land and buildings are hereby established in the zoning districts as set forth in this Resolution. Only uses designated as principally permitted shall be allowed and any use not so designated shall be prohibited, except in cases where the Board of Zoning Appeals is authorized to rule as described in Section 13.02.

#### 5.03 AGRICULTURE

Land in any district may be used for agricultural purposes. Buildings incident to agricultural purposes are not subject to the provisions of this Resolution and do not require a zoning permit. **However, a dwelling occupied by person(s) engaged in agricultural operations is not defined as being incident to agricultural purposes and is therefore subject to the provisions of this Resolution.**

#### 5.04 MOBILE HOMES OUTSIDE MOBILE HOME PARKS

Except as provided in Section 3.03, mobile homes are permitted only within existing mobile home parks or new mobile home parks developed in accordance with the provisions of this Resolution.

## 5.05 NUMBER OF LOTS

- A. Any parcel of land of record on September 30, 1977, maybe subdivided for residential use in the "A-1", Agricultural zoned and "R-1", Residential zoned districts in accordance with the above districts minimum lot size and dimension standards and as follows:
1. To provide up to three (3) residential lots, including the remainder as one of the lots.
  2. **OR** to provide up to four (4) residential lots if the if the remaining fifth portion is ten (10) acres or more.
- B. A residential lot is defined as any lot under ten (10) acres with a home in use, planned or as a potential use.
- C. Sub-sections A and B above shall not apply if the subdivision involved is considered a major subdivision pursuant to Article II of the subdivision regulations and is also in compliance with all other Pleasant Township Zoning Regulations.

Sub-sections A and B shall not apply if all of the following are met:

1. The subdivision involved is considered a major subdivision pursuant to Chapter One of the subdivision regulations for Marion County;
  2. Would have all its lots accessed off a new public or private street approved pursuant to the subdivision regulations of Marion County and not an existing State, County or Township road or highway
  3. Be also in compliance with all other Pleasant Township Zoning regulations. (Effective May 19, 2005)
- D. Sub-sections A, B, and C shall not apply to non-residential uses in the I-1 Industrial zoned or C-1 and C-2 Commercial zoned districts. (Effective August 15, 1990)

## 5.06 SUBDIVISION DEVELOPMENT

### 5.061 Jurisdiction

In accordance with Chapter 711, Revised Code of Ohio, the Marion County Regional Planning Commission has the jurisdiction over the review and approval of Subdivisions as set forth in the October, 1966 Subdivision Regulations for Marion County and the City of Marion.

5.062 Zoning

Whereas the Pleasant Township Trustees have adopted the following zoning ordinance under the provisions of Section 519 and Section 303 of the Ohio Revised Code, all proposed subdivisions within the area affected shall meet the requirements of this zoning ordinance.

5.063 Basic Requirements

In order to obtain zoning approval, a proposed subdivision development shall comply with the following requirements;

- A. Subdivision plans shall be submitted to the Township Zoning Commission at the same time as submitted to the Marion County Regional Planning Commission.
- B. Shall be in conformity with the Marion County Comprehensive Plan or any portion thereof.
- C. All lots shall front by their full width on improved roads or streets. No lots shall be permitted at streets or road dead ends unless an approved cross street or cul-de-sac is constructed in accordance with the Subdivision Regulations for Marion County and the City of Marion.

5.07 BONDS

The developer shall post bonds to protect the Trustees against damage to Township roads used during construction.

5.08 DANGEROUS, EXOTIC AND WILD ANIMALS

- A. No person shall own, harbor, keep or breed any dangerous exotic animal or dangerous wild animals within 1000 feet of any residential district, single-, two- or multi-family dwelling, church, park, preschool or school. For the purpose of this Resolution, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest portion of the enclosure of the animal to the nearest (1) Residential District boundary line, or (2) property line of the premises or a single, two or multi-family dwelling, church, park, preschool or school.  
(Effective August 16, 1995)
- B. "Dangerous Exotic Animals" shall be defined as any animal, amphibian, reptile, mammal, bird or fowl which is carnivorous, venomous or possesses other characteristics which may constitute a danger to human life and is not indigenous to the State of Ohio.  
(Effective August 16, 1995)
- C. "Dangerous Wild Animals" shall be defined as any animal, amphibian, reptile, mammal, bird or fowl which is carnivorous, venomous or possesses other characteristics which may constitute a danger to human life and generally lives in its original, natural state and habitat and is not normally domesticated.  
(Effective August 16, 1995)

5.09 NOISE

- A. Dirt bike/All-Terrain Vehicle (A.T.V.) tracks are to meet the following criteria:
1. At least five hundred (500) feet from any existing residential dwelling on any neighboring properties.  
(Effective November 6, 2004)
  2. Tracks must be screened from view of adjacent properties.  
(Effective November 6, 2004)
  3. Riders may ride only from sun up to one half (1/2) hour after sundown  
(Effective November 6, 2004)
  4. No more than two (2) riders who are not residents of the property at a time.  
(Effective November 6, 2004)

5.10 DUMPSTERS

- A. They are to be put behind set-back and to be there no longer than 60 days consecutive in a physical year.  
(Effective November 6, 2004)
- B. Will be emptied when full or emitting noxious odors.  
(Effective November 6, 2004)

5.11 DUMPSTERS IN COMMERCIAL DISTRICTS:

- A. Must be put out of public area/view (i.e. fence, shrubs)  
(Effective November 6, 2004)
- B. Must be emptied when full or emitting noxious odors.  
(Effective November 6, 2004)

5.12 TRASH

- A. No trash, debris, unused property or discarded materials shall be permitted to accumulate on any lot or portion thereof which creates an eyesore hazard or nuisance to the neighborhood or general public.  
(Effective September 24, 2006)

## CHAPTER 6

### “A-1” AGRICULTURAL DISTRICT

#### 6.01 PURPOSE

To aid in the preservation of productive agricultural land, given the fundamental importance of agricultural products and, to avoid the unnecessary loss of farmland through unplanned and premature urban development.

#### 6.02 USE REGULATIONS

##### Principal Permitted Uses

- Agriculture
- Single-Family Dwellings
- Two-Family Dwellings
- Non-Commercial Recreation Facilities

##### Conditional Permitted Uses (subject to review by Board of Zoning Appeals)

- Accessory Building (see Sections 6.07 and 6.08)
- Airports
- Cemeteries
- Mineral, Sand and Gravel Extraction (see Section 11.18)
- Petroleum Drilling and Production
- Public Uses
- Semi-Public Uses
- Seasonal Dwellings
- Specialized Animal Raising and Care
- Storage (see Section 11.22)
- Veterinary Clinic or Hospital

##### Accessory Permitted Uses and Structures

- Private Garages
- Swimming pools (see Section 11.05)
- Garden houses, Tool houses, Playhouses (see Section 11.03)
- Living quarters of Persons Employed on the Premises (within principal dwelling)
- Boarders and Roomers
- Home Occupations (see Section 11.15)
- Satellite Ground Stations (see Section 11.09)
- Off-Street Parking (see Section 11.01)
- Stables
- Temporary Roadside Stands on Farms (see Section 11.17)
- Accessory Signs (see Section 11.17)

6.03 AREA AND DIMENSIONAL STANDARDS

USE	MINIMUM LOT SIZE		MINIMUM YARD			MAXIMUM LOT COVERAGE (%)
	WIDTH (FT.)	AREA (SQ. FT.)	FRONT (FT.)	SIDE (FT.)	REAR (FT.)	
Single-Family Dwelling without public sewer & water	100	43,560	90	10	40	NA
Single-Family Dwelling with public sewer or water	100	17,600	90	10	40	NA
Single-Family Dwelling with public sewer and water	80	15,200	90*	10	40	NA
Two-Family Dwellings without public sewer & water	100	43,560	90	10	40	NA
Two-Family Dwellings with public sewer or water	100	43,560	90	10	40	NA
Two-Family Dwellings with public sewer and water	80	20,000	90*	10	40	NA
School Buildings	200	217,800	90	25	50	10
Hospitals, Sanitariums	200	87,120	90	25	50	15
Churches	Sufficient to comply with yard and lot coverage requirements		90	25	50	20
All Other Uses	Sufficient to comply with yard and lot coverage requirements		90	25	50	20

Note: The required lot area does not include the area within the Right-of-Way and the required front yard is measured from the center of the Right-of-Way.

Lot Width—The horizontal distance across the lot between side lot lines, continuous and uninterrupted, measured at right angles to the lot depth; provided that the minimum lot widths required by this resolution shall be measured at the point where both side lot lines meet a public road or street. All lots shall front by their full width on a public road or street and maintain this width for a distance of 150 feet from the public road or street. This rule will not apply to recorded, platted subdivisions.

- \* The only exception to this requirement is for new dwelling units located in major subdivisions fronting on minor interior street which shall have a front yard of at least seventy-five (75) feet

#### 6.04 SIDE YARD REQUIREMENT FOR CORNER LOTS

For any corner lot, the minimum required side yard adjoining the side street shall be equal to the required front yard.

#### 6.05 YARD REQUIREMENTS FOR ACCESSORY STRUCTURES

Accessory buildings and structures shall be located a minimum of ten (10) feet from any side-lot line and a minimum of ten (10) feet from any rear-lot line. Accessory buildings and structures must also be located a minimum of fifteen (15) feet from any principal building (see Section 11.12).

#### 6.06 MINIMUM FLOOR AREA REQUIREMENTS

Single-family and two-family dwellings shall also include Industrialized Units and Manufactured Homes (as defined in Chapter 15). See Section 11.21 for minimum residential building requirements.  
(Effective July 15, 1999)

6.07 CONDITIONAL USE FOR ACCESSORY BUILDINGS

- A. May not store or produce products for resale  
(Effective January 7, 2004)
- B. May not generate excessive noise, lighting, noxious orders or electrical interference  
(Effective January 7, 2004)
- C. Buildings may not be larger than building size permitted in Chapter 11.12  
(Effective January 7, 2004)

6.08 CONDITIONAL USE FOR MORE THAN ONE ACCESSORY BUILDING

- A. Total square footage of all accessory buildings must not exceed the permitted size set forth in Chapter 11.12.  
(Effective January 7, 2004)
- B. Must have a minimum of 1.01 acres.  
(Effective January 7, 2004)

6.09 NOISE

- A. Dirt bike/All-Terrain Vehicle (A.T.V.) tracks are to meet the following criteria:
  - 1. At least five hundred (500) feet from any existing residential dwelling on any neighboring properties.  
(Effective November 6, 2004)
  - 2. Tracks must be screened from view of adjacent properties.  
(Effective November 6, 2004)
  - 3. Riders may ride only from sun up to one half (1/2) hour after sundown  
(Effective November 6, 2004)
  - 4. No more than two (2) riders who are not residents of the property at a time.  
(Effective November 6, 2004)

6.10 DUMPSTERS

- A. They are to be put behind set-back and to be there no longer than 60 days consecutive in a physical year.  
(Effective November 6, 2004)
- B. Will be emptied when full or emitting noxious odors.  
(Effective November 6, 2004)

6.11 TRASH

- A. No trash, debris, unused property or discarded materials shall be permitted to accumulate on any lot or portion thereof which creates an eyesore hazard or nuisance to the neighborhood or general public.  
(Effective September 24, 2006)

## CHAPTER 7

### "R-1" RESIDENTIAL DISTRICT

#### 7.01 PURPOSE

To designate areas in Pleasant Township where residential development is desirable.

