Commissioner John O'Grady • **Commissioner** Paula Brooks • **Commissioner** Marilyn Brown
President

Economic Development & Planning Department
James Schimmer, Director

Technical Review Committee Agenda

Franklin County Engineer's Office
970 Dublin Road
Columbus, OH 43215

May 24, 2016
1:30 p.m.

1. **New Business**

   A. **Planning Commission**

      i. **666-FP(b) – Matt Brown**

Owner:	M/I Homes of Central Ohio, LLC
Engineer:	EMH&T – Matt Kirk
Township:	Jefferson Township
Subdivision:	Parkwood Phase 2
Site:	7664 Clark State Road (170-000018)
Acreage:	23.127 acres
Request:	Requesting Final Plat approval to allow the creation of 24 single-family lots and 1 reserve.

      ii. **PRAIR-16-04 – Matt Brown**

Applicant:	Prairie Township
Township:	Prairie Township
Site:	25 Maple Drive
Request:	Requesting to amend various sections of the Prairie Township Zoning Resolution

      iii. **JEFF-16-05 – Matt Brown**

Applicant:	Barton Hall, LLC
Agent:	Underhill & Hodge LLC – David Hodge
Township:	Jefferson Township
Site/Owners:	842 Taylor Station Road (170-001149) – Mark and Judith Sweatland 852 Taylor Station Road (170-001150) – Mario Alvarez, Jr 870 Taylor Station Road (170-000138) – Kanwal and Lynn Singh 875 Taylor Station Road (170-003449) – Kanwal and Lynn Singh
Acreage:	7.30 acres
Utilities:	Public water and sewer
Zoning:	Countryside Residential (CSR) and Limited Industrial (LI)
Request:	Requesting to rezone from the Countryside Residential (CSR) and Limited Industrial (LI) Districts to the Planned Commercial (PC) District to allow the construction of a hotel.

iv. ZON-16-01 – Brad Fisher

Applicant/Owner:	William McQuirt
Township:	Hamilton Township
Site:	4635 Obetz Reese (150-000117)
Acreage:	3.64 acres
Zoning:	SCPD
Utilities:	Private water and waste water
Request:	Requesting to amend an existing Select Commercial Planned District (SCPD)

B. Board of Zoning Appeals

i. CU-3855 – Brad Fisher

Owner/Applicant:	Brittany Schoeder/The Pack, LLC
Township:	0.76
Site:	1145 Hague (140-004317)
Acreage:	0.76
Zoning:	Rural District
Utilities:	Public water and private waste water
Request:	Requesting a Conditional Use from Section 511.03 of the Franklin County Zoning Resolution to allow a conditional use home occupation for the caring of animals that does not meet the standards for a permitted use home occupation in an area zoned Rural.

2. Adjournment of Meeting to June 21, 2016.

SUBDIVISION FINAL PLAT APPLICATION

for unincorporated Franklin County

Franklin County Development Department – Franklin County Planning Commission
150 S. Front Street, FSL Suite 10 Columbus, OH 43215 Phone: (614) 525-3094

to be completed by FCPC Staff:

Date Submitted: 4 / 28 / 16 Received By: Matt Brown

Date Accepted / Rejected 4 / 29 / 16 By: Matt Brown

Application No.: 666-FP(6) Fee: $3,250.00 RCPT #1605 FCPC Date: 6 / 8 / 16

I, M/I HOMES OF CENTRAL OHIO, LLC, being the owner of the lands within the
(print or type landowner's name)
proposed subdivision, hereby request the Franklin County Planning Commission (FCPC) to approve the accompanying subdivision plat named PARKWOOD PHASE 2, located in JEFFERSON Township. The plat contains 24 lots, 1 reserves and 23.127 total acres. I understand approval action by the FCPC must be ratified by the full FCPC board prior to the plat being signed by the executive director of FCPC.

Twenty (20) copies of the plat signed by the subdivider and engineer/surveyor, the original Subdivider's Agreement signed by the subdivider, and one copy of the engineering and construction plans signed by the county are submitted in support of this request. To the best of my knowledge and belief, information and materials submitted to FCPC for the purposes of obtaining approval of this plat are complete, true and correct.

Property Owner/Subdivider

Signature: [signature] Date: 4 / 27 / 16

Name: M/I HOMES OF CENTRAL OHIO, LLC

Address: 3 EASTON OVAL, SUITE 310

City, State, Zip: COLUMBUS, OHIO, 43219 Phone No.: (614) 418-8023

Engineer/Surveyor

Signature: _____ Date: ___/___/___

Name: EMH+T - MATT KIRK

Address: 5500 NEW ALBANY ROAD

City, State, Zip: COLUMBUS, OHIO, 43054 Phone No.: (614) 775-4131

PARKWOOD

PHASE 2

Situated in the State of Ohio, County of Franklin, Township of Jefferson, and in Lot 18, Quarter Township 1, Township 1, Range 16, United States Military Lands, containing 23.127 acres of land, more or less, said 23.127 acres being part of that tract of land conveyed to **M/I HOMES OF CENTRAL OHIO, LLC** by deed of record in Instrument Number 201309130156195, Recorder's Office, Franklin County, Ohio.

The undersigned, **M/I HOMES OF CENTRAL OHIO, LLC**, an Ohio limited liability company, by **TIMOTHY C. HALL, JR.**, Area President, owner of the land platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its **"PARKWOOD PHASE 2"**, a subdivision containing Lots numbered 35 to 58, both inclusive, and an area designated as Reserve "E", does hereby accept this plat of same and dedicates to public use, as such, all or part of the Drive and Court shown hereon and not heretofore dedicated. Franklin County shall not accept the platted rights-of-way for public use until construction is satisfactorily completed.

In consideration of approval of this plat, the undersigned understands and agrees to fulfill their obligations and responsibilities reflected in the subdivider's agreement and the subdivision regulations of Franklin County, Ohio. Zoning, building and health permits may be withheld in this subdivision until the subdivider has complied with the subdivider's agreement.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath and on the surface of the ground and, where necessary, are for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other above ground storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the Franklin County Engineer.

Iron pins shall be set at all lot corners prior to the transfer and acceptance of any street for public purpose.

In Witness Whereof, **TIMOTHY C. HALL, JR.**, Area President of **M/I HOMES OF CENTRAL OHIO, LLC**, has hereunto set his hand this ____ day of _____, 20___.

Signed and Acknowledged In the presence of:

M/I HOMES OF CENTRAL OHIO, LLC

_____

By _____
TIMOTHY C. HALL, JR., Area President

_____

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared **TIMOTHY C. HALL, JR.**, Area President of **M/I HOMES OF CENTRAL OHIO, LLC**, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said **M/I HOMES OF CENTRAL OHIO, LLC**, for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this _____ day of _____, 20___.

My commission expires _____

_____
Notary Public, State of Ohio

The undersigned hereby certifies that this subdivision plat conforms to applicable zoning regulations.

Approved this _____ Day of _____ 20___.

_____
Jefferson Township Zoning Inspector

The undersigned hereby certifies adequate and legal water and sanitary sewer plant capacities exist to serve this subdivision.

Approved this _____ Day of _____ 20___.

_____
Director,
Jefferson Water and Sewer District

The undersigned hereby certifies that this subdivision plat conforms to applicable subdivision regulations.

Approved this _____ Day of _____ 20___.

_____
Franklin County Planning Commission

Approved this _____ Day of _____ 20___.

_____
Franklin County Engineer

Approved this _____ Day of _____ 20___.

_____ _____
Franklin County Drainage Engineer

This _____day of_____, 20___, rights-of-way for the Drive and Court herein dedicated to public use are hereby approved and accepted as such for the County of Franklin, State of Ohio

Franklin County Commissioners

_____

_____

_____

This plat shall not be transferred or recorded until all required signatures are secured.

Transferred this ____ day of _____, 20___.

_____
Auditor, Franklin County, Ohio

_____
Deputy Auditor, Franklin County, Ohio

Filed for record this ___ day of _____, 20___ at _____M. Fee $_____

_____
Recorder, Franklin County, Ohio

File No. _____

Recorded this ____ day of _____, 20___.

_____
Deputy Recorder, Franklin County, Ohio

Plat Book _____, Pages _____

RECEIVED
APR 28 2016
Franklin County Planning Department
Franklin County, OH

666-FP(6)

LOCATION MAP AND BACKGROUND DRAWING

NOT TO SCALE

SURVEY DATA:

BASIS OF BEARINGS: Bearings are based on the Ohio State Plane Coordinate System, South Zone as per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments 5341 and 6612, having a bearing of South 86° 22' 41" East between said monuments, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Franklin County, Ohio.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon in the public street centerline, are to be one-inch diameter, thirty-inch long, solid iron pins, are to be set to monument the points indicated, are to be set after the construction/installation of the street pavement and are to be set with the top end one-fourth inch below the top of the pavement. Once installed, the top of the pin shall be marked (punched) to record the actual location of the point.

Permanent markers, where indicated hereon in positions other than in the public street centerline, are to be one-inch diameter, thirty-inch long, solid iron pins, are to be set to monument the points indicated and are to be set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point.

SURVEYED & PLATTED BY

EMHT
Evans Mechwart Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

- o = Iron Pin (See Survey Data)
- • = MAG Nail to be set
- ◎ = Permanent Marker (See Survey Data)
- ▲ = Railroad Spike found
- ■ = Stone Found
- ⊡ = F.C.G.S. monument box

By _____ _____
Professional Surveyor No. 7865 Date

J:\20130025\DWG\SHEETS\PLAT\20130025-VS-PLAT-PHS2.DWG plotted by HASTON, JOHN on 4/14/2016 11:20:31 ### last saved by HASTON on 4/14/2016 9:43:23 AM

PARKWOOD

PHASE 2

NOTE "A" : At the time of platting, all of the land hereby being platted as Parkwood Phase 2 is in Zone X (Areas determined to be outside of the 0.2% annual chance floodplain) as designated and delineated on the FEMA Flood Insurance Map for Franklin County, Ohio, and Incorporated Areas, map number 39049C0216K with effective date of June 17, 2008.

NOTE "B": The purpose of this plat is to show certain property, rights of way, and easement boundaries as of the time of platting. At the request of zoning and planning authorities at the time of platting, this plat shows some of the limitations and requirements of the zoning code in effect on the date of filing this plat for reference only. The limitations and requirements may change from time to time and should be reviewed to determine the then current applicable use and development limitations of the zoning code as adopted by the government authority having jurisdiction. The then applicable zoning code shall have control over conflicting limitations and requirements that may be shown as on this plat. This note should not be construed as creating plat or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such.

NOTE "C": At the time of platting, all of Parkwood Phase 2 is in the Gahanna Jefferson City School District.

NOTE "D" - RESERVE "E": Reserve "E", as designated and delineated hereon, shall be owned by Jefferson Township and maintained by an association comprised of the owners of the fee simple titles to the lots in the Parkwood subdivisions as Passive Park/Open Space and Detention/Retention.

NOTE "E" - LOTS IN PARKWOOD PHASE 2: Prior to the construction of the footing/foundation for the residential building to be constructed on lot 58 in Parkwood Phase 2, the builder of such building shall confer with the Franklin County Economic Development Department for the purpose of determining if special foundation and/or basement construction techniques and/or materials are to be employed on such lot.

As a part of the basement construction for the homes within the above mentioned lots, the developer will install inside and outside drain tiles as well as a back up sump pump.

NOTE "F" - ACREAGE BREAKDOWN:

Total acreage:	23.127 Ac.
Acreage in Right-of-way	1.456 Ac.
Acreage in remaining lots:	11.876 Ac.
Acreage in Reserve	9.795 Ac.

NOTE "G" - ACREAGE BREAKDOWN: Parkwood Phase 2 is out of the following Franklin County Parcel Number:

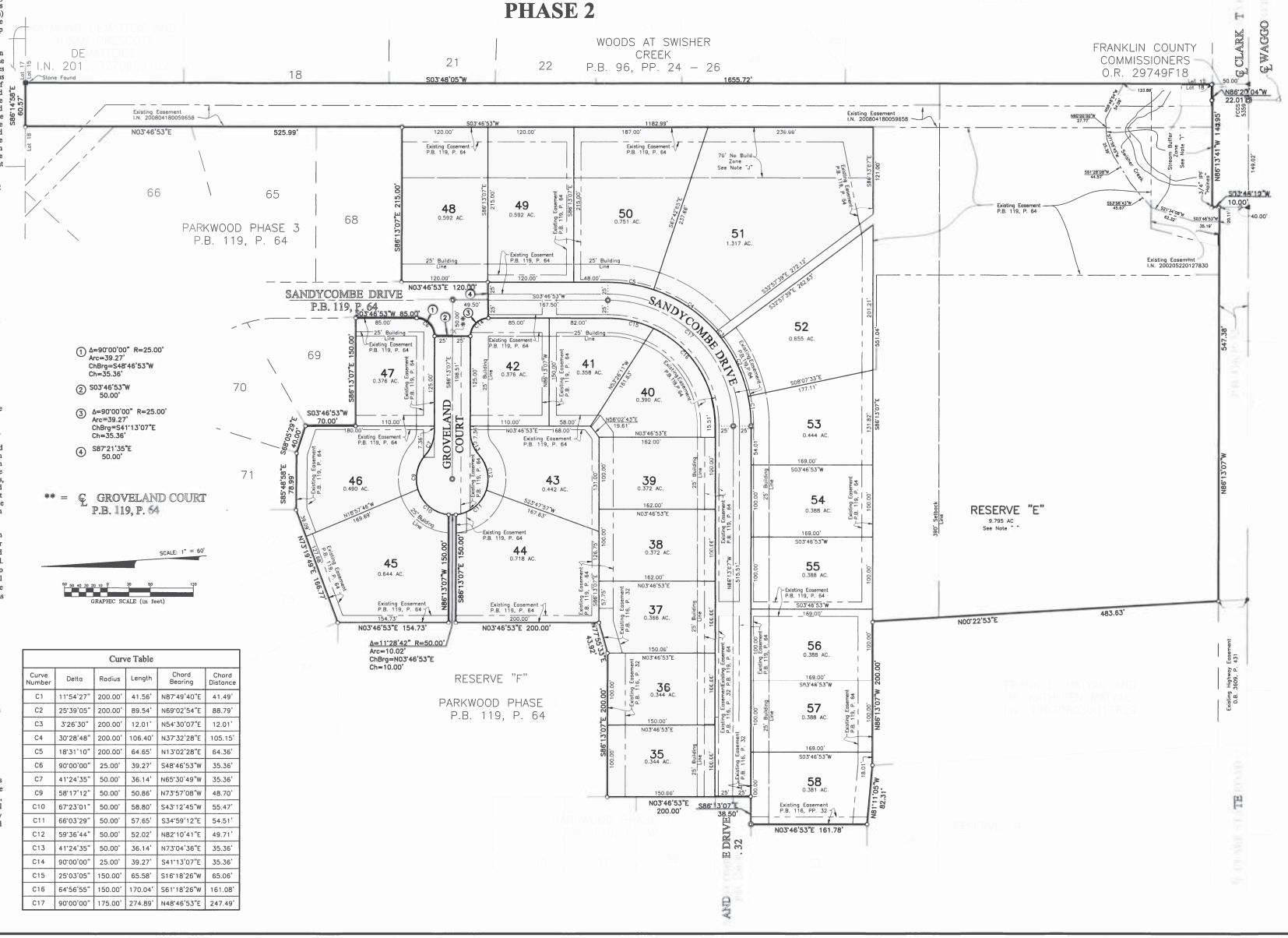
Parcel Number 170-000018	23.127 Ac.

NOTE "H": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about Parkwood Phase 2 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Franklin County Recorder's Office.

NOTE "I" - STREAM BUFFER ZONE: The Stream Buffer Zone, as designated and delineated hereon, shall forever be restricted from development with buildings, structures, and uses and the natural state of said zone shall remain undisturbed. It is also the intent and purpose of the Stream Buffer Zone to restrict and forbid any activity or use which would as a natural consequence of such, impede or make more difficult the accomplishment of the purpose of which the said zone was created. Additional restrictions include:

1. No dumping or burning of refuse.
2. No hunting or trapping.
3. Natural resources of the zones shall remain undisturbed and no topsoil, sand, gravel, or rock shall be excavated, removed or graded.
4. Nothing shall be permitted to occur on the premises which would contribute to the erosion of the land and no trees shall be cut or removed, except for the removal of such dead diseased, noxious, or decayed trees or vegetation which may be required for conservation or scenic purposes, or for reasons of public safety.
5. No private encroachment shall be permitted, such as, but not limited to, planting of flowers, shrubs, garden material, etc., dumping of trash or debris, or the installation of any type of recreation or other facility or convenience.

NOTE "J" - NO BUILD ZONE: The No Build Zone, as designated and delineated hereon, shall remain free of the following structures: drives, walks, buildings and outbuildings, sheds, decks and satellite dish antennae. Nothing herein shall prohibit over lot grading and drainage facilities, utility structures and landscaping. No Build Zone Restrictions shall be enforced by Jefferson Township.



Curve Table					
Curve Number	Delta	Radius	Length	Chord Bearing	Chord Distance
C1	11°54'27"	200.00'	41.56'	N87°49'40"E	41.49'
C2	25°39'05"	200.00'	89.54'	N69°02'54"E	88.79'
C3	3°26'30"	200.00'	12.01'	N54°30'07"E	12.01'
C4	30°28'48"	200.00'	106.40'	N37°32'28"E	105.15'
C5	18°31'10"	200.00'	64.65'	N13°02'28"E	64.36'
C6	90°00'00"	25.00'	39.27'	S48°46'53"W	35.36'
C7	41°24'35"	50.00'	36.14'	N65°30'49"W	35.36'
C9	58°17'12"	50.00'	50.86'	N73°57'08"W	48.70'
C10	67°23'01"	50.00'	58.80'	S43°12'45"W	55.47'
C11	66°03'29"	50.00'	57.65'	S34°59'12"E	54.51'
C12	59°36'44"	50.00'	52.02'	N82°10'41"E	49.71'
C13	41°24'35"	50.00'	36.14'	N73°04'36"E	35.36'
C14	90°00'00"	25.00'	39.27'	S41°13'07"E	35.36'
C15	25°03'05"	150.00'	65.58'	S16°18'26"W	65.06'
C16	64°56'55"	150.00'	170.04'	S61°18'26"W	161.08'
C17	90°00'00"	175.00'	274.89'	N48°46'53"E	247.49'

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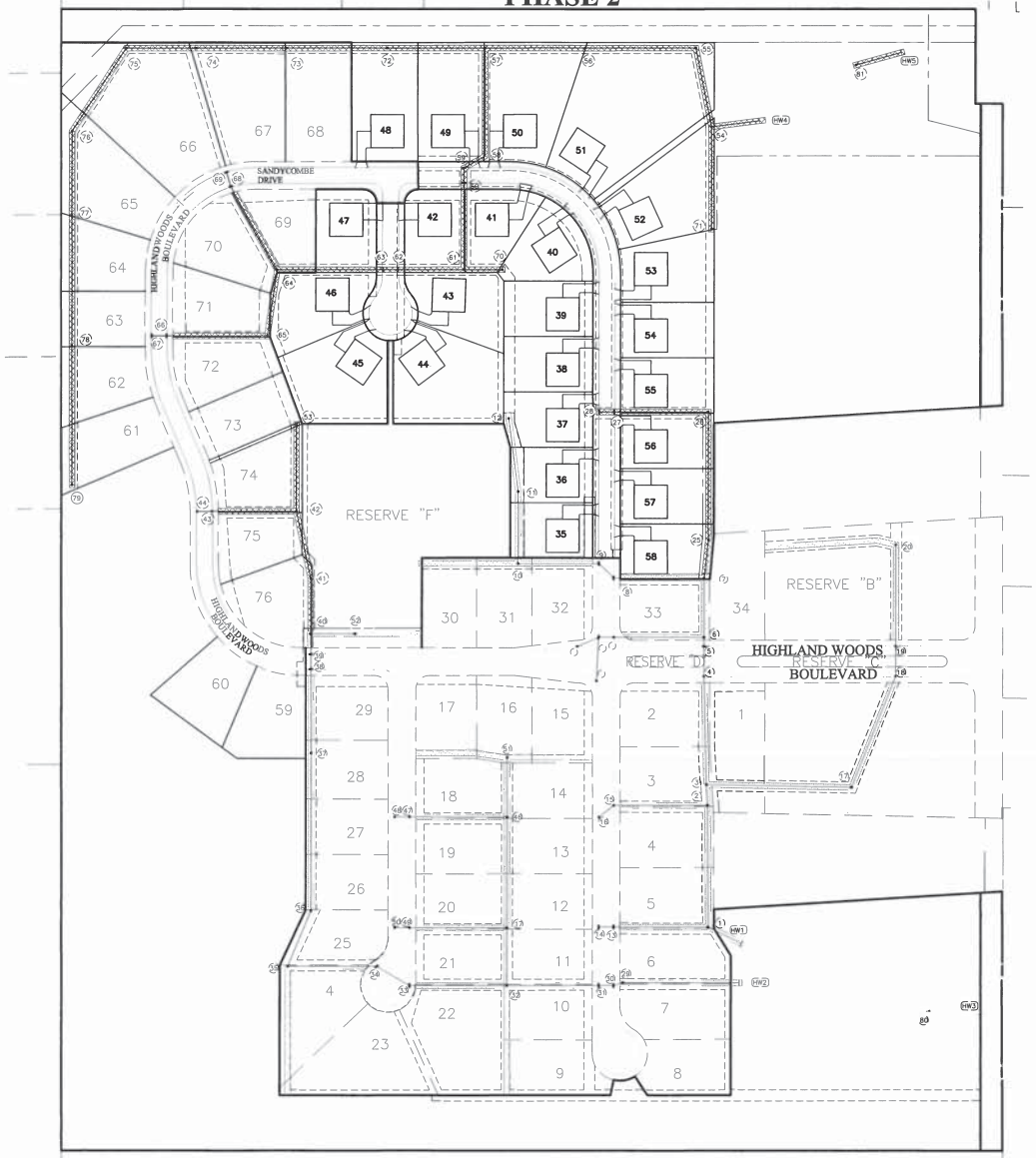
PARKWOOD

PHASE 2



DRAINAGE EASEMENT
FRANKLIN COUNTY DRAINAGE ENGINEER

1. The shaded area (designated the Storm Water Maintenance Easement) has been granted to the Franklin County Commissioners so that the Franklin County Drainage Engineer can maintain the Storm Sewers, Subsurface Drains, Structures and Culverts.

2. No structure or improvements of any kind, including sheds, fences, flower beds, rock gardens and trees (but excluding grass and approved bank protection), shall be erected or planted within the easement provided for the watercourse unless reviewed and approved by the Franklin County Drainage Engineer.

3. Every owner of property within the storm water maintenance easement shall maintain the portion of said storm water easement in their property and keep the same free of debris and obstruction of all kinds. Said maintenance shall be limited to mowing, removal of debris and turf maintenance. All other maintenance of the grassed waterways, drainage channels, subsurface drains and storm sewers shall be performed at the direction of the Franklin County Drainage Engineer.

4. The property owner will maintain the drainage structures, swales, underdrains and storm sewers along the side and back lot lines.

5. These restrictions and agreements shall run with the land and shall bind the owner, his successors and assigns unless and until a modification or change thereto is agreed to and approved by Franklin County.

6. All areas disturbed during maintenance operations will be reestablished with grass; tree removal will not be replanted.

This sheet is for information purposes only and is not intended to create plat restrictions. More information required regarding the Ditch Maintenance Plan can be acquired by a competent examination of the then current public records, including those in the Recorder's Office, Franklin County, Ohio

HATCH LEGEND

Denotes areas/sewers added to Ditch Maintenance Program with Parkwood Phase 3.

Denotes areas/sewers added to Ditch Maintenance Program with Parkwood Phase 1.

Franklin County
Where Government Works

Economic Development & Planning Department
James Schimmer, Director

Request for

Township Zoning Recommendation

Franklin County Planning Commission

Township

- ☐ Blendon
- ☐ Jackson
- ☐ Jefferson
- ☐ Perry
- ☐ Plain
- ☒ Prairie
- ☐ Washington

Case Number

Prair-16-04

Meeting Dates

Review Body	*Date*
Tech Review	*May 24, 2016*
Planning Commission	*June 8, 2016*

Amendment Type

- ☐ Map amendment
- ☒ Text amendment
- ☐ Land use plan amendment

Amendment information

Amendment type	Information required	
Map amendment:	List all parcel IDs to be amended	Zoning district Current: Proposed:
Text amendment	Revising numerous sections of the Prairie Township Zoning Resolution. Revisions relate to variances, conditional uses, accessory and temporary uses, parking surfaces, signs, and floodplains	
Plan amendment	Document type: ☐ New plan ☐ Existing Plan Plan name:	

Township Zoning Inspector Contact Information

Name Connie Swisher	
Address 25 Maple Drive	
Columbus, OH 43228	
Phone # 614-878-3317	Fax #
Email cmccroskey@jeffersontownship.org	

PRAIRIE TOWNSHIP ZONING CODE
QUICK GUIDE TO SUGGESTED CHANGES
New Revisions Noted in RED

PURPOSE OF ZONING

(New) A paragraph will be added at the beginning of the Zoning Resolution stating the documents purpose.

SECTION 543 – APPLICATION AND STANDARDS FOR VARIANCE

Per recommendations by Peter Griggs changing all property owner notification requirements to law required distances only

SECTION 544 – DELETING USE VARIANCES ~~PROHIBITED~~

Per recommendations by Peter Griggs Zoning Resolutions cannot prohibit use variances. This section will be deleted as recommended and replaced with the new language regulating Use Variance requests.

SECTION 545 – DELETING- SUPPLEMENTARY CONDITIONS AND SAFEGUARDS change to:

SECTION 545- AREA VARIANCE

Per recommendations by Peter Griggs the Zoning Resolution needs to include AREA VARIANCE FACTORS and the wording for SUPPLEMENTARY CONDITIONS AND SAFEGUARDS will be included in SECTION 550 ACTION BY BOARD OF ZONING APPEALS

SECTIONS 550 ACTION BY BOARD OF ZONING APPEALS

Changes made to Section 545 required adding minor changes to Section 550.

SECTIONS 543, 548, 562, 603, 610, 1352 & 1357 PROPERTY OWNER NOTIFICATION.

Per recommendations by Peter Griggs property owner notification in the Resolution will be changed in all sections to what is required by law. (We will continue to place Zoning Signs on the property to notify area residents of the date and time of all public hearings).

SECTION 568

SPECIFIC CONDITIONAL USE CRITERIA

7. Telecommunication Towers – updated to reflect 2013 law changes to ORC. 519.211 conditional use criteria changes.

   The law governing cell towers has specific notification requirements when towers are proposed on residentially used land. Written responsibilities are specific for residents and elected officials who are objecting to the placement of the tower and also for the tower companies. All parties are under time frames and must follow specific procedures. And all requirements vary no objections are received.

   Township Zoning laws apply to the site only if an objection is received and then the conditional use process begins. The proposed amendments to Section 563 will reflect the procedural change for this process required in ORC 519.211.

.....

Uses being removed from the Table 1 as a Conditional Use in the Rural District

Section 568:

12. Lawn and Garden Supply,
13. Meat Market,
19. Lawn Mower Repair,
20. Landscape Service,

.
Section 568 44. Accessory Apartment (Granny Flat) – new language being added to the conditional use criteria to allow an apartment to an existing home to care for a parent or family member who is no longer able to live independently.

If approved the new language is written so the living unit has to be incidental to the principal structure and will not create a secondary principal use.

SECTION 613
ACTION BY TOWNSHIP TRUSTEES

Change to State Law – Board of Trustees are not required to be unanimous to overturn Zoning Commission recommendations. Strike last sentence

SECTION 937
HEIGHT LIMITATION EXCEPTIONS

Increasing the height of accessory structures in residential districts by 2' (12ft. – 14ft.)

SECTION 940

Strike sentence entirely. Allowing applicants to request the Substantially Similar Use permit for any uses that are not indicated in the table charts.

SECTION 1001

Keep section compatible with Section 568 we are adding a paragraph after No. 6 that states "Notwithstanding the foregoing this section shall not be construed to prohibit Accessory Apartment/Granny Flats as a conditionally permitted use in Section 568.

SECTION 1002

PRINCIPAL BUILDINGS PER LOT

Add Section 568 at the end of the first sentence. Necessary to include a reference for Accessory building/Granny Flats to this section.

SECTION 1009

New sentence, "An accessory use shall not be constructed on a lot that does not contain a principal building." To better clarify that accessory buildings are not permitted to be built on any lot that does not have a principal structure.

SECTION 1010

REQUIRED TRASH AREAS

Including requirements for residential districts to provide 1) adequate containers for trash as required by the Franklin County Board of Health and 2) regulate the placement of trash at the road row to 24 hours prior to regular scheduled trash pick-up.

SECTION 1012
TEMPORARY USES

Making the length of time for temporary sales and special events consistent with each other and increasing size of signs in commercial district to 32 square feet. Changing Farm Markets to be consistent with current law and regulating parking where applicable.

6. Temporary Sales – permits are allowed (3x) per year, amending to allow (10) days each time instead of 4 days. This gives commercial uses (2) weekends and also makes it consistent with Section 1012 #1 "Special Events" that are permitted for (10) consecutive days.

7. Farm Markets and similar seasonal products– amended to permit Farm Markets in all districts 50% of products are produced on lands farmed by proprietor as required by law. And regulate all other farm markets and seasonal product sales.

SECTION 1014
FENCES, WALLS, AND VEGETATION

1. Strike sentence to require substantial repairs or replacement of fences to obtain a zoning permit and ensure fences are constructed per code.

SECTION 1110
OFF-STREET PARKING SPACE DESIGN STANDARDS

4. Requires hard-surface pavement with an asphalt or concrete binder. To be compliant with The Big Darby Accord Watershed Master Plan we are adding a paragraph to require pervious pavement and other technologies where applicable.

SECTION 1215
SPECIAL EVENTS SIGNS

Extending permits from 7 to 10 days to allow 2 weekends. And a larger sign in commercial districts from (12 sq. ft. to 32 sq. ft.)

SECTION 1221

Making allowances in the Resolution for new technology to be placed on permitted signs and to decrease number of variance request for LED readerboards.

SECTION 1222
ON-PREMISE SIDEWALK SIGNS –

Removing "Wall signs pertaining to non-conforming uses" and replace it with On-Premise Sidewalk Signs, - to allow a single sandwich board sign to be used during hours of operations regulating size and placement.

SECTION 1354 SUBMISSION TO DIRECTOR OF TRANSPORTATION

DELETE AND INTENTIONALLY LEFT BLANK-

THIS SECTION IS OUTDATED TRAFFIC AND ENGINEERING IS REQUIRED TO BE REVIEWED AT FRANKLIN COUNTY TECHNICAL REVIEW.

*ALL CHANGES IN ARTICLE 15 PER MATT BROWN, FRANKLIN COUNTY FLOODPLAIN MANAGER

SECTION 1501
DEFINITIONS

Minor changes to the definitions in Article 15 Flood Hazard Regulations are as follows:

Reflecting the change of the name "Regional Base Flood to Base Flood in Article 15.

Removing the first sentence:

1) Regional Base Flood,

4) Flood

SECTION 1520
FLOOD HAZARD OVERLAY BOUNDARIES

Replacing "one hundred (100) year flood" with **Base Flood.**

SECTION 1530
ESTABLISHMENT OF RELULATORY FLOODPLAIN

Replace "County or Regional Planning Commission and County Engineers office" with Franklin County Economic Development and Planning Department.

Replace Regional one hundred (100) year flood, with Base Flood.

SECTION 1532
PROHIBITED USES IN FLOODWAY

5. change one hundred year with Base Flood.

SECTION 1534
PERMITTED USES IN FLOODWAY FRINGE

2. – New, specific criteria to allow accessory structures not to exceed 576 Sq. ft. in the floodway fringe and shall meet the applicable requirements Sections 930 Table 2, and 937 of this Resolution.

SECTION 1535
CONDITIONAL USES IN THE FLOODWAY FRINGE

1. New All conditional uses in the Floodway as listed in Section 1533.
2. Moving 1. to 2. spot and adding "with the exception of mobile/modular or manufactured homes or structures which are prohibited uses in the regulatory floodplain.
Striking the last sentence.

SECTION 1540
DEVELOPMENT STANDARDS IN REGULATORY FLOODPLAIN

1. New sentence, All new construction and substantial improvement shsall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from

hydrodynamic and hydrostatic loads, including the effects of buoyancy.

2. Change Regional to Base Flood adding last sentence. " No use or encroachment within the Floodway shall increase the Base Flood Elevation."

SECTION 1541

First sentence add after buildings and structures, "new construction and substantial improvement of buildings"

3. Change Regional to Base. 4. Strike in last sentence, "prior to the structural inspection approval."

5. Strike entire sentence.

SECTION 1542
STORAGE OR PROCESSING OF MATERIALS

Change regional Base Flood to Base Flood. In second sentence add, "Storage of materials, equipment, or placement of other obstructions which in time of floodings".

SECTION 1544

WASTE PROCESSING AND/OR DISPOSAL FACILITIES AND WATEWATER TREATMENT AND DISPOSAL SYSTEMS

Change one hundred year flood to Base Flood.

SECTION 1550
ADDITIONAL PLAN REQUIREMENTS

Add Plans "prepared by a Registered Surveyor, Engineer or Architect"

SECTION 1560
COMPLIANCE WITH APPROVED PLANS

Adding "Variances"

SECTION 1570
COMPLIANCE WITH THE NATIONAL FLOOD INSURANCE PROGRAM

Adding "or lower" and at the end of including section references "44 CFR Part 60.3 and 60.6".
Number 3 Strike in its entirety

SECTION 1580
WARNING AND DISCLAIMER OF LIABILITY

Adding 'Township" in addition to the list of personnel involved in the administration or enforcement of the Floodplain Section

TABLE 1 - PERMITTED USES

Changing table charts to be consistent with recommended code revisions above:

Residential Uses
Building Accessories
Granny Flats as Conditional Use in Rural and Residential districts

Retail Store Uses
Florist – make it a Conditional Use in Rural districts
Lawn and Garden Supply – delete Conditional Use in Rural district
Meat Market – delete Conditional Use in Rural district

Consumer Service Uses
Lawn Mower Repair – delete Conditional Use in Rural district

Trade Service Uses
Landscape Service – delete Conditional Use in Rural district
Septic Tank Cleaning Service – deleting permitted use in a Rural district
Well Drilling – deleting permitted use in a Rural district

Recreation Uses
Canoe Livery – permitted in Rural district
Commercial Recreation Center – conditional in the Rural district

THE PRAIRIE TOWNSHIP ZONING RESOLUTION

Original Effective Date: November 1983
Revised Edition: 2016

The Prairie Township Board of Trustees

Ron Ball, Chairman
Steve Kennedy
Doug Stormont
Dan McCardle, Fiscal Officer

The Prairie Township Zoning Commission

Howard Balzer, Chairman
Glen Hymer
Christopher Finn
Halda Moffitt
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Melvin Jones, Alternate
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Prairie Township Board of Zoning Appeals

Mark O'Laughlin, Chairman
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Christy Overla
Bill Gallaer
Doug Owsley

Scott Schlosser, Alternate
Bruce Steele, Alternate

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TEXT AMENDMENTS
Article 2, definition of "Floor Area of a Residential Building"; Table 2; all as adopted by the Prairie Township Board of Trustees on September 26, 1984.

TEXT AMENDMENTS
Article 2, definition of "Self Service Storage Facility"; Article 5, Section 568, Number 42; Table 1; all as adopted by the Prairie Township Board of Trustees on June 17, 1987.

TEXT AMENDMENTS
Article 7, Section 720; Article 8, Section 852; Article 9, Section 920; Article 9, Section 960, Table 2; all as adopted by the Prairie Township Board of Trustees on June 24, 1991.

TEXT AMENDMENTS
Article 2, Article 3, Article 4, Article 5, Article 6, Article 7, Article 8, Article 9, Article 10, Article 11, Article 12, Table 1 and Table 2; all as adopted by the Prairie Township Board of Trustees on Aug. 14, 1996.

TEXT AMENDMENTS
Article 2; Article 7; Article 8; Article 20; all as adopted by the Prairie Township Board of Trustees on Oct. 23, 1996.

TEXT AMENDMENTS
Article 2; Article 3; Article 5; Article 6; Article 7; Article 8; Article 9; Article 10; Article 12; Article 13; Article 18; Article 20 and Table 1; all as adopted by the Prairie Township Board of Trustees on Dec. 2, 1998.

TEXT AMENDMENTS
Article 2 and Article 10; all as adopted by the Prairie Township Board of Trustees on March 10, 1999.

TEXT AMENDMENTS
Article 7 and Article 21; all as adopted by the Prairie Township Board of Trustees on June 2, 1999.

TEXT AMENDMENTS
Article 2; Article 3; Article 5; Article 6; Article 12; Article 13; Article 15; all as adopted by the Prairie Township Board of Trustees on May 30, 2001.

TEXT AMENDMENTS
Table of Contents; Article 2; Article 3; Article 5; Article 7; Article 8; Article 9; Article 10; Article 11; Article 12; Article 19; Table 1; Table 2; all as adopted by the Prairie Township Board of Trustees on December 23, 2002.

TEXT AMENDMENTS
Table of Contents; Purpose of Zoning;

PREAMBLE

A Resolution of the Township of Prairie, Franklin County, Ohio, enacted in accordance with the provisions of Chapter 519, Ohio Revised Code, dividing the unincorporated portion of the township into zones and districts, encouraging, regulating, and restricting therein the location, construction, reconstruction, alteration and use of structures and land; promoting the orderly development of residential, business, industrial, recreational, and public areas;

Providing for adequate light, air, and convenience of access to property by regulating the use of land and buildings and the bulk of structures in relationship to surrounding properties;

Limiting congestion in the public right-of-ways;

Providing the compatibility of different land uses and the most appropriate use of land;

Providing for the administration of this resolution, defining the powers and duties of the administrative officers as provided hereafter, specifying procedures to be followed for amendments, variances, appeals, conditional uses, and other administrative actions;

Encouraging the active participation and involvement of the residents of the township in land use decisions that will influence the future development of the township and the lives of its residents;

And prescribing penalties for the violation of the provisions in this resolution or any amendment thereto, all for the purpose of protecting the public health, safety, morals, comfort and general welfare; and the repeal thereof.

Therefore be it resolved by the Board of Township Trustees of Prairie Township, Franklin County, State of Ohio.

PURPOSE OF ZONING

This Resolution is enacted for the purpose of promoting public health safety, convenience, comfort, prosperity and general welfare; to conserve and protect the natural resources and scenic areas; to secure the most appropriate use of land, to facilitate adequate but economical provisions for public improvements, all in accordance with existing county or township plans or plans which may be later adopted and as permitted by the provisions of Chapter 519, Ohio Revised Code.

To promote such public purposes, these regulations are designed to encourage an appropriate use of lands, to stabilize and preserve the value of property, to prevent congestion and hazard in the streets, to secure safety from fire, flood, water contamination, air pollution and other dangers, to provide adequate light, air and open space, to prevent the overcrowding of land and to avoid undue concentrations of population

To further promote such public purpose, these regulations are further intended to be used to facilitate an appropriate and desirable comprehensive pattern of land uses upon which to plan and economically provide adequate roads and highways, water supply, sewer facilities, schools, parks, and other essential public facilities and services.

ARTICLE 1
TITLE, INTERPRETATION AND ENACTMENT

SECTION 100
TITLE

This Resolution shall be known and may be cited to as The Zoning Resolution of the Township of Prairie, Franklin County, Ohio.

SECTION 110
PROVISIONS OF RESOLUTION DECLARED TO BE MINIMUM REQUIREMENTS

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

SECTION 120
SEPARABILITY CLAUSE

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

SECTION 130
REPEAL OF CONFLICTING RESOLUTION, EFFECTIVE DATE

The Franklin County Zoning Resolution or parts thereof now in effect in the Township of Prairie shall be repealed upon the approval of this Resolution at an election as provided for by law. However, all suits at law or in equity and/or all prosecutions resulting from violation of the County Zoning Resolution heretofore in effect, which are now pending in any of the courts of the State of Ohio or of the United States, shall not be abated or abandoned by reason of the adoption of this Zoning Resolution. This Zoning Resolution shall become effective from and after the date of its approval and adoption, as provided by law.

ARTICLE 2
DEFINITIONS

SECTION 200
CONSTRUCTION OF LANGUAGE

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

1. Words used in the singular shall include the plural, and the plural the singular.
2. Words used in the present tense shall include the future tense.
3. The word "shall" is mandatory and not discretionary.
4. The word "may" is permissive.
5. The word "should" is a preferred requirement.
6. The phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," "maintained for," and "occupied for."
7. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
8. The word "lot" includes the words, "plot" or "parcel."

SECTION 210
DEFINITIONS

All words used in this resolution shall have their customary meanings as defined in Webster's New World Dictionary, except those specifically defined in this Section. Specific land uses specified in Table 1 or elsewhere in this resolution shall be defined or identified by their normal and customary meaning in accepted business, professional, office, or manufacturing circles and within the context of the general use classification established in Section 910 of this Resolution, unless otherwise specifically defined by this Resolution.

ACCESSORY APARTMENT (GRANNY FLAT)

A separate dwelling unit within a principal single family structure which meets all requirements of Section 930 Table 2, plus allows usage only by members of the residential owner's family. Usage by servants or personal staff also would be considered family.

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.

ADMINISTRATIVE AND BUSINESS OFFICE FACILITIES

The use of offices and related space for administrative or business office uses not elsewhere classified and which involve no retail sales of merchandise stored on the premises and without any processing or storage of products, goods, materials and/or equipment on site.

AGRIBUSINESS

Warehousing, storage, and related functions that provide services for or are dependent upon agricultural activities. Agribusinesses include, but are not limited to the following uses:

1. Fertilizer sales, storage, and blending.
2. Preparations and sale of feeds for animals and fowl.
3. Seed sales.
4. Poultry hatchery services.
5. Corn shelling, hay bailing, and threshing services.
6. Grain elevators and bulk storage of feed grains.
7. Agricultural produce milking and processing.
8. Livestock auctions.
9. Livestock breeding and artificial insemination.

AGRICULTURE

The use of land for farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production; or production; provided, however, that:

1. The above uses shall not include the establishment of a feedlot or the keeping of hogs or poultry in penned enclosures within 100 feet of any residential zoning district or residentially used property.
2. Agriculture shall not include the feeding of garbage to animals or the operation or maintenance of a commercial stockyard, feedyard, slaughterhouse or kill plant.

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 tiedown areas, hangers and other necessary buildings, and open spaces.

ALLEY

See Thoroughfare.

ALTERATIONS

Any changes or relocation in the supporting members of a building such as bearing walls, columns, beams, or girders.

BASEMENT

A story all or partly underground but having at least one-half (½) of its height below the average level of the adjoining ground. (See Illustration)

BASEMENT DWELLING

A structure generally enclosed on all sides by more than one-half (½) of its height below the average finished grade of the lot and so constructed that the structure could, at a later date, be added to in the vertical dimension.

BEGINNING OF CONSTRUCTON

The beginning of construction is the incorporation of labor and material within the walls of a building or buildings; the incorporation of labor and materials at the site, lot, or parcel where a building is to be constructed; and for the incorporation of labor and material where land is to be used for purposes other than construction of a building.

BUFFER AREA

That portion of a lot set aside for open space and visual screening purposes, pursuant to applicable provisions of this Resolution, to separate or screen different use districts and/or uses on one property from uses on another property.

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 or use.

BUILDING, PRINCIPAL

A building in which is conducted the main or principal use of the lot.

BUILDING HEIGHT

The vertical distance measured from the average elevation of the finished grade at the front of the building to (a) the highest point of a flat roof; (b) the deck line of a mansard roof; (c) the average height between the eaves and ridge for gable, hip, and gambrel roofs; or (d) the average height between high and low points for a shed roof. (See Illustration)

BUILDING LINE

See Setback Line.

BUILDING MATERIALS

Retail and wholesale sales and storage of such items as masonry products, blocks, bricks, lumber, sand, gravel, tile, chemicals, and similar products.

CEMETERY

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

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 RECREATION

Complexes and facilities providing a series of recreational opportunities, generally for a fee or on a membership basis, including, but not limited to, swimming, exercise rooms, weight rooms, tennis or racquetball courts, and similar recreational activities.

COMMERCIAL VEHICLE

Any vehicle used for business or commercial purposes, except that no vehicle that is also used for personal purposes and is licensed for regular use on public roads shall be considered a commercial vehicle under this definition unless the vehicle also satisfies any one or more of the following: (1) it has a gross vehicle weight registration greater than 14,000 pounds; (2) it has an overall length of greater than twenty-four (24) feet; or (3) it has opening visible equipment, tools, machinery or materials, products or supplies used in a business or commercial venture.

COMMON AREAS

Parcels of land, together with the improvements thereon, the use and enjoyment of which shall be shared by the owners and occupants of the individual building sites within a development.

CONDITIONAL USE

A use permitted within a district other than a principally permitted use, requiring a conditional use permit and approval of the Board of Zoning Appeals.

CONDITIONAL USE PERMIT

A permit issued by the Zoning Inspector upon approval by the Board of Zoning Appeals to allow a use other that a principally permitted use to be established within the district.

CONVENIENCE CARRYOUT

A small grocery store catering primarily to persons purchasing limited quantities of items often needed daily. A convenience carryout is distinguished from a supermarket primarily on the basis of the limited variety of the products sold in comparison to a broader variety of goods sold at a supermarket.

CORNER LOT

See Lot Types.

CUL-DE-SAC

See Thoroughfare.

DENSITY

A unit of measurement designating the number of dwelling units per acre of land as follows:

1. Gross Density-the number of dwelling units per acre of the total land to be developed.
2. Net Density-the number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses and excludes such areas as street right-of-way, parks, and other similar uses.

DISTRICT

A portion of the unincorporated area of the Township within which certain regulations and requirements, or various combinations thereof, apply uniformly under the provisions of this Resolution.

DRIVE-IN

A business or other establishment so developed that it's retail or service character is dependent on providing a driveway approach and/or waiting spaces for motor vehicles so as to serve patrons while in the motor vehicle.

DWELLING

Any building or structure that is subject or the County Auditor certifies will become subject to real property taxation pursuant to Section 5701.02 of The Ohio Revised Code which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants. Dwelling shall not include any building or structure subject to taxation pursuant to Section 4503.06 of the Revised Code and does not include a mobile home, house trailer, or recreational vehicle.

DWELLING, SINGLE FAMILY

A dwelling consisting of a single dwelling unit only, separated from other dwelling units by open space.

DWELLING, TWO-TO-FOUR FAMILY

A dwelling consisting of two, three and four dwelling units which may be either attached side by side or one above the other, and each unit having a separate or combined entrance or entrances.

DWELLING, MULTI-FAMILY

A dwelling consisting of five or more dwelling units including condominiums with varying arrangements of entrances and party walls.

DWELLING, MOUND

A building partially or totally covered by earth, vegetation, stone, or other materials where one or more walls of the building has more than one-half (½) of its height below the average finished grade of the lot, usually in a sloping fashion that resembles a mound of earth and are usually fully or partially open on the South side to promote solar efficiency.

DWELLING UNIT

Space, within a dwelling, comprising living, dining, sleeping room or rooms, 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.

ERECTION

The acts of building, constructing, altering, reconstructing, moving upon, or any physical operations on the premises which are required for construction. Excavation, fill, drainage, and the like shall be considered a part of erection.

EXCAVATION

The act of digging, hollowing out, or any other breaking of ground resulting in a total quantity of more than forty (40) cubic yards of material. Common household gardening and ground care, or plowing of ground for agricultural purposes, shall be excepted from this definition.

FAMILY

A person living alone, or two or more persons living together as a single housekeeping unit, in a dwelling unit, as distinguished from a group occupying a boarding house, lodging house, motel or hotel, or fraternity or sorority house, provided that this definition shall not apply to Community Based Residential Social Service Facilities as regulated in Article 19.

FARM MARKET

A sales area used for the display or sale of agricultural and related products.

FLOOR AREA OF A RESIDENTIAL BUILDING

The sum of the gross horizontal area of the several floors of a residential building, excluding finished or unfinished basements, breezeways, carports, garages, storage areas with only outside access, porches, unfinished attics, and other unheated and/or unfinished areas attached to the dwelling. For purposes of the Multi-Family Residential District (MFR-12), the floor area of a residential building may include floor area having at least one-half of its height below the average level of the adjoining ground.

FLOOR AREA OF A NON-RESIDENTIAL BUILDING (TO BE USED IN CALCULATNG PARKING REQUIREMENTS)

The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, display windows and similar areas.

FOOD PROCESSING

The preparation, storage, or processing of food products.

FRONTAGE

The continuous distance between the side lot lines of a parcel measured at the road right-of-way line. In the case of a corner lot, frontage requirements shall be measured and met along both road right-of-way lines. Where an irregularly shaped parcel has interrupted frontage or frontage that is not continuous, only the largest uninterrupted section of frontage shall be considered to be frontage for that parcel under this resolution. On a cul-de-sac or other curved street, frontage shall be measured at the required building setback line. (See Illustration)

GAME ROOM

Any place of business at which eleven (11) or more electronic or mechanical amusement devices are located and used for the purpose of public entertainment through the operation, use or play by placing therein any coin, plate, disc, slug, key pass or token of value by the payment of a fee. Such amusement devices include, without limitation, mechanical baseball, mechanical football, pinball machines, any table game or devise commonly known as an electronic game and other similar types of devices, but specifically excluding merchandise vending machines and coin operated mechanical or electronic music-only machines. As further clarification, an electronic or mechanical amusement devise is a machine, device or instrument which operates or may be operated for use as a game, contest, test of skill or other amusement of any description, but does not include gambling devices or uses of any kind.

GARAGES, PRIVATE

An enclosed accessory building, structure or portions of a principal building having an exterior dimension of at least sixteen (16) feet in width and twenty-two (22) feet in depth for the parking or temporary storage of automobiles, recreational vehicles and other personal property owned or possessed by the occupants of the premises.

GARAGE, PARKING

A principal or accessory building other than a private garage, intended for the parking or storage of automobiles, and in which no other service shall be provided for remuneration.

GLARE

Excessively bright illumination.

GRADE, AVERAGE

The average elevation of the finished surface of the ground at the exterior walls of a building or structure.

HOME OCCUPATION

An occupation conducted by a person on the same premises as his principal place of residence and is clearly subordinate and incidental to its use for residential purposes.

HOTEL

A building in which lodging is offered to the transient public for compensation. A hotel that claims more than twenty-five percent (25%) of their receipts being exempt from the collection of the township lodging tax shall be defined as a rooming house.

JUNK VEHICLE

A vehicle shall be deemed to be a junk vehicle if it meets any one of the following criteria:

1. The vehicle is without a valid, current registration decal and/or license plate or it does not meet Ohio Revised Code requirements for operation on a public street.
2. The vehicle is apparently inoperable due to missing or inoperable mechanical or electrical parts.
3. The vehicle is without fully inflated tires and/or has any type of support under it.
4. The vehicle has a missing or shattered window or windshield.
5. The vehicle has an extensively damaged or missing door, hood, trunk lid, fender, motor, transmission, wheel, tire, or other similar major part.

JUNK YARD

Any use primarily involved with buying, selling, exchanging, storing, baling, packing, disassembling, or handling of waste or scrap materials, including but not limited to vehicles, machinery, and equipment not in operable condition or parts thereof, and furniture, building materials, metals, paper, rags, rubber tires, and bottles. Such operations conducted entirely within completely enclosed buildings shall not be considered a Junk Yard. Two (2) or more junk vehicles on a lot shall be considered a Junk Yard.

KENNEL

Any lot or premises on which four (4) or more domesticated animals more than six (6) months of age are bred, boarded, trained, or sold.

LOADING SPACES, 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 and are of two types as follows:

LOADING BERTH

A type of off-street parking space that is primarily provided to serve delivery vehicles over twenty-one (21) feet in length. An off-street loading berth is usually elevated, and materials are unloaded onto a dock. It is usually located at the rear of a structure.

LOADING SPACE

A type of off-street loading space that is usually located at the side or rear of a structure, and is usually not associated with unloading of materials onto an elevated dock.

LOCATON MAP

See Vicinity Map.

LOT

For purposes of this Resolution, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

1. A single lot of record.
2. A portion of a lot of record.
3. A combination of complete and contiguous lots of record, of complete lots of record and contiguous portions of lots of record, or of contiguous portions of lots of record.

LOT OF RECORD

A lot or parcel which is 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 lot, interior lots and through lots is as follows:

CORNER LOT

A lot 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. (See Illustration)

INTERIOR LOT

A lot with only one frontage on a street. (See Illustration)

THROUGH LOT

A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots. (See Illustration)

LOT COVERAGE

The ratio of enclosed ground floor area of all principal and accessory buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.

LOT, NET MINIMUM AREA OF:

The area of a lot is computed exclusive of any portion of the right-of-way of any public or private street.

LOT, MEASUREMENTS

A lot shall be measured as follows:

DEPTH

The distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

WIDTH
The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the building setback line on a cul-de-sac or other curved streets and at the road right-of-way line at all other times.

LOT LINES
Lines bounding the lot as shown in the accepted plat or survey of record. (See Illustration)

FRONT LOT LINE
A lot line which falls along a street right-of-way. On a corner, lot lines along both streets shall be considered front lot lines.

SIDE LOT LINE
A lot line which is neither a front lot line nor a rear lot line.

REAR LOT LINE
The lot line that is most distant from and most nearly parallel to, the front lot line. If a rear lot line is less than fifteen (15) feet long, or if the lot comes to a point, the rear lot line shall be a line at least fifteen (15) feet long, lying wholly with the lot, parallel to, and a maximum distance from the front lot line. In the case of a corner lot, the rear lot line shall be the lot line opposite that front lot line which abuts the street right-of-way upon which the principal building's mailing address is based.

MAJOR THOROUGHFARE PLAN
A map indicating the general location of existing arterial, collector, and local thoroughfares within the Township of Prairie.

MANUFACTURING, HEAVY
Manufacturing, processing, assembly line, storing, testing, and similar industrial uses which are generally major operations and extensive in character; require large sites, 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 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 OPERATION
Any operation, including accessory buildings, roads, or structures involving the excavation, mining, quarrying, storage, separation, cleaning and/or processing of clay, sand, gravel, limestone, shale, or other mineral resource. Such operation shall include all of the land or property that is used or owned in reserve by the person, firm, or corporation involved in such operation.

MOBILE HOME

Any non-self-propelled vehicle defined as a "house trailer" under Section 4501.01(0) of the Revised Code as of January 1, 1983, irrespective of any future changes in Ohio Law. A mobile home is subject to taxation pursuant to Section 4503.06 of the Revised Code A mobile home that becomes subject to taxation pursuant to Section 5701.02 of the Revised Code shall be defined as a dwelling, provided however, that a unit that is so converted for the purposes of taxation shall not be defined as a dwelling if, at the time the unit left the factory, it had a roof pitch of less than 3/12.

MOBILE HOME PARK

Any lot upon which two or more mobile homes are located for residential use, either free of charge or for revenue purposes. A mobile home park shall include any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park.

MOTEL

A building or group of buildings in which lodging is provided and offered to the transient public for compensation. A motel shall be distinguished from a hotel in that the building is usually designed to serve tourists traveling by automobile, entrance and exit to rooms need not be through a lobby or office, and parking is usually adjacent to the unit. A motel that claims more than twenty-five percent (25%) of their receipts as being exempt from collection of the township lodging tax shall be defined as a rooming house.

MOTOR VEHICLE REPAIR STATION

A building, lot, or both, in or upon which the business of general motor vehicle repair and service is conducted, to include engine rebuilding, rebuilding or reconditioning of motor vehicles, body repair, and painting and undercoating of automobiles, but excluding a junk yard as defined in this section. A motor vehicle repair station is not a motor vehicle service station.

MOTOR VEHICLE SALES OR RENTAL

A building, lot, or both used for the display, sale, or rental of new or used motor vehicles in operable condition and where repair service is incidental.

MOTOR VEHICLE SERVICE STATION

Buildings and premises where gasoline, oil, grease, batteries, tires, and motor vehicle accessories may be supplied and dispensed at retail, and where in addition, the following services may be rendered and sales made:

1. Sales and service of spark plugs, batteries, and distributor parts.
2. Tire servicing and repair, but not recapping or regrooving.
3. Replacement of mufflers and tail pipes, water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and blades, grease retainers, wheel bearings, mirrors, and the like.
4. Radiator cleaning and flushing.
5. Washing, polishing, and sale of washing and polishing materials.

6. Greasing and lubrication.
7. Providing and repairing fuel pumps, oil pumps, and lines.
8. Minor servicing and repair of carburetors.
9. Adjusting and repairing brakes.
10. Minor motor adjustment.
11. Sales of cold drinks, packaged food, tobacco, and similar convenience goods for service station customers, as accessory and incidental to principal operations.
12. Provisions of road maps and other informational material to customers, provisions of restroom facilities.
13. Warranty maintenance and safety inspections.
14. The overnight or weekend parking of trucks, vans, or other vehicles not permitted to park within residential districts.

Uses permissible do not include major mechanical and body work, straightening of body parts, painting, welding, storage of junk or automobiles not in operating condition for longer than two weeks, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in motor vehicle services stations. A motor vehicle service station is not a motor vehicle repair station.

MOTOR VEHICLE WRECKING

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

NON-CONFORMITIES

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

NON-CONFORMING BUILDING OR STRUCTURE

A building or structure lawfully existing at the time of enactment of this Resolution or subsequent amendments which does not conform to the regulations of the district in which it is situated or other applicable provisions of this Resolution.

NON-CONFORMING LOT

A lot existing at the time of enactment of this Resolution or any subsequent amendments which does not conform to the lot area and frontage requirements of the district in which it is located.

NON-CONFORMING USE

A use of land, a structure or a structure and land in combination lawfully existing at the time of enactment of this Resolution or subsequent amendments which does not conform to the regulations of the district in which it is situated or other applicable provisions of the Resolution.

NURSERY, DAY CARE (DAY CARE CENTER)

A building used for the commercial care of five (5) or more children who are not members or wards of the owner or his immediate family. All child care nurseries shall possess an appropriate license from the Ohio Department of Public welfare as required.

NURSERY, RETAIL

Land, buildings, structures, or a combination thereof, for the storage of live trees, shrub, or plants offered for retail sale on the premises, including products used for gardening or landscaping

OFF-SITE PARKING LOT/OFF-SITE PARKING GARAGE

a parking lot or parking garage that is not used solely to serve activities on the parcel where the parking lot or garage is located, and where a fee or other item of value is paid or exchanged on a periodic (such as an hourly, daily, monthly or yearly) basis for the right to park one or more automobiles or other motor vehicles upon such lot, or in such garage.

ORDINARY HIGH WATER MARK

The ordinary high water mark is defined as the line between upland and bottomland which persists through successive changes in water level, below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil and the vegetation.

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 zoning commission deems permissive. Streets, parking areas, structures for habitation, and the like shall not be included.

OPEN STORAGE

Storing or keeping of chattel not fully enclosed in a building.

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.

PERFORMANCE BOND OR SURETY BOND

A legal instrument executed by a subdivider or developer to the favor of the Prairie Township Trustees for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement.

PLANNED UNIT DEVELOPMENT

An area of land in which a variety of housing types and subordinate commercial and manufacturing facilities may be accommodated in a pre-planned environment under more flexible standards such as lot sizes and setbacks, than those restrictions that would normally apply under this Resolution. 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.

PRINCIPAL BUILDING

A building in which is conducted the main or principal use of the lot on which said building is located.

PRINCIPAL USE

The main use to which the premises are devoted and the main purpose for which the premises exist.

PROFESSIONALOFFICE FACILITIES

The use of offices and related space for personal professional services rendered by an individual or group of individuals actively engaged in a recognized profession such as medicine, law, architecture, engineering and other similar professional specialties.

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 structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency including the furnishing of electrical, gas, rail transport, communication, public water and sewage services, but specifically excluding, in all cases, a Telecommunications Tower.

PUBLIC WAY

An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway right-of-way, road, sidewalk, street, subway, tunnel viaduct, walk, bicycle path; or other ways in which the general public or public entity have a right, or which are dedicated, whether improved or not.

RECREATION CAMP

An area of land on which two or more travel trailers, recreational vehicles, motor coaches, 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 and providing such accommodations.

RECREATIONAL VEHICLE

Any vehicle manufactured or modified to contain living quarters for travel, recreation, or vacation purposes including, but not necessarily limited to, a camper, travel trailer, truck camper and motor home. The term "Recreational Vehicle" shall also include boats, boat trailers, personal watercraft and trailers therefore, golf carts and trailers therefore, all-terrain vehicles and trailers therefore, off road utility vehicles and trailers therefore, motorcycles not licensed for use on public highways and trailers therefore, car hauling trailers, unlicensed racecars, go carts, snowmobiles, and trailers therefore, horse trailers and other similar recreational trailers and equipment. For the purpose of this definition, a watercraft or other recreational vehicle stored on a trailer designed and used for that watercraft or other recreational vehicle shall be considered to be a single recreational vehicle.

RECREATIONAL VEHICLE STORAGE

The storage and/or parking of one (1) or more recreational vehicles which is not otherwise permitted under section 1015 (2) of this resolution.

RESEARCH ACTIVITIES

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 in such a manner that no noise, smoke, glare, vibration, or odor shall be detected outside of said premises.

RESTAURANT, CARRY-OUT

An establishment whose primary function is the offering of food and beverages which are sold only inside the building and are usually packaged to be carried and consumed off of the premises, but may be consumed within the restaurant building or on the premises.

RESTAURANT, DRIVE-IN

An establishment offering food and beverages which are sold within the building, or to persons while in motor vehicles in an area designated for drive-in service, and may be consumed on or off the premises.

RESTAURANT, SIT-DOWN

An establishment whose primary function is the offering of food and beverages which are sold and normally consumed within the restaurant building.

RETAIL STORES

A retail business primarily engaged in the retail sale of merchandise to the ultimate consumer for personal or household use and consumption, with any rendition of services or processing of products and/or materials being clearly incidental and subordinate to and customarily associated with the sale of such merchandise.

RIGHT-OF-WAY

A strip of land dedicated for use as a public or private street, road, railroad or similar use.

ROOMING HOUSE

Any building which houses transient or non-transient persons including either room, board, lodging, meals, laundry, or other services, and where twenty-five percent (25%) or more of the residents are exempt from collection of the township lodging tax.

SCREENING

Structures, fences, or vegetation maintained for the purpose of concealing the area behind such structures, fences, or vegetation from view.

SEAT

For purposes of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating units installed or indicated, or each eighteen (18) lineal inches of benches, pew, or space for loose chairs.

SELF SERVICE STORAGE FACILITY

A structure or structures comprised of self-contained, enclosed, individual storage spaces of varying sizes and which are leased or rented to tenants who are to have access to such space for the purpose of storing and removing personal property.

SETBACK LINE

A line parallel to a lot line or right-of-way line at any story level of a building which defines the limits of a yard and represents the distance which all or any part of a building or structure is to be set back from said lot line, or right-of-way line.

FRONT SETBACK LINE

An imaginary line parallel to the right-of-way line extending the full width of the lot, representing the distance which all or any part of any structure or building is to be set back from the right-of-way line. (See Illustration)

SIDE SETBACK LINE

An imaginary line parallel to any side lot line representing the distance which all or any part of any principal or accessory building is to be set back from the side lot line. (See Illustration)

REAR SETBACK LINE

An imaginary line parallel to any rear lot line representing the distance which all or any part of any principal or accessory building is to be set back from the rear lot line. (See Illustration)

SEWAGE DISPOSAL SYSTEM, CENTRAL

A wastewater treatment system approved by the appropriate county, state, and/or federal agencies which provides a collection network and a central wastewater treatment facility for a single development, a community, or a region.

SEWAGE DISPOSAL SYSTEM, ON-SITE

A septic tank or similar installation on an individual lot which utilizes an aerobic or anaerobic bacteriological process or equally satisfactory process for the treatment of sewage and provides for the proper and safe disposal of the effluent.

SIGN

A name, identification, description, display, or illustration which is affixed to, painted or represented, directly or indirectly upon a building, structure, parcel, or lot and which directs attention to an object, product, place, activity, person, institution, organization, or business.

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.

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 sign is located.

SIGN, ILLUMINATED

Any sign illuminated by electricity, gas, or other artificial light including reflecting or phosphorescent light.

SIGN, LIGHTING DEVICE

Any light, string of lights, or group of lights located or arranged so as to cast illumination on a sign.

SIGN, WALL

Any sign which is affixed to the exterior wall of a building.

