

Riley Township

PUTNAM COUNTY

ZONING RESOLUTION

VOTER APPROVED NOVEMBER 4TH, 2025

TABLE OF CONTENTS

Chapter/ Section		Page
Chapter 1	CITATION AND TERMINOLOGY	1
Chapter 2	DISTRICTS	2
2.1	Kinds Of Districts	2
2.2	Boundaries	2
Chapter 3	PERMITTED USES	3
3.2	Accessory Uses	4
	Accessory Buildings	4
	Mobile Homes	5
	Junk Vehicles	5
3.3	Conditional Uses - Procedures And Requirements	5
3.4	Conditional Uses - Requirements For Specific Uses	6
	General Requirements	6
	Specific Requirements	6
	Ponds	6
	Recreation Vehicles	7
	P.U.D.	7
	Travel Trailers	7
3.5	Temporary Uses - Requirements For Specific Uses	7
	Mobile Home	7
3.6	Uses Not Otherwise Included Within A Specific Use District	8
	Commercial Radio/TV/Cell Towers	8
Chapter 4	SUPPLEMENTARY REGULATIONS	9
4.1	Yard, Lot, Density, Coverage, Bulk And Height Requirements	9
4.2	Off-Street Parking And Loading Berths	10
4.3	Signs	11
4.4	Frontage On A Public Thoroughfare	12
4.5	Major Thoroughfare Right Of Way	12
4.6	Exterior Lighting	12
4.7	Drainage	12

Chapter/		Page
Section		
Chapter 5	NON-CONFORMING USES	13
5.1	Non-Conforming Buildings	13
5.2	Non-Conforming Use Of Land	13
5.3	Non-Conforming As To Lot Area, Width And Depth	14
Chapter 6	BOARD OF ZONING APPEALS	14
6.1	Creation Of Board Of Appeals	14
6.2	Organization And Procedure	14
6.3	Application For Variance	14
6.4	Conflicting Regulations	15
6.5	Appeals	15
6.6	Powers Of The Board Of Appeals	15
6.7	Fees	16
Chapter 7	ADMINISTRATION AND ENFORCEMENT	16
7.1	Zoning Permit Required	16
	Application.....	16
	Fees	16
	Temporary Permit	17
	Compliance Certificates	17
7.2	Enforcement	17
	Footer Inspection	18
7.3	Penalties	18
Chapter 8	AMENDMENTS	18
8.1	Initiation Of Amendments	18
8.2	Procedure	18
8.3	Fees	18

Chapter 9	DEFINITIONS	18
Chapter 10	SMALL SOLAR FACILITIES	27
Chapter 11	WIND ENERGY	32
Chapter 12	ENERGY STORAGE FOR WIND AND SOLAR FACILITIES	33
Chapter 13	MARIJAUNA IN RILEY TOWNSHIP	34
Chapter 14	EFFECTIVE DATE AND VALIDITY	34

ZONING REGULATIONS

of

RILEY TOWNSHIP, PUTNAM COUNTY, OHIO

A RESOLUTION DIVIDING THE UNINCORPORATED AREA OF RILEY TOWNSHIP, PUTNAM COUNTY, STATE OF OHIO, INTO DISTRICTS, ESTABLISHING LIMITATIONS ON HEIGHT, BULK AND LOCATION OF STRUCTURES AND USES OF LAND. FIXING SETBACK LINES AND DIMENSIONS OF YARDS AND OTHER SPACES, AND PRESCRIBING THE PERMISSIBLE USES FOR SUCH BUILDINGS, STRUCTURES AND/OR PREMISES IN EACH OF SUCH DISTRICTS.

BE IT RESOLVED by the Board of Trustees of Riley Township, Putnam County, Ohio; in order to promote the public health, safety, morals, comfort, or general welfare; to conserve and protect property and property values; to secure the most appropriate use of land; and to facilitate adequate but economical provision of public improvements; all in conformance with a Comprehensive Plan, that:

CHAPTER 1. CITATION AND TERMINOLOGY

1.1 Short Title

This Resolution may be cited as the "Zoning Resolution of Riley Township".

1.2 Terminology

Terms used in this Resolution shall be deemed to have the meaning defined in Chapter 9.

CHAPTER 2. DISTRICTS

2.1 Kinds of Districts

The Township is hereby subdivided into the following districts:

- 2.1.1 **Agricultural Districts**, designated "**A**", are intended to provide for agricultural use of those areas best suited to farming activity, and, recognizing that prime farmland is an unrenowable resource, to protect and preserve such land for agricultural activity. The intent is to provide for an environment of predominantly agricultural activity, wherein residential development is clearly accessory to a farming operation. The district can include other ancillary businesses such as agri-tourism or agri-tainment, logging, and other businesses supporting agriculture.
- 2.1.2 **Residence Districts**, designated "**R-1**", are established for low to medium density single-family residences.
- 2.1.3 **Residence Districts**, designated "**R-2**", are established for medium to high density single and multiple-family residences.
- 2.1.4 **General Business Districts**, designated "**GB**", are established to include areas that are appropriate to providing businesses and services to the larger community.
- 2.1.5 **Manufacturing Districts**, designated "**M**", are established for various industrial, warehousing, processing, and other areas of similar performance characteristics.
- 2.1.6 **Conservation and Recreation Districts**, designated "**S**", are established to limit the types of development in areas which would benefit public use.

2.2 Boundaries

Boundaries established by Section 2.1, are shown on the "Zoning Map of Riley Township, 1972" or as thereafter amended, which map is made a part hereof by reference, along with the scale and all notes, dimensions and other graphics appearing thereon. When a right-of-way is vacated, the districts adjoining each side of said right-of-way are respectively extended to the center of the right-of-way so vacated. Any inconsistencies or uncertainties involving district boundaries shall be interpreted by the Board of Zoning Appeals.

CHAPTER 3. PERMITTED USES

Primary uses are authorized in the districts established by Section 2.1., as shown by an "X" in the following table. Where the use is indicated by an "O", the use is permitted as a Conditional Use only as provided in Section 3.3 and other appropriate sections of this Chapter. Zoning Certificates will be required as in Chapter 7 of this Resolution.

USE	DISTRICT					
	A	R-1	R-2	GB	M	S
Natural Resource Development	X				X	X
Airport	X				X	
Agriculture, Farming, etc.	X			X	X	X
Ponds	X	O	O	X	X	X
Nurseries & Greenhouses	X			X	X	X
Single-Family Residences	X	X	X			
Multiple-Family Residences, Lodging Houses, Boarding Houses,	O		X	X		
Grocery, Bakery, Drug Stores Of Less Than 5,000 Sq. Ft. Floor Area				X	X	
Barber, Beauty Shops, Laundromats				X	X	
Financial Institutions, Insurance, Real Estate, Professional, Administrative, Sales & Other Offices				X	X	
Business, Utility, Travel, Mailing Services, Private Schools and The Like				X	X	
Home Occupation	X	X	X	X		
Home Business	X	X	X			
Retail Shops & Stores Of All Kinds, Personal Services, Grocery Stores, Auto Sales Lots, Trailer Sales Lots, Drive-In Restaurants, Auto Service Stations, Upholstery & Shoe Repair Shops, Retail Related Storage, Commercial Amusements, Motels, And The Like				X	X	
Boat Sales & Services, Go-Cart Tracks, Commercial Racetracks, Travel Trailer Parks, Overnight Camps, And The Like				X		O

	A	R-1	R-2	GB	M	S
Wholesale & Warehousing, Including Freight Terminals					X	
Sheet Metal Shops, Auto Repair, Printing Shops, Poultry Hatcheries, Bakeries, Dairies, Junk Yards, Kennels				X	X	
All Manufacturing, Processing, & Open Storage Facilities				X	X	
Fertilizer, Retailing for Agriculture Purposes	X			X	X	
Veterinary Clinic	X			X		
Public Parks, Playgrounds, Athletic Fields, & Similar Outdoor Recreation	X	X	X	X	X	X
YMCA, YWCA, & Similar Indoor Recreation Facilities				X		
Schools & Other Cultural & Educational Institutions; Churches, Cemeteries	X	X	X	X		
Hospitals, Sanitariums, Orphanages, Nursing Homes, & Homes For The Aged				X		
Public Utility Use Of All Kinds	X	X	X	X	X	X
Planned Unit Developments	O	O	O	O	O	
Housing for seasonal agricultural employees	X		O			
Wind Energy	O	O	O	O	O	
Small Solar Facilities	O	O	O	O	O	
Wind and Solar Energy Storage					O	
Marijuana operation, cultivation, Processing, and dispensing						

3.2 Accessory Uses

Accessory uses such as the following are permitted in all districts: bird baths, bird houses, buildings, curbs, driveways, fences, hedges, lamp posts, mailboxes, name plates, parking spaces, public utility installations, retaining walls, trees, shrubs, plants, flowers, other landscaping, walks, and the like. All accessory buildings shall meet the following requirements:

3.2.1 Accessory buildings shall be located in the rear yard and shall be no closer than ten (10) feet from the main building when separated from the main building.

- 3.2.2 Accessory buildings in all districts shall be not less than ten (10) feet from any alley or street, no less than ten (10) feet from a rear lot line and shall not project into the minimum rear yard of a double frontage lot. If the building height exceeds 20 feet, the distance between the building and the lot line shall be one half the building height or greater.
- 3.2.3 On lots where the rear yard abuts a side yard of a corner lot, the accessory buildings may not project beyond the front yard of said corner lot.
- 3.2.4 In Residential Districts, accessory buildings shall not occupy more than thirty percent (30%) of the rear yard.
- 3.2.5 In any district, outside storage of trailers is permitted, provided it is stored in the side yard, rear yard, and is the property of a resident on said lot.
- 3.2.6 In an Agricultural District, a mobile home may be permitted as an accessory use to an agricultural primary use; provided that it is located on a parcel of five (5) acres or more, it is located twenty-five (25) feet from any side lot line and fifty (50) feet from the front lot line and twenty-five (25) feet from the rear lot line; and provided further, that it shall be permitted until, and only until ninety (90) days after the recording of a deed which reduces the property on which the mobile home is located below five (5) acres. If the landowner builds a house, he then has ninety (90) days after completion of house to remove the trailer.
- 3.2.7 One mobile home per farm (30 acres or more) may be permitted as a Conditional Use by the Board of Appeals. The location of such permitted mobile home shall be in accordance with the yard requirements specified in residential uses in "A" Districts. The mobile home, when moved into place, must be at least nine hundred eighty (980) square feet in floor area. Mobile homes shall be put on a concrete pad or on manufactured piers.
- 3.2.8 Mobile homes are permitted in conjunction with an existing dwelling and for use of the immediate family (parent or children). Such mobile homes shall not be used as rental units and shall be located on the site in accordance with yard requirements specified for residential uses in "A" Districts. Mobile homes, when moved into place, shall be at least nine hundred eighty (980) square feet in floor area, and shall be placed on a concrete pad. When a mobile home is no longer occupied by the immediate family, such mobile home shall be removed from the site within ninety (90) days.
- 3.2.9 Junk vehicles and/or rubbish means no unlicensed vehicles not being used in agriculture or abandoned, wrecked, dismantled, or totally disabled automobiles, boats, trucks, trailers, aircraft, or discarded furniture, appliances or other miscellaneous materials shall be permitted to remain exposed on the premises for no more than ninety (90) days.

