

ZONING RESOLUTION FOR
THE TOWNSHIP OF FRANKLIN
RICHLAND COUNTY, OHIO

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ARTICLE I

TITLE, AUTHORIZATION, PURPOSE

SECTION 100 TITLE

A Resolution enacted under Chapter 519 of the Ohio Revised Code, governing the Township of Franklin, Richland County, Ohio to regulate and restrict the location and use of buildings and other structures, and land for trade, or other specified uses; to regulate and limit the height and bulk of buildings and other structures; to regulate and determine the area and dimensions of yards, courts and other open spaces; to regulate and limit the density of population; to divide the Township into districts, establishing the boundaries of such districts; to define certain terms used herein; to provide for the administration and enforcement of the Resolution; to establish a Board of Zoning Appeals; and to authorize Conditional Zoning Certificates.

SECTION 100.1 STATEMENT OF LEGISLATIVE PURPOSE

Franklin Township serves primarily as a rural and agricultural community in Richland County. However, the Township is now and will in the future experience the demand for urban development, including residential, commercial and industrial development. It is essential to the well-being of Franklin Township that such development shall take place in an orderly and coordinated manner.

To effectively cope with the existing conditions and problems, and those that will arise in the future, it is necessary to employ regulatory measures that are geared to the situation of today and can be effectively used to guide future decisions.

For the above stated reasons and in the interests of public health, safety and general welfare, this Zoning Resolution was developed.

SECTION 100.2 SHORT TITLE

This Resolution shall be known as the "Zoning Resolution for Franklin Township, Richland County, Ohio".

ARTICLE II

CONSTRUCTION OF LANGUAGE AND DEFINITIONS

SECTION 200 CONSTRUCTION OF LANGUAGE

The following rules of construction apply to the provisions of this Resolution:

2. In case of any difference of meaning or implication between the provisions of this Resolution and any caption or illustration, the provisions shall control.
3. The word "shall" is always mandatory and not discretionary. The word "may" or "should" is permissive.
4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for", or "occupied for".
6. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and", "or", "either/or", the conjunction shall be interpreted as follows:
 - a. "And" indicates that all connected items, conditions, provisions or events shall apply.
 - b. "Or" indicates that the connected items, conditions, provisions or events may apply singly or in combination.
 - c. "Either/or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
7. Terms not herein defined shall have the meaning customarily assigned to them.

SECTION 200.1 DEFINITIONS

- 1A. ACCESSORY BUILDINGS: A building located on property under common ownership with the principal building which is secondary in importance to the main building, including but not limited to detached garages, storage buildings, barns, shelters and decorative structures. An inground swimming pool shall be deemed an accessory building for the purposes of this ordinance.

1B. ACCESSORY USE: Any activities which are incidental, subordinate and customarily carried on in addition to the primary use of the premises. In residential districts this shall include activities which are in the nature of a hobby or recreation and not carried on with the intent to make a profit for the land occupant. It shall also include activities related to the occupant's employment off premises that are occasionally carried on in the premises. Such activities shall not be deemed a home occupation. Accessory uses may include satellite television reception equipment or electricity producing windmills provided these shall be located only in rear yard areas and shall meet the minimum rear and side yard setback requirements for the district in which they are located.

Accessory uses shall also include:

1. An accessory building 8' x 16' or less, or 128 sq. ft. or less, set on a temporary foundation (temporary foundation - skids, cement block or corner stone supports, etc.) shall be deemed an accessory use.
2. Above ground swimming pools, tennis courts and other personal recreational facilities.
3. Off street loading and parking facilities and the storage of goods used, produced or offered for sale which shall be accessory uses in business, warehouse or industrial districts only and subject to all regulations of the district where located.
4. Garage or other casual sales of personal property shall be considered an accessory use so long as they are limited to three times a year and for no longer than seven days each time. The advertising restrictions contained in this section shall not apply to such sales.
5. The storage of motor vehicles, trailers, recreational vehicles or boats owned by residents of the premises only. Storage of any such items for non-residents of the premises whether or not a fee is charged, shall not be deemed an accessory use. All such items shall be stored no closer to the street than the minimum front yard setback requirements of the district.
6. Accessory use shall include the keeping of dogs, cats, or other domesticated pets, but shall not allow the keeping of exotic or dangerous animals such as, but not limited to, lions, tigers, leopards, panthers, cougars, bobcats, bears, wolves, foxes, apes, gorillas, poisonous or constrictor snakes, crocodiles or alligators.
7. The sale of fruits or vegetables grown on the premises where sold.
8. Any activity which is the subject of any advertising including, but not limited to newspaper, magazine, radio, television, poster, billboard, handbills, direct

mailing, yearbooks, telephone directory or other publications shall not be deemed to be an accessory use.

9. Home occupations.
10. No zoning permit shall be required to engage in an accessory use.
2. AGRICULTURE: Is the use of land for farming purposes including dairying, pasturage, apiculture, floriculture, horticulture, viticulture, animal and poultry husbandry, and the necessary accessory uses for packing, treating, or storing of produce, provided the operations of such accessory use shall be secondary to that of the normal agricultural activities. A use shall be classified as farming or agriculture only if it is the principal or main use of the land.
3. ALLEY: Is a public right-of-way which affords only a secondary means of access to abutting property and not intended for general traffic circulation.
4. ALTERATION: Any change, addition, alteration, or rearrangement in condition or type of occupancy, or change in the structural parts of a building such as walls, windows, partitions, columns, girders, or the moving from one location or position to another.
5. APARTMENT: Same as a "Multiple Family Dwelling".
6. BASEMENT: Is that portion of a building which is entirely below or partially below and partially above ground level, and so located that the vertical distance from the grade to the floor below is more than the vertical distance from the grade to the ceiling above. When a basement floor is less than two (2) feet below the ground level, it will be rated as the first story.
7. BUILDING: Is any structure designed, built or occupied as a shelter which is permanently affixed to the land and has one or more floors and a roof. Building includes the area enclosed and unenclosed devoted to porches, stairways, fire escapes and fixed canopies. When a structure is separated by a fire wall, each such separated portion shall be deemed a separate building. A "building" shall not include such structures as billboards, fences, radio towers, water towers, smoke stacks, grain elevators, coal bunkers, or similar structures with interior spaces not normally accessible for human use.
8. BUILDING HEIGHT: Is the vertical distance measured from the established grade to the highest point of the roof surface for flat roofs; to the deck line of a mansard roof, and to the average height between eaves and the ridge line of a gable, hip, or gambrel roof. Where a building is located on sloping terrain or the side of a hill, the height may be measured from the average elevation of the finished grade at the building wall.