#### 7.02 USE REGULATIONS

##### Principal Permitted Uses

- Agriculture
- Single-Family Dwellings
- Two-Family Dwellings
- Multi-Family Dwellings

##### Conditional Permitted Uses (subject to review by Board of Zoning Appeals)

- Accessory Building
- Family Care Facilities (as defined in Chapter 15)
- Funeral Home or Mortuary
- Group Care Facilities (as defined in Chapter 15)
- Mobile Home Parks
- Non-Commercial Recreation Facilities
- Public Uses
- Sanitariums, Convalescent Homes, Rest Homes
- Seasonal Dwellings
- Semi-Public Uses
- Storage (see Section 11.22)
- Veterinary Clinic or Hospital

##### Accessory Permitted Uses and Structures

- Private Garages
- Swimming Pools (see Section 11.05)
- Garden houses, Tool houses, Playhouses (see Section 11.03)
- Satellite Ground Stations (see Section 11.09)
- Living Quarters of Persons Employed on the Premises
- Boarders and Roomers
- Home Occupations (see Section 11.15)
- Off-Street Parking (see Section 11.01)
- Stable
- Temporary Roadside Stands on Farms (see Section 11.17)
- Accessory Signs (see Section 11.17)

7.03 AREA AND DIMENSIONAL STANDARDS

USE	MINIMUM LOT SIZE		MINIMUM YARD			MAXIMUM LOT COVERAGE (%)
	WIDTH (FT.)	AREA (SQ. FT.)	FRONT (FT.)	SIDE (FT.)	REAR (FT.)	
Single-Family Dwelling without public sewer & water	100	43,560	90	10	40	NA
Single-Family Dwelling with public sewer or water	80	17,600	90	10	40	NA
Single-Family Dwelling with public sewer and water	80	15,200	90*	10	40	NA
Two-Family Dwelling without public sewer & water	100	43,560	90	10	40	NA
Two-Family Dwelling with public sewer or water	100	43,560	90	10	40	NA
Two-Family Dwelling with public sewer and water	80	20,000	90*	10	40	NA
Multi-Family Dwelling Public sewer and water required	100	10,000 (Per Unit)	90*	10	40	NA
School Buildings	200	217,800	90	25	50	10
Hospitals, Sanitariums	200	87,120	90	25	50	15
Churches	Sufficient to comply with yard and lot coverage requirements		90	25	50	20
All Other Uses	Sufficient to comply with yard and lot coverage requirements		90	25	50	20

Note: The required lot area does not include the area within the Right-of-Way and the required front yard is measured from the center of the Right-of-Way.

Lot Width—The horizontal distance across the lot between side lot lines, continuous and uninterrupted, measured at right angles to the lot depth; provided that the minimum lot widths required by this resolution shall be measured at the point where both side lot lines meet a public road or street. All lots shall front by their full width on a public road or street and maintain this width for a distance of 150 feet from the public road or street. This rule will not apply to recorded, platted subdivisions.

- \* The only exception to this requirement is for new dwelling units located in major subdivisions fronting on minor interior street which shall have a front yard of at least seventy-five (75) feet

#### 7.04 SIDE YARD REQUIREMENTS FOR CORNER LOTS

For any corner lot, the minimum required side yard adjoining the side street shall be equal to the required front yard.

#### 7.05 YARD REQUIREMENTS FOR ACCESSORY STRUCTURES

Accessory buildings and structures shall be located a minimum of ten (10) feet from any side-lot line and a minimum of ten (10) feet from any rear-lot line. Accessory buildings and structures must also be located a minimum of fifteen (15) feet from any principal building (see Section 11.12).

#### 7.06 MINIMUM FLOOR AREA REQUIREMENTS

Single-family and two-family dwellings shall also include Industrialized Units and Manufactured Homes (as defined in Chapter 15). See Section 11.21 for minimum residential building requirements.  
(Effective July 15, 1999)

7.07 CONDITIONAL USE FOR ACCESSORY BUILDINGS

- A. May not store or produce products for resale  
(Effective July 15, 1999)
- B. May not generate excessive noise, lighting, noxious orders or electrical interference  
(Effective July 15, 1999)
- C. Buildings may not be larger than the building size permitted in Chapter 11.12  
(Effective July 15, 1999)

7.08 CONDITIONAL USE FOR MORE THAN ONE ACCESSORY BUILDING

- A. Total square footage of all accessory building size must not exceed the permitted size set forth in Chapter 11.12  
(Effective July 15, 1999)
- B. Must have a minimum of 1.01 acres  
(Effective July 15, 1999)

7.09 NOISE

- A. Dirt bike/All-Terrain Vehicle (A.T.V.) tracks are to meet the following criteria:
  - 1. At least five hundred (500) feet from any existing residential dwelling on any neighboring properties.  
(Effective November 6, 2004)
  - 2. Tracks must be screened from view of adjacent properties.  
(Effective November 6, 2004)
  - 3. Riders may ride only from sun up to one half (1/2) hour after sundown  
(Effective November 6, 2004)
  - 4. No more than two (2) riders who are not residents of the property at a time.  
(Effective November 6, 2004)

7.10 DUMPSTERS

- A. They are to be put behind set-back and to be there no longer than 60 days consecutive in a physical year.  
(Effective November 6, 2004)
- B. Will be emptied when full or emitting noxious odors.  
(Effective November 6, 2004)

7.11 TRASH

- A. No trash, debris, unused property or discarded materials shall be permitted to accumulate on any lot or portion thereof which creates an eyesore hazard or nuisance to the neighborhood or general public.  
(Effective September 24, 2006)

7.12 PARKING OF RECREATIONAL VEHICLES AND EQUIPMENT

- A. No boat, boat trailer, pickup truck camper or coaches designed to be mounted on a motor vehicle, motorized dwelling, tent trailer, racing and recreational cars and motorcycles, not licensed for use on public street and highways, shall be placed in front of the building line of any lot. However, such equipment may be parked anywhere on the property during loading and unloading for not longer than 12 hours. The building line shall be considered the front wall of the structure that is substantially parallel to and facing the minimum building line.
- B. No such equipment shall be used for living, sleeping or housekeeping purposes, Except in locations lawfully established for such use.
- C. Motorized dwellings and or camp trailers, may be parked and occupied on private driveways for a period not to exceed 30 days, if approved in writing by the Zoning Inspector. A copy of the approval shall be kept with the motorized dwelling or camp trailer at all times.

(Effective January 16, 2017)

## CHAPTER 8-A

### “C-1” NEIGHBORHOOD COMMERCIAL AND OFFICE DISTRICT

#### 8.01 PURPOSE

To designate areas in Pleasant Township where intensive commercial and related land uses may be developed in complementary manner so as not to conflict with but to serve the surrounding residential development.

#### 8.02 USE REGULATIONS

##### Principal Permitted Uses

- Agricultural
- Public Uses
- Semi-Public Uses
- Administrative Offices (Engaged in management functions such as supervision, purchasing or accounting)
- Business Offices (Such as banking, insurance, real estate, health, dental and eye care)
- Offices of Organizations and Associations (such as civic, charitable and professional organizations)
- Service Establishments Limited to the Following:
  - Barber and beauty
  - Repair Services (related only to household goods)
  - Laundry & dry cleaning
  - Tailor & dressmaking
  - Funeral home or mortuary
  - Photography
  - Computer operations and data processing centers
  - Interior decorating
  - Mini warehouses
- Retail Business (Must display the majority of their merchandise in an enclosed structure) Grocery, convenience and other food
  - Drug
  - Hardware
  - Flower
- Advertising signs (see Section 11.17)
- Off-street parking (see Section 11. 01)
- Accessory uses (see Chapter 15)
- Accessory signs (see Section 11.17)

8.03 CONDITIONAL PERMITTED USES (subject to review by the Board of Zoning Appeals)

Other business, similar in nature and character to the above.

The following uses may also be permitted:

- A. Single- and multi-family residences
- B. Apartment in areas over or adjacent to the commercial storeroom or office facility provided that apartments constructed within this district shall contain the following minimum floor space, exclusive of porches, basements or garages to-wit:

- One (1) bedroom unit ..... 750 sq. ft.
- Two (2) bedroom unit..... 800 sq. ft.
- Three or more bedroom units.....1000 sq. ft.

No conditional use shall be implemented until a permit is issued by the Zoning Inspector.

8.04 PROHIBITED USES

- A. No use not specifically authorized by the express terms off this article of the Zoning Resolution shall be permitted.
- B. No trailer of any type, and no boats, motor homes and equipment of any type shall be placed in front of the front building line on any lot within this district. If a structure is located on the tract of land or lot the building line shall be considered to be the front wall of the structure, even if said structure is located behind the minimum building line established by this code or the restrictions in the plat or deed.
- C. No trash, debris, unused property or discarded materials shall be permitted to accumulate on any lot or portion thereof which creates an eyesore hazard or nuisance to the neighborhood or general public.

## 8.05 DEVELOPMENT STANDARDS

In addition to any other provisions of this resolution, all lands and uses within the Neighborhood Commercial and Office District shall be developed in strict compliance with the standards hereinafter established:

- A. Building Size: No structure in this district shall contain more than three thousand (3000) square feet of floor space devoted to the storage, display and sale of said products or to the providing of such services. This square footage limitation shall also apply to any office use within this district.
- B. Lot Size: No minimum lot size shall be required however the lot size shall be adequate to provide the yard spaces and off street parking as herein required.
- C. Lot Width: No minimum lot width shall be required, however all commercial tracts shall have access to public streets and shall be of such width as to provide required yard spaces and off street parking.
- D. Building Heights: No building shall exceed two (2) stories of forty (40) feet in height.
- E. Building Setbacks: There shall be a setback of all buildings of not less than 90 feet from the centerline of the public street, provided, however, no such setback shall be required to exceed the average of the minimum depths of existing front yards on lots adjacent on each side, if each of such lots are within the same block and within one-hundred (100) feet and one-hundred thirty (130) feet on State Routes 4 and 423.
- F. Side Yards: Side yards shall be required adjacent to residential uses of not less than one-fourth (1/4) of the sum of the height and depth of the buildings but in no case less than 40 feet from the adjacent residential district.
- G. Rear Yards: Rear yards of not less than fifty (50) feet shall be required when commercial areas are adjacent to residential areas.
- H. Screening: All commercial areas adjacent to residential areas shall provide a screening of shrubbery or artificial fencing. All such shrubbery shall be properly trimmed and all screening shall be maintained in a neat and tidy manner.
- I. Parking: Off street parking shall be provided with this District in strict compliance with the provisions of Section 11.08 of this Resolution.
- J. Signs: Signs identifying, or advertising uses with this District shall be in strict compliance with the regulations imposed by Section 11.17 of this Resolution.

- K. Lighting: No area lighting or lighting of buildings or storage areas shall be permitted which causes unreasonable illumination of adjacent properties.
- L. Loading Areas: When any use within this District requires the pickup or delivery of merchandise or supplies, an adequate loading area for such activity shall be provided on the lot occupied by the use. No such loading area shall be located on any public street or alley. Such loading areas, as provided shall be adequate in size to accommodate tractor-trailer (semi) units with adequate room to permit entry to such loading area without interfering with traffic on adjacent streets or highways.
- M. Construction and Maintenance of Improvements within the Right-of-Way: The construction and maintenance of all improvements behind the curb line or the edge of pavement including but not limited to drainage improvements, landscaping improvements, sidewalks and / or driveway approaches shall be the responsibility of the abutting property owner.

#### 8.06 NOISE

- A. Dirt bike/All-Terrain Vehicle (A.T.V.) tracks are to meet the following criteria:
  - 1. At least five hundred (500) feet from any existing residential dwelling on any neighboring properties.  
(Effective November 6, 2004)
  - 2. Tracks must be screened from view of adjacent properties.  
(Effective November 6, 2004)
  - 3. Riders may ride only from sun up to one half (1/2) hour after sundown  
(Effective November 6, 2004)
  - 4. No more than two (2) riders who are not residents of the property at a time.  
(Effective November 6, 2004)

#### 8.07 DUMPSTERS

- A. They are to be put behind set-back and to be there no longer than 60 days consecutive in a physical year.  
(Effective November 6, 2004)
- B. Will be emptied when full or emitting noxious odors.  
(Effective November 6, 2004)

## CHAPTER 8-B

### “C-2” GENERAL COMMERCIAL DISTRICT

#### 8.20 PURPOSE

To designate areas in Pleasant Township where various and related land uses may be developed in a complementary manner.