3.3 **Conditional Uses - Procedure and Requirements**

The Board of Zoning Appeals may grant Conditional Use permits where Section 3.1 indicates a Conditional Use is permitted. Such permission may be granted after the requirements of this and following sections, and other Chapters of this Resolution are met.

3.3.1 General Requirements. A Conditional Use may be granted only after it has been determined to be essential or desirable to the public convenience and welfare, in harmony with existing recommendations and objectives of a Comprehensive Plan, and in conformance with setback, yard, off-street parking, density, and other requirements of the district in which it is located.

3.4 Conditional Uses - Requirements for Specific Uses

In addition to the general requirements of Section 3.3, the following requirements shall be met for the following special uses.

3.4.1 Artificial ponds or lakes shall be permitted subject to the following conditions:

- a. All artificial ponds or lakes shall comply with all requirements of this Resolution including, but not limited to, setback and yard requirements.
- b. In determining compliance with setback and yard requirements, measurements shall be made as follows:
 - 1) For in-ground ponds or lakes or portions thereof, from the edge of the pond or lake bank nearest the road right-of-way or lot line to the road right-of-way or lot line.
 - 2) For above-ground ponds or lakes or portions thereof, from the lowest point on the outside of any embankment nearest the road right-of-way or lot line to the road right-of-way or lot line.
 - 3) The land from twenty feet from rear and side property lines to the edge of the graded pond shall not be raised. If Putnam Soil & Water Conservation, or engineering firm determines that a swale be created to control surface water from flowing onto a neighboring or adjacent property, the appropriate action must be taken.
- c. All applicants for a Zoning Permit for artificial ponds or lakes shall be accompanied by a drawing made by or approved by the U.S. Department of Agriculture Soil and Water Conservation Service or similar service, commission, organization or qualified professional.

3.4.2 Boat sales and storage and services, go-cart tracks, and trailer camps, may be permitted only after the following requirements have been met.

- a. Boat sales and services shall be permitted only in the General Business District, provided they are one hundred (100) feet from the nearest residential unit. Boat storage may be permitted in farm buildings in the Agricultural District; provided no outdoor storage is made and no residence other than the owner's is within two hundred-fifty (250) feet.

- b. Go-cart and commercial racetracks may be permitted in the Special Districts only when the owner owns all land within two hundred-fifty (250) feet of any track facilities of any kind and the track facilities are at least one hundred (100) feet from any street or highway. When located in the "S" District, assurance must be given that permanent buildings are above flood grade, and that no grading, fill, or other alteration will be planned which would impede the flow of the stream during flood stage.

3.4.3 Planned Unit Developments may be permitted in any district, with the exception of the Conservation and Recreation District, when these requirements are met:

- a. The site is at least twenty-five (25) acres in size, and plans are in conformity with a Comprehensive Plan.
- b. Mixed patterns of uses must be compatible with one another and with the surrounding area. Overall density shall not exceed the maximum permitted in the district.
- c. Plans shall be prepared by a Registered Engineer and shall show all streets, proposed public utilities, open spaces; proposed building sites, off-street parking, and other facilities which are proposed to become a part of the development.
- d. All plans shall be in conformance with the Subdivision Regulations of Putnam County.

3.4.4 Travel Trailer Parks and Overnight Camps may be permitted in "S" and "A" Districts provided the following requirements are met:

- a. The use is not closer than one hundred (100) feet from the nearest residential district boundary, and the owner has control of one hundred (100) feet of land surrounding the use.
- b. No more than fifteen (15) camp sites per gross acre shall be permitted.
 - c. When located in the "S" District, assurance must be given that no facilities construction will require grading, filling, or other movement of earth and materials which would impede the flow of the stream during flood periods.

3.5 **Temporary Uses - Requirements for Specific Uses**

Temporary zoning permits may be issued for the following characteristic of Temporary Uses, not otherwise permitted in a zoning district.

In addition to the requirements of Section 7.1.5, the following requirements shall be met for the following Temporary Uses.

3.5.1 A mobile home may be permitted in conjunction with the construction of a new dwelling unit, or the reconstruction or repair of an existing structure substantially damaged or destroyed by fire, lightning, wind or another Act of God. The mobile home shall be used by the immediate family and shall not be used as a rental unit. Such mobile home shall be permitted only after the following requirements are met:

- a. A Plot Plan shall be presented showing the shape, location and dimensions of the lot. The Plot Plan shall also show the shape, size and location of the buildings or structures already on the lot.
- b. The Temporary Use shall follow all of the yard and applicable development standards of the district in which it is located.
- c. When the mobile home is no longer occupied by the immediate family, such mobile home shall be removed from the site within ninety (90) days.

3.6 **Uses Not Otherwise Included Within a Specific Use District:**

Because the uses hereinafter referred to possess unique characteristics making it impractical to include them in a specific use district classification, they may be permitted by the Township Trustees under the conditions specified, and after public hearing, and after a recommendation has been received from the zoning Commission. In every case, the uses hereinafter referred to shall be specifically prohibited from any Residential Districts, unless otherwise specified.

These uses require special considerations since they service an area larger than the Township or require sizable land areas, creating problems of control with reference to abutting use districts. Reference to those uses falling specifically within the intent of the Section is as follows:

- a. Commercial Television and Radio Towers and Public Utility Microwaves and Public Utility T.V. Transmitting Towers:

Radio and television towers, public utility microwaves and public utility T.V. transmitting towers, and their attendant facilities shall be permitted in A and M Districts provided said use shall be located centrally on a continuous parcel of not less than the height of the tower measured from the base of said tower to all points on each property line.

CHAPTER 4. SUPPLEMENTARY REGULATIONS

4.1 Yard, Lot, Density, Coverage, Bulk and Height Requirements

No Zoning Certificate shall be issued for any construction, alteration, or change in a building, structure or the land use unless the following requirements are met in the districts indicated, building and structure height restrictions not for agriculture structures:

REQUIREMENT AND TYPE OF USE	DISTRICT					
	A	R-1	R-2	GB	M	S
Maximum Density for Dwelling Units Per Gross Acre:						
Single-Family Dwellings	1	1	1	-	-	-
Multiple-Family Dwellings	-	-	2	-	-	-
Minimum Lot Area in Thousands of Square Feet for Residential Lots:						
All Residential Lots	87.120	12	9	-	-	-
Additional Area Per Dwelling Units Over Two	-	-	2.5	-	-	-
Minimum Lot Width of Lots in Feet:						
All Residential Lots	200	200	200	-	-	-
Additional Per Dwelling Units Over Two	-	-	10	-	-	-
Maximum Percentage of Lot Coverage:						
Residential Uses	25	25	40	-	-	-
Non-Residential Uses	25	25	40	50	60	25
Minimum Depth of Front Yards In Feet:						
Residential and Agricultural Uses	50	50	50	-	-	-
Non-Residential Uses	50	50	50	50	50	50
Minimum Depth of Rear Yards In Feet:						
Residential and Agricultural Uses	25	25	25	-	-	-
Minimum Depth Entire Lot	200	200	200	200	200	200
Minimum Width of Side Yards In Feet:						
Residential and Agricultural Uses	10	5	5	-	-	-
Commercial Uses	10	10	10	-	-	-
Industrial and Other Uses	-	-	-	50	50	-
Minimum Floor Area of Residential Uses in Square Feet - Single- Family:						
Ground Floor Area	980	980	980	-	-	-
Total Floor Area Per Unit	980	980	1960	-	-	-
Maximum Height of Buildings and structures in Feet						
All Uses	35	35	35	60	100	25
Setback All State Highways (Minimum) All Uses	60	60	60	60	60	60
Commercial Use Adjacent A,R1,R2 District				50	50	50
Industrial Use Adjacent A,R1,R2 District				50	50	50

4.2 Off-Street Parking and Loading Berths

4.2.1 No Zoning Certificate shall be hereafter issued unless there is provided the following number of off-street parking spaces:

USES	REQUIRED OFF-STREET PARKING SPACES
Residential	1.5 - spaces per dwelling unit
Commercial	1 - space for each 200 sq. ft. of floor area
Industrial	1 - space per 3 employees
Churches & Theaters	1 - space for each 6 seats
Golf Courses	30 - spaces for each 9 holes
Hotels, Motels, Rooming Houses	1 - space per sleeping room
Mobile Home & Travel Trailer Parks	2 - spaces per camping or house site
Riding Stables	1 - space per 5,000 sq. ft. floor area

4.2.2 Parking spaces herein required shall be two hundred (200) square feet in area each; shall be within three hundred (300) feet of the premises served; shall not be in the front yard in Residential Districts; and shall be contiguous to the street.

4.2.3 Off-street loading berths shall be provided for each fifteen thousand (15,000) square feet of commercial land use, or fraction thereof; and one (1) berth shall be provided for each forty thousand (40,000) square feet of industrial land use floor area or fraction thereof. Each loading berth shall be a minimum of twelve by forty-five feet (12¹ X 45¹) with minimum height clearance of fourteen (14) feet.

4.2.4 Parking and loading requirements shall be met for all additions or new construction begun after adoption of this Resolution.

4.3 Signs

4.3.1 Signs shall be set back from the street right-of-way by the following distances:

Area of Sign (sq. ft.)	Minimum Setback
5 or less	2 feet
5 - 14.9	10 feet
15 - 49.9	20 feet
50 - 99.9	30 feet
100 or more	60 feet

The area of the sign shall be determined by the area of the smallest circle, triangle, or rectangle that can be used to enclose the area of the sign containing the message.