FREESTANDING SIGN

Any sign which is not attached to, painted on, or supported by a building and whose support structure is permanently embedded in the ground

SIGN, PORTABLE OR TEMPORARY

Any sign which is not permanently attached to the ground or whose support structure is not permanently embedded in the ground, or any sign designed or constructed in such manner that it can be moved or relocated without involving any structural or support changes.

SIGN, DIRECTIONAL

Any sign conveying only directions or instructions with respect to traffic and parking on the premises on which it is located.

SIGN, TRAILER

Any sign attached to, painted on or otherwise affixed to a trailer chassis with or without wheels and used as an on-premise or off-premise sign.

SIGN, MOBILE

Any sign attached to, painted on or placed on any motor vehicle or other licensed or unlicensed vehicle and which is used for the purpose of, or in lieu of, or in addition to and on-premise or off-premise sign. This provision shall not prohibit business identification signs which are painted on or otherwise permanently affixed to licensed and operable motor vehicles which are regularly used in the ordinary course of the business to which such sign relates for transportation purposes, provided that such vehicles are not parked at the same location or on the same lot for more than 64 consecutive hours during any 168 consecutive hour period.

SIGN, LED ELECTRONIC MESSAGE CENTER (EMC)

Any electrically activated changeable sign whose variable message and/or graphic presentation capability can be electronically programmed by computer from a remote location.

SUPERMARKET

A grocery store primarily catering to the public, where the purpose of the shopping trip is to conduct the major shopping trip for a specified period. A supermarket stocks a broad variety of staple goods, other items, or services in contradistinction to a convenience carryout that carries a more limited variety of convenience goods needed on a daily basis.

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.

STABLES

Facilities designed or used for the commercial boarding of horses including any barns, exercise areas, and field areas to be used in the stable operation.

STORY

The part of a building, except a mezzanine, included between the surface of one floor and the surface of the next floor above; or if there is no floor above, then the ceiling next above. The floor of a story may have split levels provided that there not be more than four feet difference in elevation between the different levels of the floor. A basement shall not be counted as a story.

SWIMMING POOL, PRIVATE

Any pool, open tank, or other structure not located within a completely enclosed building and containing or capable of containing water to a depth of greater than one and one-half (1 ½) feet more than twelve (12) feet in diameter. Swimming pool does not include a farm pond, but includes above ground swimming pool walkways, decks, and associated buildings.

SWIMMING POOL, COMMUNITY

Any pool, open tank, pond, lake, or other structure containing or capable of containing water to a depth of greater than one and one-half (1 ½) feet and more than twelve (12) feet in diameter owned or operated by an individual, private nonprofit organization, governmental body, homeowners association, or similar organization. It

includes walkways, bathhouses, open areas for sunning or picnicking, and associated buildings and structures.

TELECOMMUNICATION TOWER

Any free-standing, structure, or any structure to be attached to a building or other structure, that meets all of the following criteria:

1. The free-standing or attached structure is proposed to be constructed on or after the effective date of the Ohio Revised Code amendment to Section 519.211 (i.e. 10/31/96).

2. The free-standing or attached structure is proposed to be owned or principally used by a public utility engaged in the provision of telecommunications services.

3. The free-standing or attached structure is proposed to be located in an unincorporated area of the Township, in an area zoned for residential use. In the case of a telecommunication tower, areas zoned for residential use shall include all land located within the following Zoning Districts: Suburban Estate Residential District (SER); Low Density Residential District (R-2); Medium Density Residential District (R-6); High Density Residential District (R-8); Multi-Family Residential District (MFR-12); Planned Residential Mobile Home Park District (RMH); Exceptional Use District (EU), if a residential use component is included; and all areas zoned for residential use within Planned Unit Districts.

4. The free-standing structure is proposed to top at a height that is greater than 35 feet. In the case of an attached structure, such structure is proposed to top at a height that is three (3) feet greater than the height of the building or other structure to which it is to be attached.

5. The free-standing or attached structure is proposed to have attached to it radio frequency transmission or reception equipment.

TEMPORARY USE OR STRUCTURE

A transient, non-permanent use or structure permitted to exist for a designated period of time during periods of construction of the principal use or structure, or for special events. A temporary structure shall not be intended to be permanently affixed to the ground.

TENANT FARM DWELLING

A dwelling unit constructed or occupied for the purpose of providing housing for a farmer and his family who are engaged in assisting the owner in the practice of agriculture and/or maintenance of his farm.

THOROUGHFARE, STREET, OR ROAD

The full width between the right-of-way or property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follow:

ALLEY

A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.

ARTERIAL STREET
A general term denoting a highway primarily for through traffic, carrying heavy loads and large volumes of traffic, usually on a continuous route.

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.

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

LOCAL STREET
A street primarily for providing access to residential, commercial or other abutting property.

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, or for which it is or may be occupied or maintained.

VARIANCE
A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

VETERINARY CLINIC
A place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those which are in need of medical or surgical attention, and may include overnight accommodations on the premises for 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.

WATER SYSTEM, CENTRAL
A water supply system approved by the appropriate county, state and/or federal agencies which provides a water supply to a single development, a community or a region.

WATER SYSTEM, ON-SITE
A well or other similar installation on an individual lot which provides a water supply to any structures or uses upon the lot, subject to the approval of health and sanitation officials having jurisdiction.

YARD

An open or unoccupied space on the same lot with a building and unobstructed by buildings or structures from ground to sky except as otherwise provided herein. The minimum depth of a yard shall be determined by the setback lines as defined in this Resolution.

FRONT YARD

An open space extending the full width of the lot between a building or structure and the right-of-way line of a street unoccupied and unobstructed from the ground upward. Minimum depth shall be measured from the right-of-way line, or by any other method specified elsewhere in this Resolution, as appropriate. (See Illustration)

SIDE YARD

An open space extending from the front yard to the rear yard between a building or structure and the nearest side lot line unoccupied and unobstructed from the ground upward. (See Illustration).

REAR YARD

An open space extending the full width of the lot line between a building or structure and the rear lot line, unoccupied an unobstructed from the ground upward. (See Illustration).

ZONING PERMIT

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

ARTICLE 3
ENFORCEMENT

SECTION 300
ZONING PERMITS REQUIRED

No building or other structure except as provided for in Section 301, shall be erected, moved, added to, structurally altered, nor shall any building, structure, or land be established or changed in use without a permit therefore, issued by the Zoning Inspector. Zoning Permits shall be issued only in conformity with the provisions of this Resolution unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal, conditional use, or variance or from the Board of Township Trustees approving a Planned Unit Development District, as provided by this Resolution.

SECTION 301
USES NOT REQUIRING ZONING PERMIT

Any use or structure specifically and completely exempted from zoning regulation under applicable law shall not, unless otherwise specifically provided by statute, limit the authority of the Township to require compliance with appropriate dimensional requirements (and, if otherwise permitted, such other requirements as may be contained in this Resolution) including, but not limited to, setback requirements and visibility at intersections and standards for buildings and structures to protect the public health, safety, and general welfare. In the absence of a zoning permit to assure compliance with such regulations, the Township may take such legal actions as may be necessary to enforce such provisions.

SECTION 302
CONTENTS OF APPLICATION FOR ZONING PERMIT

The application for zoning permit shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire and may be revoked if work has not begun within one (1) year or substantially completed within two and one-half (2 ½) years. At a minimum, the application shall contain the following information:

1. Name, address, and phone number of owner and applicant;
2. Legal description of property;
3. Existing use;
4. Proposed use;
5. Zoning district;

6. Plans in triplicate drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any; and the location and dimensions of the proposed building(s) or alteration;
7. Building height;
8. Number of off-street parking spaces or loading spaces or berths;
9. Number of dwelling units;
10. The proposed provisions of water, sanitary sewer facilities, surface drainage features and underground storm drainage facilities. These features and facilities shall be in compliance with applicable Franklin County Subdivision Regulations and the Franklin County District Board of Health Regulations. A grading plan and storm sewer layout, to include existing and proposed surface and subsurface draining features, shall be submitted, indicating how storm runoff will be handled. In order to document conformance with these requirements, the Zoning Inspector may require that the application be accompanied by letters indicating approval from any or all of the following: Franklin County Board of Health, Ohio Environmental Protection Agency, Franklin County Soil and Water Conservation District, County or Regional Planning Commission, Franklin County Engineer's Office or such other or additional applicable governmental authority;
11. The requirements of Section 302; Item 10, or portions thereof, may be waived by the Zoning Inspector when, in such officer's opinion, the applicant has satisfactorily demonstrated that all aspects relative to the above have been suitably addressed;
12. Such other matters as may be necessary to determine conformance with, and provide for the enforcement of this Resolution;
13. A fee as established by the Board of Township Trustees according to Section 360.

SECTION 303
APPROVAL OF ZONING PERMITS

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

SECTION 304
SUBMISSION TO DIRECTOR OF TRANSPORTATION

Before any zoning permit is issued affecting any land within three hundred (300) feet of the center-line of a proposed new highway or a highway for which changes are proposed as described in the certification to local officials by the Director of Transportation; or any land within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Zoning Inspector shall give notice by registered mail to the Director of Transportation that he shall not issue a zoning permit for one hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Zoning Inspector that he shall proceed to acquire the land needed, then the Zoning Inspector shall refuse to issue the zoning permit. If the Director of Transportation notifies the Zoning Inspector that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the Zoning Inspector shall, if the application is in conformance with all provisions of the Resolution, issue the zoning permit.

SECTION 305
EXPIRATION OF ZONING PERMIT

If the work described in any zoning permit has not begun within one year from the date of issuance thereof, said permit shall expire and written notice of its expiration shall be given to the applicant or property owner. If the work described in any zoning permit has not been substantially completed within two and one half (2 ½) years of the date of issuance thereof, said permit shall expire and written notice of its expiration shall be given to the applicant or property owner, together with notice that further work as described in the expired permit shall not proceed unless and until a new zoning permit has been obtained or extension granted by the Board of Zoning Appeals.

SECTION 312
RECORD OF ZONING PERMITS

The Zoning Inspector shall maintain a record of all zoning permits and copies shall be furnished upon request to any person after the payment of a fee established by the Township Trustees to cover reproduction costs.

SECTION 320
FAILURE TO OBTAIN A ZONING PERMIT

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

SECTION 330
CONSTRUCTION AND USE TO BE AS PROVIDED IN APPLICATIONS, PLANS, AND PERMITS

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

SECTION 340
COMPLAINTS REGARDING VIOLATIONS

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

SECTION 350
PENALTIES FOR VIOLATION

It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain, or use, any building or land in violation of any regulation in or any provisions of this Resolution or any amendment or supplement thereto adopted by the Board of Trustees. Any person, firm or corporation who violates this Resolution or fails to comply with any of its requirements shall upon conviction thereof be subject to the fine imposed pursuant to Section 519.99, Revised Code. Each day such violation continues shall be considered a separate offense.

SECTION 351
REMEDIES FOR VIOLATION

In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used or any land is or is proposed to be used in violation of any regulation in or any provisions of this Resolution or any amendment or supplement thereto, the Board of Township Trustees, the Zoning Inspector, Prosecuting Attorney of the county, or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action, actions, proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

SECTION 360
SCHEDULE OF FEES, CHARGES AND EXPENSES

The Board of Township Trustees shall by Resolution establish a schedule of fees, charges, and expenses and a collection procedure for zoning permits, amendments, appeals, variances, conditional use permits, plan approvals, copies of the text of the zoning Resolution, and other matters pertaining to the administration and enforcement of this Resolution requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the office of the Zoning Inspector, and copies shall be made available to the public free of charge, and may be altered or amended only by the Board of Township Trustees. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

ARTICLE 4
NON-CONFORMITIES

SECTION 400
INTENT

Within the districts established by this Resolution or amendments that may later be adopted there exist lots, uses of land, structures, uses of structures and uses of structures and land in combination which were lawful before this Resolution was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this Resolution or future amendment. It is the intent of this Resolution to permit these non-conformities to continue until they are removed, but not to encourage their survival. It is further the intent of this Resolution that non-conformities shall not be enlarged, expanded or extended, nor used as grounds for adding other structures or uses prohibited elsewhere in the same district.

SECTION 410
INCOMPATIBILITY OF NON-CONFORMITIES

Non-conformities are declared by this Resolution to be incompatible with permitted uses in the districts in which such use is located. After passage of this Resolution a non-conforming use of a structure, a non-conforming use of land, or a non-conforming use of a structure and land in combination shall not be extended or enlarged by attaching to a building or premises additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be generally prohibited in the district in which such use is located.

SECTION 420
AVOIDANCE OF UNDUE HARDSHIP

To avoid undue hardship, nothing in this Resolution shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Resolution and upon which actual construction has been diligently pursued. "Actual construction" is hereby defined to include the placing of construction materials in permanent position and fastening such materials in a permanent manner. Where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that the work shall be carried out diligently.

SECTION 430
SINGLE NON-CONFORMING LOTS OF RECORD

In any district in which single family dwellings are permitted, a single family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date

of adoption or amendment of this Resolution, notwithstanding limitations imposed by other provisions of this Resolution. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variances of requirements listed in Articles 9 and 10 of this Resolution other than lot area or lot width shall be obtained only through action of the Board of Zoning Appeals as provided in Sections 540 through 550.

SECTION 431
NON-CONFORMING LOTS OF RECORD IN COMBINATION

If two or more lots or a combination of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Resolution and if all or part of the lots with no buildings do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this Resolution and no portion of said parcel shall be used, sold, assigned or transferred in a manner which diminishes compliance with lot width and area requirements established by this Resolution, nor shall any division of any parcel be made which creates a lot width or area below the requirements stated in this Resolution. Notwithstanding the foregoing, if any lots of record affected by the provisions of this Section 431 are serviced by centralized water and sewer service facilities, then each such lot so serviced and which is of record at the time of passage or amendment of this Resolution shall be deemed to be a single, nonconforming lot of record governed by the provisions of Section 430, hereof.

SECTION 440
NON-CONFORMING USES OF LAND

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

1. No such non-conforming uses shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Resolution;

2. No such non-conforming uses shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such uses at the effective date of adoption or amendment of this Resolution;

3. If any such non-conforming uses of land are voluntarily discontinued or abandoned for more than two (2) years (except when government action impedes access to the premises) any subsequent use of such land shall conform to the regulations specified by this Resolution for the district in which such land is located;

4. No additional structure not conforming to the requirements of this Resolution shall be erected in connection with such non-conforming use of land.

SECTION 450
NON-CONFORMING STRUCTURES

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

1. No such non-conforming structure may be enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity.

2. Any non-conforming structure or non-conforming portion of a structure which is removed, partially removed, damaged, destroyed or partially destroyed by any means by less than sixty percent (60%) of its fair market value at the time of such removal, damage or destruction may be restored to its prior condition and the same use or occupancy continued or resumed, provided that the total cost of such restoration does not exceed sixty percent (60%) of its then fair market value; and provided further that such restoration is started within one (1) year after such removal, damage or destruction and is diligently pursued to completion.

3. Any non-conforming structure or non-conforming portion of a structure which is removed, partially removed, damaged, destroyed or partially destroyed by any means by more than sixty percent (60%) of its then fair market value shall not be repaired or reconstructed except in conformity with the provisions of this Resolution.

4. Should any non-conforming structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

SECTION 460
NON-CONFORMING USES OF STRUCTURES OR OF STRUCTURES AND LAND IN COMBINATION

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

1. No existing structure devoted to or housing a non-conforming use shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located;

2. Any non-conforming use may be extended throughout those parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Resolution, but no such use shall be extended to occupy any land outside such building that was not used for such non-conforming use at the time of adoption or amendment of this Resolution;

3. If no structural alterations are made, any non-conforming use of a structure or structure and land in combination, may, upon appeal to the Board of Zoning Appeals, be changed to another non-conforming use provided that the Board of Zoning Appeals shall find after consideration of the nature, predominate character, and intensity of the proposed use and the size, dimensional requirements, and other regulatory characteristics of the proposed use, that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use and that the size, dimensional requirements, traffic generation, signage needs, parking requirements and other regulatory characteristics are not greater than the existing non-conforming use. The Board of Zoning Appeals shall comply with the procedures specified in Sections 546 to 550 inclusive of this Resolution and shall make findings of fact specifying its determination in compliance with the provisions of this section. The Board of Zoning Appeals may require appropriate conditions and safeguards in accordance with other provisions of this Resolution;

4. The use of any structure or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the non-conforming use may not thereafter be resumed;

5. When a non-conforming use of a structure, or structure and land in combination, is voluntarily discontinued or abandoned for more than two (2) years (except when governmental action impedes access to the premises), the structure, or structure and land in combination, shall not thereafter be used except in conformity with the regulations of the district in which it located;

6. When a structure and land in combination is devoted to or houses a non-conforming use, the removal, damage or destruction of the structure to the extent of more than sixty percent (60%) of its fair market value at the time of such removal, damage or destruction shall eliminate the non-conforming use of such structure or structure and land.

SECTION 470
REPAIRS AND MAINTENANCE

On any non-conforming structure or portion of a structure containing a non-conforming use, work may be done on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, provided that the cubic content existing when it became non-conforming shall not be increased. Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

SECTION 480
USES UNDER CONDITIONAL USE PROVISIONS NOT NON-CONFORMING USES

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

ARTICLE 5
ADMINISTRATION

SECTION 500
OFFICE OF ZONING INSPECTION CREATED

A Zoning Inspector designated by the Board of Township Trustees shall administer and enforce this Resolution. He may be provided with the assistance of such other persons as the Board of Township Trustees may direct. The Township Zoning Inspector, before entering upon his duties, shall give bond as specified in Section 519.161 Ohio Revised Code. The Zoning Inspector shall carry identification showing the position he holds which shall be shown upon request of any person.

SECTION 501
DUTIES OF ZONING INSPECTOR

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

1. Upon finding that any of the provisions of this Resolution are being violated, he shall notify in writing the person responsible for such violation(s), ordering the action necessary to correct such violation;
2. Order discontinuance of illegal uses of land, building, or structures;
3. Order removal of illegal building or structures or illegal additions or structural alterations;
4. Order discontinuance of any illegal work being done;
5. Collect fees established by the Township Trustees pursuant to Section 360. All funds so collected shall be properly recorded, a receipt given, and transmitted to the Township Clerk. In the absence of the Zoning Inspector, the Township Trustees may assign such responsibility to the Township Clerk or other employee of the Township;
6. Take any other action authorized by this Resolution to ensure compliance with or to prevent violation(s) of this Resolution. This may include the issuance of and action on zoning permits and such similar administrative duties as are permissible under the law.

SECTION 502
LIMITED POWERS OF ZONING INSPECTOR

As the chief administrative and enforcement official of this Resolution, the powers of the Zoning Inspector are strictly limited. The Zoning Inspector may act only in conformance with the strict provisions of this Resolution and is prohibited to grant any variance or make

any exceptions to the literal interpretation of this Resolution. Upon denying any application or permit, he shall inform the applicant in writing of appeal rights to the Board of Zoning Appeals and may assist the applicant, if requested, in completing the appropriate forms. For the purposes of this section, to inform in writing of an applicant's right to appeal may include an appropriate written notice on the zoning permits application.

SECTION 510
ZONING COMMISSION ESTABLISHED

The Zoning Commission, which was established prior to the effective date of this Resolution, is composed of five (5) residents of the unincorporated area of Prairie Township appointed by the Township Trustees. Terms of five (5) years shall be staggered so that a new appointment or reappointment is made each year. Members of the Commission may be removed from office by the Board of Township Trustees for cause upon written charges and after a public hearing as provided in Section 519.04 of the Revised Code. Vacancies shall be filled by appointment by the Board of Township Trustees for the unexpired term of the member affected.

SECTION 511
PROCEEDINGS OF ZONING COMMISSION

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

SECTION 512
DUTIES OF ZONING COMMISSION

For the purpose of this Resolution the Commission shall have the following duties:

1. Initiate proposed amendments to this Resolution;
2. Review all proposed amendments to this Resolution and make recommendations to the Board of Township Trustees as specified in Article 6;
3. Review all planned unit developments and make recommendations to the Board of Township Trustees as provided in Article 13.

SECTION 520
BOARD OF ZONING APPEALS CREATED

A Board of Zoning Appeals is hereby created, which shall consist of five (5) members to be appointed by the Board of Township Trustees each for a term of five (5) years, except that the initial appointment shall be one (1) member for one (1), two (2), three (3), four (4), and five (5) year terms. Each member shall be a resident of the unincorporated area of Prairie Township. Members of the Board may be removed from office by the Board of Township Trustees for cause upon written charges and after public hearing as provided in Section 519.13 of the Revised Code. Vacancies shall be filled by appointment by the Board of Township Trustees for the unexpired term of the member affected.

SECTION 521
PROCEEDINGS OF THE BOARD OF ZONING APPEALS

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

SECTION 522
DUTIES OF THE BOARD OF ZONING APPEALS

In exercising its duties, the Board may, as long as such action is in conformity with the terms of this Resolution, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have the powers of the Zoning Inspector from whom the appeal is taken. The concurring vote of three (3) members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Inspector, or to decide in favor of the applicant on any matter upon which it is required to pass under this Resolution or to effect any variation in application of this Resolution. For the purpose of Resolution, the Board has the following specific responsibilities:

1. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, interpretation, or determination made by the Zoning Inspector;
2. To authorize such variances from the terms of this Resolution as will not be contrary to the public interest, where, owing to the special conditions, a literal enforcement of

this Resolution will result in unnecessary hardship, and so that the spirit of this Resolution shall be observed and substantial justice done;

3. To grant conditional uses as specified in the Official Schedule of District Regulations and under the conditions specified in Section 568 and such additional safeguards as will uphold the intent of this Resolution;
4. To allow an extension of time for a previously issued zoning permit;
5. To determine the actual boundaries of a zoning district where an applicant alleges a conflict exists with the official Zoning Map. The person alleging the conflict shall furnish an actual survey or other data to justify the contention;
6. To determine what is the appropriate residential district requirements that shall be met when an applicant proposes to make structural alterations to an existing dwelling in a district that prohibits residences;
7. To allow for the substitution of a non-conforming use as provided in Section 460 (3);
8. To determine that a proposed use not specifically provided for in this Resolution is substantially similar as specified in Section 940;
9. To determine which home occupations are direct sales organizations as provided in Section 568 (2) (d).

SECTION 530
AUTHORITY OF ZONING INSPECTOR, BOARD OF ZONING APPEALS, TOWNSHIP TRUSTEES AND COURTS ON MATTERS OF APPEAL

It is the intent of this Resolution that all questions of zoning compliance and enforcement shall be first presented to the Zoning Inspector and that such questions shall be presented to the Board only on appeal from the decision of the Zoning Inspector, and that recourse from the decisions of the Board shall be to the courts as provided by law.

Under this Resolution the Board of Township Trustees shall have only the duties of adopting, modifying, or denying or proposed amendments, the approval of Planned unit Developments as provided in Article 13, or the repeal of this Resolution as provided by law, and establishing a schedule of fees and charges as stated in Section 360 of this Resolution. The Township Trustees shall appoint a Zoning Inspector and shall also establish uniform days and times when the Inspector will be in the office to issue permits and to assist the residents of the Township. Such times shall be posted on the door of the office of the Zoning Inspector. The Township Trustees may request a recommendation from the Zoning Commission prior to making such an appointment.

Nothing in this Resolution shall be interpreted to prevent any official of the Township from appealing a decision of the Board of Zoning Appeals to the courts as provided in Chapter 2506 of the Ohio Revised Code. All appeals taken under this chapter shall be made within thirty (30) days of the written decision of the Board of Zoning Appeals.

SECTION 540
PROCEDURE AND REQUIREMENTS FOR APPEALS AND VARIANCES

Appeals and variances shall conform to the procedures and requirements of Sections 541-549, inclusive, of this Resolution. As specified in Section 522, the Board of Zoning Appeals has appellate jurisdiction relative to appeals and variances.

SECTION 541
APPEALS

Appeals to the Board of Zoning Appeals concerning enforcement of this Resolution may be made by any person aggrieved or by any officer or commission appointed by the Prairie Township Trustees, or by the Township Trustees. Such appeal shall be made within twenty (20) days after the decision, by filing with the Zoning Inspector and with the Board of Zoning appeals (Ohio Revised Code 519.15), 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 from which the appealed action was taken.

SECTION 542
VARIANCES

The Board of Zoning appeals may authorize upon appeal in specific cases such variance from the terms of this Resolution as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Resolution would result in unnecessary hardship. No non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered as the sole grounds for issuance of a variance. Variances shall not be granted on the grounds of convenience or profit, but only where strict application of the provisions of this Resolution would result in unnecessary hardship.

SECTION 543
APPLICATION AND STANDARDS FOR VARIANCES

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

1. Name, address, and phone number of applicants;
2. Legal description of property;
3. Description of nature of variance requested;
4. ~~A list of all owners of property adjacent to, immediately across the street from, and within 1320 feet of the property in question, provided however, that in the case of~~

~~property which is located within a platted subdivision the distance shall be reduced to 300 feet from the center of the lot in question. Said list shall include the name and mailing address of the property owner;~~

4. A list of the names and addresses of all owners of property within, contiguous to, and directly across the street from the area that is the subject of application, and such other persons who may have an interest in the proceeding, as may be designated as parties in interest by the BZA.

5. A narrative statement demonstrating that the requested variance conforms to the following standards:

    a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in same district;

    b) That a literal interpretation of the provisions of this Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Resolution;

    c) That special conditions and circumstances do not result from the actions of the applicant;

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

6. A fee as established by the Board of Township Trustees according to Section 360.

~~A variance shall not be granted unless the board makes specific findings of fact based directly on the particular evidence presented to it, which support conclusions that the standards and conditions imposed by subsection 5 of this section have been met by the applicant. The findings of fact shall become a part of the minutes of the Board of Zoning Appeals and filed as provided for in Section 521.~~

SECTION 544
USE VARIANCES ~~PROHIBITED~~

~~Under no circumstances shall the Board of Zoning Appeals grant an appeal or variance to allow a use not permissible under the terms of this Resolution in the district involved, or any use expressly or by implication prohibited by the terms of this Resolution in said district. This provision shall be strictly construed so as not to conflict with Section 940 of this Resolution.~~ The Board of Zoning Appeals is not intended to use its variance power to grant a use that is not normally provided for in the district: that is the power to zone and that belongs to the Zoning Commission and Prairie Township Trustee's. However, in special circumstances where it would be inappropriate to rezone or grant a substantially similar use and where existing conditions have permitted other uses surrounding the parcel of land in question such that the current zoning leaves no viable economic use, only then may the BZA consider a use variance, and only with the finding that owing to special conditions the literal enforcement of the Resolution will result in unnecessary hardship to the landowner and no

viable economic use of the property could otherwise be made, the variance will not be contrary to the public interest and that the spirit of the Resolution shall be observed and substantial justice done.

SECTION 545
~~SUPPLEMENTARY CONDITIONS AND SAFEGUARDS~~ AREA VARIANCE

~~In granting any appeal or variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violation of such conditions and safeguards, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this Resolution.~~ The Board of Zoning Appeals shall not grant an area variance unless the property owner has encountered practical difficulties in the use of such owner's property. The BZA shall consider all relevant factors in determining whether the applicant has encountered practical difficulties in the use of such property including, but not limited to:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
2. Whether the use is substantial;
3. Whether the essential character of the neighborhood would be substantially altered, or whether adjoining properties or comprehensive plan for the community would suffer a substantial detriment as a result of the variance;
4. Whether the variance would adversely affect the delivery of governmental services;
5. Whether the property owner purchased the property with knowledge of the zoning restriction;
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

SECTION 546
PUBLIC HEARING BY THE BOARD OF ZONING APPEALS

The Board of Zoning Appeals shall hold a public hearing within forty-five (45) days after the receipt of an application for an appeal or variance from the Zoning Inspector or an applicant.

SECTION 547
NOTICE OF PUBLIC HEARING IN NEWSPAPER

Before holding the public hearing required by Section 546, notice of such hearing shall be given in one or more newspapers of general circulation in the Township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance.

SECTION 548
NOTICE TO PARTIES IN INTEREST

~~Before holding the public hearing required by Section 546, written notice of such hearing shall be mailed by the Zoning Inspector, by first class mail, at least ten (10) days before the day of the hearing to all owners of property adjacent to, immediately across the street from, and within 1320 feet of the property in question, provided however, that in case of property which is located within a platted subdivision the distance shall be reduced to 300 feet from the center of the lot in question. In addition the Board of Zoning Appeals may provide notice to other property owners or residents who they determine would have a substantial interest in the application. The notice shall contain the same information as required of notices published in newspapers as specified in Section 547.~~

Before holding the public hearing required by Section 546, written notice of such hearing shall be mailed by the Zoning Inspector, by first class mail, at least ten (10) days before the day of the hearing to all owners of property within, contiguous to, and directly across the street from the area that is the subject of application, and such other persons who may have an interest in the proceeding, as may be designated as parties in interest by the BZA. In addition the Board of Zoning Appeals may provide notice to other property owners or residents who they determine would have a substantial interest in the application. The notice shall contain the same information as required of notices published in newspapers as specified in Section 547.

SECTION 549
PLACEMENT OF NOTICE PLACARD ON PROPERTY

Before holding the public hearing required by Section 546, a notice placard furnished by the Zoning Department shall be placed on the property in question, by the applicant at a location specified by the Zoning Inspector at least ten (10) days before the date of said hearing. The placard shall contain at least six (6) square feet of area, and shall be located on the property in such a way so as not to obstruct traffic visibility, but to be readily visible by the general public. In the case of large lots or corner lots, more than one such placard may be required to be posted. The placard shall generally comply with the following format:

Line #1 - Zoning Public Hearing

Line #2 - In Relation to this Property

Line #3 - Date and Time of Hearing

Line #4 - Location of Hearing

Line #5 - Phone Number to Contact for Additional Information

SECTION 550
ACTION BY BOARD OF ZONING APPEALS

Within forty five (45) days after the public hearing required in Section 546, the Board of Zoning Appeals shall either approve, disapprove or approve with supplementary conditions and safeguards ~~as specified in Section 545, or disapprove~~ the request for appeal or variance. The Board of Zoning Appeals shall further make a finding 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. Violations of conditions and safeguards when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this Resolution. Appeals from Board decisions shall be made in the manner specified in Section 530.

Violations of conditions and safeguards when made a part of the terms under which the appeal or variance is granted shall be deemed a violation of this Resolution.

SECTION 560
PROCEDURE AND REQUIREMENTS FOR APPROVAL OF CONDITIONAL USE PERMITS

Conditional uses shall conform to the procedures and requirements of Sections 561-568, inclusive of this Resolution.

SECTION 561
GENERAL

It is recognized that an increasing number of new kinds of uses are appearing daily, and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, design, size, method of operation, circulation, and public facilities that each specific use must be considered individually. These specific uses as they are conditionally permitted under the provisions of Article 9, shall follow the procedures and requirements set forth in Section 562-568, inclusive.

SECTION 562
CONTENTS OF APPLICATION FOR CONDITIONAL USE PERMIT

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

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

2. Legal description of property;
3. Description of existing use;
4. Zoning district;
5. Description of proposed conditional use;
6. ~~A list of all owners of property adjacent to, immediately across the street from, and within 1320 feet of the property in question, provided however, in the case of property which is located within a platted subdivision the distance shall be reduced to 300 feet from the center of the lot in question. Said list shall include the name and proper mailing address of the owner;~~
6. A list of the names and addresses of all owners of property within, contiguous to, and directly across the street from the area that is the subject of application, and such other persons who may have an interest in the proceeding, as may be designated as parties in interest by the BZA.
7. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards, and such other information as the Board may require to determine if the proposed conditional use meets the intent and requirements of this Resolution;
8. A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, glare, odor, fumes and vibration on adjoining property; a discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to the comprehensive plan;
9. Such other information as may be required in Section 564;
10. A fee as established by the Board of Township Trustees according to Section 360.

SECTION 563
GENERAL STANDARDS APPLICABLE TO ALL CONDITIONAL USES

In addition to the specific requirements for conditionally permitted uses as specified in Section 568, the Board shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

1. Is in fact a conditional use as established under the provisions of Article 9;
2. Will be harmonious with and in accordance with the general, objectives, or with any specific objective of the Township's comprehensive plan and/or the zoning Resolution;
3. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;

4. Will not be hazardous or disturbing to existing or future neighboring uses;
5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to economic welfare of the community;
7. 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;
8. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares;
9. Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

SECTION 564
SUPPLEMENTARY CONDITIONS AND SAFEGUARDS

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

SECTION 565
PROCEDURE FOR HEARING, NOTICE

Upon receipt of the application for a conditional use permit specified in Section 562, the Board shall hold a public hearing, publish notice in a newspaper, give written notice to all parties in interest, and post a placard according to the procedures specified in Sections 547 through 550.

SECTION 566
ACTION BY THE BOARD OF ZONING APPEALS

Within thirty (30) days after the public hearing required in Section 565, the Board shall either approve, approve with supplementary conditions as specified in Section 564, or disapprove the application as presented. If the application is approved or approved with modifications, the Board shall direct the Zoning Inspector to issue a conditional use permit listing the specific conditions specified by the Board for approval. If the application is disapproved by the Board the applicant may seek relief through the Court of Common Pleas. Appeals from Board decisions shall be made in the manner specified in Section 530.

SECTION 567
EXPIRATION OF CONDITIONAL USE PERMIT

A conditional use permit shall be deemed to authorize only one particular conditional use and said permit shall automatically expire if, for any reason, the conditional use is voluntarily discontinued for more than two (2) years.

SECTION 568
SPECIFIC CONDITIONAL USE CRITERIA

Following are specific conditional use criteria and requirements for those uses conditionally permitted as provided for in Section 920 and Table 1. Nothing in this section shall prohibit the Board of Zoning appeals from prescribing supplementary conditions and safeguards in addition to these requirements in conformance with Section 564 of this Resolution. In addition, all permitted uses in the M-1 District, are, in all cases, permitted with the condition that all activities are conducted entirely within enclosed structures and that all outdoor storage activities are prohibited:

1. **TENANT FARM DWELLING**

    a) The occupant of the proposed tenant farm dwelling is a bonafide tenant farmer or family member who assists the owner in the practice of agriculture and the maintenance of the farm.

    b) The proposed tenant farm dwelling site has been approved by the Franklin County Health Department for its separate on-site water supply and wastewater disposal and will not encroach upon any such approved areas for the principal farm dwelling.

    c) The proposed tenant farm dwelling shall be located upon the lot at a location that will meet the minimum lot area, frontage, width, and setback requirements for the Rural District if the house is transferred at a later date.

    d) The proposed tenant farm dwelling and principal farm dwelling shall be located on the lot in such a manner that one dwelling shall not obscure the front facade of the other dwelling when viewed at a perpendicular angle to the centerline of the road.

    e) The tenant farm dwelling shall contain not less than 1200 square feet of floor area.

2. **HOME OCCUPATION**

    a) All home occupations shall be conducted entirely within the dwelling unit, and the use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants.

b) No more than one person other than members of the family residing on the premises shall be engaged in such occupation.

c) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five (25) percent of floor area of the dwelling unit shall be used in the conduct of the home occupation.

d) There shall be no sale on the premises of commodities not produced as the result of the home occupation. On premises sales shall be limited to commodities produced as a result of the home occupation or products of a direct sales organization including such organizations as Amway, Avon, Mary Kay Cosmetics, Shaklee, or other similar organizations as determined by the Zoning Inspector.

e) 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.

f) 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.

g) 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. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or cause fluctuation in line voltage off the premises.

h) Signs for a home occupation shall not be permitted except in the Rural (R) District. Signs for home occupations in the Rural District shall not exceed nine (9) square feet in area, and shall not be located closer than ten (10) feet from the road right-of-way line and shall not impede traffic visibility.

3. **BUILDING, ACCESSORY**
The accessory building shall be only for the purpose of storage of maintenance equipment and supplies, and not for the storage of personal property of the tenants of the individual dwelling units.

4. **VOCATIONAL SCHOOL**
The primary emphasis of the school shall be vocational education related directly to agricultural and agribusiness and normally related vocations.

5. **PUBLIC SERVICE FACILITY**

a) All permanent buildings shall be constructed and designed so as to conform with the setback and building design of existing uses in the districts.

b) Screening and plantings to buffer any structures other than buildings from adjacent residential uses are required.

6. **AIRPORT**

a) The applicant shall present sufficient evidence that the design and location of the airport satisfies all of the applicable requirements of the Federal Aviation Administration, and the Ohio Department of Transportation, Division of Aviation, and the County of Franklin.

b) The applicant shall provide proof that all appropriate air rights and/or easements have been secured from surrounding property owners and in all runway paths.

c) The location of buildings, hangers, or other structures shall meet or exceed the minimum setback requirements of the district in which the airport is located.

d) The location and capacity of all off-street parking and loading areas and the location of vehicular access to public streets shall be approved by the Board of Zoning Appeals.

e) All airports shall have water supply and wastewater disposal facilities approved by the Ohio EPA.

f) Appropriate visual and noise screening of the hanger and terminal areas from existing surrounding development shall be provided.

g) The airport shall be at least seventeen hundred and fifty (1750) feet from any existing residence or residential district.

h) Commercial or industrial uses shall be prohibited unless a conditional use permit is granted for each use.

i) Evidence shall be submitted to show the facility complies with all airport zoning regulations in effect.

~~7. **TELECOMMUNICATION TOWERS**~~

~~Telecommunication towers as defined in Article 2 or other functionally equivalent providers may be allowed as a conditional use, provided all applicable regulations are satisfied and the following conditions are met:~~

~~a) The maximum height of a tower shall not exceed 200'.'~~

~~b) The tower shall not be placed closer than 200' from any existing residential dwelling.~~

~~c) Unless a greater lot area is provided for the applicable zoning district, the minimum lot size for a lot on which a tower is to be placed shall be 2 acres.~~

~~d) Towers shall meet the front setbacks for accessory buildings in the applicable zoning district. In addition, side and rear yard setbacks shall be no less than 75 feet.~~

~~e) Security fencing shall be provided to prevent uncontrolled access to the tower site.~~

f) A tower shall be of a stealth design, meaning the tower is designed to blend into the surrounding environment. Examples of stealth design may include, but are not limited to, architecturally screened roof-mounted towers, building-mounted towers painted to match the existing structure, towers integrated into architectural elements, towers surrounded or obscured by trees and landscaping, towers designed to appear as light poles at appropriate locations, and other appropriate camouflaging techniques. Unless otherwise approved, towers shall be galvanized steel and painted in a non-contrasting color minimizing visibility. If required by the FCC or FAA, towers may be painted pursuant to FCC or FAA requirements.

g) The applicant shall provide a written certification from a registered professional engineer certifying the following:

i. That the tower's design is structurally sound and in compliance with all applicable federal, state and local building laws including, without limitation, the Ohio Basic Building Code and the National Electric Code;

ii. That the tower complies with all current FCC regulations for non-ionizing electromagnetic radiation (NIER); and

iii. That the tower will accommodate co-location of additional wireless communication antennas for future use, with a statement as to the number of antennas capable of being accommodated and the ultimate height needed for the stated co-location capacity.

h) The owner/operator of the tower shall allow co-location of other antenna facilities until said tower has reached full antenna capacity, but in no event shall the tower be able to accommodate fewer than one (1) additional antenna for one (1) additional provider. Antenna towers are not permitted to be built to a height which exceeds the applicant's service need as substantiated by the testimony of the applicant's engineer. If the tower must be extended in the future to accommodate co-location, the initial tower foundation must be designed to support this co-location capacity, and the tower must be designed to accommodate this extension capability. This ultimate height shall be specified on the drawings submitted with the application. Tower height shall not be extended until co-locators are installed. Agreement to this provision shall be included in the applicant's lease with the landowner, if different from the owner/operator of the tower. Written documentation shall be submitted to the Board of Zoning Appeals evidencing that said landowner is in agreement with this provision, as well as all other conditions established for the tower's use and construction. The applicant shall permit co-location on commercially reasonable terms and the applicant shall agree, in writing, that disputes with future providers concerning co-location and the terms and conditions of co-location shall be submitted to commercial arbitration under a system selected by the parties, but if the parties are unable to agree on such a system, then under the auspices of the Commercial Arbitration Provisions of the American Arbitration Association.

i) All roof-mounted towers shall be screened from view unless screening interferes with the signals being received or transmitted.

j) A landscaping plan must be submitted and approved by the Board of Zoning appeals. An evergreen hedge planted three feet on center or an evergreen tree line planted five feet on center is suggested. The landscaping shall be continuously maintained, and any dead material shall be promptly removed and replaced with living material of the same species. All existing vegetation shall be retained and maintained to the extent possible.

k) Advertising shall not be permitted anywhere on the tower or site except for identification signs and no trespassing signs, which are required.

l) The tower shall not be artificially lighted except to assure safety or as required by the FAA.

m) The tower shall be fully automated and unattended on a daily basis and shall be visited only for periodic and necessary maintenance.

n) The applicant or tower provider shall demonstrate that the telecommunication tower must be located where it is proposed in order to service the applicant's service area and that there are no alternative sites reasonably available in any area. This shall include an explanation and accompanying documentation as to why a tower on this proposed site is technically necessary; a description of the suitability of the use of existing towers, other structures or technology not requiring the use of the proposed new tower; and a demonstration that a technically suitable location is not reasonably available on an existing tower, building or structure If another tower is technically suitable, the applicant must show that a request to co-locate was made and that such request was rejected.

o) Where the tower is located on a property with another principal use, the applicant shall present documentation that the owner of the property supports the application and that vehicular access is provided to the property. Reasonable access and circulation shall be provided to the tower.

p) All towers shall meet or exceed current standards and regulations of the FAA, FCC and any other agency of the state or federal government with the authority to regulate such towers. If the applicable standards and regulations are changed, then the owners/operators of the towers shall, if required by the applicable governmental authority, bring such towers into compliance with the revised standards and regulations within three (3) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the applicable governmental authority.

q) The owner/operator shall remove a tower within one hundred eighty (180) days after the tower's use is discontinued. To guarantee the removal of a telecommunication tower where use of the tower has been discontinued, prior to the commencement of construction of any telecommunication tower that is permitted as a conditional use, the owner/operator shall furnish a performance or surety bond in favor of the Prairie Township Board of Trustees in a form

~~acceptable to the Trustees, in the amount determined by an estimate of the cost to complete the removal of the tower prepared by a professional civil engineer registered in the State of Ohio and submitted by the applicant. The bond shall be a guarantee that the owner/operator shall, within the specified time, meet the tower removal requirements of this section. In order to provide the township with timely notice of the discontinuance of use of any tower, the owner/operator shall annually file a declaration with the Zoning Inspector which certifies that the radio frequency transmission and/or reception equipment attached to the tower is in use and is operational. In the event the tower is not removed within one hundred eighty (180) days of discontinuance, the Board of Trustees may make claim upon the bond and may also proceed to remove the tower and any associated facilities. Any costs of removal incurred by the township shall be paid by the owner/operator.~~

~~r) The owner/operator shall provide documentation that notice has been provided in accordance with Section 519.211 of the Ohio Revised Code.~~

~~s) A tower may be attached to a residential or nonresidential building or a structure that is a permitted use in the district, provided that the tower height does not exceed 20 feet above the existing building or structure to which the tower is attached. In the case of a roof-mounted tower, all requirements except those found in Items 5 and 10 shall be met.~~

~~t) The applicant shall be responsible for all expenses incurred for any technical engineering services deemed necessary by the Township Zoning Department and/or the Board of Zoning Appeals to confirm compliance with the provisions of this section and/or to perform any engineering reviews necessitated by the application.~~

~~**WAIVER OF CONDITIONAL USE PERMIT:**~~

~~**EXCEPTION #1** - Should the owner/operator of a telecommunications tower or other functionally equivalent provider desire to site a tower on property that falls under the direct ownership of the Board of Township Trustees, then a Zoning Compliance Permit may be obtained in lieu of a Conditional Use Permit, provided conditions 5, 6, 7, 9, 11, 12, 13, 14, 15, 16, 17, 18, and 20 are observed.~~

~~**EXCEPTION #2** - Should the owner/operator of a telecommunications tower or other functionally equivalent provider desire to co-locate a telecommunications tower on another existing telecommunications tower, then a Zoning Compliance Certificate may be obtained in lieu of a Conditional Use Permit, provided conditions 4, 5, 6, 7, 9, 11, 12, 13, 15, 16, 17, 18, 19 and 20 are observed.~~

~~**EXCEPTION #3** - Should the owner/operator of a telecommunications tower or other functionally equivalent provider desire to site a tower using a no-impact design (specifically meaning that the tower will be completely invisible to the casual observer by incorporating the tower within an existing structure such as inside a steeple), then a Zoning Compliance Certificate may~~

~~be obtained in lieu of a Conditional Use Permit, provided conditions 7(a), 7(b), 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 are observed.~~

7. TELECOMMUNICATION TOWERS

Public utilities or other functionally equivalent providers may site a telecommunications tower as a permitted use in any zoning district except those expressly zoned for residential use. Local zoning authority shall not extend to the regulation of maintenance or use of such a tower or to any change or alteration that would not substantially increase the tower's height. Local zoning authority over proposed telecommunications towers shall apply only to a particular tower, only upon provision of a notice of objection to that particular tower. No blanket zoning authority exists over telecommunication towers in residential districts unless and until a written objection has been timely filed.

a) The local zoning authority over proposed telecommunications towers shall apply only to a particular tower, only upon provision of a notice of objection to that particular tower. No blanket zoning authority exists over telecommunications towers in residential districts unless and until a written notice of objection has been timely filed.

b) **Towers proposed within areas zoned for residential use**: Telecommunications towers may be regulated in areas zoned for residential use upon receipt of an objection pursuant to the regulation of ORC 519.211(B)(2). The provisions of this Resolution concerning telecommunications towers are not intended to replace or modify ORC 519.211, but instead are intended only to incorporate ORC 519.211 and its terms into this Resolution.

   i. **Notice:** Notice shall comply with ORC 519.211(B)(3).

   ii. **Procedure if Objections are Filed:** Upon the timely receipt by the Prairie Township Board of Trustees of an objection to a proposed telecommunications tower, the Board of Trustees shall proceed as provided in ORC 519.211(B)(4)(a).

   iii. **Procedure if No Objections are Filed:** Telecommunications towers shall be permitted as use exempt from any local zoning authority in residential zoned areas if no objections are timely filed as provided in Section ORC 519.211(B)(4)(b).

c) **Local Zoning Authority:** If objections are timely filed for a proposed telecommunications tower in a residential district, then the telecommunications towers may only be permitted as a conditional use by the Board of Zoning Appeals, provided all of the following conditions of this section are met.

d) The maximum height of a tower shall not exceed 150’.

e) Unless a greater lot area is provided for the applicable zoning district, the minimum lot size for a lot on which a tower is to be placed shall be 2.5 acres.

f) Towers shall meet the front setbacks for accessory buildings in the applicable zoning district and in all cases be located behind any and all principal structures.

1. Conditional Use Application Requirements. The application shall include:

a) A preliminary development plan must be submitted at the time the application for the conditional use permit is submitted. The preliminary development plan shall contain the following:

b) The location of all the applicant's existing facilities both within the Township and within one (1) mile of the proposed site.

c) The general location of planned future facilities, if known.

d) For each location shown on the plan, there shall be listed:

i. the type and size of tower at each location;

ii. the type of equipment located or proposed on each tower;

iii. the space available on the tower for additional equipment;

iv. the ground network, if any, served by the tower; and

v. a site plan showing the parcel on which any existing or proposed tower, antenna or equipment is located.

e) A site plan for the facility which is being applied for shall also be submitted containing:

i. the location, type and size of existing and proposed towers, antennas and equipment located on the site;

ii. the location of existing and proposed buildings and structures, access easements and parking areas; and

iii. detailed drawings of the screening plan and related design standards.

f) A written certificate from a professional engineer registered in accordance with the laws of the State of Ohio certifying the following:

i. that the tower's design is structurally sound and in compliance with all applicable federal, state and local building laws including, without limitation, the Ohio Basic Building Code and the National Electric Code;

ii. that the tower complies with all current FCC regulations for non-ionizing electromagnetic radiation (NIER); and

iii. that the tower will to the extent possible, accommodate co-location of additional wireless communication antennas for future use, with a statement as to the number of antennas capable of being accommodated and the ultimate height needed for the stated co-location capacity; or, alternatively, an explanation as to the reasons why the tower will not be constructed to accommodate the co-location.

2. General Requirements for all Telecommunications Towers.

a) The applicant or tower provider shall demonstrate that the telecommunications tower must be located where it is proposed in order to service the applicant's service area and that there are no alternative sites reasonably available in any area. This shall include an explanation and accompanying documentation as to why a tower on this proposed site is technically necessary; a description of the suitability of the use of existing towers, other structures or technology not requiring the use of the proposed new tower; and a demonstration that a technically suitable location is not reasonably available on an existing tower, building or structure. If another tower is technically suitable, the applicant must show that a request to co-locate was made and that such request was rejected.

b) All towers shall meet or exceed current standards and regulations of the FAA, FCC and any other agency of the state or federal government with the authority to regulate such towers. If the applicable standards and regulations are changed, then the owners/operators of the towers shall, if required by the applicable governmental authority, bring such towers into compliance with the revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the applicable governmental authority.

c) The owner/operator shall remove a tower within one hundred eighty (180) days after the tower's use is discontinued. To guarantee the removal of a telecommunication tower where use of the tower has been discontinued, prior to the commencement of construction of any telecommunication tower that is permitted as a conditional use, the owner/operator shall furnish a performance or surety bond in favor of the Prairie Township Board of Trustees in a form acceptable to the Trustees, in the amount determined by an estimate of the cost to complete the removal of the tower prepared by a professional civil engineer registered in the State of Ohio and submitted by the applicant. The bond shall be a guarantee that the owner/operator shall, within the specified time, meet the tower removal requirements of this section. In order to provide the township with timely notice of the discontinuance of use of any tower, the owner/operator shall annually file a declaration with the Zoning Inspector which certifies that the radio frequency transmission and/or reception equipment attached to the tower is in use and is operational. In the event the tower is not removed within one hundred eighty (180) days of discontinuance, the

Board of Trustees may make claim upon the bond and may also proceed to remove the tower and any associated facilities. Any costs of removal incurred by the township shall be paid by the owner/operator.

d) The owner/operator shall provide documentation that notice has been provided in accordance with Section 519.211 of the Ohio Revised Code.

3. Developmental Standards for all Telecommunications Towers

a) No telecommunications tower shall be permitted to be located in any platted subdivision approved under Sections 711.05, 711.09 or 711.10 of the Ohio Revised Code, or in any area consisting of fifteen (15) or more lots approved under Section 711.131 of the Ohio Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road, when at least thirty-five percent (35%) of the lots within such subdivision or area are developed with at least one (1) dwelling unit.

b) The maximum height of a tower shall not exceed one hundred fifty (150) feet.

c) The tower shall not be placed closer than two hundred feet (200) feet from any existing residential dwelling unit.

d) The minimum lot size for which a tower is to be placed shall be two (2) acres.

e) The tower shall be located no closer to a street right-of-way than two hundred (200) feet behind the established building setback line.

f) A tower shall be set back from any adjoining property line a distance which is equal to the height of the tower as measured from its base.

g) Security fencing shall be provided to prevent uncontrolled access to the tower site.

h) The lot on which the tower is to be located shall meet the minimum frontage requirements of the district in which it is located.

i) The tower shall be screened by a minimum eight (8) foot high solid masonry or textured concrete wall and, outside of and along the wall, a continuous evergreen hedge, trees or similar landscape materials of a size and type deemed appropriate by the Board of Zoning Appeals. The screening shall be maintained in good condition. The applicant is responsible for ensuring that the area on which the tower is to be located is kept free of weeds and trash. The outside storage of vehicles or equipment must be contained within the screened area.

j) The tower and related screening shall be designed to be aesthetically and architecturally compatible with the surrounding environment. The tower

may be painted in non-contrasting gray or similar color minimizing its visibility and shall not contain, or be illuminated by, artificial lights, beacons or strobes, unless otherwise required by the Federal Aviation Administration (FAA) or the Federal Communications Commission (FCC). All surfaces shall be maintained in good condition, absent of flaking or peeling paint, and rust. Unless otherwise approved by the Board of Zoning Appeals, the tower shall be of a non-corrosive monopole design.

k) No advertising is permitted anywhere on the telecommunications tower facility with the exception of one identification sign not to exceed one (1) square foot in size.

l) The tower shall be fully automated and unattended on a daily basis and shall be visited only for periodic and necessary maintenance. Also, all utility service to the tower shall be underground in accordance with applicable federal, state and local codes.

m) Where the tower is located on a property which is not owned by the tower operator, the applicant shall present documentation that the owner of the property has approved the application and that vehicular access is provided to the property. Reasonable access and circulation shall be provided to the tower.

n) The applicant shall provide a signed statement indicating that the applicant agrees to allow for the potential co-location of other antenna facilities to the extent possible, until said tower has reached full antenna capacity. Antenna towers are not permitted to be built to a height which exceeds the applicant's service need as substantiated by the testimony and certification of the applicant's engineer. If the tower must be extended in the future to accommodate co-location, the initial tower foundation must be designed to accommodate this extension capability. This ultimate height shall be specified on the drawings submitted with the application. Unless otherwise approved, the tower height shall not be extended until co-locators are installed.

o) A tower may be attached to a residential or nonresidential building or structure that is a permitted use and structure in the district, provided that the tower's height does not exceed twenty (20) feet above the existing building or structure to which the tower is attached; and further provided that all requirements except those found in items 3(e) and 3(i) are met. All roof-mounted towers shall be screened from view to the extent possible. The outside storage of vehicles or equipment, if not located inside the building or structure on which the tower is located, shall be screened by a minimum eight (8) foot high solid masonry or concrete wall and, outside of and along the wall, a continuous evergreen hedge, trees or similar landscape materials of a size and type deemed appropriate by the Board of Zoning Appeals. The screening shall be maintained in good condition. Any solid wall shall contain no advertising, but may contain one small identification sign not to exceed one (1) square foot in size. The applicant

is responsible for ensuring that the tower area is kept free of weeds and trash.

4. Exception to Conditional Uses Permit

Telecommunications towers meeting the following conditions shall not be required to obtain a Conditional Use Permit, but shall be deemed to be permitted uses requiring a Certificate of Zoning Compliance.

a) Should the owner/operator of a telecommunications tower desire to site a tower on property that falls under the direct ownership and with the consent of Prairie Township Board of Trustees, then a Certificate of Zoning Compliance may be obtained in lieu of a Conditional Use Permit, provided that all the General Requirements found in 568 7 (2) and all the Development Standards found in 568 7 (3) are met.

b) Should the owner/operator of a telecommunications tower desire to co-locate a tower on another existing telecommunications tower or on another utility structure (ie, water tower) and such co-location will result in a substantial change in the height of the tower, then a Certificate of Zoning Compliance may be obtained in lieu of a Conditional Use Permit, provided that all the General Requirements found in 568 7 (2) and all the Development Standards found in 568 7 (3) are met.

c) Should the owner/operator of a telecommunications tower desire to site a tower using a no-impact design (specifically meaning that the tower will be completely invisible to the casual observer by incorporating the tower within an existing structure such as inside a steeple), then a Certificate of Zoning Compliance may be obtained in lieu of a Conditional Use Permit, provided that all the General Requirements found in 568 7 (2) and all the Development Standards found in 568 7 (3) are met.

8. **CEMETERY**

a) The site shall have direct access to an arterial thoroughfare which the Board of Zoning Appeals determines is adequate to serve the size of the facility proposed.

b) Any new cemetery shall be located on a site containing not less than one hundred (100) acres.

c) All buildings, including by not limited to mausoleums and maintenance buildings, shall not be located within three hundred (300) feet of any property line.

d) All graves or burial lots shall be set back not less than one hundred (100) feet from any property line.

e) All required yards shall be landscaped and maintained in good order in accordance with state and local regulations. A plan for perpetual care of the grounds shall be required.

9. **BANK AND SAVINGS AND LOAN**

   a) The facility shall not include activities generally associated with full service banks and savings and loans.

   b) The facility shall be limited to drive through service, night depository, and money machine services.

   c) The facility shall have no inside services.

   d) The facility shall comply with all off-street parking and storage requirements specified in this Resolution.

10. **VETERINARIAN CLINIC**

   a) Outdoor pens shall be prohibited.

   b) Outdoor exercise runs shall be enclosed by a solid wall or fence unless it adjoins a manufacturing district, interstate highway, or railroad.

   c) The incineration of refuse or offal shall be prohibited.

   d) Sanitation practices shall be adequate to assure that odors shall not be noticeable off the lot considering various wind conditions.

   e) The applicant shall submit a written statement showing the measures and practices he will use to reduce the noise level in the design of the building and management or rotation of.

11. **DRUG STORE (PHARMACY)**
   The store shall be located in conjunction with and directly serve medical offices.

~~12. **LAWN AND GARDEN SUPPLY:** The use shall be an accessory use which is incidental to the principal use of wholesale or retail nursery or greenhouse occupation.~~

~~13. **MEAT MARKET:** The market shall be an integral part of a meat or poultry processing, dressing or preparation operation where not less than fifty (50) percent of the animals come from the farm owned or operated by the applicant.~~

14. **OPTICAL GOODS**
   The sales shall be located in conjunction with and directly serve the office of an optometrist, ophthalmologist, or oculist.

15. **CONVENIENCE CARRY OUT**
   The total floor area of the operation shall not exceed three thousand (3000) square feet.

16. **DAY CARE CENTER AND NURSERY, CHILD CARE**

   a) In the A District the operation shall be sponsored or operated by an existing church and conducted solely on property owned by the church.

b) In the M-1 or M-2 District the operation shall be sponsored or operated by an existing permitted manufacturing operation and conducted solely on the property owned by the existing permitted manufacturing operation.

c) In the MFR District the facility and ownership shall be directly related to a multi-family apartment complex.

17. **PHOTOGRAPHY SERVICE**

a) The operation shall be limited to drive through service and night depository services.

b) The operation shall have no inside services.

c) The operation shall comply all off-street parking and storage requirements specified in this Resolution.

18. **BUILDING MAINTENANCE SERVICES**
The use shall be limited to administrative or management office uses with no storage of equipment or supplies permitted for more than forty eight (48) hours.

~~19. **LAWN MOWER REPAIR:**~~
~~The operation shall be directly related to and incidental to a Lawn and Garden Supply Store.~~

~~20. **LANDSCAPE SERVICE:**~~
~~The use shall be an accessory use which is incidental to the principal use of a wholesale or retail nursery or greenhouse operation.~~

21. **PLUMBING AND HEATING CONTRACTOR**
The contractor shall be permitted only if the use is accessory to the main use of the building being for the retail sale of plumbing and heating equipment, parts and supplies.

22. **AIRCRAFT SALES AND SERVICE**
The site shall be located on land leased from an airport or directly adjacent to an airport.

23. **RESTAURANT, CARRY OUT (FOOD) AND SIT DOWN**
The restaurant shall have seating for not more than thirty (30) patrons.

24. **PRODUCT DEVELOPMENT, SCIENTIFIC RESEARCH, SCIENTIFIC DEVELOPMENT, TESTING LABS, AND CHEMICAL STORAGE**
The primary emphasis of the facility shall be related directly to agriculture, agribusiness and related activities.

25. **RECREATIONAL VEHICLE STORAGE**

a) For either enclosed or unenclosed storage, the setback requirements for principal buildings shall be met.

b) The use shall be limited solely to storage and no service, other than winterization services, shall be conducted on the site.

c) Unenclosed recreational vehicle storage shall be appropriately screened as provided for in this Resolution and as approved by the Board of Zoning Appeals.

d) The site shall be reviewed and approved by the Prairie Township Fire Prevention Officer as appropriately accessible to fire services. He may recommend other conditions that may be attached to the permit.

e) No enclosed or open storage of recreational vehicles shall be located closer than three hundred fifty (350) feet from any residential use other than a residential use of the owner or operator of the facility.

26. **OPEN STORAGE**

The open storage of vehicles, machinery and equipment actually and actively used in agriculture or agribusiness upon parcels containing more than five (5) acres of land that qualify as "agricultural use" parcels under section 519.21 of the Ohio Revised Code shall be a permitted use on such properties. However, no junk vehicle or item of machinery, equipment or other item of personal property not actually and actively used in agriculture or agribusiness shall be openly stored unless approved as a conditional use in the rural zoning district. Such uses, and uses involving the outdoor parking or storage of backhoes, bulldozers, loaders, lift trucks lifts, well rigs and other similar types of construction equipment shall be openly stored only if approved as a conditional use in the rural zoning district, subject to the considerations listed and the limitations described in section 1015 (4) of this resolution.

27. **DRIVE-IN THEATER**

a) The facility shall contain a minimum land area of fifteen (15) acres.

b) Access shall be to an arterial highway.

c) The entire acreage shall be enclosed by a fence and screening as approved by the Board of Zoning Appeals.

d) No part of the land owned for such facility shall be closer than seven hundred fifty (750) feet to a residential structure or residential district boundary.

e) No lighting shall project onto any adjacent property. The projection screen shall be so located as to not be visible from any arterial or collector highway.

f) Adequate traffic control and access shall be provided as determined by the Board of Zoning Appeals, including the requirement that traffic control personnel be required to assist motorists in entering and leaving the facility.

28. **INDOOR ARCHERY AND/OR GUN FIRING RANGE**

a) The facility shall be constructed of projectile proof materials, and the plans approved by the Board of Zoning Appeals.

b) A plan for noise control shall be approved by the Board of Zoning Appeals and shall ensure that noise is not readily apparent on any adjoining property or other portion of the building in question.

29. **MINIATURE GOLF**

a) The facility is conducted in conjunction with a golf driving range.

b) Loudspeakers, juke boxes, public address systems, and electric amplifiers shall be permitted insofar as they do not create a nuisance and/or disturb the peace of persons on any other properties within any district.

c) Lighting shall be so arranged so as to not reflect light on to adjoining residential property or a public street.

30. **GUN CLUB (OUTDOOR)**

a) Any part of the facility containing a gun firing range or archery range shall include appropriate earthen mounding so as to contain all projectiles.

b) No portion of the firing range shall be located closer than thirteen hundred twenty (1320) feet to any existing residential district.

c) The entire facility shall be secured to prevent uncontrolled access by a fence approved by the Board of Zoning Appeals.

d) On the fence there shall be attached signs warning the public of the potential danger. Such signs shall be approved by the Board of Zoning Appeals as to content, size, and spacing.

31. **COMMUNITY SWIMMING POOL**

a) The pool and accessory structures, including the areas used by the bathers and the required parking areas, shall not be located closer than one hundred (100) feet to any residential district and must be appropriately screened.

b) The swimming pool and all of the areas used by bathers shall be walled or fenced in order to prevent uncontrolled access by children from the streets or adjacent properties. Said fence or wall shall not be less than six (6) feet in height and maintained in good condition.

c) Loudspeakers, juke boxes, public address systems, and electric amplifiers shall be permitted insofar as they do not create a nuisance and/or disturb the peace of persons on any other properties within any district.

d) Exterior lighting shall be shaded wherever necessary in order to avoid casting direct light upon any other property or a public street.

32. **TENNIS COURTS, OUTDOOR**

The tennis courts shall be a portion of a commercial recreation center. This provision does not apply to public parks or accessory residential tennis court.

33. **RECREATION CAMP**

a) The minimum total area of the campground shall be five (5) acres. The maximum density of the park or campground shall be established by the board of zoning appeals, but in no case shall the overall density exceed twelve (12) campsites per acre.

b) The road upon which the park or campground is located shall be of adequate width and base to accommodate the type of traffic generated by such park or campground. No entrance or exit from the campground shall require movement of traffic through a residential district.

c) Each campsite shall be provided with a minimum of one adequately sized parking space for the type of vehicle intended to use the site. In order to guarantee stability, the parking pad shall be composed of concrete, compacted gravel, or other approved material.

d) All sites, and all off-street parking spaces shall be located a minimum of one hundred (100) feet from any side or rear property line, and a minimum of one hundred (100) feet from any public street. The minimum side or rear setbacks shall be five hundred (500) when adjacent to any residential district.

e) The board of zoning appeals may require fencing, walls, landscaping, earth mounds, or other suitable efforts where it is determined that buffering or screening is necessary.

f) The campground shall provide water supply and wastewater disposal facilities at each campsite which meet the needs of the intended clientele, either independent recreational vehicles or dependent campers and primitive campsites. At a minimum, a service building with showers and toilets shall be required where not provided separately. All water supply, wastewater disposal, and refuse disposal facilities shall be located and designed subject to the approval of the Franklin County health department.

g) No recreational vehicle shall be used as a permanent place of residence or business. Continuous occupancy for longer than any one hundred twenty (120) day period within any twelve (12) month period shall be deemed permanent occupancy.

h) A plan shall be submitted and the layout shall be such as to provide adequate access to emergency vehicles and approved by the Prairie Township fire department.