#### 8.21 USE REGULATIONS

##### Principal Permitted Uses

Any principal use permitted in the “C-1”, Neighborhood Commercial District

- Agriculture
- Public Uses
- Semi-Public Uses
- Dwelling units within the same structure containing a permitted commercial use
- Administrative Offices (primarily engaged in management functions such as supervision, purchasing, or accounting)
- Business Offices not involving retail trade (such as banking, insurance offices, real estate offices)
- Institutions (providing social, cultural, educational, and health services)
- Offices of organizations and associations (such as civic organizations, charitable organizations, labor union halls, and professional organizations)
- Hotels and Motels
- Retail Businesses (involving the sale of new or used merchandise)
- Repair Services (related only to common household goods)
- Service Establishments (such as barber shops, dry cleaning, photography studios, and interior decorating)
- Establishments engaged in the rental of autos, trucks, trailers, or common household goods
- Establishments engaged in the general storage or wholesale of household goods for distribution to retail outlets.
- Gasoline Service Stations
- Funeral Home or Mortuary
- Commercial Recreation Facilities
- Mini-warehouses
- Computer operations and data processing centers
- Advertising signs (see Section 11.17)
- Off street parking as a principal use
- Restaurants

Conditional Permitted Uses (subject to review by the Board of Zoning Appeals)

- Other business, similar in nature and character to the above.
- Video Game Halls
- Sale and storage of building materials (not including sawmills or the mixing of cement or other paving materials)
- Auto Repair
- The manufacture of precision instruments (such as photographic, optical, electronic, or computer equipment)
- The restoration, manufacture of parts and sale of specified amusement ride equipment where there is very minimal noise, pollution or other negative impact on surrounding properties (see definition “Amusement Ride Related Equipment” - added 5/14/94).
- The handcrafting and sale of on-site manufactured articles related to agriculture or Early American Occupations for display or sale predominately to local customers and tourists (see definition “Early American Occupations”).
- Adult-only entertainment establishment (see Section 8.31)

Accessory Permitted Uses and Structures

- Accessory signs (see Section 11.17)
- Off-street parking (as required by Section 11.01)
- Other accessory uses (as defined in Chapter 15)

8.30 DEVELOPMENT STANDARDS

As required in the “C-1”, Neighborhood Commercial and Office District (see Section 8.05) with the exception of 8.05 (A) building size which shall not apply. No maximum building size limit shall be in effect except that the maximum lot coverage by buildings shall not exceed twenty-five (25) percent and all other standards such as setbacks, parking, and loading space must be met.

NOTE: A site plan may be required (see Section 11.00).

8.31 ADULT-ONLY ENTERTAINMENT ESTABLISHMENT REGULATIONS

Adult only entertainment establishments are a conditional permitted use only in "C-2" General Commercial District and are prohibited in all other districts. This type of use is subject to both a public hearing and approval by the Board of Zoning Appeals. This type of use must also comply with the following condition:

- A. Any adult-only entertainment shall be located a minimum of two-thousand (2000) feet from any church, cemetery, residential dwelling, or residential dwelling district.

8.32 DUMPSTERS

- A. They are to be put behind set-back and to be there no longer than 60 days consecutive in a physical year.  
(Effective November 6, 2004)
- B. Will be emptied when full or emitting noxious odors.  
(Effective November 6, 2004)

## CHAPTER 9

### INDUSTRIAL DISTRICT

#### 9.01 PURPOSE

To designate appropriate areas where various industrial uses may be developed in a complementary manner.

#### 9.02 USE REGULATIONS

##### Principal Permitted Uses

- Agriculture
- Public Uses
- Semi-Public Uses
- Commercial establishments associated with industrial uses as follows:
  - Restaurants
  - Facilities related to emergency medical services
  - Gasoline service stations
  - Engineering, accounting, legal and similar services
  - Printing, blue printing, and similar services
  - Private employment agencies
  - Vocational and technical schools
- Blending, packaging, and storage of products as follows:
  - Chemical products
  - Food products
  - Pharmaceuticals
- The manufacture of products from the following materials:
  - Bone, canvas, cellophane, cloth, cork, feathers, felt, fibers, fur, glass, hair, horn, leather, paper, precious or semi-precious metals or stone, shell, textiles, tobacco, wire or wax
- The manufacture of the following finished products:
  - Cosmetics, toiletries and perfume
  - Electric appliances, instruments and components
  - Household, personal, or other small articles, such as:
    - Jewelry, silverware, plastic ware, musical instruments, toys, rubber stamps, sporting and athletic goods, office and artist supplies, miscellaneous notions, signs and advertising displays
- Office equipment and supplies
- Precision Instruments
- Furniture, cabinets, and similar products

- The manufacture of metal products, using methods and materials specified hereunder:
  - Metal fabrication, excluding the fabrication of structural steel and heavy machinery
  - The casting of light weight non-ferrous metals
  - Welding, machining, and other metal working processes but excluding punch presses having over twenty (20) tons rated capacity
  - Sheet metal shaping
  - The processing or manufacture of food products
- Non-manufacturing activities as follows:
  - Transportation terminals and equipment
  - Warehousing and general storage
  - Sales and storage of building materials, but not including, sawmills, or the mixing of cement, bituminous or asphaltic concrete.
  - Building contractors' equipment yards
  - Research test laboratories
  - Workshops for the repair of industrial machines

Conditional Permitted Uses (subject so review by the Board of Zoning Appeals)

- Any other industrial use not principally permitted
- Slaughter houses
- Refining or processing of crude petroleum
- Wholesale fuel dealers involving the bulk storage of flammable liquid or gases
- Junk yards, scrap and waste storage

Accessory Permitted Uses

- Accessory signs (see Section 11.17(5))
- Off-Street Parking (see Section 11.01)
- Other accessory uses (as defined in Chapter 15)

9.03 AREA AND DIMENSIONAL STANDARDS

9.031 Minimum Lot Width

The minimum lot width shall be sufficient to comply with yard and lot coverage requirements.

9.032 Minimum Lot Area

The minimum lot width shall be sufficient to comply with yard and lot coverage requirements.

9.033 Minimum Front Yard

The minimum front yard shall be the height of the principal building but not less than ninety (90) feet from the center of the right-of-way.

9.034 Minimum Side Yard and Rear Yard

- A. For yards which adjoin land in a commercial or industrial zone, no side or rear yard is required.
- B. For yards which adjoin land in a zone other than commercial or industrial, the minimum side and rear yard shall be twenty-five (25) feet.

9.04 NOISE

- A. Dirt bike/All-Terrain Vehicle (A.T.V.) tracks are to meet the following criteria:
  - 1. At least five hundred (500) feet from any existing residential dwelling on any neighboring properties.  
(Effective November 6, 2004)
  - 2. Tracks must be screened from view of adjacent properties.  
(Effective November 6, 2004)
  - 3. Riders may ride only from sun up to one half (1/2) hour after sundown  
(Effective November 6, 2004)
  - 4. No more than two (2) riders who are not residents of the property at a time.  
(Effective November 6, 2004)

## CHAPTER 10

### “PUD” PLANNED UNIT DEVELOPMENT DISTRICT

#### 10.01 PURPOSE

To provide the opportunity for latitude in the construction of pre-planned developments which, by virtue of good design, provide for orderly community growth without strict adherence to all the development standards set forth in this Resolution.

#### 10.02 APPLICATION OF PLANNED UNIT DEVELOPMENT DISTRICT

A planned unit development district may be applied to any existing zoning district. Upon approval of a planned unit development district, in accordance with the provisions of this Chapter, the Official Map of Pleasant Township Zoning Resolution shall be amended for the area involved so that the district name includes the notation “PUD”.

#### 10.03 PERMITTED USES

All uses permitted within the agricultural district, residential district, and commercial district may be proposed, individually or in combination, within a proposed planned unit development project.

#### 10.04 DEVELOPMENT STANDARDS

##### 10.041 Minimum Project Area

A minimum of fifteen (15) acres is required for a planned unit development project.

##### 10.042 Minimum Lot Sizes and Standards

The lot area, lot width, and minimum front, side, and rear yards required per dwelling unit may be reduced by up to twenty-five (25) percent from the standards contained in the residential zoning district.

##### 10.043 Common Ownership

A minimum of twenty (20) percent of the total land developed shall be reserved for common open space and recreation facilities. This required common open space shall be for the use of each individual who buys property within the development. The responsibility for the maintenance of all open space shall specified by the developer.

10.044 Parking

Off-street parking and loading shall be provided in accordance with Section 11.08.

10.045 Utility Requirements

All planned unit development projects shall be served by public sewer and water.

10.046 Future Expansion

All areas within a planned unit development project designed for future expansion or not intended for immediate improvement shall be landscaped or otherwise maintained as specified by the Zoning Commission and Township Trustees in the development plan as approved.

10.05 BASIC REQUIREMENTS

In order to obtain approval, a proposed planned development project shall comply with the following general requirements:

- A. Shall be in conformity with the Marion County Comprehensive Plan or any portion thereof,
- B. Shall be consistent with the purposes and intent of this Zoning Resolution,
- C. Shall promote the general welfare of the Township,
- D. Shall provide, through desirable arrangement and design, benefits which justify deviations from the development standards which otherwise would apply.

10.06 PROCEDURE FOR APPROVAL OF A "PUD" DISTRICT

10.061 Review by Planning Commission

The developer of a proposed planned unit development shall consult with the local County or Regional Planning Commission to determine if the project is a subdivision. If the project is a subdivision under the provisions of Chapter 711, Revised Code of Ohio, the project shall be submitted and reviewed as a subdivision, in a manner set forth in the Subdivision Regulations. In such case, approval of the planned unit development project under the provisions of this Zoning Resolution shall be tentative, and may be revoked if a final subdivision plan is not submitted and approved within one (1) year after such tentative zoning approval.

#### 10.062 Optional Preliminary Development Plan

The developer is required to submit a preliminary development plan to the Township Zoning Commission. The purpose of this optional plan is to familiarize the developer with the provisions, standards and requirements of this Chapter prior to detailed engineering work. Upon receipt of a preliminary plan, the Zoning Commission shall meet to consider such plan and provide recommendations to the developer regarding the final development plan.

#### 10.063 Final Development Plan

An application for approval of a final development plan shall be submitted to the Zoning Commission. Each application shall be signed by the developer attesting to the truth and exactness of all information supplied. The final development plan shall include all information which the Zoning Commission deems necessary, including:

- A. A survey of the development site showing property lines, area topography and existing features of site.
- B. The locations and sizes of lots and locations sizes and uses of structures.
- C. A schedule showing the completion date of structures to be built together with a description of all building designs.
- D. Landscaping plans.
- E. Deed restrictions, protective covenants and other language to be used in controlling the use development and maintenance of the area.

#### 10.064 Action on a Final Development Plan by the Zoning Commission

The review and action on a final development plan by the Zoning Commission and Township Trustees shall follow the procedures set forth in Section 14.40 of this Resolution for amendment to the zoning map. This includes posting of notices, requests for a recommendation from the Regional Planning Commission, public hearings and final action by the Township Trustees. If the approved development is not installed in accordance with the plans and requirements of this Chapter within four (4) years of the date of approval, such approval shall become null and void, and the land subject to the original zoning district standards.

## CHAPTER 11

### GENERAL DEVELOPMENT STANDARDS

#### 11.00 SITE PLAN

##### A. Site Plan Purpose and Procedure

This Site Plan Procedure is to ensure that the provisions of this Chapter and other Chapters are carried out in an integrated fashion for a development. Any proposed use of Commercial, Industrial, or Residential uses, where ten (10) or more parking spaces (see 11.01) are planned, a Site Plan is required. Consideration must be given to protecting the health, safety, welfare, and values of surrounding residents and property. The Site Plan may be reviewed in stages or at one time. Four (4) copies shall be submitted to the Pleasant Township Zoning Commission by the owner or developer for each review. An Interim or Final Review will be accomplished within thirty (30) days. At any time, The Zoning Commission may also seek a recommendation from The Marion County Regional Planning Commission. Items that pass an interim review may require additional detail for final approval. After the Final review, The Zoning Commission will give a written report to the Owner/Developer and Zoning Inspector as to the approval or denial of the Site Plan. If not approved, the Zoning Commission will specify in the report what is needed for re-submittal and approval. If approved, the Zoning Inspector will sign all copies of the Site Plan and return a copy to the owner or developer. If the owner/developer requires more signed copies, they shall supply the additional Final Plan copies to the Zoning Inspector. Any changes made after the Final Plan approval, would require a Site Plan Change Review.

