

**Amendments to the
ZONING RESOLUTION
OF
PLEASANT TOWNSHIP
Hardin County, Ohio**

Proposed by the Pleasant Township Zoning Commission:



Robert McBride, Chairman



Marc Coffman, Member



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Adopted by the Pleasant Township Board of Trustees:



Ronald Rogers, Chairman



Beryl Rogers-Dudek, Trustee



Scott Sorgen, Trustee

Date of Adoption: 01-26-2026

Date of Enactment: 02-25-2026

PREAMBLE

WHEREAS, it is determined by the Board of Township Trustees of Pleasant Township that is in the interest of the public health, public safety, and general welfare of the Township to regulate the location and use of buildings, structures and land for business and industry, for residential development and housing, or other purposes, to divide Pleasant Township into such zoning districts as are deemed best suited for said purposes, to conserve and protect property values, to provide a method of administration and enforcement, all in accordance with a comprehensive plan for the desirable future development of Pleasant Township in Hardin County, Ohio and to provide a method of administration and to prescribe penalties for violation of provisions hereafter described.

By the authority granted to it by Ohio Revised Code Section 519.02, it is hereby RESOLVED by the Board of Trustees of Pleasant Township, Hardin County, Ohio that a Zoning Resolution be adopted containing the provisions set forth herein:

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ARTICLE 1

Title and Jurisdiction

- 1.1** This Resolution shall be known and may be cited and referred to as the: **"Pleasant Township Zoning Resolution."**
- 1.2** The provisions of this Resolution shall apply to the entire unincorporated land area of Pleasant Township, Hardin County, Ohio.
- 1.3** Pleasant Township, Hardin County, Ohio is hereby divided into seven Zoning Districts: (1) A-1 Agricultural District; (2) R-1 Low Density Residential District; (3) R-2 Medium Density Residential District; (4) R-MHP Mobile Home Park District; (5) C-1 General Commercial District; (6) I-1 General Industrial District and; (7) ME Resource and Mineral Extraction District. All such Zoning Districts are shown on the Official Zoning District Map which accompanies and is an internal part of this Resolution. The Districts designated on the Official Zoning District Map and described herein are hereby established, and no buildings or structures shall be erected or altered, nor any land used, except in conformity with the regulations herein prescribed for the Districts in which such buildings or premises are located.

ARTICLE 2

Provisions Declared Minimum Standards

- 2.1** In interpreting and applying the provisions of this Resolution, they shall be held to be the minimum requirements necessary for the promotion of public health and safety, and for general welfare. Wherever this Resolution imposes a greater

restriction than is imposed or required by other provisions of law or by other rules or regulations or resolutions, the provisions of this Resolution shall govern.

- 2.2 If any use is proposed for which no provision is made in this zoning resolution, any such use shall be prohibited pursuant hereto unless such use shall be expressly authorized or permitted by the Board of Zoning Appeals, pursuant to the procedures contained herein.

ARTICLE 3

Severability

- 3.1 This Resolution and the various Parts, Articles and Paragraphs thereof are hereby declared to be severable. If any article, section, subsection, paragraph, sentence or phrase of this Resolution is adjudged unconstitutional or invalid by any court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby.

ARTICLE 4

Repeal

- 4.1 All other Resolutions of the Township, inconsistent herewith and to the extent of such inconsistency and no further, are hereby repealed.

ARTICLE 5

Definitions

- 5.1 Interpretation of Terms or Words: For the purpose of this Resolution certain terms or words used herein shall be interpreted as follows:
- (A) The word **person** includes a firm association, organization, partnership, trust, company or corporation as well as an individual.
 - (B) The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
 - (C) The word **shall** is a mandatory requirement, the word **may** is a permissive requirement and the word **should** is a preferred requirement.
 - (D) The words **used** or **occupied** include the words "intended, designed, or

arranged to be used or occupied.”

- (E) The word **lot** includes the words **plot** or **parcel**.
- (F) Unless otherwise specified, all distances shall be measured horizontally, in any direction.

5.2 The following terms, unless a contrary meaning is required by the context or is specifically prescribed, shall have the following meanings:

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

Adult-Oriented Business: An establishment having as its primary stock and trade material that is distinguished or characterized by its emphasis on sexually oriented material that is determined to be obscene, and may therefore be harmful to juveniles.

Agriculture: A farm (see **Farm** definition) upon which the following activities are conducted: farming; ranching; algaeculture (the farming of algae); aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; and the drying, storage, and marketing of agricultural products, and/or the processing or manufacturing of materials from such agricultural products, when those activities are conducted in conjunction with such husbandry or production and/or made from products made therefrom. [O.R.C. 519.01]

Agritourism: An agriculturally related educational, entertainment, historical, cultural, or recreational activity, including you-pick operations and farm markets, conducted on a farm that allows or invites members of the general public to observe, participate in, or enjoy that activity. [O.R.C. 901.80(A)(2)].

Airport: Any runway, land area or other facility designed or used either publicly or privately by any person for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings, and open spaces.

Alley: See Thoroughfare.

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

Appurtenance: An incidental right attached to a principal property right which passes in possession of the property, or an accessory structure to the primary residential or commercial structure.

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

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

Automotive Wrecking: The dismantling or wrecking of used motor vehicles, mobile homes, trailers or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

Basement: Stories all or partly underground but having at least one-half of its height below the average level of the adjoining ground.

Billboard: Any structure or portion thereof on which lettered, figured, or pictorial matter is displayed for advertising purposes of goods or services not offered on the premises, and other than those signs specifically mentioned.

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

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

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

Building Line: The line traversing the lot at the point closest to the front of a building, thus establishing the minimum open space to be provided between the front line of the building's foundation and the front line of the lot. The Building Line is also the front line of the foundations or enclosed porches or vestibules if nearer the front line than the main foundations.

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

Business, Convenience: Commercial establishments which provide for the needs of the community can be located either in close proximity to, or within, residential districts without creating undue vehicular congestion, excessive noise or other objectionable influences. Uses in this classification tend to serve a day-to-day need in the neighborhood.

Business, General: Commercial uses which generally require locations on or near major thoroughfares and/or their intersections and which tend, in addition to serving day-

to-day needs of the community, also supply the more durable and permanent needs of the whole community. General business uses include, but need not be limited to such activities as supermarkets; stores that sell hardware, apparel, footwear, appliances and furniture; department stores and discount stores.

Business, Highway: Commercial uses which generally require locations on or near major thoroughfares and/or their intersections and which tend to serve the motoring public. Highway business uses include, but need not be limited to such activities as filling stations, truck and auto sales and service, restaurants, motels and commercial recreation.

Business, Office Type: Quasi-commercial uses which may often be transitional between retail business and/or manufacturing and residential uses. Office business generally accommodates such occupations as administrative, executive, professional, accounting, writing, clerical, stenographic and drafting. Institutional offices of a charitable, philanthropic, religious or educational nature are also included in this classification.

Business Services: Any profit making activity which renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes and businesses.

Business, Wholesale: Business establishments that generally sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments, or manufacturing establishments. These commodities are basically for further resale, for use in the fabrication of a product, or for use by a business service.

Cemetery: Land used or intended to be used for the burial of the human or animal dead and can include crematories, mausoleums and mortuaries if operated in connection with and within the boundaries of such cemetery.

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

Clinic: A place used for the care, diagnosis and treatment of sick, ailing, infirm or injured persons and those who are in need of medical and surgical attention, but who are not provided with board or room or kept overnight on the premises.

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

Commercial Entertainment Facilities: Any profit making activity which is generally related to the entertainment field, such as motion picture theaters, carnivals, nightclubs, cocktail lounges and similar entertainment activities.

Comprehensive Development Plan: A plan or any portion thereof, adopted by the planning commission and the legislative authority of Pleasant Township showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major thoroughfares, parks, schools and other

community facilities. This plan establishes the goals, objectives and policies of the community.

Conditional Use: A use permitted within a District other than a principally permitted use, requiring a conditional use permit by and with the approval of, the Board of Zoning Appeals.

Conditional Use Permit: A permit issued by the Zoning Enforcement Officer upon approval of the Board of Zoning Appeals to allow a use other than a principally permitted use.

Condominium: Same as "Dwelling, Multiple Family" where each family owns its own dwelling unit but where the common areas of the building and site are owned and maintained jointly by the occupants.

Corner Lot: See Lot Types.

Coverage: The percentage of the lot area which is covered by any building or part thereof.

Cul-de-sac: See Thoroughfare.

Day(s): Unless otherwise stated in this Resolution, any reference to a number of "days" as it pertains to compliance, public notices or otherwise, refers specifically to that given number of calendar days. The term "five (5) days", however, shall be construed as five (5) working weekdays not counting Saturday, Sunday or legal holidays.

Dead-end Street: See Thoroughfare.

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

- a. **Gross Density** - the number of dwelling units per acre of the total land to be developed.
- b. **Net Density** - the number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

Drainageway: A water course, gully, dry stream, creek, ditch, stream or river which carries storm water runoff fed by building gutters, storm water sewers or drainage from the adjacent lands, and which may be subject to ponding or flooding,

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

- a. **Dwelling, Single Family:** A building consisting of a single dwelling unit only, designed for or used for residence purposes by one family or housekeeping unit and separated from other dwelling units by open space.

- b. **Dwelling, Two-Family:** A building consisting of two dwelling units, designed for or used for residence purposes by two family or housekeeping unit, which may be either attached side by side or one above the other, and each unity having a separate or combined entrance or entrances.
- c. **Dwelling, Multi-Family:** A building consisting of three or more dwelling units, designed for or used for residence purposes by three or more family or housekeeping unit, including condominiums with varying arrangements of entrances and party walls. Multi- family housing may include public housing and industrialized units.
- d. **Dwelling, Detached:** A building having no party wall in common with another building.
- e. **Dwelling, Attached:** A building having one or more party wall(s) in common with an adjacent building.

Dwelling, Rooming House (Boarding House, Lodging House, Dormitory): A dwelling or part thereof, other than a hotel, motel or restaurant, where meals and/or lodging are provided for compensation, for three or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.

Dwelling Unit: Defined as a space within a dwelling that is comprised of living, dining, sleeping room(s), and/or storage closets. As well as space and equipment for cooking, bathing and toilet facilities, all used by only one family and its household employees.

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

Engineer: A professional engineer, licensed to practice in the State of Ohio.

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

Establishment: A building or structure used for commercial or industrial purposes including stores, shops, plants, factories, warehouses, wholesale houses and the like.

Family: One or more persons occupying a single dwelling unit, where all persons are related by blood, adoption or marriage.

Farm: Land that is composed of tracts, lots, or parcels totaling (1) not less than ten acres devoted to agricultural production, or (2) less than ten acres devoted to agricultural production if the land produces an average yearly gross income of at least

twenty-five hundred dollars from agricultural production. [O.R.C. 901.80(A)(4)]

Farm House: A dwelling located on acreage primarily devoted to agriculture and occupied by a farm family or a lawful tenant.

Farm Vacation Enterprises (Profit or Non-Profit): Farms, adapted for use as vacation farms, picnicking and sports areas, fishing waters, camping, scenery and nature recreation areas; hunting areas; hunting preserves and watershed projects.

Flag Lot: A lot having a depth of at least 500 feet from the center of the road and which does not have the minimum amount of continuous road frontage the full depth of the lot to the building site.

Flood Plain: The areas adjoining any river, creek or stream whose surface elevation is lower than the high-water elevation of a regional flood.

Flood, Regional: Large floods which have previously occurred or which may be expected to occur on a particular stream because of like physical characteristics. The regional flood generally has an average frequency of one hundred (100) year recurrence interval flood.

Floodway: That portion of the flood plain, including the channel, which is reasonably required to convey the regional flood waters. Floods of less frequent recurrence are usually contained completely within the floodway.

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

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

Floor Area of a Non-Residential Building (to be used in calculating parking requirements): The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows and fitting rooms and similar area.

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

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

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

of the premises and wherein:

- a. Not more than one space is rented for parking to persons not residents on the premises;
- b. No more than one commercial vehicle per dwelling unit is parked or stored;
- c. The commercial vehicle permitted does not exceed two tons of load capacity.

Garage, Public: A principal or accessory building other than a private garage, used for parking or temporary storage of passenger automobiles and in which no service shall be provided for remuneration.

Garage, Service Station: Buildings on premises where gasoline, oil, grease, batteries, tires and motor vehicles accessories may be supplied and dispensed at retail and where mechanical and motor vehicle maintenance services may be rendered

Garden Apartment: A multi-story, walk-up apartment building, usually grouped around a common open space with off-street parking provided on the periphery of the site.

Home Occupation Permit: A permit issued by the Zoning Enforcement Officer allowing a home occupation upon property situated in a Zoning District in which said home occupation would not otherwise be permitted.

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

Institution: Building and/or land designed to aid individuals in need of mental, therapeutic, rehabilitation, counseling or other correctional services.

Junk Building, Junk Shops, Junk Yards, Wrecking Yards and Motor Vehicle Salvage Yards: Any land, property, structure, building or combination of the same on which junk is stored or processed, or a place where waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including such places where such uses are conducted entirely within a complete enclosed building, and not including pawn shops and establishments for the sale, purchase or storage of used furniture and household equipment, used cars in operable condition, or salvaged materials incidental to manufacturing operations. An automobile wrecking yard is any place where two (2) or more motor vehicles unlicensed and/or not in running condition, or parts thereof, are stored in the open and are not restored to operation, or any land, building, or structure used for wrecking or storing of such motor vehicles, or parts thereof, and including any used farm vehicles or farm

machinery, or parts thereof, stored in the open and not being restored to operating condition, and including trailers, or parts thereof, stored in the open.

Kenel: Any lot or premises on which four (4) or more domesticated animals, more than three (3) months of age are housed, groomed, bred, boarded, trained or sold or which offers provisions for minor medical treatment.

Land Use Plan: A plan, or any portion thereof, adopted by the Hardin County Regional Planning Commission and the Hardin County Board of County Commissioners showing the general location and extent of present and proposed land use and transportation facilities including housing, industrial and commercial uses, highways and roads, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of Hardin County.

Livable Area (Living Space): The area excluding unenclosed porches, breezeways, garages, carports and other similar areas.

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

Lot: For the purposes of this resolution, a lot is a parcel of land, defined by metes and bounds, or boundary lines in a recorded deed or on a recorded plat, of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street or an approved private street and may consist of:

- a. A single lot of record;
- b. A portion of a lot of record;
- c. A combination of complete lots of record, of complete lots of record and portions of lots of records, or of portions of lots of record.

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

Lot Depth: The mean horizontal distance between the front and rear property lines.

Lot Development: Any changes made to a lot or parcel that includes but is not necessarily limited to: erection of buildings or any other structures, installation of utility services, installation of well and septic systems, addition of driveways, or grading and clearing of land.

Lot Lines:

- a. Front- The lot line separating the lot from the street or road.
- b. Rear- The lot line opposite and most distant from the front lot line.
- c. Side- Any lot line other than the front or rear lot lines.
- d. Lot Width- The width of the lot measured at the building setback line.

Lot, Minimum Area Of: The area of a lot is computed using measurements taken from the center of an adjacent roadway, the side and rear property lines

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

Lot Types: Terminology used in this resolution with reference to corner lots, interior and through lots is as follows:

- a. A **Corner Lot** is located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.
- b. An **Interior Lot** is a lot with only one frontage on a street.
- c. A **Through Lot** is a lot other than a corner lot with frontage on more than one street. Through lots abutting on two streets may be referred to as double frontage lots.
- d. A **Reversed Frontage Lot** is a lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

Manufactured Home: A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance 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" [O.R.C. 3781.06(C)(4)].

Manufacturing, Heavy: Manufacturing, processing, assembling, storing, testing and similar industrial uses which are generally major operations and extensively in character; required large sited, open storage and service areas, extensive services and facilities, ready access to regional transportation; and normally generate some nuisances such as smoke, noise, vibration, dust, glare, air pollution and water pollution, but not beyond the district boundary.

Manufacturing, Light: Manufacturing or other industrial uses which are usually controlled

operations; relatively clean, quiet and free of objectionable or hazardous elements such as smoke, noise, odor or dust; operating and storing within enclosed structures; and generating little industrial traffic and no nuisances.

Mineral Extraction: Any mining, quarrying, excavating, processing, storing, separating, cleaning or marketing of any mineral natural resource.

Mobile Home or Double Wide: Any not-self-propelled vehicle so designed, constructed, reconstructed or added to by means of accessories in such manner as will permit the use or occupancy thereof for human habitation, when connected to utilities, whether resting on wheels, jacks, blocks, or other temporary foundation and used or so construed as to permit its being used as a conveyance upon the public streets and highways and exceeding a gross weight of four thousand, five hundred (4,500) pounds and an overall length of thirty (30) feet.

Mobile Home Park: Any site, or tract of land under single ownership, upon which three or more mobile homes used for habitation are parked, either free of charge or for revenue purposes; including any roadway, building, structure or enclosure used or intended for use as part of the facilities of such park.

Modular Home: (see: **Manufactured Home** definition)

Non-conformities: A building, structure or use of land existing at the time of the creation of this resolution, which does not currently conform to the regulations of the district or zone in which it is situated.

Nursery, Nursing Home: A home or facility for the care and treatment of babies, children, pensioners or elderly people.

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

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

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

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

Planned Unit Development: An area of land in which a variety of housing types and subordinate commercial and industrial facilities are accommodated in a preplanned environment, under more flexible standards, such as sizes and setbacks, than those restrictions that would normally apply under these regulations. 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.

Pond: A naturally or artificially formed structure with an enclosed body of water more than six hundred (600) gallons. Pleasant Township recognizes inherent differences in the character and use of ponds and regulates the following type of ponds: detention ponds, retention ponds, agricultural ponds and aesthetic ponds. Ponds shall be permitted as an accessory use in all districts subject to specific conditions and permits.