4.3.2 No freestanding sign shall be closer than ten (10) feet from any front, rear, or side lot line.

4.3.3 One sign may be permitted for up to the first five hundred (500) feet of street frontage and for each additional 500 feet; provided that the total number of signs does not exceed the maximum area allowed for each use in this section.

4.3.4 The maximum size of any sign in square feet shall be as follows:

TYPE OF SIGN						
	A	R-1	R-2	GB	M	S
SIGNS ON LOCATION OF USE						
Name Plate & Address	2	2	12	12	12	12
Business Use	16	16	16	60	60	2
Industrial Use	-	-	-	-	300	-
Real Estate Development	300	300	300	300	300	300
For Sale	12	12	12	12	12	12
Signs not on Lot	-	-	-	60	300	-

- May be permitted up to two hundred (200) feet from any residence except that of owner of lot on which sign is located.

4.35 Sign size regulations

Signs erected for Non-Profit organizations be a maximum of twenty square feet.

4.4 Frontage on a Public Thoroughfare

No lot or parcel shall be used for any purpose permitted by this Resolution unless such lot or parcel abuts a public thoroughfare, unless otherwise provided in this Resolution. At least thirty (30) feet shall be considered as minimum thoroughfare frontage for the purpose of enforcing this Section.

4.5 Major Thoroughfare Right Of Way width

Road right of way width shall conform to at least the following minimum requirements:

- A. Major Thoroughfare – Right of way width of 120 feet or in conformance with the Putnam County Major Thoroughfare plan.
- B. Secondary Thoroughfare – Right of way width of 80 feet or in conformance with the Putnam County Major/Secondary Thoroughfare plan.

4.6 Exterior Lighting

4.6.1 Illumination of signs shall be directed or shaded downward so as not to interfere with the vision of persons on the adjacent highways or adjacent property.

4.6.2 All illumination of signs and any other feature shall not be of a flashing, moving or intermittent type. Artificial light shall be always maintained stationary and constant in intensity and color when in use.

4.7 Drainage

In any District and in connection with any use or structure, the owner, lessee, or user shall provide drainage, as the zoning inspector shall prescribe. Insofar as possible, all surface waters and drainage shall be disposed of on the owner's lessee's or user's own property, and if not, such waters shall be disposed of so as not to adversely affect the neighboring or adjacent property.

CHAPTER 5. NON-CONFORMING USES

5.1 Non-Conforming Buildings

5.1.1 The lawful use of any building which does not conform to these regulations, whether by original adoption or by subsequent amendment, may be continued after such adoption or amendment, under the conditions herein specified.

5.1.2 The addition to, enlargement or expansion of any such non-conforming building may be permitted provided such addition, enlargement or expansion complies with all height, area, parking, setback and other requirements of the district in which it is located, and that total aggregate floor area of such additions does not exceed twenty percent (20%) of the floor area in such building at the time it became non-conforming.

5.1.3 While it is the Township's intent to encourage all structures to comply with development standards presented herein, it is recognized that occasionally this is not practical. Therefore, in the event a nonconforming structure is removed, whether by fire, flood, calamity or the owner's action, it shall only be reconstructed in conformity with the standards of this Resolution; provided, however, that if the Board of Appeals finds that such replacement would result in practical difficulties unique to the property, the Board may permit a replacement structure to be located closer to rights-of-way or property lines than would otherwise be permitted for a completely new structure. In no event shall a replacement structure be allowed to be closer to property perimeters than the structure being replaced.

5.1.4 The use of a non-conforming building may be changed to a use of the same or more restricted classification but shall not thereafter be changed back to a less restrictive use.

5.1.5 A non-conforming building, or portion thereof, which is or hereafter remains vacant and unoccupied for a period of two (2) years or more, shall not thereafter be occupied except by a use which conforms to the use regulations of the district in which it is located.

5.2 Non-Conforming Use of the Land

5.2.1 A non-conforming use of open land, not pertaining to agriculture, where no primary building is involved, may be continued for a period of three (3) years from the effective date of this Resolution or any subsequent amendment; after which time, said use shall be discontinued.

5.2.2 A non-conforming use of land referred to in 5.2.1 shall not be expanded or extend into any other part of the plot or adjoining property; nor shall the use be changed except to a conforming use.

5.2.3 A non-conforming use of land, where principal buildings are involved, shall not be expanded or extended into any other portion of the lot or any adjacent lot; and use

of such land that exists at the time of adoption of this Resolution and any subsequent amendment may be changed only as specified in Section 5.1; provided such change is due to a change in use of the principal building.

5.3 **Non-Conforming as to Lot Area, Width and Depth**

5.3.1 Any lot of record, existing at the time of adoption of this Resolution, or any subsequent amendment, where the required lot area, width and depth do not meet the regulations herein, may be used for residential purposes; provided that yard, coverage and other requirements are met; and provided that any contiguous land in common ownership be required to be used to meet the district lot area, width and depth requirements and that no portion of such be transferred to other ownership, if such transfer reduces the lot below the minimum requirements set forth in this Resolution.

CHAPTER 6. BOARD OF ZONING APPEALS

6.1 **Creation of Board of Appeals**

There shall be created a Board of Zoning Appeals in accordance with Section 519.13 of the Ohio Revised Code.

6.2 **Organization and Procedure**

The Board of Zoning Appeals shall organize and adopt rules for its own government as provided by Section 519.15 of the Ohio Revised Code; and in so doing shall elect a chairman at its organizational meeting, and during each January thereafter.

6.2.1 A quorum shall consist of three (3) members of the Board.

6.2.2 The concurring vote of at least three (3) members shall be required to reverse any order of the Administrative Officer (Zoning Inspector), or to decide in favor of an applicant in any matter relating to the granting of a variance from these regulations.

6.3 **Application for Variance**

Application for variance from these regulations, in cases when the Board has original jurisdiction, shall be made to the Administrative Officer, who shall transmit said application to the Chairman and Secretary of the Board within five (5) days after receipt.

6.3.1 **Variance** - The Board of Zoning Appeals may authorize, upon appeal, such variance from the terms of this Resolution as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the Resolution will result in unnecessary hardship.

6.3.2 A variance from the requirements of this Resolution shall not be authorized unless

the Board finds, beyond a reasonable doubt, that all the following facts and conditions exist:

- a. That there are exceptional or extraordinary circumstances which apply to the land or building in question, and which are not applicable to other lands or buildings in the same zoning district.
- b. That the literal interpretation of the requirements of this Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.
- c. That the special conditions and circumstances do not result from the actions of the applicant.
- d. That granting the application will not adversely affect the public good or impair the intent and purpose of this Resolution.

6.4 Conflicting Regulations

Whenever any provision of this resolution imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or resolution, then the provisions of this resolution shall govern. Whenever the provisions of any other law or resolution impose more stringent requirements than are imposed or required by this resolution, then the provisions of such resolution shall govern.

6.5 Appeals

Appeals to the Board of Zoning Appeals may be taken by an aggrieved person or official of the Township affected by any decision of the Administrative Officer. Such appeals shall be made and decided upon in accordance with Section 519.15 of the Ohio Revised Code. After the decision on the matter by the Board, which decision shall be made within thirty (30) days after the hearing, a certified copy of the Board's action shall be transmitted to all parties in interest.

6.6 Powers of the Board of Appeals

The Board shall have the powers given it by Section 519.14 of the Ohio Revised Code relating to the hearing and decision upon decisions of the Administrative Officer, and the granting of variances from these regulations. In performing said powers, the Board shall not take any action, which would constitute and be the same as amending regulations.

6.7 Fees

The Township Trustees may from time to time prescribe and amend by Resolution a reasonable Schedule of Fees to be charged to applicants for appeals to the Board of Zoning Appeals, said fees to be for the purpose of defraying the costs of processing such appeals.

CHAPTER 7. ADMINISTRATION AND ENFORCEMENT

7.1 Zoning Permit Required

A Zoning Permit shall hereafter be required in accordance with Section 519.17 and Section 519.16 of the Ohio Revised Code.

7.1.1 Application shall be made for a Zoning Permit on forms approved by the Board of Trustees and by supplying such information as prescribed by the Board of Trustees.

The Administrative Officer shall require that all applications for Zoning Permits be accompanied by plans and specifications including a plot plan, drawn to scale, showing the following:

- a. The actual shape, location and dimensions of the lot.
- b. The shape, size and location of all buildings or other structures to be erected, altered or moved and of any building or other structures already on the lot.
- c. The existing and intended use of the lot and of all such structures upon it, including, in residential areas, the number of dwelling units the building is intended to accommodate.
- d. Other information concerning the lot or adjoining lots may be essential for determining whether the provisions of the Resolution are being followed.

7.1.2 Said application shall be made to the Administrative Officer, who shall approve or disapprove, giving reasons therefore, within ten (10) days after the filing of said application.

7.1.3 Fees for said Permits shall be established from time to time by the Board of Trustees.

7.1.4 Zoning Permits shall be in full force and effect for twelve (12) months after issuance. If premises are not used or work is not started within twelve (12) months, or when work has been abandoned for twelve (12) months, the permit shall lapse and cease to be in effect. Under extenuating circumstances, extensions of permits may be issued by the Administrative Officer after receiving a written request for such an extension from the holder of a valid Permit. Extensions of permits may be for twelve (12) month periods and will not involve additional fees.

7.1.5 Temporary Zoning Permits may be issued by the Township Administrative Officer for

the uses permitted by Section 3.5 Temporary Uses. Such Temporary Permit shall be in full force and effect for fourteen (14) months after issuance. One eight (8) month extension may be granted by the Board of Zoning Appeals upon written request from the holder of a valid Temporary Zoning Permit. The Temporary Zoning Permit shall be authorized with the following conditions:

- a. The granting of the temporary use shall in no way constitute a change in the basic uses permitted in the district nor on the property wherein the temporary use is permitted.
- b. The granting of the temporary use shall be documented in writing stipulating all conditions as to time, nature of development permitted and arrangements for removing the use at the termination of the Temporary Permit.

7.1.6 Compliance Certificates

- a. Although buildings, structures and uses for agricultural purposes, public utility purposes, and essential service purposes are permitted in all use districts, it shall be unlawful to hereafter erect or enlarge such buildings or structures until such proposed work has been determined to comply with all requirements of this Resolution and a Compliance Certificate has been issued, therefore.
- b. No Compliance Certificate shall be issued for a building, structure, land, or part thereof, which is not in accordance with the provisions of this Resolution, including required yards.
- b. A record of Compliance Certificates issued shall be kept on file in the office of the Administrative Officer, and copies shall be furnished, upon request, to any person having a proprietary or tenancy interest in the property involved.