##### B. Preparation of the Site Plan- Guidelines and Requirements

1. The Site Plan and Surveys must be prepared by Professional Surveyors, Engineers, and / or Architects registered in the State of Ohio.
2. Scale - Drawn to not more than a 100':1" scale with all locations, distances, dimensions and other features legibly marked. Show scales (written and graphic) and north point.
3. Title Block
  - a. Name of the development
  - b. Type of Business (es)
  - c. Name (s) of the owner or developer
  - d. Name (s) of the architect/engineer/surveyor
  - e. Show completion date of the Site Plan

4. Give projected construction starting date.
5. Give projected construction finish date.
6. All distances shall be based on a survey of the outer property lines.
7. Show Adjacent Land Parcels - with names of recorded owners.
8. Show Zoning District Boundaries - transgressing or adjacent to the site.
9. Show On-Site and Adjacent Easements and Right-of-Ways; including name, location, dimension and purpose.
10. Show Parking Area - number and size of parking spaces (see Section 11.01).
11. Show Internal Access Flow.
12. Driveways - show location, width, and setbacks (see Section 11.01).
13. Buildings - show size, location, setback lines and dimensional distance to street.
14. Trees and Landscaping - show location and whether existing or proposed.
15. Outside Lighting - show location and type (see Section 11.04).
16. Illustrate Drainage - include water impoundments (see Sections 11.05 & 11.07).
17. Drainage Systems - certificates of approval needed from a licensed engineer showing location, size, and adequacy of proposed drainage plans.
18. Buffer Zones - showing location, dimensions, landscaping, and any other construction details. Buffers are necessary to protect Residential Districts when bordering different types of zoning districts.

C. Site Plan Maintenance

1. Any change from the currently approved Site Plan, regarding construction or business operations must be submitted to the Zoning Commission for review (following Section B requirements). Submit prior to making the change.

A. Change in Construction and / or Lot Size

Show additions or deletions from the current drawing with a modified current or a new drawing, giving the date of change and the starting date.

B. Change in any Business Operations

Submit in writing a description of the change, including start-up and / or shut-down dates.

2. The Zoning Inspector will inspect the site periodically before, during and after construction to insure compliance with the Site Plan, permits and all other applicable Pleasant Township zoning regulations.

11.01 PARKING

Wherever parking areas are to be provided as required by the provisions of this Zoning Resolution the following conditions shall apply:

A. Dimensions

All parking spaces shall be not less than ten (10) feet wide and twenty (20) feet long. Such spaces shall be measured rectangular and shall be served by aisles of sufficient width to permit easy and smooth access to all parking areas.

B. Paving

Except in single-family zoning districts (A-1 and R-1) all parking areas and adjacent aisles or driveways shall be paved with asphaltic material or cement.

C. Driveway Location

All measurements will be made from the edge of the public right-of-way to the center of the private driveway. No driveway shall be located so that it enters a public road within one-hundred (100) feet of the intersection of any two (2) public roads. All driveways shall be located and the adjoining lots graded so that vehicular traffic entering a public road has an unobstructed sight distance of at least three-hundred (300) feet.

D. Driveways in the Commercial Zoning District

1. Maximum Width

Within any area zoned commercial (C-1 and C-2) the entrance(s) and exits(s) to a parking area from a public or private street shall not exceed thirty-five (35) feet in width.

2. Maximum Number of Driveways

Any use within the commercial zoning district which is located on a lot or contiguous lots having less than one-hundred-fifty (150) feet of continuous frontage shall have no more than one driveway. Uses within the commercial zoning district which are located on a lot or contiguous lots having one-hundred-fifty or more feet of continuous frontage shall have no more than two (2) driveways.

3. Minimum Spacing of Driveways

Within the commercial zoning district, no driveway shall be located within forty-five (45) feet of any other driveway located on the same property or on any adjacent property. Additionally, no driveway shall be located within forty-five (45) feet of any side street. The measurement of this minimum spacing shall be made from the driveway edge to the driveway edge at the right-of-way line, or from driveway edge to the edge of pavement on the side street as the case may be.

E. Parking Area Location

Except in the single-family districts (A-1 & R-1), no parking lot or parking area shall be located nearer than ten (10) feet to the side or rear line of the tract on which the structure is located. Parking in front of the main structure may be permitted is approved as part of the plan of development. In no event, shall the parking be located closer than twenty (20) feet to any road right-of-way. All parking spaces required herein shall be located on the same lot with the building or use served.

F. Required Number of Off-Street Parking Spaces

Off street parking shall be provided incident to any use in a district in this Township according to the following table, which table specifies minimum standards:

USE	REQUIRED NUMBER OF PARKING SPACES
Single-family residential (A-1 & R-1)	2 per dwelling unit
All other residential	3 per dwelling unit
Hotels, motels, & lodges	1 per rental unit plus 1 per employee on the largest shift
Churches or places of public assembly	1 for each 3 seats or 1 for each 45 sq. ft. of assembly area, whichever is greater
Hospitals	1 for each bed plus 1 for each employee on the largest shift
Nursing Homes	1 for each 2 beds plus 1 for each employee on the largest shift
Museums, libraries, etc.	1 for each 400 sq. ft. of area open to public plus 1 for each employee on the largest shift
Primary or elementary schools	4 for each classroom
Secondary schools, colleges; trade schools, etc.	4 for each classroom plus 1 for each 4 students
Restaurants (except drive-in or fast food)	1 for each 4 seats plus 1 for each employee on the largest shift. In no event shall less than 25 spaces be provided.
Offices	1 for each 400 sq. ft. of floor area plus 1 for each employee
Funeral Homes	1 for each 25 sq. ft. of public area
Retail Stores	5 plus 1 for every 400 sq. ft. of floor space
All industrial, warehousing, or distribution facilities	20 plus 1 for each 2 employees plus 1 for each vehicle maintained on the premises

11.02 EXCEPTIONS TO HEIGHT LIMITATIONS

The building height limitations set forth in this resolution shall not apply to church spires, domes, flag poles, windmills, chimneys, cooling towers, elevator bulkheads, fire towers, belfries, monuments, stacks, derricks, conveyors, stage towers, tanks, water towers or necessary mechanical appurtenances which may be erected to any safe and lawful height. Windmills or aerials, antennas on towers if otherwise permitted may be constructed to a height not greater than the distance from the center of the base thereto to the nearest property line of said tract or the right-of-way line of any roadway adjacent to the said tract.

11.03 STRUCTURE SEPARATION

No principal structure shall be located closer than twenty-five (25) feet to another principal structure unless the adjacent walls of both structures are masonry, in which event said principal structures shall be no closer than fifteen (15) feet. No principal structures shall be located closer than fifteen (15) feet to another principal structure unless one of such structures has as its exterior facing wall a fire wall free of any opening and capable of stopping and spreading any fire.

11.04 LIGHTING REGULATIONS

A. General Requirements

All lighting shall be controlled in such a way as to not shine up into the sky or onto any neighboring properties. Examples of ways in which this shall be accomplished are:

1. Use of fully shielded cut-off fixtures
2. Directing light fixtures downward rather than upward
3. Shielding the light in such a way that the light emitting portion of the fixture cannot be seen at a reasonable distance.

B. Specific Requirements

1. Where used for security purposes or to illuminate walkways, roadways, equipment yards and parking lots only fully shielded auto-off style outdoor light fixtures shall be utilized.
2. Where used for signs or for decorative effects or recreational facilities, such as for building, landscape or ball field illumination the outdoor light fixtures shall be equipped with automatic timing devices and shielded and, focused to minimize light pollution.

3. All outdoor light fixtures installed and maintained upon private property within all zoning districts shall be turned off between 11:00 P.M. and sunrise, EXCEPT when used for security purposes or to illuminate walkways, roadways, equipment yards and parking lots.
4. All illuminated signs for commercial purposes shall be turned off between 11:00 P.M. and sunrise, EXCEPT that signs may be illuminated while the business facility is open to the public. Static images or text are permitted while ALL forms of flashing, rotating, moving lights shall be prohibited. (Effective January 16, 2017)
5. All outdoor light pole fixtures shall not exceed a maximum height of thirty (30) feet.
6. In addition to the provisions of this Article, all outdoor light fixtures shall be installed in conformity with all other applicable provisions of this Resolution.

C. EXEMPTIONS

1. All outdoor light fixtures producing light directly by the combustion of fossil fuels, such as kerosene lanterns or gas lamps, are exempt from the requirements of this Section.
2. All low voltage lighting and holiday lighting shall be exempt from the requirements of this Section.

11.05 WATER IMPOUNDMENTS

All water impoundments such as ponds, lakes, or swimming pools shall be constructed and developed in compliance with the following standards:

- A. No impoundment shall be located closer than ninety (90) feet from the centerline of any adjacent county or township right-of-way. No impoundment shall be located closer than thirty (30) feet from any side or rear property line. No impoundment on a state highway shall be located closer than one-hundred-thirty (130) feet from the center of the highway right-of-way line. However, if adequate drainage is provided by tile or open ditch that will carry overflow and run-off away from adjacent property, the side and rear set back may be reduced to ten (10) feet. (Effective June 2011)

- B. Marion County Soil and Water Conservation District (SWCD) must review the proposed pond or lake construction site with the landowner. Test pits must be dug prior to design. The Tile on site must be rerouted around the proposed pond. Soil must be spread in a manner not to encroach on adjacent property. (effective June 2011)
- C. The Ohio Department of Natural Resources (ODNR) must be consulted for any water impoundment utilizing an above ground earthen mound for water containment to determine if said water impoundment is subject to ODNR regulations. (Effective June 2011)
- D. No impoundment shall be located in the front yard in any district except upon issuance of a conditional use permit pursuant to Chapter 13 of this resolution, or as approved in plans of development or approved sub-division plat.
- E. All installed swimming pools, or the entire property upon which it is located, shall be walled or fenced to prevent uncontrolled access by individuals from the street or from adjacent properties. Said fence or wall shall be not less than five (5) feet in height and shall be maintained in good condition with a gate and lock.

#### 11.06 LANDSCAPING

All uses and improvements in the township should pay close attention to maintenance of proper landscaping as soon as possible after completion of construction of the principal structures or improvements. Maintenance of ground cover at all times is encouraged to prevent erosion. Replacement of trees, removed during the land clearing, should be accomplished as soon as possible.

#### 11.07 DRAINAGE

All construction within this township shall be accomplished in a manner consistent with maintenance of good surface drainage. In all improvements or uses where submittal of drainage plans is not specifically required every reasonable effort shall be made to ensure that proper drainage on the subject property and adjacent or servant properties is maintained or improved. In no event, shall any person interdict or interfere with any existing tile for surface drain channel unless it is determined that such tile or channel can be removed or relocated without interfering with the drainage on adjacent properties.

11.08 SETBACK REGULATIONS

No building or use except signs, parking areas, and rear access road consideration shall be permitted closer to the centerline of adjoining roads and streets than the following given roads and uses:

<u>Setback</u>	<u>Road and / or Use</u>
A. 130 feet	State Routes 4 and 423, all uses
B. 90 feet	All other streets and roads, all uses
C.	If planned and committed use of access roads behind the building(s) give adequate consideration to parking, setback distance, traffic flow and safety; the distance required in 11.01 (A) could be shortened to a minimum of 90 feet.

11.09 INSTALLATION OF SATELLITE SIGNAL RECEIVERS

Satellite dish antennas are allowed in all districts subject to the following requirements and shall be considered an accessory use. The objective of this regulation is to preserve the residential character of the Township by insuring that location and dimension of such antennas are aesthetically complimentary to the Township’s residential-rural character and to prevent the congestion of properties so as to hinder their accessibility by fire safety apparatus.