9. BUILDING LINE: Is a line defining the minimum front, side and rear yard setback requirements in which no building or structure may be located, except as otherwise provided herein.
10. BUILDING, PRINCIPAL: Is the building housing the principal activity performed on a lot.
11. CARPORT: Is the accessory building or portion of a main building having a roofed space and at least one (1) side open to the weather and designed or used for storage of motor driven vehicles, boats and similar vehicles owned and used by the occupants of the building.
12. CENTRALIZED SEWER SYSTEM: Is where individual lots are connected to common sewerage collection systems and treatment plant facilities whether publicly or privately owned.
13. CENTRALIZED WATER SYSTEM: Is where individual lots are connected to a common water distribution system and plant facilities whether publicly or privately owned.
14. CLUB: Is an organization of persons for special purposes or for the promulgation of sports, arts, sciences, literature, politics, or the like, but not operated for profit.
15. CLINIC: Is an establishment where human patients who are not lodged overnight are admitted for examination or treatment by a group of physicians, dentists or similar professions.
16. CONVALESCENT OR NURSING HOME: Is a structure with sleeping rooms where persons are housed or lodged and are furnished with meals, nursing and medical care.
17. DENSITY: Is the number of dwelling units that can be developed on a given acre of land.
18. DEVELOPMENT: Is the construction of a new building or other structure on a lot, the relocation of an existing building on another lot, or the use of open land for a new use.
19. DISTRICT: Is a portion of the Township within which certain regulations and requirements or various combinations apply under the provisions of this Resolution.
20. DRIVE-IN: Is a business establishment so developed that its retail or service character is dependent on providing a driveway approach and parking spaces for motor vehicles so as to serve patrons while in the motor vehicle rather than within a building or structure.

21. DWELLING: Is a building (except a manufactured home or mobile home as defined in this Resolution) which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants and built on a site complying with the local building codes or built completely or partially off site complying with the basic building codes of the State of Ohio for Industrialized Units or a Permanently Sited Manufactured Home as defined in this Resolution.
22. DWELLING, ONE FAMILY: Is a dwelling consisting of one (1) dwelling unit only, separated from other dwelling units by open space.
23. DWELLING, TWO FAMILY: Is a dwelling consisting of two (2) 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.
24. DWELLING, MULTIPLE FAMILY: Is a dwelling consisting of three (3) or more dwelling units with varying arrangements of entrances and party walls.

The dwelling units in a multiple family dwelling are defined as follows:

- a. Efficiency Unit: Is a dwelling unit containing at least three hundred (300) square feet of floor area, and consisting of not more than one (1) room in addition to a kitchen, dining and necessary sanitary facilities, and for the purposes of computing density, shall be considered as a one (1) room unit.
 - b. One Bedroom Unit: Is a dwelling unit containing a minimum floor area of at least four hundred fifty (450) square feet, consisting of not more than two (2) rooms in addition to kitchen, dining, and necessary sanitary facilities, and for the purpose of computing density, shall be considered as a two (2) room unit.
 - c. Two Bedroom Unit: Is a dwelling unit containing a minimum floor area of six hundred fifty (650) square feet, consisting of not more than three (3) rooms in addition to kitchen, dining, and necessary sanitary facilities, and for the purposes of computing density, shall be considered as a three (3) room unit.
 - d. Three Bedroom Unit: Is a dwelling unit wherein for each room in addition to the three (3) rooms permitted for a two bedroom unit, there shall be provided an additional area of two hundred (200) square feet to the minimum floor area of six hundred fifty (650) square feet. For the purpose of computing density, a three (3) bedroom unit shall be considered as a four (4) room unit.
25. DWELLING, TOWNHOUSE: Is a one family dwelling designed and occupied exclusively by one family. A townhouse can be attached or detached in order to become a row, patio or terrace house having one or more stories.

26. DWELLING UNIT: Space within a dwelling, comprising living, dining, sleeping rooms or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one (1) family and its household employees.
27. ERECTED: Built, constructed, altered, reconstructed, moved 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.
28. ESSENTIAL SERVICES: Is the erection, construction, alteration, or maintenance by public utilities or municipal departments, or commissions, of underground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communications, supply or disposal systems, including poles, wires, mains, drains, sewer and water pipes, conduit, cables, fire alarm boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, but not including buildings for the furnishing of adequate service by such public utilities or commissions, or for the public health or safety or general welfare.
29. EXCAVATION: Includes any breaking of ground, except common household gardening and ground care.
30. FAMILY: Is one (1) or more persons related by marriage or immediate blood relationship living together as a single housekeeping unit and doing their cooking on the premises as distinguished from a group occupying a boarding house, lodging house, club, fraternity, hotel, motel or nursing home.
- 31A. FLOOR AREA, GROSS: Is the sum of the gross horizontal areas of the several floors of a building or buildings measured from the exterior of walls or the center line of walls separating two buildings. In particular, the floor area includes: basement space, elevator shafts or stairwells, floor space for mechanical equipment, penthouses, balconies, mezzanines, enclosed porches, attic floor space providing structural head room of seven feet six inches (7'6"), open porches, terraces and breezeways, where more than fifty (50) percent of the perimeter of such terrace, breezeway or open porch is enclosed.
- 31B. FLOOR AREA - MINIMUM: For the purpose of computing the minimum allowable floor area per dwelling unit, the sum of the horizontal areas of each floor of the building shall be measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings. The floor area measurement is exclusive of areas devoted to basements, unfinished attics, attached garages, breezeways, and enclosed or unenclosed porches.
32. FLOOR AREA, USABLE: For the purposes of computing parking the "Usable Floor Area" is defined as that area used for or intended to be used for the sale or merchandise or services, or for use to serve patrons, clients, patients or customers. Such floor area which is used or intended to be used principally for the storage of processing of merchandise,

hallways, or for utilities or sanitary facilities shall be excluded from the computation of "Usable Floor Area" shall be the sum of the horizontal areas of the several floors of the building, measured from the exterior walls.

33. GARAGE, PRIVATE: Is an accessory building or portion of a main building, enclosed on all sides and designed or used for the storage of motor driven vehicles, boats and similar vehicles owned and used by the occupants of the building.
34. GARAGE, SERVICE REPAIR: A place where the following services may be carried out: general repair, engine rebuilding, sale of engine fuels, rebuilding or reconditioning of motor vehicles, collision service, such as body, frame of fender straightening and repair; overall painting and undercoating of automobiles.
35. GASOLINE SERVICE STATION: Is any area of land, including any structure or structures thereon, that is used or designed to be used for the supply of gasoline or oil or other fuel for the propulsion of motor vehicles. For the purpose of this Resolution there shall be deemed to be included within this term any area or structure used or designed to be used for greasing, polishing, washing, spraying or otherwise cleaning or servicing such motor vehicles.
36. GRADE: Is the ground elevation established for the purpose of regulating the number of stories and height of a building. The building grade shall be the level of the ground adjacent to the walls of the buildings if the finished grade is level. If the ground is not entirely level, the grade shall be determined by computing the average elevation of the ground for each face of the building, and taking the median of said total averages.
37. GREENBELT: An open landscaped area free of buildings and structures and maintained with permanent plant materials.
38. HOME OCCUPATIONS: Is any occupation conducted entirely within a dwelling unit and carried on by persons residing in the dwelling unit which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not involve any extension or modification of said dwelling which will alter its outward appearance as a dwelling and in connection with which there is no display of stock in trade or commodities sold except those which are produced on the premises. Clinics, hospitals, barber shops, beauty shops, tourist homes, animal hospitals among others shall not be deemed to be home occupations.
- 38A. INDUSTRIALIZED UNIT: Is a building unit or assembly of closed construction that is fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site of intended use. "Industrialized Unit" includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed

structural entity. "Industrialized Unit" does not include a Manufactured or Mobile Home as defined in this Resolution.