7.2 Enforcement No construction, alteration, or change, other than normal maintenance, which affects any change in the use of land or building or regulations relating thereto, shall take place until a valid Zoning Permit has been issued.

7.2.1 The Board of Trustees, the Zoning Commission, the Administrative Officer, and the Zoning Board of Appeals, or their agents, shall enforce the regulations of this Resolution in accordance with applicable sections of the Ohio Revised Code pertaining thereto, and Sections 519.23 and 519.24 of the Ohio Revised Code.

7.2.2 Any permit issued upon false statement of material fact shall be revoked.

7.2.3 In case of violation of this Resolution, the responsible person shall be notified in writing; and if such person cannot be reached, notice of said violation shall be conspicuously posted on the premises where the violation has occurred.

7.2.4 Footer Inspection

So that property owners can be protected from potential errors in the location of buildings, the Administrative Officer or his representative shall inspect the excavation for structural footers before any concrete is installed. It shall be the responsibility of the property owner to notify the Administrative Officer at least twenty-four (24) hours prior to pouring concrete, and to provide appropriate evidence of the location of lot lines. If an inspection has not been performed within twenty-four (24) hours of the Administrative Officer notice from the property owner, the inspection shall be considered approved and pouring of concrete may commence.

7.3 Penalties

Violations of this Resolution, in accordance with Section 519.23 of the Ohio Revised Code, shall be considered a misdemeanor, and upon conviction thereof, the responsible person may be fined no more than one hundred dollars (\$100.00). Each day of violation may be considered a separate offense.

CHAPTER 8. AMENDMENTS

Whenever the public necessity, convenience, general welfare or good zoning practice require, the Board of Trustees may by resolution, after receipt of recommendation thereon from the Zoning Commission, amend, supplement, or change the regulations, or district boundaries and classifications of property now and hereafter established by this Resolution.

8.1 Initiation of Amendments

Amendments may be initiated by motion of the Board of Trustees or the Zoning Commission; or by filing of an application therefore by one (1) or more owners or lessees of property within the area proposed to be changed or affected by the proposed amendment.

8.2 Procedure

Upon said motion or application, said proposed amendment shall be considered in accordance with Section 519.12 of the Ohio Revised Code.

8.3 Fees

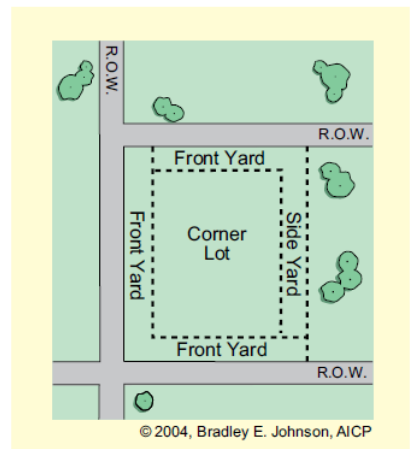
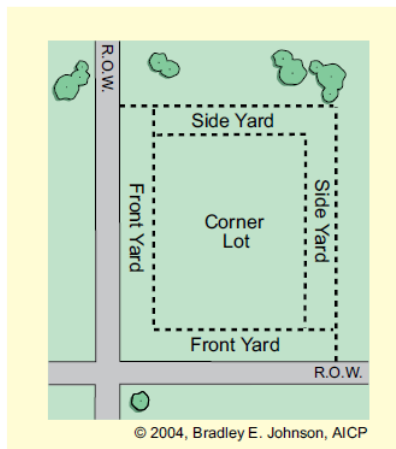
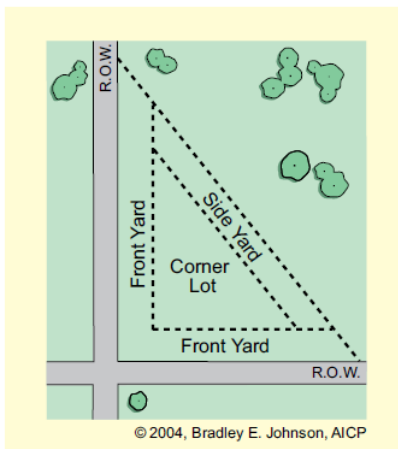
The Board of Trustees may, from time to time, by resolution, adopt fees for applications for amendment, said fees to be for the purpose of defraying the costs of processing said application for amendment.

CHAPTER 9. DEFINITIONS

- 9.1 **Definitions** As used in this Resolution, the term(s):
- 9.1.1 **"Used for"** includes "designed for" and vice versa; used in the "present tense" includes the "future tense"; used in the "singular number" includes the "plural number" and vice versa; "building" includes "structure"; "dwelling" includes "residence"; "lot" includes "plot"; "shall" is mandatory; and "may" is permissive.
- 9.1.2 **ACCESSORY BUILDING** means a detached subordinate building that is located on the same lot as a principal building and not used or designed for human occupancy; and the use of which is clearly incidental to the use of the land or to the use of the principal building.
- 9.1.3 **ACCESSORY USE** means a use of land or buildings related to primary use, which use is clearly subordinate to the principal use of the land or buildings, and which is not used for human occupancy.
- 9.1.4 **AIRPORT** means any landing area and all necessary appurtenances designed, used, or intended to be used for the landing and taking off of aircraft.
- 9.1.5 **ALLEY** means a right-of-way, other than a street, road, crosswalk, or easement that provides secondary access for the special accommodation of the abutting property.
- 9.1.6 **ALTERATION** means any change in the nature of the use of land and/or buildings; and includes any change in supporting member, beams, bearing walls, column or girders, which would tend to prolong the life of the building or use; but not including normal maintenance and repair.
- 9.1.7 **AUTOMOBILE SERVICE STATION** means any premises used for supplying gasoline or oil at retail direct to the motoring public; including minor accessories and services for automobiles conducted wholly within an enclosed building.
- 9.1.8 **BASEMENT** means a story partly or wholly underground, where no more than one-half the height of the story is above the average level of the adjoining ground.
- 9.1.9 **BOARD** means the Board of Zoning Appeals.
- 9.1.10 **BOARDING HOUSE** means a building, not available to transients, in which meals are regularly provided for compensation for at least three (3) but not more than thirty (30) persons.
- 9.1.11 **BUILDING AREA** means the horizontally projected area of the buildings on a lot, excluding terraces, unenclosed porches, other open areas, and architectural appurtenances that project not more than two (2) feet.

- 9.1.12 **BUILDING** means a roofed "structure" for the shelter, support, enclosure, or protection of persons, animals, or property, where each part of such a structure that is separated from the rest by unbroken party walls is a separate building for the purposes of this Resolution.
- 9.1.13 **BUILDING HEIGHT** means the vertical distance measured from the average level of the finished grade at the front of the building to the highest point of a flat roof; to the deck line on a mansard roof or to the ridges of a gable, hip, or gambrel roof. This does not include chimney, water towers, cooling units, radio transmitters, silos, etc.
- 9.1.14 **BUILDING LINE** means the line that establishes the minimum permitted distance on a lot between the outside building wall and the lot line; also called the "setback"; provided that a second story or roof overhang may not project more than two (2) feet into the side yard.
- 9.1.15 **BUSINESS** means the use of lands or buildings for the purposes of purchase, sale or exchange of goods and services; for the purpose of maintaining offices, recreational or amusement enterprises for profit.
- 9.1.16 **COMMISSION** means the Zoning Commission of Riley Township, Putnam County, Ohio.
- 9.1.17 **CORNER LOT** means a lot abutting upon two (2) or more streets at their intersection, provided the angle at which the streets intersect does not exceed 135 degrees. In the case of a corner lot, the front lot lines shall be the lines abutting all streets. A corner lot shall only have one (1) side lot line. (Please refer to Figures).
- 9.1.18 **DETACHED BUILDING** means a building that has no structural connection with another building.
- 9.1.19 **DRIVE-IN** means an establishment selling foods, frozen desserts or beverages to consumers, the establishment being designed, used or intended to be used for the consumption of such items on the premises outside of the building in which they were prepared.
- 9.1.20 **DWELLING** means a building or part of a building that is used primarily as a place of abode, but not including a hotel, motel, lodging house, boarding house or tourist home.

Insert Drawing



9.1.21 **DWELLING UNIT** means a dwelling, or part of a dwelling, used by one (1) family, exclusively, as a place of abode.

9.1.22 **FAMILY** means one (1) or more persons living as a single housekeeping unit, but not including an unrelated group of more than six (6) persons or a group occupying a hotel, motel, club, nurses' home, dormitory or fraternity or sorority house.

- 9.1.23 **FARM** means an area used for agricultural operations, including truck gardening, forestry, agri-tourism, agri-tainment, the operation of a tree or plant nursery, or the production of livestock and poultry.
- 9.1.24 **FRONT LINE** with respect to a building, means the foundation line that is nearest the front lot line.
- 9.1.25 **FRONT LOT LINE** means the line marking the boundary between the lot and the abutting street, easement for street purposes, lake, or watercourse; except that for a corner lot, means the line marking the boundary between the lot and the shorter of the abutting streets, easements for street purposes, lake or watercourse.
- 9.1.26 **FRONT YARD** means a yard that is bounded by the front line of the principle building, by the adjacent street right-of-way or easement line, and by the segments of the side lot lines that they intercept; except that on double frontage lots, one (1) such front yard may be used as a "rear yard" provided that, the minimum front building line in such case shall be complied with in placement of accessory buildings.
- 9.1.27 **GROUND FLOOR AREA** means the area of a building in square feet, as measured in a horizontal plane at the ground floor level within its largest outside dimension, exclusive of open porches, breezeways, terraces, garages, and exterior stairways.
- 9.1.28 **HOME OCCUPATION** means any occupational activity carried on exclusively by a member of an immediate family conducted entirely within the dwelling. Commodities can be sold, and mechanical equipment used as long as the external effect does not adversely affect adjacent property. Home occupations shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes and shall not change the structural character thereof. Home occupations are permitted one (1), non-illuminated sign not to exceed ten (10) square feet. All signs pertaining to home occupations shall be subject to approval by the Administrative Officer.