The following provisions shall apply to satellite dish antenna:

- A. Maximum Diameter: Ground mount - twelve (12) feet  
Roof mount - three (3) feet
- B. Maximum Height: Ground mount - fifteen (15) feet  
Roof mount - four (4) feet
- C. The apparatus shall be located behind the principal building located on the lot or parcel.
- D. The satellite dish apparatus shall be painted a color which compliments its environment, and shall bear no advertisement, lettering, picture or visual image.
- E. Ground mount antenna shall be subject to being contained within the building envelope/setback of the district in which it is located.

If it is determined that any of the foregoing restrictions prevent normal reception of the antennas, then a variance may be requested. For any variance requested, the Board of Zoning Appeals shall grant the minimum variance required to achieve proper reception and provided it does not conflict with the objective of these regulations. Any height variance shall be documented by the installer / manufacturer of the antenna.

This regulation shall not be interpreted and. applied to regulate station antenna structures used for amateur service communications.

#### 11.10 TRAILERS AND VEHICLES USED FOR STORAGE

No trailer or vehicle, whether operable, licensed or not, shall be used for the storage of goods in any use district. A trailer may be used as a temporary construction office or tool shed during the construction or remodeling of any structure.

#### 11.11 EQUIPMENT

Equipment used in a commercial business with the exception of cars, pick-up trucks and vans may not be parked on residential property where houses are closer than 60' apart unless housed in a building that is in compliance with this code.

#### 11.12 ACCESSORY BUILDING

- A. No more than two (2) buildings, up to a maximum 80 square feet each **OR** one (1) building up to a maximum of 160 square feet, on a non-permanent foundation may be built on a lot in an A-1 or R-1 District without requiring a zoning permit.
- B. No more than one accessory building may be built on an A-1 or R-1 District lot based on the following table:

(Table Effective January 16, 2017)

<b>Acres</b>	<b>Maximum Square Feet</b>	<b>Distance From Principal Building</b>	<b>Side Setback</b>	<b>Rear Setback</b>	<b>Maximum Height</b>
0 – .75	768	15'	10'	10'	15'
.76 - 1.0	1200	15'	10'	10'	20'
1.1 – 2.0	1560	15'	10'	10'	20'
2.1 – 3.0	2200	15'	10'	10'	25'
3. - +	2600	15'	10'	10'	25'

**11.121 ACCESSORY SOLAR ENERGY FACILITIES**

It is the purpose of this regulation to promote the safe, effective and efficient use of accessory solar energy systems installed to reduce the on-site consumption of utility-supplied electricity. An accessory solar energy system shall be considered a permitted accessory use in any district provided all requirements and regulations as set forth below are met. No person shall cause, allow or maintain the use of an accessory solar energy system without first having obtained a zoning permit from the zoning inspector. Accessory Solar Energy Facilities will count toward the space allowed for accessory structure coverage allowed in residential districts.

1. A solar energy system is permitted in all zoning districts as an accessory to a principal use.
2. A solar energy system shall not be used for the generation of power for the sale of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company.
3. A solar energy system connected to the utility grid shall provide written authorization from the local utility company acknowledging and approving such connection.
4. A roof/structure mounted solar energy system:
  - a.) Shall be flush-mounted.
  - b.) Shall not extend beyond the perimeter (or edge of roof) of the structure on which it is located.
  - c.) May be mounted to a principal or accessory structure.

d.) Combined height of solar energy system and structure to which it is mounted may not exceed the maximum building height allowed in that zoning district for the type of structure to which it is attached.

5. A ground/pole mounted solar energy system:

a.) Shall not exceed the maximum height allowed in that zoning district for accessory buildings.

b.) Shall not be located within the required front yard setback.

c.) The surface area of a ground mounted system, regardless of the mounted angle, shall be calculated as part of the overall lot coverage and may not exceed the lot coverage allowed by accessory structures.

6. Solar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent street rights-of-way.

7. A solar energy system shall not be constructed until all applicable zoning and building permits have been approved and issued.

8. The design of the solar energy system must conform to all applicable industry standards.

9. Solar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within twelve (12) months from the date they are not producing electricity, become damaged, discontinued or broken. Any earth disturbance as a result of the removal of the ground mounted solar energy system shall be graded and reseeded.

10. A site plan shall be submitted at the time of application and shall include:

a.) Property lines and physical dimensions of the site

b.) Location of solar energy system(s) and all related equipment, setbacks from property lines, above- and under-ground utility lines, easements, and any structures on the property. Also show location of sewage treatment systems. (Effective April 14, 2021)

### 11.13 FENCES AND HEDGES

Fences and hedges may be located within any yard provided that they comply with the following:

A. Fences hedges within a required front yard shall not exceed three feet in height; an exception is that a non-opaque (for example, wire) fence may exceed three feet in the required front yard if, in the determination of the Zoning Inspector, it is directly related to agricultural use.

- B. Fences and hedges within a required side or rear yard shall not exceed eight (8) feet in height.
- C. Fences, hedges or other structures cannot be erected within the road right of way as determined by the Marion County Engineer's office. (Effective January 16, 2017)

Note: Front yard includes not only the front lot line, but side lot lines in the required front yard.

#### 11.14 PROJECTIONS FROM STRUCTURES

Eaves, cornices, window sills and other above grade projections may not project more than three (3) feet into any required yard.

#### 11.15 HOME OCCUPATIONS (An Accessory Use)

- A. There shall not be more than one non-resident employee engaged in the home occupation.
- B. There shall be no external evidence of the home occupation other than one identification sign. Such identification sign shall conform with the size requirements of Section 11.17 (D).
- C. The space devoted to the home occupation shall not exceed twenty-five (25) percent of the gross floor area of the principal building (and attached garage) or 400 square feet, whichever is less. A home occupation may not be carried out in an accessory building not including an attached garage.
- D. The home occupation will not be permitted to generate excessive noise, lighting, or traffic; nor to cause any noxious odors, hazardous or unsafe conditions, or electronic interference. A maximum of four (4) parking spaces is permitted.
- E. In home day care providers and foster care families are not required to obtain zoning certificates or permits.

#### 11.16 TEMPORARY ROADSIDE STANDS ON FARMS

Temporary roadside stands on farms must be located at least ten (10) feet from the road right-of-way.

11.17 SIGN REGULATIONS

A. Exempted Signs

The following signs are not subject to the provisions of this Resolution:

1. Signs on a farm which relate to the goods produced on said farm.
2. Governmental signs and signs of a public utility erected for safety purposes.
3. Signs within shopping centers or similar places which can be viewed only from within said structure.
4. Temporary signs conforming with the definition contained in Chapter 15 (which does not include mounted mobile signs).
5. Directional signs for businesses (existing businesses) and recreational facility signs in Residential and Agricultural Districts shall be 12 square feet maximum in size, placed at least 15 feet from the road right-of-way and at the discretion of the Zoning Inspector.

B. Permits

A zoning permit shall be required for all signs except those specifically exempted above.

C. Mounted Mobile Signs

1. Mounted mobile signs may be located within Commercial and Industrial Zoning Districts only.
2. Only one (1) mounted mobile sign shall be permitted on any one lot for a period not to exceed thirty (30) days. A maximum of an additional three (3) consecutive thirty (30) day permit extensions may be acquired.
3. A refundable deposit, paid by check to Pleasant Township will be required prior to installation of a mounted sign. The amount of the deposit will be determined by the Pleasant Township Trustees. The deposit will be returned upon proper removal of the sign at the end of the designated period. Failure to remove the sign at the end of the given time will result in forfeiture of the deposit and a violation issued.
4. Mounted mobile signs must be located a minimum of forty (40) feet from the

center line of the road or a minimum of ten (10) feet from the nearby right-of-way in event of a right-of-way wider than sixty (60) feet.

5. Mounted mobile signs may not include illuminated or non-illuminated arrows.
6. Converted mounted mobile signs may not include illuminated or non-illuminated arrows. The sign must be removed from legs or trailer and mounted permanently on posts or masonry frames and will require a one-time permit fee. Signs must be a minimum of ten (10) feet from any road right-of-way and located in the interests of public safety. To convert a mounted mobile sign to a permanent sign a design and location must be submitted to and approved by the Pleasant Township Zoning Inspector prior to installation.

D. Accessory Signs in Agricultural and Residential Districts

A home occupation or professional office located within an agricultural or residential zoning district may have one non-illuminated sign not exceeding nine (9) square feet in size per face. Any other non-residential principally permitted or conditionally permitted use within an agricultural or residential zoning district may have one illuminated sign which shall not exceed sixteen (16) square feet in size per face. Accessory signs in the agricultural and residential zoning district shall not be located within fifteen (15) feet of the right-of-way.

E. Accessory Signs in Commercial and Industrial Districts

Within the commercial zoning district, uses may have two (2) illuminated signs the maximum total sign area (as defined in Chapter 15) shall be no more than four (4) square feet per lineal foot of frontage on all streets or roads. In no case however, shall the total sign area exceed two hundred (200) square feet per face. Accessory signs in the commercial zoning district must be located at least ten (10) feet from any road or street right-of-way.

Within the industrial zoning district uses may have one illuminated sign and the maximum sign area is thirty (30) square feet per face.

F. Outdoor Advertising Signs

Advertising signs: Shall comply with the yard requirements for principal uses in the C-1, C-2, and I-1 districts in which they will be located, and in no case, shall the setback distance be less than 130 feet. Additionally, no sign shall be located within 500 feet of any road intersection unless affixed to the principal structure. There shall be no more than (1) advertising sign on any lot having less than 500 feet of unbroken

road frontage on a single street or road. A lot having 500 or more feet of unbroken frontage may have on a single street or road two (2) advertising signs. The maximum total area of a single sign shall not be more than 200 square feet per face and shall be located a minimum of 500 feet from any existing residential building. All signs, regardless of size, shall be subject to the lighting regulations found in Section 11.04 of this Zoning Code.

#### 11.18 MINERAL, SAND AND GRAVEL EXTRACTION

The mining or quarrying of rock, sand and mineral ore shall be subject to the following, regulations:

- A. Boundaries of mining or quarrying operations shall be clearly marked with appropriate warning signs and shall be completely enclosed with a fence which shall meet the approval of the Board of Zoning Appeals.
- B. Excavations shall be prohibited within two-hundred (200) feet of any public right-of-way or any adjacent property line.
- C. Processing plants, rock crushing plants, cement mixing plants, block or tile plants shall be prohibited in any area that is within five-hundred (500) feet of any residence (excluding residences located on the premises)
- D. At the time an application is filed for a zoning permit, the applicant shall furnish a map (at least 100 feet to the inch scale) which clearly shows the area to be mined, proposed structure, proposed drives, expected excavation depths and adjacent properties. The applicant shall also furnish a detailed plan of the anticipated future use of the area including reclamation Plans.

#### 11.19 MOBILE HOME PARKS

##### A. Application

The owner of a tract of land twenty (20) acres or more in area located within a residential district may submit a plan for the development and use of such tract as a mobile home park under the provisions of this Section.

##### B. Development Standards

##### 1. Ohio Department of Health

All mobile home parks shall meet the requirements of the Ohio Sanitary Code adopted by the Ohio Department of Health under the authority of the Ohio Revised Code Section 3733.02.

2. Subdivision Regulations

All mobile home parks shall meet the requirements of the Subdivision Regulations for Marion County and the City of Marion under the authority of the Ohio Revised Code Section 711 (explained in O.A.G. 72-020).

3. Board of Zoning Appeals

All applications and plans for mobile home parks shall be reviewed by the Board of Zoning Appeals. In reviewing such applications and plans for a mobile home park the Board shall determine whether the following requirements are met:

- A. The proposed park is twenty (20) acres or more in size.
- B. The front yard depth adjoining the public road for the park as a whole is at least ninety (90) feet.
- C. The side yards and rear yard for the park as a whole are each fifty (50) feet: from the interior lot line. If the Park abuts more than one existing public road, then the side or rear yard on a public road shall be ninety (90) feet measured from the center of the road.
- D. The minimum floor area of any mobile home used as a dwelling shall be seven hundred twenty (720) square feet.
- E. The mobile homes within the park shall be limited to single-family occupancy, not including transient or vacationing families or persons, and not including the storage, display, or sale of mobile homes on the premises.
- F. The park will be located to assure maximum compatibility with other types of residential development.