34. **CANOE LIVERY**

a) The livery shall have a minimum area of one (1) acre.

b) The road upon which the livery is located shall be of adequate width and base to accommodate the type of traffic generated. No entrance to or exit from the livery shall require movement of traffic through a residential district.

c) Appropriate restroom facilities shall be provided and approved by the Franklin County Board of Health.

d) Appropriate refuse containers shall be provided by the management.

e) The Board of Zoning Appeals may require adequate fencing, walls, landscaping, earth mounds, where it is determined that buffering or screening is necessary.

f) No overnight camping shall be permitted except in an approved recreation camp.

35. **LEATHER GOODS**

The processes are limited to leather fabrication, toolings, and similar assembly and production activities such as shoes and purses, but shall not include such activities as tanning or processing of hides.

36. **MINERAL EXTRACTION**

a) In addition to other items required on a conditional use permit application, the following information shall be submitted:

1. Vicinity maps, drawn at scale of one (1) inch equal to one thousand (1,000) feet, illustrating the extraction in relation to surrounding existing and proposed land uses, existing and proposed roads, and surrounding zoning districts;

2. A map at a scale of at least one (1) inch equals one hundred (100) feet showing existing contours at intervals of five (5) feet or less, any existing building structures, and any public utilities or easements on the property;

3. Name and address of the applicant, including all partners and officers of the corporation;

4. Name and address of the owner of the surface rights of the property;

5. The location, description, and size of the areas to be excavated during the first year as well as an estimate of the total anticipated area of excavating;

6. A list of the types of resources or minerals to be extracted;

7. The proposed method of removal of such resources and whether or not blasting or other use of explosives will be required;

8. A study of the anticipated depth of excavations and the probable effect to the existing water table conducted by a qualified professional engineer registered in the State of Ohio. If the water table is to be affected the operator shall provide proof, before permission for excavation is given, that the source of any public or private water supply shall not be adversely affected due to a lowering of the water table or contamination of the supply;

9. The location of any processing plant to be used, and any accessory or kindred operation that may be utilized in connection with the operation of a processing plant by the mining processor or any other firm, person or corporation;

10. A general description of the equipment to be used for excavating, processing, and/or transporting excavated mineral resources;

11. A transportation plan for the site illustrating any proposed external routes of access to the site and any proposed internal circulation routes within the site;

12. A plan for the rehabilitation and reclamation of the excavated area as specified in this Section; and any other information the Board of Zoning Appeals may deem necessary in order to determine if the proposed extraction operation will not be detrimental to surrounding land uses and the community in general.

b) All proposed mineral extraction operations shall be required to secure a permit for such activities from the Chief of the Division of Reclamation, Ohio Department of Natural Resources prior to the issuance of a Conditional Use Permit.

c) Adequate operational controls shall be used to minimize the creation of detrimental ground vibrations, sound, pressure, smoke, noise, odors, or dust which would injure or be a nuisance to any persons living or working in the vicinity.

d) The location of any storage or processing activities upon the site shall be subject to approval by the Board of Zoning Appeals because of possible detrimental external effects such as air or water contamination. All such activities shall be naturally or artificially screened from any public street, existing dwelling unit, or any residentially zoned property.

e) Mineral extraction to a depth not exceeding six (6) feet may be conducted up to one hundred (100) feet of any residential district, provided the operation is conducted over a temporary period not to exceed twelve (12) months and the operation of equipment is limited to the extraction process. All other mineral operations shall not be conducted closer than five hundred (500) feet from an existing residential district.

f) Temporary operational roads shall not be located closer than two hundred (200) feet from any Residential District or any existing dwelling.

g) Buildings and structures designed and constructed exclusively for mineral extraction, storage, or processing, for which no other use is practical or feasible, shall be demolished and removed at expiration of the Conditional Use Permit.

h) The operator shall maintain complete records on a daily basis of all blasting operations including records of the time, the date, location, and complete description of weather conditions relating to each such blast. Such records shall be available to the Zoning Inspector upon request. At the request of the Board of Zoning Appeals, the operator shall fully cooperate in any investigation by the Board of Zoning Appeals of the conditions of the operation. In the event that it is established as a matter of fact that there has been a failure to adequately comply with the provisions of this Section, said operator shall take immediate steps to provide full compliance herewith.

i) In order to insure adequate lateral support for public roads in the vicinity of mineral extraction operations:

1. All sand and gravel excavations shall be located at least one hundred (100) feet and back filled to at least one hundred fifty (150) feet from a street right-of-way line.

2. All quarrying or blasting shall be located at least one hundred (100) feet from the right-of-way line of any existing or platted street, road, highway or railway.

3. Such excavation or quarrying may be permitted within these limits to the point of reducing ground elevation to the grade of the existing or platted street, road, or highway where officially approved by the authority charged with maintenance of such platted street, road, or highway.

j) All excavations of gravel or sand shall either be (1) made to a depth not less than five (5) feet below a water-producing level, or (2) graded and/or backfilled with non-noxious and non-flammable solids, to assure that the excavated area will not collect and retain stagnant water. The graded or backfilled surface shall create an adequate finished topography to minimize erosion by wind or rain and substantially conform with the contours of the surrounding area.

k) The underwater banks of all excavations which are not backfilled shall be sloped at grade of not less than three (3) feet horizontal to one (1) foot vertical a minimum of six (6) feet below the water line. Spoil banks shall be graded to a level suiting the existing terrain and planted with trees, shrubs, legumes, or grasses where revegetation is possible.

l) Whenever the floor of a quarry is greater than five (5) feet below the average grade of an adjacent public street or any adjacent property, the property containing such quarry shall be completely enclosed by a mound of earth not less than six (6) feet in height, and planted with suitable landscaping, or a fence not less than six (6) feet in height. All plantings or fences shall be

sufficient in either case to prevent persons from trespassing upon the property and shall be subject to approval by the Board of Zoning Appeals. Such mound shall be located not less than twenty-five (25) feet from any street right-of-way or boundary of the quarry property. Such barriers may be excluded where deemed unnecessary by the Board of Zoning Appeals because of the presence of a lake, stream, or other existing natural barrier.

m) When any quarrying has been completed, such excavated area shall either be left as a permanent spring-fed lake, or the bottom floor thereof shall be leveled to prevent the collection and stagnation of water and to provide proper drainage without excessive soil erosion. Said floor shall be covered with soil of adequate thickness for the growing of turf or other ground cover.

n) To guarantee the restoration, rehabilitation, and reclamation of mined-out areas, every applicant granted permission by the Board of Zoning Appeals to conduct a mineral extraction operation as herein provided shall furnish a reclamation plan and a performance bond running to the Clerk of Prairie Township, Franklin, County, Ohio. The amount of the performance bond shall be based upon an estimate of costs to meet the aforementioned requirements prepared by a professional civil engineer registered in the State of Ohio and submitted by the applicant. The amount of the performance bond shall be established by Resolution of the Township Trustees, depending on the type and extent of restoration required. The performance bond shall be a guarantee that such applicant, in restoring, reclaiming and rehabilitating such land, shall within a reasonable time and to the satisfaction of the Board of Zoning Appeals meet the requirements of this section.

o) The reclamation plan for the extracted area shall contain at a minimum, the following information:

1. A map at a scale of one (1) inch equals one hundred (100) feet showing the existing contours at intervals of five (5) feet or less, any existing buildings or structures, and any public utilities or easements on the property.

2. The depth of the proposed cover which shall be at least as great as the depth of the unusable overburden which existed at the commencement of operation, but which in no event need be more than eighteen (1) inches.

3. The angle of slope of all earthen banks, which shall be no greater than one (1) foot vertical to three (3) feet horizontal. In areas where at the commencement of excavation a greater angle existed, the angle of slope shall be no greater than that which existed at the commencement of excavation.

4. The angle of slope of all banks consisting of rock and the required cover.

5. The location of fences or effective plantings in those locations where the Board of Zoning Appeals determines that such angles of slope are not physically or economically feasible to reduce.

6. The number of trees and shrubs, and the type ground cover to be provided. The type and number per acre of trees, shrubs ground cover, or legume to plant shall be determined in consultation with the Franklin County Agricultural Extension Agent.

7. The location of proposed ultimate land uses, and physical improvements such as roads, drives, drainage courses, utilities and other improvements as determined in consultation with ~~the Mid-~~ County or Regional Planning Commission, the County Engineer, the Sanitary Engineer, and the Zoning Commission.

8. A statement that vegetation shall be restored by the spreading of sufficient soil and by appropriate seeding of grasses or planting of shrubs and trees in all parts of said reclamation area where the same is not submerged under water.

9. A grading plan showing the proposed final topography of the area indicated by contour lines of no greater interval than five (5) feet.

37. **RUBBER PRODUCTS**

The uses shall not include the primary production of rubber or tires but shall be limited to secondary fabrication of consumer goods for retail sale and shall include only lower intensity uses that are normally associated with the M-1 District as specified in the statement of purpose for that district.

38. **SCRAP DEALER AND JUNKYARD**

a) The operator shall have a license from appropriate state and local agencies or officials.

b) The operator shall comply with all state requirements for location and fencing as required by the Ohio Revised Code. This, however, does not limit the authority of the Board of Zoning Appeals from specifying additional requirements.

c) The junk yard operation shall possess a plan for the control of insects, rodents, and other disease vectors.

d) The area of the site used for the storage of junk shall be completely enclosed by a fence or other suitable means to prevent any uncontrolled access by unauthorized persons.

e) The site shall contain mounding, screening, or natural vegetation adequate to obscure the view of junk from any public street or surrounding property.

f) Any fence required for screening purposes shall be in accordance with the following requirements:

1. It shall be neatly constructed of opaque material.

2. It shall not be less than six (6) feet in height.
3. It shall be maintained in a condition so as to insure its opaqueness.
4. It shall contain no advertising.

g) All motor vehicles stored or kept in such yards shall be so kept that they will not catch and hold water in which mosquitoes may breed, and so that they will not constitute a place or places in which mice or other vermin may be harbored, reared or propagated.

h) Because of the tendency for junkyards to promote the breeding of mosquitoes and vermin and the potential volatile nature of certain materials, no operation shall be permitted closer than thirteen hundred and twenty (1320) feet from any established non-manufacturing district.

39. **FARM MARKET**

a) The farm market shall be of a seasonal nature and shall be open for less than seven (7) month per calendar year.

b) All buildings and structures shall comply with the setback requirements of the district unless modified by the Board of Zoning Appeals, on the basis that additional setbacks will protect the general motoring public.

c) Controlled access to the site, and adequate parking shall be provided and a plan approved by the Board of Zoning Appeals.

d) At least fifty (50) per cent of the gross receipts from the market shall derive from products raised on land owned by the applicant; Annual records shall be submitted to the Zoning Inspector. The intent of this provision is to differentiate a farm market from a true business operation.

e) No farm market shall be located closer than one hundred (100) feet from any existing residential structure other than those owned by the operator of the farm market.

40. **AGRIBUSINESS**

a) The minimum distance permitted between the agribusiness establishment and any existing dwelling unit or existing residential district shall be established by the Board of Zoning Appeals based upon the character of the agribusiness.

b) The agribusiness establishment shall have approval from the Ohio Environmental Protection Agency for any on-site water supply and/or wastewater disposal system.

c) The agribusiness shall not emit noise, odor, dust, or chemical residues which Resolution the creation of a nuisance or trespass to surrounding properties.

d) The agribusiness shall be located upon a thoroughfare which the Board of Zoning Appeals determines is adequate to accommodate any traffic which is generated by the agribusiness establishment.

41. **NURSERY, WHOLESALE, RETAIL (GREENHOUSE)**
The sales of plant materials, sod, and associated products is accessory to the growing of said materials on the same premises as the sale.

42. **SELF SERVICE STORAGE FACILITY:**

a) **Off-Street Parking**
There shall be a minimum of four (4) off-street parking spaces located adjacent to the leasing office and there shall be one additional parking space provided adjacent to the leasing office for each employee working on a single or combined work shift.

Parking for purpose of tenant's access to storage units shall be provided by parking/driving lanes adjacent to the self-service storage buildings. These lanes shall be at least 25 feet wide when storage spaces open onto one side of the lane only and at least 30 feet wide when storage spaces open onto both sides of the lane.

b) **Lot Size**
An area devoted to self-service storage facilities located in a General Business District shall be located on a lot or portion of a lot containing a minimum of one acre but not greater than three (3) acres in size.

c) **Yard and Building Set-back Requirements**
Yard and building set-back requirements for Self Service Storage Facilities shall be maintained in accordance with the requirements of this Zoning Resolution.

d) **Limits on Storage and Use**
No business activity other than rental of storage units shall be conducted on the premises including but not limited to the following prohibited uses:

1. Auctions, commercial, wholesale or retail sales, or miscellaneous or garage sales;
2. The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment;
3. The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment;
4. The establishment of a transfer and storage business;
5. Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations;
6. Any outside storage area shall not be permitted as a part of the required Conditional Use Development Plan;
7. The storage of explosives, radioactive materials and flammable or hazardous chemicals shall be prohibited;

8. Unless located in an industrial zoning district, no individual storage unit size shall exceed 600 square feet.

e) **Height**
Unless specifically approved as a part of the Development Plan, no Self Service Storage facility shall exceed fifteen (15) feet in height and shall be no greater than one (1) story.

f) **Fencing/Screening**
Screening shall be accomplished in accordance with Section 1013 of this Resolution.

g) **Signs**
Or other advertising mediums shall not be placed upon, attached to, or painted on said fencing or screening unless approved as part of the required Conditional Use Development Plan.

h) **Landscaping**
All areas on the site not covered by pavement or structures must be brought to finished grade and planted with turf or other appropriate groundcover(s) and with deciduous and/or coniferous plant materials. That area located between a street and a Self Service Storage Facility shall be fully landscaped including trees, shrubbery, lawn area, and/or decorative block wall or earth mound treatment.

A landscape plan shall be submitted along with an application for a Conditional Use application for a Self Service Storage Facility. The contents of the plan shall include:

1. A plot plan, drawn to an easily readable scale (no smaller than one inch equals thirty feet) showing and labeling by name and dimensions all property lines, easements, buildings and other structures, parking areas and access drives, storm drainage outlets and landscape material (including botanical name and common name), installation size and quantities for all plants and existing trees to be retained as a part of the landscaping plans;

2. Required screening accomplished entirely or in part by natural plant material shall be included in the required landscape plan;

3. Typical building elevations and/or cross sections as may be required;

4. Title block with the pertinent names and addresses as of property owner and person drawing the plan.

5. Front Yard Area Landscaping. A landscape plan designed to provide an attractive, natural looking buffer between a Self Service Storage Facility and a street shall be prepared when a Self Service Storage Facility or portion thereof abuts a public way. The landscape plan shall be designed to improve the appearance of these facilities along street rights-of-way and to protect, preserve and

promote the aesthetic appeal of commercial areas with the placement of landscaping.

6. A minimum of 10% of the total area devoted to a Self Service Storage Facility shall be comprised of front yard landscaping when said facility is located adjacent to a public way.

7. The following landscape standards shall apply for that area of the proposal located between a public way and the Self Service Storage Facility.

8. For every 500 square feet of front yard landscaped area or fraction thereof, one tree, a minimum of one inch width as measured 24 inches from, ground level shall be located between a public way and the Self Service Storage Facility. Existing trees shall be shown on the required landscaping plan and may be used to satisfy these requirements in whole or in part where, such trees meet the requirements of this Section.

9. In addition to required trees, the area between a Self Service Storage Facility and a public way shall also be landscaped with natural plant material and may include earth mounds or decorative walls to accent the desired landscape and buffering plan.

10. A minimum of one (1) shrub or ornamental plant for each 100 square feet of area required for front yard landscaping shall be planted and maintained. All shrubs and ornamental plants shall be at least three (3) feet in average height when planted. All trees and plant materials shall be living plants. Artificial plants and, or trees are prohibited.

11. All landscaping plans shall be approved by a landscape architect licensed to practice in the State of Ohio.

12. All plantings shall be maintained in good condition by the property owners.

i) **Lighting**
All outdoor lights shall be shielded to direct light and glare only onto the self-service storage facilities premises and may be of sufficient intensity to discourage vandalism and theft. Said lighting and glare shall be deflected, shaded and focused away from all adjoining property.

j) **Signage**
All signage shall conform to the number, location and other general requirements of these regulations.

43. **OFF-SITE PARKING LOT/OFF-SITE PARKING GARAGE**

a) All buildings and structures shall comply with the setback requirements for the district.

b) The lot size shall be at least two (2) acres.

c) There shall be at least two (2) exits leading directly to a publicly dedicated and improved road.

d) There shall be no reduction in the number of parking spaces otherwise required for any other use of the property.

44. **ACCESSORY APARTMENT (GRANNY FLAT)**

An accessory apartment, as an independent dwelling unit, may be permitted, provided it meets the following conditions:

a) The apartment must be located in the principal structure (which includes attached garages or areas over garages).

b) Maximum size of the apartment dwelling unit shall not exceed 816 square feet.

c) The structure must maintain a single-family residential appearance which blends with the principal structure and the neighborhood. An architectural rendering and floor plan must be provided and approved by the Board of Zoning Appeals. Said plans shall include a landscape plan, which must be followed as approved.

d) Public water and sewer must be provided, or the lot must be adequately sized for, and systems approved for water supply and wastewater disposal to serve both the principal residence and the accessory apartment.

e) Off-street parking on a hard all-weather surface must be provided, two (2) spaces for the principal residence and two (2) for the accessory apartment, 9' x 18' per space. Garages count as parking spaces.

f) All structures must meet the current edition of the CABO One and Two family buildings and the Franklin county Plumbing Code.

g) The property owner must live on-site, and the Granny Flat must be subservient to the principal use of the property as a dwelling.

h) The apartment (Granny Flat) shall be occupied only by a member of the family of the owner of the principal residence.

ARTICLE 6
AMENDMENT

SECTION 600
PROCEDURE FOR AMENDMENTS OR DISTRICT CHANGES

This Resolution may be amended by utilizing the procedures specified in section 601-613, inclusive, of this Resolution.

SECTION 601
GENERAL

Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Township Trustees may by Resolution after receipt of recommendation thereon from the Zoning Commission, and subject to the procedures provided by law; amend, supplement, change or repeal the regulations, restrictions, and boundaries or classification of property, provided however, that a request for any planned unit development district shall follow the procedures specified in Article 13.

SECTION 602
INITIATION OF ZONING AMENDMENTS

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

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

SECTION 603
CONTENTS OF APPLICATION

Applications for amendments to the Official Zoning Map adopted as part of this Resolution by Section 700 shall contain at least the following information:

1. Name, address, and phone number of applicant;
2. Proposed amending Resolution;
3. Present use;

4. Present zoning district;
5. Proposed use;
6. Proposed zoning district;
7. A vicinity map at a scale approved by the Zoning Inspector showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Inspector may require;
8. ~~A list of property owners and their mailing addresses, as they appear on the County Auditor's current tax list, who are within, contiguous to, or directly across the street from, and within 1,000 feet of the property in question, provided however, in the case of property which is located within a platted subdivision the distance shall be reduced to 300 feet from the center of the lot in question, and others that may have a substantial interest in the case;~~
8. If the proposed amendment intends to rezone or redistrict ten (10) or fewer parcels of land, as listed on the tax duplicate, written notice of the public hearing shall be mailed by the Township Zoning Commission, by first class mail, at least ten (10) days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from the area proposed to be rezoned. This notice is to be mailed to the address of such owners appearing on the County Auditor's current tax list. The failure of delivery of such notice shall not invalidate any such amendment.
9. A statement on how the proposed amendment relates to the comprehensive plan;
10. A fee as established by the Board of Township Trustees according to Section 360.

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

SECTION 604
TRANSMITTAL TO ZONING COMMISSION

Immediately after the adoption of a Resolution by the Township Trustees or the filing of an application by at least one (1) owner or lessee of property, said Resolution or application shall be transmitted to the Commission.

SECTION 605
SUBMISSION TO COUNTY OR REGIONAL PLANNING COMMISSION

Within five (5) days after the adoption of a motion by the Zoning Commission, transmittal of a Resolution by the Township Trustees, or the filing of an application by at least one (1) owner or lessee, the Zoning Commission shall transmit a copy of such motion, Resolution, or application together with the text and map pertaining to the case in question to the County or Regional Planning Commission, which shall recommend the approval or denial of the

proposed amendment or the approval of some modification thereof and shall submit such recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission.

SECTION 606
SUBMISSION TO DIRECTOR OF TRANSPORTATION

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

SECTION 607
PUBLIC HEARING BY ZONING COMMISSION

The Zoning Commission shall schedule a public hearing after the adoption of its motion, transmittal of a Resolution from the Township Trustees, or the filing of an application for zoning amendment. Said hearing shall not be less than twenty (20) or more than forty (40) days from the date of adoption of such motion, transmittal of such Resolution, or the filing of such application.

SECTION 608
NOTICE OF PUBLIC HEARING IN NEWSPAPER

Before holding the public hearing as required in Section 607, notice of such hearing shall be given by the Zoning Commission by at least one (1) publication in one (1) or more newspapers of general circulation in the Township at least ten (10) days before the date of said hearing. This notice shall contain such information as may be required by applicable law.

SECTION 609
PLACEMENT OF NOTICE PLACARD ON PROPERTY

Before holding the public hearing required in Section 607 upon a proposed amendment to the Zoning Resolution initiated by application filed by at least one (1) owner or lessee of property within the area proposed to be changed or affected by the proposed amendment, a notice placard furnished by the Zoning Department shall be placed on the property in

question by the applicant at a location specified by the Zoning Inspector at least ten (10) days before the date of said hearing. The placard shall contain at least six (6) square feet of area and shall be located on the property in such a way so as not to obstruct traffic visibility, but to be readily visible by the general public. In the case of larger lots or corner lots, more than one such placard may be required to be posted. The placard shall generally comply with the following format:

Line #1 - Zoning Public Hearing

Line #2 - In Relation to this Property

Line #3 - Date and Time of Hearing

Line #4 - Location of Hearing

Line #5 - Phone Number to Contact for Additional Information

SECTION 610
NOTICE TO PROPERTY OWNERS BY ZONING COMMISSION

1. **AMENDMENT INITIATED BY APPLICATION**
   If the proposed amendment is initiated by application filed by at least one (1) owner of lessee of property within the area proposed to be changed or affected by the proposed amendment and intends to rezone or redistrict ten (10) or fewer parcels of land, ~~as listed on the tax duplicate, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least ten (10) days before the date of the public hearing to all owners of property within, contiguous to, directly across the street from, and within 1000 feet of the property in question; provided, however, that in the case of property which is located within a platted subdivision, the distance shall be reduced to 300 feet from the center of the lot in question or from the center of such area proposed to be rezoned or redistricted, to the addresses of such owners as appearing on the County Auditor's current tax list.~~ as listed on the County Auditor's current tax list, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least ten (10) days before the hearing, to all owners of property within and contiguous to and directly across the street from such area proposed to be rezoned or redistricted to the addresses of such owners as appearing on the County Auditors current tax list. If the proposed amendment intends to rezone or redistrict more than ten (10) parcels of land, as listed on the County Auditor's current tax list, no mailed notice of the hearing is required.

2. **AMENDMENT INITIATED BY MOTION OR RESOLUTION**
   If the proposed amendment is initiated by motion of the Zoning Commission or by Resolution of the Board of Trustees and intends to rezone or redistrict ten (10) or fewer parcels of land, as listed on the County Auditor's current tax list, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least ten (10) days before the hearing, to all owners of property within and contiguous to and directly across the street from such area proposed to be rezoned or redistricted to the addresses of such owners as appearing on the County Auditors current tax list. If

the proposed amendment is initiated by motion of the Zoning Commission or by resolution of the Board of Trustees and intends to rezone or redistrict more than ten (10) parcels of land, as listed on the County Auditor's current tax list, no mailed notice of the hearing is required.

3. **ADDITIONAL PROVISIONS**
   The Zoning Commission may provide notice to other property owners or residents who they determine would have a substantial interest in the application. The failure to deliver any notice provided for in this section shall not invalidate any such amendment. The mailed notice shall contain the same information as required of notices published in newspapers as specified in Section 608.

SECTION 611
RECOMMENDATION BY ZONING COMMISSION

Within thirty (30) days after the public hearing required by Section 607, the Zoning Commission shall recommend to the Township Trustees that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be not granted.

SECTION 612
PUBLIC HEARING BY TOWNSHIP TRUSTEES

Within thirty (30) days from the receipt of the recommendation of the Zoning Commission, the Township Trustees shall hold a public hearing. Notice of such public hearing in a newspaper shall be given by the Township Trustees as specified in Section 608. The Township Trustees may give notice to property owners and place a placard, provided that if they do give notice or place a placard, they shall comply with the procedures of Sections 609 and 610.

SECTION 613
ACTION BY TOWNSHIP TRUSTEES

Within twenty (20) days after the public hearing required by Section 612, the Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. ~~In the event the Township Trustees denies or modifies the recommendation of the Commission, the unanimous vote of the Township Trustees is required.~~

SECTION 614
EFFECTIVE DATE AND REFERENDUM

Such amendment adopted by the Township Trustees shall become effective thirty (30) days after the adoption unless within thirty (30) days after the adoption of the amendment there is presented to the Township Trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the Township or part thereof included in the zoning plan equal to not less than eight (8) per cent of the total vote cast for all candidates for Governor in such area at the last preceding general election at which a Governor was elected, requesting the Township Trustees to submit the amendment to the electors of such area, for approval or rejection, at a special election to be held on the day of the next primary or general election. The petition shall comply with the requirements of Sections 519.12 and 3501.38 of the Revised Code.

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

ARTICLE 7
PROVISION FOR OFFICIAL ZONING MAP

SECTION 700
OFFICIAL ZONING MAP

The districts established in Article 8 of this resolution as shown on the Official Zoning Map which, together with all explanatory material thereon, is hereby adopted as part of this resolution. This provision shall not be interpreted to require all districts established in Article 8 to be located on the Official Zoning Map at any time, it being the intent of Prairie Township to provide a broad variety of districts for the present and future development of the Township.

SECTION 710
IDENTIFICATION OF THE OFFICIAL ZONING MAP

The Official Zoning Map shall be identified by the signature of the Chairman of the Board of Township Trustees, and attested by the Clerk.

SECTION 720
DESIGNATION OF STANDARD ZONING DISTRICTS

The name and symbol for standard zoning districts as established in Article 8 are as follows:

RESIDENTIAL DISTRICTS

Rural	(R)
Suburban Estate Residential	SER
Low Density Residential	R-2
Medium Low Density Residential	R-4
Medium Density Residential	R-6
High Density Residential	R-8
Multi-Family Residential	MFR-12
Planned Residential Mobile Home Park	RMH

BUSINESS DISTRICTS

Suburban Office and Institutional	SO
Local Business	LB

General Business	GB
Accommodation Business	AB

MANUFACTURING DISTRICTS

Light Manufacturing District	M-1
Heavy Manufacturing District	M-2

SPECIAL DISTRICTS

Open Space District	OS
Exceptional Use District	EU
Big Darby Creek Critical Resource Protection District	CRPD

Planned unit development districts containing a residential component may be applied to any residential district established pursuant to Section 821-826, inclusive of this resolution following the procedures and requirements specified in Article 13. All other planned districts may be established by following the procedures and requirements of Article 6 as well as those specified for the particular planned district.

Planned districts shall be identified by the following symbols:

Planned Suburban Estate Residential	PSER
Panned Low Density Residential	PR-2
Planned Medium Low Density Residential	PR-4
Planned Medium Low Density Residential	PR-6
Planned Medium Density Residential	PR-8
Planned Multi-Family	PMFR

A planned unit development zoning district having a residential component is prefixed by the letter "P" and designated by a green border on the Official Zoning Map.

Planned Commercial Districts

Select Commercial Planned District	SCPD

SECTION 721
LEGEND

There shall be provided on the Official Zoning Map a legend which shall list the name and symbol for each zoning district.

In lieu of a symbol, a color or black and white pattern may be used on the Official Zoning Map to identify each zoning district as indicated in the legend. A planned unit development zoning boundary shall have a green border.

The rural district either has no symbol, or is designated as "(R)," and includes all land under this zoning resolution not designated or otherwise included within another zoning district.

Residential zoning districts other than the rural district and the Suburban Estate Residential district are suffixed by a number which indicates the general number of dwelling units per acre of land obtainable under the regulations of each residential zoning district.

In addition, space shall be provided on the legend in order to comply with Section 740 when changes are made to the Official Zoning Map.

SECTION 730
INTERPRETATION OF DISTRICT BOUNDARIES

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

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

Disputes over the exact location of zoning district boundaries, shall be resolved by the Board of Zoning Appeals.

SECTION 740
CHANGES TO OFFICIAL ZONING MAP

After any district change becomes effective, the Zoning Inspector shall file and record the approved change as is required by Ohio Revised Code section 519.12. When the Official Zoning Map is updated with such supplemental changes, the map, as revised, shall be signed by the Chairman of the Township Trustees and attested by the Township Clerk, and shall serve as the Official Zoning Map.

ARTICLE 8
ESTABLISHMENT AND PURPOSE OF DISTRICTS

SECTION 800
INTENT

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

SECTION 810
RESIDENTIAL DISTRICTS

Residential Districts are established to define and protect residential uses from the intrusion of uses not appropriate to the principal use of the land for residential dwellings and related facilities desirable for a residential environment. Attractiveness, order and efficiency are encouraged by allowing a density of development appropriate to the ability to provide water and sewer facilities while maintaining adequate space for light and air. In order to achieve a comprehensive and balanced overall residential area, it is intended that development at one density be in association with other residential development in a manner appropriate to the public's ability to provide and maintain adequate levels of essential services and facilities including schools, recreation, fire and police protection, and with consideration of the characteristics of the land and surrounding land use. The residential districts are intended to allow a variety of dwelling units in a manner appropriate to development of areas with district density and physical qualities such as will encourage each area to achieve its full development with a healthful and safe environment and amenities for sustained livability.

SECTION 820
RURAL DISTRICT

The purpose of the Rural District is (1) to recognize the long-range physical, social, and economic needs of the agricultural community within Prairie Township, and (2) to permit development of single family rural homes in areas that are not expected to have public utility facilities in the near future. Since agricultural pursuits provide a substantial economic base for Prairie Township, and many areas still exist which possess an existing agricultural character and productive agricultural soils, it is the intent of this district to maintain and protect such areas, while allowing the development of large lot single family residences that are consistent with, and do not detract from, the agricultural uses in, and character of, the area.

Only those land uses which involve the construction and maintenance of single family residences on large lots, and those land uses which qualify and are permitted as agricultural uses under chapter 519 of the Ohio Revised Code and the provisions contained in this resolution will be encouraged and allowed within the Rural District. Unnecessary encroachment by non-agricultural land uses which limits agricultural effectiveness either through encroachment of land resources or through incompatibility of land uses will be discouraged. Single family dwellings are permitted to locate within the Rural District at a maximum density of one (1) dwelling unit per five (5) acres.

SECTION 821
SUBURBAN ESTATE RESIDENTIAL DISTRICT (SER)

The purpose of the SER District is to promote a degree of development of a single family rural non-farm nature in areas not expected to have public facilities in the near future, along water courses, and land of unusual or irregular topography or subsurface characteristics where site development generally results in a certain amount of openness. This district allows the opportunity to satisfy individual housing preferences and shall permit not more than one (1) dwelling unit per gross acre.

SECTION 822
LOW DENSITY RESIDENTIAL DISTRICT (R-2)

The R-2 District is provided in recognition of sections of the Township of Prairie with low density single family residential development and land which appears appropriate for such development within the limits of these regulations. Among these sections is land appropriate for residential development but without central water and sewer systems readily available. Of importance in the consideration of placing land in this district is the ability of the soil to allow proper function of individual water and sewer systems; the character of the land and surrounding land use; and land where the established use, character or density of development would be best protected by these regulations.

This district shall provide not more than two (2) dwelling units per gross acre. Centralized water and sewer facilities are, however, encouraged.

SECTION 823
MEDIUM LOW DENSITY RESIDENTIAL DISTRICT (R-4)

The R-4 District is provided to permit the establishment of medium-low density single family dwellings not to exceed four (4) dwelling units per gross acre. Centralized water and sewer facilities are required. The district is provided in recognition of sections of the Township of Prairie where the general welfare is best served in maintaining the ability to provide essential services and facilities for a healthful and desirable residential environment.

SECTION 824
MEDIUM DENSITY RESIDENTIAL DISTRICT (R-6)

The R-6 District is provided to permit the establishment of medium density single family dwellings not to exceed six (6) dwelling units per gross acre. Centralized water and sewer facilities are required. The district is provided in recognition of sections of the Township of Prairie where the general welfare is best served in maintaining the ability to provide essential services and facilities for a healthful and desirable residential environment.

SECTION 825
HIGH DENSITY RESIDENTIAL DISTRICT (R-8)

The R-8 District is provided to permit the establishment of two-to-four family and multi-family dwellings not to exceed eight (8) dwelling units per gross acre. Centralized water and sewer facilities are required. The district is provided in recognition of sections of the Township of Prairie where the general welfare is best served in maintaining the ability to provide essential services and facilities for a healthful and desirable residential environment.

SECTION 826
MULTI-FAMILY RESIDENTIAL DISTRICT (MFR-12)

The purpose of the MFR-12 District is to permit the establishment of high density two-to-four family and multi-family dwellings not to exceed twelve (12) dwelling units per gross acre. All such districts must abut upon and have access to either an arterial or collector thoroughfare and have centralized water and sewer facilities of sufficient size. The predominant housing type will be townhouses and garden apartments. The district is provided in recognition of sections of the Township of Prairie where the general welfare is best served in providing essential services and facilities at an adequate level in an efficient and economic manner without overcrowding the land.

SECTION 830
BUSINESS DISTRICTS

The Business Districts are intended to promote a convenient and efficient distribution of a broad range of retail goods and services, (1) to meet consumer demands, (2) to satisfy commercial land use space requirements, (3) to achieve a stable and compatible land use pattern, and (4) to encourage a visually satisfying urban environment.

The property development of commercial areas is not only a right under this Zoning Resolution, but a responsibility to the entire Township of Prairie. Because these commercial areas are subject to public use which is a matter if important concern to the whole community, they should provide an appropriate appearance, ample parking, controlled traffic movement, and suitable relationship to adjacent areas.

SECTION 831
SUBURBAN OFFICE AND INSTITUTIONAL DISTRICT (SO)

The purpose of the SO District is to permit the establishment of areas of office-type business and quasi-public uses in outlying areas where adequate space can be made available in accordance with the contemporary development standards of these land uses. Such districts shall be strategically located with access to an arterial or collector thoroughfare.

The district is intended for offices and institutions that may locate independently or in small clusters and that desire buildings or groups of buildings surrounded by landscaped open areas away from the concentrations of people and traffic or retail, wholesale and industrial areas in the community. The space, location and aesthetic needs of these uses make a suburban location near residential neighborhoods or rural countryside desirable.

SECTION 832
LOCAL BUSINESS DISTRICT (LB)

The purpose of the LB District is to permit the establishment of areas for convenience business uses which tend to meet the daily needs of the residents of an immediate neighborhood. Such districts shall be strategically located with access to a collector or arterial thoroughfare. Marginal strip development shall be prohibited.

The district is intended to encourage groups of small retail establishments not to exceed three thousand (3000) square feet floor area to promote convenience in serving the daily needs of the people in residential areas. These groups of establishments generally occupy land area in close proximity to the residential population served. In that the business establishments allowed in the district will be closely associated with residential, religious, recreational, and educational land uses at the neighborhood level, more restrictive requirements for light, air, and open space are necessitated than in other business districts.

SECTION 833
GENERAL BUSINESS DISTRICT (GB)

The purpose of the GB District is to permit the establishment of areas for general business uses to meet the needs of a required market area. Activities in this district are often large space users and customers using such facilities generally do not make frequent purchases. Shopping centers will be the predominant building approach. Strip development will be prohibited. GB Districts will be located with access to arterial thoroughfares.

SECTION 834
ACCOMMODATION BUSINESS DISTRICT (AB)

The purpose of the AB District is to permit the establishment of areas for highway business uses only. This district is specifically designed to service the motoring public. AB Districts are generally associated with interchange areas along the major limited access highways or with appropriate locations on arterial thoroughfares.

Because these uses have unique locational, space, and physical development requirements, and because they are subject to the public view, their development is a concern to the entire community. Care must be taken to provide them adequate space in appropriate locations while maintaining the integrity and developmental character they possess as well as that of other land use areas in their vicinity.

The district is intended to provide highway service areas having adequate development space, parking, services, utilities, and other facilities. Adequate separation from adjacent areas of other land use should be achieved. Development within the district can be a good neighbor, if care is taken to assure that the operational characteristics are so controlled as not to be in immediate and direct conflict with the function of adjacent land use areas or the street system.

SECTION 840
MANUFACTURING DISTRICTS

Manufacturing Districts are intended to define and protect areas suitable to the development of a variety of industrial activities, and to set forth development standards for the mutual protection of industrial development and areas for other land use activity in the vicinity. Industry should be protected from the intrusion of other land uses which neither perform a function appropriate to an industrial environment nor provide an essential service to the establishments or the employees of the industrial area.

The Manufacturing Districts are intended to encourage the development and maintenance of industrial areas, dispersed throughout the Township of Prairie, thus providing a variety of locational opportunities to industrial establishments. Important in determining the location and size of these industrial areas is the accessibility of the location to regional transportation facilities, especially highways, the availability of public utilities, and the adequacy of fire and police protection. The topography of the area should be relatively level with no flood hazard. These industrial areas may be in close proximity to other land use areas, but whenever possible appropriate physical features should be used as boundaries.

SECTION 841
LIGHT MANUFACTURING DISTRICT (M-1)

The purpose of the M-1 District is to permit the development of manufacturing and wholesale business establishments which are clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare; operate entirely within enclosed structures and generate little industrial traffic. Research activities are encouraged. This district is further designed to act as a transitional use between heavy manufacturing uses and other less intense business and residential uses. The district is intended to encourage areas of industrial use with architecturally attractive structures surrounded by landscaped yards. Such industrial development may be in close proximity to other land use areas, but is best accomplished at the periphery of such areas.

SECTION 842
HEAVY MANUFACTURING DISTRICT (M-2)

The purpose of the M-2 District is to encourage the development of primary manufacturing, processing, warehousing, and major research and testing operations. These activities require extensive community facilities, and reasonable access to arterial thoroughfares; they generally have extensive open storage and service areas, generate heavy traffic but shall be prohibited if they create nuisances beyond the limitations set up by the Zoning Commission.

SECTION 850
SPECIAL DISTRICTS

The Special Districts are included to provide for the use of development of land under certain unique circumstances or developmental requirements that cannot be appropriately or adequately provided for in the provisions of other zoning districts.

SECTION 851
OPEN SPACE DISTRICT

The purpose of the OS District is to provide areas for public and quasi-public uses, areas for recreation and conservation purposes, and areas suitable for non-commercial recreation.

SECTION 852
EXCEPTIONAL USE DISTRICT (EU)

The purpose of the EU District is to provide a zoning district for appropriate legal uses with unique or exceptional requirements or circumstances that are not otherwise specifically permitted by the Zoning Resolution. However, this district is not intended to provide for all uses prohibited by this Zoning Resolution, but rather, to permit, in accordance with an approved development plan, appropriate uses which are related to otherwise permitted uses, but due to some unique nature of circumstance, have not been listed as a permitted or conditional use in this Resolution. Once a Development Plan is finally approved pursuant to

the procedures governing the submission of an Exceptional Use zoning amendment, that Plan and all uses, buildings and structures approved in connection therewith, may not be changed, added to or otherwise altered unless approved in accordance with Article 6 and, if applicable, Article 9 of this Resolution.

SECTION 853
BIG DARBY CREEK CRITICAL RESOURCE PROTECTION DISTRICT

Portions of the Big Darby Creek have been designated as a component of the National Wild and Scenic Rivers System. This waterway is also considered to be an exceptional warm water, pollution free habitat and water resource, due in large part to the stability of water temperature and enhanced water quality afforded by the dense tree and vegetative canopy along its banks. The purpose of the CRPD is to promote the public health and safety by protecting and preserving this valuable water resource in that the protection and conservation of an adequate, free flowing safe water supply and the filtration and elimination of pollutants is of vital concern and interest to the Township and its residents.

SECTION 860
PLANNED UNIT DEVELOPMENT DISTRICTS

A planned unit development district is provided for within any residential district established pursuant to Sections 821 through 826, inclusive of this Resolution, and is designated in Section 720.

The establishment of such district shall be considered as an amendment to this resolution, provided however, that approval shall comply with the procedural requirement of Article 13 of this resolution. Planned unit development districts are provided to meet the objectives in Article 13 and shall comply with all requirements specified in such article.

SECTION 861
PLANNED RESIDENTIAL MOBILE HOME PARK DISTRICT (RMH)

In addition to the planned Unit Development Districts provided for in Section 860, the Planned Residential Mobile Home Park District is hereby established. It is provided in recognition that certain land in the Township may be appropriately developed as areas of moderate population concentration with special consideration for the location and provision of facilities for mobile homes if properly related to the existing and potential development character of the vicinity and if adequate public services and facilities can be provided.

The Planned Residential Mobile Home Park District is intended to allow the development of Mobile Home Parks in association with other residential developments while maintaining a reasonable population density and by providing for the unique requirements for this type of development. To this end, the site development and arrangement in relation to other areas together with the provision of associated facilities shall be an important consideration in

achieving an attractive residential environment of sustained desirability with all development in harmony to promote stability, order and efficiency of the Mobile Home Park and adjacent areas. Mobile Home parks shall in addition to all other requirements of this resolution, fully comply with the requirements of Articles 13 and 14 of this resolution.

SECTION 862
SELECT COMMERCIAL PLANNED DISTRICT

The Select Commercial Planned District is intended to provide an innovative approach to commercial developments in the unincorporated area of Prairie Township.

In some cases, the standard commercial and industrial zoning districts do not provide sufficient flexibility to allow a beneficial mixture of related commercial, industrial and open space land uses. In addition, the standard commercial and industrial zoning districts do not in all cases permit a creative use of land and related physical developments in areas where an orderly transition of land uses from residential to nonresidential activities is appropriate. An example would be undeveloped land in a primarily residential area adjacent to an existing or planned major highway. Continued residential development may not be appropriate. Nonresidential development of a specified type, character and mix may be suitable with proper controls.

The Select Commercial Planned District is intended to provide an applicant for a zoning map amendment and the community with the controls necessary to ensure compatibility and integration of the select commercial area with the surrounding environment. Performance criteria are included in the Select Commercial Planned District in order to promote the development of an overall design concept designed to be compatible with the surrounding environment.

The requirements for an overall design plan and the selection of specific commercial uses to be applied to an individual application are intended to ensure that the plan can be evaluated on its merits for compatibility with existing conditions and the surrounding environment. This procedure is designed to protect the character of both substantially developed and developing areas as appropriate. The provisions of Article 6 shall be used to obtain a zoning map amendment for this district.

SECTION 863
PLANNED CONSERVATION DISTRICTS

The planned conservation districts are intended to permit flexibility of design in order to promote environmentally sensitive and efficient use of the land. The planned conservation districts are created pursuant to Section 519.021 (C) of the Ohio Revised Code and encompasses and overlays those properties shown in Article 18 as exhibits A, B, & C. The existing zoning regulations and districts shall continue to apply unless the Township Zoning Commission approves an application of an owner within the planned conservation district.

ARTICLE 9
DISTRICT REGULATIONS

SECTION 900
COMPLIANCE WITH REGULATIONS

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

1. No building, structure, or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.
2. No building or other structure shall be erected or altered:
    a) to provide for greater height or bulk;
    b) to accommodate or house a greater number of families;
    c) to occupy a greater percentage of lot area;
    d) to have narrower or smaller rear yards, front yards, side yards, or other open spaces;

    Than herein required, or in any other manner be contrary to the provisions of this Resolution.
3. No yard or lot existing at the time of the passage of this Resolution shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Resolution shall meet at least the minimum requirements set forth herein.

SECTION 910
GENERAL USE CLASSIFICATION SYSTEM

For the purposes of this resolution the general use classification system established in this Section shall be used to classify those uses that will be permitted, conditionally permitted, regulated, or prohibited either specifically or by omission pursuant to other provisions of this resolution;

1. Residential uses are places where persons live or reside and are associated with dwelling units as defined in Article 2 of this resolution.
2. Public uses are owned or operated by governmental agencies for administrative, educational, cultural, recreational, and similar activities that benefit or provide services to the public.

3. Quasi-public uses are activities of a religious, educational, charitable, social, philanthropic, and health nature, and nonprofit membership organizations that have more limited public purposes than public uses, but which are not organized for profit.
4. Administrative and business office uses are primarily engaged in general administration, management, supervision, purchasing, and accounting. They involve no retail sales and stock no goods for distribution or sale.
5. Professional office uses deliver professional tangible and intangible services to the general public and are associated with normally recognized professions most of which are regulated, licensed, or certified by the State of Ohio.
6. Retail store uses include uses primarily engaged in selling merchandise for personal and household consumption and rendering services clearly incidental to the sale of such goods.
7. Personal service uses generally are concerned with the care and maintenance of tangible property or the provision of intangible services.
8. Trade services uses generally include establishments engaged in the general construction, maintenance, or the repair of real or other tangible property.
9. Automotive uses include sales and services directly associated with motor vehicles and other types of transportation.
10. Food, lodging, and beverage services include commercial establishments and nonprofit institutions engaged in furnishing food, beverages, or lodging for a fee or on a membership fee basis.
11. Research and development uses involve research related to product development in conjunction with testing, laboratory, and minor fabricating and assembly operations.
12. Wholesaling and storage uses are associated with transporting, storing, handling, or selling merchandise primarily to retailers, industrial, institutional, or professional uses, or to other wholesalers, or acting as agents in buying merchandise for such persons or organizations.
13. Recreation uses include activities used by persons during leisure time for entertainment for a fee or on a membership fee basis.
14. Manufacturing uses includes all uses involving processing, fabrication, packaging, assembly and related functions whether using machinery or labor and associated with the industrial operations of producing goods, components, and other related items.
15. Other uses shall include all other activities not otherwise classified.

SECTION 920
USES PERMITTED

Unless otherwise permitted in an Exceptional Use zoning approved in accordance with Articles 6 and 9 of this Resolution, Table 1 specifies which uses are permitted in the zoning

districts established in Article 8 utilizing the symbols specified in Section 720 which is hereby adopted as the Official Schedule of Permitted Uses. If the specific use is permitted in the zoning district, an "X" will be found in the corresponding column. If the specific use is conditionally permitted, a "C" will be found in the corresponding column. Conditionally permitted uses may be permitted following the procedures and requirements specified in Sections 560-568, inclusive, of this Resolution. In addition, unless otherwise permitted by an approved Exceptional Use zoning, all uses shall comply with any other regulations specified in Article 10 of this Resolution. Any specific use which is not approved as an Exceptional Use and which use has no "X" or "C" in the corresponding column, shall be a prohibited use and shall be permitted only upon rezoning of the land as provided for in Article 6 of this Resolution, or the finding that the use is substantially similar as provided for in Section 940. Variances for such uses are not permitted.

SECTION 921
CHURCHES

A church or other place of worship shall be a permitted use in all zoning districts provided the following criteria are met:

1. Unless a greater lot area is provided for the applicable zoning district, the minimum lot area shall be three (3) acres. In addition, the lot area shall be sufficient to accommodate the required off-street parking requirements of the church.
2. The minimum lot width shall be three hundred (300) feet.
3. The church building shall be set back from any adjacent residential property line a minimum of seventy-five (75) feet.
4. Screening shall be provided in accordance with Section 1013 along all property lines which are adjacent to residential properties. No zoning permit shall be approved unless accompanied by a screening plan.
5. A cemetery shall not be a permitted use in conjunction with a church. A parsonage or minister’s residence is permitted on the same lot, provided all development standards (including off-street parking) are met; and further provided that there is adequate area for water supply and wastewater disposal if located on site.

SECTION 930
DIMENSIONAL REQUIREMENTS

Table 2 specifies dimensional requirements that apply to each zoning district, and is hereby adopted as the Official Schedule of Dimensional Requirements. No building, structure, or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all the requirements specified in Table 2 or other dimensional requirements specified in Article 10, unless a variance has been granted by the Board of Zoning Appeals as provided for in Sections 540-551, inclusive of this resolution.

SECTION 931
MEASUREMENT OF DIMENSIONAL REQUIREMENTS

Except as otherwise specifically provided for in this resolution the interpretation and method of measurement of all dimensional requirements as provided for in Table 2 shall be as follows:

1. Lot area shall mean the minimum net area of a lot measured in square feet. Where a lot area is expressed in acres, each acre shall equal 43,560 square feet. Lot area does not include any portion of a public or private street right-of-way, but may include portions of utility easements.
2. Lot width shall mean the minimum width of a lot as measured at the road right-of-way line. In the case of a lot on a cul-de-sac, the lot width shall be measured at the front building setback line.
3. Principal building setbacks shall mean the minimum distance principal buildings, including attached garages, breezeways, and storage buildings must be setback from the front, side, or rear lot lines.
4. Accessory building setbacks shall mean the minimum distance accessory buildings, including detached garages and other buildings must be set back from front, side, or rear lot lines.
5. Percent of lot coverage shall mean the maximum percent of lot area that may be covered by all principal and accessory buildings.
6. Building height shall mean the maximum height in feet for any principal building. Building height of accessory buildings shall be regulated as specified in Section 937 of this Resolution. Building height shall be measured in compliance with the definition of "building height" and varies with the type of roof of the building.
7. Floor area shall mean the minimum required floor area of principal buildings per dwelling unit, and shall be determined in accordance with the definition of "floor area of a residential building."

SECTION 932
YARD AND LOT REQUIREMENTS FOR MULTIFAMILY AND TWO-FAMILY DWELLINGS

Multifamily dwellings shall be considered as one (1) building for the purpose of determining front, side, and rear yard requirements. The entire group as a unit shall require one (1) front, one (1) rear, and two (2) side yards as specified for principal buildings in the appropriate district. Each individual building shall meet all yard requirements for the appropriate district as if it were on an individual lot. Two-to-four family dwellings shall be limited to not more than one two-to-four family dwelling per lot unless approved as a Planned Unit Development.

SECTION 933
YARD REQUIREMENTS FOR CORNER AND THROUGH LOTS

On a corner lot or through (double frontage) lot, the principal building and all accessory buildings shall be required to meet the front yard requirement of the district from all street right-of-way lines. In the case where the rear lot line of a corner or through lot is adjacent to the side lot line of an adjoining lot, the rear setback line of the corner or through lot shall be not less than thirty (30) feet.

SECTION 934
INCREASED FRONT YARD REQUIREMENTS FOR CERTAIN DWELLINGS

Where at least thirty (30) percent of the frontage of lots between any two streets is developed with existing or proposed dwellings, and is in part of a platted subdivision that has been approved by the county, and recorded by the County Recorder, the front yard requirements of a new dwelling shall not be less than the average established front yard setback as determined by the Zoning Inspector even though that required in Table 2 may be less than the existing actual front yard setback. In areas that are not platted subdivisions, the Zoning Inspector may require larger front yard setbacks than are required in Table 2 if the setbacks of adjoining property owners are greater than is required by this Resolution. Any such requirement for a larger setback under the provisions of this section may be appealed to the Board of Zoning Appeals.

SECTION 935
ARCHITECTURAL PROJECTIONS INTO REQUIRED YARDS

All architectural projections shall be in accordance with the following provisions:

1. Chimneys, flues, sill, pilasters, cornices, eaves, gutters, bay windows, balconies, awnings, and other similar architectural features may project into any required yard a maximum of three (3) feet.

2. Open porches, decks and steps may extend from a dwelling into a required front yard a maximum of five (5) feet, provided such projections contain no living area and have no living area above them. All other structures, attachments and/or projections including, without limitation, porches, canopies, balconies, decks, platforms and carports shall be considered as part of the dwelling to which attached and shall not project into any required yard. Applicants shall consider this provision when making original application for a zoning permit so that future ant

SECTION 936
SPECIAL SETBACK REQUIREMENTS FOR BUSINESS AND MANUFACTURING DISTRICTS

Notwithstanding the requirements of Table 2, where a business or manufacturing district or use is adjacent to a residential district or use the minimum setback requirements of all principal building, accessory buildings, open storage, or parking and loading facilities shall comply with the following requirements:

Where Residential District or use adjoins a Business or Manufacturing District or use in a(n)	**Minimum Setback from a Residential District or use**	**Minimum Setback from an Existing Residential Dwelling**
SO District	Each Side Yard - 21 ft. Rear Yard - 25 ft.	
LB District	Each Side Yard - 21 ft. Rear Yard - 25 ft.	
GB District	Each Side Yard - 75 ft. Rear Yard - 75 ft.	
AB District	Front, Each Side and Rear Yards - 200 ft.	Front, Each Side and Rear Yards - 200 ft.
M-1 District	Front, Each Side and Rear Yards - 200 ft.	Front, Each Side and Rear Yards - 200 ft.
M-2 District	Front, Each Side and Rear Yards - 400 ft.	Front, Each Side and Rear Yards - 400 ft.

SECTION 937
HEIGHT LIMITATION EXCEPTIONS

The height limitations of this Resolution shall not apply to Churches, Schools, Hospitals, and such public buildings as a Library, Museum, Art Gallery, Fire Station, provided, that for each two (2) feet by which the height of such building exceeds the maximum height otherwise permitted in the district, its side and rear yards shall be increased by one-half (½) foot over the side and rear yards otherwise required in the district. Church spires, belfries, cupolas, and domes, monuments, fire and hose towers, observation towers, chimneys, smokestacks, flag poles, may exceed the height limitations, except where the height of such structures will constitute a hazard to the safe landing and take-off of aircraft at an established airport. The height of detached accessory buildings in residential districts shall not exceed ~~twelve~~ fourteen (~~12~~14) feet.

SECTION 940
SUBSTANTIALLY SIMILAR USES

Where a specific use is proposed that is not listed or provided for in Table 1, the Board of Zoning Appeals may make a determination upon appeal that the proposed use is substantially similar to any specific use provided for in Table 1. Should the Board find that a use is substantially similar to a specific use listed in Table 1, the substantially similar use is deemed to be a substantially similar permitted use in those districts where an "X" is found in the corresponding column of Table 1 and a substantially similar conditional use where a "C" is found in the corresponding column of Table 1. Substantially similar conditional uses may be permitted following the procedures specified in Sections 560 - 568, inclusive of this resolution. All substantially similar uses shall comply with any other regulations specified in Article 10 of this resolution. ~~Any use determined to be substantially similar which has no "X" or "C" in the corresponding column of Table 1 shall be a prohibited use and shall only be permitted upon rezoning of the land as provided in Article 6 of this resolution.~~ In making such a determination, the Board shall include as a part of its minutes a finding of fact explaining why the use was either determined or not determined to be substantially similar. The minutes shall be immediately filed in the office of the Township Trustees and with the Zoning Inspector. In making such a finding the Board of Zoning Appeals shall follow the procedures specified in Sections 546, 547, and 550 of this Resolution.

The following standards and guidelines shall be considered by the Board of Zoning Appeals when making a finding that a use in substantially similar:

1. The relationship and compatibility of the use to the general use classification system as specified in Section 910 of this resolution.
2. The nature, predominate character, and intensity of the use in relation to those uses specified in Table 1.
3. The size, dimensional requirements, traffic generation potential, anticipated sign needs, parking requirements, and other regulatory characteristics normally associated with uses specified in Table 1.

SECTION 950
CONDITIONAL USE REQUIREMENTS

For those uses that are conditionally permitted and denoted with a "C" in the corresponding column of Table 1, or where the use is determined to be a substantially similar conditional use, the procedures and requirements of Sections 560 - 568, inclusive, shall govern. In addition to the general standards which are applicable to all conditionally permitted uses, as specified in Section 563, for certain conditionally permitted uses, the specific conditions for that specific conditional use is specified in Section 568. None of these requirements, however, shall limit the ability of the Board of Zoning appeals from prescribing supplementary conditions and safeguards as provided for in Section 564.

SECTION 960
EXCEPTIONAL USE REQUIREMENTS

For an appropriate legal use or combination of uses of a unique nature or circumstance which are not otherwise permitted, the following procedures and requirements, in addition to those contained in Article 6 of this Resolution, shall govern the submission of an Exceptional Use zoning amendment.

PROCEDURE
The following procedure shall be followed in placing land in the Exceptional Use District.

DEVELOPMENT PLAN
Three (3) copies of a Development Plan shall be submitted with the application for amendment of the Zoning District Map and such plan shall include the following in text or map form:

1. The specific nature of the proposed use, proposed size of areas of use, indicating size, location and type of structure.
2. The proposed location, size and use of all open areas landscaped and other open space with suggested ownership of such areas.
3. The proposed provision of water, sanitary sewer and surface drainage facilities including engineering feasibility or other evidence of reasonableness.
4. The proposed circulation pattern including streets, both public and private, parking areas, walks and other access ways including their relation to topography, existing streets and other evidence of reasonableness.
5. The proposed schedule of site development and construction of buildings and associated facilities including sketches or other documentation indicating design principles or concepts for site development, buildings, landscapes or other features. Such schedule shall include the use or redevelopment of existing features such as structures, streets, easements, utility lines and land use.
6. The relationship of the proposed development to the existing and future land use in the surrounding area, the street system, community facilities and services and other public improvements.
7. Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan within one (1) year. Such control includes property rights, economic resources and engineering feasibility as may be necessary.

BASIS OF APPROVAL:
The basis of approval for the Exceptional Use District shall be:

1. That the proposed development is consistent with the purpose, intent and applicable standards of this Zoning Resolution;
2. That the proposed development is in conformity with a Comprehensive Plan or a portion thereof as it may apply, and is in accord with appropriate plans for the area;

3. That the proposed development advances the general welfare of Prairie Township and that the benefits to be derived from the proposed use justifies the change in the land use character of the area and is in keeping with the existing land use character and physical development potential of the area.

EFFECT OF APPROVAL

The Development Plan as approved by the Township Trustees shall constitute an amendment of the Prairie Township Zoning Map and a supplement to the Exceptional Use District Regulations as they apply to the land included in the approved amendment. The finally approved Development Plan and all uses, buildings and structures approved in connection therewith, may not be changed, added to or otherwise altered unless approved in accordance with Article 6 and, if applicable, Article 9 of this Resolution.

The approval shall be for a period of one (1) year to allow the preparation of the Subdivision Plat submitted in accordance with the Subdivision Regulations for Franklin County, Ohio, if required; or if no plat is required, for the completion of the plans for application for a Zoning Permit. If the plat is not submitted and filed nor such Zoning Permit applied for and used within the one (1) year period, the approval shall become void and the land shall revert to its last previous Zoning District, except if an application for time extension is submitted and approved in accordance with the following time extension provisions.

EXTENSION OF TIME OR MODIFICATION

An extension of the time limit or the minor modification of the approved Development Plan may be approved by the Prairie Township Board of Trustees. Such approval may be given only upon a finding of the purpose and necessity for such extension or modification and evidence of reasonable effort toward the accomplishment of the original Development Plan, and that such extension or modification is not in conflict with the general health, safety and morals or the public or the Development Standards of the Exceptional Use District.

DEVELOPMENT STANDARDS

Unless otherwise permitted as part of an approved Development Plan, uses permitted in the Exceptional Use District shall meet the development standards of the General Business District as specified in Table 2, Dimensional Requirements and, as applicable, the special setback requirements enumerated for General Business uses found in Section 936 of this Resolution, as well as all other general development standards and supplementary district regulations which are generally applicable to the General Business District. Because of the unique nature and requirements of these exceptional uses and because their location cannot be readily predicted, departure from the above referenced General Business development standards and other general standards and supplementary regulations may be warranted and permitted if approved as a part of a submitted Development Plan as being in the best interests of Prairie Township and the land involved, taking into consideration the effect upon adjacent property and surrounding area.

SECTION 961
AGRICULTURE

1. Subject to the provisions of subsection 2, below, with respect to lots greater than five (5) acres of land, nothing contained in this resolution shall prohibit the use of any

such land for agriculture purposes, or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, and no zoning certificate shall be required for any such use, building or structure.

2. In any platted subdivision approved under Ohio Revised Code sections 711.05, 711.09, or 711.10, or in any area consisting of fifteen (15) or more lots approved under section 711.131 of the Ohio Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road, agriculture shall be regulated as follows:

    a) Agriculture is prohibited on lots of one acre or less.

    b) Buildings or structures incident to the use of land for agriculture purposes on lots greater than one (1) acre but not greater than five (5) acres must conform to the setbacks, size and height requirements for the underlying zoning district. Subject to subsection 2 (c) below, agriculture is permitted on lots greater than one (1) acre but not greater than five (5) acres.

    c) Dairying and animal and poultry husbandry are permitted on lots greater than one acre but not greater than five acres until thirty-five percent of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured and mobile homes under section 4503.06 of the Ohio Revised Code. After thirty-five percent of the lots in the subdivision are so developed, ongoing dairying, animal and poultry husbandry shall be considered a nonconforming use pursuant to section 519.19 of the Ohio Revised Code and article 4 of this resolution. Dairying, poultry, and animal husbandry shall be prohibited on such lots after thirty-five percent of the lots are so developed.

ARTICLE 10
SUPPLEMENTARY DISTRICT REGULATIONS

SECTION 1000
GENERAL

The purpose of supplementary district regulations is to set specific conditions for various uses, classification of uses, or areas where problems are frequently encountered.

SECTION 1001
CONVERSION OF DWELLINGS TO MORE UNITS

A residence may not be converted to accommodate an increased number of dwelling units unless:

1. The district is properly zoned for an increase in dwelling units.
2. The yard dimensions still meet the yard dimensions required by the zoning regulations for new structures in that district.
3. The lot area per family equals the lot area requirements for new structures in that district.
4. The lot area shall be adequate to accommodate the required off-street parking for the converted unit.
5. The floor area per dwelling unit is not reduced to less than that which is required for new construction is such district.
6. The conversion is in compliance with all other applicable Federal, State, and local codes.
7. Notwithstanding the foregoing, this section shall not be construed to prohibit Accessory Apartment/Granny Flats as a conditionally permitted use in Section 568.

SECTION 1002
PRINCIPAL BUILDINGS PER LOT

Unless otherwise permitted in the MFR-12 District, no more than one principal building or structure except for tenant farm dwellings, may be constructed upon any one lot in a residential district for the purposes of this Resolution, except as provided for in Section 932 and 568. Rear dwellings shall be prohibited and considered non-conforming uses subject to the requirements of Article 4. Each dwelling shall be served by public water and sewer, or shall have its own well and on lot sewage system approved by the Board of Health. Cross connections shall be prohibited.

SECTION 1003
REDUCTION OF AREA OR SPACE

No lot, yard, parking area, or other space shall be reduced in area or dimension, thus making said area or dimension less than the minimum required by this Resolution and, if said area or dimension is already less than the minimum required by this Resolution, it shall not be further reduced. Nothing in this section shall be interpreted to limit the power of the Board of Zoning Appeals in granting variances in conformance with this Resolution.

SECTION 1004
CONSTRUCTION IN EASEMENTS

Easements for installation, operation and maintenance of utilities and drainage facilities are reserved as shown on each plat when recorded. Within these easements, no permanent building or structure, shall be placed or be permitted, which may damage or which may interfere with the installation, operation and maintenance of such utilities or which may change the normal direction of flow of drainage channels in the easements. The easement area of each lot and improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility is responsible.

SECTION 1005
PRIVATE SWIMMING POOLS

Private swimming pools are permitted in any zoning district, provided that all such swimming pools must be constructed and operated in compliance with the following provisions;

1. A certificate of zoning compliance shall be obtained prior to commencing the construction, alteration or installation of any private swimming pool.
2. The pool shall be used solely by the occupants of the property on which the private pool is located and their invited guests. Rental of a private pool to persons who do not occupy the property where the pool is located is prohibited.
3. No private swimming pool shall be located closer than ten (10) feet from any property line, or within twenty-five (25) feet from, or under, any power line and no private swimming pool shall encroach upon any required front, rear, or side setback required for accessory buildings, or cover or encroach upon any required on-lot sewage system.
4. The swimming pool or that area of the yard where a private swimming pool is located, and fencing is permitted, shall be walled or fenced in order to prevent uncontrolled access from the street or from adjacent properties. No such fence shall be less than five (5) feet in height. All fences required for private swimming pools

shall be maintained in good condition, and secured with a locked gate at all times when the private swimming pool is not in active use.