- 9.1.29 **HOME BUSINESS** means any occupational activity carried on exclusively by a member of an immediate family and conducted entirely on the premises. Commodities can be sold, and mechanical equipment used as long as the external effect does not adversely affect adjacent property. Home businesses shall be clearly incidental and secondary to the use of the premises for dwelling purposes and shall not change the structural character thereof. Home businesses are permitted one (1), non-illuminated sign not to exceed ten (10) square feet. All signs pertaining to home businesses are subject to approval by the Administrative Officer. Home businesses shall be permitted subject to conditions the Board of Zoning Appeals deems necessary for protection of the agricultural character of the surrounding area.
- 9.1.30 **JUNK MOTOR VEHICLE** is defined as a motor vehicle that meets all of the following criteria: 1) Apparently inoperable 2) Extensively damaged, including, but not limited to, any of the following: missing wheels, tires, engine, or transmission.
- 9.1.31 **JUNK YARD** means land or buildings where waste or discarded used property and materials is accumulated and is or may be salvaged for reuse or resale; including but not limited to automobiles, farm equipment, mobile homes, travel trailers, trucks, and/or parts thereof.
- 9.1.32 **KENNEL** means a place primarily for keeping four (4) or more dogs, or other small animals that are ordinarily kept as pets and are at least four (4) months old.
- 9.1.33 **LODGING HOUSE** means a building, not available to transients, in which lodging is regularly provided for compensation for at least three (3) but not more than thirty (30) persons.
- 9.1.34 **LOT** means an area or contiguous areas, exclusive of streets and alleys and other public places, used as a unit and fifty percent (50%) of whose average lot width abuts a street.
- 9.1.35 **LOT COVERAGE or FLOOR AREA RATIOS (FAR)** means the area covered by buildings divided by the total lot area, exclusive of streets, alleys, and walkways, but including utility and other similar easements.
- 9.1.36 **LOT LINE** means the legal boundaries of the "lot", excluding streets, alleys, public watercourses, and other public spaces.
- 9.1.37 **LOT WIDTH** means the distance between the side lot lines measured at the building line.

- 9.1.38 **MOBILE HOME** means a vehicle or other portable structure more than 30 feet in length that is designed, used or intended to be used for movement on the highway, and designed or used as a dwelling. Modular or manufactured homes will be treated as permanent homes.
- 9.1.39 **MOBILE HOME PARK** means an area of land on which two (2) or more mobile homes are regularly accommodated or intended for such use, with or without charge, including any buildings, other structures, fixtures, or equipment that is used or intended to be used in providing accommodation.
- 9.1.40 **NON-CONFORMING USE** means a use that exists at the time a provision of this Resolution is passed but does not comply with it.
- 9.1.41 **OPEN USE** means the use of a lot without buildings, or a use for which a building with a floor area no larger than five percent (5%) of the lot is only incidental.
- 9.1.42 **PERSON** means also a corporation, firm, partnership, association, organization, unit of government, or any other group that acts as a unit.
- 9.1.43 **PLANNED UNIT DEVELOPMENT** means an area of land, in which a variety of housing types and/or related commercial and industrial facilities are accommodated in a preplanned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions contained herein. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles, and landscaping plans.
- 9.1.44 **PRINCIPAL BUILDING** means the building in which the principal use of the lot on which it is located is conducted, including a building that is attached to such a building in a substantial way, such as by a roof and walls.
- 9.1.45 **PRIVATE GARAGE** means a garage whose principal use is to house motor vehicles for the accommodation of related dwelling units or related business establishments, located on the same lot as the principal use.
- 9.1.46 **PRIVATE SCHOOL** means a school other than a public school.
- 9.1.47 **PROFESSIONAL OFFICE** means an office used by members and the necessary personnel of a recognized profession such as architects, dentists, engineers, lawyers, physicians, surgeons, realty agents, insurance agents, and brokers.
- 9.1.48 **OBSCURING WALL** means a structure of definite height and location to serve as an obscuring screen in carrying out the requirements of this resolution. Height and materials must be acceptable to zoning inspector and/or board of zoning appeals board.

- 9.1.49 **OVERNIGHT CAMP** means an area of land used or designed to be used to accommodate two (2) or more tents, travel trailers or other camping outfits for not longer than seventy-two (72) hours per camping party per two (2) week period; but not including mobile homes.
- 9.1.50 **PUBLIC GARAGE** means a garage, other than a private garage, whose services are available to members of the public or to people occupying a hotel, club or similar facility.
- 9.1.51 **REAR LOT LINE** means a line parallel to and farthest from the front lot line, being at least ten (10) feet long and lying wholly within the lot.
- 9.1.52 **REAR YARD** means a yard that extends across the full width of the lot and is bounded on the rear by the rear lot line, and the depth of which is the least distance from the rear lot line and the rear of the principal building.
- 9.1.53 **SETBACK** For the purpose of this resolution, the distance required to obtain conformity with the yard open-space requirements here of shall be measured from proposed street right-of-widths, as reflected in the latest Putnam County Thoroughfare Plan, where such rights-of-way exceed existing platted or dedicated rights-of-way.
- 9.1.54 **SIDE LOT LINE** means a lot boundary line other than a front or rear lot line.
- 9.1.55 **SIDE YARD** means a yard, between the principal building and the adjacent lot line, that extends from the front yard, or street right-of-way where there is no front yard, to the rear yard, and width of which is the least distance between the side lot line and the adjacent side of the building.
- 9.1.56 **SIGN** means visual devices or structures used for advertising, display, direction or publicity purposes.
- 9.1.57 **STREET** means a right-of-way that is established by record to provide the principal means of access to abutting property.
- 9.1.58 **STRUCTURE** means anything constructed or erected that requires location on or in the ground or attachment to something having a location on or in the ground.
- 9.1.59 **STRUCTURAL CHANGE** means a substantial change in a supporting member of a building, such as a bearing wall or partition, column, beam, or girder, or in an exterior wall or the roof.
- 9.1.60 **THROUGH LOT** means a lot fronting on two (2) parallel or approximately parallel streets and includes lots fronting on both a street and a watercourse or lake.

- 9.1.61 **TRAVEL TRAILER PARK** means an area of land on which two (2) or more travel trailers are regularly accommodated with or without charge, including any buildings, structures, or fixtures or equipment that is used or intended to be used in connection with providing such accommodations.
- 9.1.62 **TRAVEL TRAILER** means a vehicle or other portable structure that is designed to move on the highway and designed or used as a temporary dwelling.
- 9.1.63 **USE** means the employment or occupation of a building, structure, or land for a person's service, benefit or enjoyment.
- 9.1.64 **VETERINARY CLINIC** means a place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who need medical or surgical attention and may include overnight accommodations on the premises for the treatment, observation and/or recuperation.
- 9.1.65 **YARD** means a space on the same lot with a principal building that is open and unobstructed, except as otherwise specified by this Resolution.

Chapter 10. SMALL SOLAR FACILITIES

As stated in the Ohio Revised Code 519.213, sections [519.02](#) to [519.25](#) of the Revised Code confer power on a board of township trustees or board of zoning appeals with respect to the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use, or enlargement of any small wind farm or small solar facility, whether publicly or privately owned, or the use of land for that purpose. With regard to a small wind farm, the regulations may be more strict than the regulations prescribed in rules adopted under division (B)(2) of section [4906.20](#) of the Revised Code.

Solar facilities of fifty (50) megawatts or more shall be required to submit an application with the Ohio Power Siting Board (OPSB) at the Public Utilities Commission of Ohio (PUCO) and are required to meet OPSB regulations. These following requirements are in addition to requirements that are in place by the Putnam County Planning Commission and the Putnam County Commissioners.

A) Definitions

- 1) “Solar Energy”: Radiant energy (direct, diffused, or reflected) received from the sun that can be collected and converted into thermal or electrical energy.
- 2) “Small Solar Facility”: A solar energy system with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than fifty (50) megawatts.
- 3) “Solar Energy System”: A system that collects solar energy, which may include, but is not limited to, an integrated solar energy system, rooftop solar energy system, or ground mounted solar energy system.
- 4) “Ground Mounted Solar Energy Systems”: A solar energy system that mounts a solar panel or panels and facilities on or above the ground.
- 5) “Integrated Solar Energy Systems”: A system that is incorporated into or replaces standard building materials and does not have mounting equipment. For example, these systems may include materials that replace traditional roofing, shingle, or siding materials, awnings, canopies, skylights, or windows.
- 6) “Rooftop Solar Energy Systems”: A solar energy system that is mounted to a structure or building’s roof on racks.

B) Permitted Uses

- 1) Integrated Solar Energy Systems: Subject to the restrictions contained herein, any construction, erection, or siting of an integrated solar energy system shall be a permitted use except in designated “S” districts of Riley Township, Putnam County, Ohio.
- 2) Rooftop Solar Energy Systems: Subject to the restrictions contained herein, any construction, erection, or siting of a rooftop solar energy system shall be a permitted use except in designated “S” districts of Riley Township, Putnam County, Ohio.
- 3) Ground Mounted Solar Energy System: Subject to the restrictions contained in herein, any construction, erection, or siting of a ground mounted solar energy system shall be a permitted use except in designated “S” districts of Riley Township, Putnam County, Ohio.

C) Conditional Uses

1) Integrated Solar Energy Systems: Subject to the restrictions contained herein, as well as any other relevant conditions as the Board of Zoning Appeals may determine, any construction, erection, or siting of an integrated solar energy system shall be a conditional use except in the designated “S” district of Riley Township, Putnam County, Ohio.

2) Rooftop Solar Energy Systems: Subject to the restrictions herein, as well as any other relevant conditions as the Board of Zoning Appeals may determine, any construction, erection, or siting of a rooftop solar energy system shall be a conditional use except in designated “S” areas of Riley Township, Putnam County, Ohio.

3) Ground Mounted Solar Energy Systems: Subject to the restrictions contained herein, as well as any other relevant conditions as the Board of Zoning Appeals may determine, any construction, erection, or siting of a ground mounted solar energy system and all other small solar facilities shall be a conditional use except in areas designated “S” in Riley Township, Putnam County, Ohio.

4) All other Small Solar Facilities: Subject to the restrictions contained herein, as well as any other relevant conditions as the Board of Zoning Appeals may determine, any construction, erection, or siting of small solar facilities, other than integrated, rooftop, and ground mounted solar energy systems (“all other small solar facilities”), shall be a conditional use except in areas designated “S” of Riley Township, Putnam County, Ohio.