G. The park will not be detrimental to the neighborhood

As a condition to determining that the park is compatible to nearby residential development, the Board of Zoning Appeals may set conditions including, but not limited to, a requirement of screening by plants to obscure the view of the tract, limitations on signs allowed, and assurance of adequate recreation facilities.

C. Board of Zoning Appeals Approval

If after review of the application and plans for a mobile home park, the Board finds that all requirements have been met, the Board may grant approval. Such approval may however, be conditioned on the compliance with (B) 1 and 2.

11.20 MOBILE HOMES (As temporary housing)

In the event that a home is damaged or uninhabitable by fire, flood, or an Act of God, the Board of Zoning Appeals may allow the use of a Mobile or Manufactured Home as a temporary housing until the main dwelling is repaired or replaced, up to a period of six (6) months or for a period of time that the Board of Appeals approves it.

11.21 RESIDENTIAL DWELLING UNIT REQUIREMENTS

All single-family, two-family and multi-family dwelling units must meet the following requirements which shall be construed to be the minimum-building requirements.

Manufactured homes must meet all of the following requirements and have a manufacture date after January 1, 1995:

- A. Minimum building width of 26 feet at the narrowest point exclusive of breeze ways, porches, terraces, and garages or attachments.  
(Effective July 15, 1999)
- B. The minimum floor area (as defined in Chapter 15) for a single or two-family dwelling shall be 1200 square feet if the residential structure has one-story, and 1500 square feet if the residential structure has more than one-story.  
(Effective July 15, 1999)
- C. The minimum floor area (as defined in chapter 15) for multi-family residential structure shall be 900 square feet per dwelling unit in the residential structure.  
(Effective July 15, 1999)

- D. All dwelling units must be permanently attached to a cement block, concrete foundation, or other locally approved footing with a minimum footer depth of three (3) feet below finish grade.  
(Effective July 15, 1999)
- E. The Dwelling unit has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang with additional appropriate guttering.  
(Effective July 15, 1999)

#### 11.22 MATERIAL STORAGE

Storage in enclosed building without altering the character of such, provided that the building was constructed prior to April 6, 1995 and shall be conditioned upon and subject to the approval of the Board of Zoning Appeals.

- A. Storage shall include but not limited to: storage of farm equipment, long-term storage of non-hazardous, commercial or industrial equipment; long-term storage of vehicles or household items. It shall not include the storage of flammable or toxic materials, storage of finished product inventory, nor will it permit sale of items stored.  
(Effective April 6, 1995)
- B. Such storage shall be restricted to the interior of such buildings and no outside storage of any kind shall be permitted. In addition, no signs advertising the available storage space shall be on the property.  
(Effective April 6, 1995)
- C. Such conditional uses do not negate any requirements of the Ohio Building Code.  
(Effective April 6, 1995)
- D. Change of ownership or cease of storage operation shall terminate the conditional permitted use.  
(Effective April 6, 1995)
- E. Parking of commercial vehicles over one (1) ton is prohibited.  
(Effective April 6, 1995)

### 11.23 DUMPSTERS

- A. They are to be put behind set-back and to be there no longer than 60 days consecutive in a physical year.  
(Effective November 6, 2004)
- B. Will be emptied when full or emitting noxious odors.  
(Effective November 6, 2004)

### 11.24 TRASH

- A. No trash, debris, unused property or discarded materials shall be permitted to accumulate on any lot or portion thereof which creates an eyesore hazard or nuisance to the neighborhood or general public.  
(Effective September 24, 2006)

### 11.25 WIND TURBINES

- A. Wind Turbines shall be a *permitted use* in all districts under the following conditions:
  - 1. The maximum height of any turbine shall be 100 feet. For purposes of this particular zoning item, maximum height shall be considered the total height of the turbine system including the tower and the maximum vertical height of the turbines' blades. Maximum height therefore shall be calculated by measuring the length of a propeller at maximum vertical rotation to the base of the tower.
  - 2. Any turbine erected on a parcel of land will need to establish a "clear fall zone" from all neighboring property lines. A turbine will need to be erected and placed in such a manner that if it were to fall, whatever direction the fall occurs would be contained solely on the property where the turbine is located.
  - 3. Wind turbines must be maintained in good working order. Turbines that become inoperable for more than 24 months must be removed by the owner within thirty (30) days of issuance of zoning violation. Removal includes removal of all apparatuses, supports and or other hardware associated with the existing turbine.

4. All units shall operate within a decibel range no higher the 70 decibels. This information shall be included in the engineering report described below in Section B of this document. This information shall be obtained from the manufacturer of the turbine and all decibel readings, if necessary, shall be taken from the nearest neighboring property.
5. All wires and electrical apparatuses associated with the operation of a wind turbine unit shall be located underground.

B. Permits

1. A permit shall be required before the construction can commence on an individual wind turbine system.
2. Applicant shall then provide the Township Zoning Inspector with the following items and or information when applying for a permit:
  - A. location of all public and private airports in relation to the location of the turbine
  - B. A report that shows:
    1. The total size and height of unit
    2. The total size and depth of the unit's concrete mounting pas as well as soil and bedrock data
    3. A list of depiction of all safety measures that will be on the unit, including anti-climb devices, grounding devices and lightning protection.
    4. Data specifying the kilowatt size and generating capacity of the particular unit.
    5. The maximum decibel level of the particular unit. This information must be obtained from the manufacturer of the turbine unit.
  - C. 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

(Effective June 2011)

## **11.26 SOLAR AND WIND FARMS**

This Zoning Resolution is to promote the public health, safety, morality and general welfare and to protect and conserve property and property values, and in addition to and in support of the purpose of zoning set forth in Chapter 519 of the Ohio Revised Code, this resolution is adopted in for the following purposes:

A. To protect the character, values, and orderly development of agricultural, residential, institutional, commercial, and industrial uses.

B. To promote public safety by locating buildings and uses in a manner which will avoid interference, accidents and damage by traffic.

C. To provide open spaces for light and air, to prevent excessive concentration of population, where public water supply and sanitary sewers are not now available.

D. To guide the future development of the Township in a manner which will promote the prudent extension of public improvements and services.

Solar and wind farms are not agriculture, as defined by the Ohio Revised Code. The Ohio Power Siting Board regulates solar and wind farms that are 50 MW and higher under Chapter 4906 of the Ohio Revised Code. Chapter 4906.13 B of the Ohio Revised Code prohibits local government from any regulation of solar and wind farms by any local government agencies.

### **No solar or wind farms under 50 MW are permitted in Pleasant Township.**

- Permit fees for court approved or Ohio Siting Board approved commercial projects will follow the Zoning Commercial fee guidelines per parcel of land.
  
- Permit fees on Solar for residential use will follow zoning building permit guidelines.

13. Cost of Construction Permit Fee shall be:

a.) Commercial /Business construction cost less than \$1 million \$1,000 plus ¼% of total project

b.) Commercial /Business construction cost over \$1 million \$2,500 plus ¼% of total project

(Effective April 14, 2021)

## CHAPTER 12

### ZONING COMMISSION

#### 12.01 ORGANIZATION

The Zoning Commission shall consist of five (5) members appointed by the Township Trustees that are residents of the unincorporated area of Pleasant Township. The terms of the Zoning Commission shall be such length and so arranged so that one member's term will expire each year. Each member shall serve until his successor is appointed and qualified. Members of the Zoning Commission shall be removable for non-performance of duty, or other causes set forth in Section 519.04 of the Ohio Revised Code. Vacancies in said Commission shall be filled by appointments made by the Township Trustees from residents of the unincorporated area of Pleasant Township and shall be for the unexpired term of the office in which such vacancy has occurred.

#### 12.02 POWERS AND DUTIES

The Zoning Commission shall have the following powers and duties:

##### 12.021 Initiate Amendments

The Zoning Commission may initiate proposed amendments to this Resolution.

##### 12.022 Recommendations on Amendments

The Zoning Commission shall receive and review all proposed amendments to this Resolution and submit its recommendations to the Township Trustees.

##### 12.023 Recommendation on Planned Unit Development Projects

The Zoning Commission shall review all planned development projects and make recommendations to the Township Trustees as provided for in this Resolution.

#### 12.03 GENERAL PROCEDURES

The Commission shall organize and adopt rules to govern its activities in accordance with this resolution and the Ohio Revised Code. All meetings of the Commission shall be open to the public. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be filed immediately in the office of the Township Trustees and shall be of public record.

## CHAPTER 13

### BOARD OF ZONING APPEALS

#### 13.01 ORGANIZATION

The Board of Zoning Appeals shall consist of five (5) members who shall be residents of the unincorporated territory of Pleasant Township. The terms of the members shall be of such length and so arranged that the term of one member will expire each year. Each member shall serve until his successor is appointed and qualified. Members shall be removable for non-performance of duty, or other causes set forth in Section 519.04 of the Ohio Revised Code. Vacancies in said Commission shall be filled by appointments made by the Township Trustees from residents of the unincorporated area of Pleasant Township and shall be for the unexpired term of the office in which such vacancy has occurred.

#### 13.02 POWERS AND DUTIES

The Board of Zoning Appeals has the following powers and duties:

##### 13.021 Interpretation

The Board of Zoning Appeals shall hear and decide upon appeals where it is alleged that there is an error in any order, requirement, decision, interpretation, or determination made by the Zoning Inspector.

##### 13.022 Variances

The Board of Zoning Appeals shall authorize variances from the terms of this resolution as will not be contrary to the public interest and where the literal enforcement of this resolution will result in unnecessary hardship. In order to grant a variance, the Board must find:

- A. That there are special circumstances which apply to the land or building and which are such that the strict application of the provisions of this Resolution would result in practical difficulty and unnecessary hardship
- B. That granting the variance will be in harmony with the general purpose and intent of this resolution.
- C. That the variance granted by the Board is the minimum variance that will accomplish the reasonable use of the property.

### 13.023 Conditional Uses and Exceptions

The Board of Zoning appeals shall hear and decide upon requests for conditional uses listed in the use regulations of each zoning district. The Board of Zoning appeals shall also rule on exceptions regarding non-conforming uses and structures as provided in this resolution. In order to grant a conditional permitted use or exception, the Board of Zoning Appeals must find that the following conditions exist, and may also require appropriate conditions and safeguards for approval.

- A. That the proposed use or exception is consistent with the nature and condition of the neighborhood.
- B. That the proposed use or exception would not be hazardous, harmful, offensive, or a nuisance to the surrounding neighborhood.

### 13.03 GENERAL PROCEDURES

The Board of Zoning Appeals shall organize and adopt rules in accordance with this resolution and the Ohio Revised Code. All meetings of the board of Zoning Appeals shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be filed immediately in the office of the Township Trustees and shall be of public record.

#### 13.031 Public Hearings and Notices

**APPEALS MAY BE TAKEN WITHIN 20 DAYS AFTER A DECISION BY THE ZONING INSPECTOR.** The Board of Zoning Appeals shall hold a public hearing within **A RESPONSIBLE TIME** after an application is received by the Zoning Inspector. Notice of the public hearing shall be given in one or more newspapers of general circulation at least ten (10) days prior to the hearing. Notices of the public hearing shall also be sent by first class mail to all parties of interest at least ten (10) days prior to the hearing.

#### 13.032 Action by Board of Zoning Appeals

**Within thirty (30) days after the public hearing, the Board of Zoning Appeals shall approve, disapprove, or approve with supplementary conditions, the application.**

There must be a least (3) three board members in favor of the resolution for it to pass, not just a unanimous vote of board members attending the public hearing.