5. Exterior lighting shall be shaded wherever necessary in order to avoid casting direct light upon any other property or any public street.

6. Above ground swimming pools shall not be required to comply with the fence requirements of this section if they have moveable or removable stairs that are removed or secured to make them unusable when the pool is not in active use.

7. Portable swimming pools and above ground swimming pools that are less than twelve (12) feet in diameter and have less than one hundred (100) square feet of surface area, or that are less than two (2) feet in depth are exempted from the permit and fencing requirements of this section.

SECTION 1006
PLACEMENT OF MOBILE HOMES IN RESIDENTIAL DISTRICTS AND MOUND DWELLINGS

Other provisions of this resolution define a mobile home and dwelling. The purpose of this section is to express the intent of Prairie Township as it relates to the treatment of what is commonly considered mobile homes as defined in Ohio law as house trailers as of January 1, 1983. It is the intent of Prairie Township to differentiate a mobile home from other dwellings primarily on the basis of taxation. A mobile home is subject to a trailer tax while a dwelling is subject to real property taxation. A unit sold as a motor vehicle and having such a title shall become a dwelling for the purposes of this resolution when an owner presents evidence to the Zoning Inspector that the County Auditor has or will place the unit on the real property duplicate after placement. Mobile homes subject to the trailer tax shall only be located in approved mobile home parks. In addition, a unit sold and titled as a vehicle shall not be given a permit until such time as the applicant for a permit for a single family dwelling subject to real property taxation shows on his application that:

1. All other requirements of this resolution will be met including minimum dimensional requirements and minimum floor area requirements.

2. The unit will be placed on a permanent foundation following the manufacturer's recommended plan for foundation and attachment of the unit thereto.

3. The proposed placement of the unit on an individual lot will meet the minimum requirements of the Franklin County Building Code where the building code requirements have not been pre-empted by the state or federal law.

Notwithstanding any other provision of this resolution, no unit originally titled as a motor vehicle and subject to the trailer tax shall, upon conversion to real property, be located outside of an approved mobile home park if said unit, when it left the factory, had a roof pitch of less than 3/12.

Mound dwellings or other energy efficient dwellings shall be permitted provided that they shall not later be increased in height. An applicant shall submit plans to the Zoning Inspector,

who may require setbacks greater than those required in Table 2. A basement house shall not be considered a mound dwelling and is a prohibited use.

SECTION 1007
GARAGES AND DRIVEWAYS IN RESIDENTIAL DISTRICTS

Any single family dwelling constructed on or after the effective date of this Resolution or any amendment thereto shall contain a private garage as defined in Section 210 of this Resolution. In addition, existing single family dwellings containing a garage shall continue to maintain a garage on the premises.

Separate private driveways for each lot shall be required, and they shall not be in common use with the required driveway of any other lot, unless it is required by the Franklin County Subdivision Regulations to limit access to arterial or collector thoroughfares or unless a variance is granted by the Board of Zoning Appeals. The intent of this provision is to eliminate the establishment of private driveways that effectively provide access to lots that do not have full frontage on a public road through common usage or reciprocal easements on portions of lots fronting on public roads. Prairie Township declares such access arrangements as contrary to the public health and safety by not providing adequate access to fire and to the safety equipment and forces.

SECTION 1009
ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS

It is the intent of Prairie Township to permit accessory buildings in residential districts as permitted uses in all districts except the MFR where such uses are conditionally permitted in compliance with Section 568 of the Resolution. An accessory use shall not be constructed on a lot that does not contain a principal building. Accessory buildings include such uses as storage sheds and similar buildings. A zoning permit for such buildings shall be required only if the buildings will be subject to property taxation. In all cases, however, the building shall be required to comply with all setback requirements specified in this Resolution and shall be anchored to the ground to protect the public health and safety. Screw type anchors shall be required if the buildings are not attached to a permanent foundation, and shall be installed below the normal frost line.

SECTION 1010
REQUIRED TRASH AREAS

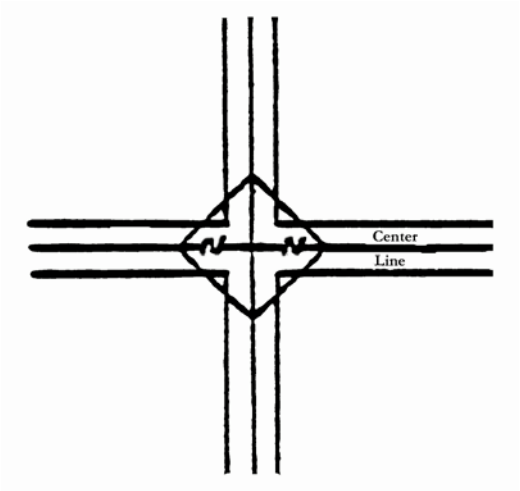
All commercial, industrial, and multi-family residential uses providing trash and/or garbage collection areas shall have such area(s) enclosed on at least three sides by a solid wall or fence of at least four (4) feet in height if such area(s) is not within an enclosed building or structure. Provisions for adequate vehicular access to and from such area(s) for collection of trash and/or garbage as determined by the Zoning Inspector shall be required.

All other residential uses shall place all trash, garbage, and solid waste in an enclosed container of adequate size. Containers shall not be placed at the road right-of-way prior to twenty-four (24) hours before regularly scheduled trash pickup.

SECTION 1011
VISIBILITY AT INTERSECTIONS

No structure, building, or vegetation shall be erected, placed, planted, or allowed to grow on any corner lot so as to create sight impediment within seventy five (75) feet of the intersecting centerlines of any two or more streets. In addition, no parking shall be allowed within this area. In determining if sight impediment exists, the Zoning Inspector shall measure the sight distance between the centerlines of such streets at a height of two and one-half (2 ½) feet above the actual grades of the streets, unless unique topographical conditions of the site in question, require a greater distance. Trees shall comply with the provisions of Section 1013 (2). (See Illustration)

Sight distance to remain open at 2 ½ feet above the grade of the street between any two points within this area.



SECTION 1012
TEMPORARY USES

The following regulations are necessary to govern the operation of certain uses which are non-permanent in nature. Application for a Zoning Permit shall be made to the Zoning Inspector at least thirty (30) days before the event, containing a graphic description of the property to be utilized and a site plan, a description of the proposed use, and sufficient information to determine yard requirements, setbacks, sanitary facilities, and parking space for the proposed temporary use. The following uses are deemed to be temporary uses and

shall be subject to the specific regulations and time limits which follow and to the regulations of any district in which such use is located:

1. Carnivals, Circuses, Tent Meetings, Bazaars, Festivals, Flea Markets, Art Shows, or Other Similar Public Events sponsored by a public or non-profit organization, may be permitted within any non-residential district or upon church, school or other similar sites within any residential district. This section does not permit major rock concerts or similar functions that will normally attract more than five hundred (500) persons. Such uses shall only be permitted on lots where adequate off-street parking can be provided and shall not be permitted for a period longer than ten (10) consecutive days.

2. Christmas Tree Sales may be permitted within any non-residential district for a period not exceeding thirty-five (35) days.

3. Real Estate Sales Offices may be permitted within any district for any new subdivision. Such office shall contain no living accommodations. The permit shall be valid for one (1) year, but two (2) six-month extensions may be granted if conditions warrant such renewal. Such office shall be removed upon completion of sales of the lots therein, or upon expiration of the Zoning Permit. Whichever occurs sooner.

4. Temporary offices for contractors and equipment sheds incidental to a construction project may be permitted within any district. The permit shall not be valid for more than one (1) year but may be renewed for six-month extensions if construction is substantially underway. Such uses shall be removed immediately upon completion of the construction project, or upon expiration of the Zoning Permit, whichever occurs sooner.

5. Garage sales may be permitted within any district in which dwellings are permitted. A temporary zoning permit for such activities shall only be issued three (3) times for any particular lot within any twelve (12) month period and shall not exceed a period of four (4) consecutive days. All garage sales shall be conducted in such a manner so as not to create a traffic hazard. Garage sales organized or sponsored by a community organization shall require a temporary zoning permit to be issued to the community organization. Any persons participating in such a community sponsored garage sale is not required to obtain an individual permit. Any person participating in a community sponsored garage sale is still entitled to three (3) permits within any twelve (12) month period. For the purposes of this Section garage sales shall also include barn sales, yard sales, and similar uses or activities.

6. Temporary sales may be permitted within parking lots within any business district. A temporary zoning permit for such activities shall only be issued three (3) times to any individual or organization for any such parking lot within any twelve (12) month period and shall not exceed a period of ~~four (4)~~ ten (10) consecutive days. Written permission from the property owners is required. A temporary use permit shall not be issued if it is determined by the Zoning Inspector that encroachment of more than twenty five (25) percent of the required storage or parking areas will take place. Not more than one (1) sale shall be permitted at the same time.

7. Farm markets shall be permitted in any district provided that at least fifty percent (50%) of the gross income from the market is derived from sale of products which are

produced on lands farmed by the proprietor and adequate area exists outside of the right-of-way for parking so not to interfere with traffic on adjacent thoroughfares. All other farm markets and similar seasonal product sales are permitted in any zoning district, subject to the following regulations:

a) Temporary and seasonal product sales buildings, tents, trailers and other structures associated with a seasonal and temporary farm market shall be placed outside of the road right-of-way and located at least twenty-five (25) feet from the edge of any road off-street parking. In no case shall any portion of any road pavement be used for or considered customer parking to serve a farm market. Temporary and seasonal farm markets are farm markets that are open to the public and operate for no more than a total of ninety (90) calendar days in a calendar year;

b) A temporary zoning permit will be required, including written permission from the owner of the property; and

c) No more than one (1) sign for a temporary and seasonal farm market denoting the name and address of the operator; signs not to exceed six (6) sq. ft. in residential districts and 32 sq. ft. in all other districts as permitted in Section 1215.

SECTION 1013
SCREENING

No buildings or structures shall be erected, altered, or enlarged nor shall land for any non-residential use on a lot that adjoins or faces any Residential District be used nor shall any multiple family use be established adjoining any single family development, until a plan for screening has been submitted, approved by the Zoning Inspector, or the Board of Zoning Appeals in case of Conditional Uses, except in accordance with the following provisions:

1. Screening shall be provided for one or more of the following purposes:

    a) A visual barrier to partially or completely obstruct the view of structures or activities.

    b) As an acoustic screen to aid in absorbing or deflecting noise.

    c) For the containment of debris and litter.

2. Screening may be one of the following or a combination of two or more, as approved by the Zoning Inspector or Board of Zoning Appeals.

    a) A solid masonry wall.

    b) A solidly constructed decorative fence.

    c) Louvered fence.

    d) Dense evergreen plantings.

    e) Landscaped mounding.

3. Whenever any non-residential use abuts a residential district, a visual screening wall, fence, planting and/or a landscaped mound shall be erected or placed beside such mutual boundary lines, except where the Zoning Inspector has determined that a traffic hazard will be created.

4. Height of screening shall be in accordance with the following:

    a) Visual screening walls, fences, planting, or mounds shall be a minimum of five and one half (5 ½) feet high in order to accomplish the desired screening effect, except in required front yards when maximum height shall be not greater than two and one-half 2 ½ feet. Exception to the height of screening in the front yard may be provided for by the Board of Zoning Appeals.

    b) A dense evergreen planting with a minimum height of four (4) feet at planting and a mature height of at least five and one-half (5 ½) feet or greater or a solidly constructed decorative fence shall be permanently maintained along the mutual boundary of an accessory parking area and adjacent land zoned for residential uses except for the portion of such boundary located within a required front yard.

5. Screening for purposes of absorbing or deflecting noise shall have a depth of at least fifteen (15) feet of dense planting or a solid masonry wall in combination with decorative plantings.

6. Whenever required screening is adjacent to parking areas or driveways such screening shall be protected by bumper blocks, posts, or curbing to avoid damage by vehicles. All screening shall be trimmed, maintained in good condition, and free of advertising or other signs.

Before the Zoning Inspector approves a zoning permit including the type of screening that will be provided adjacent to residential districts or uses, he shall attempt to consult with adjoining property owners, within ten (10) days of the filing of the application to obtain input and shall keep records of such contacts including comments and recommendations by such owners.

SECTION 1014
FENCES~~,~~ AND WALLS~~, AND VEGITATION~~

The location and height of all fences~~,~~ and walls~~, and vegetation~~ used or effectively used for screening shall be in accordance with the following provisions:

1. No fence shall be erected or repaired without the issuance of a certificate of zoning compliance. ~~The repair of an existing fence shall be allowed without issuance of a new certificate of zoning compliance only if it meets all of the requirements of this section and the materials, height and location do not vary from the materials, height and location of the fence that is being repaired.~~

2. No fence or wall ~~hedge, or other vegetation~~ shall be permitted closer than fifteen (15) feet from any road right-of-way line ~~unless it is less than two and one half (2 ½) feet in height~~. Existing trees closer than fifteen (15) feet to any road right-of-way shall be

trimmed so that there is a clear sight area between two and one-half (2 ½) and six (6) feet from the actual grade so as not to create a sight impediment. Fences or walls located between fifteen (15) feet from any road right-of-way and the principal structure shall not exceed four (4) feet in height. Fences or walls located behind the principal structure shall not exceed six (6) feet in height. In addition, no accessory structure, wall, fence or vegetation of any kind may be constructed, placed, planted or allowed to grow which would visibly obscure, hide, or screen fire hydrants, street address numbering, or other security or emergency service equipment, controls or components.

3. Fences, walls or other landscaping equipped with or having barbed wire, spikes, sharp points or any similar device or an electrical charge sufficient to cause shock shall be prohibited except for the use of barbed or electrified wire outside of a platted subdivision in a Rural District, provided that such use is in accordance with Ohio Revised Code Section 971.03(B). This section shall not be construed or applied to prohibit underground invisible fences installed for the purpose of confining pets to property.

4. All fences shall be structurally sound, safe, and properly finished at all times. Fences shall be designed, constructed, and finished so the supporting members thereof shall face the property of the owner of the fence. Ground areas between fences and property lines and between fences shall be kept properly maintained at all times.

SECTION 1015
PARKING AND STORAGE REQUIREMENTS

The parking and/or storage of mobile homes, recreational vehicles, or other vehicles other than passenger cars upon any lot shall be in accordance with the following provisions:

1. Mobile homes shall not be stored or parked outside of any mobile home park. No living quarters shall be maintained or any business conducted within any mobile home located outside of any Mobile Home Park District.

2. One (1) recreational vehicle (other than a junk vehicle) may be parked or stored on a lot outside of an enclosed structure within any zoning district, provided the following requirements are met:

    a. No recreational vehicle shall be parked or stored on any lot which is not improved with a principal building. When parked or stored outside an enclosed structure, the recreational vehicle shall be located no closer than fifteen feet from any road right-of- way line.

    b. Recreational vehicles shall not be used as a dwelling unit or for living, sleeping or housekeeping purposes outside of an approved recreation camp. The wheels or any similar transporting devices of any recreational vehicle shall not be removed except for repairs which are promptly commenced and completed within twenty-four (24) hours, nor shall any recreational vehicle be permanently attached to the ground.

3. Outdoor storage or parking of Commercial Vehicles, backhoes, bulldozers, well rigs, and other similar construction equipment, other than equipment temporarily used for construction upon the site, shall not be permitted within any residential district unless a Conditional Use is granted by the Board of Zoning Appeals pursuant to the criteria stated in No. 4.

4. The outdoor storage or parking of Commercial Vehicles, backhoes, bulldozers, well rigs, and other similar construction equipment not used in a permitted agriculture activity occurring on the property may be permitted as a conditional use within any Rural District, provided that all such storage must be completely concealed from the view of all roads and residentially used properties, and no such use shall create excessive noise, dust, or other offensive or nuisance attributes detectable from properties other than the property where the storage is allowed. In considering such requests, the Board of Zoning Appeals shall consider the size of the lot, location, topography, screening, road condition, and surrounding land uses, and may limit the number of equipment pieces and where they are stored.

5. The storage of tools, landscaping instruments, household effects, machinery or machinery parts, empty or filled containers, boxes or bags, trash and similar items in a residential district shall be placed and stored as to be concealed from view. These provisions do not apply to items placed at the road right-of-way line on regular trash collection days for a period of twenty-four (24) hours prior to pick up.

SECTION 1016
OUTDOOR STORAGE AND STORAGE OF HAZARDOUS MATERIALS

1. All outdoor storage shall comply with the following requirements:

    a) All outdoor storage areas shall be adequately screened from view from any residential district or residential use, and from all public roadways, by an appropriate wall, fence, or screen approved by the Zoning Inspector. Factors to be used by the Zoning Inspector in determining the adequacy of screening shall include all of the following:

        i. All required screening shall have an opaqueness of sixty percent (60%) or more during all seasons of the year.

        ii. All required screening shall be at least six (6) feet in height.

        iii. If screening is to be accomplished by landscaping, the landscape materials shall achieve the standards stated above within a period of five (5) years or less.

    b) Materials or wastes which might cause fumes, dust, which constitute a fire hazard, or which may be edible or attractive to rodents or insects shall be stored outdoors only in closed containers constructed of impervious material.

    c) No materials or wastes shall be deposited upon a lot in such form or manner than they may be transferred off the lot by wind, flood, or natural causes or forces.

2. The storage of hazardous materials on a lot shall comply with the following requirements.

    a) The outdoor storage of hazardous materials shall comply with the outdoor storage provisions set forth above.

    b) Highly flammable or explosive gases shall not be stored in bulk above ground except within the manufacturing district or as otherwise approved by the appropriate fire officials. The storage areas of such materials shall be completely enclosed by a solid wall or fence adequate to ensure the safety of surrounding land uses. Fuel products stored for use in permitted agricultural activities occurring on the lot on which such products are stored are excluded from this provision.

    c) The storage of hazardous or toxic materials shall not be permitted without documented approval by the Ohio environmental protection agency.

SECTION 1017
ACCESS RESERVATIONS FOR FUTURE DEVELOPMENT

Applicants choosing to subdivide land along existing public roads are required to reserve parcels of land for access to the rear of the property for future development. Such reservation strips should be a minimum of sixty (60) feet in width, and are for the purpose to avoid "landlocked" parcels of land in the future.

SECTION 1018
JUNK

The accumulation or storage of trash, junk vehicles, vehicle parts, rags, or any other debris defined as junk in the Ohio Revised Code in any district shall be a nuisance per se and shall be prohibited outside of an approved junk yard.

The purpose of this section is to promote the health, safety and welfare of Prairie Township by eliminating environments for breeding of vermin, rodents, insects, and infestations.

SECTION 1019
FIRE HAZARDS

Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire prevention equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance which is compatible with the potential danger involved.

SECTION 1020
RADIOACTIVITY OR ELECTRICAL DISTURBANCE

No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation of any equipment at any point other than that of the creator of such disturbance.

SECTION 1021
NOISE

Objectionable noise as determined by the Zoning Inspector which is due to volume, frequency, or beat shall be muffled or otherwise controlled. Air-raid sirens and related apparatus used solely for public purposes are exempt from this requirement.

SECTION 1022
VIBRATION

No vibration shall be permitted which is discernible without instruments on any adjoining lot or property.

SECTION 1023
AIR POLLUTION

Air pollution shall be subject to the requirements and regulations established by the Director of the Ohio Environmental Protection Agency.

SECTION 1024
GLARE

No direct or reflected glare shall be permitted which is visible from any property outside a manufacturing district or from any street.

SECTION 1025
EROSION

No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties.

SECTION 1026
WATER POLLUTION

Water pollution shall be subject to the requirements and regulations established by the Director of the Ohio Environmental Protection Agency.

SECTION 1027
PONDS

Man-made ponds may be excavated, constructed, changed, enlarged and maintained only in accordance with the requirements of section 1027. This section shall apply to all ponds including any existing pond which is drained and subsequently reconstructed, or is enlarged. No pond shall be located closer than ten (10) feet from any property line and fifteen (15) feet from any road right-of-way line. All ponds shall be properly maintained and shall function as originally designed and shall be free from objectionable conditions (i.e. odors, improper drainage, etc.) so as not to be a public nuisance. No pond shall be constructed within the boundaries of the 100-year flood plain of any waterway. The pond shall not cover, encroach upon or adversely impact any on-lot sewage system. All ponds shall be designed and constructed in accordance with the standards and specifications established in the Natural Resources Conservation Service, Conservation Practice Standard Pond Code 378. Retention and detention ponds delineated on a plat and constructed as part of a subdivision and regulated by applicable subdivision regulations shall be exempt from the requirements of this section. In addition to the foregoing regulations, the following criteria shall be met:

1. For ponds equal to or less than 750 square feet in water surface area and having a maximum depth of four (4) feet or less at any point:

    a) A certificate of zoning compliance shall be required prior to the commencement of any construction.

    b) The design and proposed configuration of the pond shall not adversely affect the drainage characteristic of, or flow to or from, the area where the pond is to be located.

    c) In order to document conformance with these requirements and prior to issuing a zoning permit, the Zoning Inspector may require that the application be accompanied by letters indicating approval of the proposal from any or all of the following: the Franklin County Soil and Water Conservation District; Franklin County Board of Health; Franklin County Engineer; county or regional planning commission; or such other or additional applicable governmental authority as the Zoning Inspector may reasonably determine necessary in order to determine compliance with these criteria.

2. For ponds greater than 750 square feet in water surface area, or any pond having a depth greater than four (4) feet at any point:

    a) An application for a conditional certificate of zoning compliance shall be required prior to the commencement of any construction. A final certificate of

zoning compliance shall be required to be obtained once construction is completed and after the final inspection by and approval of the Franklin County Soil and Water Conservation District and the Zoning Inspector.

b) The pond shall be designed by a registered professional engineer or a registered landscape architect.

c) The application for a conditional certificate shall be accompanied by a pond development plan which is to be submitted to the Franklin County Soil and Water Conservation District (via the Prairie Township Zoning Department) for review and approval. The pond development plan shall include the following:

   i. Location and elevation of principal and emergency spillway outlets.

   ii. Location and elevation of outlet discharge points.

   iii. Location and elevation of dam and pool area.

   iv. Proposed final grade of pond and surrounding area.

   v. Locations of spoil disposal area.

   vi. Soil stabilization plan including seeding, mulching, and fertilizing information.

   vii. Copy of all design calculations.

   viii. Elevations at inlet and outlet structure.

   ix. Proposed and final grading elevations.

   x. Profile of principal and emergency spillways.

   xi. Cross-section of the pool area and emergency spillway.

   xii. Soils log on the plan and location of all test holes.

   xiii. Proposed construction schedule.

   xiv. Other information deemed reasonably necessary by the Franklin County Soil and Water Conservation District or the Prairie Township Zoning Department.

d) The property owner or applicant will pay all costs associated with the review and inspection of the pond and all plans relating thereto. These costs shall be paid upon request and prior to the commencement of any construction

e) Prior to commencing construction of the pond, the owner/applicant and the contractor shall request a preconstruction meeting with the Zoning Inspector and the Franklin County Soil and Water Conservation District representative. This request shall be made to the Zoning Inspector at least seven (7) days prior to the anticipated date of the beginning of construction. The purpose of this meeting is to review the pond development plan, the method of construction and to establish a periodic inspection

schedule for purposes of ensuring that the pond is being constructed in compliance with approved plans. The property owner and contractor shall adhere to the inspection schedule so established and shall provide access to the site for purposes of such inspections.

f) After the completion of all construction and grading activities, but prior to seeding, the owner/applicant shall notify the Zoning Inspector that the pond is ready for final inspection. Following this notification, the Franklin County Soil and Water Conservation District representative and the Zoning Inspector will meet on site with the owner/applicant and contractor to conduct a final inspection to ensure that the pond has been constructed in accordance with approved plans and the provisions of this section. A final certificate of zoning compliance will be issued following a determination that the pond has been properly constructed; subject, however, to completing all seeding and related landscape activities. Failure to obtain a final certificate of zoning compliance shall be deemed a violation of this zoning resolution. Section 1028.

SECTION 1028
ENFORCEMENT PROVISIONS

The Zoning Inspector, prior to the issuance of a zoning permit, shall require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerances, and subject to the requirements and regulations established by the Director of the Ohio Environmental Protection Agency.

ARTICLE 11
OFF-STREET PARKING AND LOADING FACILITIES

SECTION 1100
GENERAL REQUIREMENTS

No building or structure shall be erected, substantially altered, or its use changed unless permanently maintained off-street parking and loading spaces have been provided in accordance with the provisions of this resolution.

The provisions of this Article, except where there is a change of use, shall not apply to any existing building or structure. Where the new use involves no additions or enlargements, there shall be provided as many of such spaces as may be required by this resolution.

Whenever a building or structure constructed 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 in the number of existing parking spaces, additional parking spaces shall be provided on the basis of the enlargement or change. Whenever a building or structure existing prior to the effective date of this resolution is enlarged to the extent of twenty-five (25) percent or more in floor area, number of employees, number of housing units, seating capacity or otherwise, said building or structure shall then and thereafter comply with the full parking requirements set forth herein.

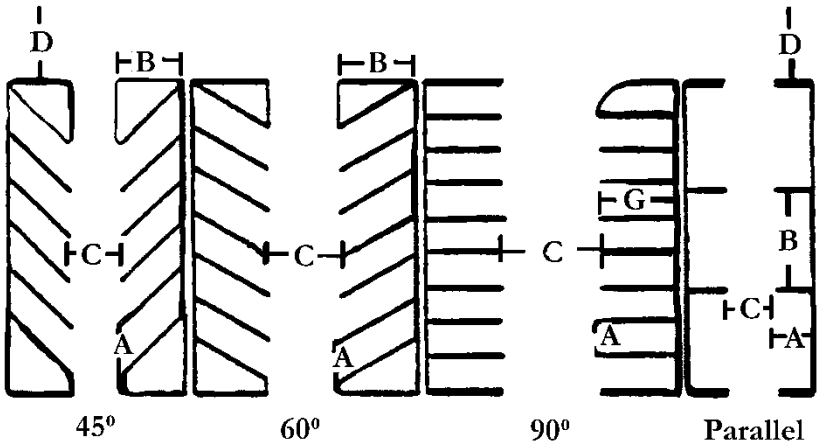
SECTION 1101
REQUIRED PARKING AND LOADING PLAN

A parking and loading plan shall not be required for single-family or two-family residential uses. All other land uses shall submit a parking and loading plan to the Zoning Inspector as a part of the application for a Zoning Permit. The parking and loading plan shall show boundaries of the property, parking spaces, loading areas, circulation patterns, drainage plans, construction plans for any boundary walls of fences, a screening plan, and the location of adjacent houses or buildings. Required off street parking and loading facilities shall be located on the same lot as the structure or use served, except that a parking facility providing the sum of parking space required of several uses may be provided contiguous and in common to the structures and uses served.

SECTION 1110
OFF STREET PARKING SPACE DESIGN STANDARDS

All parking facilities, including entrances, exits, maneuvering areas, and parking spaces shall be in accordance with the following specifications.

1. **PARKING SPACE DIMENSIONS:** All parking spaces shall be in accordance with the following design requirement:



	45	60	90	Parallel
A. Width of Parking Space	14'	11.5'	10'	9'
B. Length of Parking Space	21'6"	22'	20'	23'
C. Width of Driveway Aisle	13'	17'6"	25'	12'
D. Width of Access Driveway	17'	17'	17'	17'

2. **ACCESS**
   All parking spaces, except those required for single family or two family uses not fronting upon a local street, shall have access to a public street in such a manner that any vehicle leaving or entering the parking area from or into a public street or private interior drive shall be traveling in a forward motion.

3. **PAVING**
   Except for single family dwellings located in the Rural District, all required parking spaces, driveways, and other circulation areas, shall be hard-surfaced having an asphalt or concrete binder, provided however, that variances for parking related to school auditoriums, assembly areas, sports fields and other community meetings may be granted provided that paved areas shall be provided for daily use parking areas.

4. Notwithstanding the foregoing, within the Big Darby Accord Watershed, Prairie Township requires the use of appropriate pervious pavements and other technologies that will reduce run-off and maximize infiltration of stormwater.

5. **DRAINAGE**
   All parking spaces, together with driveways, aisles, and other circulation areas shall be graded and drained so as to dispose of surface water which might accumulate within or upon such area, and shall be designed to prevent the excess drainage of surface water onto adjacent properties, walkways, or onto the public streets. Adequate arrangements shall be made to insure acceptable diversion to an adequate storm water drainage system.

6. **BARRIERS**
   Wherever a parking lot extends to a property line, fencing, wheel stops, curbs, or other suitable barriers shall be provided in order to prevent any part of a parked vehicle from extending beyond the property line.

7. **SCREENING**
   Screening shall be required as provided in Section 1013.

8. **OTHER USES WITHIN REQUIRED PARKING AREAS**
   No motor vehicle repair work or service of any kind, except emergency repairs, shall be permitted in or associated with any off-street parking area. Display or sales of any merchandise within any parking area shall be permitted only by the Zoning Inspector in accordance with Section 1012 (6).

9. **LANDSCAPING**
   All parts of open off-street parking areas which are unusable, either for parking or for traffic, shall be landscaped with plantings of grass, flowers, shrubs, and/or trees, which shall be continuously maintained. Whenever a parking area is located in or adjacent to a residential or agricultural district it shall be effectively screened on all sides which adjoin or face any property used for residential purposes, by an acceptably designed wall, fence, or planting screen. Such fence, wall, or planting screen, and the lot line of the adjoining premises in any residential or agricultural district shall be landscaped with grass as provided for in Section 1013.

10. **VISIBILITY**
    Access of driveways for parking areas shall be located in such a way that any vehicle entering or leaving such parking area shall be clearly visible for a reasonable distance by any pedestrian or motorist approaching the access or driveway from a public or private street.

11. **MARKING**
    All parking spaces shall be marked with paint lines, curb stones, or in any other manner approved by the Zoning Inspector and maintained in clearly visible condition.

12. **MAINTENANCE**
    The owner of property used for parking areas shall maintain such areas in good condition without holes and free of all dust, trash, or other debris.

13. **LIGHTING**
    Any parking area which is intended to be used during non-daylight hours shall be

properly illuminated as to avoid accidents. Any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property.

14. **SETBACK REQUIREMENTS**
    No part of any parking area for more than ten (10) vehicles shall be closer than twenty (20) feet to any dwelling unit, school, hospital, or other institution for human care located on an adjoining lot, unless separated by an acceptably designed screen. If on the same lot with a one family residence, the parking area shall not be located within the front yard required for such building. In no case shall any part of the parking area for more than ten (10) vehicles be closer than four (4) feet to any established street or alley right-of-way. In the case of private residences, no car shall park closer than four (4) feet from the paved or traveled portion of an alley.

15. **SIGNS**
    Where necessary due to multiple curb cuts, the entrances, exits, and the intended circulation pattern of the parking area shall be clearly marked.

16. **JOINT USE OF FACILITIES**
    Two or more non-residential uses may jointly provide and use parking spaces when their hours of operation do not normally overlap, provided that such an arrangement is provided within the deeds or other written legal documents approved by the Board of Zoning Appeals.

17. **COLLECTIVE PARKING AREAS:** Two or more non-residential uses may collectively provide the required off-street parking area, provided the required number of parking spaces shall not be less than the sum of the requirements for the individual uses computed separately.

SECTION 1120
PARKING SPACE REQUIREMENTS

For the purposes of this Resolution the following parking space requirements shall apply. The number of parking spaces required for uses not specifically mentioned shall be determined by the Board of Zoning Appeals following the substantially similar use procedure as specified in Section 940.

SECTION 1121
RESIDENTIAL

1. **Single Family or Two-to-Four Family Dwelling**
   Two for each unit

2. **Multi-Family Dwellings**
   Two and one-half for each unit

3. **Mobile Homes**
   Two for each unit

SECTION 1122
COMMERCIAL

1. **Animal Hospitals and Kennels**
   One for each 400 square feet of floor area and one for each two employees

2. **Motor Vehicle Repair Station**
   One for each 800 square feet of floor area and one for each employee

3. **Motor Vehicle Salesrooms, Wholesale Stores, Machinery or Other Large Item Sales, and Similar Uses**
   One for each 400 square feet of floor area and one for each employee

4. **Motor Vehicle Service Stations**
   Two for each service bay and one for every two gasoline pumps

5. **Car Washing Facilities**
   One for each employee

6. **Banks, Financial Institutions, Post Offices, and Similar Uses**
   One for each 250 square feet of floor area and one for each employee

7. **Barber and Beauty Shops**
   Three for each barber or beauty operator

8. **Carry-Out Restaurants**
   One for each 200 square feet of floor area and one for each two employees, with a minimum total of eight spaces

9. **Drive-In Restaurants**
   One for each 125 square feet of floor area and one per each two employees

10. **Hotels, Motels**
    One per each sleeping room plus one space for each two employees

11. **Funeral Homes, Mortuaries and Similar Type Uses**
    One for each 50 square feet of floor area in slumber rooms, parlors, or service rooms

12. **Laundromats**
    One for each washing and dry cleaning machine

13. **Offices, Public or Professional Administration, or Service Building**
    One for each 300 square feet of floor area

14. S**it Down Restaurants, Taverns, Night Clubs, and Similar Uses**
    One for each three persons capacity, and one for each three employees

15. **Retail Stores**
    One for each 250 square feet of floor area

16. **All Other Types of Business or Commercial Uses Permitted in Any Business District**

One for each 300 square feet of floor area

SECTION 1123
RECREATIONAL AND ENTERTAINMENT

1. **Bowling Alleys**
   Four for each alley or lane and one for each three person capacity of the area used for restaurant, cocktail lounge, or similar use and one for each three employees

2. **Dance Halls, Skating Rinks**
   One for each 100 square feet of floor area used for the activity and one for each three person capacity in a restaurant, snack bar, or cocktail lounge, and one for each three employees

3. **Outdoor Swimming Pools: Public, Community or Club**
   One for ten persons capacity plus one for each three person capacity for a restaurant or snack bar

4. **Auditoriums, Sport Arenas, Theaters, and Similar Uses**
   One for each three seats

5. **Golf Courses Open to the General Public**
   Five for each hole, one for each employee, and one space for each three person capacity of area used for restaurant, cocktail lounge or similar purpose

6. **Miniature Golf Courses**
   Two for each hole and one for each employee

7. **Private Clubs and Lodges**
   One for each three persons capacity

8. **Tennis Facilities, Racquetball Facilities or Similar Uses**
   Two for each playing area, and one for each employee, and one for each 100 square feet of other activity area

SECTION 1124
INSTITUTIONAL

1. **Churches And Other Places Of Religious Assembly**
   One for each 3 seats

2. **Hospitals**
   One and one-half for each bed

3. **Sanitariums, Homes for the Aged, Nursing Homes, Children's Homes, Asylums, and Similar Uses**
   One for each 2 beds

4. **Medical and Dental Clinics**

One for every 100 square feet floor area

5. **Libraries, Museums, and Art Galleries**
   One for each 400 square feet floor area

SECTION 1125
SCHOOLS (PUBLIC, PAROCHIAL, OR PRIVATE)

1. **Elementary, Middle Schools, and Kindergartens**
   One for each teacher and employee, plus one parking space per student, up to ten percent (10%) of the student body

2. **High Schools**
   One for every ten students, one for each teacher and employee, or one for every four seats in auditoriums, assembly areas or sports fields, whichever is greater. In the event a high school is located in the same building or on the same lot with any other level of school, then the parking requirements for high schools shall apply to all such levels of schools

3. **Business, Technical and Trade Schools**
   One for each two students and one for each teacher and employee

4. **Child Care Centers, Nursery Schools, and Similar Uses**
   Four for each classroom but not less than ten for the building

SECTION 1126
MANUFACTURING

1. **All Types of Manufacturing, Storage, and Wholesale Uses Permitted in any Manufacturing District**
   One for every l l/2 employees (on the largest shift for which the building is designed) plus one for each motor vehicle used in the business

2. **Cartage, Express, Parcel Delivery, and Freight Terminals**
   One and one half for every 1 employee (on the largest shift for which the building is designed) and one for each motor vehicle maintained on the premises

SECTION 1140
GENERAL INTERPRETATION

In the interpretation of this Article, the following rules shall govern:

1. Where floor area is designated as the standard for determining parking space requirements, floor area shall be the sum of the gross horizontal area of all the floors on a non-residential building measured from the faces of the interior walls, excluding only stairs, washrooms, elevator shafts, and similar non-usable areas.

2. Where seat capacity is the standard for determining parking space requirements, the capacity shall mean the number of seating units installed or indicated or each eighteen (18) lineal inches of benches, pews, or space for loose chairs, except where occupancy standards are set by the Fire Marshall.

3. Fractional numbers shall be increased to the next whole number.

SECTION 1141
VARIANCES

Variances to parking space requirements may be granted upon appeal to the Board of Zoning Appeals, provided however, that for all variances, the applicant shall submit a parking study that proves that for the use or project in question, the number of spaces are not necessary. The study shall document examples of other projects that exist where user studies show that the number of spaces required under the provisions of this resolution are excessive.

SECTION 1150
OFF-STREET LOADING REQUIREMENTS

A permanently maintained area for standing, loading, and unloading services shall be provided for on the same lot with every building, structure, or part thereof erected and occupied for commercial, institutional, and/or distribution of materials or merchandise by vehicles. These off-street loading areas shall be required in order to avoid undue interference with public use of streets and alleys. All loading facilities shall be in accordance with the following specifications:

1. **Loading berth dimensions**
   Each loading berth shall have minimum dimensions not less than twelve (12) feet in width, sixty-five (65) feet in length, and a vertical clearance of not less than fourteen (14) feet.

2. **Loading Space Dimensions**
   Each loading space shall have minimum dimensions not less than twelve (12) feet in width, forty-five (45) feet in length, and a vertical clearance of not less than fourteen (14) feet.

3. **Projection into yards**
   Off-street loading spaces may occupy any part of a required rear or side yard, but shall not project into any front yard.

4. **Access**
   All required, off-street loading spaces shall have access from a public street or alley in such a manner that any vehicle leaving the premises shall be traveling in a forward motion.

5. **Paving**
   All required loading spaces, together with driveways, aisles, and other circulation areas, shall be surfaced with an asphaltic or portland cement binder pavement in order to provide a durable or dust free surface.

6. **Drainage**
   All loading spaces, together with driveways, aisles, and other circulation areas, shall be designed to prevent the excess drainage of surface water onto adjacent properties, walkways or onto the public streets. Arrangements shall be made to insure acceptable diversion to an adequate storm water drainage system.

7. **Screening**
   Screening shall be required as provided in Section 1013.

8. **Lighting**
   Any loading area which is intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Any lights used to illuminate a loading area shall be so arranged as to reflect the light away from adjoining property.

9. **Distance from Residential Districts**
   No loading ramp, dock, door, or space, nor any portion thereof, shall be located closer than fifty (50) feet from any lot zoned for any residential use unless located completely within an enclosed building.

SECTION 1151
OFF-STREET LOADING SPACE REQUIREMENTS

The minimum number of off-street loading spaces shall be provided in accordance with this section unless otherwise approved by the Board of Zoning Appeals. An area adequate for maneuvering, ingress, and egress shall be provided in addition to the following required loading spaces:

1. **Office Buildings and Hotels with Total Usable Floor Area, Including Retail Operations and Restaurants and Delivery Facilities of 100,000 Square Feet or More Devoted to Such Purposes**
   One loading berth for every 100,000 square feet of floor area or faction thereof with a minimum of two loading berths and one loading space for every 100,000 square feet of floor area or fraction thereof with a minimum of two.

2. **Retail Operations within Hotels or Office Building Including Restaurants and Dining Facilities Occupying a Total Space Floor Area of 20,000 Square Feet or More Devoted to Such Purposes**
   One loading berth for every 40,000 square feet of floor area or fraction thereof, and one loading space for every 20,000 square feet of floor area or fraction thereof, in addition to those required in paragraph 1.

3. **Retail Operations, and All First Floor Non-Residential Uses, with a Floor Area of Less Than 20,000 Square Feet, and All Wholesale and Light Industrial Operations with a Floor Area of Less Than 10,000 Square Feet**
   One loading space.

4. **Retail Operations and All Other Commercial Uses with a Floor Area Greater Than 20,000 Square Feet**
   One loading berth for every 20,000 square feet of floor area or fraction thereof with a minimum of two and one-half loading spaces for every 20,000 square feet of floor area or fraction thereof with a minimum of two.

5. **Industrial and Wholesale Operations with a Gross Floor Area of 10,000 Square Feet or Over as Follows**:

   a) 10,000 to 99,999 square feet: minimum of 2 loading berths required

   b) 100,000 to 159,999 square feet: minimum of 3 loading berths required

   c) 160,000 to 239,999 square feet: minimum of 4 loading berths required

   d) 240,000 to 319,999 square feet: minimum of 5 loading berths required

   e) 320,000 to 399,999 square feet: minimum of 6 loading berths required

   f) Each 90,000 square feet above 399,999 square feet: 1 additional loading berth required

SECTION 1160
OFF-STREET STORAGE AREAS FOR DRIVE-IN SERVICES

Establishments, which by their nature create lines of customers waiting to be served within automobiles, shall provide off-street storage areas in accordance with the following requirements:

1. Photo pick-ups, restaurants, drive-thru beverage docks, and other similar commercial establishments that can normally serve customers in three minutes or less shall provide no less than five (5) storage spaces per window. Drive-in restaurants and other similar uses which require an additional stopping point for ordering shall provide a minimum of five (5) storage spaces for each such stopping point.

2. Commercial establishments which require a transaction time in excess of three (3) minutes such as banks, savings and loan offices, or other similar money windows shall provide no less than seven (7) storage spaces per window.

3. Self-serve automobile washing facilities shall provide no less than five (5) storage spaces per stall. All other automobile washing facilities shall provide a minimum of ten (10) storage spaces per entrance.

4. Motor Vehicle service stations shall provide no less than two (2) storage spaces for each accessible side of a gasoline pump island. Gasoline pumps shall not be located closer than fifteen (15) feet to any street right-of-way line.

SECTION 1161
OFF-SITE PARKING LOTS AND OFF-SITE PARKING GARAGES

Off-site parking lots and off-site parking garages may be allowed as a permitted or conditional use as set forth in table 1 provided the property to be used for parking shall be at least two (2) acres in size and shall have at least two (2) exits leading directly to a publicly dedicated and improved road.

ARTICLE 12
SIGNS

SECTION 1200
INTENT

The purpose of this Article is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor advertising, outdoor advertising signs, and outdoor signs of all types. It is intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community, and preserve the scenic and natural beauty of designated areas. It is further intended to reduce sign or advertising distraction and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, provide more open space, curb the deterioration of the natural environment, and enhance community development.

SECTION 1201
GOVERNMENTAL SIGNS EXCLUDED

For the purpose of this resolution "sign" does not include signs erected and maintained pursuant to and in discharge of any governmental function, or required by any law, ordinance, or governmental regulation.

SECTION 1202
GENERAL REQUIREMENTS FOR ALL SIGNS AND DISTRICTS

The regulations contained in this section shall apply to all signs and all districts.

1. Any illuminated sign or lighting device shall employ only light emitting a light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights. In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination therefrom to be directed or beamed upon a public thoroughfare, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.

2. No sign shall employ any parts or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention. Subsections (1) and (2) of this section shall not apply to any sign performing a public service function indicating time, temperature, stock market quotations or similar services.

3. Signs shall not make use of the words "STOP," "LOOK," "DANGER," or other similar words, devices, or symbols which may mislead or confuse traffic.

4. All wiring, fittings, and materials used in the construction, connection, and operation of electrically illuminated signs shall be in accordance with the provisions of the local electric code in effect.

5. No wall sign shall be erected or maintained from the front or face of a building a distance of more than two (2) feet, including those projecting from the face of any theater, hotel, or motel marquee.

6. No sign shall be placed on the roof of any building, except those signs whose supporting structure is screened so the sign appears to be a continuation of the face of the building.

7. Portable or temporary signs, except as otherwise specifically provided in this Resolution, shall not be placed on any building, land, lot, parcel, premises, or in or on any street right-of-way. Also, trailer signs and mobile signs shall not be permitted in any district.

8. No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners, or other similar moving devices. Such devices, as well as strings of lights, shall not be used for the purpose of advertising or attracting attention when not part of a sign.

9. No sign erected or maintained in the window of a building, visible from any public or private street or highway, shall occupy more than twenty (20) percent of the window surface.

10. No sign of any classification shall be installed, erected, or attached in any form, shape, or manner to a fire escape or any door or window giving access to any fire escape.

11. All signs hung and erected shall be plainly marked with the name of the person, firm, or corporation responsible for maintaining the sign.

12. Should any sign be or become unsafe or be in danger of falling, the owner thereof or the person maintaining the same, shall upon receipt of written notice from the Zoning Inspector proceed at once to put such sign in a safe and secure condition or remove the sign.

13. No sign shall be placed or project in any public right-or-way except publicly owned signs, such as traffic control signs and directional signs. Directional signs directing and guiding traffic and parking on private property but bearing no advertising matter shall be permitted on any property, provided all applicable development standards are met. No directional sign shall exceed six (6) square feet in area and no more than four (4) directional signs shall be placed on a lot.

14. Signs shall not obstruct free and clear visibility at any intersection in accordance with Section 1011.

15. Signs shall not be located or designed so as to interfere with, obstruct the view of, or be confused with any authorized traffic control sign, signal, or device.

16. The bottom of all freestanding signs shall maintain a minimum clearance of eight (8) feet above any pedestrian area and fourteen (14) feet above any parking or loading area.

SECTION 1203
MEASUREMENT OF SIGN AREA

The surface area of a sign shall be computed as including the entire area comprising all of the display area(s) of the sign and including all of the elements of the matter displayed. Frames and structural members not containing advertising matter shall not be included in computation of surface area.

SECTION 1210
SIGNS PERMITTED IN ALL DISTRICTS NOT REQUIRING A PERMIT

1. A sign advertising the sale, lease, or rental of the premises upon which the sign is located, shall not exceed twelve (12) square feet in area except in all residential districts where the area of the sign shall not be more than six (6) square feet.
2. Signs denoting the name and address of the occupants of the premises, not to exceed two (2) square feet in area.

SECTION 1211
PUBLIC AND QUASI-PUBLIC USE SIGNS

Signs or bulletin boards customarily incidental to places of worship, libraries, clubs, fraternal organizations and similar uses, are permitted provided they shall not exceed one hundred (100) square feet in area and shall be located on the premises of such institution. In the case of a single sided sign having a total sign area in excess of fifty (50) square feet, the setback from the street right-of-way shall be a minimum of fifty percent (50%) of the front principal building setback in the applicable zoning district. In all other cases, such signs shall be set back not less than ten (10) feet from the road right-of-way line provided such sign does not obstruct traffic visibility as required in Section 1011. In addition, off-premise directional signs for places of public assembly (such as places of worship, libraries, schools and similar uses) or for emergency care (such as hospitals, fire departments, police departments and similar uses) shall be permitted under the following conditions:

1. The sign owner must have the written permission of the property owner for the location of such sign.
2. The sign shall be set back not less than ten (10) feet from the road right-of-way line, provided such sign does not obstruct traffic visibility as required in Section 1011.
3. The sign shall convey only directional information, and shall not exceed six (6) square feet.

4. No organization shall have more than two (2) off-premise directional signs within the Township.
5. No more than two (2) off-premise directional signs may be permitted at any single location or at any intersection.

SECTION 1212
SUBDIVISION SALE SIGNS

Signs providing information on the sale of lots within an approved and recorded subdivision may be placed upon the property until such time as seventy-five (75) percent of the lots within the subdivision are sold. Subdivision sale signs shall contain only the name of the subdivision, the name of the owner, the name of the developer, and information regarding the price, terms and the location and phone number of the sales office. All such signs shall meet the setback requirements of the district. The maximum sign area shall be seventy (70) square feet.

SECTION 1213
CONSTRUCTION SIGNS

Signs identifying a construction project may be temporarily erected upon the same lot as the project. Such signs shall be permitted only for the length of the construction project or for one year, whichever is shorter. Any extension past the one year time shall be subject to approval by the Board of Zoning Appeals. Construction signs shall contain only the name of the construction project, the construction firm(s), the engineer, the architect, and/or the sub-contractors involved in the project. Only one (1) construction sign shall be permitted per street frontage. The maximum sign area permitted shall be twenty (20) square feet. All such signs shall meet the setback requirements of the district where the sign is located.

SECTION 1214
SIGNS ADVERTISING AGRICULTURAL PRODUCTS FOR SALE

Signs identifying the sale of agricultural products such as vegetables, eggs, straw, hay, and seeds grown or produced upon the premises may be temporarily erected upon any lot during the season in which they are available. The maximum sign area permitted for an agricultural product sign shall be six (6) square feet. Businesses other than home occupations which are permitted within the Rural District will be permitted one (1) single free standing on-premise sign not to exceed twenty (20) feet in height with a total sign area not to exceed one hundred (100) square feet in size. All signs shall be set back from the street right-of-way a minimum of ten (10) feet and located no closer than thirty (30) feet to any adjoining lot line. In the case of a single sided sign having a total sign area in excess of fifty (50) square feet, the setback from the street right-a-way shall be a minimum of fifty (50) feet.

SECTION 1215
SPECIAL EVENTS SIGNS

Information signs advertising a grand opening, a seasonal event, a special sale, or any other similar special event may be temporarily located upon the premises on which the event is to take place for a period not to exceed ~~seven (7)~~ ten (10) days within any thirteen (13) week period. The maximum sign area permitted for special event signs shall be six (6) square feet in any residential district and ~~twelve (12)~~ thirty-two (32) square feet in any other district. All signs shall be set back from the street right-of-way a minimum of ten (10) feet.

SECTION 1216
IDENTIFICATION SIGNS

Signs which identify any residential subdivision or multiple-family development may be erected upon the same property as such use is accordance with the following provisions:

1. Such signs shall be limited to not more than two (2) entrances and shall not obstruct the visibility at any intersection as regulated in Section 1011.
2. Such signs shall contain only the name of the subdivision or multiple-family development which they identify, shall not exceed six (6) feet in height, and shall be landscaped.
3. The applicant shall submit a plan for the perpetual maintenance of such signs, identifying the responsibilities of the applicant, the public, the landowner, or other parties. Such plan shall be subject to approval by the Board of Zoning Appeals.
4. The Board of Zoning Appeals may limit the size of such signs so as to insure the scale of such signs is compatible with the residential character of the area.

SECTION 1220
SIGNS PERMITTED IN BUSINESS AND MANUFACTURING DISTRICTS REQUIRING A PERMIT

The regulations set forth in this section shall apply to signs in all business and manufacturing districts and such signs shall require a permit.

1. In business or manufacturing districts, each business shall be permitted one flat or wall on-premise sign. Projection of wall signs shall not exceed two feet measured from the face of the principal building. All permanent wall on premises signs for any single business enterprise may have a sign area equivalent to the greater of one hundred (100) square feet, or one and one half (1 ½) square feet of sign area for each lineal foot of building occupied by such enterprise, not to exceed three hundred (300) square feet.
2. In a business or manufacturing district, two off-premises signs with a total area not exceeding six hundred (600) square may be permitted at a single location. No single

off-premises sign shall exceed one thousand two hundred (1200) square feet, nor shall off-premises signs visible to approaching traffic have a minimum spacing of less than seven hundred fifty (750) feet as measured from and/or along the road right-of-way. Off-premises signs shall conform to all applicable yard and height regulations for the appropriate zoning district, except that such signs intended to be viewed from an elevated highway shall be not more than twenty (20) feet above the level of the roadway, provided that any sign over sixty (60) feet in height shall be approved by the Board of Zoning Appeals. Off-premises wall signs shall have all structural and supporting members concealed from view.

SECTION 1221
FREE STANDING SIGNS

Free-standing on-premises signs having a maximum total sign area of two hundred (200) square feet and located not closer than thirty (30) feet to any adjoining lot line may be erected to serve a single business establishment or a group of business establishments. There shall be only one free-standing sign for each building, regardless of the number of businesses conducted in said building. Any portion of the sign area used for LED Electronic Message Center (EMC) shall not exceed one hundred (100) square feet and must meet the following: each display must be a single color with message period of eight (8) seconds in duration and must fade in/fade out. The height of such free standing on premises sign shall comply with the following schedule:

District	Maximum Height
SO	25'
LB	20'
GB	30'
AB	60'

In the case of a single sided, free-standing on-premise sign having a total sign area in excess of one hundred (100) square feet, the setback from the street right-of-way shall be a minimum of thirty (30) feet.

SECTION 1222
ON-PEMISE SIDEWALK SIGNS

Free-standing temporary sandwich-board or A-frame signs advertising special offers may be placed on a sidewalk in front of a business establishment, provided that no such sign shall be located or placed in any roadway, right-of-way or ingress/egress easement. One such sign, not to exceed nine (9) square feet in display area, and not more than three and one-half (3 ½) feet high and two and one-half (2 ½) feet wide is permitted for each business establishment.

1. Sign must be made of heavy materials such that it cannot be easily displaced by wind or be a nuisance to pedestrians.
2. The sign must be kept in good repair.
3. The sign shall not illuminate or contain moving parts.

SECTION 1230
POLITICAL SIGNS

All candidates for public office, their campaign committees, or other persons responsible for the posting of campaign material shall remove such material within seven (7) days following Election Day.

SECTION 1240
SIGN SETBACK REQUIREMENTS

Except as modified in Sections 1211, 1214 and 1221 for single-sided signs, on premises signs where permitted shall be set back from the established right-of-way line of any thoroughfare at least ten (10) feet. No off-premises sign shall be erected in front of the required setback line for the appropriate zoning district.

SECTION 1242
SPECIAL YARD PROVISION

On-premises signs shall not be erected or placed within twelve (12) feet of a side or rear lot line in any residential zoning district, or on any residentially used parcel.

SECTION 1250
LIMITATION

For the purposes of this resolution, outdoor advertising off-premises signs shall be classified as a business use and shall be permitted in all districts zoned for manufacturing or business or lands used for agricultural purposes. In addition, regulation of signs along interstate and primary highways shall conform to the requirements of Ohio Revised Code Chapter 5516 and the regulations adopted pursuant thereto, and no zoning permit shall be issued by the Zoning Inspector until a permit from appropriate state and county officials has been issued.

SECTION 1260
VIOLATIONS

In case any sign shall be installed, erected, constructed, or maintained in violation of any of the terms of this resolution, the Zoning Inspector shall notify in writing the owner or lessee

thereof to alter such sign so as to comply with this resolution. Failure to comply within five (5) days of the notice of violation of any of the provisions of this Article shall be deemed a violation of this resolution.

ARTICLE 13
PLANNED UNIT DEVELOPMENT

SECTION 1300
OBJECTIVES FOR PLANNED UNIT DEVELOPMENTS

It shall be the policy of the Township of Prairie to promote progressive development of land and construction thereon by encouraging planned unit developments to achieve:

1. A maximum choice of living environments by allowing a variety of housing and building types and permitting an increased density per acre and a reduction in lot dimensions, yards, building setbacks, and area requirements.
2. A more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience in the location of ancillary commercial and manufacturing uses and services.
3. A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural drainage patterns.
4. More efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets.
5. A development pattern in harmony with land use density, transportation facilities, and community facilities objectives of the comprehensive plan.

The Township is also prepared to accept a greater population density in undeveloped areas than that reflected by present zoning provided the developer can demonstrate that any increment of public cost clearly attributable to increased densities will be compensated for by the private amenities and public benefits to be achieved by the plan of development.

SECTION 1301
PROVISIONS GOVERNING PLANNED UNIT DEVELOPMENTS

Because of the special characteristics of planned unit developments, special provisions governing the development of land for this purpose are required. Whenever there is a conflict or difference between the provisions of this article and those of the other articles of this resolution, the provisions of this article shall prevail, except for the provisions of Article 15 of this Resolution. Also, the provisions of this Article 13 shall not apply to planned unit developments created pursuant to Ohio Revised Code Section 519.021 (C). Subjects not covered by this article shall be governed by the respective provisions found elsewhere in this resolution.

SECTION 1302
APPLICATION AND PROCEDURE

Upon approval by the Zoning Commission and the Board of Township Trustees, a planned unit development district may be applied to any residential districts established pursuant to Section 821-826, inclusive of this Resolution. Upon approval of a final development plan, the Official Zoning Map shall be annotated for the land area involved so that the district name includes the notation, "P" before the appropriate residential district symbol as specified in Section 720. Planned unit development districts shall be approved by the Zoning Commission and the Board of Township Trustees in the manner provided in Sections 1350-1364 of this Article.

SECTION 1310
USES PERMITTED

Residential, commercial, manufacturing, public, and quasi-public uses may be combined in PUD districts provided that the proposed location of the commercial or manufacturing uses will not adversely affect adjacent property, and/or the public health, safety, and general welfare, and that the location of such uses are specified on the final development plan. Lot area and other yard requirements of the residential districts established in Article 8 shall apply except as modified in Section 1325 and 1327.

The amount of land devoted to commercial and/or manufacturing use in a residential-commercial-manufacturing or residential-commercial development shall be determined by the Zoning Commission and approved by the Board of Township Trustees.

SECTION 1320
MINIMUM PROJECT AREA

The gross area of a tract of land to be developed in a planned unit development district shall be a minimum of ten (10) acres, provided, however, that smaller parcels may be considered on the basis of their potential to satisfy the objectives of this Article as stated in Section 1300.

When the planned unit development proposes a mixture of residential uses with commercial and/or manufacturing uses, the Zoning Commission may limit the development of not more than eight (8) percent of the tract to commercial and/or manufacturing uses.

SECTION 1321
PROJECT OWNERSHIP

The project land may be owned, leased, or controlled either by a single person or corporation, or by a group of individuals or corporations. Such ownership may be by a public or private corporation.

SECTION 1322
COMMON OPEN SPACE

A minimum of twenty (20) per cent of the land developed in any planned unit development project shall be reserved for common open space and recreational facilities for the residents or users of the area being developed. The open space shall be disposed of as required in Section 1323 of this resolution.

SECTION 1323
DISPOSITION OF OPEN SPACE

The required amount of common open space land reserved under a planned unit development shall either be held in corporate ownership by owners of the project area for the use of each owner who buys property within the development or be dedicated to the Township and retained as common open space for parks, recreation, and related uses. All land dedicated to the Township must meet the Commission's requirements as to size, shape, and location. Public utility and similar easements and right-of-ways for water courses and other similar channels are not acceptable for common open space dedication to the Township unless such land or right-of-way is usable as a trail or other similar purpose and approved by the Zoning Commission.

The responsibility for the maintenance of all open spaces shall be specified by the developer before approval of the final development plan.

SECTION 1324
UTILITY REQUIREMENTS

Underground utilities, including telephone, cable television, and electrical systems, are required within the limits of all planned unit developments. Appurtenances to these systems which can be effectively screened may be exempted from this requirement if the Zoning Commission finds that such exemption will not violate the intent or character of the proposed planned unit development.

SECTION 1325
MINIMUM LOT SIZES

1. Lot area per dwelling unit may be reduced by not more than fifteen (15) percent of the minimum lot area required in the Official Schedule of Dimensional Requirements. A planned unit development need not conform to the density requirements of Articles 8 and 9. A diversification of lot sizes is encouraged.

2. Lot widths may be varied to allow for a variety of structural designs. Setbacks may also be varied.

SECTION 1326
LOTS TO ABUT UPON COMMON OPEN SPACE

Every property developed under the planned unit development approach should be designed to abut upon common open space or similar areas. Properties that do not abut directly upon common open space shall provide well designed access ways to the common open space, provided that all properties shall be within 600 feet of common open space. A clustering of dwellings is encouraged. In areas where town houses are used, there shall be no more than eight (8) town house units in any contiguous group.

SECTION 1327
HEIGHT REQUIREMENTS

For each foot of building height over the maximum height regulations specified in the Official Schedule of Dimensional Requirements, the distance between such buildings and the side and rear property lines of the planned unit development project area shall be increased by a one (1) foot addition to the side and rear yard required in the districts.

SECTION 1328
PARKING

Off-street parking, loading, and service areas shall be provided in accordance with Article 11 of this resolution. However, off-street parking areas shall not be permitted within fifteen (15) feet of any residential use, and off-street loading areas shall not be permitted within fifty (50) feet.

SECTION 1329
PERIMETER YARDS

Notwithstanding the provisions of this Article, every lot abutting the perimeter of the planned unit development district shall maintain all yard requirements specified in Article 9 for the applicable conventional zoning district.

SECTION 1340
ARRANGEMENT OF COMMERCIAL USES

When planned unit development districts include commercial and/or manufacturing use, commercial buildings and establishments shall be planned as groups having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations at intersections with thoroughfares. Planting screens or fences shall be

provided on the perimeter of the commercial and/or manufacturing areas abutting residential and rural areas.

The plan of the project shall provide for the integrated and harmonious design of buildings, and for adequate and a properly arranged facilities for internal traffic circulation, landscaping, and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the adjoining and surrounding non-commercial areas.

All areas designed for future expansion or not intended for immediate improvement or development shall be landscaped or otherwise maintained in a neat and orderly manner as specified by the Zoning Commission.

SECTION 1350
PROCEDURE FOR APPROVAL OF PUD DISTRICT

Planned unit development districts shall be approved in accordance with the procedure in Sections 1351-1364. It is the intent of these sections to incorporate the review and approval of development plans with the amendment process to remove the necessity, in many instances, to proceed under Article 6 prior to the commencement of the planned unit development plan review and approval process.

SECTION 1351
PRE-APPLICATION MEETING

The developer shall meet the Zoning Inspector and commission prior to the submission of the preliminary development plan. The purpose of this meeting is to discuss early and informally the purpose and effect of this resolution and the criteria and standards contained herein, and to familiarize the developer with the comprehensive development plan, the major thoroughfare plan, the parks and public open space plan, the subdivision regulations, and the drainage, sewer, and water systems of the Township.

SECTION 1352
CONTENTS OF APPLICATION FOR APPROVAL OF PRELIMINARY DEVELOPMENT PLAN

An application for preliminary planned unit development shall be filed with the Chairman of the Zoning Commission by at least one owner or lessee of property for which the planned unit development is proposed. At a minimum, the application shall contain the following information filed in triplicate:

1. Name, address, and phone number of applicant.
2. Name, address, and phone number of registered surveyor, registered engineer and/or urban planner assisting in the preparation of the preliminary development plan.

3. Legal description of property.
4. Description of existing use.
5. Present and proposed zoning district(s).
6. Proposed amending resolution.
7. ~~A list of all property owners and their mailing address, as they appear on the County Auditors current tax list, who are within contiguous to, or directly across the street from and within 1000 feet of the property in question, provided however, in the case of property which is located within a platted subdivision the distance shall be reduced to 300 feet from the center of the parcel(s) proposed for the planned unit development district and others that may have a substantial interest in the case.~~
7. After receipt of the completed Application materials and required fees, the Zoning Commission shall schedule a public hearing within a reasonable time after the filing of the complete Application and shall give the applicant and all owners of property within, contiguous to, and directly across the street from the area proposed for development written notice of the hearing at least ten (10) days before the date of the hearing. Notice shall be sent by regular, first class mail to the addresses of those owners as they appear on the County Auditor's current tax list. The failure of delivery of that notice shall not invalidate any action the Zoning Commission may take on the Application. The Zoning Commission shall render a decision on the Application and Development Plan within sixty (60) days after the conclusion of the hearing.
8. A vicinity map at a scale approved by the Zoning Commission, showing property lines, streets, existing and proposed zoning, and such other items as the Zoning Commission may require to show the relationship of the planned unit development to the comprehensive plan and to existing schools and other community facilities and services.
9. A preliminary development plan at a scale approved by the Commission showing topography at two (2) foot intervals; location and type of residential; commercial, and industrial land uses; layout, dimensions, and names of existing and proposed street, right-of-ways, utility easements, parks and community spaces; layout and dimensions of lots and building setback lines; preliminary improvement drawings showing water, sewer, drainage, electricity, telephone, and natural gas; and such other characteristics as the Zoning Commission may deem necessary.
10. Proposed schedule for the development of the site.
11. Evidence that the applicant has sufficient control over the land in question to initiate the proposed development plan within five (5) years.
12. A fee as established by the Board of Township Trustees according to Section 360.

The application for preliminary planned unit development shall be accompanied by a written statement by the developer setting forth the reasons why, in his opinion, the planned unit development would be in the public interest and would be consistent with the Township's statement of objectives for planned unit developments in Section 1300 of this resolution.

SECTION 1353
SUBMISSION TO COUNTY OR REGIONAL PLANNING COMMISSION

Within five (5) days after the submission of an application for approval of a preliminary development plan, the Zoning Commission shall submit the application pertaining to the case in question to the County or Regional Planning Commission, which shall recommend the approval or denial of the proposed planned unit development or the approval of some modification thereof and shall submit such recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission.