D) General Requirements

1) Integrated or Rooftop Solar Energy System:

i. Height: The maximum height of any integrated or rooftop solar energy system shall not exceed the maximum height applicable to the principal structures located in the zoning district where located. An integrated or rooftop solar energy system mounted on a roof shall not vertically exceed the highest point of the roof to which it is attached.

ii. Coverage: An integrated or rooftop solar energy system shall cover no more than 80% of a structure’s wall and/ or roof, as applicable.

2) Ground mounted solar energy system:

i. Height: The maximum height of any ground mounted solar energy system at any point shall not exceed 15 feet.

ii. Coverage: Ground mounted solar energy systems shall be included as part of any lot/ tract/ ground coverage calculation applicable to the zoning district where located. In the event a zoning district does not have a restriction limiting the ground area occupied by buildings, all ground mounted solar energy systems shall not exceed in the aggregate 10% of the total area of the lot or tract.

iii. Aggregate capacity for the lot or tract will be limited to one-half megawatt (MW) aggregate capacity or less in Riley Township, as defined by ORC 519.213.

iv. Visual Buffer: A ground mounted solar energy system shall have a visual buffer of natural vegetation, plantings, and or fencing that provides reasonable visual screening to minimize view and or noise from of a small solar facility on adjacent lots and from any public right-of-way. Ground mounted Solar energy systems located on corner lots shall comply with the applicable requirements (including, but not limited to those for yards, buffering and screening) for lots in the zoning district where located.

3) All other Small Solar Facilities:

i. Height: The maximum height of any “all other small solar facilities” at any point shall not exceed the lesser of 15 feet, or the maximum height for accessory structures in the district where located.

ii. Coverage: “All other small solar facilities” shall be included as part of any lot/tract/ground coverage calculation applicable to the zoning district where located. In the event a zoning district does not have a restriction limiting the ground area covered occupied by buildings, structures, parking areas, sidewalks, or other impervious surfaces, “all other small solar facilities” shall not exceed the aggregate 10% of the total square footage of the lot or tract.

iii. Visual Buffer: All other small solar facilities shall have a visual buffer of natural vegetation, plantings, and or fencing that provides reasonable visual screening to minimize view and or noise from of a small solar facility on adjacent lots and from any public right-of-way. Ground mounted Solar energy systems located on corner lots shall comply with the applicable requirements (including, but not limited to those for yards, buffering and screening) for lots in the zoning district where located.

4) Lighting: There shall be no additional lighting for small solar facilities - or - Any lighting for a small solar facility shall meet any lighting restrictions applicable to the zoning district where located. In the event there is no applicable restrictions in the zoning district where located, all lighting in, of, and associated with the small solar facility must narrowly focus light inward toward the solar equipment, be downlit and shielded, and result in a maximum horizontal illuminance level not to exceed one foot-candle. Small solar facilities shall be placed or arranged in a manner so as not to reflect glare onto adjacent buildings, properties, or roadways.

5) Noise: Any small solar facility shall comply with the noise resolution and all applicable noise restrictions set forth within the township including, but not limited to those applicable to the zoning district where located. In the event that there is no provision regarding noise, no small solar facility shall emit sound to an adjacent lot at a level exceeding 50 decibels.

6) Setbacks: Any small solar facility must comply with the setback requirements applicable to the zoning districts where located.

7) Maintenance: Small solar facilities must be always maintained in good working order. The owner of the small solar facility shall, within thirty (30) days of permanently ceasing operation of a small solar facility, provide written notice of abandonment to the zoning inspector. An unused small solar facility may stand no longer than three (3) months following abandonment. All costs associated with dismantling and demolition of the facility and associated equipment shall be borne by the property owner. A small solar facility is considered abandoned when it ceases transmission of electricity for thirty (30) consecutive days. Removal includes removal of all apparatuses, supports, and or other hardware associated with the existing small solar facility and, in the case of ground mounted solar energy systems, returning the property to a graded, seeded, and/or landscaped state like its condition prior to the construction of the facility.

8) Building Permits: All small solar facilities and parts thereof shall obtain all applicable required building permits from the State of Ohio and Putnam County or other local building jurisdiction.

9) Advertising: Small Solar Facilities and the property where located shall not be used for the display of advertising. For the purposes of this section, reasonable and customary identification (name, insignia, logo, and/or similar) of the manufacturer or operator of the system that is incorporated into or manufactured on the equipment itself shall not be considered advertising.

10) Other Restrictions: A small solar facility shall comply with all applicable federal, state, and local laws, rules, and regulations.

E) Criteria for Conditional Uses

1) A small solar facility to be located in a zoning district in which it is identified as a conditional use is subject to and shall follow the application process for a Conditional Use Permit provided under this zoning resolution

2) Where identified as a conditionally permitted use, any small solar facility shall comply with the following requirements:

i. Road Use Maintenance Agreement: The property owner shall provide for the adequate maintenance and protection of township maintained, protected, or managed infrastructure (including, but not limited to roadways, rights-of-way, and easements) to be used in connection with the Small Solar Facility as detailed further in a road use maintenance agreement (“RUMA”) with the township. Any damaged public roads, culverts, and bridges shall be repaired promptly to their previous or better condition by the property owner or their designee under the guidance of the appropriate regulatory authority.

ii. Safety Services: The property owner shall provide sufficient evidence that the property can be adequately served by the appropriate safety services, for example, a letter from the applicable fire department verifying that the emergency response personnel and vehicles can safely reach and service the property, including the area where the Small Solar Facility is located.

iii. Location:

1. Any Small Solar Facility other than the Integrated or Rooftop Solar System (except components located entirely underground) shall be located entirely in the rear yard.

2. No Small Solar Facility shall be located on the front façade of any structure or any façade facing a public right-of-way.

3. No Small Solar Facility shall be located in front of the principal building or structure. In the case of corner lots, no Small Solar Facility shall be located between a principal building or structure and a public right-of-way.

iv. Height: The maximum height of any Small Solar Facility shall not exceed 15 feet.

v. Buffers and Setbacks:

1. Where a Small Solar Facility is located on a property adjacent to or in close proximity to property zoned for residential use (as determined by the Zoning Inspector), no part of the Small Solar Facility (other than components located entirely underground) shall be located within ten (10) feet of an existing residential dwelling.

2. No Small Solar Facility (other than components located entirely underground) shall be located within 25 feet of another property line.

3. No Small Solar Facility (other than components located entirely underground) shall be located within 150 feet from the centerline of a road or public right-of-way or shared-use driveway.

vi. Visual Buffer: A Small Solar Facility shall have a visual buffer of natural vegetation, plantings, and/or fencing designed to do all of the following:

1. Enhance the view from any existing residential dwelling and from any public right-of-way.

2. Is in harmony with the existing vegetation and viewshed in the area; and provides reasonable visual screening to minimize view of and noise from the Small Solar Facility to adjacent lots and from any public right-of-way.

vii. Glare: Solar panels shall be placed or arranged in a manner so as not to reflect glare onto adjacent buildings, properties, or roadways.

viii. Lighting: All lights associated with the Small Solar Facility must narrowly focus light inward toward equipment, be downlit and shielded, and prohibit any spillover onto any adjacent property.

ix. Fencing: Any fencing and/or screening installed in connection with the Small Solar Facility shall be harmonious and compatible with the surrounding properties and uses. Fencing shall be always maintained in good repair and in an aesthetic manner.

x. Conditions: Any conditions of other requirements as determined by the Board of Zoning Appeals in connection with the issuance of a Conditional Use Permit.

F) Certificate of Zoning Compliance

1) A certificate of zoning compliance shall be required before any construction is commenced on a Small Solar Facility.

2) Applicant shall provide the Township Zoning Inspector with the following information when applying for a certificate of zoning compliance:

i. An engineering report showing:

1) The total size and height of the proposed Small Solar Facility.

2) Data specifying the megawatt size and generating capacity in megawatts of the proposed Small Solar Facility.

3) Hazardous material containment and disposal plan.

ii. A site drawing showing the location of the Small Solar Facility including all equipment and components thereof in relation to (and measurements of distances from) all existing structures on the property, roads and other public rights-of-way, and neighboring property lines.

iii. Evidence of compliance with applicable setbacks and all other zoning restrictions.

iv. A maintenance schedule as well as a dismantling plan that outlines how the Small Solar Facility including all equipment and components thereof will be dismantled at the end of their use and/or upon abandonment.

v. Any other information or materials requested by the Zoning Inspector.

Chapter 11. WIND ENERGY

1. A Primary/Non-Accessory wind energy conversion system may be conditionally permitted in zoning districts not designated with an "S" as a Primary/Non-Accessory use.
2. A Primary/Non-Accessory wind energy conversion system shall not produce greater than 50 kilowatts of electricity but may be used for the generation of power for the sale of energy to other users.
3. A Primary/Non-Accessory wind energy conversion system over 50 kW shall not be located any closer than one (1) mile, nearest lot line to nearest lot line, to any other Primary/Non-Accessory wind energy conversion system.
4. A Primary/Non-Accessory wind energy conversion system over 50 kW shall not be located any closer than 2500 feet from any property line.
5. A Primary/Non-Accessory wind energy conversion system must conform to the following requirements:
 - a. Applicants for a conditional use permit must give written notice to all surrounding properties at least 10 days prior to the Zoning Commission meeting scheduled to consider the application.
 - b. Shall not exceed the maximum height of 60 feet from grade level.
 - c. The minimum setback distance from property lines for Primary/Non-Accessory wind energy conversion systems and their related equipment shall be equal to five (5) times the height of the highest point of the system.
 - d. Wind energy conversion systems shall be designed and located in order to prevent the sound produced by the equipment from emitting greater than 40 dbl of sound at the edge of any property line of all adjoining property.
6. Wind energy conversion systems shall be designed with and have all lighting as required by the applicable FAA regulations without impacting the adjoining properties.
7. A wind energy conversion system shall not be constructed until all applicable zoning and building permits have been approved and issued.
8. The design of the wind energy conversion system must conform to all applicable industry standards as well as all local power/utility regulations and standards.
9. Wind energy conversion systems and all wind energy conversion equipment that are no longer functioning shall be completely removed from the property or fully restored to functioning status within three (3) months from the date they are not producing electricity, become damaged, discontinued or broken. Owners must verify annually to the Zoning Inspector that the system is still functioning.