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

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

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

Quasipublic Use: Churches, Sunday schools, parochial schools, colleges, hospitals and other facilities of an education, religious, charitable, philanthropic or non-profit nature.

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

Recreation Facilities: Public or private facilities that may be classified as either **Extensive** or **Intensive** depending upon the scope of services offered and the extent of use. **Extensive** facilities generally require and utilize considerable areas of land and include, but not need be limited to hunting, fishing and riding clubs and parks. **Intensive** facilities generally require less land (used more intensively) and include, but need not be limited to miniature golf courses, amusement parks, stadiums, bowling alleys, tennis courts and swimming pools, etc.

Recreational Vehicles: A recreational vehicle is a vehicular-type structure, primarily designed as temporary living quarters for recreation, camping or travel use which either

has its own motive power or is mounted on or drawn by another vehicle which is self powered, including boats and boat trailers.

- a. A **travel trailer** is a vehicular portable structure mounted on wheels, of such a size or weight as not to require special highway movement permits when drawn by a stock passenger automobile; primarily designed and constructed to provide temporary living quarters for recreation, camping or travel use.
- b. A **camping trailer** is a vehicular portable structure mounted on wheels, constructed with collapsible partial side walls of fabric, plastic or other pliable material for folding compactly while being drawn by another vehicle, and when unfolded at the site or location, providing temporary living quarters; and whose primary design is for recreation, camping or travel use.
- c. A **truck camper** is a portable structure, designed to be loaded onto, or affixed to, the bed or chassis of a truck, constructed to provide temporary living quarters for recreation, camping or travel use.
- d. A **motor home** is a structure building on and made an integral part of a self-propelled motor vehicle chassis other than a passenger car chassis, primarily designed to provide temporary living quarters for recreation, camping or travel use.

Research Activities: Defined as, research, development and testing related to such fields as chemical, pharmaceutical, medical, electrical, transportation and engineering. All research, testing and development shall be carried on within entirely enclosed buildings and no noise, smoke, glare, vibration or odor shall be detected outside of said building.

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

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

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

Setback Line: The minimum horizontal distance between the street line and the building or any projection thereof, except for such projection as may be allowed by this Resolution and subsequent amendments thereto.

Sewers, on-site: A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the

approval of health and sanitation officials having jurisdiction.

Sidewalk: The portion of the road right-of-way outside the roadway which is improved for the use of pedestrian traffic.

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

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

Solid Waste: Any residual solid or semi-solid material which results from any industrial, commercial, agricultural, or municipal and community operations, including any materials from any construction, mining, or demolition operation, or other waste material normally included and associated with demolition debris, fly ash, spent foundry sand, slag, and any other substances that are or may be harmful or inimical to public health and wellbeing, including garbage, combustible and non-combustible material, street debris, and other waste products.

Solid Waste Disposal: The deposition, injection, discharge, dumping, spilling, leaking, admitting, or placing of any solid waste into or on any land or ground or surface water or into the air, including, but not limited to, land filling, incineration, composting, or treatment by any other means.

Solid Waste Disposal Facility: Any site, location, tract of land, installation, or building, used for solid waste disposal including, but not limited to, incineration, composting, sanitary land filling, or other methods of disposal of solid waste or for the temporary or permanent storage, treatment, or disposal of solid or hazardous waste.

Story: The part of a building between the surface of a floor and the ceiling immediately above. See definition of **Basement**.

Structure: Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures include (unless otherwise defined elsewhere in this Resolution), but are not limited to: buildings, mobile homes, walls, landscape walls over 24" in height,

fences, signs, swimming pools, tennis courts, and ponds.

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

Swimming Pool: A pool, pond, land or open tank containing at least 1.5 feet of water at any point and maintained by the owner or manager.

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

Thoroughfare, Street or Road: The full width between property lines bounding every public way or whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:

- a. **Alley:** A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.
- b. **Arterial Street:** A general term denoting a highway primarily for through traffic carrying heavy loads and large volume of traffic, usually on a continuous route.
- c. **Collector Street:** A thoroughfare, whether within a residential, industrial, commercial or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
- d. **Cul-de-sac:** A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turn-around.
- e. **Dead-end Street:** A Street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.
- f. **Local Street:** A Street primarily for providing access to residential or other abutting property.
- g. **Loop Street:** A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred and eighty (180) Degree system of turns are not more than one thousand (1,000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other.
- h. **Marginal Access Street:** A local or collector street, paralleled and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (also called **Frontage Street**).

Through Lot: See Lot Types.

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

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

Utility Building: A structure not exceeding 150 square feet in size, which is portable in nature, not built on a foundation, and is traditionally used to store tools and other items which provide for the maintenance of the premises.

Variance: A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result in unnecessary and undue hardship. A Variance can only be granted by the Pleasant Township Board of Zoning Appeals.

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

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

Walkway: A public way, four (4) feet or more in width for pedestrian use only, whether along the side of a road or not.

Yard: A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot upward provided, accessories, ornaments and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

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

ARTICLE 6

General Provisions

- 6.1 **Zoning Map:** The districts and boundaries described herein are established as shown on the Zoning Map, which map, together with all notations, references, data, district boundaries and other information shown thereon, shall be part of these regulations. The Zoning Map, properly attested, shall be on file in the office of the Pleasant Township Clerk, and shall be made available for public inspection upon reasonable request.
- 6.2 **District Boundaries:** The district boundary lines, as set forth on the Zoning Map, are intended to follow streets, roads, corporation limits or lot lines. Where the boundary of a district is situated upon a railroad right-of-way, such boundary shall be deemed to be located in the center of the railroad track, or midway between the main tracks.
- 6.3 **Compliance with Regulations:** No building shall be erected, converted or altered, nor shall any building or land be used except for a purpose intended in the district in which the building or land is situated, except as hereinafter provided. No building shall be erected, enlarged or altered except in conformity with the minimum area and/or yard requirements, and the minimum off-street parking space requirements of this resolution for the district in which such building is situated.
- 6.4 **Traffic Visibility Across Corner Lots:** Upon any corner lot in Pleasant Township, no fence, structure or planting shall be erected or maintained within twenty (20) feet of the corner (the point of intersection of the right-of-way lines), which interferes with the visibility of traffic movement upon any roadway.
- 6.5 **Essential Services: EMS, fire, police, etc.** Essential services shall be permitted as authorized and regulated by law and other resolutions of the Township, it being the intention hereof to exempt such essential services from the application of these regulations. However, a Zoning Certificate for such uses shall be required in accordance with the provisions of this resolution.
- 6.6 **Unsafe Buildings:** Nothing in these regulations shall prevent the strengthening or restoring to a safe condition any part of any building or structure declared unsafe by proper authority.
- 6.7 **Vacated Street or Alley:** Whenever any street, alley or other public way is vacated by official action as provided by law, the zoning district adjoining the side of such public way shall be extended automatically, depending on the side or sides to which such lands revert, to include the right-of-way thus vacated, which shall thenceforth be subject to all regulations of the extended district or districts.

- 6.8 Territory Not Included - Annexations:** In every case where territory has not been specifically included within a district or where a territory becomes a part of the unincorporated area of the Township as the result of the de-incorporation of any city, town, or portion thereof, or otherwise, such territory shall automatically be classified an "A-1" Agricultural District until otherwise classified.
- 6.9 Drainage and Sanitary Facilities:** No principal building shall be erected, structurally altered, or relocated on land where the sanitary waste and/or storm water runoff is not adequately drained. Area drainage and/or sanitary facilities are subject to approval by the County Board of Health, the County Sanitary Engineer, and County Engineer, prior to issuance of any permit.

ARTICLE 7

Non-Conforming and/or Prohibited Uses

- 7.1 Intent:** If within Pleasant Township there exist buildings and/or structures, lots of record, or uses of land and/or structures, which were lawful before this Resolution was passed or amended, but which would be prohibited under the terms of this Resolution or amendment(s), it is the intent of this Resolution that these non-conformities be permitted to continue, subject to the following conditions:
- (A) Abandonment:** A non-conforming use, existing on the effective date of the Resolution may be continued, provided, that should such use be discontinued for a period of two (2) years, or more, then such use shall be deemed abandoned, and any further use of such premises shall be in conformity with the uses permitted in the applicable zoning district.
 - (B) Reconstruction:** Any structure, existing and in use as a non-conforming use on the effective date of this resolution, which shall be destroyed by casualty or act of God, may be reconstructed and restored, provided, however, that such reconstruction is commenced within twelve (12) months of such calamity and that the reconstruction is completed in a reasonably diligent manner.
 - (C) Alteration and Enlargement:** Any non-conforming structure, existing and in use on the effective date of this Resolution, may not be replaced, moved, added on to, altered, or enlarged in a manner and form resulting in the exaggeration or worsening of such non-conforming use. However, the Board of Zoning Appeals shall have the power to grant a conditional use permit as provided for herein allowing such extension under conditions as follows:
 - (1)** The total alteration, enlargement or extension of existing structures or the erection of additional structures, shall not

increase the non-conforming area of such original structure by a total of more than twenty- five (25) percent.

- (2) Such enlargement and/or extension shall not be detrimental in consideration of the surrounding neighborhood, but that the granting thereof shall remove any unnecessary hardship as to the owner thereof.
- (3) The extension of such non-conforming use shall not reduce the area of a contiguous or adjacent conforming use.

7.2 Established Setbacks: Any building or appurtenance, existing and in use on the effective date of this Resolution, with (a) non-conforming front, rear or side yard setback distance(s), may be altered or enlarged so long as the front, rear or side of the structure is continued on or behind the same plane and not encroached any further toward any road right of way, alley or property line.

7.3 Structures under Construction: Any structure's construction commenced as of the effective date of this Resolution may be completed, although nonconforming, if commenced within one (1) year of the effective date of this Resolution.

7.4 Nuisance Prohibited: No structure or use subject to the provisions of this Zoning Resolution shall be located, arranged or operated in any fashion which will interfere with the development or enjoyment of adjacent property, nor shall any such structure or use be located, arranged or operated in such fashion as to constitute a nuisance.

7.5 Unauthorized Use: Any use which is not specifically provided for nor specifically authorized by this zoning resolution shall be expressly prohibited unless such use shall be otherwise authorized or permitted by the Board of Zoning Appeals, pursuant to the procedures contained herein.

ARTICLE 8

Agricultural (A-1) Zoning Districts

8.0 Purpose: The purpose of the A-1 Agricultural District (A-1 District hereafter) is to protect agricultural any undeveloped land in the township, where conservation of the land is important or where appropriate existing patterns of land use have been established. The principal use of the land in the A- District is for agricultural and farm purposes, although the district contains certain uses such as residential dwellings and uses that are compatible with open land areas. The intent of the A-1 District is to protect agricultural and open land from unplanned and/or premature development of uses which may be adverse to the agricultural nature of district.

8.1 Permitted Uses: The following uses shall be permitted in an A-1 District:

- (A) Any agricultural use (SEE definition of Agriculture).
- (B) One residential farm or non-farm home, and any other authorized accessory building(s), per lot or parcel.
- (C) Churches and other places of worship.
- (D) Public or private schools offering general education courses but having no rooms regularly used for housing or sleeping of students
- (E) Recreational sites, such as parks and playgrounds, which are open to the general public without a fee and are intended to be beneficial to the welfare of the community.
- (F) Ponds (SEE Article 26).
- (G) Home Occupation/Business (SEE Article 25).
- (H) Renewable Energy Systems (SEE Article 24).

8.2 Conditional Uses: Any uses in an A-1 District, other than the Permitted Uses listed above, require a Conditional Use Permit issued by the Pleasant Township Board of Zoning Appeals and must conform to the requirements as set forth in this Resolution (SEE Article 23).

8.3 Parcel/Lot Size Requirements: All parcels or lots in an A-1 District must meet the following requirements, and no structure may be built thereupon which does not meet all of the applicable requirements unless a variance is first obtained from the Pleasant Township Board of Zoning Appeals (SEE Article 22).

- (A) The size of each lot must be at least three (3) acres of land.
- (B) Each lot must have at least three-hundred (300) feet of road frontage on at least one adjoining federal, state, county or township roadway.
- (C) The maximum allowable height of any structure is two and one-half (2.5) stories, or thirty-five (35) feet, whichever is applicable.
- (D) No structure may be built upon any lot unless that part of the structure which is closest to any adjacent roadway(s) is at least one-hundred (100) feet from the center of said adjoining roadway(s).
- (E) No structure may be built upon any lot unless that part of the structure which is closest to any side and rear property line(s) is at least forty (40) feet from said property line(s).

- (1) A utility building as defined in this Resolution may be situated at least ten (10) feet from any side and rear property lines.

8.4 Permit Requirement: All structures to be built in Pleasant Township require the following permits and/or authorizations before construction may begin:

- (A) All structures, except a utility building as defined in this Resolution, require a zoning permit issued by the Pleasant Township Zoning Enforcement Officer.
- (B) Any residences, and any other building which will have running water, requires prior authorization from the Hardin County Health Department for the well and septic systems which will service said buildings. Both authorizations are required before application is made for a zoning permit.
- (C) The building and installation of any manufactured home is governed by the Ohio Department of Commerce, and a permit from them is required before any manufactured home may be installed in Pleasant Township.
- (D) Any other permit which may be required by a governmental agency.

8.5 Prohibitions: The building or placement of any structure in Pleasant Township, or the use of any lot or parcel situated therein, which is inconsistent with the foregoing requirements and regulations is prohibited.

ARTICLE 9

Low Density Residential (R-1) Zoning Districts

9.0 Purpose: The purpose of the R-1 Low Density Residential District (R-1 District hereafter) is to create areas within the township which are reserved for single-family residential development upon land which is vacant or in agricultural cultivation at the time of the adoption of this resolution. The principal use of the land in the R-1 District is for residential development which retains a semi-rural character.

9.1 Permitted Uses: The following uses shall be permitted in an R-1 District:

- (A) Any agricultural use (SEE definition of Agriculture).
- (B) One single-family dwelling, and any other previously authorized accessory building(s), per lot or parcel.
- (C) Churches and other places of worship.

- (D) Public or private schools offering general education courses but having no rooms regularly used for housing or sleeping of students
- (E) Recreational sites, such as parks community centers and playgrounds, which are open to the general public without a fee and are intended to be beneficial to the welfare of the community.
- (F) Home Occupation/Business (SEE Article 25).
- (G) Renewable Energy Systems (SEE Article 24).

9.2 Conditional Uses: Any uses in an R-1 District, other than the Permitted Uses listed above, require a Conditional Use Permit issued by the Pleasant Township Board of Zoning Appeals and must conform to the requirements as set forth in this Resolution (SEE Article 23).

9.3 Parcel/Lot Size Requirements: All parcels or lots in an R-1 District must meet the following requirements. No structure may be built thereupon which does not meet all of the applicable requirements, unless a variance is first obtained from the Pleasant Township Board of Zoning Appeals (SEE Article 22).

- (A) The size of each lot must be at least 30,000 square feet of land.
- (B) Each lot must have at least one-hundred and fifty (150) feet of road frontage on at least one adjoining federal, state, county or township roadway.
- (C) The maximum allowable height of any structure is two and one-half (2.5) stories, or thirty-five (35) feet, whichever is applicable.
- (D) No structure may be built upon any lot unless that part of the structure which is closest to any adjacent roadway(s) is at least eighty (80) feet from the center of any said adjoining roadway(s).
- (E) No structure may be built upon any lot unless that part of the structure which is closest to any side property line(s) is at least twenty-five (25) feet from said property line(s).
 - (1) A utility building, however, as defined in this Resolution, may be situated at least ten (10) feet from any side property line.
- (F) No structure may be built upon any lot unless that part of the structure which is closest to any rear property line(s) is at least forty (40) feet from said property line(s).
 - (1) A utility building, however, as defined in this Resolution, may be situated at least ten (10) feet from any rear property line.

- 9.4 Permit Requirement:** All structures to be built in Pleasant Township require the following permits and/or authorizations before construction may begin:
- (A) All structures, except a utility building as defined in this Resolution, require a zoning permit issued by the Pleasant Township Zoning Enforcement Officer.
 - (B) Any residences, and any other building which will have running water, requires prior authorization from the Hardin County Health Department for the well and septic systems which will service said buildings. Both authorizations are required before application is made for a zoning permit.
 - (C) The building and installation of any manufactured home is governed by the Ohio Department of Commerce, and a permit from them is required before any manufactured home may be installed in Pleasant Township.
 - (D) Any other permit which may be required by a governmental agency.
- 9.5 Prohibitions:** The building or placement of any structure in Pleasant Township, or the use of any lot or parcel situated therein, which is inconsistent with the foregoing requirements and regulations is prohibited.

ARTICLE 10

Medium Density Residential (R-2) Zoning Districts

- 10.0 Purpose:** The purpose of the R-2 Medium Density Residential District (R-2 District hereafter) is to create areas within the township which are reserved for single-family residential development at a level which requires or justifies the provision of centralized or group sewer systems. It is the intent of this Resolution that the areas contained within any R-2 District are reserved for single-family residential development which is basically urban in character.
- 10.1 Permitted Uses:** The following uses shall be permitted in an R-2 District:
- (A) Any agricultural use (SEE definition of Agriculture).
 - (B) One single-family detached dwelling, and any other previously authorized accessory building(s), per lot or parcel.
 - (C) Two-family dwellings where central or group sewers are provided.
 - (D) Churches and other places of worship.
 - (E) Public or private schools offering general education courses but having

no rooms regularly used for housing or sleeping of students

(F) Recreational sites, such as community centers, parks and playgrounds, which are open to the general public without a fee and are intended to be beneficial to the welfare of the community.

(G) Renewable Energy Systems (SEE Article 24).