For the purpose of this Resolution an Industrialized Unit shall be considered to be a family residential dwelling provided it meets all of the following criteria:

- a. The Industrialized Unit is installed on a site-built permanent foundation.
 - b. The Industrialized Unit is designed not to be moved once erected or installed on the site-built permanent foundation.
 - c. The Industrialized Unit complies with the Ohio and/or local building codes as evidenced by an appropriate Industrialized Unit Insignia Number on each unit.
- 38B. JUNK: Scrap metals, tires, and wood of all kinds (except for firewood), bones, rags, used bottles or cans or paper packaging, old or used machinery, tools, equipment, appliances, motor vehicles or parts thereof, used construction materials and any and all other manufactured goods which are so worn, deteriorated or obsolete so as to make them unusable in their present condition, but which may be subject to salvage or remanufacture. The definition of salvage motor vehicle as provided by *Revised Code 4738.01* shall apply herein.
39. JUNK YARD: A parcel of land where junk is bought, sold, exchanged, baled, packed, disassembled, stored or handled.
40. KENNEL, COMMERCIAL: Is any lot or premises on which three (3) or more dogs, cats or other household pets are either permanently or temporarily boarded. Kennel shall also include any lot or premises where household pets are bred and sold.
41. LOADING SPACE: An off-street space outside the street right-of-way and on the same lot with a building, or group of buildings, for the temporary parking of a commercial vehicle while loading and unloading merchandise, materials and goods.
42. LOT: Is a parcel of land occupied or capable of being occupied by one or more buildings and the accessory buildings or uses customarily incidental to it, together with such yards, and open spaces as are required under the provisions of this Resolution. A lot may or may not be specifically designated as such on public records.
43. LOT AREA: The total horizontal area within the lot lines of the lot.
44. LOT, CORNER: Is a lot at the point of intersection of and abutting on two or more intersecting streets, the angle of intersection not being more than one hundred and thirty five (135) degrees.

45. LOT, COVERAGE: Is the part or percent of the lot occupied by buildings including accessory buildings.
46. LOT DEPTH: Is the horizontal distance between the street right-of-way line and rear lot line measured along the median between the side lot lines. Where the right-of-way width is not established, it shall be assumed to be sixty (60) feet.
47. LOT, INTERIOR: Is a lot other than a corner lot.
48. LOT LINES: Are the lines defining the limits of a lot as described below:
- a. Front Lot Line: In the case of an interior lot, it is that lot line separating said lot from the street. In the case of a corner lot, or double frontage lot, it is that line separating said lot from either street.
 - b. Side Lot Line: Is any lot line other than the front or rear lot line.
 - c. Rear Lot Line: Is that lot line opposite the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than thirty (30) feet long lying farthest from the front lot line and wholly within the lot.
49. LOT OF RECORD: Is a lot the dimensions of which are recorded in a document or shown on a map on file in the office of the Recorder of Richland County, or a lot described by metes and bounds, the deed to which has been recorded in a document or on a map in the office of the Recorder of Richland County, Ohio.
50. LOT WIDTH: Is the horizontal distance between the side lot lines, measured between the two points where the minimum building setback line intersects the side lot lines.
- 50A. MANUFACTURED HOME: Is a building unit or assembly of closed construction that is fabricated in an off-site facility, that conforms with the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974." and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards. "Manufactured Home" does not qualify as a Industrialized Unit as defined in this Resolution.
51. MINIMUM BUILDING SETBACK LINE: Is a line between the front and rear lot line and parallel to the street right-of-way line as required by the minimum front yard depth in the district in which it is stated.
52. MINIMUM LIVING FLOOR AREA: For the purposes of computing the minimum allowable floor area in a residential dwelling unit, the sum of the horizontal areas of each

story of the building shall be measured from the exterior faces of the exterior walls or from the center line of walls separating two (2) buildings. The floor area measurement is exclusive of areas devoted to basements, unfinished attics, attached garages, breezeways, and enclosed and unenclosed porches.

53. MOBILE HOME, INDEPENDENT: Is a building unit or assembly of closed construction that is fabricated in an off-site facility that is more than thirty-five (35) body feet in length or, when erected on site, is three hundred twenty (320) or more square feet, that is built on a permanent chassis and transportable in one or more sections, and that does not qualify as a Manufactured Home or Industrialized Unit as defined in this Resolution.
54. MOBILE HOME PARK (MANUFACTURED HOME PARK): Is any parcel of land, ten (10) acres or greater, where ten (10) or more Mobile Homes and/or Manufactured Homes are parked for dwelling or sleeping purposes.
55. MOTEL: Is a series of attached, semi-attached or detached rental units containing a bedroom, bathroom and closet space. The units shall provide for overnight lodging and are offered to the public for compensation and shall cater primarily to the public traveling by motor vehicle.
56. NONCONFORMING LOT: Is a lot lawfully existing at the effective date of this Resolution, or amendments thereto that does not conform to the lot area or width regulations of the district in which it is located.
57. NONCONFORMING STRUCTURE: Is a structure or portion thereof lawfully existing at the effective date of this Resolution, or amendments thereto that does not conform to the area and height regulations of the district in which it is located.
58. NONCONFORMING USE: Is a use lawfully existing at the time of the enactment of this Resolution and which does not conform to the use provisions of the district in which it is located.
59. NURSERY: A space, or building or structure, or combination thereof, for the storage of live trees, shrubs, or plants offered for retail sale on the premises including products used for gardening or landscaping. The definition of nursery within the meaning of this Resolution does not include any space, building or structure used for the sale of fruits, vegetables or Christmas trees.
60. NURSERY, DAY: Is a building, structure, place, or location, or any combination thereof, and other physical property therewith included, that shall be used for the purpose of housing and caring for children unaccompanied by parents during daylight hours.

61. OFF-STREET PARKING LOT: Is a facility providing vehicular parking spaces along with adequate drives and aisles, off the street and outside the right-of-way line, for maneuvering and providing entrances and exits so as to provide parking for more than two (2) vehicles.
62. OPEN SPACE: Is any part of a lot, including courts and yards, which is open and unobstructed from its lowest level to the sky, and is accessible to all residents upon the lot.
63. PARKING SPACE: Is an area of definite length and width, exclusive of aisles and drives or entrances giving access thereto, and fully accessible for the storage of permitted motor vehicles.
- 63A. PERMANENT FOUNDATION: Is a permanent masonry, concrete, or locally approved footing or foundation, to which a Industrialized Unit or Manufactured Home may be affixed.
- 63B. PERMANENTLY SITED MANUFACTURED HOME: Is a Manufactured Home that meets all of the following criteria:
- a. The structure is affixed to a permanent foundation and is connected to appropriate facilities;
 - b. The structure, excluding any addition, has a width of at least twenty-two (22) feet at one point, a length of at least twenty-two (22) feet at one point, and a total living area of at least nine-hundred (900) square feet or what ever is required of single family dwellings in the applicable zoning district, which ever is greater, excluding garages, porches, or attachments;
 - c. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six (6) inch minimum eave overhang, including appropriate guttering;
 - d. The structure was manufactured after January 1, 1995;
 - e. The structure is not located in a Manufactured Home Park
64. PUBLIC UTILITY: Is any person, firm, corporation, governmental agency or board fully authorized to furnish and furnishing under governmental regulations to the public, electricity, gas, steam, telephone, telegraphy, transportation, sewer, water, T. V. cable or other utilities.
65. RECREATIONAL VEHICLE: A portable, self-propelled or no-self-propelled, self-contained vehicle designed or intended to be used as temporary sleeping or living

quarters. Recreational vehicles shall include travel trailers, tent campers, truck campers and motor homes.