SECTION 1354
(LEFT INTENTIONALLY BLANK)
~~*SUBMISSION TO DIRECTOR OF TRANSPORTATION*~~

~~Before any planned unit development is approved affecting any land within three hundred (300) feet of the centerline of a proposed new highway for which changes are proposed as described in the certification to local officials by the Director of Transportation; or within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Zoning Commission may proceed as required by this Article, however, the Township Trustees shall not approve the planned unit development for one hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director notifies the Township Trustees that he shall proceed to acquire any land needed, then the Township Trustees shall refuse to approve the planned unit development. If the Director notifies the Township Trustees that the acquisition is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon between the Director and the property owner, the Township Trustees shall proceed as required by this Article.~~

SECTION 1355
PUBLIC HEARING BY THE ZONING COMMISSION

The Zoning Commission shall schedule a public hearing on the application for approval of the preliminary development plan. Said hearing shall be not less than twenty (20) nor more than forty (40) days from the date of filing such an application.

SECTION 1356
NOTICE OF PUBLIC HEARING BY ZONING COMMISSION IN NEWSPAPER

Before holding the public hearing provided in Section 1355, notice of such hearing shall be given in one (1) or more newspapers of general circulation in the Township at least ten (10)

days before the date of said hearing. The notice shall set forth the time and place of the public hearing, a general description of the planned unit development, and a statement that after the public hearing and submission of a final development plan that the matter will be referred to the Township Trustees for further determination.

SECTION 1357
NOTICE TO PROPERTY OWNERS BY THE ZONING COMMISSION

~~Before holding the public hearing required in Section 1355, written notice of such hearing shall be sent by the Zoning Commission by first class mail at least ten (10) days before the hearing, to all owners of property within, contiguous to, and directly across the street from and within 1,000 feet of the property in question, provided however, in the case of property which is located within a platted subdivision the distance shall be reduced to 300 feet from the center of the area proposed to be included within the planned unit development district. The notices shall be sent to the addresses of such owners appearing on the County Auditor's current tax list. In addition, the Zoning Commission may provide notice to other property owners or residents who they determine would have a substantial interest in the application. The failure to deliver the notice, as provided in this section, shall not invalidate any such approval. The notice shall contain the same information as required of notices published in newspapers as specified in Section 1356.~~

After receipt of the completed Application materials and required fees, the Zoning Commission shall schedule a public hearing within a reasonable time after the filing of the complete Application and shall give the applicant and all owners of property within, contiguous to, and directly across the street from the area proposed for development written notice of the hearing at least ten (10) days before the date of the hearing. Notice shall be sent by regular, first class mail to the addresses of those owners as they appear on the County Auditor's current tax list. The failure of delivery of that notice shall not invalidate any action the Zoning Commission may take on the Application. The Zoning Commission shall render a decision on the Application and Development Plan within sixty (60) days after the conclusion of the hearing.

SECTION 1358
PLACEMENT OF NOTICE PLACARD ON PROPERTY

Before holding the public hearing required in Section 1355, a notice placard furnished by the Zoning Department shall be placed on the property in question by the applicant at a location specified by the Zoning Inspector at least ten (10) days before the date of said hearing. The placard shall contain at least six (6) square feet of area, and shall be located on the property in such a way so as not to obstruct traffic visibility, but to be readily visible by the general public. In the case of larger lots or corner lots, more than one such placard may be required to be posted. The placard shall generally comply with the following format:

Line #1 - Zoning Public Hearing

Line #2 - In Relation to This Property

Line #3 - Date and Time of Hearing

Line #4 - Location of Hearing

Line #5 - Phone Number to Contact for Additional Information

SECTION 1359
APPROVAL IN PRINCIPLE BY ZONING COMMISSION

Within sixty (60) days after the public hearing required by Section 1355, the Zoning Commission shall review the preliminary development plan to determine if it is consistent with the intent and purpose of this resolution; whether the proposed development advances the general welfare of the community and neighborhood; and whether the benefits, combination of various land uses, and the interrelationship with the land uses in the surrounding area justify the deviation from standard district regulations. The Commission's approval in principle of the preliminary development plan shall be necessary before an applicant may submit a final development plan. Approval in principle shall not be construed to endorse a precise location of uses, configuration of parcels, or engineering feasibility. The Zoning Commission may seek assistance in making its recommendation from the County or Regional Planning Commission or any other appropriate source.

SECTION 1360
FINAL DEVELOPMENT PLAN

After approval in principle of the preliminary development plan, the developer shall submit a final development plan to the Zoning Commission. The final development plan shall be in general conformance with the preliminary development plan approved in principle. For the purposes of this resolution, the submission of the final development plan is a formal request for rezoning of the property in question. Five (5) copies of the final development plan shall be submitted and may be endorsed by a qualified professional team which would include an urban planner, licensed architect, registered land surveyor, registered civil engineer, and registered landscape architect or landscape horticulturist.

SECTION 1361
CONTENTS OF APPLICATION FOR APPROVAL OF FINAL DEVELOPMENT PLAN

An application for approval of the final development plan shall be filed with the Chairman of the Zoning Commission by at least one (1) owner or lessee of property for which the planned unit development is proposed. Each application shall be signed by the owner or lessee, attesting to the truth and exactness of all information supplied on the application for the final development plan. Each application shall clearly state that the approval shall expire and may be revoked if construction on the project has not begun within five (5) years from the date of issuance of the approval. At a minimum, the application shall contain the following information:

1. A survey of proposed development site, showing the dimensions and bearings of the property lines, area in acres; topography; and existing features of the development site, including major wooded areas, structures, streets, easements, utility lines; and land uses.
2. All the information required on the preliminary development plan; the location and sizes of lots, location and proposed density of dwelling units, non-residential building intensity; and land use considered suitable for adjacent properties.
3. A schedule for the development of units to be constructed in progression and description of the design principles for buildings and streetscapes; tabulation of the number of acres in the proposed project for various uses, the number of housing units proposed by type; estimated residential population by type of housing; estimated non-residential population; anticipated construction timing for each unit; and standards for height, open space, building density, parking areas, population density and public improvements whenever the applicant propose and exception from standard zoning districts or other resolutions governing development.
4. Engineering feasibility studies and plans showing, as necessary, water, sewer, drainage, electricity, telephone, and natural gas installations; waste disposal facilities; street improvements, and nature and extent of earth work required for site preparation and development.
5. Site plan, showing building(s), various functional use areas, circulation, and their relationship.
6. Preliminary building plans.
7. Landscaping plans.
8. Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, and the improvements thereon, including those areas which are to be commonly owned and maintained.
9. A fee as established by the Board of Township Trustees according to Section 360.

SECTION 1362
PUBLIC HEARING BY ZONING COMMISSION

Within thirty (30) days after submission of the final development plan, the Zoning Commission may hold a public hearing. If a second public hearing is held, notice shall be given as specified in Section 1356 through 1358, inclusive of this Resolution.

SECTION 1363
RECOMMENDATION BY ZONING COMMISSION

Within thirty (30) days after receipt of the final development plan, the Zoning Commission shall recommend to the Board of Township Trustees that the final development plan be approved as presented, approved with supplementary conditions, or disapproved. The Zoning Commission shall than transmit all papers constituting the records and the recommendations to the Board of Township Trustees.

SECTION 1364
CRITERIA FOR RECOMMENDATION BY ZONING COMMISSION

Before making its recommendation as required in Section 1362, the Zoning Commission shall find that the facts submitted with the application and presented at the public hearing establish that:

1. The proposed development can be initiated within five (5) years of the date of approval.
2. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the planned unit development.
3. Any proposed commercial development can be justified at the location proposed.
4. Any exception from standard district requirements is warranted by design and other amenities incorporated in the final development plan, in accord with the planned unit development and the adopted policy of the Zoning Commission and the Board of Township Trustees.
5. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.
6. The planned unit development is in general conformance with the comprehensive plan of the Township.
7. The existing and proposed utility services are adequate for the population densities and non-residential uses proposed.

The Zoning Commission may seek assistance in making its recommendation from the County or Regional Planning Commission or any other appropriate source.

SECTION 1365
PUBLIC HEARING BY TOWNSHIP TRUSTEES

Within thirty (30) days of the receipt of the final recommendation of the Zoning Commission, the Township Trustees shall hold a public hearing. Notice of such public hearing in a newspaper shall be given by the Township Trustees as specified in Section 1356. The Township Trustees may give notice to property owners, provided that if they do give notice they shall comply with the procedures of Section 1357. The Township Trustees may also post a placard on the property in question as specified in Section 1358.

SECTION 1366
ACTION BY BOARD OF TOWNSHIP TRUSTEES

Within twenty (20) days after the public hearing required by Section 1364, the Board of Township Trustees, shall by resolution either approve, approve with supplementary conditions, or disapprove the application as presented. In the event the Township Trustees deny or modify the recommendation of the Zoning Commission, the unanimous vote of the Township Trustees is required. If the application is either approved or approved with conditions, the Board of Township Trustees shall direct the Zoning Inspector to issue zoning permits only in accordance with the approved final development plan and the supplementary conditions attached thereto. The final development plan shall be considered as an inherent part of the rezoning amendment, and no changes from said approved planned unit development are permitted without repeating the procedures specified in this Article.

SECTION 1367
EFFECTIVE DATE AND REFERENDUM

The approval of a planned unit development adopted by the Township Trustees shall become effective thirty (30) days after its approval by the Township Trustees unless within thirty (30) days there is presented to the Township Trustees a petition, sign by a number of qualified voters residing in the unincorporated area of the Township or part thereof included in the zoning plan equal to not less than eight (8) percent of the total vote cast for all candidates for Governor in such area at the last preceding general election at which a Governor was elected, requesting that the Township Trustees submit the planned unit development amendment to the electors of such area for approval or rejection at a special election to be held on the day of the next primary or general election. The petition shall comply with the requirements of Sections 519.12 and 3501.38 of the Revised Code.

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

SECTION 1368
SUPPLEMENTARY CONDITIONS AND SAFEGUARDS

In approving any planned unit development district, the Board of Township Trustees may prescribe appropriate conditions and safe-guards in conformity with this resolution. Violation of such conditions or safeguards when made a part of the terms under which the final development plan is approved, shall be deemed a violation of this resolution.

SECTION 1369
EXPIRATION AND EXTENSION OF APPROVAL PERIOD

The approval of a final development plan for a planned unit development district shall be for a period not to exceed five (5) years to allow for preparation and recording of the required subdivision plat and the development of the project. If no construction has begun within five (5) years after approval is granted, the approved final development plan shall be void and the land shall revert to the district regulations in which it is located. An extension of the time limit or modification of the approved final development plan may be approved if the Zoning Commission finds that such extension or modification is not in conflict with the public interest.

No zoning amendment passed during the time period granted for the approved final development plan shall in any way affect the terms under which approval of the planned unit development was granted.

ARTICLE 14
PLANNED RESIDENTIAL MOBILE HOME PARK DISTRICT (RMH) REGULATIONS

SECTION 1400
PERMITTED USE

Land and buildings in the Planned Residential Mobile Home Park District shall be used only for the following purposes:

1. Mobile Homes (House Trailers) equipped with a water-flushed toilet, lavatory and bath or shower facilities.
2. A permanent dwelling for one (1) family, office and maintenance facilities for the operators of the Mobile Home Park District.
3. Such other facilities, including recreation, as may be provided for the use and the amenities of the occupants of the Mobile Home Park District and provided such facilities are an approved part of the Development Plan.

SECTION 1410
PROCEDURE

The following procedure shall be followed in placing land in the Planned Residential Mobile Home Park District district.

SUBMISSION OF APPLICATION: The owner or owners of a tract of land four (4) acres or more in area may request that the Zoning District Map be amended to include such tract in the Planned Residential Mobile Home Park District in accordance with the provisions of Article 13.

DEVELOPMENT PLAN: Three (3) copies of a Development Plan shall be submitted with the application to amend the Zoning District Map. Such Development Plan shall include in text or map form:

1. The proposed location and size of areas of residential use, and the total number of mobile home units provided for in the Development Plan.
2. The proposed size, location, and use of non-residential portions of the tract, including useable open areas, parks, playgrounds, school sites, and other areas and spaces with the suggested ownership of such areas and spaces.
3. The proposed provision of water, sanitary sewer, and surface drainage facilities, including engineering feasibility studies or other evidence of reasonableness.

4. The proposed traffic circulation pattern including public and private streets, parking areas, walks and other accessways, indicating their relationship to topography, existing streets, or showing other evidence of reasonableness.
5. The proposed schedule of site development, construction of structures, and associated facilities, including detailed drawings and other materials indicating design principles and concepts to be followed in site development, construction, landscaping, and other features. Such schedule shall include the proposed use or reuse of existing features such as topography, structures, streets and easements.
6. The relationship of the proposed development to existing and future land use in the surrounding area, the street system, community facilities, services and other public improvements.
7. Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan. Evidence of control includes property rights, and the engineering feasibility data which may be necessary.
8. A complete copy of applications and plans submitted to any state agency or the County Health Department.

SECTION 1420
BASIS OF APPROVAL

The basis for approving a Planned Residential Mobile Home Park District application shall be:

1. That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution.
2. That the proposed development is in conformity with a comprehensive plan or portion thereof as it may apply.
3. That the proposed development advances the general welfare of the Township and the immediate vicinity.

SECTION 1430
EFFECT OF APPROVAL

The Development Plan of a Planned Residential Mobile Home Park District shall be granted in accordance with Article 13.

SECTION 1440
CONFORMANCE WITH SUBDIVISION REGULATIONS

In the Planned Residential Mobile Home Park District no use shall be established or changed and no structure shall be constructed or altered until the required Subdivision Plat has been approved in accordance with the Subdivision Regulations for Franklin County, Ohio. The plat shall be in accord with the approved Development Plan and shall show or include:

1. Site arrangement, including building setback lines and space to be built upon within the site: water, sewer, and other public utility installations, including sanitary sewers, surface drainage, and waste disposal facilities: easements, access points to public right-of-way, parking areas, and pedestrian ways, and land reserved for non-highway service use with indication of the nature of such use.
2. The nature and extent of earthwork required for site preparation and development.
3. Deed restrictions, covenants, easements and encumbrances to be used to control the use, development and maintenance of the land, the improvements thereon, and the operation of tenants, including those applicable to nonresidential uses.

SECTION 1450
DEVELOPMENT STANDARDS

In addition to any applicable provisions of Article 9, District Regulations, the following standards for arrangement and development of land and buildings shall be required in the Planned Residential Mobile Home Park District:

1. The maximum net density shall be eight (8) mobile homes per acre of area devoted to residential use as defined below.
2. The calculation of residential density shall include all land devoted to residential use, and shall further include easements for utilities except major facilities which do not serve individual mobile homes, minor surface drainage channels, recreation space and other areas provided as common open space, including land dedicated to public use except required street right-of-way.
3. A minimum lot width of three hundred (300) feet is required at the street or road right-of-way line: however, adequate lot width shall be provided to achieve the yard space required by these development standards. The width or the depth of the lot shall not be more than two (2) times the other.
4. A side yard on each side and rear yard of fifteen (15) feet or more shall be provided around the edge of the Mobile Home Park District. Such yards shall not be occupied by or counted as part of an individual mobile home site.

SECTION 1460
MOBILE HOME PARK DEVELOPMENT STANDARDS

The location and arrangement of land and structures within the Mobile Home Park shall be determined in accordance with the following standards:

1. The Mobile Home Park shall be developed with accessways of not less than thirty (30) feet in width and shall be paved for not less than twenty (20) feet. Such pavement shall be constructed of not less than six (6) inches of an impervious pavement material on a prepared subgrade.

2. There shall be common walks three (3) feet or more in width either within the accessway or along mobile home site boundaries. Such walks shall be constructed of not less than four (4) inches of impervious pavement material on a prepared subgrade.

3. Each mobile home site shall be not less than six-thousand (6000) square feet and shall be not less than sixty (60) feet in width.

4. Each mobile home site shall have paved strips, or a pad for the mobile home in compliance with the following standards:

    a) Strips shall be five (5) inches thick and thirty (30) inches wide that shall run the total length of the unit. In addition, the area between the strips shall be filled with gravel to the depth of three inches of #46D. The concrete shall have a compressive strength of 3,000 psi and shall be reinforced with 6 X 6 #10 reinforcing wire mesh.

    b) Pads shall be four (4) inches thick and shall extend under the total length and width of the unit. It shall be constructed as specified in item a) above.

5. Each mobile home site shall be provided with a water outlet connected to an approved water supply and a connection to an approved sewer system.

6. Each mobile home site shall be developed with a paved area (patio) of not less than one hundred and eighty (180) square feet. The patio shall be of not less than four (4) inches of Portland cement or other rigid type of impervious pavement, and shall be connected to common walks by a similarly paved walk of not less than two (2) feet in width.

7. Each mobile home site shall be provided with off-street parking as required under Section 1131. Such parking shall be constructed of not less than six (6) inches of an impervious pavement material on a prepared subgrade.

8. Each mobile home site shall be landscaped to provide a minimum of one (1) tree per site.

9. Each mobile home within ten (10) days after placement shall be securely anchored as required by the manufacturer's recommendations. Individual anchors shall be attached in a manner to assure the device into which the anchor is attached at ground level is embedded in concrete piers at least six (6) inches in diameter and a least six (6)

inches below the normal frost line, however, not less than thirty-six (36) inches. In lieu of concrete piers, six (6) inch auger anchors may be used, provided they meet the manufacturer's recommendations and are embedded below the normal frost line but not less than thirty-six (36) inches.

10. The park operator shall require each unit to install skirting around all sides of the unit within sixty (60) days after placement.

11. A shelter for children to be picked up by school buses shall be approved as to location by the Zoning Inspector.

12. If mail is to be delivered to a common area, the collection area shall be provided at the entrance to the mobile home park and a hard surfaced area entirely off the roadway shall be provided for mail pick-up and delivery.

ARTICLE 15
FLOOD HAZARD REGULATIONS

SECTION 1500
INTENT AND PURPOSE

It is hereby found that there are areas of Prairie Township that are subject to periodic inundation which may result in loss of life and property, hazards to health and safety, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base all of which adversely affect the public health, safety and general welfare.

These flood losses are primarily caused by the cumulative effect of obstructions in flood plains, causing increased flood heights and velocities; and the occupancy of flood hazard areas by uses vulnerable to floods and which are not adequately elevated or protected from flood damages.

It is the purpose of this Article to promote the public health, safety, and general welfare and to minimize loss resulting from periodic inundation of flood waters in Prairie Township by provisions designed to:

1. Restrict or prohibit uses which are dangerous to health, safety, or property in times of flood or cause excessive increases in flood heights or velocities.
2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected from flood damage at the time of initial construction.
3. Control filling, grading, dredging, and other development which may increase flood damage.
4. Control the alteration of natural flood plains, stream channels and natural protective barriers, which are involved in the accommodation of flood waters

It is further the intent of this Article to maintain Prairie Township's and Franklin County's eligibility and continued participation in the National Flood Insurance Program.

SECTION 1501
DEFINITIONS

For the purpose of this Article and the entire Resolution the following terms shall be defined as follows:

1. **~~REGIONAL~~ BASE FLOOD**
   A flood ~~which is representative of large floods known to have occurred generally in Ohio and reasonably characteristic of what can be expected to occur on an average frequency in the order of the one hundred (100) year recurrence interval.~~ having a one (1) percent chance of being equaled or exceeded in any given year. Sometimes referred to as the 100-year flood.

2. **CHANNEL**
   A natural or artificial depression of perceptible extent with definite bed and banks to confine and conduct flowing water either continuously or periodically.

3. **EQUAL DEGREE OF ENCROACHMENT**
   An equal reduction of conveyance on both sides of the stream for flood flows.

4. **FLOOD**
   ~~A temporary rise in stream flow or stage that results in inundation of the areas adjacent to the channel.~~ A general and temporary condition of partial or complete inundation of normally dry land area from either the overflow of inland waters and/or the unusual and rapid accumulation or runoff of surface waters from any source.

5. **FLOOD FREQUENCY**
   The average frequency, statistically determined, for which it is expected that a specific flood stage or discharge may be equaled or exceeded, which is expressed as having a probability of occurring once within a specified number of years.

6. **FLOODWAY FRINGE**
   That portion of the regulatory flood-plain outside of the floodway.

7. **FLOOD-PLAIN**
   The areas adjoining a watercourse which are expected to be flooded as a result of a severe combination of meteorology and hydrological conditions.

8. **FLOOD PROOFING**
   A combination of structural provisions, changes or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages to properties, water and sanitary facilities, structures, and contents of buildings in a flood hazard area.

9. **FLOODWAY**
   The channel of ~~the~~ a watercourse and those portions of the adjoining flood plains which are reasonably required to carry and discharge the ~~regional~~ Base ~~f~~Flood.

10. **OBSTRUCTION**
    Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter which is in, along, across, or projecting into any channel, watercourse, or regulatory flood hazard area which may impede, retard, or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water or which is placed where the flow of water might carry the same downstream to the damage of life or property.

11. **REACH**
    A hydraulic engineering term to describe a longitudinal segment of a stream or river within which flood heights are primarily controlled by man-made or natural obstructions or constrictions.

12. **REGULATORY FLOOD-PLAIN**
    A watercourse and the areas adjoining a watercourse which have been or hereafter may be covered by the ~~regional~~ Base ~~f~~Flood.

13. **REGULATORY FLOOD PROTECTION ELEVATION**
A point not less than one (1) foot above the water surface profile associated with the ~~regional~~ Base ~~f~~Flood plus any increases in flood heights attributable to encroachments on the flood plain. It is the elevation to which uses regulated by the flood plain regulations are required to be elevated or flood proofed.

14. **WATERCOURSE**
A channel in which a flow of water occurs either continuously or intermittently in a definite direction. The term applies to either natural or artificially constructed channels.

15. **WATER SURFACE PROFILE**
A graph showing the relationship of water surface elevation to location, the latter, generally expressed as distance above the mouth for a stream of water flowing in an open channel. It is generally drawn to show surface elevation for the crest of a specific flood but may be prepared for conditions at a given time or stage.

SECTION 1520
FLOOD HAZARD OVERLAY BOUNDARIES

In addition to the districts shown on the Official Zoning Map, all areas of Prairie Township subject to inundation by the ~~one hundred (100) year flood~~ Base Flood as designated on the preliminary Flood Boundary and Floodway Maps of Franklin County, or any subsequent revisions, prepared by the Federal Emergency Management Agency, are hereby included as a flood hazard overlay to the Official Zoning Map. Panels 80, 85, 90, and 95 of the preliminary Flood Boundary and Floodway Maps for the unincorporated areas of Franklin County as prepared by the Federal Emergency Management Agency, or any subsequent revisions, are hereby adopted as the area of the flood hazard overlay, and in this Article shall be referred to as the "overlay." The overlay shall be superimposed over the Official Zoning Map, and the underlying district shall be referred to as the "base district" in this Article. Uses and minimum requirements shall be determined by the base district. However, if the provisions governing the overlay are stricter than those of the base district, the provisions of this Article shall supersede those of the base district.

SECTION 1530
ESTABLISHMENT OF REGULATORY FLOODPLAIN

The Regulatory Floodplain shall exist as an overlay and shall apply concurrently with the base zoning district. Land uses and development allowed in the base district must also meet all other applicable sections of this Article and this Article shall supersede the base district where a conflict concerning any permitted or conditionally permitted use, dimensional requirements, or other standard or requirement is found to exist.

The Regulatory Floodplain shall be designated as those flood hazard areas which are identified by the Federal Emergency Management Agency (FEMA), through the National Flood Insurance Program (NFIP) maps and data, as may be amended. These maps and data

shall be on file at the ~~County or Regional Planning Commission and the County Engineer's office.~~ Franklin County Economic Development and Planning Department.

The Regulatory Floodplain is further divided into two portions consisting of the Floodway and the Floodway Fringe. The Floodway is that portion of the Floodplain consisting of the channel and sufficient adjacent lands to convey the ~~one hundred (100) year~~ Base Flood discharge without increasing the ~~one hundred (100) year~~ ~~b~~Base ~~f~~Flood eElevation more than one-half (½) foot. The Floodway Fringe is that portion of the Floodplain outside of the Floodway. The FEMA water surface profiles of the ~~Regional~~Base ~~one hundred (100) year~~ ~~f~~Flood shall govern the location of the Floodplain boundary. The Regulatory Flood Elevations and Floodway boundaries shall be established as those indicated by NFIP maps and data published by FEMA, including all revisions and amendments thereto.

In designated flood hazard areas for which FEMA has not determined detailed flood elevations and floodway boundaries, the applicant shall be required to furnish such information prepared by qualified personnel to enable the administration of this Resolution consistent with its intent. Flood maps and data published by State or Federal sources such as the Soil Conservation Service shall be utilized when available. In the case of differing information from two or more of these sources, the more comprehensive and recent technical data shall be used.

SECTION 1531
PERMITTED USES IN FLOODWAY

The following uses, not including buildings, shall be permitted within the Floodway, provided they comply with all other applicable sections of this Resolution:

1. Agricultural land uses such as general farming and cultivation, pasturing, grazing, outdoor open air nurseries, truck farming, forestry, sod farming, and similar uses.
2. Private or public recreational land uses such as golfing, tennis, archery, picnicking, boating, swimming, parks, wildlife, or nature preserves, shooting ranges, hunting and fishing areas, hiking, biking, jogging, and horseback riding trails, and other similar uses.
3. Residential open space uses such as lawns, gardens, play areas, and other similar uses.

SECTION 1532
PROHIBITED USES IN FLOODWAY

The following structures and uses are prohibited in the floodway:

1. Buildings and structures, including mobile homes, for residential, commercial, industrial, agricultural, or other uses.
2. Storage or processing of materials.

3. Trash, garbage, or waste disposal operations, landfills, wastewater treatment and disposal facilities.

4. Placement of material, fill, or spoil of any type or the construction or extension of levees, dams, dikes, floodwalls, or other such moundings or embankments.

5. Encroachments which would cause any increase in the ~~one hundred (100) year~~ ~~b~~Base ~~f~~Flood eElevations.

SECTION 1533
CONDITIONAL USES IN FLOODWAY

The following uses shall be conditionally permitted uses within the floodway, provided they comply with all other applicable provisions of this resolution. They shall be approved following the provisions of Sections 560-568 inclusive of this Resolution:

1. Navigational and streamflow aids, marinas, boat and canoe rental, docks, piers, wharves, and water measuring and monitoring devices.

2. Construction, placement, or improvement or maintenance of public or private culverts, utilities, bridges, and stream crossings of any type or size, erosion control and protection measures.

3. Extraction of sand, gravel, or other resources.

4. Alteration or relocation of the channel or watercourse.

SECTION 1534
PERMITTED USES IN FLOODWAY FRINGE

1. All uses permitted in the floodway shall be permitted in the floodway fringe.

2. Accessory structures, not for human occupancy and no larger than five hundred and seventy-six (576) square feet gross floor area, provided the structure is certified by an Ohio registered professional engineer or architect; or the structure is created with a minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding and ensuring the bottom of all openings shall be no higher than one (1) foot above grade. Openings must allow for the automatic entry and exit of floodwaters. All accessory structures shall meet the applicable requirements of Sections 930 Table 2 and 937. This allows for relatively small accessory structures to be built in the floodplain, with acceptable safety measures, without requiring property owner to seek a Conditional Use.

SECTION 1535
CONDITIONAL USES IN THE FLOODWAY FRINGE

The following uses shall be conditionally permitted within the floodway fringe, provided they comply with all other applicable provisions of this resolution. They shall be approved following the provisions of Sections 560-568 inclusive of this Resolution:

All conditional uses in the Floodway as listed in Section 1533.

1. All conditional uses in the Floodway as listed in Section 1533.
2. Residential, commercial, industrial, manufacturing, or similar structures or buildings with the exception of mobile/modular or manufactured homes or structures which are prohibited uses in the regulatory floodplain.~~ Placement of a mobile home shall comply with the requirements of Federal Law 44 CFR 60.3.~~
3. Storage or processing materials.
4. Parking and loading areas.
5. Waste processing and/or disposal facilities and wastewater treatment and disposal systems.
6. Flood control or mitigation structures and measures.
7. Temporary or permanent placement of material, fill, or spoil of any type or other such mounding or embankment or additions or extensions thereto.

SECTION 1540
DEVELOPMENT STANDARDS IN REGULATORY FLOODPLAIN

1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
2. No use of the Floodplain shall unduly or adversely affect or impact the efficiency, flow characteristics, or flood heights of the main channel or other affected tributaries, ditches, drainage facilities or systems, for storm frequencies up to and including the ~~regional~~ Base ~~one hundred (100) year~~Flood ~~e~~Event. No use or encroachment within the Floodway shall increase the Base Flood Elevation.
3. All activities and developments shall be planned, designed, constructed, and installed consistent with the need to minimize damages in time of flooding.

SECTION 1541
BUILDINGS AND STRUCTURES

Temporary or permanent buildings and structures, new construction and substantial improvement of buildings shall be designed and constructed such that:

1. The lowest floor, including basement, is at least one (1) foot above the ~~Regional~~Base Flood Elevation, plus any increase caused by potential encroachments into the Floodway Fringe. Floodway Fringe encroachment increases range from 0.0 to 0.5 feet and are listed in the Flood Insurance Study published by FEMA and available at the offices listed in Section 1530. Buildings and structures shall not be permitted with floor levels below the Base Flood Elevation.

2. Fill used to elevate structures which are located entirely within the Floodway Fringe shall extend a minimum of ten (10) feet beyond the walls of the structure at a grade not to exceed ten percent (10%), and be suitably placed and protected to prevent erosion or scour during periods of high water.

3. They shall have a means of vehicular ingress and egress to land outside the Regulatory Floodplain which shall be at least fifteen (15) feet wide and at least one (1) foot above the ~~Regional~~Base Flood Elevation.

4. The applicant shall obtain and furnish to the Zoning Inspector, who shall send one copy to the County NFIP Administrator, as-built elevations, certified by a Registered Surveyor, of the basement and first floor~~, prior to the structural inspection approval~~.

~~5. Flood protection shall be achieved by elevating the structure. Structures shall not be permitted with floor levels below the one hundred (100) year flood elevations.~~

SECTION 1542
STORAGE OR PROCESSING OF MATERIALS

Storage or processing of materials which are buoyant, pollutants, flammable, explosive, or could be injurious to human, animal or plant life in time of flooding shall be stored one and one-half (1 ½) feet above the ~~Regional~~Base Flood Elevation, or suitably flood proofed and protected. Proposed protection measures and safeguards shall be approved by the Ohio EPA.

Storage of materials, equipment, or placement of other obstructions which in time of floodings~~s~~ may be dislodged or otherwise carried off site by flood waters to the possible damage or detriment to life or property must be protected by suitable safety measures designed by an Engineer or Architect and approved by the Board of Zoning Appeals.

SECTION 1543
PARKING AND LOADING AREAS

Public or private parking or loading areas which would be inundated to a depth of one and one-half (1 ½) feet or more, or subjected to flow velocities over four (4) feet per second must

be provided with adequate flood warning devices and measures approved by the Board of Zoning Appeals.

SECTION 1544
WASTE PROCESSING AND/OR DISPOSAL FACILITIES AND WASTEWATER TREATMENT AND DISPOSAL SYSTEMS

Such facilities must be approved by the Ohio EPA, the County Sanitary Engineer, or the County District Board of Health, whichever has jurisdiction, and must be elevated or flood proofed to provide protection from the ~~one hundred (100) year flood~~Base Flood.

SECTION 1545
FLOOD OR EROSION CONTROL MEASURES OR WATERCOURSE ALTERATION OR RELOCATION

Dams, dikes, levees, embankments, floodwalls, rip rap, rock protection, or other flood or erosion control measures and any alteration or relocation of the channel or watercourse shall be subject to all applicable provisions of Sections 1521.06 and 1521.07 of the Ohio Revised Code and all other applicable state, federal, county and local ordinances and regulations.

1. Such measures over three (3) feet in height or including over one thousand (1,000) square feet of surface area shall be submitted by the Administration Officer to the U.S. Army Corps of Engineers and/or the Ohio Department of Natural Resources for review, recommendations, and approval as appropriate.
2. Flood control measures intended to remove lands from the Regulatory Floodplain must be approved by FEMA. The Regulatory Floodplain shall be changed to coincide only with effective revisions to published NFIP maps.
3. Adjacent communities and ODNR shall be notified when channels or watercourses are to be altered or relocated.

SECTION 1546
PUBLIC OR PRIVATE UTILITIES OR FACILITIES

Activities or developments such as bridges, culverts, docks, wharves, piers, water supply, sanitary or storm sewers and works, or construction of other public or private utility works and appurtenances shall be planned, designed, constructed, installed, and maintained consistent with the need to minimize the potential of flood damage to them and to the community in accordance with this Resolution. Compensating measures shall be required by this Resolution to offset potential impacts of such projects.

SECTION 1550
ADDITIONAL PLAN REQUIREMENTS

For zoning compliance, Conditional Use Permits, and Variance applications involving the Regulatory Floodplain, the applicant shall furnish sufficient information to permit the Board of Zoning Appeals to determine the Regulatory Floodplain and Floodway Boundaries, and to facilitate the administration and enforcement of this Resolution. Such information shall include:

1. Plans prepared by a Registered Surveyor, Engineer, or Architect and drawn to scale showing the nature, location, dimensions, and details of the property, development, activities, and land use, both existing and proposed.
2. Existing and proposed topographic information.
3. Other information as may be reasonably deemed necessary by the Zoning Inspector.

SECTION 1560
COMPLIANCE WITH APPROVED PLANS

Certificates of Zoning Compliance, Variances and Conditional Use Permits issued on the basis of applications, plans, specifications, and other information approved by the Zoning Inspector or the Board of Zoning Appeals shall authorize only the use, arrangement, and construction set forth therein.

The applicant shall submit certification of finished elevations, and/or other proofs or assurances of compliance with approved plans to the satisfaction of the Zoning Inspector, County NFIP~~A~~ Administrator, and/or the Board.

SECTION 1570
COMPLIANCE WITH THE NATIONAL FLOOD INSURANCE PROGRAM

1. The administration of this Zoning Resolution shall in no way supersede or lower any requirement or standard of the National Flood Insurance Program 44 CFR Part 60.3 and 60.6.
2. The County NFIP Administrator shall review all applications involving Conditional Uses and Variances in the Floodplain and prepare a brief report and recommendation to be submitted to the Board, prior to action by the Board. Upon receipt of an application governing land in the overlay area, the Zoning Inspector and/or Board of Zoning Appeals shall notify the County NFIP Administrator of the application and shall notify them of hearing on said applications.
3. ~~The administration of this Section shall in no way lower any requirement or standard of the National Flood Insurance Program 44 CFR Part 60.3 and 60.6.~~

SECTION 1580
WARNING AND DISCLAIMER OF LIABILITY

This Resolution does not imply that areas outside the Regulatory Floodplain or uses allowed or otherwise permitted or approved within the Regulatory Floodplain District in accordance with the provisions of this Resolution will be free from flooding or flood damages. This Resolution or its administration and/or enforcement shall not create liability on the part of any officer or employee of the County, Township, or other staff or personnel involved in its administration and/or enforcement.

ARTICLE 16
ADULT ENTERTAINMENT BUSINESS REGULATIONS

SECTION 1600
PURPOSE AND INTENT

The purpose of this article is to promote and protect public health, safety, morals and welfare by regulating adult entertainment businesses. The establishment of such businesses has a deleterious effect on existing businesses and the surrounding residential segments of neighborhoods causing blight and downgrading of property values. Such businesses, characteristically, utilize excessive illumination to identify their locations at night, thereby disturbing passing motorists, and operate during the late hours of the night and early hours of the morning, thereby creating excessive noise levels adversely affecting the surrounding neighborhoods. The type and character of the merchandise and paraphernalia sold or available for viewing at such businesses create an aura of mystery and enticement for youth that is increased by the lascivious and suggestive advertising that is often employed to promulgate the availability of these products and services. Furthermore, such businesses have a general overall adverse effect on the health, safety, morals and welfare of the patrons of such businesses, visitors to the township and citizens of the township and upon the surrounding neighborhoods, thereby necessitating the regulation of the location of such businesses and uses within the township.

It is the intent of this article to regulate adult entertainment businesses, as defined herein, in such a manner as to prevent the erosion of the character of the surrounding neighborhoods and to prohibit the establishment of such businesses within close proximity to existing adult entertainment businesses, residentially zoned areas, schools, churches, parks and playgrounds within the township.

SECTION 1610
DEFINITIONS

ADULT ENTERTAINMENT BUSINESS

means an adult book store, adult motion picture theater, or adult entertainment establishment as defined by this article.

ADULT BOOK STORE

means an establishment which utilizes twenty-five (25) percent 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, books, magazines, other periodicals, films, tapes and cassettes which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" as defined in

this article, or an establishment with a segment or section devoted to the sale or display of such material.

ADULT MOTION PICTURE THEATER

means an enclosed motion picture theater or motion picture drive-in theater which is regularly used or utilizes twenty-five (25) percent or more of its total viewing time, for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual acts" or "specified anatomical areas" as defined by this article or observation by patrons.

ADULT ENTERTAINMENT ESTABLISHMENT

means any establishment where the patron directly or indirectly is charged a fee to engage in personal contact with or to allow personal contact by employees, devices or equipment or by personnel provided by the establishment or views a series of dance routines, strip performances or other gyrational choreography performed by topless dancers, go-go dancers, exotic dancers, strippers, or other similar entertainers provided by the establishment which appeal to the prurient interest of the patron.

SPECIFIED SEXUAL ACTIVITIES

is defined as human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy or any act of bestiality; and fondling or other erotic touching of human genitals, pubic regions, buttocks or female breasts.

SPECIFIED ANATOMICAL AREAS

is defined as less than completely and opaquely covered human genitals, pubic region, buttocks and female breast below a point immediately above the top of the areola, and human male genitals in a discernible turgid state, even if completely and opaque covered.

SECTION 1620
ZONING OF ADULT ENTERTAINMENT BUSINESSES

Adult entertainment businesses are conditionally permitted uses established in accordance with the provisions of Sections 560-567 of this resolution.

Adult entertainment business uses shall only be permitted in the following Districts: GB, AB, M-1 and M-2.

SECTION 1630
CONDITIONAL USE CRITERIA FOR ADULT ENTERTAINMENT BUSINESSES

1. Adult entertainment businesses shall comply with the district regulations applicable to other properties in the zoning district in which they are located.

2. Location of an adult entertainment business: No adult entertainment business shall be established within:

    a) 660 feet of another such business, or

    b) 1320 feet of any church, public or private preschool, elementary, middle or secondary school, park, playground, or

    c) 300 feet of any areas zoned for residential use.

For the purpose of this division, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest portion of the parcel of real estate upon which an adult entertainment business is located to the nearest property line of the premises of a church, public or private school, elementary, middle or secondary school, residence, park or playground, or to the nearest boundary line of a district restricted to residential use by the Prairie Township Zoning Resolution.

ARTICLE 17
PROHIBITION OF THE MANUFACTURE, DISTRIBUTION, OR SALE OF DRUG RELATED PARAPHERNALIA

SECTION 1700
PURPOSE AND INTENT

The purpose of this article is to promote and protect the public health, safety, morals and welfare by prohibiting the manufacture, distribution or sale of drug paraphernalia. There is substantial awareness and concern over the general proliferation of "head shops" engaged in the sale of paraphernalia associated with drugs. Such establishments tend to entice young people to abuse substances which are known to be harmful and unsafe for human consumption. Furthermore, the drug paraphernalia industry has an adverse effect on the health, safety, morals, and welfare of the citizens of the township, thereby, necessitating the prohibition of the location of such business and uses within the township.

It is the intent of this article to prohibit the manufacture, distribution, or sale of drug paraphernalia, as defined herein, within the township.

SECTION 1710
DEFINITIONS

1. Drug Paraphernalia means all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, enhancing the effect of or otherwise introducing into the human body a controlled substance as defined in Chapter 3719, Ohio Revised Code. It includes, but is not limited to:

    a) Kits used, intended for use or designed for in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived.

    b) Kits used, intended for use or designed for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances.

    c) Isomerization devices used, intended for use or designed for use in increasing the potency of any species of plant which is a controlled substance.

    d) Testing equipment used, intended for use or designed for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances

e) Scales and balances used, intended for use or designed for use in weighing or measuring controlled substances.

f) Dilutents and adulterants, such as quinine hydrochloride, mannitol, rannite, dextrose and lactose, used, intended for use or designed for use in cutting controlled substances.

g) Separation gins and sifters used, intended for use or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining marihuana.

h) Blenders, bowls, containers, spoons, and mixing devices used, intended for use or designed for use in packaging small quantities of controlled substances.

i) Capsules, balloons, envelopes and other containers used, intended for use or designed for use in packaging small quantities of controlled substances.

j) Containers and other objects used, intended for use or designed for use in storing or concealing controlled substances.

k) Hypodermic syringes, needles and other objects used, intended for use or designed for use in parenterally injecting controlled substances into the human body.

l) Objects used, intended for use or designed for use in ingesting, inhaling or otherwise introducing marihuana, cocaine, hashish or hashish oil into the human body, such as:

1. Metal, wooden, acrylic, glass, stone, plastic, ceramic pipes with or without a screen, permanent screens, hashish heads or punctured metal bowls.
2. Water pipes.
3. Carburetion tubes and devices.
4. Smoking and carburetion masks.
5. Roach clips: meaning objects used to hold burning material, such as a marihuana cigarette, that has become too small or too short to be held in the hand.
6. Miniature cocaine spoons and cocaine vials.
7. Chamber pipes.
8. Carburetor pipes.
9. Electric pipes.
10. Air-driven pipes.
11. Chillums.
12. Bongs.

13. Ice pipes or chillers.

2. In determining whether an object is "drug paraphernalia" in addition to all other logically relevant factors, the following may be considered:

   a) Statements by an owner, or by any person in control of the object concerning its use.

   b) Prior conviction, if any, of an owner, or of any person in control, of the object, under any State statute or federal law relating to any controlled substance.

   c) The proximity of the object to any controlled substance.

   d) The existence of any residue of controlled substances on the object.

   e) Direct or circumstantial evidence of the intent or the owner, or of any person in control, of the object to deliver it to persons whom he knows, or should reasonably know, intends to use the object to facilitate a violation of any state statute or federal law relating to any controlled substances.

   f) Instructions, written or oral, provided with the object concerning its use.

   g) Descriptive materials accompanying the object which explain or depict its use.

   h) Any advertising concerning its use.

   i) The manner in which the object is displayed for sale.

   j) The existence and scope of legitimate uses for the object in the community.

   k) Whether the owner, or any person in control, of the object is a supplier of similar or related items to the community for legal purposes such as an authorized distributor or dealer of tobacco products.

   l) Direct or circumstantial evidence of the ratio of the sales of the object to the total sales of the business enterprise.

   m) Expert testimony concerning its use.

3. Drug Paraphernalia Establishment means any place, whether or not operated as a business, within a building, structure or dwelling, or any part thereof, of any parcel located within the township where drug paraphernalia, as defined by this article, is manufactured, distributed or offered for sale.

   Drug paraphernalia establishments do not include manufacturers, practitioners, pharmacists, owners of pharmacies or other persons who conduct a business or profession in accordance with Chapters 3719, 4715, 4729, 4731 and 4741, Ohio Revised Code.

SECTION 1720
DRUG PARAPHERNALIA ESTABLISHMENTS PROHIBITED

Drug paraphernalia establishments are prohibited uses within all districts.

SECTION 1730
ENFORCEMENT OF THIS ARTICLE

An action to enforce this article taken against any person, firm or corporation shall not be construed to effect any other uses of buildings, other structures or land for trade, industry or other purposes by such person, firm or corporation which are in conformity with the provisions of this resolution.

ARTICLE 18
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ARTICLE 19
REGULATION OF COMMUNITY-BASED RESIDENTIAL SOCIAL SERVICE FACILITIES

SECTION 1900
PURPOSE AND INTENT

The purpose of this article is to promote and protect the public health, safety, morals and welfare by establishing standards relating to the development and location of such facilities. Such facilities cover a wide variety of living arrangements, from private family living to group homes and semi-institutional residential programs. Such facilities have been developed to enable their residents to live as independently as possible, while developing more general, social and vocational skills. It is recognized that such facilities can help a resident regain self-confidence and obtain a self-worth and a feeling of belonging by assisting the resident in adjusting to living with a developmental disability, an emotional or mental disorder, or other handicaps, in lieu of or subsequent to confinement within an institution; by providing the resident housing in a supervised living arrangement in lieu of or subsequent to placement within a correctional institution; by offering the abused, neglected, or dependent child a stable living environment; or by assisting the resident in recuperating from the effects of drugs or alcohol.

It is the intent of this article to regulate community-based residential social service facilities in order to assure their access to appropriate neighborhood environments; prevent the formation of de facto social service districts containing a concentration of similar facilities; and maintain neighborhood stability within the township.

SECTION 1910
DEFINITION AND CLASSIFICATION OF COMMUNITY-BASED RESIDENTIAL SOCIAL SERVICE FACILITIES

COMMUNITY-BASED RESIDENTIAL SOCIAL SERVICE FACILITY MEANS A FACILITY WHICH:

1. Provides supervised room, board, and care in a residential setting to any unrelated persons who live together in such a setting as a single housekeeping unit and whose disabilities or status limit their ability to live independently, and only secondarily for training, rehabilitation, and non-clinical services.

2. Is:

    a) A facility providing care for a child or adolescent in the custody of a county welfare department, county children's services board, or a private agency certified under Section 5103.03, Revised Code.

    b) An adult facility licensed by the Ohio Department of Public Welfare under Sections 5103.30 to 5103.34, Revised Code.

c) A residential facility for the mentally retarded as defined in Section 5123.19, Revised Code.

d) A residential care facility for the mentally ill persons that is licensed by the Ohio Department of Mental Health under Chapter 3122, Revised Code.

e) A facility for adjudged delinquents or status offenders licensed by the Ohio Department of Youth Services under Section 5139, Revised Code.

f) A facility that is licensed or certified as a drug treatment program under Sections 5122.50 and 5122.51, Revised Code.

g) A facility that is certified as an alcoholism program under Chapter 3720, Revised Code.

COMMUNITY-BASES RESIDENTIAL SOCIAL SERVICE FACILITIES SHALL BE CLASSIFIED INTO THE FOLLOWING CATEGORIES:

1. **CATEGORY A FACILITY**
   A private residence servicing one (1) to three (3) persons who are cared for solely by the private individual or individuals owning the parcel on which the residence is located.

2. **CATEGORY B FACILITY**
   A residential facility operated by any person, firm, corporation, or public or private agency servicing one (1) to five (5) persons, except a facility which qualifies as a Category A Facility, as herein defined.

3. **CATEGORY C FACILITY**
   A residential facility operated by any person, firm, corporation or public or private agency servicing six (6) to ten (10) persons.

4. **CATEGORY D FACILITY**
   A residential facility operated by any person, firm, corporation or public or private agency servicing eleven (11) or more persons.

SECTION 1920
ZONING OF COMMUNITY-BASED RESIDENTIAL SOCIAL SERVICE FACILITIES

1. Category A facilities shall be permitted uses within residential districts.

2. Category B, C and D facilities as conditionally permitted uses established in accordance with Sections 560-567 inclusive of this resolution

   a) Category B facilities shall only be permitted in the following districts: R, SER, R-2, R-4 and R-6.

b) Category C facilities shall only be permitted in the MFR district provided no such use shall be permitted if a planned unit development has been applied for or approved.

c) Category D facilities shall only be permitted in the GB district.

3. Any facility providing services as specified in paragraph one (1) of the definition for a community-based residential social service facility but which does not qualify a facility specified in paragraph two (2) of such definition is not a permitted use within any district.

SECTION 1930
CONDITIONAL USE CRITERIA FOR CATEGORY B, C AND D COMMUNITY-BASED RESIDENTIAL SOCIAL SERVICE FACILITIES

1. Such facilities shall comply with the district regulations applicable to other properties in the zoning district in which they are located.

2. Applicants must show that the proposed facility will require no special off-street parking facilities, and will generate no traffic unreasonably greater in volume or different in nature than what otherwise normally occurs in the neighborhood in which it is located.

3. Such facilities shall be reasonably accessible, by reason of location or transportation provided by the applicant, to necessary medical, psychiatric, recreational, or other services required by the residents.

4. The exterior of all such facilities shall be compatible with other residential dwellings in the immediate neighborhood and shall maintain the same degree of compatibility. An improvement required by Code or applicable licensing requirement shall not be deemed incompatible because surrounding buildings lack such facilities.

5. No signs shall be erected by such facility for purposes of identification of that facility except street address identification.

6. Such facilities in single-family residential structures shall utilize no more than thirty-five percent (35%) of the net floor area of the living quarters for sleeping area. Such facilities in multi-family residential structures shall utilize no more than forty-five (45%) of the net floor area of the living quarters for sleeping area. The sleeping area in single-family and multi-family residential structures shall exclude halls, corridors, stairways, closets, bathrooms and all other areas not used for sleeping.

7. The net floor area of the living quarters includes the entire gross floor area of the principle structure on the lot, except for halls, corridors, stairways, closets, and all other areas used primarily for heating, plumbing, or air conditioning equipment, and storage of property, (including vehicles).

8. No such facility shall be established within 2,640 feet of another such facility.

For the purpose of this article, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest portion of the parcel of real estate upon which such facility is proposed to be located to the nearest property line of the premises on which such a facility is currently located.

The "establishment" of such facilities shall include the opening of such facility as a new facility, the relocation of such facility, or the conversion of an existing building or structure into such a facility.

ARTICLE 20
SELECT COMMERCIAL PLANNED DISTRICT (SCPD) REGULATIONS

SECTION 2000
PERMITTED USES

Land and buildings within the Select Commercial Planned District shall be used only for those specifically selected uses identified by an applicant for zoning plan amendment and which are listed as a permitted or conditional use within the Suburban Office and Institutional, Local Business, General Business, Accommodation Business, Light Manufacturing or Heavy Manufacturing zoning district. Proposed uses shall be enumerated in the application as being appropriate to provide compatibility with the neighborhood and community character and for compliance with the Comprehensive Plan. All permitted uses shall be specifically approved by the Board of Prairie Township Trustees as a part of the Development Plan required for the subject tract. Said permitted uses shall run with the land as long as the SCPD zoning as approved remains in effect.

SECTION 2010
PROCEDURE

The owner or owners of a tract or tracts of land of any size may request, by application, that the Official Zoning Map be amended to include such tract or tracts in the Select Commercial Planned District in accordance with this Article 20 and the provisions of Article 6.

SECTION 2020
DEVELOPMENT STANDARDS

Unless otherwise permitted and approved by the Board of Prairie Township Trustees as part of a Development Plan approved in accordance with the provisions of this Article, the general development standards of Article 9, 10, 11 and 12 of this Resolution shall apply to the Select Commercial Planned District.

SECTION 2030
PERFORMANCE STANDARDS

Applications for Select Commercial Planned District shall meet the following requirements. The Development Plan will be reviewed to determine whether the following performance criteria have been addressed and satisfied. Unless otherwise indicated, information required by the performance standard criteria shall be submitted in conjunction with Development Plan submission. A compliance waiver for any performance standard contained in this

Article 20 may be granted as a part of the Development Plan if approved by the Board of Prairie Township Trustees.

1. **TRAFFIC**
   Each Development Plan shall be accompanied by an analysis of traffic conditions which can be expected to result from the proposed development. The analysis shall estimate the Average Daily Traffic (ADT), the peak hour(s) of traffic, and distribution of the same to the existing and proposed street system, together with an analysis of street improvements necessary to accommodate the additional traffic. The applicant shall state and document assumptions made regarding the projected traffic figures. Standard techniques and references shall be utilized. The following references, or other references which may be acceptable to the Board of Prairie Township Trustees, shall be used:

   a) Highway Capacity Manual (Special Report #87, 1965, National Academy of Sciences).

   b) Transportation Research Circular #212.

   c) "Trip Generation": Institute of Traffic Engineers, (Current Edition). Traffic analysis shall be based on existing off-site conditions and known plans for the development of off-site areas.

   Traffic expected to be generated by the proposed development shall not cause any tributary street or highway facility to operate below a level of service "C," as defined in the current edition of the "Highway Capacity Manual." (see above reference)

2. **ACCESS**
   Single or multiple structures proposed to be included in a SCPD district located on a collector street or arterial street, as defined by the Franklin County Thoroughfare Plan, shall be limited to a minimum of access points.

3. **PARKING**
   Off-street parking, loading and service areas shall be provided in accordance with Article 11. These areas shall be arranged for an internal traffic circulation pattern adapted to the site and structural arrangement set forth in the Development Plan. Parking setback requirements shall be met.

4. **SCREENING**
   Screening shall consist of earth mounding, plantings, fencing, or a combination of the same. The Select Commercial Planned District requires the submission of two separate plans which incorporate screening and landscaping proposals (#7 of this Section).

   a) **PLAN REQUIRED**
      A general screening and landscaping plan meeting the following requirements shall be prepared and submitted as a part of the Development Plan. For purposes of Development Plan submission, the screening concept proposed to meet the requirements of this Section shall be submitted in sketch and text form.

A detailed screening and landscaping plan shall be prepared by a registered landscape architect and submitted as a part of the Development Plan submission (Section 2040). The detailed screening and landscape plan shall show the placement, species and size of all plant materials, and the placement, size, composition and type of fencing or other materials proposed.

Fencing utilized in providing screening shall be architecturally compatible and shall be incorporated into the overall architectural design concept.

b) **ABUTTING RESIDENTIAL AREAS**
Whenever a proposed SCPD abuts a residential area, screening shall be provided along the entire area of abutment in a manner that effectively screens the residential areas from the proposed select commercial activities.

Exceptions to screening requirements may be made where:

Existing topographical or vegetative characteristics provide the necessary screening effect, or where existing topographical conditions make it difficult to adequately screen the proposed use from adjacent properties. When the use cannot be adequately screened due to elevation differences between adjacent properties and the proposed site, the proposed design should minimize negative visual impact.

c) **PARKING**
All open off-street areas consisting of five (5) or more parking spaces or one thousand (1,000) square feet or more shall be screened from abutting residential uses. Curb barriers a minimum of ten (10) feet from the property line shall be provided. Grass plantings or other acceptable surface material shall be provided for all areas bordering the parking area. When large parking areas are planned, landscaped islands or medians shall be utilized to lessen negative visual impact and direct traffic flow.

Whenever a parking lot or access drive is located adjacent to a residential area, screening shall be designed to prevent vehicle lights from shining directly onto the residential property.

5. **PLANTINGS**
When mounding is utilized in conjunction with plantings, the plan materials shall be of a size and species suitable which together will produce a minimum six (6) foot high screen within a two (2) year period. When plant material without mounding is utilized, the plant materials shall be a minimum of five (5) feet in height when planted and be of such species that will produce a dense six (6) foot visual screen within a two (2) year period. All screen plantings shall be maintained permanently, and any plant material which does not survive shall be replaced within one (1) year with material meeting the specification of the original planting. Maintenance responsibilities for the screen planting shall be addressed in the Development Plan.

6. **MINIMUM OPACITY**
All screens must provide a minimum opaqueness of seventy-five percent (75%) or more.

7. **LANDSCAPING**
Landscaping shall mean the improvement of the natural beauty of the land by grading, clearing and decorative planting or grass to create a pleasant and functional environment. Landscaping of a lot shall be installed within six (6) months after the month in which the building is completed or occupied. Any portion of a lot upon which a building or parking area is not to be constructed per the Development Plan shall be landscaped. For every ten (10) parking spaces on an individual lot, the owner shall be required to place at least one (1) tree (3" caliper or larger) in such a manner as to be spaced and placed in or among the parking rows. Such trees shall be in addition to any screening requirements contained herein and all replacement material shall meet the specifications of the original planting. All shrubs, trees, grass, ground covers, and plantings of every kind or type, shall be well-maintained, properly cultivated and free from trash and other unsightly material and/or debris.

8. **STORMWATER DRAINAGE**
Drainage and runoff from the proposed development shall not cause property damage. All drainage improvements shall be designed in conformance with the requirements of Prairie Township and the Franklin County Subdivision Regulations.

9. **SEWAGE DISPOSAL AND WATER SUPPLY**
Information regarding sewage disposal and water supply techniques to be utilized will be provided in the application for the proposed SCPD, together with letters of approval from the pertinent local, state and, if applicable, private agencies. The letters shall be submitted with the Development Plan.

10. **ARCHITECTURAL DESIGN**

a) The Development Plan shall indicate general exterior design and potential materials. All buildings shall be constructed with materials compatible with the surrounding environment. All buildings shall be constructed with material consistent with the design character for each building on all sides.

b) All private deed restrictions pertaining to design character and location of buildings shall be included in the Development Plan.

c) Building density. No parcel or lot shall have constructed thereon any building(s) which shall have a ground level floor density of greater than thirty-five percent (35%) of the lot or parcel upon which said building(s) is or are constructed. Both building and parking lot coverage (excluding access drives to the parking lot) shall not exceed sixty-five percent (65%) of a lot.

d) Building height shall not exceed thirty-five (35) feet unless otherwise indicated and approved as a part of the Development Plan as appropriate to the specific site and neighborhood character.

e) No outside storage shall be permitted within a SCPD. No rubbish or debris of any kind shall be placed or permitted to accumulate on any portion of the parcel or lot so as to render any portion of the property unsanitary, unsightly or detrimental to the public health, safety or welfare.

f) All utilities shall be placed underground.

g) All below ground storage facilities not under the ground floor of structures must be illustrated on the Development Plan.

11. **POLLUTION**

a) **SMOKE**
No smoke from an industrial or commercial process shall be emitted from any structure in the SCPD.

b) **ODORS**
No use shall emit odorous gases or other odorous matter in such quantities as to be offensive at any point on or beyond the SCPD boundary.

c) **NOISE**
Within a Select Commercial Planned District, the maximum allowable hourly average sound level, emitted from any stationary noise source, shall not exceed the limits set forth in Table 1 for respective categories of receiving land use adjacent to a SCPD district. The actual sound level shall be determined during any measurement period, which shall not be less than thirty (30) consecutive minutes, and shall be measured at the property boundary affected by the noise.

Receiving Land Category Use Category	**Category**	**30 Minute Average Sound Level (DBA)**
Institutional	10:00 p.m. to 7 a.m.	50
Institutional	7:00 a.m. to 10:00 p.m.	60
Residential (all Residential Districts and residential non-conforming uses)	Anytime	50
Commercial	10:00 p.m. to 7:00 a.m.	65
Commercial	7:00 a.m. to 10:00 p.m.	70
Industrial	Anytime	70

Submission of adequate noise control measures to effectively lessen potential noise impact, prepared by a qualified professional, may be required by the Prairie Township Zoning Commission as a part of a Development Plan submission.

CORRECTION FOR AMBIENT CONDITIONS
Where the ambient noise level influences a measurement at a property line boundary, such noise will be accounted for by applying the following correction factors:

If the ambient noise level is less than the noise source by:	Add the following to the noise limit:
0 – 1 dBA	3 dBA
2 – 3 dBA	2 dBA
4 – 9 dBA	1 dBA

If the ambient noise level is greater than the noise limit, the noise source shall not be allowed to exceed the ambient level.

12. **GRAPHICS**

Graphics within a Select Commercial Planned District shall meet the requirements of Article 12 of this Zoning Resolution, except as otherwise required by this section. The Development Plan shall specify signage details of all proposed signage, including lighting (type of lamp and fixtures proposed), color scheme of proposed advertising area and related support structure, and the proposed location and size of all exterior signs and the relationship of such signs to the overall architectural design of the development.

a) The maximum allowable advertising area for a free-standing sign in a SCPD zoning district shall not exceed twenty (20) square feet unless otherwise approved as a part of an approved Development Plan. Within a SCPD zoning district, free-standing graphics will be limited to one of the following types:

   i. A single "monument sign" which is a sign attached to the ground but constructed within an architecturally planned wall or structure, which wall or structure shall not exceed nine (9) feet in height from the top of the wall or structure to the nearest grade of the earth's surface.

   ii. A single "flag sign" or "post and flag" type sign, which sign shall not exceed fifteen (15) feet in height.

   iii. A wall sign or awning sign may be permitted in lieu of a free-standing sign in a SCPD zoning district, provided the proposed wall or awning sign does not exceed twenty (20) square feet in area unless otherwise permitted as a part of an approved Development Plan.

b) Roof signs shall be prohibited in a SCPD zoning district.

c) No signs advertising off-premise businesses shall be permitted in the Select Commercial Planned District.

d) Temporary real estate For Sale or For Lease signs shall not exceed twenty (20) square feet of advertising area.

e) Lighting of "monument" or "post and flag" type signs.

   If illuminated, free-standing signs shall be illuminated only by the following means:

i. By a white steady, stationary light of reasonable intensity, directed solely at the sign and shielded or otherwise prevented from beaming directly onto adjacent properties or streets.

ii. By white interior light of reasonable intensity with logos and/or letters lit or silhouetted on an opaque background. No additional background lighting shall be permitted. No flashing, traveling, animated or intermittent illumination shall be used.

iii. Light sources to illuminate signs shall be shielded from all adjacent residential buildings and streets and shall not be of such brightness so as to:

1. Case glare hazardous to pedestrians and motorists,
2. Cause reasonable objection from adjacent residential districts, or
3. Spill light and glare onto adjacent properties and structures.

13. **EXTERIOR LIGHTING**

a) A SCPD Development Plan must include a plan which details all proposed exterior lighting except for fossil fuel outdoor light fixtures (such as gas lamps) and holiday lighting which are exempt from this section.

i. All Development Plan submittals shall include:

ii. Location of all fixtures, controllers and transformers;

iii. Property boundaries, building location(s), parking lot layout, pedestrian paths, adjacent right-of-way, north arrow and scale;

iv. Cut sheets for all proposed exterior light fixtures and poles;

b) Except for security lighting, all commercial, industrial, recreational and institutional use exterior lighting shall be extinguished within one hour of closing.

c) Light pollution standards emanating from a SCPD zoning district.

Light pollution shall be defined as any measurable exterior artificial illumination that strays beyond the site boundary horizontally at grade and vertically to the building height limitation.

Artificially produced light straying beyond property boundaries shall be considered a public nuisance when intensity levels exceed the following maximum illumination levels at or beyond five (5) feet into the adjoining property and shall be adjusted, modified or removed accordingly.

MAXIMUM LIGHT POLLUTION ILLUMINANCE

Receiving Area Classification	Maximum Horizontal Foot Candles	Maximum Vertical Foot Candles
Residential	0.4	0.8
Commercial	3.4	6.5
Industrial	3.4	6.5

Note: when two differing area classifications abut, the lower level value shall take precedence (i.e., residential over commercial).

d) The architectural features of all free-standing exterior lighting structures shall be detailed on the required Development Plan. Exterior lighting posts and poles shall be black, brown or bronze in color unless otherwise permitted as a part of an approved Development Plan.

e) All private deed restrictions pertaining to lighting shall be included as a part of the required Development Plan.

SECTION 2040
DEVELOPMENT PLAN

A Development Plan shall be prepared by a registered architect, engineer, and/or landscape architect to satisfy these Development Plan requirements. Twelve (12) copies of a Development Plan shall be submitted with the application to amend the zoning district map. Such Development Plan shall be in map form with accompanying text as appropriate, and shall address the following:

1. Selected uses in accordance with Section 2000 to be permitted within the Select Commercial Planned District shall be specified by area or specific building location as a part of the Development Plan submission. An explanation of how the selected uses are designed to create the desired compatibility with adjacent land uses shall be submitted with the required Development Plan. Selected uses to be permitted within specific locations in the Development Plan may include all uses selected in accordance with Section 2000, or the Development Plan may state specific individual uses by area or structure in order to accomplish the desired compatibility with the surrounding environment.

2. A survey map of the boundary of the area being requested for zoning map amendment.

3. A preliminary drainage plan, showing topographical contours in two (2) foot intervals, and general locations of proposed improvements.

4. Significant stands of existing vegetation.

5. Soil types found on the subject tract based upon the Franklin County Soil Survey.

6. Existing roads, streets and easements within the subject tract. Off-site contour and easement locations shall be provided where necessary to determine special off-site circumstances as they relate to the development, or off-site features affected by the development.

7. Names of registered architect, engineer, surveyor and/or landscape architect who prepared the required Development Plan.