## CHAPTER 14

### ADMINISTRATION

#### 14.01 ZONING INSPECTOR

##### 14.011 Office of the Zoning Inspector

For the purpose of enforcing these Zoning Regulations, the Office of Zoning Inspector for Pleasant Township is hereby established. The Zoning Inspector shall be appointed by the Board of Trustees of Pleasant Township and shall receive such compensation as said Board of Trustees shall determine before entering upon the duties of the Office, the Zoning Inspector shall give bond as required by Section 519.161 of the Ohio Revised Code. It shall be the duty of the Zoning Inspector to enforce the provisions of this Resolution and keep a record of all applications received for zoning or other permits and the actions taken thereon. The Zoning Inspector shall also be required to, whenever possible, attend Zoning Commission and Board of Zoning Appeals meetings.

#### 14.02 APPLICATIONS, PERMITS

##### 14.021 Zoning Permit

A zoning permit shall be required for the construction or alteration of any building or structure, including accessory buildings, signs, etc. Every application for a zoning permit shall be accompanied by plans drawn to scale, showing the actual shape and dimensions of the lot to be built upon or to be changed in its use, in whole or in part; the exact location, size and height of any building, or structure to be erected or altered; the existing and intended use of each building or structure to be erected or altered; the existing and intended use of each building or structure or part thereof; the number of families or housekeeping units the building is designed to accommodate if any; and, when no buildings are involved, the location information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Resolution.

No permit for excavation or construction shall be issued by the Zoning Inspector unless the plans, specifications and the intended use conform to the provisions of this Resolution.

#### 14.022 Occupancy Permits

Before the use of any land or building is changed, an application for an occupancy or use permit shall be filed with the Zoning Inspector. Such application shall show the location of the subject lands or the present and proposed use thereof and such other information as may be necessary to determine if the proposed use is permitted under the provisions of this resolution; and, if so the occupancy or use permit shall be granted. (Effective January 16, 2017)

#### 14.023 Zoning Permits: Time Limit

A zoning permit shall expire one (1) year after issuance unless the construction or alteration permitted by it has begun and is thereafter pursued to completion, or unless the land or premises have been put to the use permitted by such permit.

A zoning permit shall be revocable, if the actual use, construction or alteration does not conform to the terms of the application and the permit granted thereof.

The fees to be charged for all permits required by this Zoning Resolution along with the fees required for matters to come before the Zoning Commission or Board of Zoning Appeals shall be as set forth in a separate Resolution adopted by the Pleasant Township Trustees. Until all applicable fees, charges and expenses have been paid in full, no action shall be taken on any on a zoning permit is issued, the permit fee must be paid plus 50% more of that amount.

#### 14.03 AMENDMENTS

It shall be the policy of the Pleasant Township government to consider this Zoning Resolution to be subject to amendment from time to time in order to recognize changing land use conditions and to utilize improved practices in zoning.

The following is a copy of Section 519.12, Ohio Revised Code as it existed September 1982:

##### 519.12 Amendments or supplements to zoning resolution; procedure; referendum

Amendments or supplements to the zoning resolution may be initiated by motion of the township rural zoning commission, by the passage of a resolution therefore by the board of township trustees or by the filing of an application therefore by one or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment or supplement with the township zoning commission. The board of township trustees may require that the owner or lessee of property filling an application to amend or supplement the zoning resolution pay a fee therefore to defray the cost of advertising, mailing, and other expenses. If the township trustees require such a fee, it shall be required generally, for each application. The board of township trustees shall, upon the passage of such resolution, certify it to the township zoning commission.

Upon the adoption of such motion, or the certification of such resolution or the filing of such application the township zoning commission shall set a date for a public hearing thereon, which date shall not be less than twenty nor more than forty days from the date of the certification of such resolution or the date of adoption of such motion or the date of the filing of such application. Notice of such hearing shall be given by the township zoning commission by one publication in one or more newspapers of general circulation in the township at least fifteen (15) days before the date of such hearing.

If the proposed amendment or supplement intends to re-zone or re-district ten or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the zoning commission, by first class mail, at least twenty days (20) before the date of the public hearing to all owners of property within and contiguous to and directly across the street from such area proposed to be re-zoned or re-districted to the addresses of such owners appearing on the county auditor's current tax list or the treasurer's mailing list and to such other list or lists that may be specified by the board of county commissioners. The failure of delivery of such notice shall not invalidate any such amendment or supplement. The published and mailed notices shall set forth the time and place of the public hearing, the nature of the proposed amendment or supplement and a statement that after the conclusion of such hearing the matter will be referred for further determination to the county or regional planning commission and to the Board of Township Trustees as the case may be.

Within five days after the adoption of such motion or the certification of such resolution or the filing of such application the township zoning commission shall transmit a copy thereof together with text and map pertaining thereto to the county or regional planning commission, if there is such a commission.

The county or regional planning commission shall recommend the approval or denial of the proposed amendment or supplement or the approval of some modification thereof and shall submit such recommendation to the township zoning commission. Such recommendation shall be considered at the public hearing held by the township zoning commission on such proposed amendment or supplement.

The township zoning commission shall, within thirty (30) days after such hearing, recommend the approval or denial of the proposed amendment or supplement, or the approval of some modification thereof and submit such recommendation together with such application or resolution, the text and map pertaining thereto and the recommendation of the county or regional planning commission thereon to the board of township trustees.

The board of township trustees shall, upon receipt of such recommendations, set a time for a public hearing on such proposed amendment or supplement, which date shall not be more than thirty (30) days from the date of the receipt of such recommendation from the township zoning commission. Notice of such public hearing shall be given by the board by one publication in one or more newspapers of general circulation in the township, at least fifteen (15) days before the date of such hearing.

The published notice shall set forth the time and place of the public hearing and a summary of the proposed amendment or supplement.

Within twenty days after such public hearing the board of township trustees shall either adopt or deny the recommendations of the zoning commission or adopt some modification thereof. In the event the board denies or modifies the recommendation of the township zoning commission the unanimous vote of the board shall be required.

Such amendment or supplement adopted by the board of township trustees shall become effective in thirty days after the date of such adoption unless within thirty days after the adoption of the amendment or supplement 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 percent of the total vote cast for all candidates for governor in such area at the last preceding general election in which a governor was elected, requesting the board of township trustees to submit the amendment or supplement to the electors of such area for approval or rejection at the next primary or general election.

No amendment or supplement for which such referendum vote has been requested shall be put into effect unless a majority of the vote 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.

#### 14.04 APPEAL PROCEDURE

The suggested procedure for appealing the decision of the Pleasant Township Zoning Inspector in refusing to grant a Zoning permit is as follows:

Prepare a letter in duplicate addressed to the Pleasant Township Board of Zoning Appeals explaining why you feel a Zoning Permit should be granted and what hardships, if any, the refusal has produced. The letter should include a legal description of the land involved and a list of all property owners and their mailing addresses within, contiguous to, and directly across the street from the proposed variance.

File one copy of this Appeal together with a check in the amount of \$100.00 (for the cost) made out to the Pleasant Township Zoning Appeals Board and give to the Secretary of the Appeals Board, Kim Taylor, 1035 Owens Road West, Marion, Ohio 43302. Also a copy to the Zoning Inspector, Wayne Creasap, 1035 Owens Road West, Marion, Ohio, 43302. This procedure may be done by you or your Attorney, whichever seems best to you.

An appeal may be made after a decision by the Zoning Inspector within 20 days. The Board of Zoning Appeals shall hold a public hearing within a responsible time after an application is received by the Zoning Inspector. Notice of the public hearing shall be given in the newspaper of general circulation at least ten (10) days prior to the hearing. Notices of the public hearing shall also be sent by first class mail to all parties of interest at least ten (10) days prior to the hearing.

Action by the Board of Zoning Appeals. Within thirty (30) days after the public hearing, the Board of Zoning Appeals shall approve, disapprove, or approve with supplementary conditions, the application.

Your cooperation in the prompt mailing of your appeal will expedite the public hearing of your appeal.

## CHAPTER 15

### DEFINITIONS

#### 15.01 DEFINITIONS

For the purposes of this Resolution, certain terms are defined as follows:

##### **Accessory Building or Structure**

A subordinate building or structure on the same lot with a principal building, or a portion of the principal building occupied or devoted exclusively to an accessory use, provided that any such building or structure is erected at the same time or after the construction of the principal building. This definition shall not include a boxcar or semi-trailer.

##### **Accessory Solar Energy System**

A solar collection system consisting of one or more roof and/or ground mounted solar collector devices and solar related equipment, which has a rated capacity of less than or equal to ten (10) kilowatts (for electricity). (Effective April 14, 2021)

##### **Accessory Use**

A use subordinate to the principal use of a building or premises, and customarily incidental thereto.

##### **Adults Only Entertainment Established**

An establishment which features services that constitute adult services comprised of adult material or which features exhibitions of: persons totally nude, topless or bottomless, or persons with less than full opaque covering of private parts of the body, erotic dancers, strippers, male and female impersonators, or similar entertainment which utilizes adult material.

##### **Adults Only Material**

Any book, magazine, newspaper, pamphlet, poster, print, slide, transparency, figure, image, description, motion picture film, pornographic record, tape, or video. In addition, any other tangible thing or any service, capable of arousing interest through sight, sound, or touch, or is characterized by an emphasis on sexual excitement.

##### **Agriculture**

Agriculture is defined as agricultural land of ten (10) or more acres of land devoted EXCLUSIVELY to one or more of the following: crop production, aqua-culture, bee-keeping, poultry and egg production, animal and dairy husbandry, horticulture and any other kind of “farming” (as per the definition of agriculture in the Ohio Revised Code 519.01, agriculture defined). If the parcel in combination with any other agricultural land owned in the county is less than ten (10) acres, an annual gross income of \$2,500.00 must be earned from agricultural products produced on this land, including grain, hay, livestock, nursery stock or any other products as defined in the O.R.C.

**Amusement Related Equipment** (Effective May 14, 1994)

Carousels, roller coasters, / child-ride passenger trains, etc.

**Basement**

A story, the floor of which is more than one half (1/2) of its story height below the average level of the adjoining ground. Any story which is not a basement story shall be counted as a story for purposes of height, yard or other open space measurement.

**Board of Zoning Appeals**

The Pleasant Township Board of Zoning Appeals organized and established pursuant to this Resolution.

**Building**

A structure having a roof supported by columns or walls used for shelter or enclosure of persons, animals or property.

**Building, Height of**

The vertical distance from the average contact ground level at the front wall of the building to the highest point of the coping of a flat roof or the deck line of a mansard roof or the mean height level between eaves and ridge for gable, hip or gambrel roofs.

**Building, Length of**

For the purpose of computing required yard dimensions or distance between buildings, the length of a building shall be the total length of the exterior wall or walls which are within thirty (30) feet of the lot line or other building to which the dimension or distance is measured.

**Building Wall**

For the purpose of computing required yard dimensions or distance between buildings, the building wall includes such wall or parts thereof which are most nearly parallel with the lot line or other building wall to which the dimension or distance is measured.

**Commercial Recreation Facilities**

Recreation areas and facilities open to the public and established and operated for profit, including commercial golf courses, tennis courts, swimming pools, ice skating rinks, roller rinks, racquetball or handball courts, bowling lanes, riding stables, race tracks, driving ranges, amusement parks, carnivals and similar commercial enterprises.

**Commission**

Zoning Commission organized and established pursuant to this Resolution

**Comprehensive Plan**

The Comprehensive Plan for Marion County or parts thereof, as amended by the Marion County Regional Planning Commission.

**Construction**

The action of building something. The industry of constructing buildings, roads, etc. The style or method used in the building of something, the act of or process of building something or the way something is built or made. New buildings and structures. Additions, alterations, conversions, expansions, reconstructions, renovations, rehabilitations and major replacements. Site preparation and outside construction of fixed structures or facilities such as sidewalks, highways, streets, parking lots, utility connections, outdoor lighting, railroad tracks, airfields, piers, wharves docks, telephone lines, radio and television towers, water supply lines, sewers, water and signal towers, electric light and power distribution, transmission lines, petroleum and gas pipelines and similar facilities that are fixed into the land. Maintenance and repair to existing structures or service facilities are excluded. (Effective January 16, 2017)

**District, Zoning**

A portion of land within Pleasant Township within which uniform regulations apply under the provisions of this Resolution.