66. ROOM: Is for the purpose of determining lot area requirements and density in a multiple family district, a living room, dining room and bedroom, equal to at least eighty (80) square feet in area. A room shall not include the area in the kitchen, sanitary facilities, utility rooms, corridors, hallways and storage.
67. SIGN: Is any card, cloth, paper, metal, painted glass, wood, plaster, stone, or other sign of any kind or character whatsoever which shall be used to attract attention to any object, product, place, activity, person, institution, organization, or business. The term "place" shall include erecting, constructing, posting, painting, printing, tacking, nailing, gluing, stacking, carrying, or fastening or making visible in any manner whatsoever. For the purposes of this Resolution the word "sign" shall not include the flag, pennant, lodge, or insignia of any government, religious, educational or similar organization.
- 67A. FAMILY OPERATED SMALL BUSINESS: Any activity carried on within a residential district in an accessory building with the purpose and intent to make a profit through the sale of goods or services, whether or not a profit is, in fact, made. Such occupation must be incidental to and subordinate in importance to the use of the lot of record for residential purposes.
68. STORY: Is that part of a building included between the surface of one floor and the surface of the next floor above, or if there is not floor above, then the ceiling next above. A basement is not considered to be a story if the basement floor is at least two (2) feet below ground level.
69. STREET: Is a right-of-way which affords the principal means of access to abutting property and which has been dedicated or deeded to the public use and accepted by the City of Mansfield and/or Richland County and the Township of Franklin.
70. STRUCTURE: Is anything constructed or erected which requires location on or below the ground, or attachment to something having a location on or below the ground.
71. TEMPORARY BUILDING OR USE: Is a building or use permitted to exist during periods of construction of the principal building or use, or for special events.
72. TRAVEL TRAILER: See "Recreational Vehicle".
73. USE: Is the principal purpose for which land, or a building is arranged, designed, or intended, or for which land or a building is or may be occupied.
74. YARDS: The open spaces on the same lot as the principal building, unoccupied and unobstructed from the ground upward and further defined as follows:

- a. Front Yard: Is an open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the street right-of-way line and the nearest point of the principal building.
- b. Side Yard: Is an open space between the side lot line and the principal building, extending from the front yard to the rear yard, the width of which is the minimum horizontal distance from the nearest point on the side lot line to the nearest point of the principal building.
- c. Rear Yard: Is an open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the principal building.

75. ZONING, EXCEPTION AND VARIANCE:

- a. Exception: An exception is a use permitted only after review of an application by the Zoning Board of Appeals, such review being necessary because the provisions of this Resolution covering conditions, precedent or subsequent, are not precise enough to cover all applications without interpretation;, and such review is required by the Resolution.
- b. Variance: Is defined as a modification of the literal provisions of the Zoning Resolution granted when strict enforcement of the Resolution would cause undue hardship owing to circumstances unique to the individual property for which the variance is granted.

The crucial factors of a variance are undue hardships and unique circumstances applying to the property. A variance is not justified unless both elements are present in the case.

The Exception differs from the Variance in several respects. An exception does not require "undue hardship" in order to be allowed. The exceptions, as stated within applicable provisions of the Resolution, are a form of "special approval" or review by the Zoning Board of Appeals.

ARTICLE III

ESTABLISHMENT OF ZONING DISTRICTS AND MAP

SECTION 300 ESTABLISHMENT OF DISTRICTS

1. Standard Zoning Districts

The intended use of standard zoning districts is to delineate areas of existing land use and development character so as to afford such areas the regulations necessary to maintain their essential qualities and to assure that any additional development will be in keeping with that which has already been established. For the purpose of this Resolution, the Township of Franklin is hereby divided into the following Standard Zoning Districts:

- R-1 Residential
- R-2 Residential
- B-1 Business
- I-1 Industrial

2. Special Districts

The intended purpose of the Special Districts is to delineate areas where, due to unique circumstances or development requirements, such activity can be carried on without subjecting the established land uses and zoning districts to undue interference or disturbance. For the purpose of this Resolution, the Township of Franklin is hereby divided into the following Special District:

- MH Mobile Home Park District

SECTION 300.1 OFFICIAL ZONING DISTRICTS MAP

All land in the Township of Franklin within the scope of this Zoning Resolution is placed into Zoning Districts as is shown on the Zoning Districts Map of the Township of Franklin, County of Richland, State of Ohio, which accompanies this Resolution, and said map with all notations, references, and other pertinent material shown thereon, is hereby made a part of this Resolution as if fully described herein. The Zoning Districts Map shall be identified by the signatures of the Township Trustees, attested by the Township Clerk, under the following words:

"This is to certify that this is the official Zoning Districts Map referred to in Section 300.1 of the Zoning Resolution of the Township of Franklin, County of Richland, Ohio." (include date of adoption)

Wherever changes are made in the district boundaries or other matter portrayed on the official Zoning Districts Map, such changes shall be made on the official Zoning Districts Map after the

amendment has been approved by Township Trustees together with an entry on the official Zoning Districts Map as follows:

"On (date), by official action of Township Trustees, the following changes were made (reference number to Township Trustees Proceedings)."

Three (3) copies of the official Zoning District Map are to be maintained and kept up-to-date: One (1) in the Township Trustees office, one (1) in the office of the Regional Planning Commission and one (1) by the Zoning Inspector accessible to the public and shall be final authority as to the current zoning status of lands, buildings and other structures in the Township of Franklin.

SECTION 300.2 INTERPRETATION OF ZONING DISTRICT BOUNDARIES

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

1. Boundaries indicated as approximately following the center lines of streets, highways, or alleys, shall be construed to follow such center lines.
2. Boundaries indicated as approximately platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following the corporation boundary line shall be construed as following the corporation boundary line.
4. Boundaries indicated as following railroad tracks shall be construed to be midway between the main tracks.
5. Boundaries indicated as approximately following the center line of streams, rivers or other bodies of water shall be construed to follow such center lines.
6. Boundaries indicated as parallel to or extensions of features indicated in subsections 1 through 5 above shall be so construed. Distances not specifically indicated on the official Zoning Districts Map shall be determined by the use of a scale shown on the Map.