8. Proposed features, including:

    a) Information that the development concept conforms to the various elements of the required Performance Standards, Section 2030 of the Select Commercial Planned District.

    b) Proposed location and approximate size of all structure and ancillary uses.

    c) Anticipated traffic impacts and proposed street pattern per Section 2030, Performance Standards.

    d) A list of specific restrictions applicable to the area being considered for zoning map amendment which are designed to fulfill the concept proposed.

    e) Screening, landscaping and other provisions required by Section 2030, Performance Standards.

9. Any additional information necessary to demonstrate compliance with Section 2030, Performance Standards.

SECTION 2050
BASIS OF APPROVAL BY ZONING COMMISSION

An application for a Select Commercial Planned District may be recommended for approval by the Zoning Commission provided that the application and final Development Plan meets the following requirements:

1. That the Performance Standards and Development Plan requirements of the Select Commercial Planned District as proposed and/or modified by the applicant have been met and that any exception from the Zoning Resolution requirements is warranted by the design and amenities incorporated in the Development Plan; and

2. That the proposed development is harmonious with and in accordance with the general objectives, and with any specific objectives of the Prairie Township Comprehensive Plan and Zoning Resolution; and

3. That the selected uses, proposed development and open spaces are sufficiently integrated, 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 development will not change the essential character of the same area; and

4. That the proposed development will not be hazardous or disturbing to existing or future neighboring uses; and
5. That the proposed development will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed developments shall be able to provide adequately for any such services; and
6. That the proposed development will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons or property by reason of excessive production of traffic, noise, smoke, fumes, glare or odor; and
7. That the proposed development will have vehicular access to the property which shall be so designed as not to create an interference with traffic on surrounding public streets, roads or highways.

SECTION 2060
EFFECT OF APPROVAL

The Prairie Township Trustees shall hold a public hearing on the application as provided in Article 6 of this Resolution. The application and accompanying Development Plan, if approved by the Prairie Township Trustees, shall constitute an amendment to the Prairie Township Zoning Map as it applies to the land included in the approved amendment.

The approval shall be for a period of one (1) year to allow the preparation of a subdivision plat for the first phase, submitted in accordance with the subdivision regulations for Franklin County, Ohio or for filing an application for a Certificate of Zoning Compliance per Article 3 of the Prairie Township Zoning Resolution. Unless the required subdivision plat and/or Certificate of Zoning Compliance is properly submitted and approved within the one (1) year period, the approval shall be voided and the land shall revert to its last previous zoning district, unless an application for time extension is submitted and approved in accordance with Section 2070.

SECTION 2070
TIME EXTENSION OR MODIFICATION OF DEVELOPMENT PLAN

1. An extension of time limit for receiving subdivision plat approval or zoning compliance approval for the approved Development Plan may be granted by the Prairie Township Trustees without public hearing provided the Township Trustees find that such extension is not in conflict with public interest.
2. A request for minor changes to the Development Plan may be approved by the Prairie Township Zoning Commission without being subject to the same procedures as the original application.

3. In the case of a request for a modification or amendment to the approved Development Plan that represents a substantial departure from the intent of the original proposal, said modification or amendment shall be subject to the same procedure and conditions of approval as the original application. The following shall be considered substantial departures from the original application:

    a) A change in the use or character of the development;

    b) An increase in overall lot coverage of structures and off-street parking;

    c) An increase in the problems of traffic circulation and public utilities; or

    d) A substantial departure from the approved Development Plan is sought.

ARTICLE 21
BIG DARBY CREEK CRITICAL RESOURCE PROTECTION DISTRICT

SECTION 2100
INTRODUCTION

Portions of the Big Darby Creek have been designated as a component of the National Wild and Scenic Rivers System. This waterway is also considered to be an exceptional warm water, pollution free habitat and water resource, due in large part to the stability of water temperature and enhanced water quality afforded by the dense tree and vegetative canopy along its banks. In order to accomplish the purposes set forth below, it is necessary to limit inappropriate land uses adjacent to this waterway.

SECTION 2110
PURPOSE

The purpose of the CRPD is to promote the public health and safety by protecting and preserving this valuable water resource in that the protection and conservation of an adequate free flowing safe water supply and the filtration and elimination of pollutants is of vital concern and interest to the Township and as residents.

SECTION 2120
ESTABLISHMENT

A Big Darby Creek Critical Resource Protection District is hereby established. The district consists of an area 120 feet from and parallel to the ordinary high water mark along the bank of the Big Darby Creek away from the creek landward to a line parallel to the ordinary high water mark in Prairie Township, Franklin County, Ohio.

SECTION 2130
PERMITTED USES WITHIN THE CRPD

1. Passive recreational uses (i.e., hiking, fishing, bird watching, etc.).
   (No public easement over private property is hereby created.)
2. Selective harvesting of timber, provided no more than 25 percent (25%) of the cumulative tree crown cover within the portion of the CRPD on any particular land owner's parcel is removed and trees on the immediate stream banks are not harvested. Damaged or diseased trees may be removed, the stump and roots of trees on the

stream bank shall be left in place to prevent erosion and sedimentation and to promote filtration.

RESTRICTIONS ON USES WITHIN THE CRPD

1. No structural or surficial (pavement) construction of any kind shall be permitted.
2. No discharge is permitted into any public or private sewer or drain, stream, or onto the ground of any liquids or materials which, because of their toxic properties or temperatures when discharged or placed, would contaminate the Big Darby watershed, groundwater or stream. The Ohio Environmental Protection Agency (OEPA) standards shall apply and be met in making a determination as to the propriety of the discharge. Discharges permitted by the Franklin County District Board of Health and/or the OEPA are not restricted by this section.
3. No drilling, filling, dredging or dumping of soil, spoil, liquid or solid material shall be permitted.
4. The natural vegetation within the Big Darby Creek Critical Resource Protection District shall remain undisturbed except for the removal of noxious weeds as otherwise permitted or required under the Ohio Revised Code Chapters 5579 and 5589, and the permitted and restricted activities contained in Section 2130 (2)
5. In addition to the requirements of the Big Darby Creek Critical Resource Protection District, the requirements of Article 15, Flood Hazard Regulations shall apply to all land within the CRPD which are subject to the provisions of Article 15. In the event of conflict, the more restrictive regulation shall apply.

JEFFERSON TOWNSHIP ZONING COMMISSION
6545 Havens Road, Blacklick, Ohio 43004
TEL: (614) 855-4265
FAX: (614) 855-1759
www.jeffersontownship.org
Email: cmccroskey@jeffersontownship.org

RECEIVED
Jefferson Township
MAY 16 2016
Zoning Department
Franklin County, OH

APPLICATION FOR ZONING CHANGE

Case Number: ZC 2016-01 Date: May 13, 2016

Applicant: Barton Hall LLC Property Owner: Mark and Judith Sweatland

Street Address: 280 North High Street, 17th Floor Street Address: 1200 Taylor Station Road

City: Columbus, State: Ohio Zip: 43215 City: Columbus, State: Ohio Zip: 43230

Phone Number: (614) 430.5030 Phone Number: ( )

E-Mail Address: michael.mullady@cbre.com E-Mail Address:

In accordance with the provisions of Article IX, Section 920 of the Jefferson Township Zoning Resolution, I hereby apply to the Zoning Commission and the Township Trustees for a rezoning from the Countryside Residential *Zoning District to the* Planned Commercial *Zoning District for property located at:*

Street Address: 842 Taylor Station Road, Columbus, Ohio 43230 Parcel #: 170-001149

Acreage to be rezoned: 0.952 +/- acres

---- Please type or print information ---
--- Please answer the following questions thoroughly and completely ---
--- If additional space is needed, attach extra sheets ---

1. The proposed use of the property is: Please see attached Planned Commercial District Text.

2. The property is currently being used for: Please see attached Planned Commercial District Text.

RECEIVED
MAY 17 2016
Franklin County Planning Department
Franklin County, OH

Jeff-16-05

JEFFERSON TOWNSHIP ZONING COMMISSION
6545 Havens Road, Blacklick, Ohio 43004
TEL: (614) 855-4265
FAX: (614) 855-1759
www.jeffersontownship.org
Email: cmccroskey@jeffersontownship.org

APPLICATION FOR ZONING CHANGE

Case Number: Date: May 13, 2016

Applicant: Barton Hall LLC Property Owner: Mario Alvarez, Jr.

Street Address: 280 North High Street, 17th Floor Street Address: 852 Taylor Station Road

City: Columbus, State: Ohio Zip: 43215 City: Columbus, State: Ohio Zip: 43230

Phone Number: (614) 430.5030 Phone Number: ( )

E-Mail Address: michael.mullady@cbre.com E-Mail Address:

In accordance with the provisions of Article IX, Section 920 of the Jefferson Township Zoning Resolution, I hereby apply to the Zoning Commission and the Township Trustees for a rezoning from the Countryside Residential *Zoning District to the* Planned Commercial *Zoning District for property located at:*

Street Address: 852 Taylor Station Road, Gahanna, Ohio 43230 Parcel #: 170-001150

Acreage to be rezoned: 1.020 +/- acres

---- Please type or print information ---
--- Please answer the following questions thoroughly and completely ---
--- If additional space is needed, attach extra sheets ---

1. The proposed use of the property is: Please see attached Planned Commercial District Text.

2. The property is currently being used for: Please see attached Planned Commercial District Text.

JEFFERSON TOWNSHIP ZONING COMMISSION
6545 Havens Road, Blacklick, Ohio 43004
TEL: (614) 855-4265
FAX: (614) 855-1759
www.jeffersontownship.org
Email: cmccroskey@jeffersontownship.org

APPLICATION FOR ZONING CHANGE

Case Number: Date: May 13, 2016

Applicant: Barton Hall LLC Property Owner: Kanwal & Lynn Singh

Street Address: 280 North High Street, 17th Floor Street Address: 1415 East Dublin Granville Rd., #101

City: Columbus, State: Ohio Zip: 43215 City: Columbus, State: Ohio Zip: 43229

Phone Number: (614) 430.5030 Phone Number: ( )

E-Mail Address: michael.mullady@cbre.com E-Mail Address:

In accordance with the provisions of Article IX, Section 920 of the Jefferson Township Zoning Resolution, I hereby apply to the Zoning Commission and the Township Trustees for a rezoning from the Countryside Residential *Zoning District to the* Planned Commercial *Zoning District for property located at:*

Street Address: 870 Taylor Station Road, Gahanna, Ohio 43230 Parcel #: 170-000138

Acreage to be rezoned: 1.61 +/- acres

---- Please type or print information ---
--- Please answer the following questions thoroughly and completely ---
--- If additional space is needed, attach extra sheets ---

1. The proposed use of the property is: Please see attached Planned Commercial District Text.

2. The property is currently being used for: Please see attached Planned Commercial District Text.

JEFFERSON TOWNSHIP ZONING COMMISSION
6545 Havens Road, Blacklick, Ohio 43004
TEL: (614) 855-4265
FAX: (614) 855-1759
www.jeffersontownship.org
Email: cmccroskey@jeffersontownship.org

APPLICATION FOR ZONING CHANGE

Case Number: Date: May 13, 2016

Applicant: Barton Hall LLC Property Owner: Kanwal & Lynn Singh

Street Address: 280 North High Street, 17th Floor Street Address: 1415 East Dublin Granville Rd., #101

City: Columbus, State: Ohio Zip: 43215 City: Columbus, State: Ohio Zip: 43229

Phone Number: (614) 430.5030 Phone Number: ( )

E-Mail Address: michael.mullady@cbre.com E-Mail Address:

In accordance with the provisions of Article IX, Section 920 of the Jefferson Township Zoning Resolution, I hereby apply to the Zoning Commission and the Township Trustees for a rezoning from the Limited Industrial *Zoning District to the* Planned Commercial *Zoning District for property located at:*

Street Address: 875 Taylor Station Road, Gahanna, Ohio 43230 Parcel #: 170-003449

Acreage to be rezoned: 3.00 +/- acres

---- Please type or print information ---
--- Please answer the following questions thoroughly and completely ---
--- If additional space is needed, attach extra sheets ---

1. The proposed use of the property is: Please see attached Planned Commercial District Text.

2. The property is currently being used for: Please see attached Planned Commercial District Text.

3. The legal description of the property for which the rezoning is requested:

Please see attached legal descriptions.

4. The property is outlined on the attached Auditor's A plot **map.**

Type of Official Map

5. Statement of the relation of the proposed zoning change to the general health, safety and welfare in terms of need or appropriateness within the area, by reason of changed or changing conditions; and the relation to changing conditions and the relation to appropriate plans of the area. Also approval by the controlling health agency and where applicable the Franklin County Engineer:

Please see attached Planned Commercial District Text.

6. Attachments and additional information required:

A. Complete and sign application

B. One (1) copies of the legal description of the property. Current property survey to include acreage, and all bearings and distances, referencing an establishing beginning point.

C. One (1) list of property owners within one thousand (1,000) feet of subject property, the address of the property and the mailing address of the property owners. This list must be obtained from the Franklin County Auditors Office located at 373 South High Street, Columbus, Ohio 43215 on the 19th floor.

D. One (1) set of mailing labels for property owners within one thousand (1,000) feet of subject property.

E. One (1) A-size map showing properties within one thousand (1,000) feet of subject property. This map must be obtained from the Franklin County Auditors Office located at 373 South High Street, Columbus, Ohio 43215 on the 19th floor.

F. A recent photograph of the property to be rezoned must accompany the application.

G. All information that pertains to sanitary services and water supply must be provided. This includes the location of any on-lot septic system(s) and/or well(s). If services are to be provided by a private or public entity, a letter must be provided verifying that the services exists *and* that the applicant will have access to such services. If an on-lot septic system and/or well are proposed, information from the Franklin County Board of Health (or the appropriate agency) must be provided.

H. Any other information that may be deemed reasonably necessary by the Jefferson Township Zoning Department.

I. Application filing fee payable to Jefferson Township. ***(Fee $500 + $25 per acre/Residential; $1,000 + $50 per acre/Planned District, Commercial or Industrial)***

Fee to request a modification to an Approved Development Plan ***$500 + 50 Notice***

If request is to rezone to a Planned District, please refer to the Jefferson Township Zoning Resolution for additional development plan submission requirements. Eight (8) copies of all required information must be submitted with this application.

7. Statement of Understanding:

I, David Hodge, Esq. (applicant / owner / agent) understand that this application must be filed with all pertinent information, as required by the Jefferson Township Zoning Resolution and any other information by Jefferson Township Zoning Department. I understand that my application will not be filed until all information has been received and that the Jefferson Township Zoning Department reserves the right to delay any request until such information has been received. I have been informed of my right to meet with staff prior to the submission of my application and have either met with staff, through a scheduled appointment, or have waived my right to do so.

Applicant / Agent Signature: David Hodge attorney Date: 5/13/2016

8. Certification:

Before completing this application and executing the following cortication, it is recommended that the application be discussed with the Staff of the Jefferson Township Zoning Department.

APPLICANT'S CERTIFICATION

I / WE Kanwal and Lynn Singh, et al. certify that I am / We are the owner(s) of land included in the application and that the foregoing statement herein contained and attached, and information or attached exhibits thoroughly to the best of my / our ability present the arguments in behalf of the application herewith submitted and that the statements and attached exhibits above referred to are in all respects true and correct to the best of my / our knowledge and belief.

Signature of Property Owner: By: [signature] Please Print: May 13, 2016

Mailing Address: 1415 East Dublin Granville Road, #101

City, State, and Zip: Columbus, Ohio 43229

Phone Number: ( ) Cell #: ( )

E-Mail Address:

Signature of Applicant: By: [signature] Please Print: May 13, 2016
(If different than property owner)

Mailing Address: Barton Hall LLC, 280 North High Street, 17th Floor

City, State, and Zip: Columbus, Ohio 43215

Phone Number: (614) 430.5030 Cell #: (614) 565.9509

E-Mail Address: michael.mullady@cbre.com

JEFF-16-15
Received May 17, 2016

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JEFF-16-15
Received May 17, 2016

Exhibit "1.1, 1.2 and 1.3"-Legal Descriptions and Boundary Survey

JEFF-16-15
Received May 17, 2016

ZONING DESCRIPTION - SUBAREA A
3.9± ACRES

Situated in the State of Ohio, County of Franklin, Township of Jefferson, being in Lot 27, Section 3, Township 1, Range 16 United States Military District, also being all of the 1.968 acre tract as conveyed to Kanwal Singh and Lynn W. Signh, husband and wife for their joint lives, remainder to the survivor of them in Instrument Number 200405260121295, all of a 1.020 acre tract as conveyed to Mario Alvarez Jr. in Instrument Number 200211060282908, all of a 0.952 acre tract as conveyed to Mark L. Sweatland, married, and Judith P. Sweatland, married, for their joint lives, remainder to the survivor of them and being further described as follows;

Beginning at the southwest corner of said 0.952 acre tract, the northwest corner of Lot 2 of the Crossroads Commerce Center as recorded in Plat Book 94, Page 91 as conveyed to Taylor Pointe Apartments LLC in Instrument Number 201512020169211, and being in the centerline of Taylor Station Road, right of way varies, and being the **TRUE POINT OF BEGINNING**, for the property herein described as follows;

Thence with the centerline of Taylor Station Road, the west line of said 0.952 acre tract, the west line of said 1.020 acre tract, and the west line of said 1.968 acre tract, **N 24° 14' 20" E, 955.3 feet** to the northwest corner of said 1.968 acre tract and being in the west line of a 0.381 acre tract as conveyed to the City of Gahanna, Ohio in Official Record 12676, Page F01;

Thence with the east line of said 1.968 acre tract, the east line of said 1.020 acre tract, the east line of said 0.952 acre tract, a portion of the west line of said 0.381 acre tract, the west line of a 9.71 acre tract as conveyed to Warehouse Specialists LLC in Instrument Number 200610310218396, **S 00° 06' 50" E, 870.8 feet** to the southeast corner of said 0.952 acre tract, the southwest corner of said 9.71 acre tract, and being in the north line of said Lot 2;

Thence with the south line of said 0.952 acre tract and the north line of said Lot 2, **S 89° 57' 22" W, 393.9 feet** to the **TRUE POINT OF BEGINNING**, containing **3.9± acres**, more or less;

This description is based on existing Franklin County records and information obtained from the Franklin County Auditor's website. This is not to be used for the transfer of land and is for zoning purposes only.

ADVANCED CIVIL DESIGN, INC.

EXHIBIT 1.1

Z:\16-0017-414\survey\3.9Ac_desc.doc

JEFF-16-15
Received May 17, 2016

ZONING DESCRIPTION - SUBAREA B
3.4± ACRES

Situated in the State of Ohio, County of Franklin, Township of Jefferson, being in Lot 27, Section 3, Township 1, Range 16 United States Military District, also being all of the remainder of a 6.419 acre tract as conveyed to Kanwal N. Singh and Lynn W. Singh in Instrument Number 200407010153261 and being further described as follows;

Beginning at the southeast corner of the remainder of said 6.419 acre tract, the northeast corner of a 6.668 acre tract as conveyed to SS Gahanna, LLC in Instrument Number 201509230133943, Parcel One, and being in the centerline of Taylor Station Road (Varies), and being the **TRUE POINT OF BEGINNING**, for the property herein described as follows;

Thence with the south line of the remainder of said 6.419 acre tract and the north line of said 6.668 acre tract, **S 89° 57' 21" W, 335.6 feet** to the southwest corner of the remainder of said 6.419 acre tract and the southeast corner of a 3.000 acre tract as conveyed to SS Gahanna, LLC in Instrument Number 201509230133943, Parcel Two;

Thence with the west line of the remainder of said 6.419 acre tract and the east line of said 3.000 acre tract, **N 00° 02' 39" W, 358.0 feet** to the northwest corner of the remainder of said 6.419 acre tract, the northeast corner of said 3.000 acre tract, and being in the south line of a 2.978 acre tract as conveyed to the City of Gahanna in Instrument Number 201301020000607;

Thence with the north line of the remainder of said 6.419 acre tract, the south line of the 2.978 acre tract, the south line of a portion of Techcenter Drive Extension and Greenspace Dedication Plat as recorded in Plat Book 112, Page 79, **S 89° 59' 48" E, 496.9 feet** to the northeast corner of the remainder of said 6.419 acre tract and a southeast corner of said Techcenter Drive Extension and Greenspace Dedication Plat, and being in the centerline of Taylor Station Road;

Thence with the east line of the remainder of said 6.419 acre tract along the centerline of Taylor Station Road, **S 24° 14' 20" W, 392.2 feet** to the **TRUE POINT OF BEGINNING**, containing **3.4± acres**, more or less;

This description is based on existing Franklin County records and information obtained from the Franklin County Auditor's website. This is not to be used for the transfer of land and is for zoning purposes only.

ADVANCED CIVIL DESIGN, INC.

Z:\16-0017-414\survey\3.4Ac_desc.doc

EXHIBIT 1.2

JEFF-16-15
Received May 17, 2016

3.4± Acre & 3.9± Acre Zoning Exhibit

In Lot 27, Section 3, Township 1 Range 16
United States Military District
Jefferson Township, Franklin County, Ohio

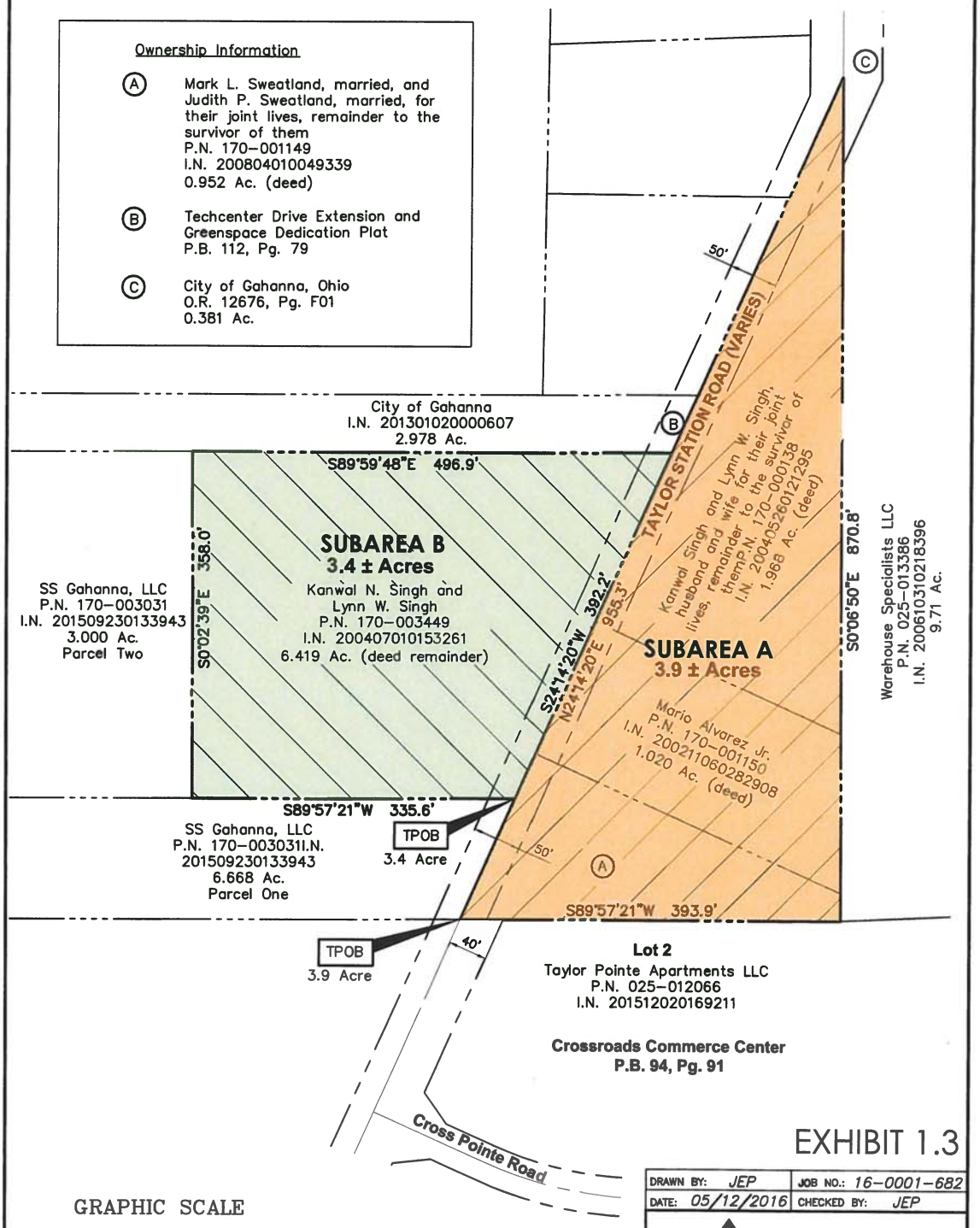


EXHIBIT 1.3

DRAWN BY: JEP	JOB NO.: 16-0001-682
DATE: 05/12/2016	CHECKED BY: JEP

ADVANCED CIVIL DESIGN
ENGINEERS SURVEYORS

422 Beecher Road
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755

Z:\16-0017-414\DWG\PRODUCTION DRAWINGS\SURVEY\0017-414 Zoning2.dwg USE PER DEED May 12, 2016 - 3:15:09pm jphelps

JEFF-16-15
Received May 17, 2016

Exhibit "2.1 and 2.2"-Surrounding Property Owners and Mailing Labels

JEFF-16-15
Received May 17, 2016

APPLICANT:

Barton Hall LLC
280 North High Street, 17th Floor
Columbus, Ohio 43215

PROPERTY OWNER(S):

Kanwal and Lynn Singh
1415 East Dublin Granville Rd., #101
Columbus, Ohio 43229

Mario Alvarez, Jr.
852 Taylor Station Road
Columbus, Ohio 43230

Mark & Judith Sweatland
1200 Taylor Station Road
Columbus, Ohio 43230

ATTORNEY:

David Hodge, Esq.
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, Ohio 43054

SURROUNDING PROPERTY OWNERS:

Taylor Pointe Apartments LLC
470 Olde Worthington Road S.
Westerville, Ohio 43082

JCS Property Management LLC
5737 Westbourne Avenue
Columbus, Ohio 43213

JCS Property Management LLC
735 Cross Pointe Road, Suite C
Gahanna, Ohio 43230

CP Road LLC
2636 Berwyn Road
Columbus, Ohio 43221

Sutusa, Inc.
17350 Bittersweet Trail
Chagrin Falls, Ohio 44022

Bernie Cohen Venture Ltd.
1303 Poppy Hills Drive
Blacklick, Ohio 43004

G&A Blais Enterprises
680 Cross Pointe Road
Columbus, Ohio 43230

Ohio PIA Service Corp.
867 South James Road
Columbus, Ohio 43227

Macmarsh II LLC
500 North Hamilton Road
Columbus, Ohio 43219

Professional Insurance Agents
Association of Ohio, Inc.
600 Cross Pointe Road
Columbus, Ohio 43230

Tabaleen, Ltd.
5131 Brand Road
Dublin, Ohio 43017

790 Cross Pointe LLC
790 Cross Pointe Road
Columbus, Ohio 43230

Next Level Fitness Training LLC
720 Cross Pointe Road
Columbus, Ohio 43230-6685

City of Gahanna
200 South Hamilton Road
Columbus, Ohio 43230-2919

ranklin Steel Co.
Attn: President
820 State Avenue
Cincinnati, Ohio 45204

Kassel Co.
60 Rocky Creek Drive
Columbus, Ohio 43230

Warehouse Specialists LLC
650 Taylor Station Road
Columbus, Ohio 43230

JEFF-16-15
Received May 17, 2016

Ribbon Technology Corp.
825 Taylor Station Road
P.O. Box 30758
Columbus, Ohio 43230-0758

United States of America
P.O. Box 59
Louisville, Kentucky 40201

Michael Halter
750 Cross Pointe Road
Columbus, Ohio 43230-6691

West Real Estate Co.
750 Cross Pointe Road, Suite C
Columbus, Ohio 43230-6691

Robert L. Causey
5514 Echo Road
Columbus, Ohio 43230

Kenney Co. LLC
Triangle Real Estate Investment, Inc.
470 Olde Worthington Road
Westerville, Ohio 43082-8985

Guadarrama LLC
Triangle Real Estate Investment, Inc.
470 Olde Worthington Road
Westerville, Ohio 43082

750 Gahanna LLC
2950 East Broad Street
Columbus, Ohio 43209

Mkick Management LLC
8276 Chippenham Drive
Dublin, Ohio 43016

Discovery Church
P.O. Box 307420
Columbus, Ohio 43230

Discovery Church
750 Cross Pointe Road, Suite L
Columbus, Ohio 43230

Venti Properties LLC
6907 Harlan Square
New Albany, Ohio 43054

Wand Family LLC
750 Cross Pointe Road, Unit D & P
Columbus, Ohio 43230

Wand Family LLC
106 Merrywood Lane
Peachtree City, Georgia 30269-3821

Moss Interactive LLC
7346 East Broad Street
Blacklick, Ohio 43004

Moss Interactive LLC
750 Cross Pointe Road, Suite Q
Columbus, Ohio 43230

Mark Sweatland
1200 Taylor Road
Columbus, Ohio 43230

Mario Alvarez
852 Taylor Station Road
Columbus, Ohio 43230

SS Gahanna LLC
7279 Talanth Place
New Albany, Ohio 43054

Bernard R. Black, Tr.
6125 Taylor Road
Columbus, Ohio 43230

Bernard R. Black, Tr.
3720 Elbern Avenue
Columbus, Ohio 43213-1720

Thomas J. Donley
1353 White Oak Lane
New Albany, Ohio 43054

Audrey Siders
6055 Taylor Road
Columbus, Ohio 43230

Audrey Siders
7940 Campton Court
Reynoldsburg, Ohio 43068-8139

Peniel Ethiopian Evangelical Church
6191 Taylor Road
Blacklick, Ohio 43004

McGraw Hill Education LLC
1221 Avenue of the Americas
New York, New York 10020

McGraw Hill Education LLC
860 Taylor Station Road
Columbus, Ohio 43230

Kimcin Properties LLC
5220 Harbor Pointe Drive
Galena, Ohio 43021-9023

Spnd Ltd.
600 Taylor Station Road
Columbus, Ohio 43230

Baker/MCB LLC
5612 Windwood Drive
Dublin, Ohio 43017

JEFF-16-15
Received May 17, 2016

Carich Property Company
3300 Indianola Avenue
Columbus, Ohio 43214

GWJ Holdings II Ltd.
P.O. Box 1009
Reynoldsburg, Ohio 43068

Robert J. Eckart
P.O. Box 30251
Columbus, Ohio 43230

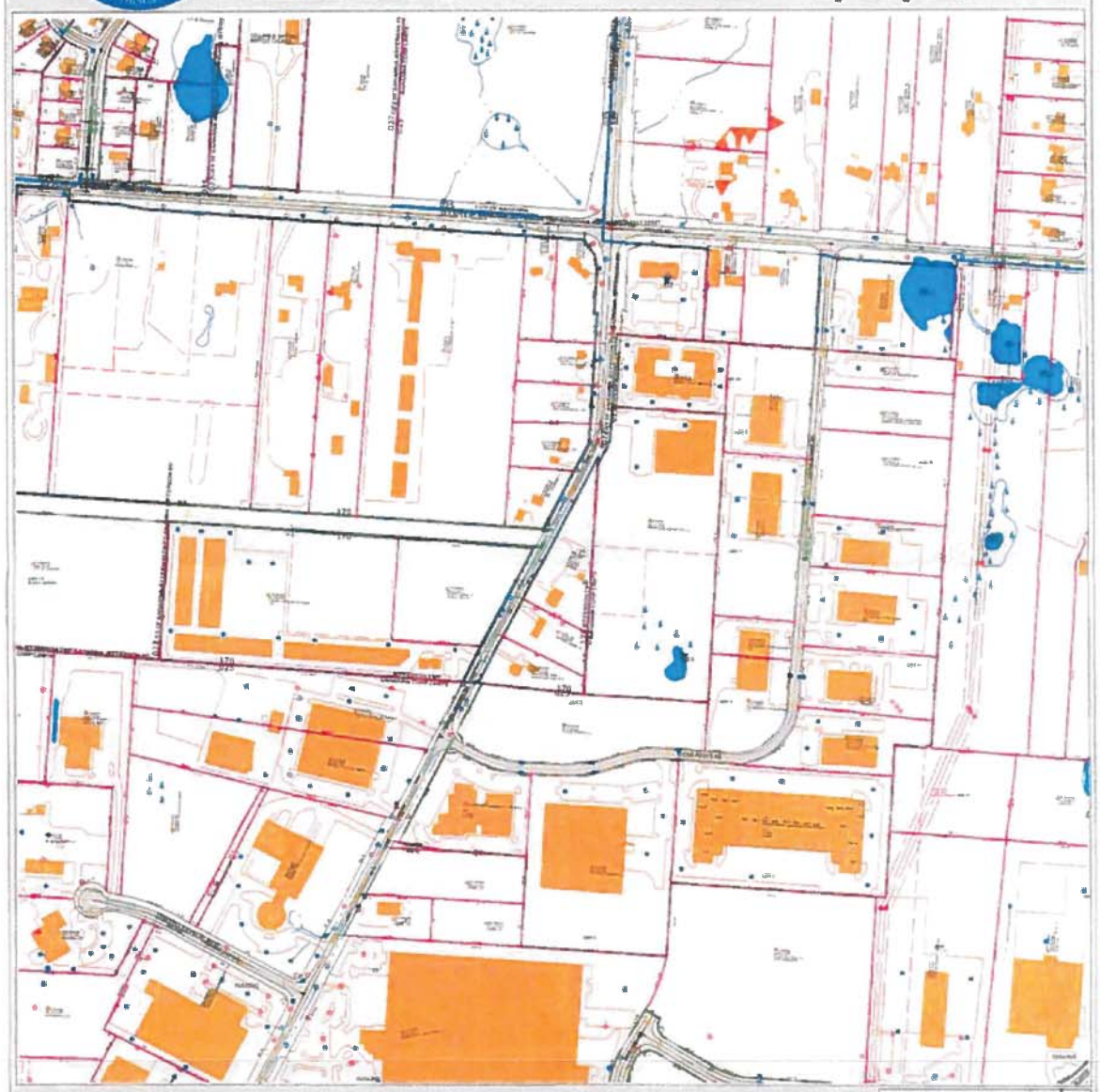
JEFF-16-15
Received May 17, 2016

Exhibit "3"- Map of Surrounding Properties

JEFF-16-15
Received May 17, 2016

CLARENCE E MINGO II
FRANKLIN COUNTY AUDITOR

MAP ID: s **DATE: 4/29/16**



Scale =500

Grid North

Disclaimer

This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department

Exhibit-3

JEFF-16-15
Received May 17, 2016

Exhibit "4"- Site Photography

JEFF-16-15
Received May 17, 2016

1 VIEW TO EAST

2 VIEW TO WEST

3 VIEW TO EAST

4 VIEW TO EAST

5 VIEW TO EAST

6 VIEW TO EAST

7 VIEW TO SOUTH

8 VIEW TO WEST

REVISIONS	

SITE PHOTOS

JEFFERSON POINT
PREPARED FOR
BARTON HALL LLC

Faris Planning & Design
LAND PLANNING & LANDSCAPE ARCHITECTURE
248 N. 5th Street Suite 401 Columbus, OH 43215
p (614) 487-1964 www.farisplanninganddesign.com

DATE	5/13/16
PROJECT	16028
SHEET	

EX-4

JEFF-16-15
Received May 17, 2016

Exhibit "5"- Development Text

JEFF-16-15
Received May 17, 2016

PLANNED COMMERCIAL DISTRICT
7.3 +/- ACRES

JEFFERSON POINT

TAYLOR STATION ROAD

BACKGROUND

The subject property is located on both the east and west sides of Taylor Station Road, between Cross Pointe Road to the south, and Taylor Road to the north. The property on the east side of Taylor Station Road, referred to as Subarea A throughout the remainder of this Planned Commercial District Text ("Text"), consists of three separate tax parcels, owned by three different owners. It is all zoned in the Countryside Residential Classification, and each parcel is currently developed with a 1950's ranch house. Subarea A consists of 3.9+/- acres, and is surrounded by the City of Gahanna on the south, east, and northeast. The Gahanna property is zoned in the Office, Commerce, and Technology District. The property to the south is developed as an extended stay hotel, the property to the east / northeast is developed with industrial warehouse uses.

The property along the west side of Taylor Station Road, referred to as Subarea B throughout the remainder of this Text, consists of one tax parcel. It is zoned in the Limited Industrial district, and is undeveloped. Subarea B consists of 3.4+/- acres, and is surrounded by property zoned in the Limited Industrial District in Jefferson Township, which is developed with a self-storage warehousing facility, a landscaping and nursery business, and single-family residential.

The request is to rezone the property from the existing CR and LI districts to the PC district in two Subareas to allow for a hotel, complimentary to the existing extended stay hotel currently located on the Gahanna property to the south of the Subarea A.

The applicant is Barton Hall, LLC. Underhill & Hodge LLC will be representing the applicant. Faris Planning & Design will be providing the development plans, landscape plans, building elevations and site lighting information, and Advanced Civil Design will be providing the surveying, utility layout, and engineering.

This rezoning request is in accordance with the Jefferson Township Comprehensive Plan generally, and with the Jefferson Township Land Use Map specifically.

DEVELOPMENT PLAN SUBMISSION

The application includes site plans which include topographical contours at two foot intervals, lot locations, soil data, wooded areas, storm water detention areas, and preliminary sewer and water line locations. The application also includes architectural elevations, landscape plans, and lighting plans.

The total site encompasses 6.7+/- acres and the proposal is to rezone the property in accordance with the Jefferson Township Comprehensive Plan, to the Planned Commercial District to allow construction of a hotel with accessory parking, clubhouse, fitness and pool amenities, with a total of 156 suites, 72 in Subarea A on the east, and 84 in Subarea B on the west.

1.00 SUBAREA A 3.9+/- ACRES

a. DESCRIPTION AND LOCATION:

Subarea A is situated along the east side of Taylor Station Road, north of the existing extended stay hotel located in Gahanna. Subarea A is 3.9+/- acres. It will be developed with two hotel buildings, a building for parking and storage, and amenity space providing a clubhouse, community center, office, and pool.

1.01 PERMITTED USES / DEVELOPMENT STANDARDS

a. The uses permitted within Subarea A shall be a hotel and accessory amenities.

b. Except as otherwise noted in this Development Text, the applicable development standards of the Planned Commercial District of the Jefferson Township Zoning Resolution shall apply.

1.02 YARD AND SETBACK REQUIREMENTS

a. The pavement setback from Taylor Station Road shall be 36 feet.

b. The building setback from Taylor Station Road shall be 60 feet.

c. The pavement setback from adjacent properties is 10 feet.

d. The building setback from adjacent properties is 15 feet.

1.03 HEIGHT REQUIREMENTS

The maximum building height shall be 50 feet as provided by Zoning Resolution Section 640.04(J)(4).

1.04 TRAFFIC AND CIRCULATION

a. Subject to review and approval of the Franklin County Engineer, access to Taylor Station Road from Subarea A shall be via two full service access points, located as depicted on the attached Development Plan.

b. Right-of-way shall be dedicated if necessary to accommodate future roadway improvements if reflected on the Franklin County Thoroughfare Plan.

c. Parking spaces shall be sized and provided in accordance with the Jefferson Township Zoning Resolution Article VIII. Parking spaces and drive aisles are arranged for efficient internal traffic circulation.

1.05 OPEN SPACE AND LANDSCAPING

a. The existing vegetation along the north side of the site will be preserved as a buffer to the development to the east, northeast. Mature and healthy trees shall be maintained, scrub growth may be removed.

b. The Taylor Station Road setback will be landscaped in accordance with the Landscape Plan attached hereto, which includes a combination of mounding, shade trees, and ornamental trees within the pavement setback.

c. The property shall be landscaped in conformity with the Landscape Plans attached hereto .

d. Existing vegetation within the perimeter pavement and building setbacks will be preserved when feasible.

e. All landscaping shall be maintained by the property owner. Newly installed landscaping that fails to thrive shall be replaced within six months.

1.06 ARCHITECTURAL DESIGN

All buildings shall be designed to be compatible, employing similar roof pitches and architectural details, and be constructed of exterior building materials consistent with the Taylor Pointe development to the south, and as otherwise approved by the Jefferson Township Zoning Commission and Township Trustees.

A representative sample of the architectural style of the product proposed to be constructed within this development is attached hereto. The attached architectural elevations, or comparable elevations, shall be deemed to meet the architectural standards. The finished product shall be substantially similar to the elevations submitted herewith.

a. Building size:

   i. The hotel building sizes are approximately 38,300 square feet for the north building, and 34,000 square feet for the south building.
   ii. The parking structure is approximately 2,000 square feet.
   iii. The clubhouse structure is approximately 1,300 square feet.

b. Color Palette: Earth tones.

c. Exterior materials: Brick, stone, cultured stone, stucco, hardi-plank, heavy gauge vinyl if in combination with natural materials, vinyl shall be .44" thick or greater.

d. Windows: Atria, single-hung vinyl.

e. Roof: 30-year dimensional shingles.

1.07 REFUSE

a. Refuse shall be by compactor located as indicated on the Development Plan.

b. The compactor shall be enclosed as depicted on the Landscape Plans.

c. Refuse service shall be by private hauler.

2.0 SUBAREA B 3.4+/- ACRES

a. DESCRIPTION AND LOCATION:

Subarea B is situated along the west side of Taylor Station Road, north of the self-storage facility. Subarea B is 3.4+/- acres. It will be developed with two hotel buildings, two buildings for parking and storage, and amenity space providing a clubhouse, community center, office, and pool.

2.01 PERMITTED USES / DEVELOPMENT STANDARDS

a. The uses permitted within Subarea B shall be a hotel and accessory amenities.

b. Except as otherwise noted in this Development Text, the applicable development standards of the Planned Commercial District of the Jefferson Township Zoning Resolution shall apply.

2.02 YARD AND SETBACK REQUIREMENTS

a. The pavement setback from Taylor Station Road shall be 36 feet.

b. The building setback from Taylor Station Road shall be 60 feet.

c. The pavement setback from adjacent properties is 10 feet.

d. The building setback from adjacent properties is 15 feet.

2.03 HEIGHT REQUIREMENTS

The maximum building height shall be 50 feet as provided by Zoning Resolution Section 640.04(J)(4).

2.04 TRAFFIC AND CIRCULATION

a. Subject to review and approval of the Franklin County Engineer, access to Taylor Station Road from Subarea B shall be via one full service access point, located as depicted on the attached Development Plan.

b. Right-of-way shall be dedicated if necessary to accommodate future roadway improvements if reflected on the Franklin County Thoroughfare Plan.

c. Parking spaces shall be sized and provided in accordance with the Jefferson Township Zoning Resolution Article VIII. Parking spaces and drive aisles are arranged for efficient internal traffic circulation.

2.05 OPEN SPACE AND LANDSCAPING

a. The Taylor Station Road setback will be landscaped in accordance with the Landscape Plan attached hereto, which includes a combination of mounding, shade trees, and ornamental trees within the pavement setback.

b. Existing vegetation within the perimeter pavement and building setbacks will be preserved when feasible.

c. The property shall be landscaped in conformity with the Landscape Plans attached hereto.

d. All landscaping shall be maintained by the property owner. Newly installed landscaping that fails to thrive shall be replaced within six months.

2.06 ARCHITECTURAL DESIGN

All buildings shall be designed to be compatible, employing similar roof pitches and architectural details, and be constructed of exterior building materials consistent with the Taylor Pointe development to the south, and as otherwise approved by the Jefferson Township Zoning Commission and Township Trustees.

A representative sample of the architectural style of the product proposed to be constructed within this development is attached hereto. The attached architectural elevations, or comparable elevations, shall be deemed to meet the architectural standards. The finished product shall be substantially similar to the elevations submitted herewith.

a. Building size:

   iv. The hotel building sizes are approximately 38,300 square feet for the west building, and 34,000 square feet for the east building.
   v. The parking structures are approximately 2,500 square feet.
   vi. The clubhouse structure is approximately 1,300 square feet.

b. Color Palette: Earth tones.

c. Exterior materials: Brick, stone, cultured stone, stucco, hardi-plank, heavy gauge vinyl if in combination with natural materials .44" thick or greater.

d. Windows: Atria, single-hung vinyl.

e. Roof: 30-year dimensional shingles.

2.06 REFUSE

a. Refuse shall be by compactor located as indicated on the Development Plan.

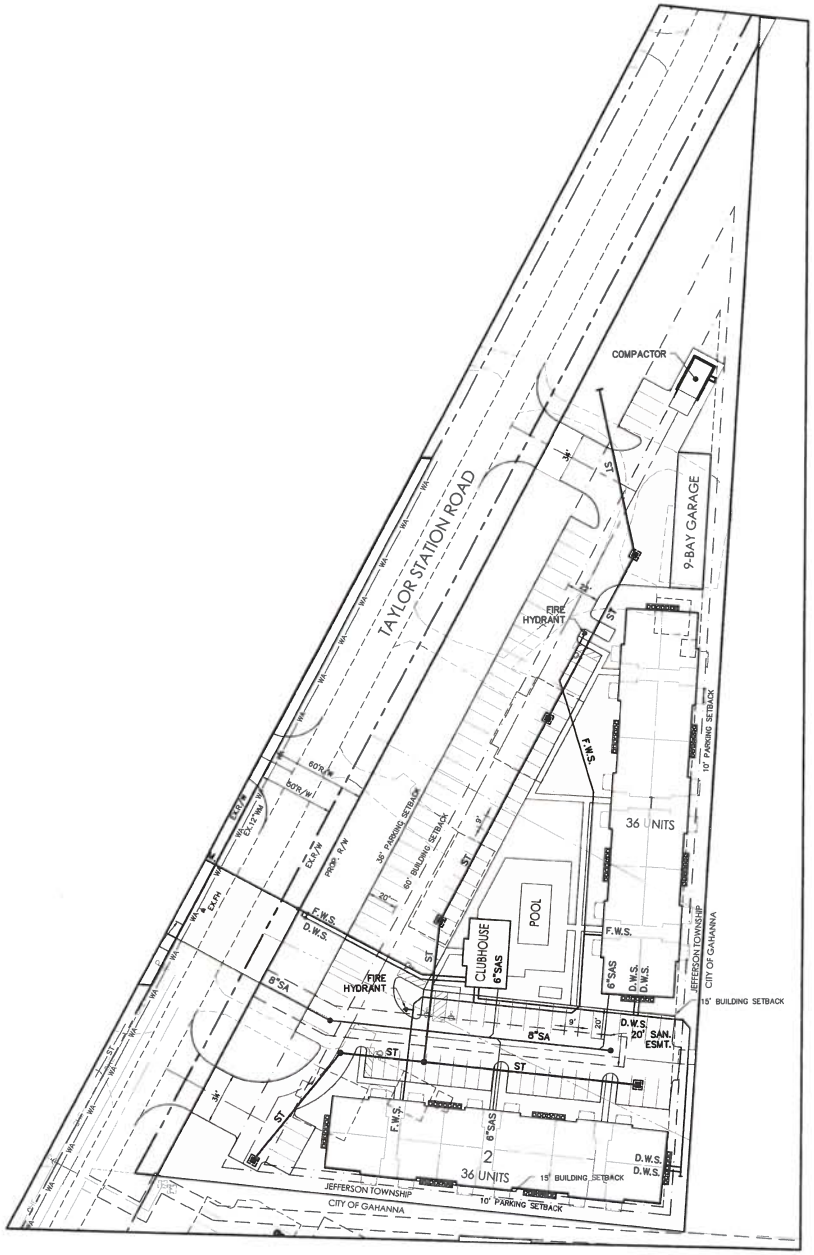
b. The compactor shall be enclosed as depicted on the Landscape Plans.

c. Refuse service shall be by private hauler.

JEFF-16-15
Received May 17, 2016

Exhibit "6.1 - 6.7"- Site Engineering and Utility Letters

JEFF-16-15
Received May 17, 2016



GRAPHIC SCALE

0 20 40 80

1 inch = 40 feet

LEGEND

PROPOSED

- MANHOLE — SANITARY SEWER
- HYDRANT, VALVE — WATER
- MANHOLE — STORM SEWER

EXISTING

- MANHOLE — SANITARY SEWER
- CATCH BASIN, MANHOLE — STORM SEWER
- HYDRANT, VALVE — WATER
- UNDERGROUND TELEPHONE
- GAS MAIN
- UNDERGROUND ELECTRIC
- OVERHEAD ELECTRIC
- CABLE TV LINE
- UTILITY POLE

Exhibit 6.1

PLAN PREPARED BY:

ADVANCED CIVIL DESIGN ENGINEERS

422 Beecher Road
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755

PLAN PREPARED FOR:

JEFFERSON TOWNSHIP, FRANKLIN COUNTY OHIO

JEFFERSON POINT

PRELIMINARY UTILITY PLAN

BARTON HALL LLC

SUBAREA A

Issue Details:

Date: 05/13/2016
Scale: AS NOTED

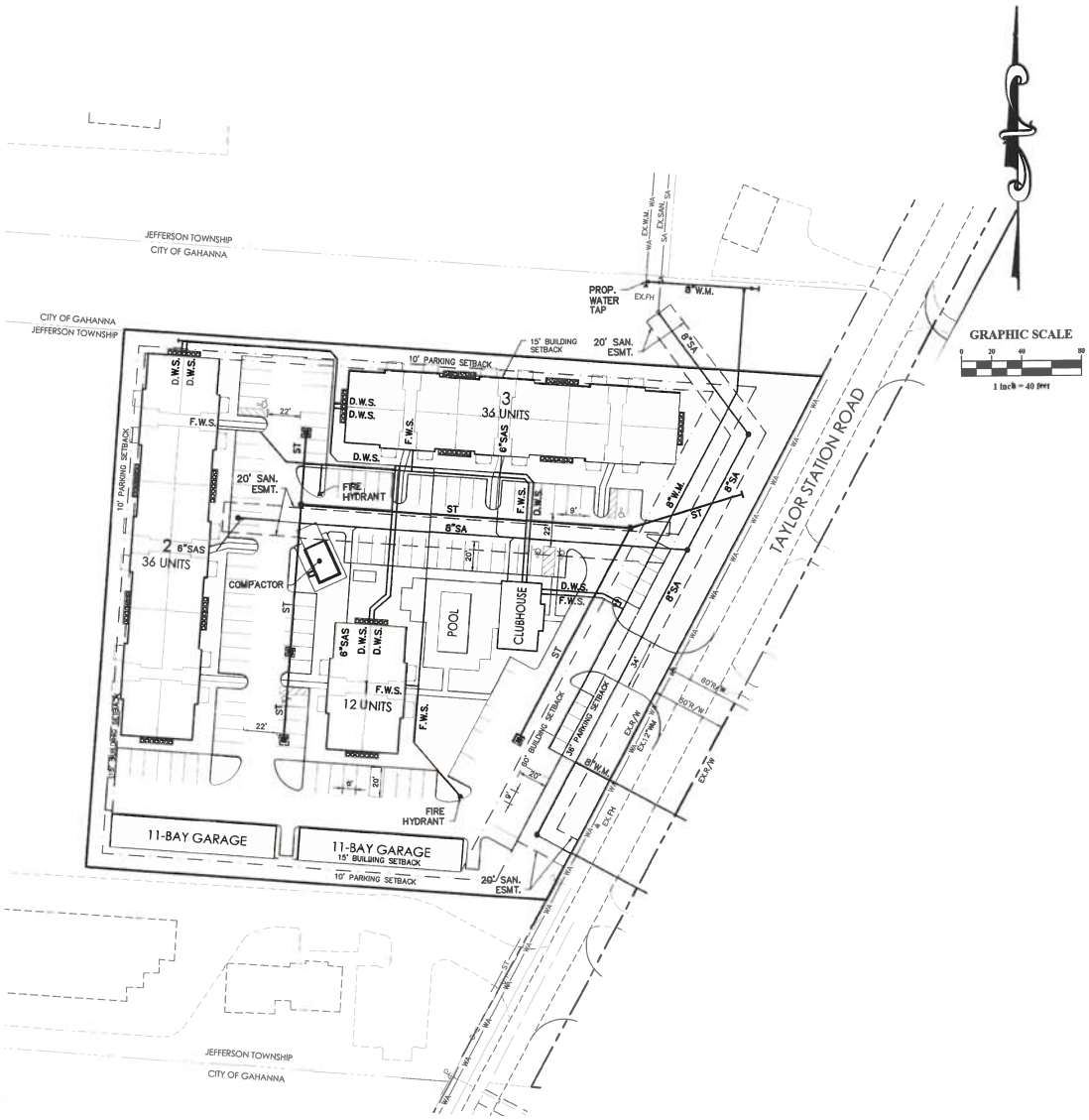
Drawn By: JAP
Checked By: TMW

Project Number: 16-0017-414

Drawing Number: 1 / 1

Z:\16-0017-414\DWG\PROJ\...\DRAWINGS\PRE DEVELOPMENT PLAN\16-0017-414_PUP.dwg EAST May 12, 2016 - 3:39:19pm jastchol

JEFF-16-15
Received May 17, 2016



GRAPHIC SCALE
0 20 40 80
1 inch = 40 feet

LEGEND

PROPOSED

- MANHOLE — SANITARY SEWER
- HYDRANT, VALVE — WATER
- MANHOLE — STORM SEWER

EXISTING

- MANHOLE — SANITARY SEWER
- CATCH BASIN, MANHOLE — STORM SEWER
- HYDRANT, VALVE — WATER
- UNDERGROUND TELEPHONE
- GAS MAIN
- UNDERGROUND ELECTRIC
- OVERHEAD ELECTRIC
- CABLE TV LINE
- UTILITY POLE

Exhibit 6.2

PLAN PREPARED BY:
ADVANCED CIVIL DESIGN
420 Beecher Road
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755

PLAN PREPARED FOR:

JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO
JEFFERSON POINT
PRELIMINARY UTILITY PLAN
BARTON HALL LLC
SUBAREA B

Issue Dates:

Date: 05/13/2016
Scale: AS NOTED
Drawn By: JAP
Checked By: TMW
Project Number: 16-0017-414
Drawing Number: 1 / 1

JEFF-16-15
Received May 17, 2016

Columbia Gas of Ohio
A NiSource Company
New Business Team
290 W Nationwide Bv 3rd Floor
Columbus, OH 43215

May 4, 2016

Advanced Civil Design, Inc.
Attn: David M Thomas
422 Beecher Rd
Gahanna, Ohio 43230

Re: Taylor Station Apartments
Opportunity Id: 104892

Thank you for wanting to choose Columbia Gas of Ohio, Inc. (COH), a NiSource Company, to serve your natural gas needs to your new proposed apartment project. This letter is to confirm COH does have facilities on Taylor Station Rd, Gahanna, Ohio, between Taylor Rd and Crosspointe Rd. Although COH facilities may be in the vicinity of your proposed property, further investigation will need to take place for capacity. Once Attachment A of the Information Request Packet has been answered and returned and all other requested information is released to the COH New Business Team, gas availability and any capacity issues will be determined; as well as any deposit and/or Aid-To-Construction costs that may be required.

Please note that availability is contingent upon a cost benefit analysis. If the project is not deemed economically feasible for Columbia Gas, a deposit may be necessary

If you have any questions regarding availability, or how it is determined, please feel free to contact me at 800-440-6111 ext 3028 Monday-Friday, 8:00am to 4:30pm. Columbia Gas and I look forward to partnering with you on this and future projects.

Sincerely,

Donyel Gibson

Columbia Gas of Ohio a Nisource Company
Donyel Gibson
New Business Development Manager

Exhibit 6.3

JEFF-16-15
Received May 17, 2016

Jefferson Township
Franklin County, Ohio

Fire Chief Bradford L. Shull, OFE

May 3, 2016

Advanced Civil Design, Inc.
Attn. David M. Thomas
422 Beecher Road
Gahanna, Ohio 43230

Mr. Thomas,

This letter it to affirm Jefferson Township fire and EMS services are provided to the following parcels within Jefferson Township as outlined in your drawing.

170-000138 (870 Taylor Station Road)
170-001150 (852 Taylor Station Road)
170-001149 (842 Taylor Station Road)
170-003449 (875 Taylor Station Road)

If you require further information feel free to contact me at bshull@jeffersontownship.org or 614-861-3757.

Sincerely,

Brad Shull, OFE
Fire Chief

Cc: Twp Admin
Twp Zoning

Exhibit 6.4

JEFF-16-15
Received May 17, 2016

111 N 4th Street

Columbus, OH 43215

5/6/2016

Mr. David M. Thomas

Advanced Civil Design

422 Beecher Road

Gahanna, Ohio 43230

Dear Mr. Thomas,

AT&T Ohio is a local exchange carrier authorized to do business in Ohio and providing services in Gahanna. AT&T Ohio will provide services to the proposed area along Taylor Road North of Cross Pointe Road in accord with the provisions of tariffs on file with the ICC, PUCO, etc. or pursuant to negotiated private arrangements, if applicable.

If you require further information on the terms and conditions of service availability to the property, please contact me at 614.223.5316.

Sincerely,

Dwight Thomason

Manager/AT&T Engineering

Exhibit 6.5

JEFF-16-15
Received May 17, 2016

AEP OHIO
A unit of American Electric Power

Taylor Station Apartments
Attn: David M Thomas

May 9, 2016

Dear Mr. Thomas,

This letter is in regards to American Electric Power supplying service to Taylor Station Apartments in Jefferson Township, Franklin County

American Electric Power currently has three phase overhead distribution facilities on the West side of Taylor Station Rd. running north & south.

American Electric Power can provide standard facilities of adequate capacity, using standard construction practices, to facilities in this area. These facilities will be made available to serve your project with some Contribution-In-Aid-To-Construction charged to the project developer.

The above statement is based upon providing the most economical standard construction and presumes no special characteristics of the electric load or method of providing service.

Please contact me at (614) 883-6852 if any additional information is required.

Sincerely,

Travis L Wheeler

Travis L. Wheeler
Customer Design
American Electric Power

Exhibit 6.6

P.O. Box 2553
Columbus, Ohio 43216
Tel. (614) 481-5263
Fax (614) 255-6428

JEFF-16-15
Received May 17, 2016

TIME WARNER CABLE

May 10, 2016

David Thomas
Advanced Civil Design Inc
422 Beecher Rd
Gahanna, OH 43230

RE: Taylor Station Apts

Dear Mr. Thomas:

This letter is to confirm that Time Warner Cable has the capacity and ability to provide advanced cable, high speed internet and digital phone services to the proposed Taylor Station Apartments project, a Multi-family development of up to 162 units located on Taylor Rd in Jefferson Twp, Franklin County.

Please contact Will Andrews at 614-255-5177 in order to execute a Right-of-Entry agreement for service to this development.

If you have any questions give me a call at 614-481-5263 and I will be happy to discuss this project with you.

Thank You!