10.2 Conditional Uses: Any uses in an R-2 District, other than the Permitted Uses listed above, require a Conditional Use Permit issued by the Pleasant Township Board of Zoning Appeals and must conform to the requirements as set forth in this Resolution (SEE Article 23).

(A) Additional requirements for conditional use permits for Multiple-Family Residential developments:

(1) Shall not exceed three (3) stories, or forty (40) feet in height;

(2) The lot size shall not be less than five thousand (5,000) square feet per dwelling unit;

(3) The site shall have adequate access onto a hard surfaced state highway, county or township road, which is regularly maintained and adequate to handle the additional traffic generated by its use;

(4) The site shall be served by central or group sewers and public water, approved by the Ohio Department of Health;

(5) A Site Development Plan shall be submitted with the conditional use application;

(6) Off street parking shall be provided in accordance with the requirements specified in Article 16 of this Resolution.

10.3 Parcel/Lot Size Requirements: All parcels or lots in an R-2 District must meet the following requirements. No structure may be built thereon which does not meet all of the applicable requirements, unless a variance is first obtained from the Pleasant Township Board of Zoning Appeals (SEE Article 22).

(A) Each lot must contain at least the following amounts of land:

(1) 10,000 square feet for parcels or lots where central or group sewers are provided;

(2) 30,000 square feet for parcels or lots where central or group sewers are not provided.

(B) Each parcel or lot where central or group sewers are provided must have

at least seventy (70) feet of road frontage on at least one adjoining federal, state, county or township roadway.

- (C) Each parcel or lot where central or group sewers are not provided must have at least one-hundred and fifty (150) feet of road frontage on at least one adjoining federal, state, county or township roadway.
- (D) The maximum allowable height of any structure is two and one-half (2.5) stories, or thirty-five (35) feet, whichever is applicable.
- (E) No structure may be built upon any lot unless that part of the structure which is closest to any adjacent roadway(s) is at least eighty (80) feet from the center of any said adjoining roadway(s).
- (F) No structure may be built upon any lot where central or group sewers are provided unless that part of the structure which is closest to any side property line(s) is at least fifteen (15) feet from said property line(s).
- (G) No structure may be built upon any lot where central or group sewers are not provided unless that part of the structure which is closest to any side property line(s) is at least twenty-five (25) feet from said property line(s).
 - (1) A utility building, however, as defined in this Resolution, may be situated at least ten (10) feet from any side property line.
- (H) No structure may be built upon any lot where central or group sewers are provided unless that part of the structure which is closest to any rear property line(s) is at least twenty-five (25) feet from said property line(s).
 - (1) A utility building, however, as defined in this Resolution, may be situated at least ten (10) feet from any rear property line.
- (I) No structure may be built upon any lot where central or group sewers are not provided unless that part of the structure which is closest to any rear property line(s) is at least forty (40) feet from said property line(s).
 - (1) A utility building, however, as defined in this Resolution, may be situated at least ten (10) feet from any rear property line.

10.4 Permit Requirement: All structures to be built in Pleasant Township require the following permits before construction may begin:

- (A) All structures, except a utility building as defined in this Resolution, require a zoning permit issued by the Pleasant Township Zoning Enforcement Officer.
- (B) Any residences, and any other building which will have running water, requires prior authorization from the Hardin County Health Department

for the well and septic systems which will service said buildings. Both authorizations are required before application is made for a zoning permit.

- (C) The building and installation of any manufactured home is governed by the Ohio Department of Commerce, and a permit from them is required before any manufactured home may be installed in Pleasant Township.
- (D) Any other permit which may be required by a governmental agency.

10.5 Prohibitions: The building or placement of any structure in Pleasant Township, or the use of any lot or parcel situated therein, which is inconsistent with the foregoing requirements and regulations is prohibited.

ARTICLE 11

General Commercial (C-1) Zoning Districts

11.0 Purpose: The purpose of the General Commercial (C-1) Zoning District (Commercial District hereafter) is to create areas within the township in which commercial business activities may take place. It is the intent that these businesses, which are oriented mainly to the surrounding resident population and, to a certain extent, to highway-oriented trade, be located in relatively compact districts.

11.1 Permitted Uses: The following uses shall be permitted in a Commercial District:

- (A) Any agricultural use (SEE definition of Agriculture).
- (B) Retail and Service businesses, such as: supermarkets, barber shops, dry cleaners, laundries, drug stores, garden supply stores, florists, furniture stores, grocery stores, hardware stores, electronics stores, paint stores, shoe and clothing stores and sporting goods stores..
- (C) Business and Professional Offices, such as: Medical offices, law firms, finance, insurance and real estate offices.
- (D) Motels and restaurants.
- (E) Automotive services, such as: filling stations, automotive repair shops, parts and body shops, agricultural implement sales and storage, boat/mobile home/travel trailer sales.
- (F) Building and related trades, such as: carpenter, electrical, plumbing, heating and air conditioning shops.

- (G) Recreational facilities, such as: ball fields, golf driving ranges, amusement parks and similar open air facilities.
- (H) Funeral homes and animal care facilities.
- (I) Campgrounds

11.2 Conditional Uses: Any uses in a Commercial District, other than the Permitted Uses listed above, require a Conditional Use Permit issued by the Pleasant Township Board of Zoning Appeals and must conform to the requirements as set forth in this Resolution (SEE Article 23).

11.3 Parcel/Lot Size Requirements: All parcels or lots in a Commercial District must meet the following requirements. No structure may be built thereon which does not meet all of the applicable requirements, unless a variance is first obtained from the Pleasant Township Board of Zoning Appeals (SEE Article 22)

- (A) Each parcel or lot must contain at least 22,500 square feet.
- (B) No structure may be built upon any lot unless that part of the structure which is closest to any adjacent roadway(s) is at least eighty (80) feet from the center of any said adjoining roadway(s).
- (C) No structure may be built upon any lot unless that part of the structure which is closest to any side property line(s) is at least eighty (80) feet from said property line(s).
- (D) No structure may be built upon any lot unless that part of the structure which is closest to any rear property line(s) is at least forty (40) feet from said property line(s).

11.4 Permit Requirement: All structures to be built in Pleasant Township require the following permits before construction may begin:

- (A) All structures, except a utility building as defined in this Resolution, require a zoning permit issued by the Pleasant Township Zoning Enforcement Officer.
- (B) Any building which will have running water requires prior authorization from the Hardin County Health Department for the well and septic systems which will service said buildings. Both authorizations are required before application is made for a zoning permit.
- (C) The building and installation of any manufactured building is governed by the Ohio Department of Commerce, and a permit from them is required before any manufactured building may be installed in Pleasant Township.
- (D) Any other permit which may be required by a governmental agency.

- 11.5 Prohibitions:** The building or placement of any structure in Pleasant Township, or the use of any lot or parcel situated therein, which is inconsistent with the foregoing requirements and regulations is prohibited.

ARTICLE 12

General Industrial (I-1) Zoning Districts

- 12.0 Purpose:** The purpose of the General Industrial (I-1) Zoning District (Industrial District hereafter) is to create areas within the township which are exclusively for industry, manufacturing, processing and related operations, and which are incompatible with the residential and commercial areas of the Township. It is the intent of this resolution that these areas be reserved exclusively for industry and related purposes to provide suitable sites for such activity.
- 12.1 Permitted Uses:** The following uses shall be permitted in an Industrial District:
- (A) Any agricultural use (SEE definition of Agriculture);
 - (B) Industry and manufacturing – any industrial, manufacturing or processing operation;
 - (C) Wholesaling and warehousing – any wholesale, storage, distribution or warehousing business;
 - (D) Building materials sales businesses;
 - (E) Public utility facilities.
- 12.2 Conditional Uses:** Any uses in an Industrial District, other than the Permitted Uses listed above, require a Conditional Use Permit issued by the Pleasant Township Board of Zoning Appeals and must conform to the requirements as set forth in this Resolution (SEE Article 23). Examples of conditionally approved uses in an Industrial District are:
- (A) Wrecking yards and junkyards
 - (B) Waste disposal facilities.
- 12.3 Parcel/Lot Size Requirements:** All parcels or lots in a General Industrial Zoning District must meet the following requirements. No structure may be built thereon which does not meet all of the applicable requirements, unless a variance is first obtained from the Pleasant Township Board of Zoning Appeals (SEE Article 20).

- (A) Each parcel or lot must contain at least 10,000 square feet where central or group sewers are provided, or 20,000 square feet where such sewers are not provided.
- (B) Each parcel or lot must have at least one hundred (100) feet of road frontage on at least one adjoining federal, state, county or township roadway.
- (C) The maximum allowable height of any structure is three (3) stories, or forty-five (45) feet, whichever is applicable.
- (D) No structure may be built upon any lot unless that part of the structure which is closest to any adjacent roadway(s) is at least thirty five (35) feet from the center of any said adjoining roadway(s).
- (E) No structure may be built upon any lot unless that part of the structure which is closest to the side property line(s) of any adjacent residential lot is at least forty (40) feet from said property line(s). The setback requirement is herein reduced to twenty five (25) feet when there is no residential lot adjacent to said Industrial lot.
- (F) No structure may be built upon any lot unless that part of the structure which is closest to the rear property line(s) of any adjacent residential lot is at least forty (40) feet from said rear property line(s). The setback requirement is herein reduced to ten (10) feet when there is no residential lot adjacent to said Industrial lot.

12.4 Permit Requirement: All structures to be built in Pleasant Township require the following permits before construction may begin:

- (A) All structures, except a utility building as defined in this Resolution, require a zoning permit issued by the Pleasant Township Zoning Enforcement Officer.
- (B) Any building which will have running water requires prior authorization from the Hardin County Health Department for the well and septic systems which will service said buildings. Both authorizations are required before application is made for a zoning permit.
- (C) The building and installation of any manufactured building is governed by the Ohio Department of Commerce, and a permit from them is required before any manufactured building may be installed in Pleasant Township.
- (D) Any other permit which may be required by a governmental agency.

12.5 Nuisance Requirements for Industrial Districts – the following minimum standards shall apply to all activities taking place within an I-1 General Industrial Zoning District:

(A) Fire and Explosion Hazards

- (1) All activities, involving flammable or explosive materials, including the storage thereof, shall provide adequate safety devices and practices to prevent the hazard of fire and explosion. Such safety devices and practices shall be standard within the industry.

(B) Air Pollution Hazards

- (1) No emission of air pollutants, including but not limited to, fly ash, dust, fumes, vapors and gases, which violate the minimum requirements of the Ohio Environmental Protection Agency and the Hardin County Combined General Health District shall be permitted. Dust and other airborne pollutants shall be minimized through the paving, oiling or landscaping of the area(s) subject to such pollutants.

(C) Glare, Heat and Exterior Lighting

- (1) Any operation producing intense light and/or heat shall be performed within an enclosed building and shall not be visible beyond any lot line bounding the property whereon the operation is conducted.
- (2) No exterior lighting shall be positioned so as to project light or glare onto adjacent properties of roadway rights of way.

(D) Noxious Gases, Liquid and/or Solid Wastes

- (1) No discharge into any part of a public sewer, private sewage disposal system, stream or waterway, or onto the ground, of any materials of such nature or temperature which could contaminate any water supply, interfere with the bacterial processes in sewage treatment, or cause any type of contamination from dangerous or offensive substances, shall be permitted, except in accord with standards approved by the Ohio Environmental Protection Agency, the Ohio Department of Health or the Hardin County Combined General Health District, or any other such governmental agency having jurisdiction over such activities. This requirement governs the discharge of noxious gases, liquid and/or solid wastes, and any other similar substances capable of adversely affecting the quality of the air, soil and water.

12.6 Prohibitions: The building or placement of any structure in Pleasant Township, or the use of any lot or parcel situated therein, which is inconsistent with the foregoing requirements and regulations is prohibited.

ARTICLE 13

Mobile Home Park (R-MHP) Zoning Districts

13.0 Purpose: The purpose of a Mobile Home Park (R-MHP) District is to create an area within Pleasant Township, upon lands which were previously designated as an A-1 Agricultural Zoning District, upon which a Mobile Home Park, which consists of three or more mobile homes, may be situated. An R-MHP District can only be created by the procedures set forth in Section 519.12 of the Ohio Revised Code.

13.1 Application Requirements: An applicant, wishing to create a Mobile Home Park within an R-MHP District, must file with the Zoning Enforcement Officer a Site Development Plan, which must contain the following information:

(A) The proposed location, size and number of mobile home sites, subject to the following requirements:

- (1) Every Mobile Home Park shall be situated on a parcel of land not less than five (5) acres of land in size.
- (2) Every mobile home shall be on a site having an area of not less than four-thousand (4,000) square feet.
- (3) The mobile home net density in every Mobile Home Park shall not exceed eight (8) mobile homes per acre.
- (4) Each mobile home shall have a total ground floor area of not less than six-hundred (600) square feet, measured from the outside of the exterior walls, including utility rooms, but excluding open porches, breezeways and garages.
- (5) Each mobile home and accessory buildings, garages and porches, shall not cover more than fifty (50) percent of each Mobile Home Park lot.
- (6) No mobile home shall front upon a public roadway.
- (7) All Mobile Home Park sites shall provide a twenty (20) foot wide planting strip, planted with trees and/or shrubs which will mature within five years, to provide a screen between the lots and extending the length of the line between adjacent sites.

(B) The proposed vehicular and pedestrian circulation and parking areas, subject to the following requirement:

- (1) Within the boundary of each mobile home site there shall be two

(2) suitable paved parking spaces not closer than three (3) feet from the mobile home, nor closer than ten (10) feet from any adjoining mobile home.

(C) The proposed size, location and use of non-residential portions of the Mobile Home Park, including parklands and usable open spaces, subject to the following requirements:

(1) In all Mobile Home Parks, a safe and usable recreation area(s) must be conveniently located, provided and available to all residents. Said recreation area(s) shall not be less in total area than ten (10) percent of the total area of the Mobile Home Park, or one-half (1/2) acre of land, whichever is greater.

(2) Management and maintenance offices, including storage facilities for grounds keeping equipment.

(D) Proposed provisions for fire protection, water supply, sanitary sewer and surface draining facilities, including engineering feasibility studies or other evidence of reasonableness, subject to the following requirements:

(1) All potable water system designs must be inspected and approved by the Ohio Department of Health.

(2) Fire protection measures must be provided as required by local fire codes.

(3) Sanitary sewer designs must be inspected and approved by the Ohio Department of Health. No connection(s) between storm water drainage systems and sanitary sewer systems shall be permitted.

(4) Adequate storm water drainage, connected to the main storm water drainage system, shall be provided for each mobile home site.

(E) Deed restrictions, covenants, easements and other title encumbrances.

13.2 Conditions for Application Approval: The Pleasant Township Zoning Commission shall consider any application for a Mobile Home Park, or for the creation of a Mobile Home Park Zoning District, based upon the following:

(A) That the proposed development is consistent with the purpose, intent and applicable standards of this Zoning Resolution.

(B) That the application meets all of the requirements set forth in this Article.

(C) That the proposed development is in conformity with the Hardin County

Land Use Plan.

- (D) That the proposed development does not infringe upon the general welfare of Pleasant Township.
- (E) That the character of the site design justifies the location and size of the development described in the application.

13.3 Requirements after Application Approval:

- (A) The Zoning Enforcement Officer shall issue a Zoning Permit, which shall be effective for one (1) year after the date of issuance. Construction shall be substantially started in accordance with the site development plan within the one (1) year life of the Zoning Permit, and will be completed within a reasonable length of time. If construction is not substantially started within the one (1) year life of the Zoning Permit, the approval will expire and all of the land shall revert to the previous zoning district. Extensions to the Zoning Permit, however, shall be granted after a showing of reasonable cause for the delay and if applied for prior to the expiration of the Zoning Permit.
- (B) The Zoning Enforcement Officer must subsequently determine that all of the required improvements, as specified in the approved site plan, have been installed prior to permitting the Mobile Home Park to be occupied.

13.4 Other Requirements for all Mobile Home Parks.

- (A) Before a Mobile Home Park may be occupied, at least forty (40) percent of the mobile home sites shall be completed and ready for occupancy. Occupancy shall include the installation of roadways, sidewalks, lighting, public utilities, and service and management buildings.
- (B) Each mobile home shall be permanently attached to a concrete foundation, not less than twelve (12) feet wide by sixty (60) feet long, by means of a minimum of four (4) anchors and tie-downs.
- (C) Each mobile home shall be skirted with rigid material which entirely encloses the bottom section within sixty (60) days after it is placed on its site.
- (D) Every Mobile Home Park shall provide a main entrance driveway not less than thirty-six (36) feet in width. All interior streets shall have a minimum right-of-way width of not less than twenty (20) feet. All drives shall be protected at the edges by curbs and gutters, or other suitable edging where necessary for the stabilization of the pavement and for adequate drainage. All mobile homes shall abut upon a paved interior street which shall not be a public right-of-way. All streets within a Mobile Home Park shall be lighted at night.

- (E) The storage and collection of garbage and refuse within each Mobile Home Park shall be conducted to prevent any health hazards, including but not limited to rodent harborage, insect breeding areas, fire hazards, and air and water pollution. All garbage shall be stored in fly-tight, rodent-proof containers, which shall be located no more than two-hundred (200) feet from each lot.
- (F) When liquefied petroleum gas is used, the containers for such gas shall be approved by the Interstate Commerce Commission for its intended purpose, and shall be integrally attached to the mobile home in a manner as approved by the Liquefied Petroleum Gas Association, or other appropriate authority, including the local fire district, the Ohio Department of Health and the Hardin County Health Department.
- (G) At least one (1) electrical connection shall be provided to each mobile home site.
- (H) Natural gas piping systems shall be installed underground in accordance with applicable codes and regulations and public utility standards. Each mobile home site provided with piped natural gas shall have an approved manual shutoff valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas.
- (I) All utility lines shall be located underground.