SECTION 300.3 ZONING OF VACATED AREAS

Wherever any street, alley or other public way is vacated by action of the appropriate legislative body and in a manner authorized by law, the Zoning District adjoining each side of such street, alley or public way shall be automatically extended to the center line of such vacation and all areas included in the vacation shall then be subject to the same use, areas and height regulations of the extended district.

SECTION 300.4 DISTRICT REQUIREMENTS

All buildings and uses in any district shall be subject to the provisions of Article VI, GENERAL PROVISIONS, and Article VII, GENERAL EXCEPTIONS.

ARTICLE IV

STANDARD DISTRICT REGULATIONS

SECTION 400 REGULATION OF USE AND DEVELOPMENT

Regulations pertaining to the use of land and/or structures and physical development within each of the Zoning Districts, as adopted as a Standard Zoning District in Article III, and as shown on the Zoning Districts Map, are hereby established and adopted.

SECTION 400.1 PERMITTED USES

Only a use designated as a PERMITTED USE shall be allowed as a matter of right within a Zoning District and any use not so designated shall be prohibited except, when in character with the Zoning District, such additional uses may be added to the PERMITTED USES of the Zoning District by amendment of this Resolution.

SECTION 400.2 CONDITIONALLY PERMITTED USES

A use designated as a CONDITIONAL USE shall be allowed in a Zoning District when such CONDITIONAL USE, its location, extent and method of development will not substantially alter the character of the vicinity or unduly interfere with the use of adjacent lots in the manner prescribed for the Zoning District. To this end the Board of Zoning Appeals shall, in addition to the Development Standards for the Zoning District, set forth such additional requirements as will, in its judgement render the CONDITIONAL USE compatible with the existing and future use of adjacent lots and the immediately surrounding area.

SECTION 400.3 DEVELOPMENT STANDARDS

The Development Standards set forth shall be the minimum allowed for development in a Zoning District. If the Development Standards are in conflict with the requirements of any other lawfully adopted rules, regulations or laws, the more restrictive or higher standards shall govern.

SECTION 401 R-1 RESIDENTIAL DISTRICT

SECTION 401.1 PURPOSE

The R-1 Residential Districts are established in recognition that sections of the Township include low to moderate density residential developments and tracts of agricultural land.

SECTION 401.2 PERMITTED USES

1. One Family Dwellings

2. Two Family Dwellings
3. Agriculture
4. Cemeteries which lawfully occupied land at the time of adoption of this Resolution.
5. Accessory buildings, automobile parking spaces, and temporary buildings and structures as regulated in Article VI, GENERAL PROVISIONS, of this Resolution.

SECTION 401.3 CONDITIONALLY PERMITTED USES

The following uses shall be permitted, subject to the conditions hereinafter imposed for each use, the provisions of Article VI, and subject further to the review and approval of the Zoning Board of Appeals:

1. Public, parochial and other private elementary or intermediate schools offering courses in general education, public parks and recreational facilities, churches and other buildings for the purpose of religious worship, subject to the following conditions:
 - a. Building of greater than the maximum height allowed in Section 405, SCHEDULE OF REGULATIONS, may be allowed provided front, rear and side yards are increased above the minimum required yard setback by one (1) foot for each one (1) foot the building exceeds the maximum height allowed.
 - b. Whenever the off-street parking area is adjacent to land developed for one and two family residential purposes, a continuous and obscuring year-around greenbelt six (6) feet in height shall be provided along the sides of the parking area adjacent to the residential development. The greenbelt shall be further subject to the provisions of Article VI, GENERAL PROVISIONS of this Resolution.
2. Private recreational areas, swimming pools, golf courses, tennis clubs, and institutional or community recreation centers subject to the following conditions:
 - a. The proposed site for any of the uses stated above shall have at least one (1) property line abutting a thoroughfare, and the site shall be so planned as to provide all ingress and egress directly onto or from the thoroughfare.
 - b. Front, side and rear yard setback shall be at least thirty (30) feet wide and shall be landscaped in trees, shrubs and grass.
 - c. Whenever the intended use includes a swimming pool, said pool shall be provided with a protective fence six (6) feet in height measured above the level of the adjoining ground, The entry to and from the pool shall be by means of a controlled gate.

- d. Lighting used to illuminate the intended uses of the property shall be shielded and arranged as to reflect light away from adjoining properties and public streets.
 - e. Off-street parking shall be provided as regulated in Article VI, GENERAL PROVISIONS.
3. Utility and public service buildings and uses (excluding storage yards), when operating requirements necessitate the locating of said building within the district in order to serve the immediate vicinity.
4. Family Operated Small Business subject to the following conditions:
- a. It shall be operated by members of the family related by blood or marriage.
 - b. The business will be designed, constructed, operated and maintained so as to be appropriate in appearance with the existing general vicinity and that such use will not change the essential character of the same area.
 - c. The business will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
 - d. All structures and activity areas shall be located behind setback lines (see Section 405.2).
 - e. There shall be no more than one (1) sign oriented to each abutting street identifying the activity. Signs shall conform to Section 600.6.
 - f. No lighting shall constitute a nuisance and shall in no way impair safe movement of traffic on any street or highway, and no lighting shall shine directly on adjacent properties.
 - g. The business will not be hazardous or disturbing to existing or future neighborhood uses and shall be kept in a neat and orderly condition.
 - h. Off-street parking shall be provided as regulated in Section 600.3 (1., 2., 4., 5., 6.).
 - i. The Family Operated Small Business receiving a conditional approval under this section may not expand, change in the nature of business or otherwise vary from the conditions approved, without submitting the proposed changes for approval by the Franklin Township Board of Zoning Appeals.
 - j. The business is to be carried on completely within an accessory building.

- k. No activity, materials, goods or equipment indicative of the Family Operated Small Business shall be visible from any public thoroughfare or adjacent property.
5. Telecommunication Towers subject to the following:
- a. Such particular elements of public utilities are controllable under township zoning per *Ohio Revised Code Section 519.211*. See Section 700.2 of this Resolution for statements on CONDITIONAL USE requirements.

SECTION 401.4 AREA AND BULK REQUIREMENTS

See Section 405, SCHEDULE OF REGULATIONS, limiting the height and bulk of buildings, the minimum lot size, the maximum density permitted, and establishing minimum yard setback requirements.

SECTION 402 R-2 RESIDENTIAL DISTRICT

SECTION 402.1 PURPOSE

The R-2 Residential Districts are established in recognition that some sections of the Township may be suitable for higher density, multiple family residential dwellings.

SECTION 402.2 PERMITTED USES

- 1. One family dwellings
- 2. Two family dwellings
- 3. Agriculture
- 4. Multiple family dwellings and townhouses, not to exceed two stories in height, and subject to review and approval of a site plan by the Franklin Township Zoning Commission and subject further to the following:
 - a. A fifteen (15) foot wide greenbelt with an obscuring fence or shrubbery six (6) feet high shall be provided wherever a parking lot abuts onto the lot lines of a one or two family residential development.
- 5. Cemeteries which lawfully occupied land at the time of adoption of this Resolution.
- 6. Accessory buildings, automobile parking spaces, and temporary buildings and structures as regulated in Article VI, GENERAL PROVISIONS, of this Resolution.