10. Applicant for a conditional use of a Primary/Non-Accessory wind energy conversion system must provide a detailed decommission plan and post with the Board of Riley Township Trustees, a Bond equal to the estimated cost of the proposed decommission plan. The Bond will be maintained during the full time the Primary/Non-Accessory wind energy conversion system is in place, whether functioning or not.
 - a. The decommission plan shall be reviewed with the opportunity to adjust the estimated cost every five (5) years.
11. 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 the Primary/Non-Accessory wind energy conversion system and all related equipment, setbacks from property lines, above and underground utility lines, easements and any structures on the property.
 - c. Elevation of the proposed Primary/Non-Accessory wind energy conversion system at its maximum height.
 - d. Manufacturer's specifications, including make, model and picture.
 - e. Scaled drawing that clearly conveys all pertinent information.

Chapter 12. ENERGY STORAGE FOR WIND AND SOLAR FACILITIES

The purpose of this article is to provide regulations for the safe and effective construction and operation an Energy Storage System (ESS) in Riley Township, subject to restrictions which will preserve the public health and safety. Non-Accessory Energy storage facilities are a conditional use in the Manufacturing District. No person shall cause, allow or maintain the use of an Energy Storage Facility without first having obtained a conditional zoning permit from Zoning Inspector after approval by the Zoning Commission.

1. Non-Accessory Energy storage facilities

- a. Application for a conditional zoning permit shall be submitted to the Zoning Inspector and forwarded to the Zoning Commission.
- b. Non-Accessory Energy storage facilities shall have a minimum setback of 1000 feet from all property lines.

2. Accessory Energy storage facilities

- a. Application for a conditional zoning permit shall be submitted to the Zoning Inspector and forwarded to the Zoning Commission.
- b. Shall be used exclusively for on-site use.

CHAPTER 13. MARIJUANA IN RILEY TOWNSHIP

No tract or lot may be used for the establishment of operation, cultivation, processing, or dispensing of marijuana in any form within the township.

A) Definitions:

1. "Marijuana" means marijuana as defined in section 3719.01 of the Ohio Revised Code.

2. "Medical Marijuana" means marijuana that is cultivated, processed, dispensed, tested, possessed, or used for medical purposes.

B) Prohibition:

1. The cultivation, processing, manufacturing, testing, packing, storage, or retail dispensing of medical marijuana, or any products containing medical marijuana shall be a prohibited use in all zoning districts within Riley Township, Putnam County, Ohio.

2. In addition to other penalties provided by law, the Township Prosecuting Attorney shall be authorized to institute civil proceedings in a court of competent jurisdiction to enjoin violations of this Section, seek monetary damages arising from violations of this Section and to take all actions necessary to secure enforcement of any injunction and collect upon any damage award, judgment, or fine in contempt levied in violation of this section.

CHAPTER 14. EFFECTIVE DATE AND VALIDITY

14.1 Validity

If any section, paragraph, subdivision, clause, sentence or provision of this Resolution shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect the remainder of this Resolution.

14.2 Effective Date

This Resolution shall be in full force and effective from and after its passage as provided by law.

Riley NE

RD L-2

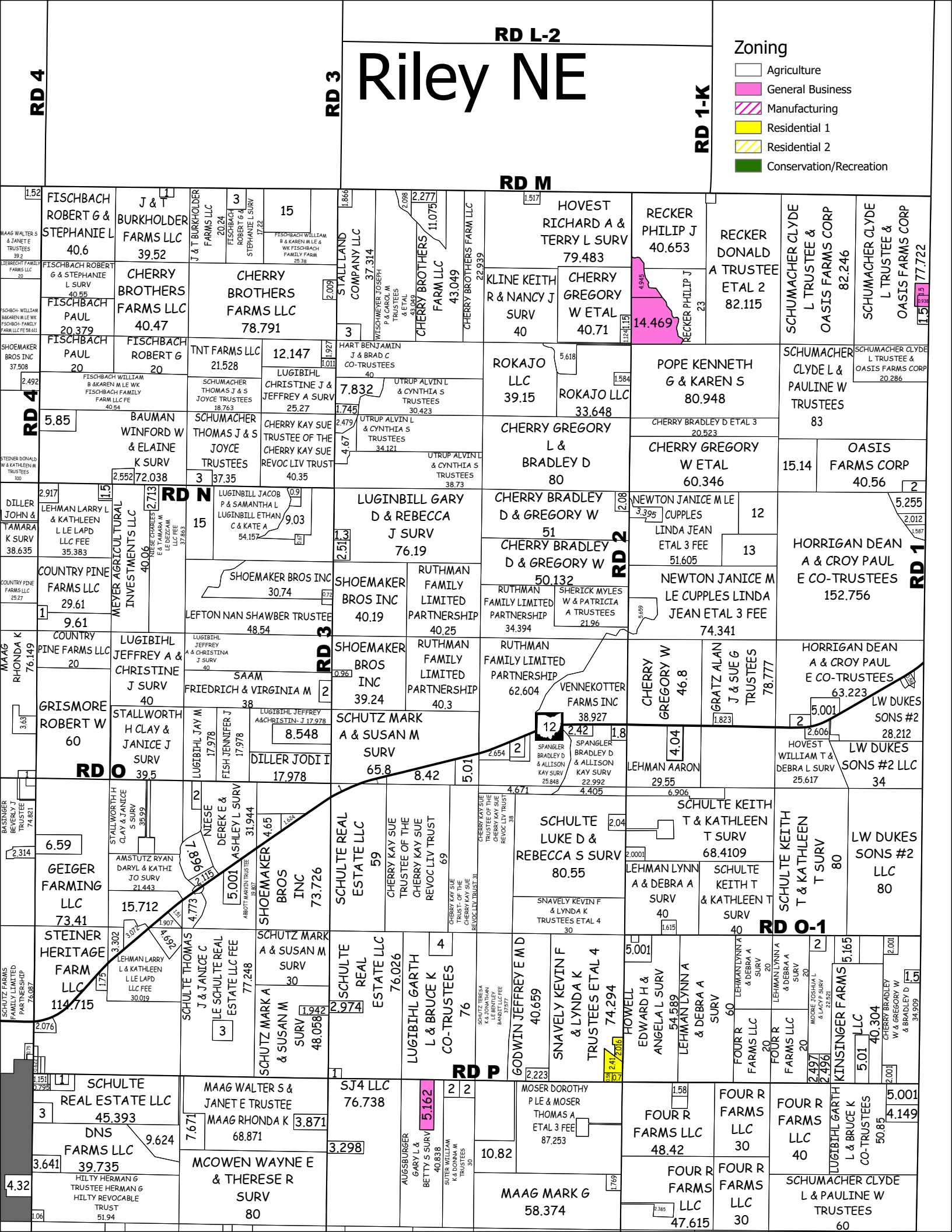
RD 3

RD 1-K

RD M

Zoning

- Agriculture
- General Business
- Manufacturing
- Residential 1
- Residential 2
- Conservation/Recreation



FISCHBACH ROBERT G & STEPHANIE L 40.6

BURKHOLDER FARMS LLC 39.52

15

STALLAND COMPANY LLC 37.314

CHERRY BROTHERS FARMS LLC 43.049

HOVEST RICHARD A & TERRY L SURV 79.483

RECKER PHILIP J 40.653

RECKER DONALD ETAL 2 82.115

SCHUMACHER CLYDE L TRUSTEE & OASIS FARMS CORP 82.246

FISCHBACH ROBERT G & STEPHANIE L SURV 40.55

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CHERRY BROTHERS FARMS LLC 78.791

STALLAND COMPANY LLC 37.314

CHERRY BROTHERS FARMS LLC 43.049

KLINE KEITH R & NANCY J SURV 40

CHERRY GREGORY W ETAL 40.71

RECKER PHILIP J 23

SCHUMACHER CLYDE L TRUSTEE & OASIS FARMS CORP 77.722

FISCHBACH WILLIAM B & KAREN M LE WK FISCHBACH FAMILY FARM LLC FE 40.54

TNT FARMS LLC 21.528

LUGIBIHL CHRISTINE J & JEFFREY A SURV 25.27

HART BENJAMIN J & BRAD C CO-TRUSTEES 40

UTRUP ALVIN L & CYNTHIA S TRUSTEES 30.423

ROKajo LLC 39.15

ROKajo LLC 33.648

POPE KENNETH G & KAREN S 80.948

SCHUMACHER CLYDE L & PAULINE W TRUSTEES 83

BAUMAN WINFORD W & ELAINE K SURV 72.038

SCHUMACHER THOMAS J & S JOYCE TRUSTEES 37.35

CHERRY KAY SUE TRUSTEE OF THE CHERRY KAY SUE REVOC LIV TRUST 40.35

UTRUP ALVIN L & CYNTHIA S TRUSTEES 34.121

UTRUP ALVIN L & CYNTHIA S TRUSTEES 38.73

CHERRY GREGORY L & BRADLEY D 80

CHERRY BRADLEY D ETAL 3 20.523

CHERRY GREGORY W ETAL 60.346

OASIS FARMS CORP 40.56

DILLER JOHN & TAMARA K SURV 38.635

MEYER AGRICULTURAL INVESTMENTS LLC 40.06

LUGIBILL JACOB P & SAMANTHA L LUGIBILL ETHAN C & KATE A 54.157

LUGIBILL GARY D & REBECCA J SURV 76.19

CHERRY BRADLEY D & GREGORY W 51

CHERRY BRADLEY D & GREGORY W 50.132

NEWTON JANICE M LE CUPPLES LINDA JEAN ETAL 3 FEE 51.605

NEWTON JANICE M LE CUPPLES LINDA JEAN ETAL 3 FEE 74.341

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COUNTRY PINE FARMS LLC 29.61