**Density, Residential**

A measurement of the intensity of residential use measured in terms of the number of dwelling units per net acre of land occupied excluding streets, alleys, and all land not used directly for residential purposes.

**Dumpster** (Effective November 6, 2004)

Any container used to store refuse (trash, building supplies, etc.) that has a volume of twenty (20) cubic feet or more.

**Dwelling**

Any building or portion thereof designed or used as the home of one or more persons or families, but not including a tent, cabin, hotel, motel, trailer or mobile home. This definition shall include a pre-assembled dwelling, as defined herein.

**Dwelling, Multi-Family**

A building or portion thereof designed for or used for residence purposes by three or more families, including an apartment building or town house.

**Dwelling, Pre-assembled**

A building, not a mobile home, pre-assembled or partially pre-assembled at a factory, designed and constructed for occupancy as a dwelling unit, transported to the building site by a trailer device not intended as a permanent and continuing means of transport for such a building.

**Dwelling, Single-Family**

A building designed for and used exclusively for residence purposes by one family or housekeeping unit.

**Dwelling, Two-Family**

A building designed for and used exclusively by two families or housekeeping units.

**Dwelling Unit**

One or more rooms designed for, intended for, or used as a residence by one family with facilities for cooking therein.

**Early American Occupations** (Effective May 14, 1994)

Basket weaving, pottery making, glass blowing, blacksmith shop, candle making and related crafts that were practiced in 17th, 18th, and 19th century rural America, such as would be found in recreated museum villages.

**Family**

One or more persons related by blood, adoption or marriage, living together as a single housekeeping unit (exclusive of household servants); or not more than two persons living cooking together as a single housekeeping unit though not related by blood, adoption, or marriage.

**Family Care Facility**

A facility which provides resident service in a private residence to six or fewer individuals who are not related to the resident household. These individuals are handicapped, aged, disabled, are in need of adult supervision and are provided service in accordance with their individual needs. This definition includes foster or boarding homes for children, group homes, and family homes.

**Floor Area**

The measurement of floor area for purposes required by this code shall be the sum of the area of the first floor, as measured to the inside of exterior walls, plus that area, similarly measured, of all other stories having more than ninety (90) inches of headroom, which are accessible by a fixed stairway, elevator, or escalator, and which may be made usable for the intended occupancy. For residential uses, the floor area excludes basements, breezeways, unenclosed porches, terraces, attics, and garages.

**Garage, Private**

A detached accessory building or a portion of principal building used only for the storage of self-propelled vehicle and incidental residential storage.

**Group Care Facility**

A facility which provides resident services to seven or more individuals of whom one or more are unrelated. These individuals are handicapped, aged, disabled and are undergoing rehabilitation, and are provided services to meet their needs. This category includes group homes (all ages), halfway houses, resident schools, resident facilities, and foster or boarding homes.

### **Home Occupation**

An activity which produces income, and which is carried on in the home, or on the premises, provided it is incidental to the residential use, and meets the requirements of this Resolution.

### **Industrialized Units**

A building unit or assembly of closed construction fabricated in an off-site facility that is substantially self-sufficient as a unit or as a part of a greater structure, and that requires transportation to the site of intended use. "Industrialized units" includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. "Industrialized units" does not include a manufactured or mobile home.

### **Junk Yard** (Effective July 7, 1999)

A place where discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards and places or yards for storage of house wrecking and structural steel materials and equipment. Two or more unlicensed vehicles on a lot or the outside storage of parts salvaged from two or more vehicles shall constitute a junk yard.

### **Lot**

A parcel of land occupied or intended to be occupied by a principal building or group of such buildings and accessory buildings, or utilized for a principal use and uses accessory thereto, together with the open space as required by this Resolution and having frontage on a public street.

### **Lot Area**

The square footage within the designated tract of land.

### **Lot, Corner**

A parcel abutting upon two (2) or more streets at their intersections or upon two (2) parts of the same street which form an interior angle of less than one hundred thirty-five (135) degrees. The point of intersection of the street lines is the corner.

### **Lot, Interior**

A parcel other than a corner lot.

### **Lot Depth**

The horizontal distance between the front and rear property lines measured at right angles to the street lines.

### **Lot Width**

The horizontal distance across a parcel of land between side property lines, continuous and uninterrupted, measured at right angles to the parcel depth; provided that the minimum property widths required by this resolution shall be so measured at the point where both side property lines meet a public road or street. All property shall front by their full width on a public road or street and

maintain this width for a distance of 150 feet from the public road or street. This rule shall not apply to recorded, platted subdivisions.

**Lot Lines**

The property lines bounding a parcel of land.

**Lot Line, Front**

The line separating the parcel from the right-of-way line of the principal street on which the parcel abuts.

**Lot Line, Rear**

The property line opposite and most distant from the front property line.

**Lot Line, Side**

Any property line other than a front or rear property line, a side property line of a corner parcel, separating a parcel from a street, is called a side street lot line. A side property line separating a parcel from another parcel is called an interior lot line.

**Lot of Record**

A parcel of land which is a part of a recorded plat or a parcel of land described by metes and bounds, the map and/or description of which has been recorded in the office of the County Recorder.

**Manufactured Home**

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 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 standards. Manufactured / Mobile homes constructed prior to January 1, 1995 shall be considered as Mobile Homes.

**Mobile Home**

A building unit or assembly of closed construction fabricated in an off-site facility is more than 35 body feet in length, or, when erected on a site is 320 square feet, that is built on a permanent chassis and is transportable in one or more section, and does not qualify as a manufactured home or industrialized unit. Manufactured / Mobile homes constructed prior to January 1, 1995 shall be considered as Mobile Homes.

**Mobile Home Park**

Any site, lot or tract of land, upon which two (2) or more mobile homes used for habitation are parked either free of charge or for revenue purposes; including any roadways, structures, or enclosures used or intended for use as a part of the facilities of such park.

**Motor Home**

A self-propelled vehicle constructed to provide sleeping and/or eating facilities for traveling or vacationing individuals and designed to permit continued conveyance on streets and highways. Mobile homes are not included in this definition and are separately defined.

**Mounted Mobile Sign**

A sign which includes a permanently or temporarily attached trailer for the purpose of transporting it to a given location. Signs that are removed from their trailers, but not permanently attached to a building, structure, post, or land are still defined as "Mounted Mobile Signs" for the purpose of this code. Signs may be illuminated or non-illuminated and typically are designed for the placement of individual letters on the sign face to produce messages.

**Non-commercial Recreation Facilities**

Private recreation facilities and areas which are not operated for the general public for profit, including private country clubs, golf courses, riding clubs, fishing and hunting clubs, swimming pools and similar non-commercial recreation areas or facilities.

**Non-commercial Structure**

A building or structure lawfully existing at the time the effective date of this Resolution, that does not conform to the area and dimensional standards (such as required yards or lot coverage requirements for the zoning district in which it is located).

**Non-conforming Use**

The use of a building, structure or of land lawfully existing at the time of the effective date of this Code, that does not conform to the use district regulations for the zoning district in which it is located.

**Nuisance Properties**

Structure that is dilapidated, unsanitary, unsafe or vermin infested, and that because of its condition the structure has been designated by an agency that is responsible for the enforcement of housing, building or fire codes, as unfit for human habitation or use. Reports will be forwarded to the appropriate government agency as required by law. (Effective January 16, 2017)

**Parking Area or Lot**

An open area, other than a street or other public way, used for the parking of motor vehicles.

**Permit, Occupancy or Use**

A permit which certifies that the completed building, structure or the use proposed is consistent with the requirements of this Resolution.

**Permit, Zoning**

A permit which authorizes the construction or alteration of buildings; or structures according to this Resolution.

### **Principal Building**

A building or structure in which is conducted the principal use of the lot on which it is situated.

### **Principal Use**

The primary or chief function for which a lot or structure is used.

### **Public Uses**

All lands, other than streets and highways, owned by and officially designated for continued public use by a municipality, township, county, school district, State of Ohio, United States government or any other duly constituted agency of government, including but not limited to parks, schools, administrative recreational, cultural and/or service buildings.

### **Satellite Ground Stations**

Any electronic device and attachments which are permanently mounted on or detached from the principal structure and used for the reception of satellite signals. Satellite ground stations are commonly also called satellite dishes.

### **Semi-Public Uses**

Land owned by a non-profit organization or agency which is open to general public uses including but not limited to a cemetery, church, Sunday school, nursery school, parochial school, college, hospital, museum, art gallery or other institution of an educational, religious, charitable or philanthropic nature but not including any private or semi-private club, lodge, fraternity or other similar activity.

### **Sign, Accessory**

A sign which relates solely to the building or premises on which it is located, in any manner indicated by the definitions hereunder for functional types or accessory signs.

### **Sign, Advertising**

A flat surface (as a panel, wall, or fence) on which bills are posted; specifically: a large panel designed to carry outdoor advertising located along highways.

### **Sign, Area of**

The entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed, excluding the necessary supports or uprights on which such a sign is placed. For a sign having more than one (1) display surface, all surfaces shall be included in computing the total of the exposed exterior display surface area. For a sphere or other curved display surface, the area shall be that of the largest plane passing through it at right angles to the principal line of vision.

### **Slaughter House**

A building used for the slaughtering of animal and the scalding, dressing, butchering and storage of animal carcasses, but not including the rendering, smoking, curing, or other processing of meat fat, bones, offal, blood, or other by-products.

### **Solar Energy Equipment**

Items including but not limited to a solar photovoltaic cell, solar panels, lines, pumps, batteries, mounting brackets, framing and/or foundations used for or intended to be used for the collection of solar energy. (Effective April 14,2021)

### **Solar Energy Production Facility**

An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy. Large solar energy production facilities consist of one or more free-standing ground, or roof mounted solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities, which has a rated capacity of more than ten (10) kilowatts (for electricity). (Effective April 14,2021)

### **Story, First**

The lowest story or ground story of a building which is not defined as a basement.

### **Street**

A public right-of-way thirty (30) feet or more in width which provides a public access to abutting property, or any such right-of-way less than thirty (30) feet in width, which existed prior to the time of the effective date of this Code. The term "street" shall include avenue, circle, road, parkway, boulevard, highway, thoroughfare, or any other similar term.

### **Street, Principal**

The street adjoining the front lot line.

### **Street, Side**

The street located along the side street lot line of a corner lot; the street adjoining a corner lot which is approximately at right angles to the principal street.

### **Structure**

Any constructed or erected material or combination of materials, the use of which requires location on the ground, including but not limited to, buildings, radio towers, sheds, storage bins, swimming pools, walls and fences.

### **Structural Alteration**

Any change in the structural members of a building, such as walls, floors, columns, beams or girders.

### **Subdivision Regulations**

The Subdivision Regulations for Marion County and the City of Marion adopted by the Marion County Regional Planning Commission on July 27, 1966 and as may be amended from time to time.

### **Temporary Sign**

Includes real estate, construction, political campaign and special occasion signs. These signs are exempt and would not require a permit. Sign area shall not exceed 16 sq. feet and not be displayed for more than a maximum period of six (6) months.

### **Trailers, House or Camping**

A non-self propelled vehicle constructed to provide sleeping and/or eating facilities for traveling or vacationing individuals and designed to permit continued conveyance on streets and highways. Mobile homes are not included in this definition and are separately defined.

### **Yard, Front**

The required open space, extending for the full width of the lot, between the front lot line and any buildings, measured horizontally at right angles to the front lot line.

### **Yard, Rear**

The required open space, extending for the full width of a lot, between the rear lot line and any principal building, measured horizontally at right angles to the rear lot line.

### **Yard, Required**

The open space required between lot lines and principal buildings or structures. Such space shall be open, unoccupied and unobstructed except as provided for in this Resolution.

### **Yard, Side**

The open space extending from the front yard to the rear yard, between the nearest side lot line and a building.