SECTION 402.3 CONDITIONALLY PERMITTED USES

1. All uses conditionally permitted in R-1 Districts shall be conditionally permitted in R-2 Districts, and subject to review and approval of the Zoning Board of Appeals.
2. Convalescent homes, nursing homes, homes for the elderly, hospitals, day care centers, day nurseries, subject to review and approval of the Zoning Board of Appeals.
3. Family Operated Small Business subject to the following conditions:
 - a. It shall be operated by members of the family related by blood or marriage.
 - b. The business will be designed, constructed, operated and maintained so as to be appropriate in appearance with the existing general vicinity and that such use will not change the essential character of the same area.
 - c. The business will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
 - d. All structures and activity areas shall be located behind setback lines (see Section 405.2).
 - e. There shall be no more than one (1) sign oriented to each abutting street identifying the activity. Signs shall conform to Section 600.6.
 - f. No lighting shall constitute a nuisance and shall in no way impair safe movement of traffic on any street or highway, and no lighting shall shine directly on adjacent properties.
 - g. The business will not be hazardous or disturbing to existing or future neighborhood uses and shall be kept in a neat and orderly condition.
 - h. Off-street parking shall be provided as regulated in Section 600.3 (1., 2., 4., 5., 6.).
 - i. The Family Operated Small Business receiving a conditional approval under this section may not expand, change in the nature of business or otherwise vary from the conditions approved, without submitting the proposed changes for approval by the Franklin Township Board of Zoning Appeals.
 - j. The business is to be carried on completely within an accessory building.

- k. No activity, materials, goods or equipment indicative of the Family Operated Small Business shall be visible from any public thoroughfare or adjacent property.
4. Telecommunication Towers subject to the following:
- a. Such particular elements of public utilities are controllable under township zoning per *Ohio Revised Code Section 519.211*. See Section 700.2 of this Resolution for statements on CONDITIONAL USE requirements.

SECTION 403 B-1 BUSINESS DISTRICT

SECTION 403.1 PURPOSE

The B-1 Business District is intended to encourage the grouping of small individual retail establishments to promote convenience in serving the daily needs of persons living in adjoining areas. These groups of establishments generally occupy sites that are in proximity to the residential population to be served.

SECTION 403.2 PERMITTED USES

The following uses shall be permitted provided all points of ingress and egress shall be located no closer than two-hundred (200) feet from an intersection, measured from the street right-of-way lines. If the lot will not accommodate this required distance the point of ingress and egress shall be as far away from the intersection as possible, but in no case shall it be closer than eighty (80) feet. Whenever the site is adjacent to existing land developed for one (1) or two (2) family residential purposes and/or abutting an R-Residential District, a six (6) foot high obscuring fence and a green-belt at least twenty-five (25) feet in width shall be provided on those side and rear yards. Also refer to Article VI General Provisions.

- 1. Retail stores primarily engaged in selling merchandise for personal or household consumption and rendering services incidental to the sale of the goods:

- Hardware Stores
- Grocery Stores
- Meat and Fish Markets
- Candy, Nut and Confectionery Stores
- Dairy Products Stores
- Retail Bakeries
- Drug and Proprietary Stores
- Florists
- Toy and Gift Stores
- Nurseries

- 2. Personal Service Establishments:

Self-service Laundries
Beauty Shops
Barber Shops
Shoe Repair Shops, Shoe Shine Shops
Radio and Television Repair Shops
Pressing, Alteration and Garment Repair

3. Business and Professional Offices:

Commercial and Stock Savings Banks
Credit Agencies
Personal Credit Unions
Insurance Agents, Brokers and Service
Real Estate Agents and Brokers
Offices of Physicians and Surgeons
Offices of Chiropractors
Legal Services

4. Accessory buildings and uses as regulated in Article VI, GENERAL PROVISIONS of this Resolution.

5. Eating and drinking places.

6. Motels and hotels

7. One and Two Family Dwellings

8. Sexually Oriented Businesses subject to the following:

- a. The parcel of land upon which the sexually oriented business is located shall be a minimum of five hundred (500) feet from the nearest parcel of land containing a school, church, residence or public park.
- b. The parcel of land upon which the sexually oriented business is located shall be a minimum of five hundred (500) feet from any other parcel of land containing a sexually oriented business.
- c. Nothing in this Section shall be deemed to amend Chapter 2907, Sex Related Offenses of the Ohio Revised Code or otherwise make any conduct legal which is illegal under the Ohio Revised Code.
- d. As used in this section the following definitions shall apply:

- (1) Sexually Oriented Business: An adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio or sexual encounter center.
- (2) Adult Arcade: Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of “specified sexual activities” or “specified anatomical areas.”
- (3) Adult Bookstore or Adult Video Store: A commercial establishment which utilizes twenty-five percent (25%) or more of its retail selling area for the purpose of sale or rental for any form of consideration of any one or more of the following:
 - (a) books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations which depict or describe “specified sexual activities” or “specified anatomical areas;” or
 - (b) instruments, devices, or paraphernalia which are designed for use in connection with “specified sexual activities.”
- (4) Adult Cabaret: A nightclub, bar, restaurant, or similar commercial establishment which regularly features:
 - (a) persons who appear in a state of nudity; or
 - (b) live performances which are characterized by the exposure of “specified anatomical areas” or by “specified sexual activities;” or
 - (c) film, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas.”
- (5) Adult Motion Picture Theater: A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas.”

- (6) Adult Motel: A hotel, motel or similar commercial establishment which:
- (a) offers accommodations to the public for any form of consideration; provides patrons with closed circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproduction which are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas”; and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic productions; or
 - (b) offers a sleeping room for rent for a period of time that is less than 10 hours; or
 - (c) allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than 10 hours.
- (7) Adult Theater: A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of “specified sexual activities” or “specified anatomical areas.”
- (8) Escort Agency: A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes, for a fee, tip, or other consideration.
- (9) Nude Model Studio: Any place where a person who appears in a state of nudity or displays “specified anatomical areas” is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration.
- (10) Sexual Encounter Center: A business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:
- (a) physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
 - (b) activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nude.
- (11) Specified Anatomical Areas: Human genitals in a state of sexual arousal.
- (12) Specified Sexual Activities: Includes any of the following:

- (a) the fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;
- (b) sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
- (c) masturbation, actual or simulated; or
- (d) excretory functions as part of or in connection with any or the activities set forth in (a) through (c).

SECTION 403.3 CONDITIONALLY PERMITTED USE

The following uses shall be permitted provided all points of ingress and egress shall be located no closer than two-hundred (200) feet from an intersection measured from the street right-of-way lines. If the lot will not accommodate this required distance the point of ingress and egress shall be as far away from the intersection as possible, but in no case shall it be closer than eight (80) feet. Whenever the site is adjacent to existing land developed for one (1) or two (2) family residential purposes and/or abutting an R-Residential District, a six (6) foot high obscuring fence and a green-belt at least twenty-five (25) feet in width shall be provided on those side and rear yards and subject further to the review and approval of the Zoning Board of Appeals. Also refer to Article VI General Provisions.