ARTICLE 14

Resource and Mineral Extraction (ME) Zoning Districts

14.1 Purpose: The purpose and intent of these regulations is to ensure that mineral extraction activities do not adversely affect surrounding properties, and that the land is restored to a useful and aesthetically pleasing condition after the minerals have been extracted. Mineral extraction is permitted only in a Resource and Mineral Extraction (ME) Zoning District in accordance with all of the conditions described below:

- (A) An applicant for a permit under this Article must demonstrate that any operations contemplated thereunder will not be detrimental to area in general, and surrounding properties in particular.
- (B) All equipment used in the proposed operations shall be constructed, maintained and operated in such a manner as to eliminate any noise, vibrations and/or dust, which could injure or annoy anyone in the vicinity.

- (C) No mining or quarrying, or gravel or sand extraction shall be permitted nearer than fifty (50) feet from the boundary of the property being utilized for such use.
- (D) In order to ensure adequate lateral support, all sand and gravel excavations shall be located at least one hundred (100) feet, and backfilled to at least one hundred fifty (150) feet, and all quarrying or blasting shall be located at least fifty (50) feet, all from the right of way line of any existing or platted street, road, highway or railway, except that such excavation or quarrying may be permitted within these limits to the point of reducing the ground elevation to the grade of the existing or platted street, road or highway.
- (E) All excavations of gravel or sand shall either be made to a water producing depth, plus five (5) feet, or graded and/or backfilled with non-noxious and non-flammable solids to ensure that the excavated area will not collect and retain water, and that the surface will create a gently rolling topography to minimize erosion by wind and rain and substantially conform to the contours of the surrounding area.
- (F) The banks of all excavations not backfilled shall be sloped to the water line at a grade of not less than two (2) feet horizontal to one (1) foot vertical, and such banks shall be sodded or surfaced with at least six (6) inches of suitable soil and seeded with grass. Spoil banks shall be graded to a level suiting the existing terrain and planted with trees, shrubs, legumes or grasses where revegetation is possible. Where flood water exists, spoil banks shall be high enough to prevent the overflow of water into the gravel pits, and shall be sloped, graded and seeded as prescribed herein.
- (G) Whenever the floor of a quarry is more than five (5) feet below the average grade of a roadway or land adjacent thereto, the property containing such quarry shall be completely enclosed by a barrier consisting of not less than a six (6) foot mound of earth planted with suitable dense plantings, or other suitable sufficient in either case to prevent persons from trespassing thereon or passing through. Such mound shall be located at least twenty five (25) feet from any roadway or boundary of the quarry property.
- (H) All quarrying, blasting, drilling or mining shall be carried out in a manner and on such scale as to minimize dust, noise and vibrations and to prevent adversely affecting the surrounding properties and all persons there located.
- (I) When any quarrying has been completed, such excavated area shall either be (1) left as a permanent spring-fed lake if such lake has an average depth of twenty (20) feet or more, or (2) the bottom thereof shall be leveled to prevent the collection and stagnation of water and to

provide proper drainage without excessive soil erosion, and said floor shall be covered with soil of adequate thickness for the growing of turf or other ground cover. The edge of such excavation shall be further protected by construction of a barrier consisting of not less than a six (6) foot mound of earth planted with a double of an effective planting.

ARTICLE 15

Mobile Homes and Recreational Vehicles

15.1 Regulation of Mobile Homes: Mobile homes on individual parcels are conditionally permitted in all A-1 Agricultural Districts and in R-1 Low Density Residential Districts provided they meet the conditions outlined below:

- (A) The minimum lot size upon which a mobile home may be situated shall be as follows:
 - (1) Three (3) acres in an A-1 Agricultural District.
 - (2) Thirty thousand (30,000) sq. ft. in an R-1 Low Density Residential District.
- (B) Every mobile home dwelling shall have a total ground floor area of no less than nine hundred (900) sq. ft. measured from the inside of exterior walls, including utility rooms but excluding open porches, breezeways and garages.
- (C) Each mobile home shall be installed by a licensed installer certified by the Ohio Department of Commerce.
- (D) Each mobile home shall be permanently attached to the ground according to the standards set by the Ohio Department of Commerce's Mobile Homes Program.
- (E) Each mobile home shall comply with the standards set by the Ohio Department of Commerce's Mobile Homes Program including but not limited to inspections, installation requirements, and permits.
- (F) Each mobile home shall be skirted, entirely enclosing the bottom section within sixty (60) days after it is placed on the site.
- (G) Newly placed and replacement mobile homes shall conform to the following conditions:

- (1) The mobile home's tongue, wheels, and axle must be removed.
- (2) Title of the mobile home must be surrendered to the County Auditor's Office so as to change the taxing structure from trailer tax to real estate tax.
- (3) The replacement mobile home shall not be more than three (3) years old and must meet the minimum size requirement.
- (4) Replacement mobile homes must comply with all provisions of this section.

15.2 Regulation of Recreational Vehicles:

- (A) No person shall utilize any recreational vehicle as a residence on any lot of record for more than thirty (30) consecutive days in any district outside an approved recreational vehicle park without first obtaining a conditional use permit. (SEE Article 23)
 - (1) Approval of the water supply and the septic system to be used must be obtained from the Hardin County Health Department before a conditional use permit shall be issued.
 - (2) Any conditional use permit issued hereunder shall be renewed annually.

ARTICLE 16

Off-Street Parking Regulations

- 16.1 Purpose:** At the time any building, structure, or use of land is erected, enlarged, or increased in capacity or use, there shall be provided for every use, off-street parking spaces for motor vehicles, subject to the regulations set forth in this Article. A parking plan shall be required for all uses except for single or two-family residential uses. The parking plan shall be submitted to the Zoning Officer as a part of the application for a zoning permit. The plan shall show the boundaries of the property, parking spaces, access driveways, circulation patterns, drainage, and construction plans, and boundary walls, fences, and a screening plan, as appropriate.

Whenever a building or use constructed or established after the effective date of this Resolution is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise to create a need for an increase of ten percent (10%) or more in the number of existing parking spaces, such spaces shall be provided based on the enlargement or change. Whenever a

building or use existing prior to the effective date of this Resolution is enlarged to the extent of fifty percent (50%) or more in floor area or in the area used, such building or use shall then and thereafter comply with the parking requirements set forth herein.

16.2 Parking space requirements:

- (A) Single and Double-family Dwellings: Two (2) spaces shall be required for each dwelling unit.
- (B) Multiple Family Dwellings: Two (2) per dwelling unit.
- (C) Auditoriums, Theaters, Churches, and Temples, Stadiums and Other Similar Places of Assembly: One (1) space for every five seats provided therein.
- (D) Bowling Alleys: Four (4) spaces for each alley.
- (E) Colleges and High Schools: One (1) space for each eight (8) seats in the main auditorium or similar place of assembly or three (3) spaces for each classroom, whichever is greater. Schools having a stadium shall meet these requirements or those of Article 14.2(C) above, whichever is greater.
- (F) Dance Halls, Roller Rinks, Assembly or Exhibition Halls (without fixed seats): One (1) space for each one hundred (100) square feet of floor space.
- (G) Hospitals, Medical and Dental Offices: One (1) space for each three (3) hospital beds or for each four hundred (400) square feet of floor space, whichever is greater, plus one (1) space for each employee on the maximum working shift.
- (H) Industrial or Wholesale Shops: One and one half (1½) space for each two (2) employees on the maximum working shift, one (1) space for each motor vehicle maintained on the premises, plus such additional parking facilities as shall be required for the accommodation of visitors and other vehicles incidental to the operation of the business.
- (I) Integrated Shopping Centers: One (1) space for each one hundred fifty (150) square feet of floor space.
- (J) Mortuaries or Funeral Homes: Five (5) spaces for each room used as a chapel, slumber room or parlor or one (1) parking space for each fifty (50) square feet of floor area of assembly rooms used for service, whichever is greater.

- (K) Motels or Hotels: One (1) space for each sleeping room or suite.
- (L) Private Clubs or Lodges: One (1) space for every five (5) members.
- (M) Rest Homes, Convalescent Homes, Nursing Homes, Homes for the Aged or Similar Institutions: One (1) space for each six (6) beds, one (1) space for each two (2) employees on the maximum working shift, plus such additional parking facilities as shall be required for the accommodation of visitors and other vehicles incidental to the operation of the business.
- (N) Retail Commercial: One (1) space for each two hundred (200) square feet of floor space.
- (O) Restaurants, Night Clubs, Bars, Cafes, or Similar Recreation or Amusement Establishments: One (1) space for each three (3) persons of capacity.
- (P) Schools (except High Schools and Colleges) and Public Buildings: Two (2) spaces for each office and classroom and one (1) space for each five (5) seats in the auditorium or similar places of assembly. Schools having a stadium shall meet the requirements or those of Article 14.2(C) above, whichever is greater.
- (Q) Business or Professional Offices and Banks: One (1) space for each three hundred (300) square feet of floor area.

16.3 Other parking requirements: Notwithstanding the foregoing, when computing the number of such parking spaces required, the following rules shall govern:

- (A) In the case of mixed uses, the parking space required shall equal the sum of the requirements of the various uses computed separately.
- (B) Where fractional spaces result, the parking spaces required shall be the nearest whole number.
- (C) The parking space requirement for uses not specifically mentioned herein shall be the same as required for a use of similar nature.
- (D) No building shall be enlarged, rebuilt, or structurally altered to the extent of more than twenty-five (25) percent addition in floor area unless there shall be provided the total number of off-street parking spaces required for the original use and its enlargement.
- (E) Parking facilities shall be located on the same lot with the building or use

served, except that non-residential use parking may be provided within three hundred (300) feet of the lot and two (2) or more uses may provide a common parking lot meeting the requirements for this Section.

16.4 Off-street loading spaces

- (A) Off-street truck loading spaces shall be provided as accessory to retail, wholesale, office, and industrial buildings as prescribed in this Section.
- (B) Each such space shall be easily accessible from a street without substantial interference with traffic.
- (C) The surface of each such space shall be of all-weather dustless material.
- (D) Areas allocated to required off-street loading spaces may not be included in required off-street parking area, nor shall the off-street loading space be used for normal vehicle repair or service work.
- (E) All required loading spaces shall be on the same lot as the use served, but if such spaces abut a residential district, they shall be suitably screened or fenced.
- (F) No loading space shall be in a required front yard.
- (G) Every building of the type described below which is hereafter built, relocated, or structurally altered to the extent of more than fifty (50) percent addition in floor area, shall provide off-street truck loading spaces in accordance with the following schedule:

- (1) A building whose dominant use is handling and selling goods at retail shall provide such spaces in relation to the floor area used for retail purposes as follows:

<u>Area:</u>	<u>Loading Spaces Required:</u>
5,000 - 10,000 sq. ft.	One (1)
10,000 - 20,000 sq. ft.	Two (2)
20,000 - 30,000 sq. ft.	Three (3)
Over - 30,000 sq. ft.	Four (4)

- (2) Manufacturing, repair, wholesale, trucking terminal or warehouse uses shall provide such spaces in relation to total floor area as follows:

<u>Area:</u>	<u>Loading Spaces Required:</u>
5,000 - 40,000 sq. ft.	One (1)
40,000 - 100,000 sq. ft.	Two (2)

Over - 100,000 sq. ft.

Three (3)

- (3) Other buildings not listed above but having over ten thousand (10,000) square feet in floor area shall provide one (1) such space.

16.5 Parking Standards: Every off-street parking area shall be improved to meet the following minimum requirements:

- (A) Any parking area for more than five (5) vehicles shall be graded and surfaced to provide a durable surface, or have adequate treatment if within two hundred (200) feet of any Agriculture or Residential District.
- (B) Drainage facilities shall connect with a public street drain, storm sewer, or drainage ditch.
- (C) Lighting used to illuminate the parking area shall be arranged as to reflect the light away from any adjoining premises.
- (D) From a public street every parking area shall have access not less than eight (8) feet or more than twenty (20) feet in width in the case of a dwelling. From a public street in all commercial districts every parking area shall have access not less than sixteen (16) feet or more than thirty (30) feet in depth.
- (E) All driveway aprons or curb cuts on state routes shall conform to ODOT RESIDENTIAL DRIVEWAY STANDARD DRAWING, URBAN RESIDENTIAL DRIVE (DETAILS 803-2 & 803-3), or STANDARD COMMERCIAL DRIVE DESIGNS (803-8) and COMMERCIAL DRIVE PROFILE CRITERIA (804-1) as appropriate.
- (F) Driveways or curb cuts on Pleasant Township maintained roads shall be Construct within Road Right-of -Way). Driveways or curb cuts on Hardin County maintained roads shall be approved by the Hardin County Engineer. (Permit to Install Driveway). Driveways or curb cuts on State Routes shall be approved by ODOT. (Right-of-Way User Permit)
- (G) A parking area for more than ten (10) vehicles which abuts a residential district shall be suitably screened and fenced.

16.6 Parking of Boats, Trailers and Recreational Vehicles/Trailers

- (A) The parking or outdoor storage of a boat, trailer, or recreational trailer/vehicle shall be prohibited within the front yard of any residence. However, the parking or storing of such vehicles shall be permissible within the side or rear yard of any residence.

- (B) Boats, trailers, or recreational trailer/vehicles parked or stored on one's property, must be operable and legally be able to be pulled or driven upon a roadway.
- (C) If any boat, trailer, or recreational trailer/vehicle is located on a corner lot, then the parking or storing of said boat, trailer, or recreation vehicle shall be opposite the street facing side.
- (D) Boats, trailers, or recreational trailers/vehicles may be stored in the driveway for a period of 72 hours for routine maintenance. Boats, trailers, or recreational trailer/vehicles shall not be parked on the street in front of the residence, and/or in a road right-of way, and when parked shall not constitute a hazard to approaching traffic or on-coming traffic.
- (E) No occupancy for human habitation shall be maintained or business conducted therein while such boat, trailer, or recreational trailer/vehicle, where it is so parked or stored. Connections of power cables or power connection lines, as well as connections of any type of sanitary lines to the principal structure, or septic / sewage system is prohibited and is prima-facie evidence of occupancy or habitation.
- (F) The wheels or similar transporting devices of any such trailer permitted within any Residential District shall not be removed, nor shall any trailer be temporarily or permanently affixed to the ground or attached to something having a temporary or permanent location on the ground.
- (G) No commercial vehicle shall be parked or stored on any property within a Residential District except in an enclosed building. The said prohibited use shall include semi-tractors, buses, house trailers, or semi-trailers, except those commercial vehicles conveying the necessary tools, materials, and equipment to a premise where labor using such tools, materials, and equipment is to be performed during the actual time of parking.

ARTICLE 17

Fencing Regulations

- 17.1 Purpose:** The purpose of this section is to establish regulations controlling the location, installation and standards for fences in order that a property owner may construct a fence which retains the privilege of privacy, allows attractive landscape design, or offers reasonable security while assuring that such fences are located and constructed to respect the rights and enjoyment of neighboring property owner, the appearance of the community, and the overall health, safety, and public welfare of its residents. (This section does not refer to "invisible fences" used for the confinement of pets.)

17.2 Fences are permitted in all Agricultural and Residential Districts, subject to the following conditions [NOTE: Agricultural style fences used for agricultural purposes (CAUV approved) shall be exempt from the following regulations, however shall comply with the standards and regulations in the Ohio Revised Code for "agricultural fencing"]:

(A) Location

- (1) No fence, wall, or hedge shall be constructed in any public road right-of-way or in front of any property line and/or utility easement.
- (2) All fences and walls must be constructed at least one (1) foot inside all property lines. The property owner shall assume responsibility for determining the legal and proper placement of the fence, wall, or hedge upon his/her property.
- (3) Fences constructed on corner lots shall be required to have the same set back distance as required for front yards in the district in which such structure is located.
- (4) Fences constructed in Residential districts shall only be erected in the side or rear yard, and be set back at least four (4) foot from the front line of the principal dwelling structure.
- (5) Decorative split rail fencing must be located at least one (1) foot from the road right-of-way. Examples would be split rail post and rails marking the front corners of the property, low stone walls surrounding a front porch or patio or wood or stone retaining walls integrated into landscaping in a sloped yard.

(B) Height:

- (1) Side or rear yard privacy fences shall not exceed six (6) feet in height.
- (2) Decorative split rail fencing, low stone walls, and hedge fences shall not exceed four (4) feet in height.
- (3) Chain link fences shall not exceed four (4) feet in height. Chain link fences shall only be erected in the side or rear yard and setback (4) foot from the front line of the principal dwelling structure.

(C) Materials and Construction:

- (1) Fences may be constructed of wood, vinyl, brick, stone, steel,

aluminum, or other material as approved by the Township Zoning Inspector. Fence construction shall have a unified appearance and constructed of same / similar building materials.

- (2) Fences constructed of metal, aluminum, or other steel materials other than chain link shall be subject to review and approval by the Township Zoning Inspector. Fences and walls are interchangeable for purposes of this section.
- (3) Fences shall not contain an electric charge.
- (4) Barbed wire, razor wire, or any other type of anti-climbing wire shall only be used in the non-residential areas and then only when approved by the Township Zoning Board of Appeals.
- (5) Materials used for fences shall be of traditional fencing materials (wrought iron, chain link, pressure treated lumber, cedar, redwood, PVC, etc.) and shall be constructed of weather resistant materials or treated so that they are weather resistant.
- (6) Individual fence panels (lumber, cedar, redwood, PVC) may be constructed uniformly in a vertical or horizontal fashion with finished or most decorative side of the fence facing away from the property.
- (7) Soft fencing, being plantings composed of ornamental grasses, flowering bushes, and perennial plants may be incorporated into the solid fencing scheme to soften the overall visual impact.
- (8) Decorative hedge walls may be utilized along the side and front of the property, for privacy purposes. Decorative hedge walls shall not exceed the height of four (4) feet, shall be set back inside the property lines to allow for growth and expansion so that it does not extend into adjoining properties, and shall be trimmed and maintained.