LEFTON NAN SHAWBER TRUSTEE 48.54

SHOEMAKER BROS INC 40.19

SHOEMAKER BROS INC 39.24

RUTHMAN FAMILY LIMITED PARTNERSHIP 40.25

RUTHMAN FAMILY LIMITED PARTNERSHIP 62.604

VENNEKOTTER FARMS INC 38.927

CHERRY GREGORY W 46.8

HORRIGAN DEAN A & CROY PAUL E CO-TRUSTEES 63.223

COUNTRY PINE FARMS LLC 20

LUGIBILL JEFFREY A & CHRISTINE J SURV 40

SAAM FRIEDRICH & VIRGINIA M 38

SHOEMAKER BROS INC 39.24

RUTHMAN FAMILY LIMITED PARTNERSHIP 40.3

VENNEKOTTER FARMS INC 38.927

CHERRY GREGORY W 46.8

GRATZ ALAN J & SUE G TRUSTEES 78.777

HORRIGAN DEAN A & CROY PAUL E CO-TRUSTEES 63.223

GRISMORE ROBERT W 60

STALLWORTH H CLAY & JANICE J SURV 39.5

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SHOEMAKER BROS INC 39.24

RUTHMAN FAMILY LIMITED PARTNERSHIP 40.3

VENNEKOTTER FARMS INC 38.927

CHERRY GREGORY W 46.8

GRATZ ALAN J & SUE G TRUSTEES 78.777

HORRIGAN DEAN A & CROY PAUL E CO-TRUSTEES 63.223

GEIGER FARMING LLC 73.41

AMSTUTZ RYAN DARYL & KATHI JO SURV 21.443

SHOEMAKER BROS INC 73.726

SCHULTE REAL ESTATE LLC 59

CHERRY KAY SUE TRUSTEE OF THE CHERRY KAY SUE REVOC LIV TRUST 69

SCHULTE LUKE D & REBECCA S SURV 80.55

SCHULTE KEITH T & KATHLEEN T SURV 68.4109

SCHULTE KEITH T & KATHLEEN T SURV 80

LW DUKES SONS #2 LLC 80

STEINER HERITAGE FARM LLC 114.715

SCHULTE THOMAS J & JANICE C LE SCHULTE REAL ESTATE LLC FEE 77.248

SCHUTZ MARK A & SUSAN M SURV 30

SCHULTE REAL ESTATE LLC 76.026

LUGIBILL GARY L & BRUCE K CO-TRUSTEES 76

GODWIN JEFFREY E M D 40.659

SNAVELY KEVIN F & LYNDA K TRUSTEES ETAL 4 74.294

HOWELL EDWARD H & ANGELA L SURV 54.589

LEHMAN LYNNA A & DEBRA A SURV 60

SCHULTE REAL ESTATE LLC 45.393

MAAG WALTER S & JANET E TRUSTEE 68.871

SJ4 LLC 76.738

LUGIBILL GARY L & BRUCE K CO-TRUSTEES 76

GODWIN JEFFREY E M D 40.659

SNAVELY KEVIN F & LYNDA K TRUSTEES ETAL 4 74.294

HOWELL EDWARD H & ANGELA L SURV 54.589

LEHMAN LYNNA A & DEBRA A SURV 60

LEHMAN LYNNA A & DEBRA A SURV 60

DNS FARMS LLC 39.735

MCOWEN WAYNE E & THERESE R SURV 80

MAAG MARK G 58.374

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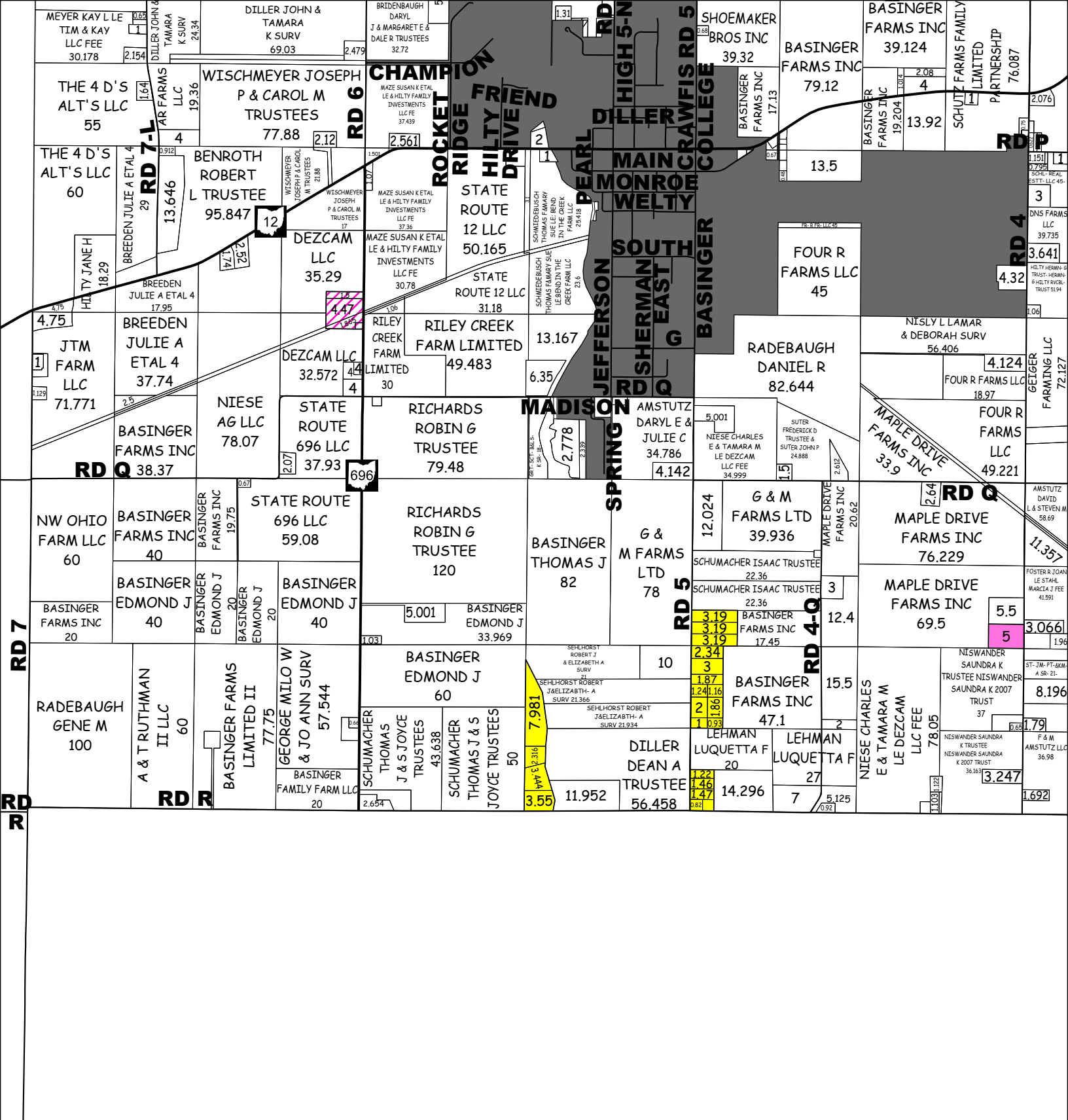
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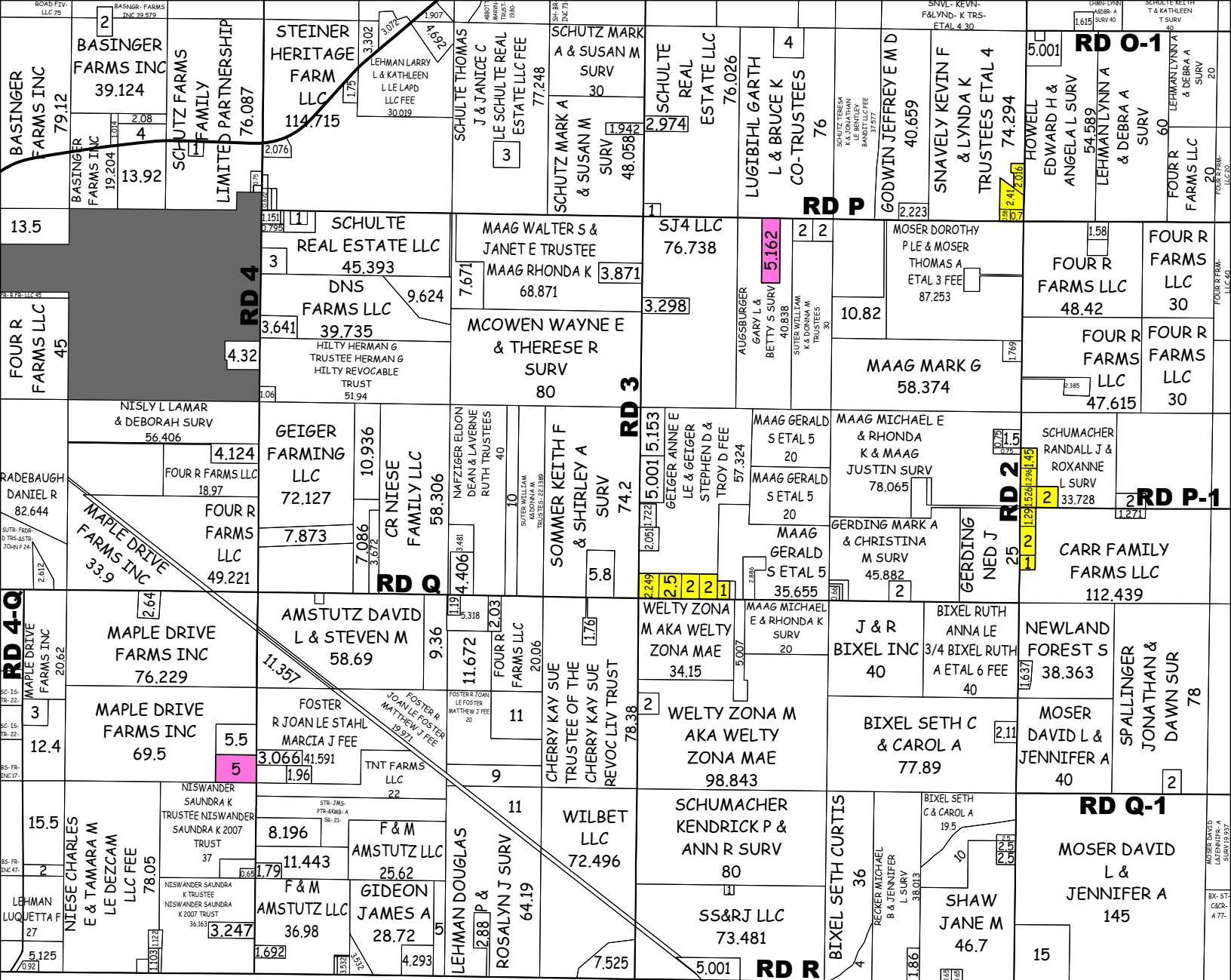
MAAG MARK G 58.374

MAAG MARK G 58.374



- Zoning**
- Agriculture
 - General Business
 - Manufacturing
 - Residential 1
 - Residential 2
 - Conservation/Recreation

Riley SW



- Zoning**
- Agriculture
 - General Business
 - Manufacturing
 - Residential 1
 - Residential 2
 - Conservation/Recreation

Riley SE