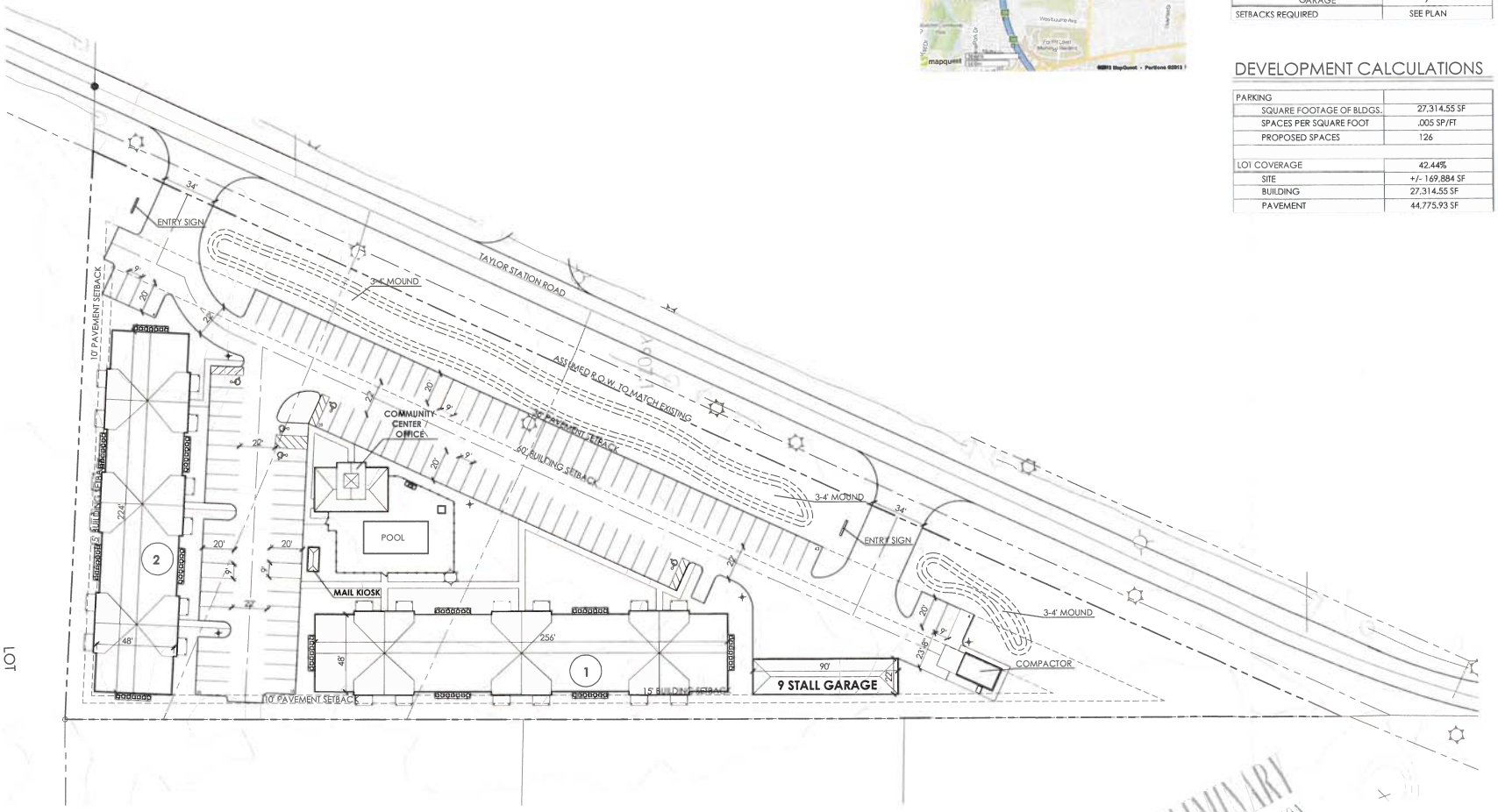
Kevin D. Rich
Construction Manager
kevin.rich@twcable.com

Exhibit 6.7

JEFF-16-15
Received May 17, 2016

Exhibit "7.1, 7.2, 7.3 and 7.4"- Development and Illustrative Plans

JEFF-16-15
Received May 17, 2016



PRELIMINARY
NOT FOR CONSTRUCTION

NORTH
1"=30'
0 15 30 60 90

VICINITY MAP

SITE DATA

ZONING	PC
TOTAL ACRES	+/-3.9 AC.
TOTAL SUITES	72
PROPOSED BUILDING HEIGHT	35' MAX (PRIMARY STRUCTURES) (MEASURED TO MEAN OF GABLE)
PARKING PROVIDED	126 (1.75 SP/SUITE)
SURFACE	117
GARAGE	9
SETBACKS REQUIRED	SEE PLAN

DEVELOPMENT CALCULATIONS

PARKING	
SQUARE FOOTAGE OF BLDGS.	27,314.55 SF
SPACES PER SQUARE FOOT	.005 SP/FT
PROPOSED SPACES	126
LOT COVERAGE	42.44%
SITE	+/- 169,884 SF
BUILDING	27,314.55 SF
PAVEMENT	44,775.93 SF

REVISIONS

SUBAREA A
DEVELOPMENT PLAN

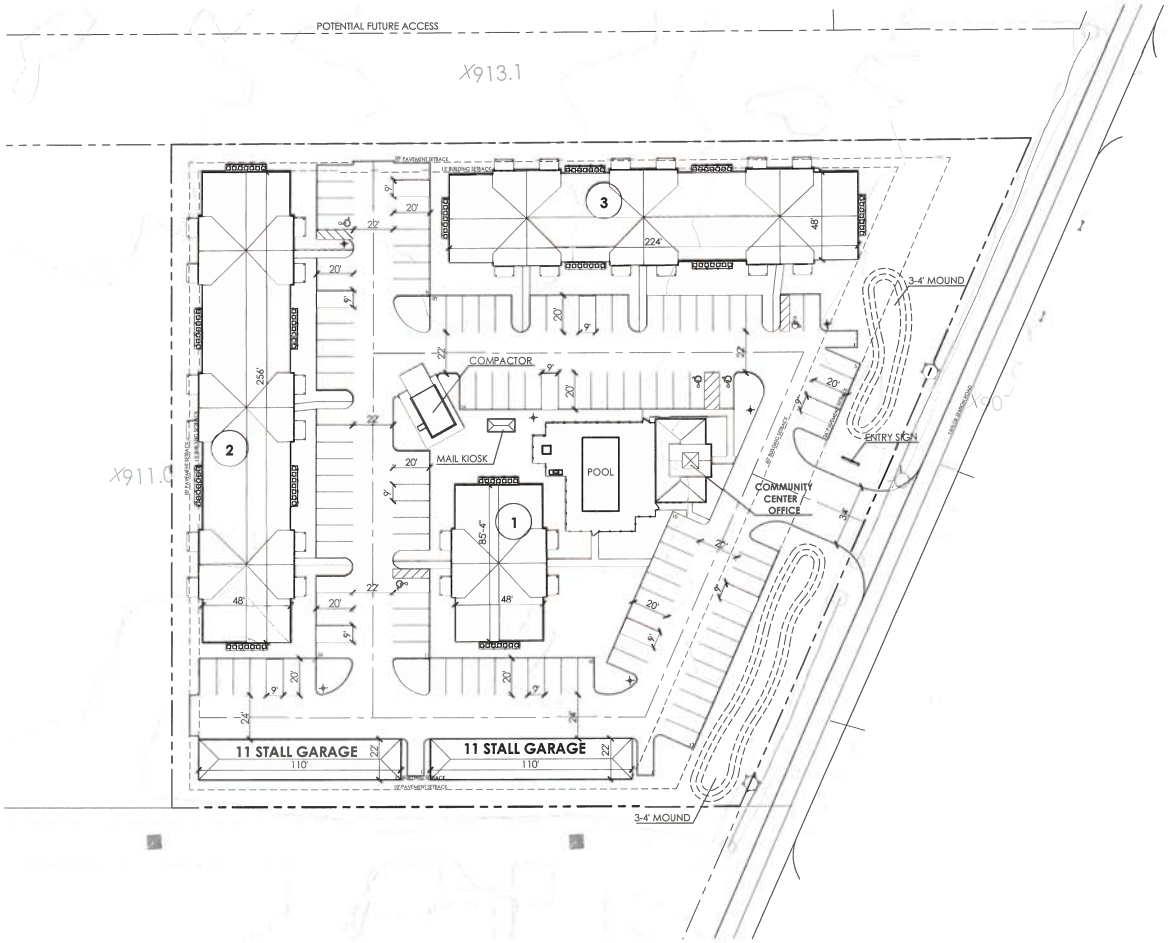
JEFFERSON POINT
842, 852, 870 TAYLOR STATION RD. GAHANNA OH. 43230
PREPARED FOR
BARTON HALL LLC

Faris Planning & Design
LAND PLANNING • LANDSCAPE ARCHITECTURE
243 N. 5th Street Suite 401 Columbus, OH 43215
p (614) 487-1964 www.farisplanninganddesign.com

DATE	5/13/16
PROJECT	16028
SHEET	

EX-7.1

JEFF-16-15
Received May 17, 2016



SITE DATA

ZONING	PC
TOTAL ACRES	+/- 3.4 AC.
TOTAL SUITES	84
PROPOSED BUILDING HEIGHT	35' MAX (PRIMARY STRUCTURES) (MEASURED TO MEAN OF GABLE)
PARKING PROVIDED	151 (1.80 SP/SUITE)
SURFACE	129
GARAGE	22
SETBACKS REQUIRED	SEE PLAN

DEVELOPMENT CALCULATIONS

PARKING	
SQUARE FOOTAGE OF BLDGS.	34,420.23 SF
SPACES PER SQUARE FOOT	.005 SP/FT
PROPOSED SPACES	151
LOT COVERAGE	55.87%
SITE	+/- 148,104 SF
BUILDING	34,420.23 SF
PAVEMENT	48,332.80 SF

VICINITY MAP

PRELIMINARY
NOT FOR CONSTRUCTION

NORTH
1"=30'
0 15 30 60 90

REVISIONS

SUBAREA B
DEVELOPMENT PLAN

JEFFERSON POINT
875 TAYLOR STATION RD, GAHANNA OH 43230
PREPARED FOR
BARTON HALL LLC

Faris Planning & Design
LAND PLANNING • LANDSCAPE ARCHITECTURE
243 N. 5th Street Suite 401 Columbus, OH 43215
P: (614) 487-1964 www.farisplanninganddesign.com

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EX-7.2

JEFF-16-15
Received May 17, 2016

SITE DATA

ZONING	PC
TOTAL ACRES	+/-3.9 AC.
TOTAL SUITES	72
PROPOSED BUILDING HEIGHT	35' MAX (PRIMARY STRUCTURES) (MEASURED TO MEAN OF GABLE)
PARKING PROVIDED	126 (1.75 SP/SUITE)
SURFACE	117
GARAGE	9
SETBACKS REQUIRED	SEE PLAN

REVISIONS

SUBAREA A
ILLUSTRATIVE PLAN

JEFFERSON POINT
DEVELOPED FOR
BARTON HALL LLC

Faris Planning & Design
LAND PLANNING • LANDSCAPE ARCHITECTURE
243 N. 5th Street Suite 401 Columbus, OH 43215
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SHEET	

EX 7.3

JEFF-16-15
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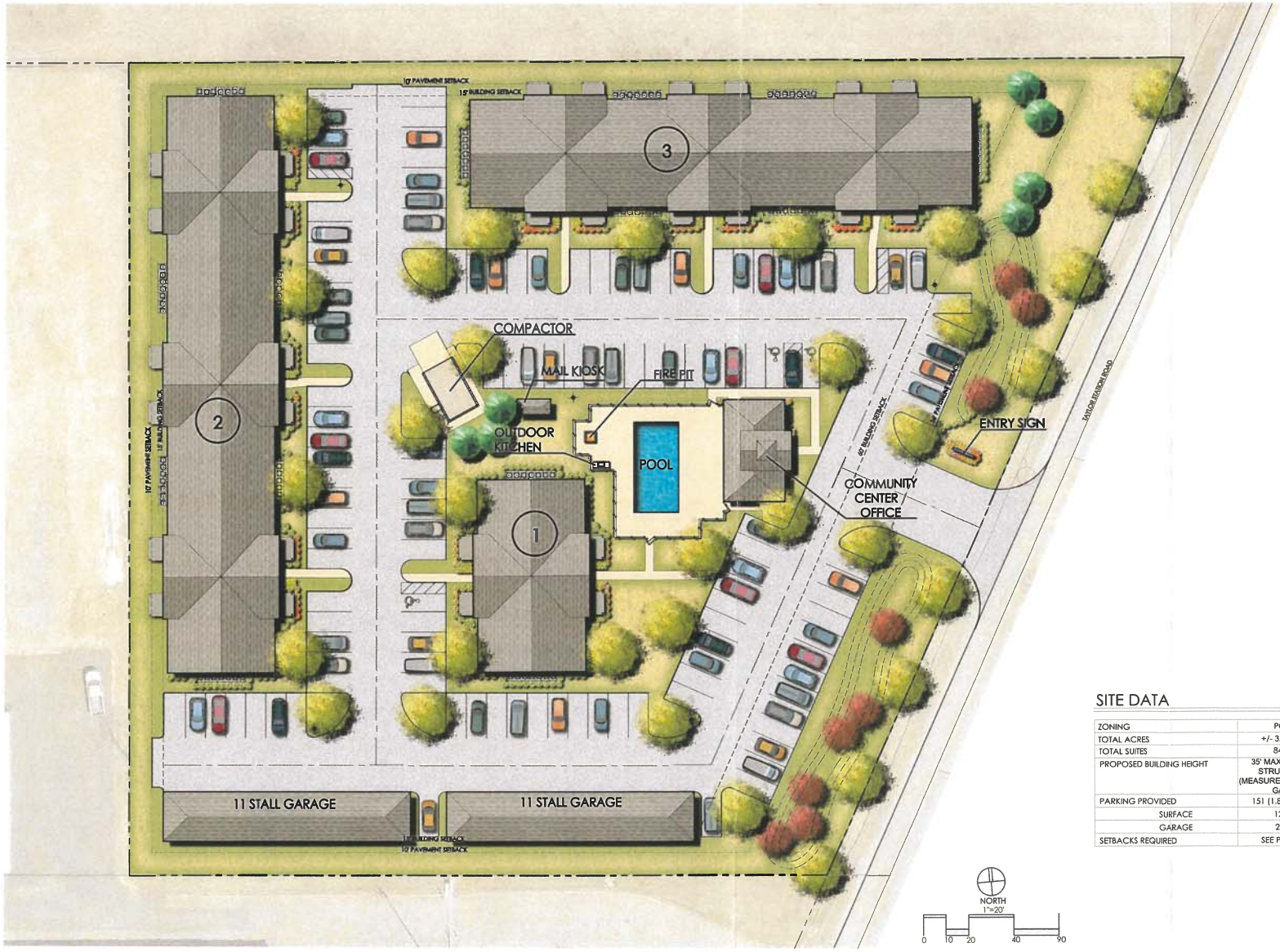

SITE DATA

ZONING	PC
TOTAL ACRES	+/- 3.4 AC.
TOTAL SUITES	84
PROPOSED BUILDING HEIGHT	35' MAX (PRIMARY STRUCTURES) (MEASURED TO MEAN OF GABLE)
PARKING PROVIDED	151 (1.80 SP/SUITE)
SURFACE	129
GARAGE	22
SETBACKS REQUIRED	SEE PLAN

REVISIONS	

SUBAREA B
ILLUSTRATIVE PLAN

JEFFERSON POINT
PREPARED FOR
BARTON HALL LLC

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EX 7.4

JEFF-16-15
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Exhibit "8.1-8.7"- Landscape Plans and Site Details

JEFF-16-15
Received May 17, 2016

PLANT LIST
(CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	COND.	REMARKS
TREES						
7	AFS	ACER X FREEMANII 'SIENNA GLEN'	SIENNA GLEN MAPLE	2" CAL.	B&B	
3	GBP	GINGKO BILOBA 'PRINCETON SENTRY'	PRINCETON SENTRY GINKGO	2" CAL.	B&B	
16	UP	ULMUS PARVIFLORA	LACEBARK ELM	2" CAL.	B&B	
13	ZSG	ZELKOVA SERRATA 'GREEN VASE'	GREEN VASE ZELKOVA	2" CAL.	B&B	
5	ACG	AMELANCHIER CANADENSIS 'GLENFORM'	GLENFORM SERVICEBERRY	1 1/2" CAL.	B&B	
8	SRI	SYRINGA RETICULATA 'IVORY SILK'	IVORY SILK TREE LILAC	1 1/2" CAL	B&B	
4	PAB	PICEA ABIES	NORWAY SPRUCE	6' HGT.	B&B	

LANDSCAPE CALCULATIONS

	REQUIRED	PROVIDED
INTERIOR PARKING LOT STANDARDS		
INTERIOR GREEN SPACE - (TOTAL PAVEMENT AREA = 44,775.93 SF)		
INTERIOR LANDSCAPE AREA	2,238.80 SF (5%)	2,294.70 SF (5%)
TREES - 1 PER 100 SF OF REQUIRED LANDSCAPE AREA (MIN. 2" CALIPER)	23 TREES	23 TREES
SCREENING		
PARKING LOT SCREENING - ANY PARKING LOT ADJACENT TO PUBLIC ROW SHALL BE SCREENED WITH EVERGREEN HEDGE, MASONRY WALL, MOUND OR COMBINATION THEREOF TO A HEIGHT OF 3'	3' HGT SCREEN	PROVIDED
STREET TREES		
SHALL BE INSTALLED ALONG PUBLIC ROAD FRONTAGES (MIN. 1 1/2 CALIPER INCH TREE)	LARGE TREES -45' O.C., MEDIUM -35' O.C., SMALL - 25' O.C.	16 TREES

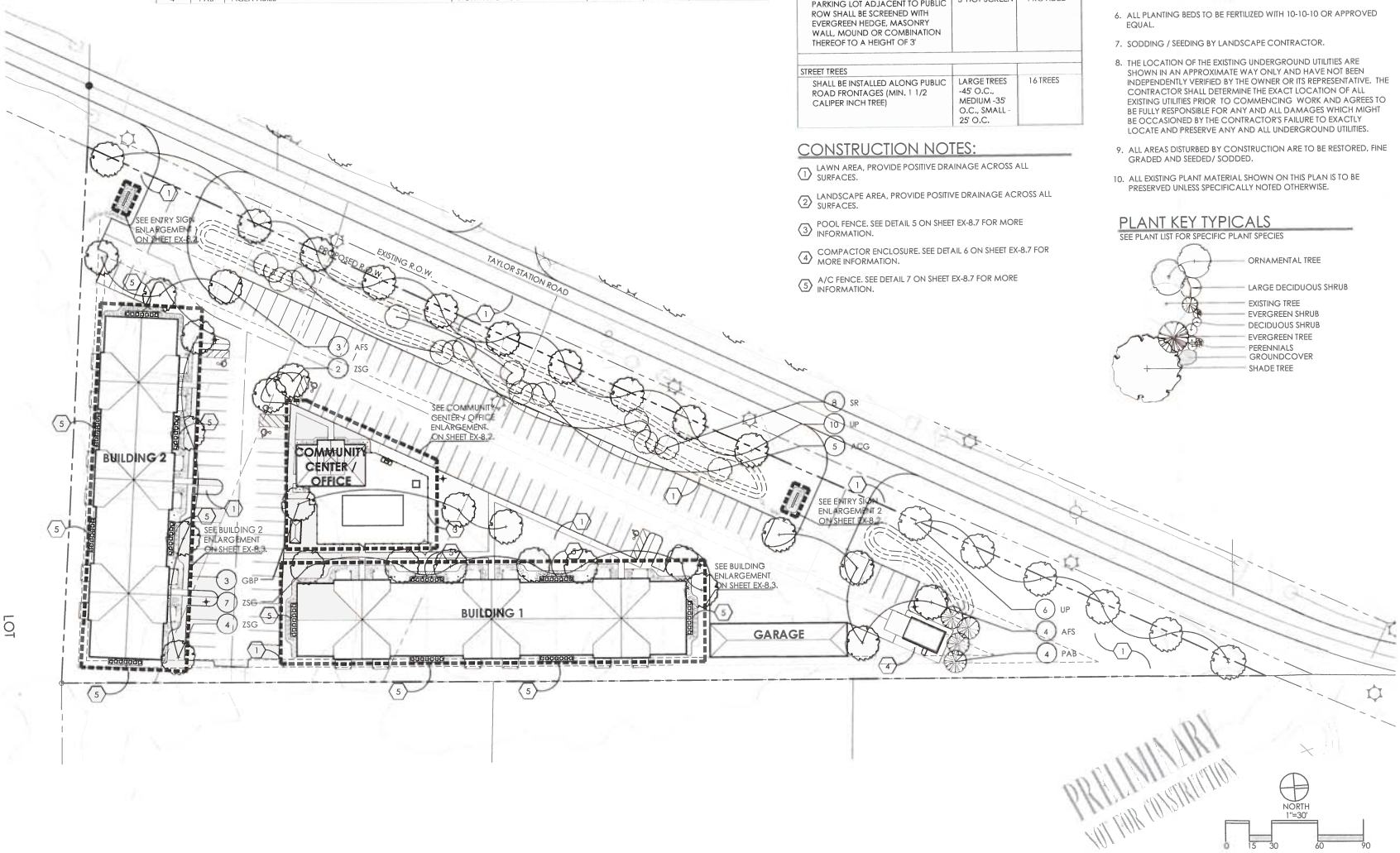
CONSTRUCTION NOTES:

1. LAWN AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
2. LANDSCAPE AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
3. POOL FENCE. SEE DETAIL 5 ON SHEET EX-8.7 FOR MORE INFORMATION.
4. COMPACTOR ENCLOSURE. SEE DETAIL 6 ON SHEET EX-8.7 FOR MORE INFORMATION.
5. A/C FENCE. SEE DETAIL 7 ON SHEET EX-8.7 FOR MORE INFORMATION.

GENERAL PLANTING NOTES:

1. ALL PLANTS SHALL MEET OR EXCEED STANDARDS SET IN THE USA STANDARD FOR NURSERY STOCK.
2. ALL PLANTING OPERATIONS SHALL ADHERE TO THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS.
3. PLANT LOCATIONS AND BEDS SHALL BE LOCATED BY CONTRACTOR AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
4. PLANTING BEDS SHALL HAVE A MINIMUM 3" DEEP SHREDDED HARDWOOD BARK MULCH. MULCH HEDGES IN A CONTINUOUS BED.
5. ALL PLANTING BEDS TO BE TILLED TO A MINIMUM DEPTH OF 12".
6. ALL PLANTING BEDS TO BE FERTILIZED WITH 10-10-10 OR APPROVED EQUAL.
7. SODDING / SEEDING BY LANDSCAPE CONTRACTOR.
8. THE LOCATION OF THE EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES PRIOR TO COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
9. ALL AREAS DISTURBED BY CONSTRUCTION ARE TO BE RESTORED, FINE GRADED AND SEEDED/ SODDED.
10. ALL EXISTING PLANT MATERIAL SHOWN ON THIS PLAN IS TO BE PRESERVED UNLESS SPECIFICALLY NOTED OTHERWISE.

PLANT KEY TYPICALS
SEE PLANT LIST FOR SPECIFIC PLANT SPECIES



PRELIMINARY
NOT FOR CONSTRUCTION

REVISIONS	

SUBAREA A OVERALL LANDSCAPE PLAN

JEFFERSON POINT
842, 852, 870 TAYLOR STATION RD. GAHANNA OH 43230
PREPARED FOR
BARTON HALL LLC

Faris Planning & Design
LAND PLANNING → LANDSCAPE ARCHITECTURE
243 N. Jim Street Suite 401 Columbus, OH 43215
p (614) 487-1934 www.farisplanninganddesign.com

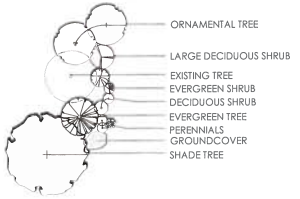
DATE	5/13/16
PROJECT	16028
SHEET	

EX-8.1

JEFF-16-15
Received May 17, 2016

PLANT KEY TYPICALS

SEE PLANT LIST FOR SPECIFIC PLANT SPECIES



GENERAL PLANTING NOTES:

1. ALL PLANTS SHALL MEET OR EXCEED STANDARDS SET IN THE USA STANDARD FOR NURSERY STOCK.
2. ALL PLANTING OPERATIONS SHALL ADHERE TO THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS.
3. PLANT LOCATIONS AND BEDS SHALL BE LOCATED BY CONTRACTOR AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
4. PLANTING BEDS SHALL HAVE A MINIMUM 3" DEEP SHREDDED HARDWOOD BARK MULCH. MULCH HEDGES IN A CONTINUOUS BED.
5. ALL PLANTING BEDS TO BE TILLED TO A MINIMUM DEPTH OF 12".
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9. ALL AREAS DISTURBED BY CONSTRUCTION ARE TO BE RESTORED, FINE GRADED AND SEEDED/ SODDED.
10. ALL EXISTING PLANT MATERIAL SHOWN ON THIS PLAN IS TO BE PRESERVED UNLESS SPECIFICALLY NOTED OTHERWISE.

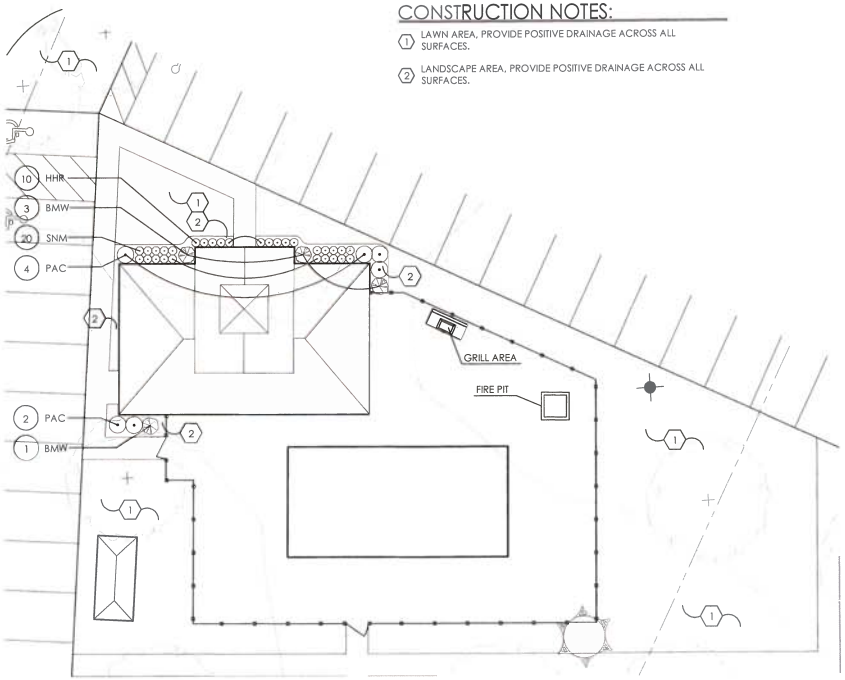
CONSTRUCTION NOTES:

1. LAWN AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
2. LANDSCAPE AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.

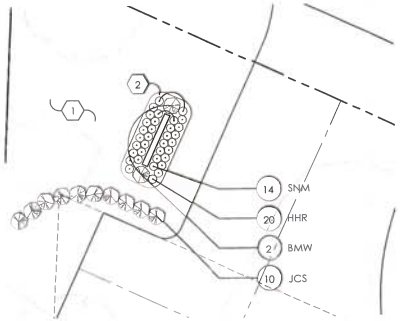
PLANT LIST

(CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)

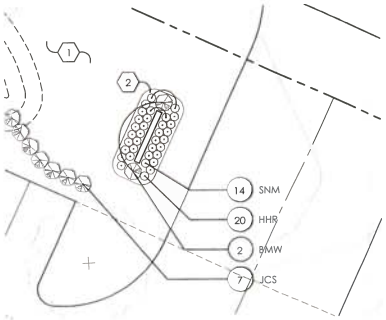
QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	COND.	REMARKS
SHRUBS						
8	BMW	BUXUS MICROPHYLLA 'WINTERGEM'	WINTERGEM BOXWOOD	18" HGT	B&B	
17	JCS	JUNIPERUS CHINENSIS 'SEAGREEN'	SEAGREEN JUNIPER	24" HGT.	B&B	
PERENNIALS/ORNAMENTAL GRASSES						
50	HHR	HEMEROCALLIS 'HAPPY RETURNS'	HAPPY RETURNS DAYLILY	NO. 1	CONT.	
6	PAC	PENNISETUM ALOPECUROIDES 'CASSAIN'	CASAIN DWARF FTN. GRASS	NO. 1	CONT.	
48	SNM	SALVIA NEMOROSA 'MAY NIGHT'	MAY NIGHT MEADOW SAGE	NO. 1	CONT.	



1 COMMUNITY CENTER / OFFICE ENLARGEMENT
SCALE: 1"=10'

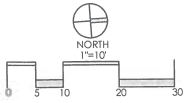


2 ENTRY SIGN ENLARGEMENT 1
SCALE: 1"=10'



3 ENTRY SIGN ENLARGEMENT 2
SCALE: 1"=10'

PRELIMINARY
NOT FOR CONSTRUCTION



REVISIONS	

SUBAREA A
COMMUNITY CENTER
/ OFFICE & ENTRY
LANDSCAPE PLAN

JEFFERSON POINT
842, 852, 870 TAYLOR STATION RD. GAHANNA OH 43230
PREPARED FOR
BARTON HALL LLC

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DATE	5/13/16
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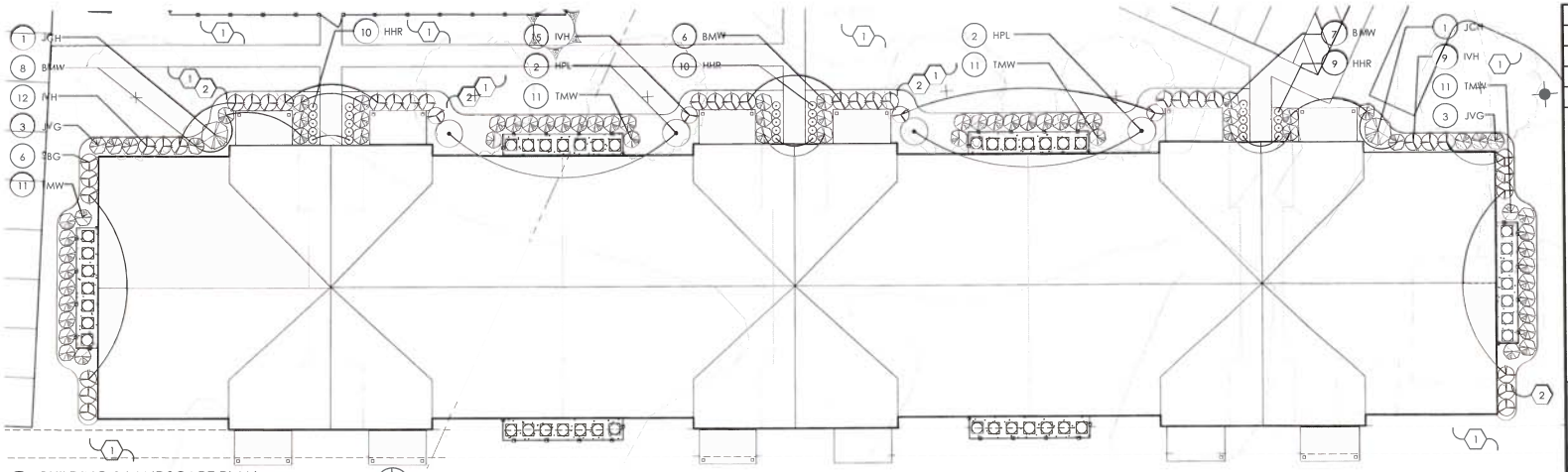
SHEET	

EX-8.2

JEFF-16-15
Received May 17, 2016



1 BUILDING 1 LANDSCAPE PLAN
SCALE: 1"=10'

NORTH

GENERAL PLANTING NOTES:

1. ALL PLANTS SHALL MEET OR EXCEED STANDARDS SET IN THE USA STANDARD FOR NURSERY STOCK.
2. ALL PLANTING OPERATIONS SHALL ADHERE TO THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS.
3. PLANT LOCATIONS AND BEDS SHALL BE LOCATED BY CONTRACTOR AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
4. PLANTING BEDS SHALL HAVE A MINIMUM 3" DEEP SHREDDED HARDWOOD BARK MULCH. MULCH HEDGES IN A CONTINUOUS BED.
5. ALL PLANTING BEDS TO BE TILLED TO A MINIMUM DEPTH OF 12".
6. ALL PLANTING BEDS TO BE FERTILIZED WITH 10-10-10 OR APPROVED EQUAL.
7. SODDING / SEEDING BY LANDSCAPE CONTRACTOR.
8. THE LOCATION OF THE EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES PRIOR TO COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
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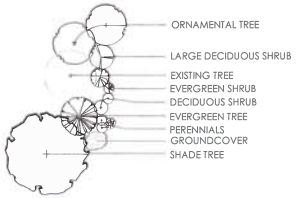
10. ALL EXISTING PLANT MATERIAL SHOWN ON THIS PLAN IS TO BE PRESERVED UNLESS SPECIFICALLY NOTED OTHERWISE.

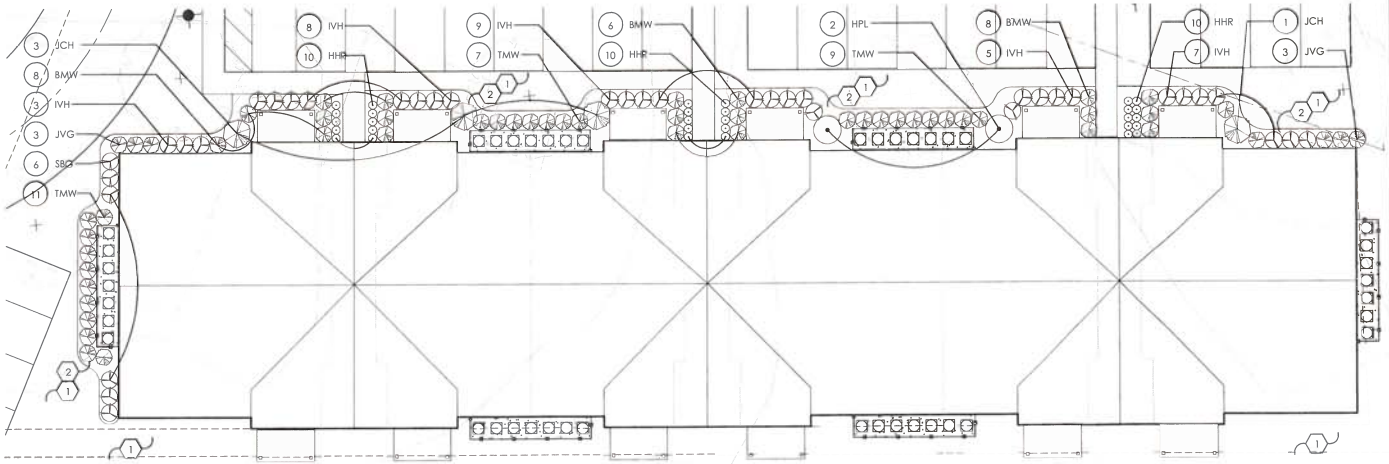
CONSTRUCTION NOTES:

1. LAWN AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
2. LANDSCAPE AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.

PLANT KEY TYPICALS

SEE PLANT LIST FOR SPECIFIC PLANT SPECIES





2 BUILDING 2 LANDSCAPE PLAN
SCALE: 1"=10'

NORTH

PLANT LIST

(CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	COND.	REMARKS
SHRUBS						
6	JCH	JUNIPERUS CHINENSIS 'HOOKS'	HOOKS JUNIPER	5' HGT	B&B	
12	SBG	SPIRAEA BUMALDA 'GOLDFLAME'	GOLDFLAME SPIREA	18" SPRD.	B&B	
43	BMW	BUXUS MICROPHYLLA 'WINTERGEM'	WINTERGEM BOXWOOD	18" HGT	B&B	
12	JVG	JUNIPERUS VIRGINIANA 'GREY OWL'	GREY OWL JUNIPER	24" HGT	B&B	
71	TMW	TAXUS X MEDIA 'WARDII'	WARDS YEW	24" SPRD.	B&B	
6	HPL	HYDRANGEA PANICULATA 'LIMELIGHT'	LIMELIGHT HYDRANGEA	24" HGT.	B&B	
68	IVH	ITEA VIRGINICA 'HENRY'S GARNET'	HENRY'S GARNET SWEETSPIRE	24" HGT.	B&B	
PERENNIALS/ORNAMENTAL GRASSES						
59	HHR	HEMEROCALLIS 'HAPPY RETURNS'	HAPPY RETURNS DAYLILY	NO. 1	CONT.	

PRELIMINARY

1"=10'
0 5 10 20 30

REVISIONS

SUBAREA A BUILDING
LANDSCAPE PLANS

JEFFERSON POINT
842, 852 870 TAYLOR STATION RD. GAHANNA OH 43230
PARCEL ID: 025-
BARTON HALL LLC

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EX-8.3

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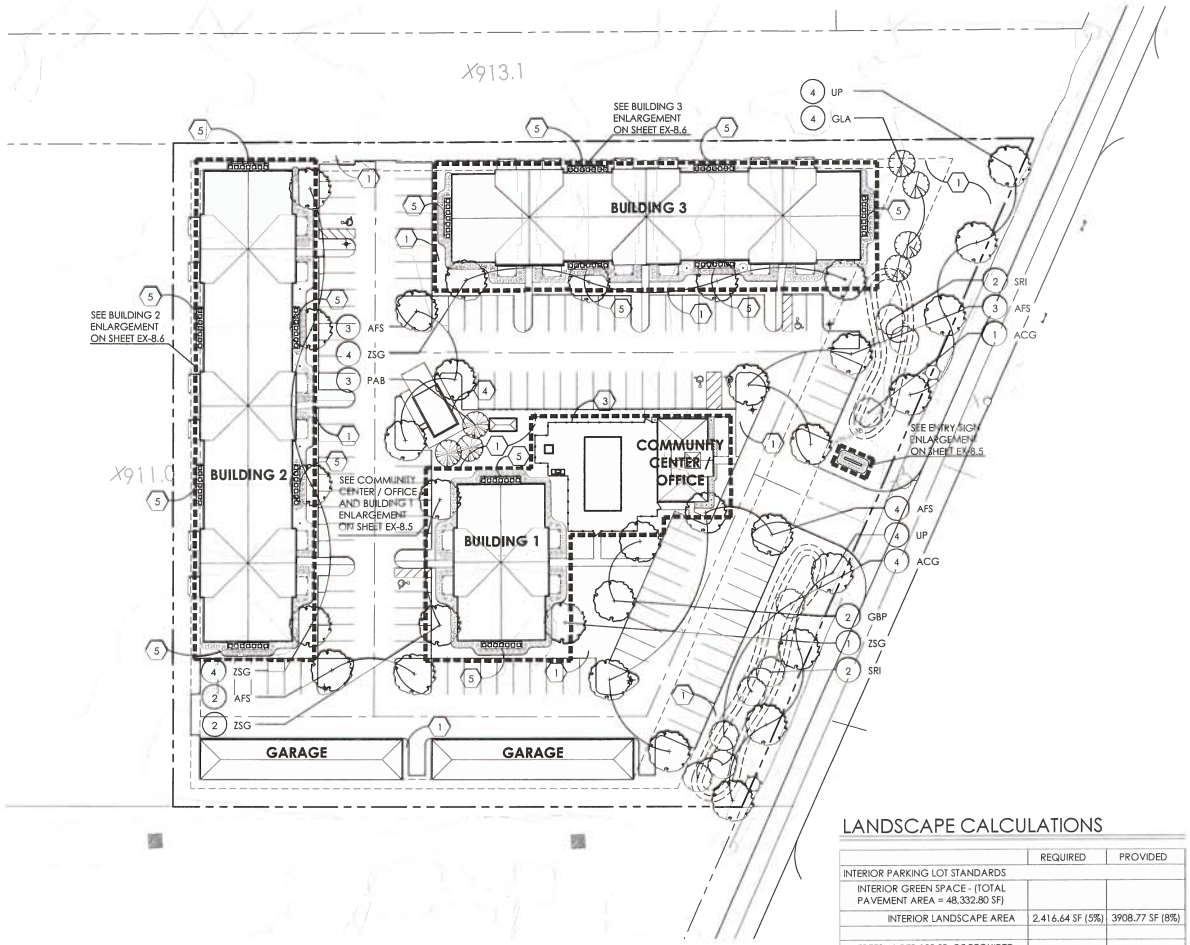

GENERAL PLANTING NOTES:

1. ALL PLANTS SHALL MEET OR EXCEED STANDARDS SET IN THE USA STANDARD FOR NURSERY STOCK.
2. ALL PLANTING OPERATIONS SHALL ADHERE TO THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS.
3. PLANT LOCATIONS AND BEDS SHALL BE LOCATED BY CONTRACTOR AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
4. PLANTING BEDS SHALL HAVE A MINIMUM 3" DEEP SHREDDED HARDWOOD BARK MULCH. MULCH HEDGES IN A CONTINUOUS BED.
5. ALL PLANTING BEDS TO BE TILLED TO A MINIMUM DEPTH OF 12".
6. ALL PLANTING BEDS TO BE FERTILIZED WITH 10-10-10 OR APPROVED EQUAL.
7. SODDING / SEEDING BY LANDSCAPE CONTRACTOR.
8. THE LOCATION OF THE EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES PRIOR TO COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
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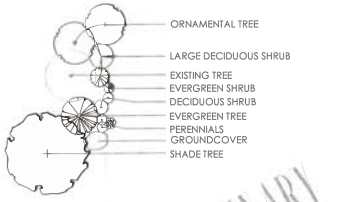
CONSTRUCTION NOTES:

1. LAWN AREA. PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
2. LANDSCAPE AREA. PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
3. POOL FENCE. SEE DETAIL 5 ON SHEET EX-8.7 FOR MORE INFORMATION.
4. COMPACTOR ENCLOSURE. SEE DETAIL 6 ON SHEET EX-8.7 FOR MORE INFORMATION.
5. A/C FENCE. SEE DETAIL 7 ON SHEET EX-8.7 FOR MORE INFORMATION.

PLANT KEY TYPICALS

SEE PLANT LIST FOR SPECIFIC PLANT SPECIES



PRELIMINARY
NOT FOR CONSTRUCTION

LANDSCAPE CALCULATIONS

	REQUIRED	PROVIDED
INTERIOR PARKING LOT STANDARDS		
INTERIOR GREEN SPACE - (TOTAL PAVEMENT AREA = 48,332.80 SF)		
INTERIOR LANDSCAPE AREA	2,416.64 SF (5%)	3908.77 SF (8%)
TREES - 1 PER 100 SF OF REQUIRED LANDSCAPE AREA (MIN. 2" CALIPER)	25 TREES	25 TREES
SCREENING		
PARKING LOT SCREENING - ANY PARKING LOT ADJACENT TO PUBLIC ROW SHALL BE SCREENED WITH EVERGREEN HEDGE, MASONRY WALL, MOUND OR COMBINATION THEREOF TO A HEIGHT OF 3'	3' HGT SCREEN	PROVIDED
STREET TREES		
SHALL BE INSTALLED ALONG PUBLIC ROAD FRONTAGES (MIN. 1 1/2 CALIPER INCH TREE)	LARGE TREES -45' O.C., MEDIUM -35' O.C., SMALL - 25' O.C.	8 TREES

PLANT LIST

(CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	COND.	REMARKS
TREES						
12	AFS	ACER X FREEMANII 'SIENNA GLEN'	SIENNA GLEN MAPLE	2" CAL.	B&B	
2	GBP	GINGKO BILOBA 'PRINCETON SENTRY'	PRINCETON SENTRY GINKGO	2" CAL.	B&B	
8	UP	ULMUS PARVIFLORA	LACEBARK ELM	2" CAL.	B&B	
11	ZSG	ZELKOVA SERRATA 'GREEN VASE'	GREEN VASE ZELKOVA	2" CAL.	B&B	
5	ACG	AMELANCHIER CANADENSIS 'GLENFORM'	GLENFORM SERVICEBERRY	1 1/2" CAL.	B&B	
4	SRI	SYRINGA RETICULATA 'IVORY SILK'	IVORY SILK TREE LILAC	1 1/2" CAL	B&B	
3	PAB	PICEA ABIES	NORWAY SPRUCE	6' HGT.	B&B	
4	GLA	PICEA GLAUCA	WHITE SPRUCE	6' HGT.	B&B	

NORTH
1"=30'
0 15 30 60 90

REVISIONS	

SUBAREA B OVERALL LANDSCAPE PLAN

JEFFERSON POINT
875 TAYLOR STATION RD. GAHANNA OH. 43230
PREPARED FOR
BARTON HALL LLC

Faris Planning & Design
LAND PLANNING + LANDSCAPE ARCHITECTURE
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DATE	5/13/16
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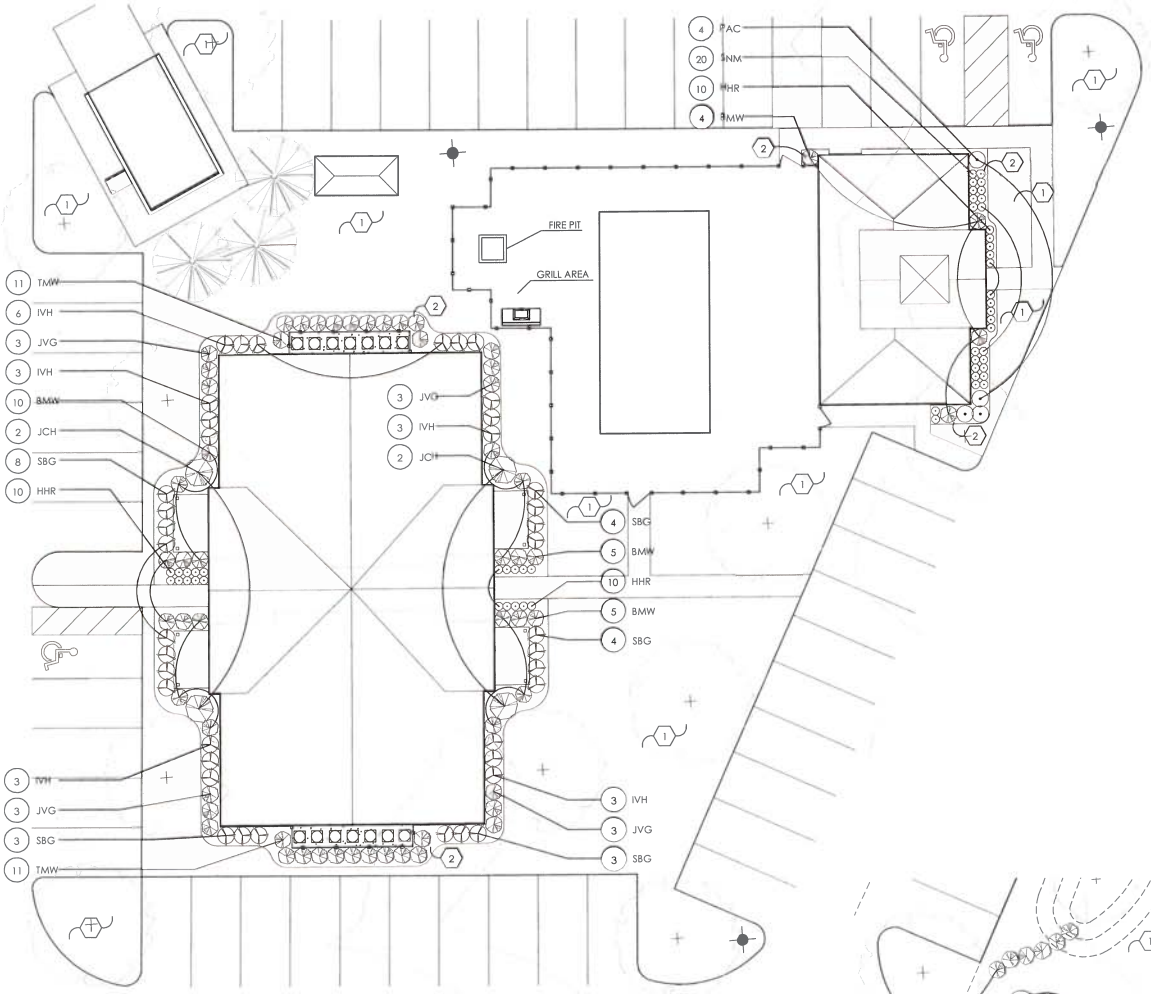
SHEET	

EX-8.4

JEFF-16-15
Received May 17, 2016

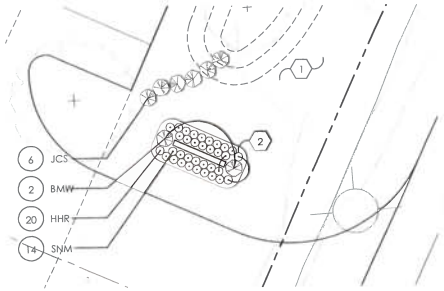


1 COMMUNITY CENTER / OFFICE AND BUILDING 1 LANDSCAPE PLAN
SCALE: 1"=10'

PLANT LIST

(CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	COND.	REMARKS
SHRUBS						
4	JCH	JUNIPERUS CHINENSIS 'HOOKS'	HOOKS JUNIPER	5' HGT	B&B	
22	SBG	SPIRAEA BUMALDA 'GOLDFLAME'	GOLDFLAME SPIREA	18" SPRD.	B&B	
26	BMW	BUXUS MICROPHYLLA 'WINTERGEM'	WINTERGEM BOXWOOD	18" HGT	B&B	
6	JCS	JUNIPERUS CHINENSIS 'SEAGREEN'	SEAGREEN JUNIPER	24" HGT.	B&B	
12	JVG	JUNIPERUS VIRGINIANA 'GREY OWL'	GREY OWL JUNIPER	24" HGT	B&B	
22	TMW	TAXUS X MEDIA 'WARDII'	WARDS YEW	24" SPRD.	B&B	
18	IVH	ITEA VIRGINICA 'HENRY'S GARNET'	HENRY'S GARNET SWEETSPIRE	24" HGT.	B&B	
PERENNIALS/ORNAMENTAL GRASSES						
50	HHR	HEMEROCALLIS 'HAPPY RETURNS'	HAPPY RETURNS DAYLILY	NO. 1	CONT.	
34	SNM	SALVIA NEMOROSA 'MAY NIGHT'	MAY NIGHT MEADOW SAGE	NO. 1	CONT.	



2 ENTRY SIGN LANDSCAPE PLAN
SCALE: 1"=10'

GENERAL PLANTING NOTES:

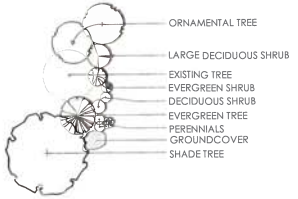
1. ALL PLANTS SHALL MEET OR EXCEED STANDARDS SET IN THE USA STANDARD FOR NURSERY STOCK.
2. ALL PLANTING OPERATIONS SHALL ADHERE TO THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS.
3. PLANT LOCATIONS AND BEDS SHALL BE LOCATED BY CONTRACTOR AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
4. PLANTING BEDS SHALL HAVE A MINIMUM 3" DEEP SHREDDED HARDWOOD BARK MULCH. MULCH HEDGES IN A CONTINUOUS BED.
5. ALL PLANTING BEDS TO BE TILLED TO A MINIMUM DEPTH OF 12".
6. ALL PLANTING BEDS TO BE FERTILIZED WITH 10-10-10 OR APPROVED EQUAL.
7. SODDING / SEEDING BY LANDSCAPE CONTRACTOR.
8. THE LOCATION OF THE EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES PRIOR TO COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
9. ALL AREAS DISTURBED BY CONSTRUCTION ARE TO BE RESTORED, FINE GRADED AND SEEDED/ SODDED.
10. ALL EXISTING PLANT MATERIAL SHOWN ON THIS PLAN IS TO BE PRESERVED UNLESS SPECIFICALLY NOTED OTHERWISE.

CONSTRUCTION NOTES:

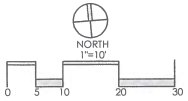
1. LAWN AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
2. LANDSCAPE AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.

PLANT KEY TYPICALS

SEE PLANT LIST FOR SPECIFIC PLANT SPECIES



PRELIMINARY
NOT FOR CONSTRUCTION



REVISIONS	

SUBAREA B
COMMUNITY CENTER
/ OFFICE & ENTRY
LANDSCAPE PLAN

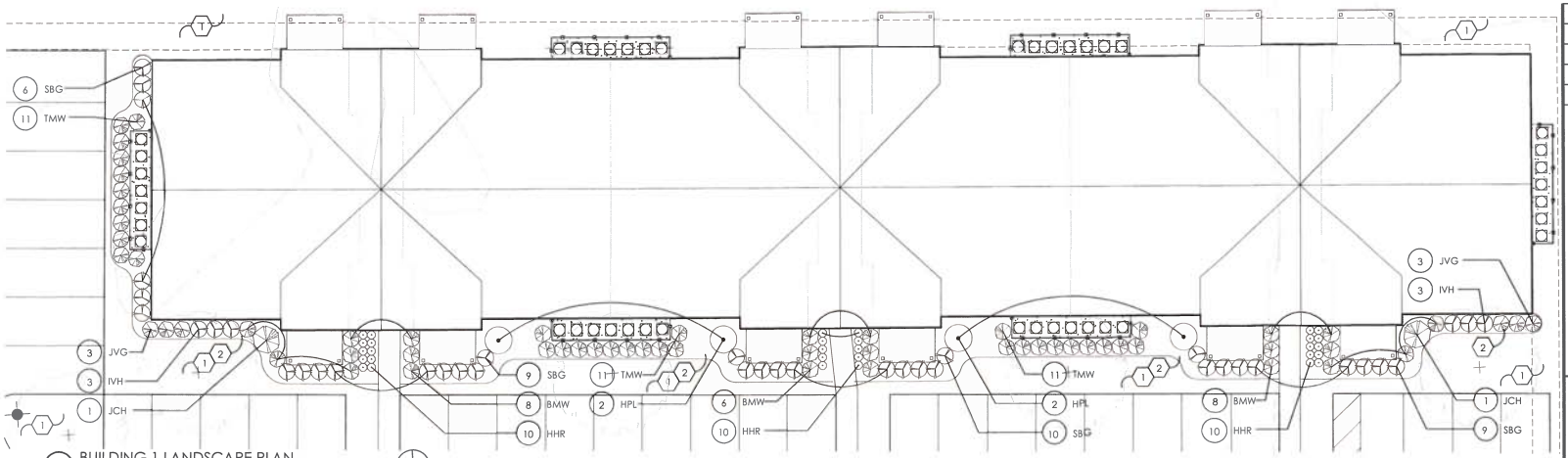
JEFFERSON POINT
875 TAYLOR STATION RD. GAHANNA OH 43230
PREPARED FOR
BARTON HALL LLC

Faris Planning & Design
LAND PLANNING + LANDSCAPE ARCHITECTURE
243 N. 5th Street Suite 401 Columbus, OH 43215
p: (614) 487-1964 www.farisplanninganddesign.com

DATE	5/13/16
PROJECT	16028
SHEET	

EX-8.5

JEFF-16-15
Received May 17, 2016



1 BUILDING 1 LANDSCAPE PLAN
SCALE: 1"=10'

GENERAL PLANTING NOTES:

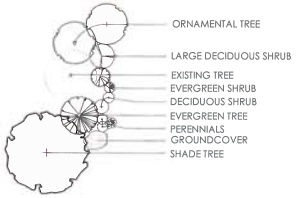
1. ALL PLANTS SHALL MEET OR EXCEED STANDARDS SET IN THE USA STANDARD FOR NURSERY STOCK.
2. ALL PLANTING OPERATIONS SHALL ADHERE TO THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS.
3. PLANT LOCATIONS AND BEDS SHALL BE LOCATED BY CONTRACTOR AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
4. PLANTING BEDS SHALL HAVE A MINIMUM 3" DEEP SHREDDED HARDWOOD BARK MULCH. MULCH HEDGES IN A CONTINUOUS BED.
5. ALL PLANTING BEDS TO BE TILLED TO A MINIMUM DEPTH OF 12".
6. ALL PLANTING BEDS TO BE FERTILIZED WITH 10-10-10 OR APPROVED EQUAL.
7. SODDING / SEEDING BY LANDSCAPE CONTRACTOR.
8. THE LOCATION OF THE EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES PRIOR TO COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
9. ALL AREAS DISTURBED BY CONSTRUCTION ARE TO BE RESTORED, FINE GRADED AND SEEDED/ SODDED.
10. ALL EXISTING PLANT MATERIAL SHOWN ON THIS PLAN IS TO BE PRESERVED UNLESS SPECIFICALLY NOTED OTHERWISE.

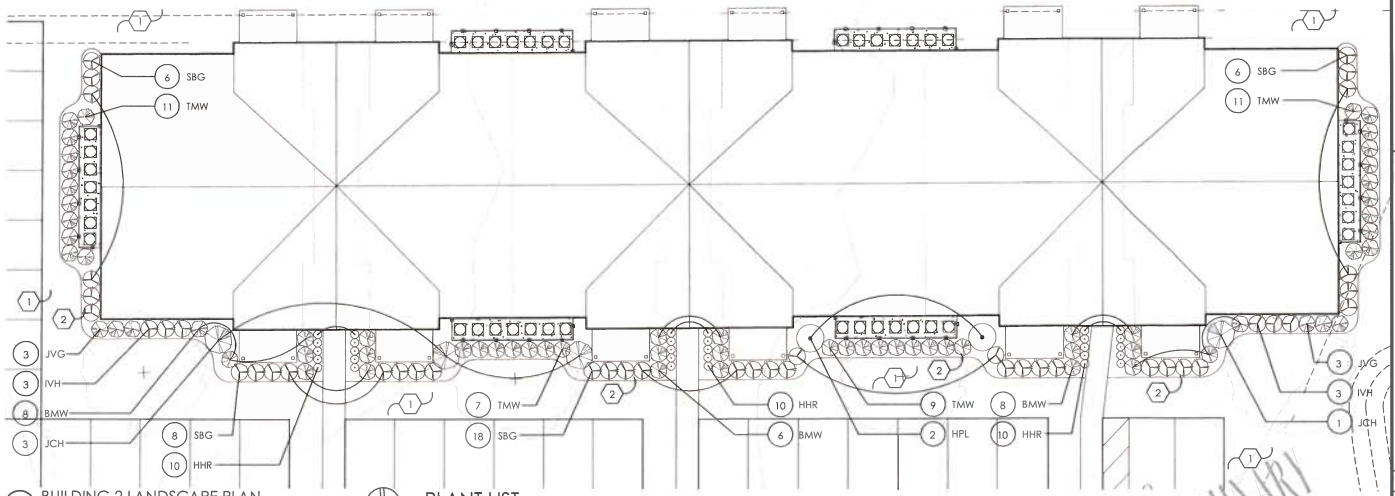
CONSTRUCTION NOTES:

1. LAWN AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
2. LANDSCAPE AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.

PLANT KEY TYPICALS

SEE PLANT LIST FOR SPECIFIC PLANT SPECIES





2 BUILDING 2 LANDSCAPE PLAN
SCALE: 1"=10'

PLANT LIST

(CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	COND.	REMARKS
SHRUBS						
6	JCH	JUNIPERUS CHINENSIS 'HOOKS'	HOOKS JUNIPER	5' HGT	B&B	
72	SBG	SPIRAEA BUMALDA 'GOLDFLAME'	GOLDFLAME SPIREA	18" SPRD.	B&B	
44	BMW	BUXUS MICROPHYLLA 'WINTERGEM'	WINTERGEM BOXWOOD	18" HGT	B&B	
12	JVG	JUNIPERUS VIRGINIANA 'GREY OWL'	GREY OWL JUNIPER	24" HGT	B&B	
71	TMW	TAXUS X MEDIA 'WARDII'	WARDS YEW	24" SPRD.	B&B	
6	HPL	HYDRANGEA PANICULATA 'LIMELIGHT'	LIMELIGHT HYDRANGEA	24" HGT.	B&B	
12	IVH	ITEA VIRGINICA 'HENRY'S GARNET'	HENRY'S GARNET SWEETSPIRE	24" HGT.	B&B	
PERENNIALS/ORNAMENTAL GRASSES						
60	HHR	HEMEROCALLIS 'HAPPY RETURNS'	HAPPY RETURNS DAYLILY	NO. 1	CONT.	

PRELIMINARY

1"=10'
5 10 20 30

REVISIONS

SUBAREA B BUILDING
LANDSCAPE PLANS

JEFFERSON POINT
875 TAYLOR STATION RD. GAHANNA OH 43230
PREPARED FOR
BARTON HALL LLC

Faris Planning & Design
LAND PLANNING + LANDSCAPE ARCHITECTURE
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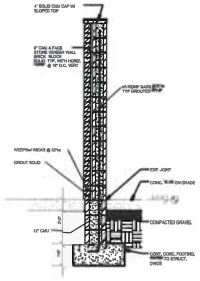
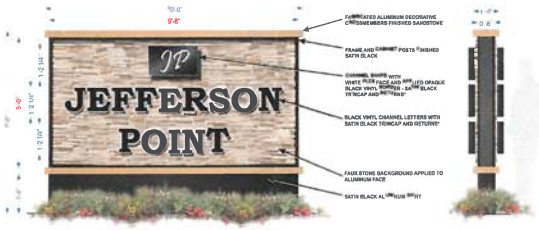
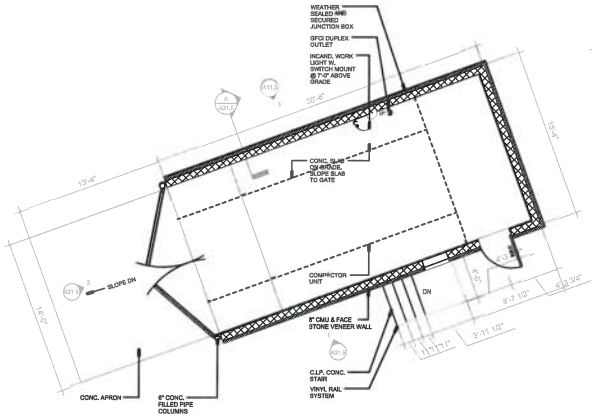
DATE	5/13/16
PROJECT	16028
SHEET	EX-8.6

JEFF-16-15
Received May 17, 2016

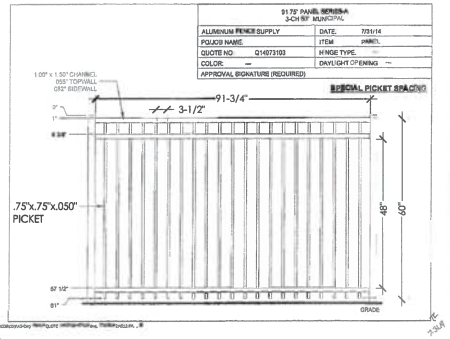




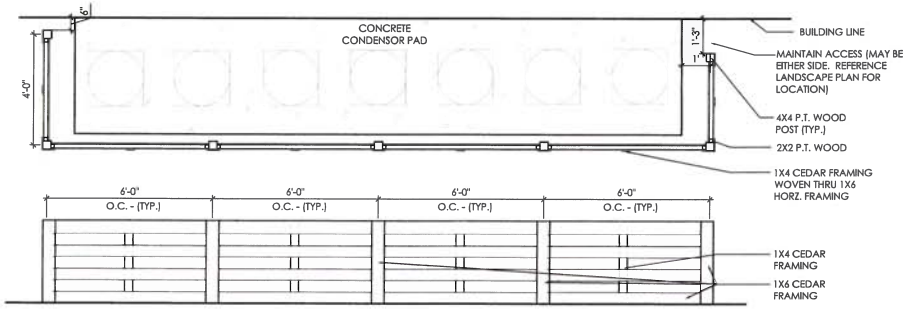
4 ENTRY SIGN
SCALE: N.T.S.



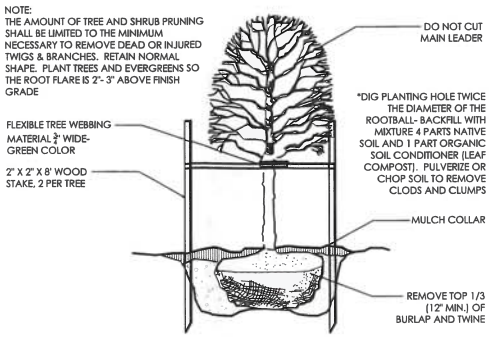
6 COMPACTOR ENCLOSURE
SCALE: N.T.S.



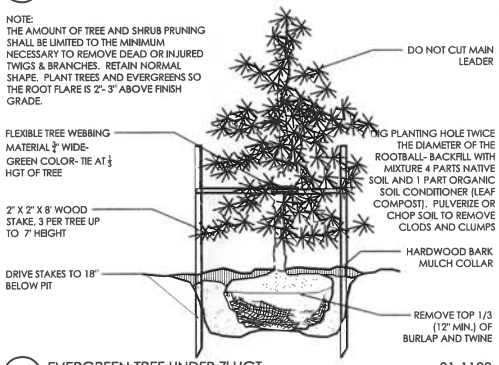
5 POOL FENCE
SCALE: N.T.S.



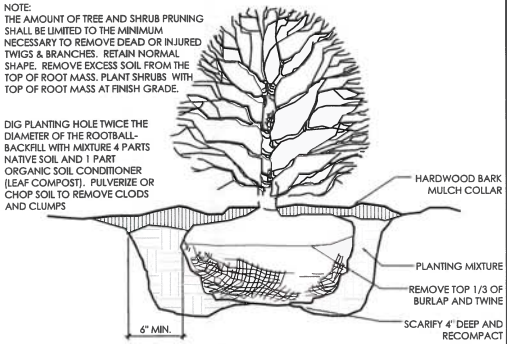
7 A/C CONDENSOR SCREENING FENCE
N.T.S.