1. Drive-In Restaurants, subject to the following conditions:
 - a. All lighting shall be shielded from adjacent R-Residential Districts.
2. Gasoline service and repair stations, subject to the following conditions:
 - a. Such stations shall be used for the sale of gasoline, oil and minor accessories. No repair work will be done where the external effect of the activity could adversely extend beyond the property line.
 - b. Curb cuts for ingress and egress shall not be permitted at such locations that will tend to create traffic hazards in the street immediately adjacent thereto. Points of ingress and egress shall not be less than two-hundred (200) feet from the adjacent residential districts.
 - c. The minimum lot area shall be twenty thousand (20,000) square feet, with access drives so arranged that ample space is available for motor vehicles which are required to wait.
 - d. The minimum lot width shall be at least one hundred (100) feet and pump islands shall be setback at least fifteen (15) feet (measured from the street right-of-way

line). All buildings and other structures shall have a front yard setback of fifty (50) feet from the street right-of-way line.

- e. Underground storage gasoline tanks shall be located not less than fifty (50) feet from any R-Residential District.
 - f. Construction shall begin within one (1) year from the date of approval by the Township Zoning Board of Appeals.
 - g. All lighting shall be shielded from all adjacent properties.
 - h. If rental trucks and trailers are stored on the premises, a minimum lot area of twenty thousand (20,000) square feet shall be devoted exclusively to service station use. The storage of rental trailers on such premises shall be provided in addition to the minimum lot area devoted to the gasoline service station and such storage space shall be provided behind the setback line of the main building.
3. Used car lots subject to the following conditions:
- a. Such lots shall be used for the sale of vehicles and minor accessories. No repair work or major refinishing will be done where the external effect of the activity could adversely extend beyond the property line.
 - b. Curb cuts for ingress and egress shall not be permitted at such locations that will tend to create traffic hazards in the street immediately adjacent thereto. Ingress and egress shall be not less than two-hundred (200) feet from the adjacent residential districts.
 - c. Density of displayed vehicles shall not be less than one (1) vehicle per two-hundred (200) square feet.
 - d. Hours of operation to be determined.
 - e. The lot area shall be provided with a durable and dustless surface and shall be graded and drained in accordance with the Richland County Stormwater Regulations.
 - f. The sales office buildings shall be no less than ten by twelve (10 x 12) feet. (Note: State of Ohio requires a minimum of one hundred and eighty (180) square feet)
 - g. All lighting shall be shielded from the adjacent properties and shall in no way impair safe movement of traffic on any street or thoroughfare.

- h. There shall be no accumulation of junk or junk (salvage) motor vehicles.

SECTION 403.4 AREA AND BULK REQUIREMENTS

See Section 405, "SCHEDULE OF REGULATIONS", limiting the height and bulk of buildings, minimum lot size, the maximum density permitted, and establishing yard setback requirements.

SECTION 404 I-1 INDUSTRIAL DISTRICT

SECTION 404.1 PURPOSE

The I-1 Industrial Districts are designed to accommodate uses which provide repair, storage, manufacturing, processing, wholesaling and distribution facilities and whose external, physical effects are restricted to the area of the district. The uses permitted are such that they will not have an undesirable or detrimental effect on adjacent residential and business districts and because of their nature, products and processes require locations separate from establishments which process or manufacture raw materials.

SECTION 404.2 PERMITTED USES

The following uses shall be permitted provided all points of ingress and egress shall be located no closer than two-hundred (200) feet from an intersection, measured from the street right-of-way lines. If the lot will not accommodate this required distance the point of ingress and egress shall be as far away from the intersection as possible, but in no case shall it be closer than eighty (80) feet. Whenever the site is adjacent to existing land developed for one (1) or two (2) family residential purposes and/or abutting an R-Residential District, a six (6) foot high obscuring fence and a green-belt at least twenty-five (25) feet in width shall be provided on those side and rear yards. Also refer to Article VI General Provisions.

1. The following basic research, design, and experimental firms when conducted within a completely enclosed building:
 - a. Pharmaceuticals, electrical instruments and devices.
 - b. Processing of experimental film or testing, providing no operations shall be conducted or equipment used which would create hazards, noxious or offensive conditions.
2. The manufacturing, compounding, processing and assembly of the following products when conducted wholly within a completely enclosed building, or within an area enclosed on all sides by a six (6) foot high fence or wall. Such fence or wall shall be completely obscuring on those sides of the lot that abut onto a Residential District.

- a. Bakery goods, candy, domestics, toiletries, and food products; except fish, sauerkraut, yeast and the refining or rendering of fats and oils.
 - b. Products from the following previously prepared materials: bone, canvas, cloth, cellophane, cork, feathers, fur, glass, hair, horn, leather, plastics, precious or semi-precious metals or stones, sheet metal, shell, textiles, tobacco, wood and yarns.
 - c. Musical instruments, toys, novelties, rubber or metal stamps and other small rubber molded products.
 - d. Electrical appliances, television sets, radios, phonographs, household appliances.
 - e. Tool, die, garage and machine shops.
3. Wholesaling establishments, warehouse, storage and transfer facilities, gas and electrical service buildings. Water supply and sewage disposal plants, water and gas tanks, railroad transfer and storage tracks and freight terminal facilities.
 4. Building materials, sales yards, lumber yards provided all materials are located within a building or within an area enclosed on all sides by an obscuring fence or wall six (6) feet in height. The extent of such wall or fence may be determined by the Board of Zoning Appeals.
 5. Accessory building and uses as regulated in Article VI, GENERAL PROVISIONS of this Resolution.
 6. Parking and loading as regulated in Article VI, GENERAL PROVISIONS of this Resolution.
 7. One and Two Family Dwellings
 8. Sexually Oriented Businesses subject to the following:
 - a. The parcel of land upon which the sexually oriented business is located shall be a minimum of five hundred (500) feet from the nearest parcel of land containing a school, church, residence or public park.
 - b. The parcel of land upon which the sexually oriented business is located shall be a minimum of five hundred (500) feet from any other parcel of land containing a sexually oriented business.
 - c. Nothing in this Section shall be deemed to amend Chapter 2907, Sex Related Offenses of the Ohio Revised Code or otherwise make any conduct legal which is illegal under the Ohio Revised Code.

- d. As used in this section the following definitions shall apply:
- (1) Sexually Oriented Business: An adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio or sexual encounter center.
 - (2) Adult Arcade: Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of “specified sexual activities” or “specified anatomical areas.”
 - (3) Adult Bookstore or Adult Video Store: A commercial establishment which utilizes twenty-five percent (25%) or more of its retail selling area for the purpose of sale or rental for any form of consideration of any one or more of the following:
 - (a) books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations which depict or describe “specified sexual activities” or “specified anatomical areas;” or
 - (b) instruments, devices, or paraphernalia which are designed for use in connection with “specified sexual activities.”
 - (4) Adult Cabaret: A nightclub, bar, restaurant, or similar commercial establishment which regularly features:
 - (a) persons who appear in a state of nudity; or
 - (b) live performances which are characterized by the exposure of “specified anatomical areas” or by “specified sexual activities;” or
 - (c) film, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas.”
 - (5) Adult Motion Picture Theater: A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown which are

characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas.”