(D) Sight Distance Requirements

- (1) No fence, wall, or hedge planting shall interfere with visibility from a driveway. The Township Zoning Inspector is hereby empowered to cause all such obstructions to be moved in the interest of the public safety.
- (2) No fence or wall may be placed such they interfere with street level sight visibility for 50 feet from any approach to an intersection.

(E) Additional Fence, Walls, and Hedge Standards

- (1) Open face decorative wrought iron fencing may be permitted on lots greater than two-(2) acres in size based on its integration within the landscaping scheme.
- (2) Mesh wire fence shall be permitted if incorporated into or an integral part of a wood rail fence.
- (3) All fences on a parcel shall have a unified style.
- (4) Guard rails shall not be used as fencing.
- (5) The Township Zoning Inspector may order appropriate remedial measures to alleviate any hazardous conditions related to any fence, whether newly constructed following adoption of this section, or constructed prior to the adoption of this section, whether conforming or nonconforming, when the Township Zoning Inspector determines that such condition, without immediate remedial measures jeopardizes the health and safety of residents or passersby.
- (6) For fences constructed in a mixed zoned location, being a Residential and Agricultural Mix then construction shall be in accordance with the regulations of the Zoning District where the construction of the fence is taking place

17.3 Fences are Walls are permitted Commercial and Industrial Districts, subject to the following conditions:

(A) Location:

- (1) Fences and walls shall always maintain a minimum (1) one-foot setback within all property lines.
- (2) Fences and walls shall not be constructed in any public road right-of-way and/or utility easement.
- (3) Fences and walls shall only be erected in the side or rear yard, and setback (4) four-foot from the front line of the building.

(B) Materials and Construction:

- (1) Approved fencing materials include chain link, stone, brick, finished wood, iron, or synthetic look-alike products.

- (2) Fence and walls shall not be topped with barbed wire, except in the Industrial Zoned Districts.
 - (3) All fences shall be designed, constructed, and finished so that the supporting members face the property of the owner of the fence.
 - (4) All fences on a single parcel shall have a unified style along a single plane and for all fence segments visible from off the premises from any single direction.
- (C) Height:
- (1) In Commercial Zoned Districts fence and walls using stone, brick, finished wood, iron, or synthetic look-alike products shall not exceed six (6) feet in height, measured from the common ground level.
 - (2) In Commercial Zoned Districts a chain link fence shall not exceed eight (8) feet in height, measured from the common ground level.
 - (3) In Industrial Zoned Districts chain link fences topped with barbed wire are permitted to a maximum height of eight (8) feet, measured from the common ground level. If barbwire is installed the maximum height of nine (9) feet is allowed. Chain link topped with barbwire can project outward if the barbwire arms / topper does not encroach past the property line. A chain link fence may be rendered opaque with slats inserted diagonally.
- (D) Screening and Landscaping:
- (1) Screening and landscaping are not required for ornamental fences.
 - (2) All fences, other than ornamental fences, when visible from public streets, shall be visually softened and reasonably screened from the street with appropriate landscaping as follows:
 - (a) Fences that are located within required building and parking setbacks shall be considered appropriately screened when the landscaping is planted within five (5) feet from the fence and between the fence and the property line.
 - (b) Fences that are not located within the required building and parking setback areas shall be screened with landscape materials, planted not more than five (5) feet from the fence and between the fence and the property line.

ARTICLE 18

Regulation of Adult Entertainment Businesses

- 18.1 Purpose:** The purpose of this Article is to promote the public health, safety and welfare through the regulation of adult entertainment businesses. It is the intent of this Article to regulate entertainment businesses, as defined herein, in such a manner as to prevent the erosion of the character of the surrounding neighborhoods and to prohibit the establishment of such businesses within close proximity to existing churches, amusement arcades, parks and playgrounds within the township.
- 18.2 Definitions:** The following definitions shall apply in the interpretation of this Article:
- (A) **“Adult Entertainment Business”** means an adult book store, adult motion picture theater, adult drive-in motion picture theater, or an adult only entertainment establishment as further defined in this section;
 - (B) **“Adult Book Store”** means an establishment which utilizes fifteen percent (15%) or more of its retail selling area for the purpose of retail sale or rental; or for the purpose of display by coin or slug-operated, or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices, or both; and books, magazines, other periodicals, films, tapes and cassettes which are distinguished by their emphasis on adult materials as defined in this section;
 - (C) **“Adult Motion Picture Theater”** means an enclosed motion picture theater which is regularly used or utilizes fifteen percent (15%) or more of its total viewing time, for presenting material distinguished or characterized by an emphasis on matter depicting, describing or related to adult material as defined in this section;
 - (D) **“Adult Motion Picture Drive-In Theater”** means an open air drive-in theater which is regularly used or utilizes fifteen percent (15%) or more of its total viewing time, for presenting material distinguished or characterized by an emphasis on matter depicting, describing or related to adult material as defined in this section;
 - (E) **Adult Only Entertainment Establishment** means an establishment where the patron directly or indirectly is charged a fee where the establishment features entertainment or services which constitute adult material as defined in this section, or which features exhibitions, dance routines, or gyrational choreography of persons totally nude, topless, bottomless, or strippers, male

or female impersonators or similar entertainment or services which constitute adult material;

- (F) "Adult Material" means any book, magazine, newspaper, pamphlet, poster, print, picture, slide, transparency, figure, image, description, motion picture film, phonographic record, compact disc, DVD or tape, other tangible thing, or any service, capable of arousing interest through sight, sound, or touch; and,
- (1) Which material is distinguished or characterized by an emphasis on matter displaying, describing, or representing sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination; or,
 - (2) Which service is distinguished or characterized by an emphasis on sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination.
- (G) "Bottomless" means less than full opaque covering of male or female genitals, pubic area, or buttocks;
- (H) "Nude or Nudity" means the showing, representation, or depiction of human male or female genitals, pubic area, or buttocks with less than full opaque covering of any portion thereof; or female breast(s) with less than a full, opaque covering of any portion thereof below the top the nipple; or of covered male genitals in a discernable turgid state;
- (I) "Topless" means the showing of a female breast with less than a full, opaque covering of any portion thereof below the top of the nipple;
- (J) "Sexual Activity" means sexual conduct or sexual contact, or both;
- (K) "Sexual Contact" means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person; and,
- (L) "Sexual Excitement" means the condition of the human male or female genitals, when in a state of sexual stimulation or arousal.

18.3 Conditional Use Permit Required: No building shall be erected, constructed, or developed; and no buildings or premises shall be reconstructed, remodeled, arranged for use or used for any adult entertainment business unless authorized by the issuance of a conditional use permit in accordance with the provisions of Article 21 of this Resolution. In addition to said provisions, an adult entertainment

business shall comply with the following conditional use criteria:

- (A) An adult entertainment business shall be conditionally permitted in Commercial Districts only, and shall comply with the district regulations applicable to all properties in any district in which they are located;
- (B) No adult entertainment business shall be permitted in a location which is within one thousand five hundred (1,500) feet of another adult entertainment business;
- (C) No adult entertainment business shall be permitted in a location which is within one thousand five hundred (1,500) feet of any church, any public or private school, any park, any playground, or any social service facility or neighborhood center;
- (D) No adult entertainment business shall be permitted in a location which is within one thousand five hundred (1,500) feet of any residence or boundary of any residential district; and,
- (E) No adult entertainment business shall be permitted in a location which is within one thousand five hundred (1,500) feet of any boundary of any residential district in a local unit of government abutting the township.

ARTICLE 19

Regulation of Signs and Billboards

19.1 General:

- (A) Business signs and billboards existing at the time of the enactment of this Resolution shall be regarded as pre-existing, and may be continued for an indefinite period of time, provided said signs and billboards are properly maintained. All business signs and billboards erected after the enactment of this Resolution shall satisfy all of the requirements as set forth in this Article.
- (B) No person owning or controlling a business sign or billboard shall fail to keep such sign or billboard in a state of good repair at all times, with all braces, bolts, supporting frames and poles free from deterioration, termite infestation, rot, rust, loosening and any other such condition of disrepair, and shall ensure that said sign or billboard can at all times withstand weather conditions reasonable foreseeable.
- (C) Any illumination of business signs and billboards shall be subject to the following requirements:

- (1) The light from any illuminated sign or billboard shall be so shaded, shielded or directed that the light intensity or brightness to prevent becoming a nuisance to nearby residents having reasonable sensibilities.
- (2) No colored lights shall be used upon a sign or billboard situated at any location, or in any manner, which could be confused with, or interfere with, any traffic control devices.
- (3) All wiring, fittings and materials used in the construction and/or operation of any electrically illuminated sign or billboard shall be in accordance with the provisions of the National Electrical Code or any governing state or local electric code.

19.2 Permitted Signs in A-1, R-1 and R-2 zoning districts:

- (A) One (1) sign not exceeding twenty (50) square feet in area for any church, school, or other public institution.
- (B) One (1) temporary, unlighted real estate sign advertising the sale or rent of the premises on which the sign is maintained, said sign not to exceed nine (9) square feet in area and situated outside of all street right-of-way lines, or lying flat against a building.
- (C) One (1) temporary, unlighted sign not exceeding fifty (50) square feet in area situated in a real estate development containing five (5) lots or more.
- (D) Home occupation signs stating the name and profession of the building occupant to whom a valid home occupant permit has been issued, said sign not exceeding sixteen (16) square feet in area, and set back at least forty (40) feet from the center of the adjacent roadway.

19.3 Permitted signs in C-1 zoning districts:

- (A) Business signs shall not exceed forty (40) square feet in area.
- (B) Business signs mounted on poles shall not exceed twenty-five (25) feet in height.
- (C) Business sign must have a direct relationship to the commercial activity being conducted upon the premises there situated.

19.4 Permitted signs in I-1 zoning districts:

- (A) Business signs shall not exceed one-hundred fifty (150) square feet in

area.

- (B) Business signs mounted on poles shall not exceed twenty-five (25) feet in height.
- (C) Business sign must have a direct relationship to the industrial activity being conducted upon the premises there situated.

19.5 Permitted Billboards:

(A) Allowable locations:

- (1) Billboards shall be permitted only in A-1, C-1 and I-1 zoning districts;
- (2) Billboards shall be situated to prevent light from projecting onto public right-of-ways;
- (3) No billboard shall be located within two-hundred fifty (250) feet of an exit or entrance to a limited or controlled access highway;
- (4) No billboard shall be located within (a) one-hundred (100) feet of any state highway right-of-way, or (b) fifty (50) feet of any county right-of-way, or (c) twenty-five (25) feet of any township road right-of-way;
- (5) No billboard shall be located within two-hundred (200) feet of any R-1 or R-2 zoning district;

(B) Allowable sizes.

- (1) Billboards shall not exceed three-hundred fifty (350) square feet in area.
- (2) Billboards shall not be elevated to a height less than six (6) feet above the ground.

(C) Construction.

- (1) All freestanding billboards shall be constructed upon metal or wooden supports

ARTICLE 20

Administration

20.1 Purpose: The formulation, administration and enforcement of this Resolution is hereby vested in the Zoning Commission, the Board of Zoning Appeals, the Board of Township Trustees and the Zoning Enforcement Officer, and this Article sets forth the powers and duties of each.

20.2 Township Zoning Commission:

- (A) The Zoning Commission shall be appointed by the Board of Township Trustees and shall consist of five (5) members who are residents of the unincorporated area of the Township. None of the members shall be concurrently appointed to any other office within the township. The terms of such members shall be of such length and so arranged that the term of one (1) member shall expire each year. Each member shall serve until a successor is appointed.
- (B) Members of the Zoning Commission shall conduct a reorganization meeting on the first Monday in February of each year, during which time a President, Vice-President and Secretary shall be elected. All such officers shall be elected by a majority vote.
- (C) A quorum of the members is required to conduct business at all meetings, including the reorganization meeting in February.
- (D) The powers and duties of the Zoning Commission shall consist of the following:

 - (1) Prepare the Zoning Resolution recommended for the unincorporated areas of the Township;
 - (2) Hold the required public hearings, notice of which shall be given as required by Ohio law.
 - (3) Submit the proposed Zoning Resolution, including text and the official Zoning District Map, or amendments thereof, to the Hardin County Regional Planning Commission. Upon receipt of the recommendations from the Regional Planning Commission, certify the same to the Board of Township Trustees.
 - (4) Conduct meetings to consider changes in either the text of the Zoning Resolution or the Zoning District Map, on an as needed and good faith basis, to provide for betterment of the general

welfare of the citizens in the Township.

- (E) A record of all meetings and subsequent actions and determinations shall be kept by the Secretary.

20.3 Township Board of Zoning Appeals:

- (A) The Township Board of Zoning Appeals shall be appointed by the Board of Township Trustees and shall consist of five (5) members who are residents of the unincorporated area of the Township. None of the members shall be concurrently appointed to any other office within the township. The terms of such members shall be of such length and so arranged that the term of one (1) member shall expire each year. Each member shall serve until a successor is appointed.
- (B) Members of the Board of Zoning Appeals shall conduct a reorganization meeting on the first Monday in February of each year, during which time a President, Vice-President and Secretary shall be elected. All such officers shall be elected by a majority vote.
- (C) A quorum of the members is required to conduct business at all meetings, including the reorganization meeting in February.
- (D) The powers and duties of the Board of Zoning Appeals shall consist of the following:
 - (1) To hear and decide appeals where it is alleged that there is an error in the interpretation, judgment, decision or determination, made by the Zoning Enforcement Officer, in the enforcement and/or administration of any provision of the Resolution;
 - (2) To authorize a **variance** from the strict application of the provisions of this Resolution due to exceptional difficulties or hardships, provided said relief can be granted without substantial detriment to the public welfare and said relief does not substantially impair the intent of the Resolution. No variance shall be granted unless the Board of Zoning Appeals finds that all of the following conditions exist:
 - (a) The special circumstances or conditions applying to the building or land at issue are peculiar to such building or property, and do not result from the actions of the appellant and do not apply generally to land or buildings in the area.
 - (b) The granting of the variance is necessary for the preservation and enjoyment of the substantial property right

and not merely to serve as a convenience to the appellant.

- (c) The proposed variance will neither approve a change on the official Zoning District Map, nor approve a use which is not otherwise permitted in the zoning district in which the property or building is situated.
- (3) To authorize a **Conditional Use Permit**, to allow uses which may only be suitable in specific locations within a zoning district. In considering an application for a Conditional Use Permit, the Board of Appeals must make an affirmative finding that the proposed Conditional Use is to be located in a district wherein such use may be conditionally permitted, and that all conditions for approval of Conditional Uses have been met. The Board of Appeals shall give due regard to the nature and condition of all adjacent uses and structures and the consistency therewith of the proposed Conditional Use and any potential nuisances.

20.4 Board of Township Trustees:

- (A) Appoint five (5) members to a Township Zoning Commission whose function it is to formulate a Zoning Resolution text and Official Zoning District Map and to initiate or review proposed text amendments or changes of zoning district on the Official Zoning District Map.
- (B) Appoint a Zoning Enforcement Officer to administer and enforce the provisions of this Zoning Resolution.
- (C) Appoint a five-member Board of Zoning Appeals in accordance with the Ohio Revised Code, Section 519.13 to hear administrative appeals, requests for variances and Conditional Use Permits.
- (D) Initiate or act upon suggested amendments to the Zoning Resolution text or Official Zoning District Map following recommendations of the Township Zoning Commission and review by the Hardin County Regional Planning Commission.
- (E) Each written application for a Zoning Certificate, Zoning Amendment, Administrative Appeal, Conditional Use Permit or Variance shall be accompanied by filing fees which are to be determined by resolution of the Board of Township Trustees. These filing fees shall be forwarded to the Township, and shall be utilized to help cover the expenses of the Zoning Enforcement Officer, the Planning Commission, and the Board of Appeals.

20.5 Township Zoning Enforcement Officer

- (A)** The Board of Township Trustees shall appoint a Township Zoning Enforcement Officer and affix his compensation.
- (B)** The powers and duties of the Township Zoning Enforcement Officer are as follows:
 - (1)** Interpret the provisions of this Resolution and the official Zoning District Map, and enforce the provisions thereof.
 - (2)** Act upon all zoning applications within thirty (30) days of their dates of receipt. Either a Zoning Permit, or a written notification and explanation of its denial, shall be issued to the applicant within said thirty (30) days.
 - (3)** Determine whether various uses of land within the Township are in compliance with this Resolution. Where violations exist, the Zoning Enforcement Officer shall notify in writing the person(s) responsible, specifying the exact nature of the violation and directing any necessary corrective action.
 - (4)** Respond to questions concerning applications for amendments to the Zoning Resolution text and the official Zoning District Map.
 - (5)** Review and approve site plans pursuant to this Resolution.
 - (6)** Prepare and submit reports to the Township Trustees and the Zoning Commission on the administration of this Resolution, setting forth such information as may be of interest and value in advancing and furthering the purpose of this Resolution. Such reports shall include recommendations concerning the scheduling of fees.

ARTICLE 21

Zoning Permits

21.1 Purpose:

This Article sets forth the procedures to be followed in obtaining permits and other legal or administrative approval under this Resolution.

21.2 Zoning Permits Required:

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

(A) A Zoning Permit with payment is required for:

- (1) Buildings and Dwellings that are intended for human or animal habitation.
- (2) Remodeling that changes a building's and/or dwelling's footprint.
- (3) In-ground and permanent above-ground pools.
- (4) Ponds or lakes.
- (5) Accessory Buildings or Structures (Greater than 150 square feet in area)
- (6) Some signs. (SEE Article 19)
- (7) Renewable Energy Systems.