1 DECIDUOUS TREE 01-1001
N.T.S.



2 EVERGREEN TREE UNDER 7' HGT. 01-1100
N.T.S.



3 SHRUB PLANTING DETAIL 01-1300
N.T.S.

REVISIONS	

EAST SITE BUILDING
LANDSCAPE PLANS

JEFFERSON POINT
842,852, 870, 875 TAYLOR STATION RD. GAHANNA OH 43230
PREPARED FOR
BARTON HALL LLC

Faris Planning & Design
LAND PLANNING + LANDSCAPE ARCHITECTURE
243 N. 5th Street Suite 401 Columbus, OH 43215
p (614) 487-1960 www.farisplanninganddesign.com

DATE	5/13/16
PROJECT	16028
SHEET	

EX-8.7

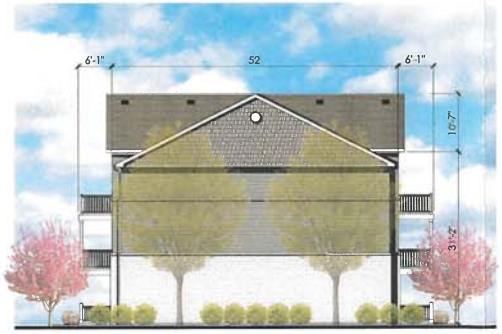
JEFF-16-15
Received May 17, 2016

Exhibit "9.1 and 9.2"- Illustrative Elevations

JEFF-16-15
Received May 17, 2016

1 3 STORY-36 UNIT BUILDING (TYPICAL ELEVATION WITH PATIOS AND DECKS)
SCALE: 1"=10'

2 3 STORY-12 UNIT BUILDING (TYPICAL ELEVATION WITH PATIOS AND DECKS)
SCALE: 1"=10'



3 3 STORY BUILDING (TYPICAL SIDE ELEVATION)
SCALE: 1"=10'

ARCHITECTURAL MATERIALS KEY

ASPHALT SHINGLES | VINYL SHAKE SIDING | VINYL LAP SIDING | PAINTED BRICK

REVISIONS	

ILLUSTRATIVE BUILDING ELEVATIONS

JEFFERSON POINT
PREPARED FOR
BARTON HALL LLC

Faris Planning & Design
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243 N. 5th Street Suite 401 Columbus, OH 43215
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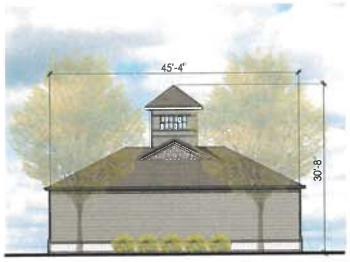
DATE	5/13/16
PROJECT	16028
SHEET	

EX 9.1

JEFF-16-15
Received May 17, 2016

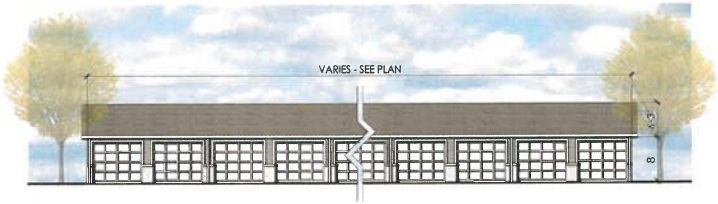
1 COMMUNITY CENTER/OFFICE (FRONT ELEVATION)
SCALE: 1"=10'

2 COMMUNITY CENTER/OFFICE (RIGHT ELEVATION)
SCALE: 1"=10'



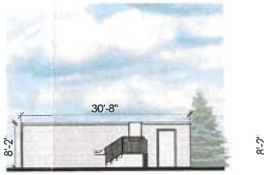
3 COMMUNITY CENTER/OFFICE (REAR ELEVATION)
SCALE: 1"=10'

4 COMMUNITY CENTER/OFFICE (LEFT SIDE ELEVATION)
SCALE: 1"=10'

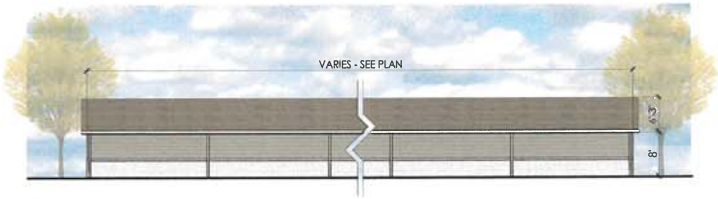


5 GARAGE (FRONT ELEVATION)
SCALE: 1"=10'

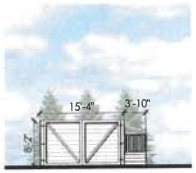
7 GARAGE (SIDE ELEVATION)
SCALE: 1"=10'



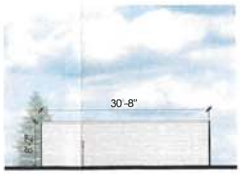
9 COMPACTOR (RIGHT SIDE ELEVATION)
SCALE: 1"=10'



6 GARAGE (REAR ELEVATION)
SCALE: 1"=10'



8 COMPACTOR (FRONT ELEVATION)
SCALE: 1"=10'



10 COMPACTOR (LEFT SIDE ELEVATION)
SCALE: 1"=10'

ARCHITECTURAL MATERIALS KEY

ASPHALT SHINGLES | VINYL SHAKE SIDING | VINYL LAP SIDING | PAINTED BRICK

REVISIONS	

ILLUSTRATIVE COMMUNITY CENTER/OFFICE, GARAGE & COMPACTOR ELEVATIONS

JEFFERSON POINT
PREPARED FOR
BARTON HALL LLC

Faris Planning & Design
LAND PLANNING + LANDSCAPE ARCHITECTURE
248 N. 5th Street Suite 401 Columbus, OH 43215
P (614) 487.1964 www.farisplanninganddesign.com

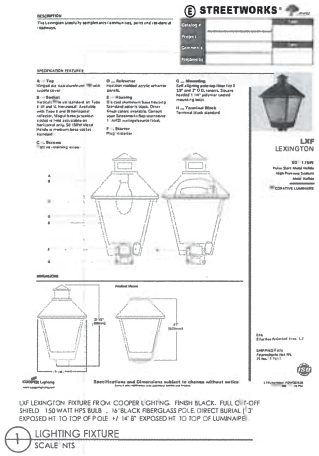
DATE	5/13/16
PROJECT	16028
SHEET	

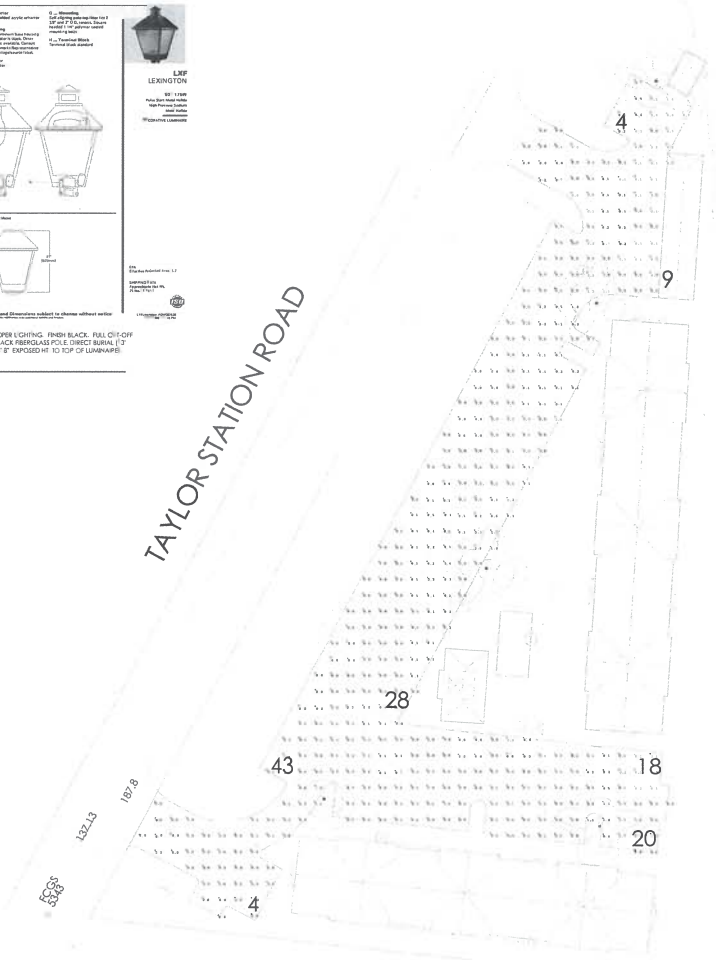
EX 9.2

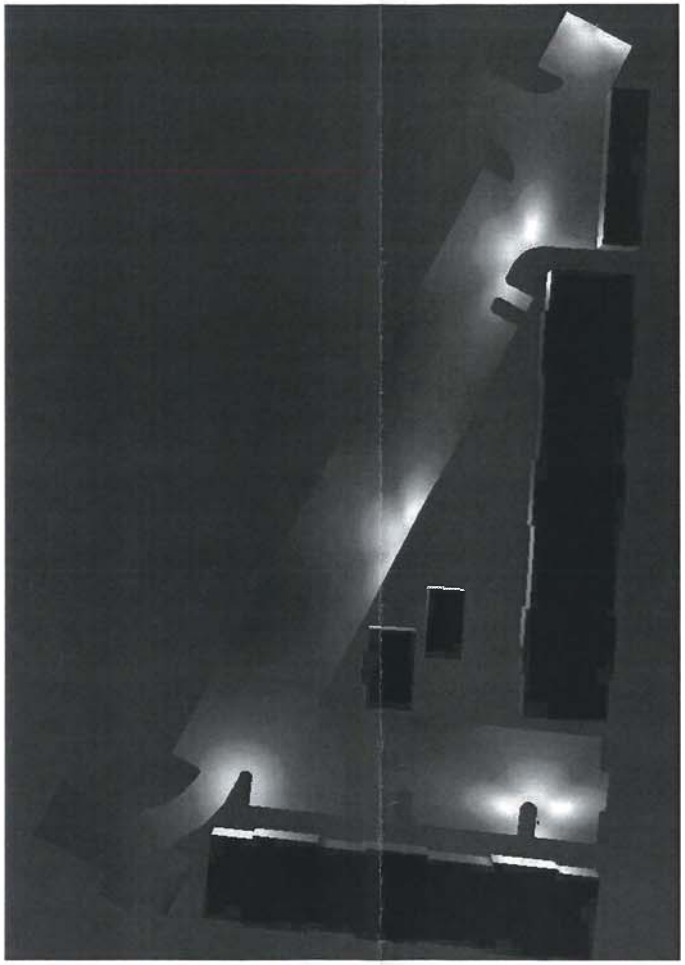
JEFF-16-15
Received May 17, 2016

Exhibit "10.1 and 10.2"- Lighting Plans

JEFF-16-15
Received May 17, 2016







Luminaire Schedule

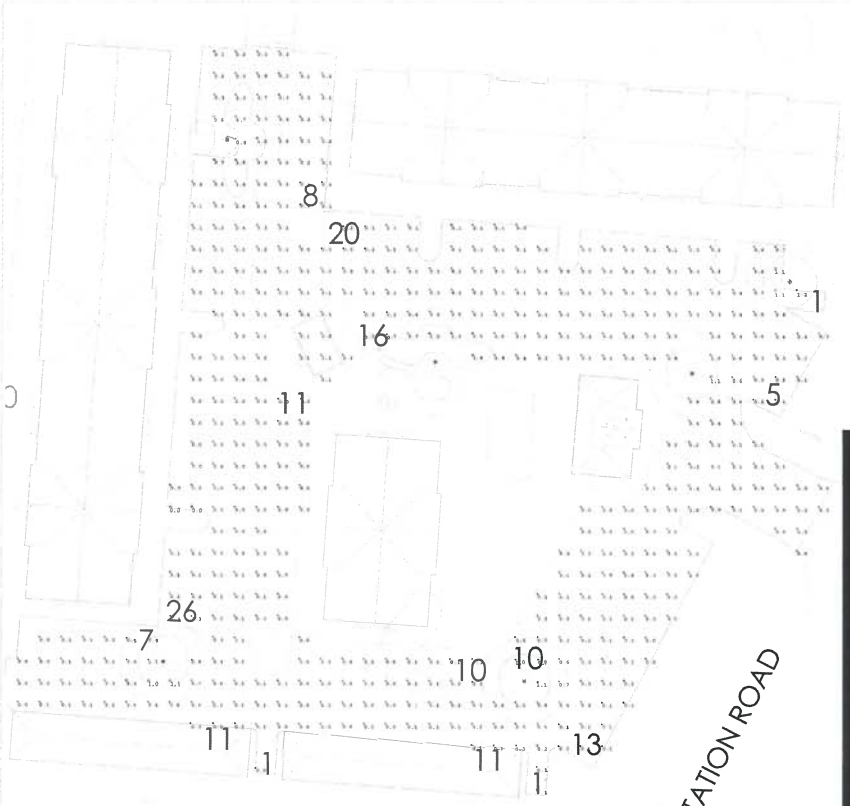
Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description
	4	PL2	SINGLE	13300	0.720	LXF15P33
	1	PL1	SINGLE	14000	0.720	LXF15P55

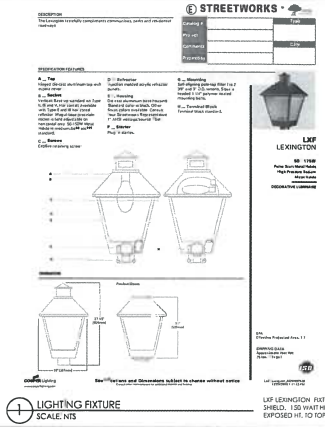
Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Parking Lot_Planar	Illuminance	Fc	0.19	1.9	0.0	N.A.	N.A.

Loeb Electric
Revisions
Date
Comments
Drawn By: Loeb Electric
Checked By:
Date: 5/12/2016
Scale:
Jefferson Point
EXHIBIT 10.1 SUBAREA A

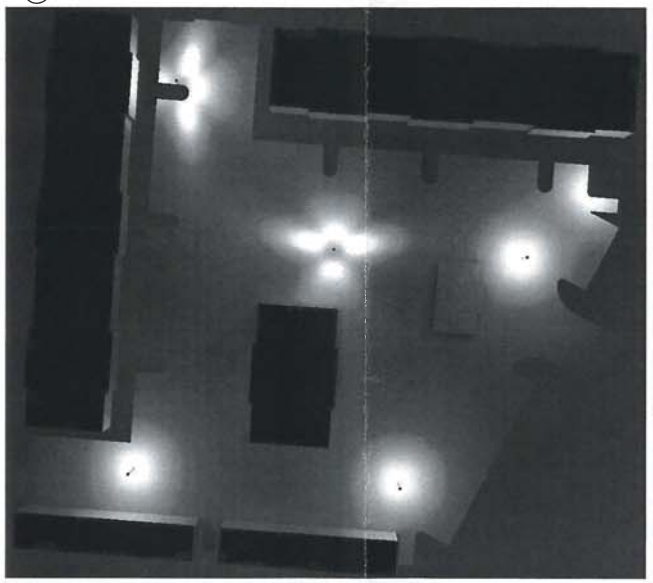
JEFF-16-15
Received May 17, 2016





1 LIGHTING FIXTURE
SCALE: NTS

LXF LEXINGTON FIXTURE FROM COOPER LIGHTING. FINISH BLACK. FULL CUT OFF SHIELD. 130 WATT HPS BULB - 16' BLACK FIBERGLASS POLE, DIRECT BURIAL (1'3" EXPOSED HT. TO TOP OF POLE, +/-14'-8" EXPOSED HT. TO TOP OF LUMINA IRE).



Luminaire Schedule

Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description
	2	PL2	SINGLE	13300	0.720	LXF15P33
	4	PL1	SINGLE	14000	0.720	LXF15P55

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Object_1_Planar	Illuminance	Fc	0.21	1.8	0.0	N.A.	N.A.

Loeb Electric
Since 1913
Project Management Services

Revisions
Date Comments

Drawn By: Loeb Electric
Checked By:
Date:5/11/2016
Scale:

Jefferson Point
EXHIBIT 10.2 SUBAREA B

Franklin County
Economic Development & Planning

Franklin County
Application for Rezoning/Text Amendment

Application Number:	Date Filed:	Received By:	Total Fees:	Receipt Number:
ZON-16-01	2/16/16	Matt Brown	$1,300.00	16-00329

RECEIVED
FEB 16 2016
Franklin County Planning Department
Franklin County, Ohio

Subject Property Information

1. Street Address: 4635 Obetz-Reese Road
2. Parcel ID Number(s): 150 - 000117
3. Township(s): Hamilton

Description of Subject Property

4. Acres to be Rezoned: 3.64 acres
5. Current Land Use: Tow Truck Operation
6. Surrounding Land Use:
   - North: I-270 & Exceptional Use- Farmed Area
   - South: Rural-Single family housing
   - East: RR & Planned Industrial District
   - West: Exceptional Use- Farmed area
7. Water Supply Source: ☐ Public (Central) ☐ Private (Onsite)
8. Sanitary Sewer Source: ☐ Public (Central) ☐ Private (Onsite)

Rezoning Request

9. Current Zoning: SCPD
   Proposed Zoning: SCPD
10. Proposed Land Use: Tow Truck Operation
11. Purpose for Request: The proposal is to update the site plan approved by the County Commissioners in 2008 as elements of the site have changed in the intervening eight (8) years.

Franklin County
Economic Development & Planning

Franklin County
Application for Rezoning/Text Amendment

Applicant/Owner/Agent Information

12. Applicant Information: William "Rusty" McQuirt

Address: 4845 Obetz-Reese Rd. Columbus, OH 43207

Phone: 679-3909 Fax: 614-491-3511

Interest in Property: Owner

Signature: William R. McQuirt

13. Property Owner: William "Rusty" McQuirt

Address: 4845 Obetz-Reese Rd., Columbus, OH 43207

Phone: 679-3909 Fax: 614-491-3511

Signature: William R. McQuirt

14. Agent Information: Jackson B. Reynolds, III c/o Smith & Hale LLC

Address: 37 W. Broad St., #460, Columbus, OH 43215

Phone: 221-4255 Fax: 221-4409

Signature: William R. McQuirt
Jackson B. Reynolds III

Applicant/Owner/Agent Information

I/we (applicant) William "Rusty" McQuirt swear that I/we am/are the owners/lessees/optionees of land requested for rezoning and that the statements, information and exhibits attached are true and correct to the best of my/our knowledge.

Applicant Signature: (required) William R. McQuirt

Date: 2/9/16

Property Owner Signature: (required) William R. McQuirt

Subscribed and sworn to me in my presence and before me on this 9 day of February 20 16.

Notary Public Signature: Jack E. Coms

NOTARIAL SEAL STATE OF OHIO

Jack E. Coms
Notary Public, State of Ohio
My Commission Expires 07/16/2018

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ZON-16-01
Franklin County Planning Department
Franklin County, Ohio

- All easements, utility poles, fire hydrants, significant tree stands, and obstructions.

8. Parcel and building area in square feet.

9. Dimensions and location of existing and proposed parking and loading facilities, including but not limited to aisles, driveways, parking and loading stalls, entrances, exits, median strips, traffic islands, lighting, screening, fences, landscaping, greenbelts and signage.

10. Existing and proposed traffic circulation pattern.

11. Contour lines, soil types, and existing and proposed drainage facilities comprising the subject property.

12. Location and dimension of existing and proposed sanitary wastewater systems along with the location of existing and proposed water supply systems. A letter approving such systems is required from the appropriate health authority.

Note: When a planned district is requested, a development plan must be prepared by a registered architect, engineer, surveyor or landscape architect. Three (3) copies of said plan are required to be submitted. This plan is to demonstrate the engineering feasibility of the proposed project. Furthermore, a separate landscape plan is required and is to be completed and sealed by a professional landscape architect. The Rural Zoning Commission makes no exceptions to these requirements. All other issues in the performance standards must be addressed, even if they do not appear to pertain to your particular site.

Statement of Understanding

I/we have read and understand the requirements as listed above and I/we have met with the Technical Review Committee as required prior to the filing of this application.

Applicant Signature: By: _____

Date: 2/5/16

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Received 5/12/2016

SELECT COMMERCIAL PLANNED DISTRICT (SCPD)
HAMILTON TOWNSHIP
4635 OBETZ-REESE ROAD
WILLIAM McQUIRT (RUSTY'S TOWING)
ZON No. 16-01

BACKGROUND:

Rusty's Towing Service, hereinafter applicant, owns one parcel as part of this development plan, the parcel is 3.64 acres in size. The site is currently zoned Select Commercial Planned District (SCPD), with an existing gravel parking lot that is used for tractor trailer storage on the southern portion of the site and a small amount of automobile impound storage on the north side of the site.

The applicant purchased the property in 1999 and rezoned the property to Select Commercial Planned District in 2001. At the time, the applicant had proposed two buildings on site. These were never constructed, thus, many of the design elements in the original zoning application were never performed. The applicant in 2008 submitted a revised development plan for the Select Commercial Planned District (SCPD) property, it included a new storage building for wrecked trucks and parts storage, a modified entrance for the site to control access onto Obetz-Reese Road, a revised landscaping and lighting plan, while maintaining outdoor storage for tow trucks, trailers and impound cars. The applicant has made some modifications to the existing site development and like to add additional other elements including a loading dock (with two code compliant loading spaces), additional fueling station with canopy and additional screening for the site. The single family home that was a part of the previous plan has been removed. The onsite sewage tank was abandoned and subsequently filled with gravel and crushed.

PERMITTED USES:

The site is currently being used for tractor-trailer storage and tow truck parking, automobile storage, a storage building and a fueling station. The site has limited access along Obetz-Reese Road due to an existing fence that was installed for security purposes. The existing site contains one property, with AEP maintaining a 20' easement in the gravel truck lot for maintenance of the power poles that are onsite. The uses permitted on the site include those for automotive services (Section 75) Section 328.021 of the Franklin County Zoning Code.

The site is currently being used as two separate areas. The existing fenced in area (with privacy slats) to the north is used as an impound lot for cars. This area is locked and secured by two gates and 7 ft. high chain link fence with barbed wire (a waiver is requested to keep the wire) along the top of the fence.

The area south of the automobile impound lot is used as a storage area for trailers, tow trucks and employee vehicles that are parked while the employees are driving the company trucks during the day and for trucks that are awaiting repair and an 80' x 120' building that was approved in 2008. A fueling area for the company trucks is located along the western site of the parcel. The

existing building is being used for vehicle maintenance and storage of parts and materials. There is a small temporary outbuilding located on top of the loading dock to provide storage space for off-loading tractor trailers. Also on the dock is an electric generator to provide backup power to the facility if power is lost. The site also includes two (2) fuel tanks that were installed, then on the site inspected and approved in the Hamilton Township Fire Department.

DEVELOPMENT STANDARDS:

Unless otherwise indicated in the submitted drawing or in the written text, the applicable standards for the site shall be those standards contained in Section 332.04 Community Services (CS) of the Franklin County Zoning Code. Trees indicated in the landscape green space on the Site Plan shall be replaced within thirty (30) days after their death or destruction, weather permitting. Likewise, trees planted in the future to comply with the opacity requirements as stated herein shall be replaced within thirty (30) days after their death or destruction, weather permitting. The property to the west of the site is zoned residential in the Village of Obetz and currently is used for agricultural purposes, however if the property develops residentially then the western lot line will be screened to provide a buffer with a height of six (6) feet and an opacity of 60% within one year of initial residential construction.

LIGHTING:

All lighting on the subject property that is visible from residentially used neighboring property shall be a cut-off type fixtures (down lighting) and limited to the building and parking areas unless located for landscaping and security purposes. The exterior lighting of the site shall minimize off-site glare and reflection by utilizing screening, direction of lighting, height of lighting, wattage and type of lighting for the purpose of screening off-site glare to neighboring residentially used properties.

SIGNAGE AND GRAPHICS:

A. One freestanding graphics shall be allowed to be placed along Obetz-Reese Road. The total size of the sign shall not exceed forty (40) square feet per face and shall not be any higher than seven (7) feet from grade. All wall graphics shall be permitted only in conformity with the Franklin County Zoning Code.

B. No off-premise graphics shall be permitted on-site, nor any illumination which flashes, travels, animates or intermittently illuminates shall be allowed.

ENVIRONMENTAL TREATMENT:

A. The premises shall be landscaped along the Obetz-Reese Road and Daugherty Road frontages with a planting of evergreens or deciduous shade trees as depicted on the site plan. The depicted fencing on the site plan shall be maintained in its current height for security purposes.

B. No banners, pennants, streamers or other similar obnoxious displays shall be permitted on the site.

C. There shall be only two curb cuts allowed on this site, off Obetz-Reese Road, one 148' in width and a smaller one to the north with a width of 15'.

SITE PLAN:

A. The property shall be developed and used in accordance with the submitted site plan. The attached site plan illustrates where the building and parking areas are located. This site plan may be slightly adjusted to reflect the engineering, topographical or other site data. Any slight adjustment to the site plan shall be reviewed and approved by the Zoning Officer or his designee upon submission of the appropriate data regarding the purposed adjustment. The general layout of the site plan concept shall conform to the site plan.

B. A waiver is requested to allow the existing gravel areas to remain and non-paved in those areas identified on the site plan as those areas have historically been used for graveled and storage areas. The gravel lot will be maintained in a manner that no dust will be produced by continuous use. A waiver is also requested to omit the parking lot trees required in the parking lot areas.

BUILDING ELEVATIONS:

The existing structures shall remain on the premises. A canopy is proposed over the existing fuel station and elevations are included in this application.

STORMWATER DRAINAGE:

Drainage and run-off from the proposed development shall not cause property damage to off-site areas. The current site drainage shall be maintained as shown on the development plan.

SEWAGE DISPOSAL AND WATER SUPPLY:

The sewage disposal will consist of a 1000 gallon holding tank that will be approved and monitored by the OEPA and an onsite well will provide water to the building. The sewage disposal and water supply facility shall be properly maintained and operational in accordance with pertinent state and local regulations.

POLLUTION:

A. Smoke: No smoke shall be emitted from any structure in the SCPD.

B. Noise: The noise level shall be no greater than sixty (60) decibels at the lot line.

C. Odor: No odorous gases or other obnoxious odor shall be permitted at any point beyond the SCPD boundary.

ARCHITECTURAL DESIGN:

A. The site plan layout and footprint of the building shall not be altered without the prior written consent of the zoning officer. At no time may alterations exceed an expansion of fifteen percent (15%) of the existing square footage of the gross aggregate building area.

B. No rubbish or debris of any kind shall be placed or permitted to accumulate on any portion of the lot except in any enclosed dumpster or enclosed storage area.

TRAFFIC & CIRCULATION:

The subject property shall have two (2) curb cuts which curb cuts are existing today and as shown on the Site Plan. The location of these curb cuts shall not be altered without the prior written consent of the Franklin County Economic Development Director. It is contemplated by the applicant that no increase in traffic will be generated as a result of this zoning and applicant's use due to the nature of applicant's business, customers seldom, if not at all, come to applicant's place of business.

_____
Jackson B. Reynolds, III
Attorney for _____
(614) 221-4255

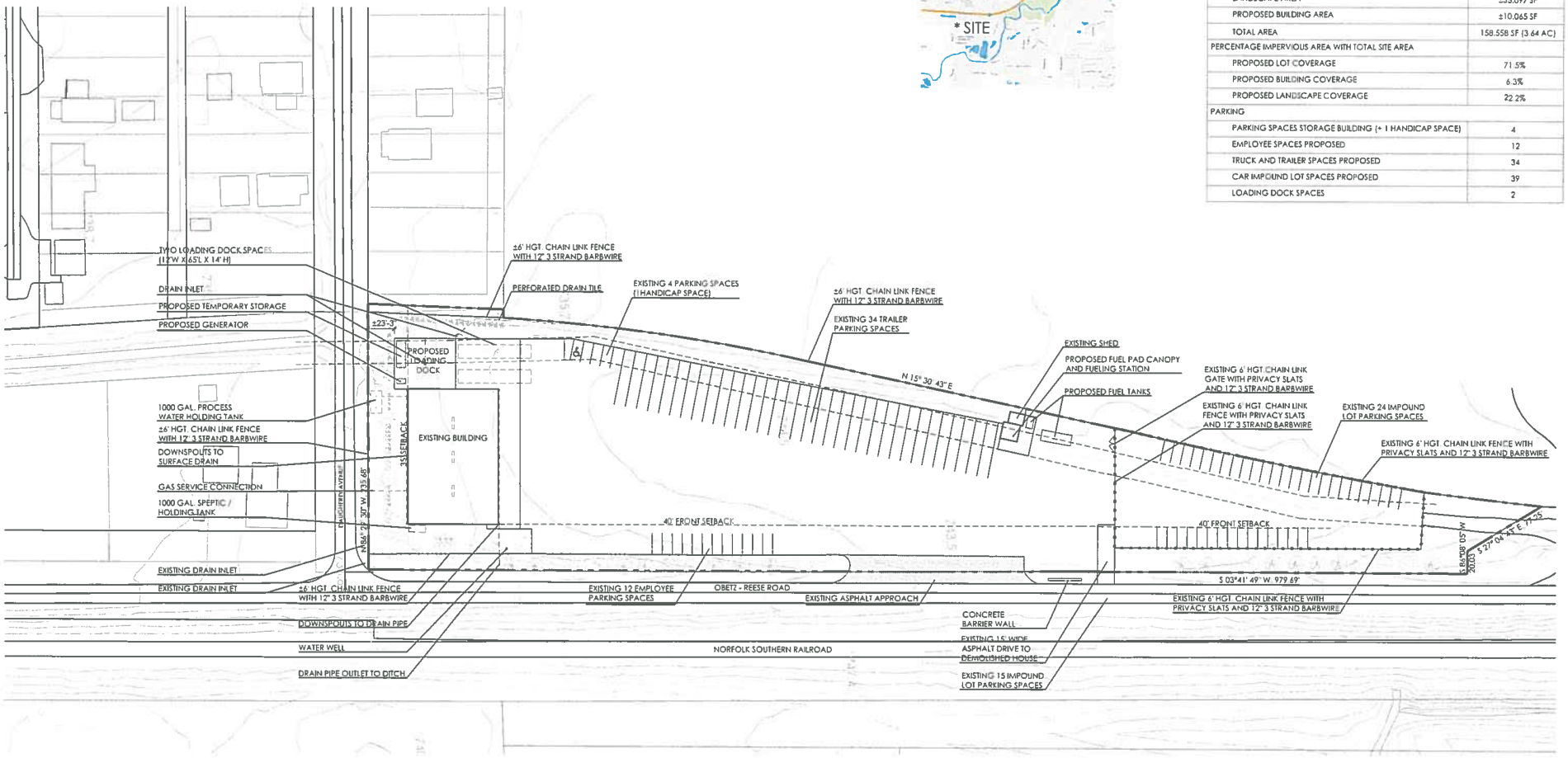
rustys-obetz.txt (nct)
5/13/16 S:Docs/s&htexts/2016

ZON-16-01
Received 5/16/2016

VICINITY MAP - N.T.S.

SITE DATA

	TOTALS
TOTAL SITE AREA	3.64 AC
SITE ZONING	SCPD
SURFACE AREA	
GRAVEL PARKING AREA	±102,440 SF
PAVED AREA (CONCRETE AND ASPHALT)	±10,956 SF
LANDSCAPE AREA	±35,097 SF
PROPOSED BUILDING AREA	±10,065 SF
TOTAL AREA	158,558 SF (3.64 AC)
PERCENTAGE IMPERVIOUS AREA WITH TOTAL SITE AREA	
PROPOSED LOT COVERAGE	71.5%
PROPOSED BUILDING COVERAGE	6.3%
PROPOSED LANDSCAPE COVERAGE	22.2%
PARKING	
PARKING SPACES STORAGE BUILDING (+ 1 HANDICAP SPACE)	4
EMPLOYEE SPACES PROPOSED	12
TRUCK AND TRAILER SPACES PROPOSED	34
CAR IMPOUND LOT SPACES PROPOSED	39
LOADING DOCK SPACES	2



DEVELOPMENT PLAN

RUSTY'S TOWING, 4635 OBETZ-REESE ROAD

PREPARED FOR RUSTY'S TOWING

DATE: 5/13/16

NORTH
SCALE: 1"=40'
0 20 40 80 120

Faris Planning & Design
LAND PLANNING • LANDSCAPE ARCHITECTURE
243 N. 5th Street Suite 401 Columbus, OH 43215
p (614) 487-1964 www.farisplanninganddesign.com

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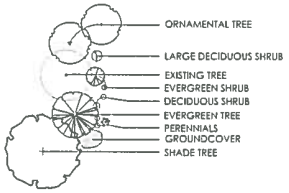
Received 5/16/2016

PLANT LIST
(CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	COND	REMARKS
TREES						
3	GLA	PICEA GLAUCA	WHITE SPRUCE	5-6' HGT	B&B	
3	PIC	PICEA ABIES	NORWAY SPRUCE	5-6' HGT	B&B	
SHRUBS						
24	ARB	THUJA OCCIDENTALIS 'SMARAGD'	EMERALD GREEN ARBORVITAE	4-5' HGT	B&B	5' ON CENTER

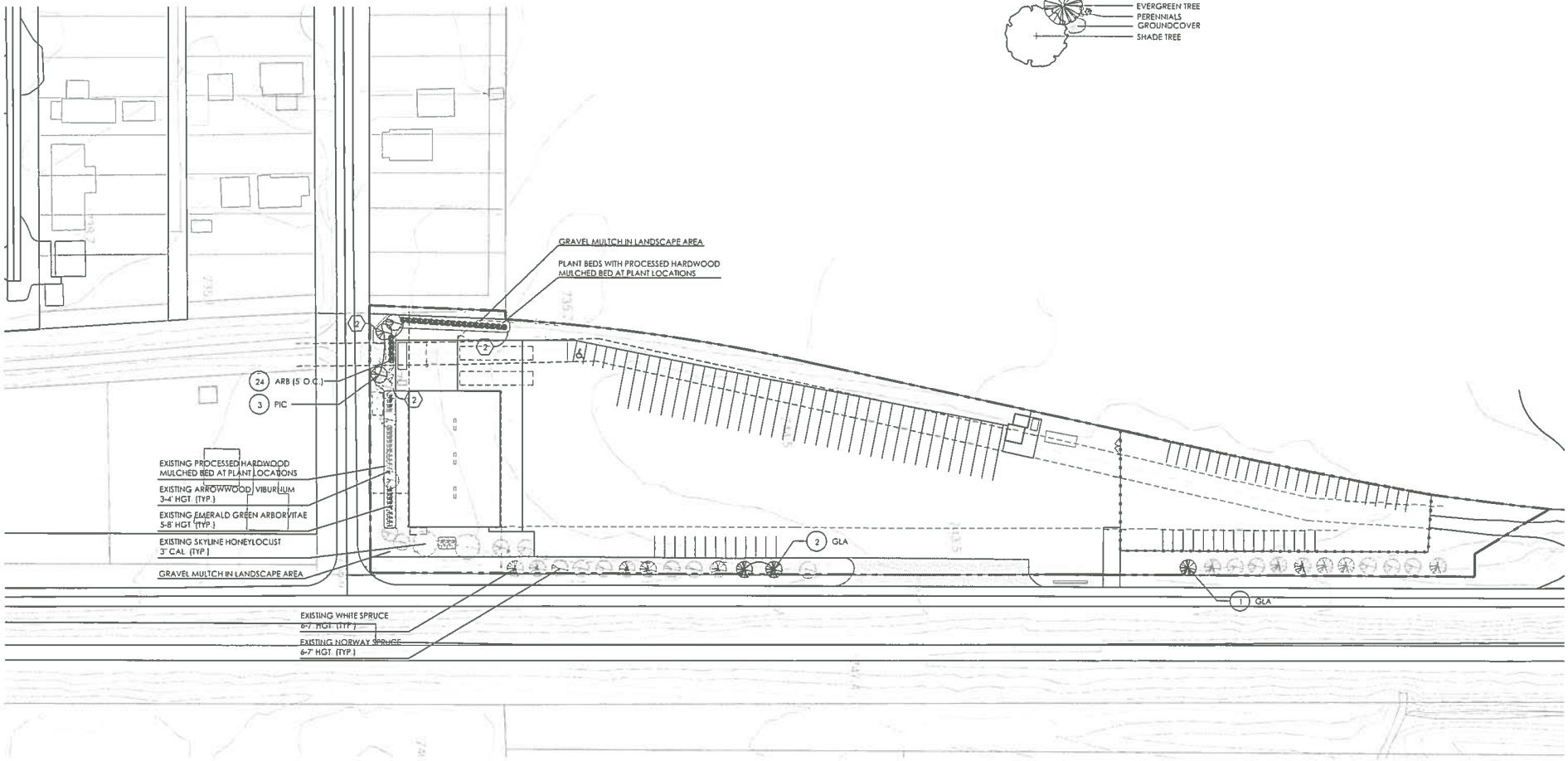
*NOTE: ANNUALS TO BE PLANTED BY OWNER. NOT IN INITIAL LANDSCAPE COSTS.

PLANT KEY TYPICALS
SEE PLANT LIST FOR SPECIFIC PLANT SPECIES



CONSTRUCTION NOTES:

1. LAWN AREA. PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
2. LANDSCAPE AREA. PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.



LANDSCAPE PLAN

RUSTY'S TOWING, 4635 OBETZ-REESE ROAD

PREPARED FOR RUSTY'S TOWING
DATE 5/13/16

NORTH
SCALE: 1"=40'
0 20 40 80 120

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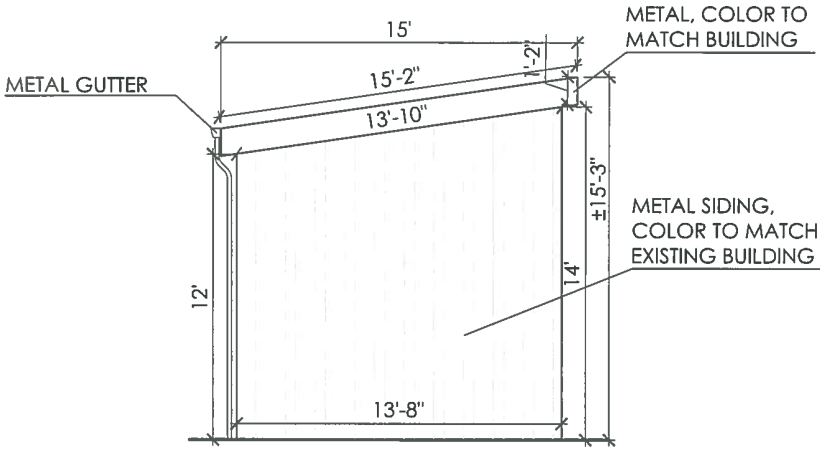
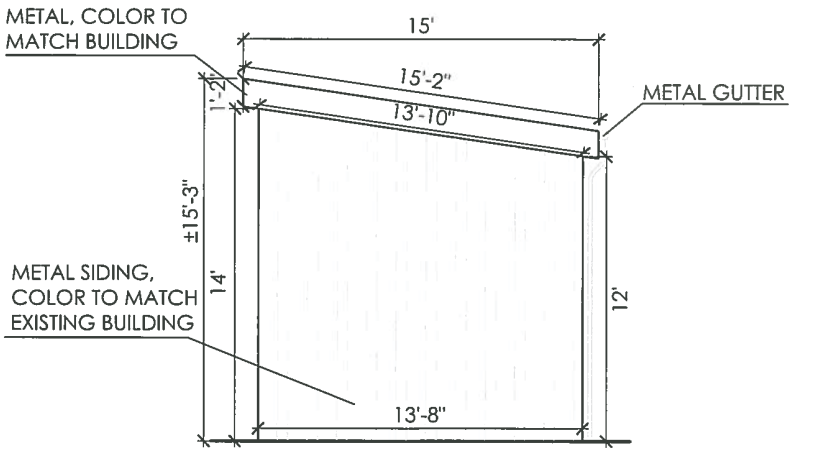
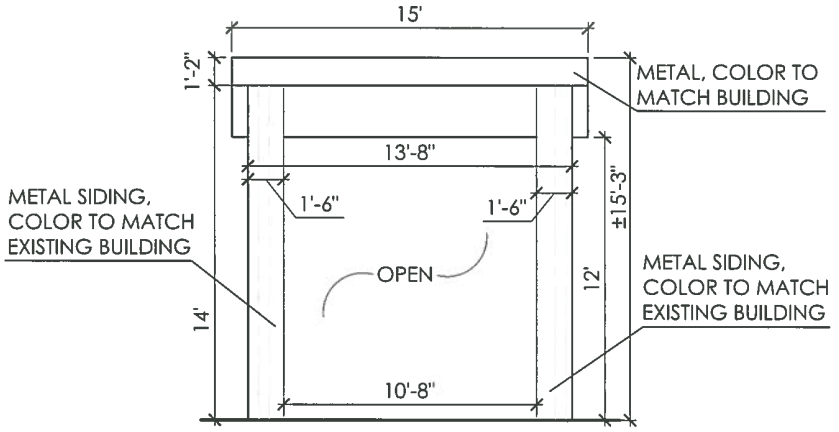


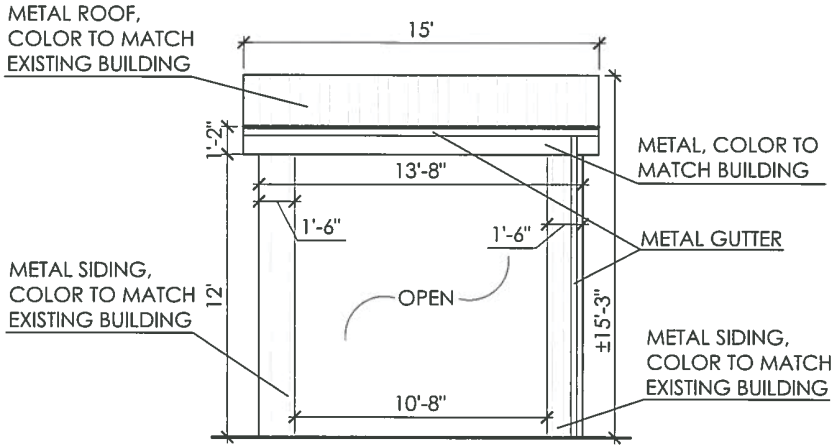
1 LEFT ELEVATION
SCALE: 1" = 5'



3 RIGHT ELEVATION
SCALE: 1" = 5'



2 FRONT ELEVATION
SCALE: 1" = 5'



4 REAR ELEVATION
SCALE: 1" = 5'

FUELING STATION CANOPY ELEVATIONS

RUSTY'S TOWING, 4635 OBETZ-REESE ROAD

PREPARED FOR RUSTY'S TOWING
DATE: 5/13/16

SCALE: 1" = 5'
0 2.5 5 10 15

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Franklin County
Where Government Works

Commissioners
Marilyn Brown, President
Paula Brooks
John O'Grady

Economic Development & Planning Department
James Schimmer, Director

Application for
Conditional Use
CU-3855

CU

Revised January 1, 2009

Property Information

Site Address: 1145 N HAGUE AVE	
Parcel ID(s): 0043170-00	Zoning: 140 RURAL
Township: FRANKLIN	Acreage: 0.76
Water Supply: ☒ Public (Central) ☐ Private (Onsite)	Wastewater Treatment: ☐ Public (Central) ☒ Private (Onsite)

Applicant Information

Name/Company Name: BRITTANY SCHROEDER / THE PACK, LLC	
Address: 1145 N HAGUE AVE COLUMBUS, OH 43204	
Phone #: (614) 312-2432	Fax #: N/A
Email: werunwiththepack@gmail.com	

Property Owner Information

Name/Company Name: SAME AS APPLICANT	
Address:	
Phone #	Fax #
Email	

Agent Information (if applicable)

Name/Company Name: N/A	
Address:	
Phone #	Fax #
Email	

Staff Use Only

Case #: CU-3855

Date filed: 5/12/16

Fee paid: 350.00

Receipt #: 16-01218

Received by: BMF

Hearing date: 6/20/16

Zoning Compliance: RZ-16-2177

Document Submission

The following documents must accompany this application:

- ☒ Completed application
- ☒ Fee Payment (Checks only)
- ☒ Auditor's map (8 ½" x 11")
- ☐ Site Map (max 11" x 17")
- ☒ Covenants and deed
- ☒ Notarized signatures
- ☒ Proof of water & waste water supply

Please see the Application Instructions for complete details

Case # CU-3855

Conditional Use(s) Requested	
Section	511.03
Description	CONDITIONAL USE - HOME OCCUPATION
Section	
Description	
Section	
Description	

Describe the project

The applicant proposes to open a dog daycare facility by utilizing the existing garage and breezeway. No additional ~~bui~~ construction of modifications to the property or existing structures is required.

NOTE: To receive a conditional use, you must meet all the conditional use requirements in Section 815.04 of the Franklin County Zoning Resolution. Your answers to the following questions will help the Board of Zoning Appeals determine whether you meet the requirements for a conditional use. If you don't answer the questions, we will consider your application incomplete.

1. Proposed Use or Development of the Land:

No significant changes to the existing structure are necessary for the proposed conversion of a portion of the home (attached garage and breezeway) into a dog daycare facility, The Pack, LLC.

2. How will the proposed development relate to the existing and probable future land use character of the area:

The adjacent properties are zoned rural, most lots containing single-family residentes. There are no proposed developments for the Conditional Use that would be inconsistent with the character of the area.

3. Will the Conditional Use 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 a use will not change the essential character of the same area?

Yes. The conditional use will be operated in such a manner that is consistent with the surrounding area. It should not be explicitly apparent that the residence also contains a home occupation, save by the clients who patronize the establishment.

Case # CU-3855

4. Will the Conditional Use be hazardous or disturbing to existing or future neighboring uses?

No. The conditional Use should be no more hazardous or disturbing to existing or future neighboring uses than the existence of any other family pets. in the neighborhood.

5. Will the Conditional Use be detrimental to property in the immediate vicinity or to the community as a whole?

No. The Conditional Use should not be detrimental to property in the community as it will be self-contained and should go largely unnoticed.

6. Will the Conditional Use be served adequately by essential public facility and services?

Yes. The Conditional Use will be adequately served by existing public facilities and services.

7. How will the proposal meet the development standards of that specific district?

The proposal should be in line with development standards of its district.

8. Could the applicant's predicament be feasibly obtained through some method other than a conditional use?

No. The applicant first applied for a standard Home Occupation but was denied due to Section 511.02 Provision 2.

9. Would the spirit and intent behind the zoning requirements be observed and would substantial justice be done by granting the conditional use?

Yes. The ~~spirit~~ primary use of the property would remain residential.

10. Would the conditional use adversely affect the delivery of governmental services (e.g., water, sewer, garbage, fire, police).

No. The Conditional Use should have negligible impact on these services.

11. Did the applicant purchase the property with knowledge of the zoning restrictions?

Yes; however, the applicant anticipated that a standard Home Occupation would be approved.

Conditional Use-Expanded Home Occupation *(Only)*

The following questions must be addressed when applying for a Conditional Use from *Section 511.03* (Conditional Use Home Occupation) of the Franklin County Zoning Resolution. If these questions are not answered, the application will be considered incomplete.

1. Enclose all details regarding the day-to-day operations of the home occupation (type of business, hours of operation, designated parking areas, etc.).

*see enclosed typed narrative

Case # CU-3855

2. How many non-resident employees?

~~Zero~~. Initially zero – no more than 3 at any point in the future.

3. Will the home occupation be conducted within a structure accessory to a dwelling unit and located on the same lot as the dwelling unit?

The home occupation will be conducted within the attached garage and breezeway, but no free-standing structures

4. What type of commodities, if any, will be sold on the premises? If sales of commodities are not produced on site, please specify all commodities associated with the home occupation?

All commodities sold will be manufactured by hand on-site (i.e. dog toys, dog blankets, tshirts). Primarily sales will be conducted via ecommerce.

5. Will there be outside storage of any kind associated with the conditional use home occupation? If so, what is proposed to be stored on site and how will the storage be ***completely*** screened from adjacent residential lots and abutting streets? ***This must be met!***

No outside storage will be required, but the entire yard is enclosed by a 6-ft vinyl privacy fence to provide a barrier for our neighbors.

6. Will there be any organized instruction of pupils that would exceed six (6) pupils at any given time?

There will be no organized instruction of more than 6 pupils simultaneously.

7. Will there be any signage? *Signage shall be consistent with the provisions of Section 541.03(8).*

There will be no signage initially. If any signage is ever erected, it will comply with the provisions of 541.03 (8).

8. Will the delivery traffic increase? *Traffic shall be limited to not more than three (3) UPS or similar deliveries per week. No semi-tractor truck deliveries will be permitted at any time.*

There will be no noticeable change in delivery traffic.

Case # CU-3855

Affidavit

I hereby certify that the facts, statements, and information presented within this application form are true and correct to the best of my knowledge and belief. I hereby understand and certify that any misrepresentation or omissions of any information required in this application form may result in my application being delayed or not approved by the County. I hereby certify that I have read and fully understand all the information required in this application form.

BRITTANY SCHROEDER
Applicant (same as property owner)

5/11/16
Date

Property Owner (Signature must be notarized)

5/11/16
Date

Property Owner (Signature must be notarized)

Date

NOTARIAL SEAL STATE OF OHIO

LARA K. FORD
Notary Public, State of Ohio
My Commission Expires 5-28-2018

Lara K. Ford
State of Ohio Franklin County

***Agent must provide documentation that they are legally representing the property owner.**

****Approval does not invalidate any restrictions and/or covenants that are on the property.**

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CU-3855

WRITTEN APPLICATION

NARRATIVE OF NON-COMPLIANCE WITH SECTION 511.02 HOME OCCUPANCY

1) The home occupation will be contained within the existing structure, and will occupy about 43% of the actual dwelling unit. It will be located within the attached garage— 548 square feet that is not factored into the 1586 sq ft of the home— and the breezeway, which is 134 sq ft. Altogether, this amounts to 682 square feet, which is greater than 20% of the gross floor area. For this reason, The Pack, LLC is seeking a Conditional Use.

NARRATIVE OF COMPLIANCE WITH SECTION 511.031

1) There will be no more than three non-resident employees. To begin, there will be no employees other than the applicant, Brittany Schroeder.

2) The home occupation will require the use of an attached garage and breezeway; however, no other accessory structures (i.e. sheds, barns, warehouses) shall be necessary.

3) The Pack, LLC store will only sell wares online that have been produced on the premises.

4) The primary purpose of the occupation will be to provide care for dogs. Organized instruction for any pupils will not be necessary, and it certainly will not exceed six pupils at any given time.

5) No outside storage will be necessary for the occupation; nonetheless, a six-foot vinyl privacy fence surrounds the entire yard, serving as a barrier between any operations of the occupation and neighboring residents.

6) No signage will be erected that does not comply with provision 541.03(8). To begin, no signage at all will be necessary.

7) Delivery traffic will not exceed three UPS or other similar deliveries per week. There will be no semi-tractor deliveries at any time.

CONDITIONAL USE SECTION 815.021: DESCRIPTION OF PROPERTY AND INTENDED USE

1) 1145 N Hague Ave, Columbus OH 43204 is a single-family residence.

2) Applicant proposes to convert a portion of the home (including the attached garage and breezeway) into a dog daycare facility, The Pack LLC.

3) According to the Franklin County Auditor, 102,044 dogs were licensed in Franklin County in 2014. The demand for dog daycare in Columbus is growing, as the pet

population increases and the expectations for its care do as well. According to CBS News, Americans spent $56 billion on animal care in 2014, and according to the Humane Society, 66% of American dog owners consider their pets to be part of the family, as compared to 0.7% that view them as property. Many families require care for their beloved four-legged family members while they are at work or on vacation, and this is the service The Pack, LLC intends to provide.

4) The adjacent properties are zoned rural— the lots containing mostly single-family homes— and they should be marginally impacted by the emergence of a dog daycare facility at 1145 N Hague Ave. A six-foot privacy fence will provide a barrier between the business and surrounding properties. Also, the number of dogs will be restricted so as to minimize noise and other complaints.

5) Adjacent property owners:
Johnson, Elbert 1171 N Hague Ave, Columbus, OH 43204
Clark, Charlotte 1155 N Hague Ave, Columbus, OH 43204
Beesler, Michael 1121 N Hague Ave, Columbus, OH 43204
Belper Company 1158 Hague Ave, Columbus, OH 43204
Abbots Cove L P 2811-2990 Abbots Cove Bl, Columbus, OH 43204
Board Of Education 1122 N Hague Ave, Columbus, OH 43204
Charles, Connie 1107 N Hague Ave, Columbus, OH 43204
Hess, Steven 3004 El Paso Dr, Columbus, OH 43204
Criner, Richard Jr 3010 El Paso Dr, Columbus, OH 43204
Bennett, Jo A Tr 3034 El Paso Dr, Columbus, OH 43204
Slater, Sharon 3044 El Paso Dr, Columbus, OH 43204
Dgebuadze, Aleksandre 1096 Hague Ave, Columbus, OH 43204
Chandler, Dwayne 2999 El Paso Dr, Columbus, OH 43204
Cahill, David K & Joyce L 3003 El Paso Dr, Columbus, OH 43204
Thompson, Richard V 3013 El Paso Dr, Columbus, OH 43204
Garish, Connie F Tod 3023 El Paso Dr, Columbus, OH 43204
Tidyman, Candace 3045 El Paso Dr, Columbus, OH 43204

6) The proposed dog daycare will be operated in such a way as to be considerate of the privacy and comfort of surrounding property owners. It will accept a limited number of dogs per day (typically no more than six). The hours of operation will be restricted to typical business hours (8:30 am to 6:30 pm) so as to limit noise and traffic during unappealing times. There is also a six-foot privacy fence surrounding the property to provide a barrier for neighboring residents against noise and other disturbances. In addition, the garage and breezeway are fully insulated to attenuate excess noise and maintain the existing tone of the residential area. In terms of traffic, there should be no noticeable increase in traffic in the neighborhood, delivery or otherwise. The existing driveway on the property has three spots for temporary parking, for use only while clients drop-off and pick up their dogs at the beginning and end of the day. The primary function of this property is as the applicant's residence, and The Pack, LLC intends to conduct business in accordance with this intention.

022310

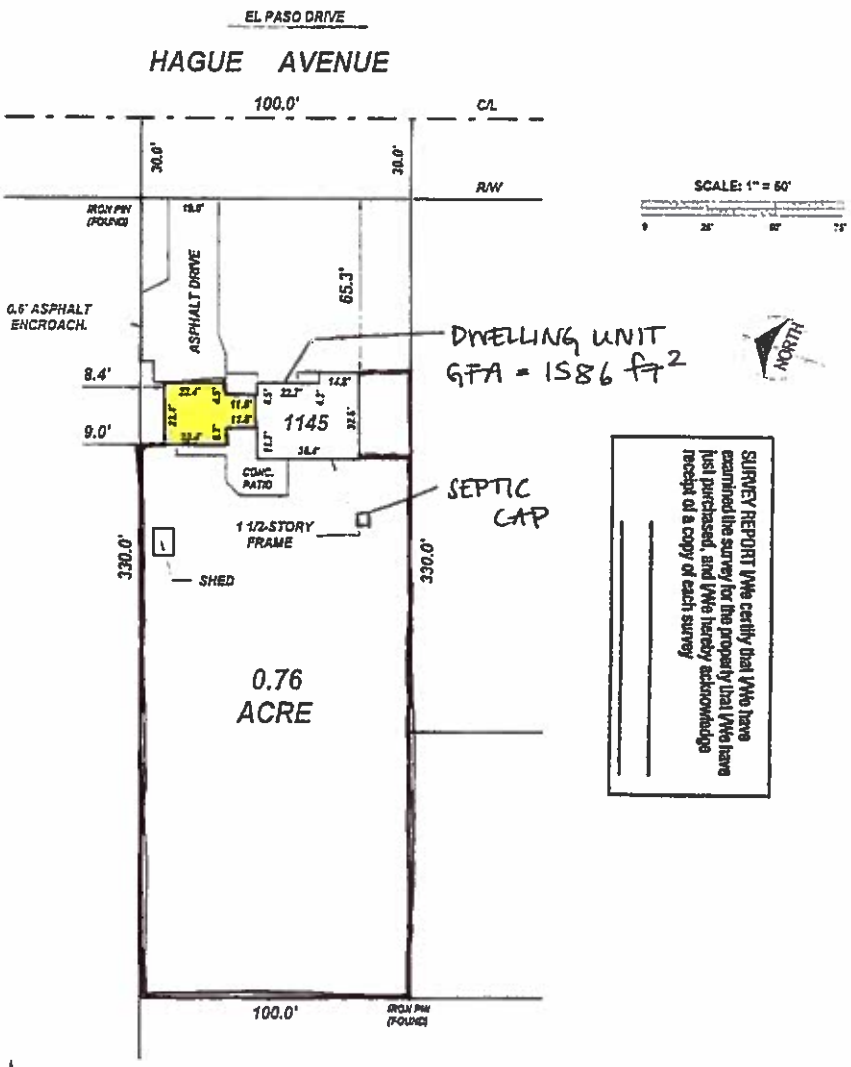
MORTGAGE LOCATION SURVEY

TITLE COMPANY: NORTHWEST SELECT TITLE AGENCY
LENDER: US BANK, N.A.
BUYER: JACOB G. GRICE
SELLER: NATALIE L. SCHOENER
DATE: 04/26/10
ORDER NO.: 022310

LEGAL DESCRIPTION: BEING 0.76 ACRE (PART OF VIRGINIA MILITARY SURVEY NO. 1279), TOWNSHIP OF FRANKLIN, COUNTY OF FRANKLIN, STATE OF OHIO.

PARCEL NO. 140-004317-00 *TITLE CO. FILE NO. P-10-NWS1084OR*

APPARENT ENCROACHMENTS: ASPHALT DRIVE 0.6' (MAX.) OVER PROPERTY LINE



SURVEY REPORT I/We certify that I/We have examined the survey for the property that I/We have just purchased, and I/We hereby acknowledge receipt of a copy of each survey

COMPASS SURVEYING SOLUTIONS

P.O. Box 1902
Westerville, Ohio 43086-1902
Phone: (614)378-9140
Fax: (614)891-5839
CompassSurveying@yahoo.com

We hereby certify that the foregoing MORTGAGE LOCATION SURVEY was prepared in accordance with Chapter 4733-38, Ohio Administrative Code and is not a boundary survey as defined in Chapter 4733-37 Ohio Administrative Code. This plat is prepared for mortgage loan and title purposes only and does not show the location of fences or landscaping. This plat is not to be used for the construction of any improvements.

By _____

G. Dean Erlenbach
Ohio Registered Surveyor No. 7272

STATE OF OHIO * G. DEAN ERLENBACH 7272 REGISTERED PROFESSIONAL SURVEYOR

RECEIVED
MAY 12 2016
Franklin County Planning Department
Franklin County, OH

CU-3855

Proposed home occupation totalling 681.76 ft²
currently used as a garage and breezeway
proposed use as dog daycare
= existing 6ft vinyl fence

Franklin County
Where Government Works

Commissioner John O'Grady • **Commissioner** Paula Brooks • **Commissioner** Marilyn Brown
President

Economic Development & Planning Department
James Schimmer, Director

RECEIVED
MAY 12 2016
Franklin County Planning Department
Franklin County, OH
CU-3855

April 28, 2016

Brittany Schroeder
1145 N. Hague Avenue
Columbus, OH 43204

Re: Residential Zoning Compliance Application RZ# 16-2177 (1145 N. Hague Avenue)

This correspondence is concerning the Residential Zoning Compliance Application RZ-16-2177, filed April 14, 2016, with the proposal to operate a home occupation for a dog daycare business at 1145 N. Hague Avenue. The property is located in the Rural Zoning District. The application has been reviewed for compliance with the applicable development standards set forth in Article V of the Franklin County Zoning Resolution. The application fails to meet all applicable standards and has therefore been ***denied*** based on the following:

1. Section 511.02(2)– *Home Occupation Square Footage:* The home occupation shall not occupy more than 20% of the gross floor area of the dwelling unit.
    - The space used for the home occupation will occupy approximately 43% of the dwelling unit (681.76 sq. ft. for space proposed/1586 sq. ft. gross floor area x100= 42.986)

To resolve this deficiency, you may file a new Residential Zoning Compliance Application with a new scaled site plan showing compliance with these standards and the $75.00 application fee.

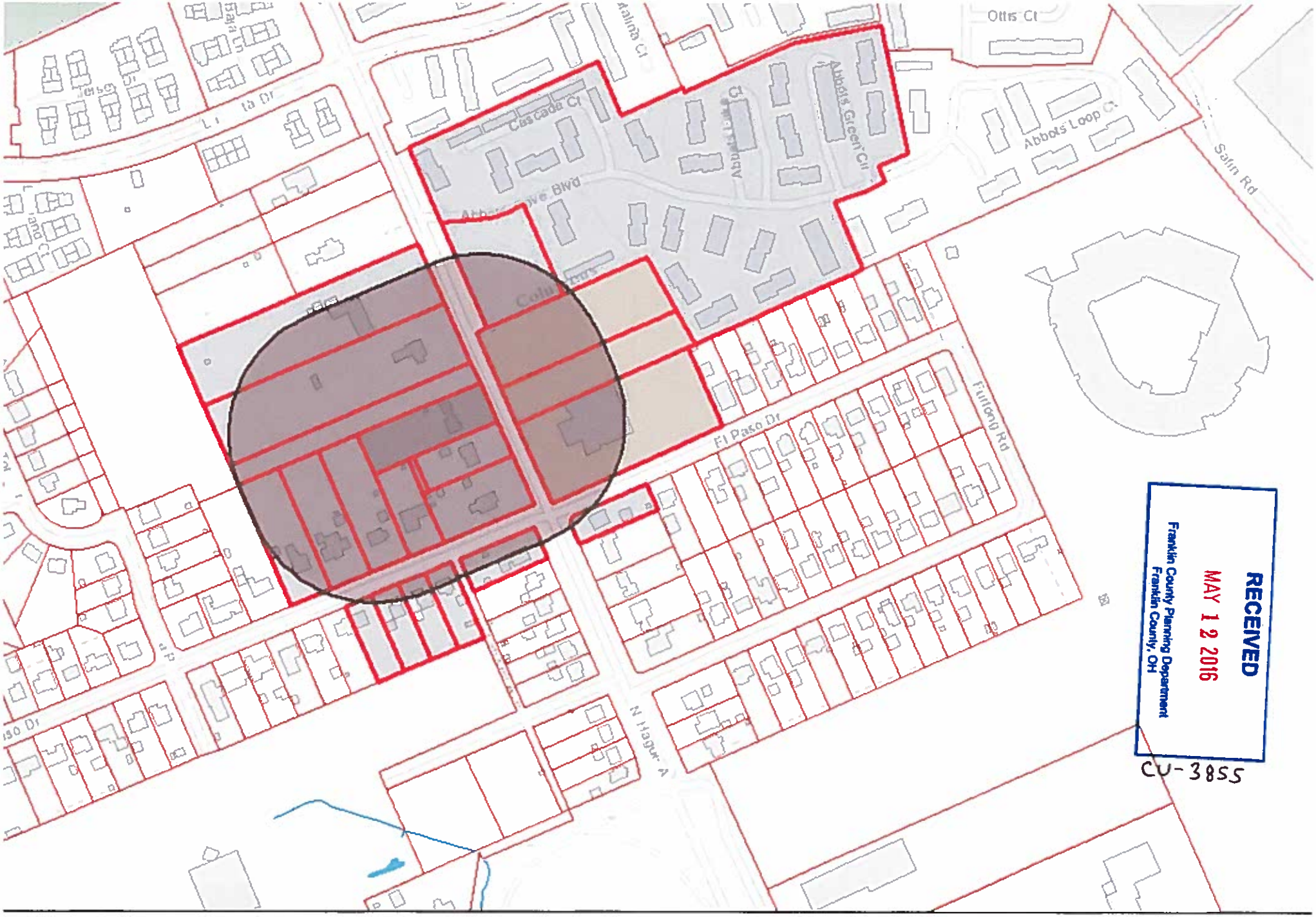
The other option is to apply for and receive approval of a variance request from the Board of Zoning Appeals (BZA). Please note that there is no guarantee that a variance request will be granted. The BZA reviews and makes a decision on the request based on the criteria in Section 810.04. The fee to file a variance request is $350.00 made payable to the Franklin County Treasurer. A Variance Application and the 2016 BZA Schedule has been placed in with this letter.

Please note that the material and height of the fence must be added to the site plan if the fence is proposed. If the fence is existing, it should be labeled as "existing fence" on the site plan.

Should you have any questions or require any additional information, please feel free to contact me at 614-525-4879 or kspergel@franklincountyohio.gov.

Respectfully,

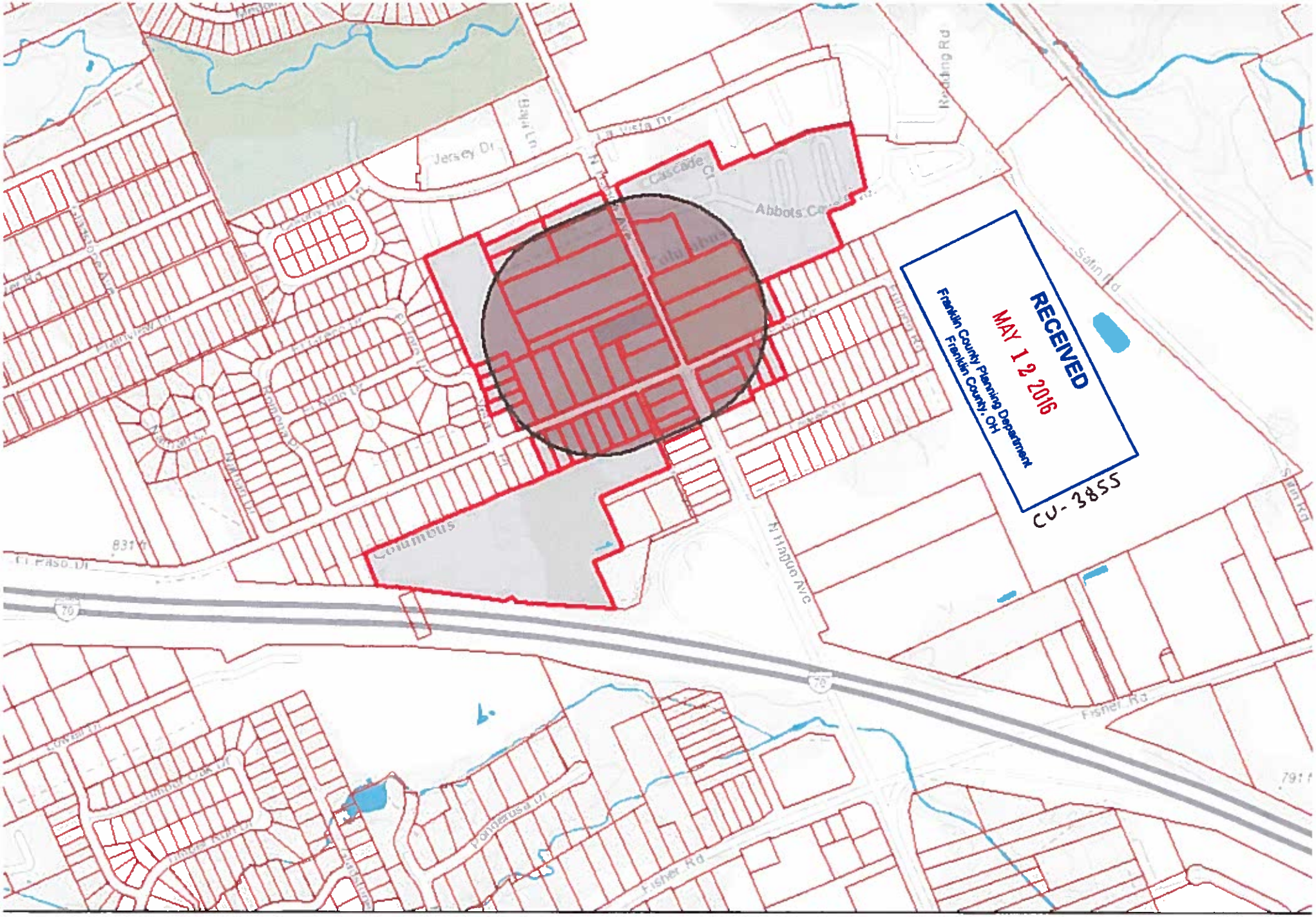
Kendra Spergel
Planning Project Coordinator



CU-3855

ALL PROPERTIES WITHIN 300 FT.

0 0.05


Jersey Dr
Cascade Ct
Abbots Co
Columbus
Hague Ave
Reeding Rd
Satin Rd
Fisher Rd
Fairview Ln
El Paso Dr
Fairway Ln
Fairway Dr
Fairway Ct
Fairway Cir
Fairway Pl