(B) A Zoning Permit is not required for:

- (1) Internal remodeling that does not change a building's external footprint.
- (2) Uncovered structures, including but not limited to decks, swimming pool aprons, patios, sidewalks, parking areas, and porches (An open roof or lattice is not a cover).
- (3) Temporary above-ground pools.
- (4) Some signs (SEE Article 19)
- (5) Fences (SEE Article 17)

21.3 Application for Zoning Permit

The application for zoning permit shall be made in writing and be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. At a minimum, the application shall contain the following

information and be accompanied by all required fees:

- (A)** Name, address, email, and phone number of applicants.
 - (1)** An applicant must have an actual interest in the property at issue. Lessees and licensees do not have standing to apply for a zoning permit.
- (B)** Legal description of property.
- (C)** Existing use.
- (D)** Proposed use.
- (E)** Zoning district.
- (F)** Site plans showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any; and the location and dimensions of the proposed building(s) or alteration.
- (G)** If appropriate, a tabulation of the area within the building in square feet including:
 - (1)** Area under roof within outside walls, including attached garages, basements (ceiling 5'-0" or more) and attic space if served by permanent stairs. (A pull-down stair is not a permanent stair.)
 - (a)** this requirement does not include crawl spaces (ceiling less than 5'-0"])
 - (2)** All covered porches, breezeways, etc. (does not include open decks, atriums, walks, drives, or other uncovered areas)
 - (3)** All detached garages and other buildings.
- (H)** Such other documentation as may be necessary to determine conformance with, and to provide for the enforcement of, this Resolution.

21.4 Approval of Zoning Permit

Within thirty (30) days after the receipt of a complete application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this Resolution. All zoning permits shall, however, be conditional upon the commencement of work within six (6) months.

21.5 Expiration of Zoning Permit

If the work described in any zoning permit has not begun within six (6) months from the date of issuance thereof, said permit shall expire and be of no further effect. Further work as described in the cancelled permit shall not proceed unless and until a new zoning permit has been obtained or an extension granted.

21.6 Record of Zoning Permits

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

21.7 Failure to obtain a Zoning Permit

Failure to obtain a zoning permit shall be a punishable violation of this Resolution, up to and including removal of the unauthorized construction.

21.8 Construction and use are to be as provided for in application and approved permits

Zoning permits issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use, and arrangement, set forth in such approved plans and applications or amendments thereto. Any use, arrangement, or construction contrary to that authorized shall be deemed a punishable violation of this Resolution, up to and including removal of the unauthorized construction.

21.9 Entry and Inspection of property

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

21.10 Notices of Violation

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

- (A) Be in writing.

- (B) Identify the violation.
- (C) Include a statement of the reason or reasons why it is being issued and refer to the Sections of this Resolution being violated.
- (D) State the time by which the violation shall be corrected
- (E) Service of notice of violation shall be as follows:
 - (1) By certified mail deposited in the United States Post Office addressed to the person or persons responsible at a last known address.
 - (2) If a certified mail envelope is returned with endorsement showing that the envelope is unclaimed, then service may be perfected by personal delivery to the person or persons responsible, or by leaving the notice at the usual place or residence of the owner with a person of suitable age and discretion.
 - (3) If service by both certified mail and personal service has failed, then service may be perfected by posting a copy of the notice of violation in the legal section of the newspaper having general circulation within the township, a minimum of one (1) time.

21.10 Stop Work Order

Subsequent to the Zoning Inspector's determination that work is being done contrary to this Resolution, the Zoning Inspector shall write a stop work order and post it on the premises involved. Removal of a stop work order, except by the order of the Zoning Inspector, shall constitute a punishable violation of this Resolution. A Stop Work Order may also be issued due to noncompliance with a previously issued notice of violation.

21.12 Zoning Permit Revocation

The Zoning Inspector may issue a revocation notice to revoke a permit or administrative approval which was used in a manner contrary to this Resolution or based upon false information or misrepresentation in the application. Notice of such revocation shall be served upon the person(s) responsible in the same manner as described in Article 21.10(E)

21.13 Prosecution of Violation

If upon re-inspection following the issuance of a notice of violation, the condition has not been corrected, the person or persons responsible shall be referred to the Hardin County Prosecuting Attorney.

21.14 Penalties and Fines

It shall be unlawful to use, erect, establish, locate, construct, reconstruct, enlarge, change, convert, move, or structurally alter any building, structure, or land in violation of any provision of this Resolution or any amendment thereto. Any person, firm or corporation who violates this Resolution or fails to comply with any of its requirements shall be fined the maximum allowable pursuant to Section 519.99 of the Ohio Revised Code or in such statute as it may hereafter be amended, including removal of the unauthorized construction. Each day of such violation shall be considered a separate offense.

The owner or tenant of any building, structure, premises, or part thereof, who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

21.15 Additional Remedies

Nothing in this Resolution shall be deemed to abolish, impair, or prevent other additional remedies as provided by law. In the event of a violation of any provision or requirement of this Resolution, or in the case of imminent threat of such violation, the Zoning Inspector, the Prosecuting Attorney of Hardin County, or the owner of any neighboring property who would be especially damaged by such violation, may seek an injunction, abatement, or other appropriate action to prevent, remove, abate, enjoin, or terminate such violation.

ARTICLE 22

Appeals and Variances

22.1 Purpose:

Appeals and variances shall conform to the procedures and requirements of the Resolution. The Board of Zoning Appeals has appellate jurisdiction relative to appeals and variances.

22.2 Appeals:

Pursuant to Section 519.15 of the Ohio Revised Code or as in such statute as it may hereafter be amended, appeals to the Board of Zoning Appeals concerning interpretation or administration of this Resolution may be taken by any person aggrieved or by any officer or bureau of the legislative authority of the Township affected by any decision of the Zoning Inspector. Such appeal shall be taken within thirty (30) days after the decision by filing with the Zoning Inspector and

with the Board of Zoning Appeals a Notice of Appeal specifying the grounds upon which the appeal is being taken. The Zoning Inspector shall transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed was taken.

22.3 Stays of Proceedings:

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

22.4 Variances:

Recognizing that on any particular property, extraordinary circumstances may exist which make a strict enforcement of the applicable zoning resolution standards unreasonable, variances may be granted by the Board of Zoning Appeals to allow the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen, under circumstances which will not ordinarily involve a change of the primary use of the district within which the variance is being sought.

22.5 Applications and Standards for Variances:

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

- (A)** Name, address, and phone number of applicant(s).
 - (1)** An applicant must have an actual interest in the property at issue. Lessees and licensees do not have standing to file an appeal.
 - (2)** Only the person(s) who whose permit application was denied, or their legal representative, have standing to file an appeal.
- (B)** Legal description of property.
- (C)** A list containing the names and mailing addresses of all owners of property adjacent to the property in question.

- (D) Description or nature of variance requested.
- (E) A fee as established by Resolution: and,
- (F) Narrative statements establishing and substantiating that the variance conforms to the following standards:
 - (1) The granting of the variance shall be in accord with the general purpose and intent of the regulations imposed by this Resolution on the district in which it is located and shall not be injurious to the area or otherwise detrimental to the public welfare.
 - (2) The granting of the variance will not permit the establishment of any use which is not otherwise permitted in the district.
 - (3) There must exist special circumstances or conditions, fully described in the findings, applicable to the land or buildings for which the variance is sought, which are peculiar to such land or buildings and do not apply generally to land or buildings in the area, and which are such that the strict application of the provisions of this Resolution would deprive the applicant of the reasonable use of such land or building.
 - (4) The granting of the variance is necessary for the reasonable use of the land or building, and the variance as granted is the minimum variance that will accomplish this purpose.
 - (5) The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values of the adjacent area; and,
 - (6) The granting of the variance requested will not confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

22.6 Public Hearing by Board of Zoning Appeals

Pursuant to Section 519.15 of the Ohio Revised Code or as in such statute as it may hereafter be amended, the Board of Zoning Appeals shall hold a public hearing within thirty (30) days after the receipt of an application for an appeal or variance from the Zoning Inspector or an applicant. Prior to such hearing, the following notice must be provided:

(A) Published Notice of Hearing

Pursuant to Section 519.15 of the Ohio Revised Code or as in such statute as it may hereafter be amended, before conducting the public hearing required herein, notice of such hearing shall be given in a newspaper of general circulation in Pleasant Township, or posted on the website of the Pleasant Township Trustees, at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance.

(B) Notice to Parties in Interest

Pursuant to Section 519.15 of the Ohio Revised Code or as in such statute as it may hereafter be amended, before conducting the public hearing, written notice of such hearing shall be mailed by first class mail, at least ten (10) days before the day of the hearing to all parties of adjoining properties. The notice shall contain the same information as required of notices as specified in Article 22.6(A).

22.7 Approval of Variances

The Board of Zoning Appeals shall only approve a variance or modification thereof if the following findings are made:

- (A)** That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.
- (B)** That a literal interpretation of the provisions of the zoning resolution would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the zoning resolution.
- (C)** That the special conditions and circumstances applicable to applicant's property or facility do not in any fashion result from the actions or operations of the applicant or applicant's agents or assigns.
- (D)** That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Resolution to other lands or structures in the same zoning district.
- (E)** That granting the variance will not adversely affect the health or safety of persons residing or working in the vicinity of the proposed development, will not be materially detrimental to the public, welfare, nor injurious to private property or public improvements in the vicinity nor will the variance unreasonably threaten the environment, ground water, nor the health, safety, welfare, or morals of the residents or the Township; and,

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

22.8 Actions by Board of Zoning Appeals

Within thirty (30) days after the public hearing, the Board of Zoning Appeals shall either (1) approve, (2) approve with supplementary conditions, or (3) deny the request for appeal or variance. The Board of Zoning Appeals shall further make a finding in writing that the reasons set forth in the application justify the granting of the variance that will make possible a reasonable use of the land, building or structure.

22.9 Term of Variance

No order of the Zoning Board of Appeals granting a variance shall be valid for a period longer than one (1) year from the date of such order unless the Zoning Permit is obtained within such period, and the erection or alteration of a building is started, or the use is commenced.

ARTICLE 23

Conditional Use Zoning

23.1 Purpose:

Rather than assign all uses to special individual and limited zoning districts, it is important to provide controllable and reasonable flexibility in requirements for certain kinds of uses that will maintain adequate provision for the security of the health, safety, convenience, and general welfare of the Township's inhabitants. These uses are permitted through the issuance of a Conditional Use Zoning Permit.

23.2 Application for Conditional Use Permit

Any property owner, or agent thereof, of property for which a conditional use is proposed shall make an application for a Conditional Use Permit by filing with the Zoning Inspector. Any such application shall, at a minimum, contain the following information:

- (A) Name, address, and phone number of applicant(s).

- (1) An applicant must have an actual interest in the property at issue. Lessees and licensees do not have standing to file an appeal.
- (2) Only the person(s) who whose permit application was denied, or their legal representative, have standing to file an appeal.
- (B) Legal description of the property.
- (C) Zoning district.
- (D) Description of existing use.
- (E) Description of proposed conditional use.
- (F) A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, streets and traffic accesses, open spaces, refuse and service area, utilities, signs, yards, landscaping features, and such other information as the Board of Zoning Appeals may require.
- (G) A narrative statement discussing the compatibility of the proposed use with the existing uses of adjacent properties and with the comprehensive plan, to include an evaluation of the effects on adjoining properties of such elements as traffic circulation, noise, glare, odor, fumes, and vibration.
- (H) A list containing the names, and mailing addresses of all owners of property adjacent to the property in question.
- (I) Payment of the fee set forth by the Township Board of Trustees.
- (J) A narrative addressing each of the applicable criteria contained in Article 23.3.

23.3 General Standards for all Conditional Uses

The Board of Zoning Appeals shall review the particular facts and circumstances of each proposed use in terms of the following standards and prior to its grant of a Conditional Use Permit, shall find adequate evidence showing that such use at the proposed location:

- (A) Is in fact a conditional use as established under the provisions of Articles 8 through 10 inclusive.
- (B) Will be in accordance with the general objectives, or with any specific objective, of the Pleasant Township Zoning Resolution.

- (C) Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- (D) Will not be hazardous or disturbing to neighboring uses.
- (E) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- (F) Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- (G) Will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
- (H) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares; and,
- (I) Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature or major importance.

23.4 Special Standards for Conditional Uses

- (A) Junkyards/Wrecking Yards may be conditionally permitted in A-1 Agricultural Districts and I-1 general Industrial Districts provided they meet the following conditions:
 - (1) The site shall contain less than ten (10) acres;
 - (2) The site shall have adequate access onto a hard surfaced state highway or county road that is regularly maintained;
 - (3) The site shall be a minimum distance of:
 - (a) One hundred (100) feet from any state highway or county road.
 - (b) One thousand (1,000) feet from any residence in an A-1

Agricultural District.

- (c) Two thousand (2,000) feet from any "R" District.
 - (4) The site shall be entirely surrounded by a solid fence or wall and be high enough to completely shield the view of the contents of the yard from passersby.
- (B) Sanitary Landfills may be conditionally permitted in A-1 Agricultural Districts and I-1 General Industrial Districts provided they meet the following conditions:
- (1) The site shall contain less than ten (10) acres;
 - (2) The site shall have adequate access onto a hard surfaced state highway or county road that is regularly maintained;
 - (3) The site shall be a minimum distance of:
 - (a) One thousand (1,000) feet from any residence in an A-1 Agricultural District.
 - (b) One thousand Five hundred (1,500) feet from any "R" District.
 - (4) The site shall have frontage upon, and the landfill shall be situated at least One thousand (1,000) feet from, a state highway.
 - (5) The applicant must secure a permit and an operating license from the Ohio Department of Health, and any other federal, state or local regulatory authority exercising jurisdiction over it.
 - (6) The sanitary landfill shall be properly screened for vector control so that refuse does not spill over onto any adjacent property.
- (C) Telecommunications towers may be conditionally permitted pursuant to Ohio Revised Code 519.211, as set forth herein under Article 30.

23.5 Hardship Conditional Use

A Hardship Conditional Use Permit may be allowed by the Board of Zoning Appeals thereby allowing a resident to situate a separate dwelling upon the premises for use of a person who requires close personal care from the caregiving resident.

(A) Requirements:

- (1)** The Board of Zoning Appeals will determine the existence of a hardship, for the purposes of this Article, based upon the applicant's explanation of the purported hardship as stated on the Application for Conditional Use Permit.
- (2)** The Application for Conditional Use Permit shall contain the following information:
 - (a)** Identification and explanation of purported hardship with confirmation document from a health care professional
 - (b)** Name and signature of person(s) requiring personal care
 - (c)** Name and signature of primary caregiver
 - (d)** Name and signature of property owner
- (3)** The separate dwelling must be located at least thirty (30) feet from the existing dwelling
- (4)** Written approval from the Hardin County Health Department must be obtained prior to application for the Hardship Conditional Use Permit
- (5)** The continued existence of the specific hardship for which the permit was granted must be verified by the applicant annually to the Zoning Officer in writing.
- (6)** The separate dwelling must be removed within ninety (90) days after the hardship care terminates.

23.6 Public Hearing by Board of Zoning Appeals: No public hearing need be held by the Board of Appeals in considering an application for a Conditional Use Permit. A public hearing may be ordered and held by the Board of Appeals, however, when it deems such public hearing to be necessary in the public interest. Notice of such a meeting shall be accomplished as follows:

- (A)** Notice thereof shall be given not less than ten (10) days prior to the date of the public hearing, by posting notice on or near the parcel of land involved at places which will be conspicuous to the neighboring properties and to the public, by publishing notice in a newspaper of general circulation printed, published and/or circulated in Pleasant Township, or by posting such notice on the website of the Pleasant Township Trustees. Notice may also be given by such other means as the Board of Zoning

Appeals deems appropriate. Failure of any person, other than the applicant, to receive notice of any hearing or public hearing shall in no way affect the validity of any action subsequently taken.

23.7 Actions by the Board of Zoning Appeals

Within thirty (30) days after the date of the public hearing required in Article 21.4, the Board of Zoning Appeals shall take one of the following actions:

- (A) Approve issuance of the Conditional Use Permit by making an affirmative finding in writing that the proposed conditional use is to be located in a district wherein such use may be conditionally permitted, that all conditions for approval of such use in such district have been met, and that such use will neither result in significant negative impacts upon nor conflict with surrounding uses. Such written finding may also prescribe supplementary conditions and safeguards as specified in Article 23.8. Upon making an affirmative finding, the Board shall direct the Zoning Inspector to issue a Conditional Use Permit for such use which shall list all conditions and safeguards specified by the Board of Zoning Appeals for approval.
- (B) Make a written finding that the application is deficient in information or needs modification and is being returned to the applicant. Such finding shall specify the information and/or modifications which are deemed necessary; or,
- (C) Make a written finding that the application is denied, such finding specifying the reason(s) for disapproval. If an application is disapproved by the Board of Zoning Appeals, the applicant may seek relief through the Court of Common Pleas. Appeals of Board decisions shall be made in the manner specified in Articles V and VII.

23.8 Supplementary Conditions and Safeguards

In granting approval for any conditional use, the Board of Zoning Appeals may impose such requirements, terms, and conditions with respect to location, duration, construction, maintenance, and operation as the Board may deem necessary for the protection of adjacent properties and the public health, safety, and general welfare. Any violation of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a punishable violation of this Resolution.

23.9 Expiration of Conditional Use Permit

A Conditional Use Permit shall be deemed to authorize only one particular conditional use and said permit shall automatically expire if such conditionally

permitted use has not been instituted or utilized within one (1) year of the date on which the permit was issued, or if for any reason such use shall cease for more than one (1) year.

23.10 Denial of Conditional Use Permit

No application for a Conditional Use Permit which has been denied wholly or in part by the Board shall be resubmitted until the expiration of two (2) years or more after such denial, except on grounds of newly discovered evidence or proof of changed conditions which would be sufficient to justify reconsideration as determined by the Board.

ARTICLE 24

Regulation of Renewable Energy Systems

24.1 Purpose:

The purpose of this article is to establish general guidelines for the locations of residential, commercial, and industrial renewable energy generation facilities to protect the public health, safety, comfort, and general welfare of the residents of Pleasant Township.

Pleasant Township recognizes in some specific instances, under carefully controlled circumstances it may be in the public interest to permit the placement of renewable energy generation facilities within certain areas of the Township. Recognizing that such renewable energy generation energy facilities may have a negative health, safety, welfare and/or aesthetic impact upon adjoining and neighboring uses this Article seeks to:

- (A) Protect residential and agricultural areas from potential adverse impact from renewable energy generation facilities:
- (B) Permit renewable energy generation facilities in selected areas by on-site Agricultural, Commercial, or Industrial Zoned Districts, subject to the terms, conditions, and provisions hereof:
- (C) Ensure the public health, welfare, and safety of the Township's residents in connection with renewable energy generation facilities:
- (D) Avoid potential damage to real and personal property from renewable energy generation facilities or the failure of such facility structures and related operations.
- (E) Avoid the devaluation of owner's or any other surrounding properties.

24.2 Policy Statement:

Recognizing the importance of clean, sustainable, and renewable energy sources, the Township permits the use of residential, agricultural, commercial, and industrial solar energy systems under the following regulations to ensure the safety and welfare of all Township residents are met.

- (A) No solar energy system shall hereafter be located, constructed, repaired, extended, enlarged, converted, or altered without the full compliance with the terms of this Resolution. Said construction, alterations or modifications shall require a zoning permit.
- (B) It is not the purpose of this regulation to regulate a major utility facility, or subsidiary use, as defined by the Ohio Power Siting Board (50 MW or greater). It is also not the purpose of this regulation to regulate public utilities that meet the definitions as stated in the O.R.C. 4905.02 or O.R.C. 4905.03 and the three criteria of O.R.C. 4905.65(8).

24.3 The following terms, unless a contrary meaning is required by the context or is specifically prescribed, shall have the following meanings:

Access Buffer: The distance from adjacent landowners' properties to the nearest solar energy facility, building or collector.

Access Roads: Provide construction and service access to each solar collection area.

Adjoining Property Line: The property boundary lines between the real property for the proposed installation of a solar energy system, subject of the Application and real property owned by another person, persons, or entity.

Adverse Visual Impact: An unwelcome visual intrusion that diminishes the visual quality of an existing landscape and is separate from any building on the parcel of land on which the solar energy collector is located.

Battery Energy Storage System (BESS): A system of batteries, connected to a renewable energy generation facility that enable energy from renewable energy generation facilities, like solar/wind, to be stored and then released when power is needed.

Clear Fall Zone: An area surrounding a ground/pole mounted solar energy system into which the system and/or components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other conditioning causing the structure's failure that shall remain unobstructed and confined within the property lines of the primary lot where the system is located. The purpose of the zone being that if the system should fail or otherwise

become damaged, the falling structure will be confined to the primary parcel and will not intrude onto a neighboring property.

Commercial Renewable Energy Generation Facility: A utility-scale facility, with a noted design capacity of generating 0.1MW – 49.99MW, of renewable energy collectors with the primary purpose of wholesale or retail sales of generated electricity. Commonly referred to as solar and/or wind farms.

Community Solar and/or Wind Facility A wind/solar project, or purchasing program, within a geographic area, in which the benefits of a solar project flow to multiple customers such as individuals, businesses, nonprofits, and other groups. (i.e. customers are those benefitting from the energy generated by the renewable energy generation facilities.)

Db(a): The sound pressure level in decibels. Refers to the “a” weighted scale defined by the American National Standards Institute (ANSI). A method for weighting the frequency spectrum to mimic the human ear.

Decibel: A logarithmic unit of measurement that expresses the magnitude of sound pressure and sound intensity.

Electrical Collection/Distribution/Transmission System: Consists of underground and overhead cables that carry electricity from and within groups of energy generating collectors and transmits it to a collection substation and point of interconnection switchyard, which transfers the electricity generated by the project to the regional power grid.

Electromagnetic Field (EMF): A combination of invisible electric and magnetic fields of force. They can occur both naturally and due to human constructions.

Ground-Mounted Solar Energy Collector: A solar collector system that is not attached to and is separate from any building on the parcel of land on which the solar collector system is located.

Kilowatt Hour (kWh): A measure of electricity defined as a unit of work or energy, measured as 1 kilowatt (1,000 watts) of power expended for 1 hour.

Kilowatt: A measure of one thousand (1,000) watts of electrical power.

Megawatt: A measure of one million (1,000,000) watts of electrical power.

On-Site: A solar energy system designed to help meet the electrical needs within the limits of the area encompassed by the tract area or parcel of record on which the activity is conducted.

Private Use Renewable Energy Generation Facility: A private use facility,

with a noted design capacity of generating no more than 125% of a three (3) year historical usage average, of renewable energy collectors with the primary purpose for use upon the property said facility is located on.

Professional Engineer/Surveyor: A State of Ohio registered professional engineer, or land surveyor, who meets the criteria as defined in ORC 4733.01 and ORC 4733.11.

Renewable Energy Capacity: The maximum generating capacity of renewable energy generation facilities.

Roof-Mounted Solar Collector/Panel/Module: A solar energy collector that is attached to a building's roof on the parcel of land including solar shingles.

Sensitive Environmental Area: Any area determined by the Ohio Department of Natural Resources that consists of unique or sensitive ecological, biological, or related ecosystems.

Setbacks: The minimum required distance between the property line and an accessory, building, or structure, including any roof overhang. For the purposes of determining "Setback" only, the definitions of "Accessory", "Building", and "Structure" shall not include uncovered walkways, patios, driveways, parking areas, walls, and fences.

Solar Collector/Panel/Module: A panel consisting of an array of solar cells used to generate electricity directly from sunlight.

Solar Energy Facility: A solar collector or other device or structural design feature of a structure that relies upon sunshine as an energy source and can collect, distribute, and store (if appropriate to the technology) the sun's radiant energy for a beneficial use. being either Residential, Agricultural, Commercial, or Industrial Zoned District use.

Solar Energy: Radiant energy (direct, diffuse, and reflected) received from the sun.

Township Fire Department: Shall constitute any private or public fire department that has been contracted to provide fire protection services within the Township.

Township EMS Department: Shall constitute any private or public emergency medical service (EMS) department that has been contracted to provide emergency medical services within the Township.

Utility Scale Renewable Energy Generation Facility: A Utility Scale Energy Facility is defined as an energy generation facility or area of land principally

used to convert solar and/or wind energy to electricity for resale at a profit This shall include all renewable energy facilities, constructed with a capacity of 0.1 Megawatts to 49.99 Megawatts for use with the intent to resell all, and/or the majority, of energy generated from said facility.

Wetlands: Lands on which water covers the soil or is present either at or near the surface of the soil or within the root zone, all year or for varying periods of time during the year, including during the growing season

24.4 Prohibited Uses:

- (A) Utility Scale Renewable Energy Generation Facility capable of producing less than 50 megawatts of electrical power.
- (B) Community Solar and/or Wind Facility capable of producing less than 50 megawatts of electrical power.

24.5 Permitted Uses:

- (A) Roof, Building and Ground Mounted Solar Collector Systems are permitted in all Residential, Agricultural, Commercial, and Industrial Zoning Districts.
- (B) Private Use Renewable Energy Generation Facility – (**max. 125% of use**) are permitted in all Residential, Agricultural, Commercial, and Industrial Zoning Districts.
- (C) A solar energy system shall not be used for the generation of power for the sale or donation of energy to other users, although this provision shall not be interpreted to prohibit the sale or donation of excess power generated from time to time to the local utility company or the sale or donation of power as part of a net metering or similar arrangement. Net metering or similar arrangements are those where electricity produced by the accessory solar energy system displaces electricity that would otherwise be purchased from an electric utility or supplier for the lot where the accessory system is located. Net metering or similar arrangements are permitted, but shall be incidental and secondary to the production for on-site use.

24.6 General Requirements for Roof, Building and Ground Mounted Solar Collector Systems:

- (A) Solar collector systems are considered accessory uses, and subject to permitting requirements as set forth in this Zoning Resolution.
 - (1) Solar collector systems may be installed on the surface of any

existing structure, provided such installation does not result in violation of the permitted height requirements.

- (2) Within all zoning districts, solar collector systems shall be repaired, replaced, or removed within 30 days of becoming non-functional.
 - (3) All Solar Collector/Panels/Modules shall have tempered, non-reflective surfaces and shall comply with all local, state, federal regulations, and the most current edition of the National Electrical Code.
 - (4) Solar Collector/Panels/Modules, building mount equipment, battery storage systems, and all equipment/devices ancillary to such energy generating/storage equipment shall be installed per manufacturer's specifications. This information shall be included in the documents submitted when applying for a zoning permit.
 - (5) A Solar Collector/Panel/Module ground mounted system may be installed as free-standing. Construction shall not be installed within a roadway right-of-way or any utility easements.
 - (6) Solar Collector/Panels/Modules or Systems shall be installed so there is minimum glare, onto/into adjacent properties or towards the road right-of-way. Solar mounting systems and solar panel frames shall be black in color and maintained in a manner to prohibit view of bare metal (this does not include the mounting substructure for ground mounted installations).
 - (7) Installation of any electrical power inverters, related to a renewable energy generation facility, and/or solar tracking mounting systems shall not increase the ambient noise level as measured at the property line of adjacent property owners.
- (B) A Roof or Building Mounted solar collector system shall not exceed 100 percent of the footprint of the principal building served.

24.7 Permitting Requirements for Roof, Building and Ground Mounted Solar Collector Systems:

(A) Application and Site Plan Requirements:

In all districts, the applicant shall submit to the Township Zoning Officer a zoning permit application with current permit application fees and a detailed site plan containing the following information:

- (1) A map of the Property showing parcel boundaries, locations of existing structures and scope of any easements.
- (2) The location of the proposed system, which must be at least 40-feet from all side and rear property lines and all existing structures.
- (3) Location of the proposed solar collector panel/module system, foundations, inverters, metering/switching devices, guide wires and associated equipment.
- (4) Dimensions of the proposed system, including all of its components.
- (5) The location(s) of any public or private road situated upon, or adjacent to, the subject property.
- (6) Solar Collector/Panel/Module System specifications, including manufacturer, model, and installation/maintenance requirements.
- (7) Electrical components in sufficient detail to allow for a determination that the manner of installation conforms with the most current edition of the National Electrical Code.
- (8) The final design and site plan (studies, calculations, foundation design, etc.) must be stamped by a professional engineer surveyor registered in the State of Ohio.

(B) Ground Mounted Solar Collector System Requirements:

- (1) In all instances, ground-mounted solar energy systems shall only be permitted behind the front building line of the principal building or structure situated upon the property.
- (2) On corner lots ground mounted solar energy systems shall be permitted within the side yard, behind rear building or structure line, and corner lot set-back distance requirements for the street or roadway where construction site is located.
- (3) Placement at roadway intersections shall be done so in a manner which provides adequate sighting distances for motorists to observe on-coming traffic and comply with the Ohio Department of Transportation's requirements for sight-distance.
- (4) **Height Limitations:**

In all districts the height shall be measured from the average ground level (elevation of adjacent and undisturbed ground) at the base of such equipment to the highest point of the solar collector system structure.

- (a) In Residential Zoned Districts Ground-mounted solar collector system structures shall not exceed eight (8') feet in height.
- (b) In Agriculture Zoned Districts Ground-mounted solar collector system structures shall not exceed eight (8) feet in height.
- (c) In Commercial Zoned Districts Ground-mounted solar collector system structures shall not exceed fifteen-(15) feet in height.
- (d) In Industrial Zoned Districts Ground-mounted solar collector system structures shall not exceed fifteen feet (15') feet in height.

(5) Placement:

- (a) In Residential and Agriculture Zoned Districts, a ground-mounted solar collector system shall have a minimum set back distance of forty (40) feet from the side and rear property lines and eighty (80) feet from the center of the road adjoining the property.
- (b) In Commercial and Industrial Zoned Districts, a ground-mounted solar collector system shall have a minimum set back distance of one-thousand (1000) feet from all property lines.
- (c) In Residential Zoned Districts, there shall be a minimum of thirty-five-(35) feet foot distance from all-natural features including water courses (as measure from top of bank), streams (as measure from top of bank), rural sanitary sewage treatment systems (and replacement fields), woodlands, wetlands, roads, and 100-year floodplain locations. If located in a floodplain or an area of known localized flooding, all panels, electrical wiring, automatic transfer switches, inverters, etc. shall be located above the base flood elevation.
- (d) In Agriculture, Commercial, and Industrial Zoned Districts there shall be a minimum of one- hundred-(100) foot

distance from all-natural features including water courses (as measure from top of bank), streams (as measure from top of bank), rural sanitary sewage treatment systems (and replacement fields), woodlands, wetlands, roads, and 100-year floodplain locations. If located in a floodplain or an area of known localized flooding, all panels, electrical wiring, automatic transfer switches, inverters, etc. shall be located above the base flood elevation.

- (e) In Residential Zoned Districts ground-mounted solar collector systems shall not be located over a septic system, leach field area or identified reserve area unless approved by the Kenton-Hardin County Health Department.
- (f) All ground-mounted solar collector/panel/module systems shall be placed so that concentrated solar radiation, or glare, does not project onto adjacent properties and or roadways.
- (g) All ground-mounted solar collector/panel/module systems shall have, to the extent required by the Township Zoning Officer, a visual buffer of natural vegetation, plantings, earth berms, and/or fencing that minimizes impacts of the solar energy system on the visual character to adjoining property owners.
- (h) Maximum area coverage for a solar collector system shall not exceed 50 percent of the footprint of the rear yard, as measured within all applicable setbacks, area being served.
- (i) A zoning permit is required for any ground-mounted solar collector/panel/module systems and for the installation of any solar generation system.
- (j) Ground mounted panels must receive approval of the Township Fire Department, so as not to adversely impact access to any structure by any emergency fire or rescue personnel.

(C) Roof and Building Mounted Solar Collector System Requirements:

- (1) In residential, agriculture, commercial, and industrial zoning districts, a roof or building mounted solar energy system may be located on the roof of the principal or accessory structure. Building mounted solar energy systems may be located on the side or rear of the structure.

- (2) Roof or building mounted panels must receive approval of the Township Fire Department, so as not to adversely impact access to any structure by any emergency fire or rescue personnel.
- (3) Solar collectors shall not have a height projecting above the highest point of the roof.
- (4) **Placement:**
 - (a) In residential zoned locations, the placement of the roof or building mounted solar energy system shall not be located on the front slope of a pitched roof and shall not be visible from the street front or side-street of the residence. Solar energy collectors shall not be located within three-(3) feet of any peak, eave, or valley to maintain adequate accessibility.
 - (b) In agricultural, commercial, and industrial zoned districts, the placement of the roof or building mounted solar collector system shall not be located on the front slope of a pitched roof and shall not be visible from the street front or side street of the property. Solar collectors/panels/modules shall be a minimum of 6 feet from any peak, eave, or valley to allow for accessibility per the 2017 Ohio Fire Code # 605.11.1.3.1 or the most current addition. Additionally, solar collector/panel/module placement shall be done to allow for compliance to any/all applicable OSHA regulations for access/movement across said rooftop.
 - (c) Roof or Building Mounted Solar Collectors Systems shall be such a weight to be safely supported by the building. A solar energy system shall not exceed 50 percent of the footprint of the principal building served. In addition, the property owner shall be required to provide written proof that the panels proposed to be constructed can/will be able to be supported either by the existing buildings current structural construction, additional structural elements installed to account for the additional panel and mounting weight, and additional weight added by snow events.
 - (d) No solar collector/panel/module system shall be mounted or affixed to any freestanding wall or fence.

24.8 Utility Scale Renewable Energy Generation Facilities:

A utility scale renewable energy generation facility (0.1MW-49.99MW) is designed and built to commercially provide electricity to the electric utility grid. Such a facility is not permitted in any District in Pleasant Township.

24.9 Existing Renewable Energy Generation Facilities:

Renewable energy generation facilities either permitted or in operation within the Township at the time of the passage of this legislation shall be permitted to remain regardless of the facilities compliance with the regulations in this Chapter.

- (A) Should any renewable energy generation facility in operation at the passage of this legislation become non-operational, or be taken out of service, for a period of at least six (6) months, then said facility must meet the regulations of this Chapter prior to being returned to operation.

ARTICLE 25

Home Occupation Permits

25.1 Purpose:

A permit is required for a home occupation, which are permitted in A-1, R-1 and R-2 zoning districts, subject to the following requirements:

- (A) No more than one person other than members of the family residing on the premises shall be engaged in such occupation;
- (B) The use of the dwelling units for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five percent (25%) of floor area of the dwelling units shall be used in the conduct of the home occupation or office;
- (C) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding sixteen (16) square feet in area, non-illuminated and mounted flat against the wall of the principal building, or set back at least forty (40) feet from the center of the adjacent roadway;
- (D) No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this resolution

and shall not be located in a required front yard;

- (E) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence or outside the dwelling unit if conducted in other than a single-family residence. In the case of the electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.

ARTICLE 26

Regulation of Ponds, Lakes or Other Water Detention, Retention Structures

26.1 Purpose:

The purpose of these regulations is to guide the development, design, maintenance and structural integrity of ponds, lakes or other water detention/retention structures, to promote the public's health, safety and welfare by minimizing local nuisances, as well as potentially dangerous health and safety concerns, and to further the general harmony between and amongst neighbors.

- (A) Ponds are considered permanent structures for purposes of zoning administration and require a zoning certificate. No pond shall hereafter be located, constructed, repaired, extended, enlarged, converted or altered without full compliance with the terms of this Resolution. All maintenance, construction and/or related improvements to pond structures must be designed by the Soil and Water Conservation Service, a landscape architect or an engineer and be presented to the Township Zoning Officer for review and approval prior to the issuance of a zoning certificate.

26.2 Definitions:

- (A) "Pond" shall mean a natural or artificially formed structure with an enclosed body of water more than six hundred (600) gallons.
- (B) "Detention Pond" shall mean an artificially formed structure designed to hold storm water runoff, detaining it for a period of time before ultimately slowly discharging the water downstream. Detention ponds are to be designed to compliment large scale residential, commercial and industrial developments. Detention ponds must be designed and constructed to the specifications of a landscape architect or an engineer.

- (C) "Retention Pond" shall mean an artificially formed structure designed to hold water year round with the capacity to accommodate a limited amount of storm water runoff. Retention ponds are reservoirs of natural water designed to enhance aesthetic elements of large scale residential, commercial and industrial developments. Retention ponds must be designed and constructed to the specifications of a landscape architect or an engineer.

- (D) "Agricultural Ponds" shall mean a natural or artificially formed structure which serves as a reservoir of water for year round agricultural use. Agricultural ponds are to be used for agricultural based activities including aquaculture, hatcheries, hydroponics or irrigation and animal-related maintenance/production activities. Agricultural ponds may also support fire suppression due to the lack of access to municipal water services. The use of such ponds are limited and restricted to those activities supported by the owners. Agricultural ponds shall not engage in off farm commercial uses or in any commercial recreational activities such as, but not limited to, fishing or swimming. Agricultural ponds shall not be located outside of an Agriculture District. Agricultural ponds must be designed and constructed to the specifications of the District office of the Soil and Water Conservation Service, a landscape architect or an engineer.

- (E) "Aesthetic, Garden or Recreational Ponds" shall mean a natural or artificially formed structure which is intended to serve as a permanent reservoir of water serving aesthetic desires and/or as an activity center for year round use. Such ponds are to be designed for year round enjoyment and to further such activities such as wildlife habitats, swimming, fishing, ice skating, etc. Such ponds shall not engage in commercial uses or in any commercial recreational activities without the appropriate Zoning Permit and requisite Health Department approval.

Such ponds open to the public shall be subject to the safety conditions/facilities as set forth in Article 27.3 Such ponds must be designed and constructed to the specifications of the District office of the Soil and Water Conservation Service, a landscape architect or an engineer.

26.3 Regulations

- (A) Ponds shall be permitted only as an accessory use in all districts which allow ponds, provided the plans, specifications and construction meet the demands of the respective authorized and approving bodies referred to elsewhere in this Article.

- (B) When measured from its high water mark, no pond shall be located closer than one-hundred (100) feet from the center of any adjacent roadway, or

closer than forty (40) feet from any property line.

- (C) All ponds, pond mounding, pond run-off and pond drainage is subject to the conditions of Section 9.7 and 9.9 of this Article.
- (D) In order to further orderly and sustainable development, the location design and maintenance of all ponds shall be coordinated with the Hardin County Subdivision Regulations, the Hardin County Floodplain Management Regulations, the Hardin County Storm Water Management & Sediment Control Regulations and the Pleasant Township Storm Water Plan as applicable. The burden of compliance with such regulations lies with the property owner. For retention, agricultural and recreational ponds, design issues including size, depth, construction, maintenance, etc., shall reflect the criteria outlined in the electronic Field Office Technical Guide (eFOTG) made available at the United States Department of Agriculture's (USDA) Natural Resource Conservation Service (NRCS) web site (www.nrcs.usda.gov), or a similar method approved by the appropriate agency.

ARTICLE 27

Regulation of Swimming Pools

27.1 Purpose:

It is the purpose of this Article to promote the public health, safety and welfare of the Township through the regulation of swimming pool facilities which are constructed, operated or maintained as an accessory or primary use.

27.2 Private Swimming Pools: For the purposes of this Article a private swimming pool includes any pool or open tank not located within a completely enclosed building, and containing or capable of containing water to a depth greater than 1 ½ feet at any point.

- (A) Any such swimming pool of more than twelve (12) feet in diameter or more than one hundred (100) square feet in surface area must comply with the following conditions and requirements:
 - (1) Any such pool shall be intended and used solely for the enjoyment of the occupants of the principal building of the property on which it is located and their guests.
 - (2) No such pool shall be located closer than one-hundred (100) feet from the center of any adjacent roadway, or closer than forty (40) feet from any property line.

- (3) Either the swimming pool or the entire property on which any such pool is located shall be equipped with a lock-out ladder, walled or fenced in such a fashion as to prevent uncontrolled access by children from the street or from adjacent properties. No such fence or wall shall be less than four (4) feet in height, and it shall be maintained in good condition with a gate and locking mechanism.

27.3 Community or Club Swimming Pools: For purposes of this Article a community or club swimming pool includes any pool, lake, or pond constructed by an association of property owners, or by a private club for use and enjoyment by members and their families. Such pools must comply with the following conditions and requirements:

- (A) Any such swimming pool shall be intended solely for the enjoyment of the members and families and guests of members of the association or club under whose ownership or jurisdiction the pool is operated.
- (B) Any such swimming pool and accessory structures thereto, including the areas used by the bathers, shall not be closer than seventy-five (75) feet to any property line on which the facility is located.
- (C) Any such swimming pool and all of the area used by the bathers shall be walled or fenced so as to prevent uncontrolled access by children from the street or adjacent properties. Any such wall or fence shall not be less than six (6) feet in height and maintained in good condition. The area surrounding the enclosure, except for the parking spaces, shall be suitably landscaped with grass, hardy shrubs and trees, and maintained in good condition.
- (D) Exterior lighting shall be so shaded or directed that it does not cast light directly upon adjacent properties.
- (E) Such pool facilities shall not operate prior to 9:00 a.m. or after 10:00 p.m.

ARTICLE 28

Regulation of Drainage

28.1 Regulations:

- (A) Lots shall be developed with due consideration to storm run-off drainage. Lot drainage onto adjoining property shall not be diverted, channeled, or increased so as to cause damage, decrease property values or increase liability to adjoining properties.

- (B) Elevation and grade changes are to be accommodated by intercepting the lot drainage before exiting the premises by proper use of systems such as diversion channels, drainage, swales, catch basins with suitable conduits to remove water, or a combination of systems, in keeping with good design practices.
- (C) All drainage and drainage control techniques shall be shown and described on plans submitted pursuant to these regulations. Any such plans shall be submitted for approval to the Zoning Inspector along with a recommendation from the Hardin County Engineer as provided in these regulations.
- (D) Drainage criteria for all construction on lots in Pleasant Township shall conform to the most current drainage criteria of Hardin County subdivision regulations and the Hardin County Storm Water and Sediment Control Regulations that may be in effect.

ARTICLE 29

Regulation of Nuisances

29.1 Purpose:

The purpose of this article is to outline the regulations set forth in the Ohio Revised Code which provide township officials with a mechanism for identifying nuisances and enforcing violations of such regulations.

29.2 Junk Motor Vehicles:

- (A) As used in this article, "junk motor vehicle" means a motor vehicle that meets all of the following requirements:
 - (1) Three (3) model years old, or older;
 - (2) Apparently inoperable; and;
 - (3) Extensively damaged, including but not limited to, any of the following: missing wheels, tires, engine or transmission
- (B) No person shall have located a junk motor vehicle, as defined in this article, within the unincorporated area of the Township, on public or private property. Further, no person shall have, after fourteen (14) days from the service of said notice to the landowner and/or any lien holder of

the property, a junk motor vehicle as defined in this article located on their property within the unincorporated area of the Township whether it be public or private property.

- (C) If a junk motor vehicle is located on public property, the Board of Trustees of Pleasant Township may cause, by any legal means, the disposal, etc. removal of the same.
- (D) If a junk motor vehicle is located on private property, the Board of Trustees of Pleasant Township may provide for the removal of the junk motor vehicle after written notice is first given of Cessna Township's intention to remove or cause to be removed, the junk motor vehicle and the said notice is served upon the owner of the land and any holders of liens of record on the land.
- (E) The remedies provided by law states that the Board of Township Trustees may institute an action for removal of the storage of junk motor vehicle that are in violation of this article. (O.R.C. 505.871)
- (F) Whoever violates this article is guilty of a minor misdemeanor. Each day that a violation of this article continues constitutes a separate offense.
- (G) The Board of Trustees may utilize any lawful means to collect costs incurred in removing or causing the removal of a junk motor vehicle under this article, including any fees or interest paid to borrow monies to remove a junk motor vehicle. The Board of Trustees may direct the Township Fiscal Officer to certify the costs to the County Auditor to be placed as costs on the tax duplicate as a lien upon the land.
- (H) Collector's vehicles that do not fit the description of a junk motor vehicle under this article, may be kept on private property with the permission of the person having the right to the possession of the property so long as said collector's vehicle is concealed from view from the adjoining public right of way by means of buildings, fences, vegetation, terrain or other suitable screening. (O.R.C. 505.173)

29.3 Weeds, Tall Vegetation and Debris

- (A) No person having ownership or possession of real property within the unincorporated portion of the Township shall allow vegetation, garbage, refuse, or other debris to accumulate on said real estate in a manner that constitutes a nuisance.
- (B) The Board of Trustees may provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township, if the Board determines that the owner's maintenance of that vegetation, garbage, refuse, or other debris constitutes a nuisance.

- (C)** At least seven (7) days before providing for the abatement, control, or removal of any vegetation, garbage, refuse, or other debris, the Board of Trustees shall notify the owner of the land and any holders of liens of record upon the land that:
- (1)** The owner is ordered to abate, control, or remove the vegetation, garbage, refuse, or other debris, the owner's maintenance of which has been determined by the board to be a nuisance;
 - (2)** If that vegetation, garbage, refuse, or other debris is not abated, controlled, or removed, or if provision for its abatement, control, or removal is not made, within seven days, the Board shall provide for the abatement, control, or removal, and any costs incurred by the Board in performing that task shall be entered upon the tax duplicate and become a lien upon the land from the date of entry.
- (D)** The Board of Trustees shall send the notice to the owner of the land by certified mail if the owner is a resident of the township or is a nonresident whose address is known, and by certified mail to lienholders of record; alternatively, if the owner is a resident of the township or is a nonresident whose address is known, the board may give notice to the owner by causing any of its agents or employees to post the notice on the principal structure on the land and to photograph that posted notice with a camera capable of recording the date of the photograph on it. If the owner's address is unknown and cannot reasonably be obtained, it is sufficient to publish the notice once using at least one of the following methods:
- (1)** In the print or digital edition of a newspaper of general circulation in the township;
 - (2)** On the official public notice web site established under section 125.182 of the Revised Code;
 - (3)** On the web site and social media account of the township.
- (E)** If the Board of Trustees determines within twelve (12) consecutive months after a prior nuisance determination that the same owner's maintenance of vegetation, garbage, refuse, or other debris on the same land in the Township constitutes a nuisance, at least four (4) days before providing for the abatement, control, or removal of any vegetation, garbage, refuse, or other debris, the Board shall give notice of the subsequent nuisance determination to the owner of the land and to any holders of liens of record upon the land as follows:
- (1)** The Board shall send written notice by first class mail to the owner of the land and to any lienholders of record. Failure of delivery of

the notice shall not invalidate any action to abate, control, or remove the nuisance. Alternatively, the Board may give notice to the owner by causing any of its agents or employees to post the notice on the principal structure on the land and to photograph that posted notice with a camera capable of recording the date of the photograph on it.

- (2) If the owner's address is unknown and cannot reasonably be obtained, it is sufficient to post the notice on the Board of Trustees' internet web site for four consecutive days, or to post the notice in a conspicuous location in the Board of Trustees' office for four consecutive days if the Board does not maintain an internet web site.
- (F) The owner of the land or holders of liens of record upon the land may enter into an agreement with the Board of Trustees providing for either party to the agreement to perform the abatement, control, or removal before the time the Board is required to provide for the abatement, control, or removal under paragraph (C) of this article.
- (G) If, within seven days after notice is given under paragraph (D) of this article, or within four days after notice is given under paragraph (E) of this article, the owner of the land fails to abate, control, or remove the vegetation, garbage, refuse, or other debris, or no agreement for its abatement, control, or removal is entered into under paragraph (F) of this article, the Board of Trustees shall provide for the abatement, control, or removal and may employ the necessary labor, materials, and equipment to perform the task. All costs incurred, when approved by the Board, shall be paid out of the township general fund from monies not otherwise appropriated, except that if the costs incurred exceed five hundred dollars, the Board may borrow monies from a financial institution to pay for the costs in whole or in part.
- (H) The Board of Trustees shall make a written report to the County Auditor of the Board's action under this article. The Board shall include in the report a proper description of the premises and a statement of all costs incurred in providing for the abatement, control, or removal of any vegetation, garbage, refuse, or other debris as provided in paragraph (G) of this article, including the Board's charges for its services, the costs incurred in providing notice, any fees or interest paid to borrow monies, and the amount paid for labor, materials, and equipment. The County Auditor shall place the costs upon the tax duplicate. The costs are a lien upon the land from and after the date of the entry. The costs shall be returned to the Township and placed in the Township's general fund.

ARTICLE 30

Regulation of Telecommunications Towers

30.1 Purpose:

The purpose of this article is to outline the regulations set forth in the Ohio Revised Code which provide township officials with the mechanisms necessary for control the construction of telecommunications towers in Pleasant Township which are determined to be contrary to the welfare of its citizens.

30.2 Regulations:

- (A) Pursuant to the Telecommunications Act of 1996 and Ohio Revised Code Section 519.211, and the Pleasant Township Trustees being duly notified of a person's intent to construct a Telecommunication Tower, public utilities, or other functionally equivalent providers may site a telecommunications tower as a conditional use provided the following conditions are met:
- (1) The applicant must provide proof that the proposal to construct a tower or attach equipment to an existing structure has been approved by all other agencies and governmental entities with jurisdiction (i.e. Federal Communication Commission, Federal Aviation Administration, Ohio Department of Transportation, and The Ohio Building Basic Code).
 - (2) The applicant shall provide proof of notification to contiguous or directly across the street property owners as required by ORC Section 519.211.
 - (3) The applicant must demonstrate at the time of application that no other existing towers are feasible for co-location, and that no technically suitable and feasible sites are available in a nonresidential district. There shall be an explanation of why co-location is not possible, and why a tower at this proposed site is technically necessary.
 - (4) The Applicant shall provide a signed statement indicating that the applicant agrees to allow for the potential co-location of other users on the same tower to the extent possible. All co-located and multiple-use telecommunication facilities shall be designed to promote facility and site sharing.

- (5) All new towers shall be setback from the closest property boundary line a minimum distance of nine hundred (900) feet.
- (6) All new towers shall be setback from all streets and road right of ways, public and private, a minimum distance of nine hundred (900) feet.
- (7) All new towers shall be setback from any building that is not associated with or accessory to the telecommunications tower facility a minimum distance of nine hundred (900) feet.
- (8) Any and all base station equipment, accessory structures, buildings, etc. used in conjunction with the tower shall be screened with fencing, masonry, shrubbery or other screening materials.
- (9) The applicant shall notify the Zoning Inspector within thirty (30) Days of ceasing operations at the site and shall remove all structures within one hundred and twenty (120) days of ceasing operations.
- (10) Telecommunication towers shall not be artificially lit, unless required by the Federal Aviation Administration or other applicable regulatory authority. If lighting is required, the lighting design that would cause the least disturbance to the surrounding views shall be chosen. All telecommunication facilities shall be unlit except for security lighting, or when authorized personnel are present.
- (11) No advertising or illumination other than that required by law may be located on the structure or on the required screening.
- (12) An inspection report prepared by a qualified engineer licensed by the State of Ohio shall be submitted to the Zoning Office every five (5) years which details the structural integrity of all towers and support structures on the property. The results of such inspections shall be provided to the Pleasant Township Zoning Officer. Based upon results of an inspection, the Pleasant Township Trustees may require repair or removal of a communication tower
- (13) Any and all necessary repairs to the tower and/or support structures shall be made within a seven (7) day period or the tower and/or structures shall be removed. The tower owner (applicant) is responsible for covering the cost of all inspections, repair, and/or removal.
- (14) The unstaffed storage building and/or unit that houses transmitting equipment is considered an accessory use and/or structure.

Setbacks for accessory uses/structures will comply with distances in the zoned district of the tower location. These facilities may not include offices, long-term vehicle storage, other outdoor storage, or broadcast studios except for emergency purposes.

- (15) A six (6) foot safety fence with a locked gate surrounding the tower is required. If high voltage is necessary, signs must be posted every twenty (20) feet along the fence saying, "Danger - High Voltage." The operator must also post "NO Trespassing" signs.
- (16) For each telecommunication tower, the owner or operator shall provide to the Township a surety bond or a bank letter of credit, to assure the Township that the terms and conditions of this section are performed and complied with, including necessary repairs, including repairs to public highways and roads and the costs and expenses of removal in the event of abandonment.
- (17) The Pleasant Township Board of Trustees may draw upon the performance bond to recover any costs, damages, or expenses incurred by the Township, which arise out of the violations of this section or the abandonment or discontinuance of the use of a tower.

(B) Notice to Pleasant Township Trustees

Notice to the Pleasant Township Trustees, as required under Ohio Revised Code Section 519.211(B)(3)(b), shall be made by certified mail to the address of the Pleasant Township Fiscal Officer.

(C) Conditional Use Permit

If an objection is received by the Pleasant Township Trustees pursuant to the provisions of Ohio Revised Code Section 519.211(B)(4)(a), the matter will be referred to the Pleasant Township Board of Zoning Appeals for their consideration of a Conditional Use Permit under Article 23 herein, of the applicant's request.