- (6) Adult Motel: A hotel, motel or similar commercial establishment which:
 - (a) offers accommodations to the public for any form of consideration; provides patrons with closed circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproduction which are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas”; and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic productions; or
 - (b) offers a sleeping room for rent for a period of time that is less than 10 hours; or
 - (c) allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than 10 hours.
- (7) Adult Theater: A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of “specified sexual activities” or “specified anatomical areas.”
- (8) Escort Agency: A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes, for a fee, tip, or other consideration.
- (9) Nude Model Studio: Any place where a person who appears in a state of nudity or displays “specified anatomical areas” is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration.
- (10) Sexual Encounter Center: A business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:
 - (a) physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
 - (b) activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nude.

- (11) Specified Anatomical Areas: Human genitals in a state of sexual arousal.
- (12) Specified Sexual Activities: Includes any of the following:
 - (a) the fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;
 - (b) sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
 - (c) masturbation, actual or simulated; or
 - (d) excretory functions as part of or in connection with any or the activities set forth in (a) through (c).

SECTION 404.3 CONDITIONALLY PERMITTED USES

The following uses shall be permitted provided all points of ingress and egress shall be located no closer than two-hundred (200) feet from an intersection, measured from the street right-of-way lines. If the lot will not accommodate this required distance the point of ingress and egress shall be as far away from the intersection as possible, but in not case shall it be closer than eighty (80) feet. Whenever the site is adjacent to existing land developed for one (1) or two (2) family residential purposes and/or abutting an R-Residential District, a six (6) foot high obscuring fence and a green-belt at least twenty-five (25) feet in width shall be provided on those side and rear yards and subject further to the review and approval of the Zoning Board of Appeals. Also refer to Article VI General Provisions.

- 1. Strip mining and gravel extraction operations subject to the following restrictions:
 - a. A completely enclosed fence at least four (4) feet high shall be provided around the entire periphery of the development.
 - b. All areas within any single development shall be rehabilitated progressively as they are worked out or abandoned to a condition of being entirely lacking in hazards, inconspicuous, and blended with the general surrounding ground form so as to appear reasonably natural. Areas shall be completely and continually drained of water when not in use or not supervised by a watchman. All slopes and banks shall be reasonably graded and treated to prevent erosion or any other potential deterioration.
 - c. Established routes for truck movements into and out of the development shall be indicated in such a way that it will minimize the wear on public streets and damage to any adjoining property.

- d. Top soil may be stripped from the roadway, construction and excavation areas, piled separately but not removed from the site or used as spoil. As many trees as can be reasonably utilized in the final development plan should be retained, and the grading should be adjusted to the grade at the existing line of trees.

SECTION 404.4 AREA AND BULK REQUIREMENTS

See Section 405, "SCHEDULE OF REGULATIONS", limiting the height and bulk of buildings, the minimum lot size, the maximum density permitted and establishing minimum yard setback requirements.

SECTION 405

SCHEDULE OF REGULATIONS

SECTION 405.1 SCHEDULE LIMITING HEIGHT, BULK, DENSITY AND AREA BY ZONING DISTRICT

Use Districts	D.U. Per Acre	Minimum Lot Area Requirements		Maximum Height of Building		Minimum Yard Setback, (i) (Per Lot in Feet)				Floor Area Minimum
		Area	Width In Ft.	In Feet	In Stories	Front Yard	Each Side Yard	Sum of the Widths	Rear Yard	
R-1 Residential Two Family	1.00 1.00	1 Acre (a) 2 Acres (a)	150 300	40 40	2 2	40 40	20 40	40 80	40 40	1000 1000
B-1 Business	-	20,000 sq. ft. (j)	(k)	40	2	30 (c, g)	(d, h)	-	25 (h)	-
I-1 Industrial	-	2 Acres	-	50	-	50 (c, d, e, f, g)	(f, g, h)	-	(f, g, h)	-
R-2 Residential One & Two Family	2.00	1 Acre (a)	150	40	2	40	20	40	40	1,000
Townhouse & Multiple Family	6.00	1 Acre	150	40	2	40	20	40	40	(b)
Mobile Home Park*	7.00	6,000 sq. ft./lot	60	25	1	20	15	30	20	720

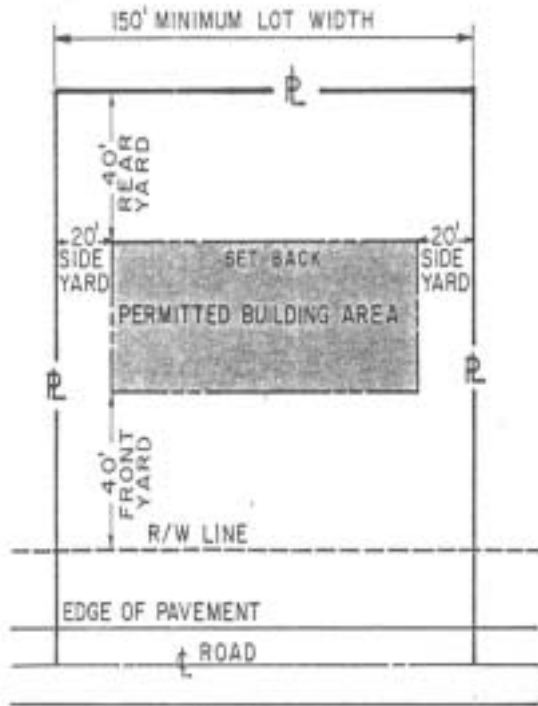
* Minimum Site Requirement: 10 Acres

NOTES TO SECTION

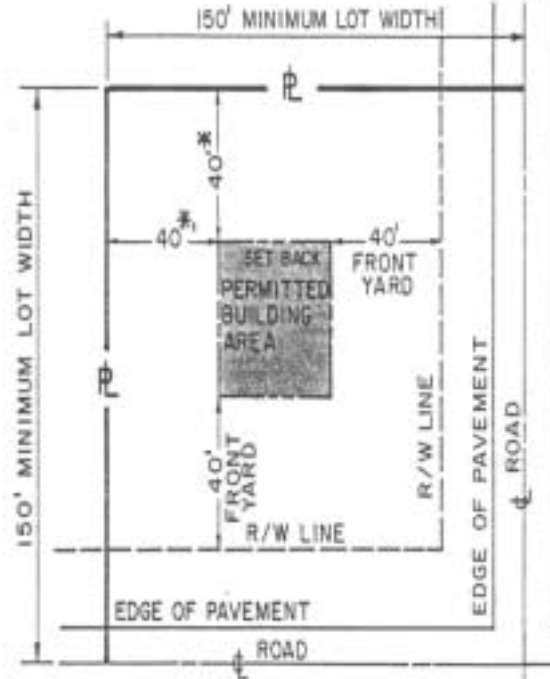
- a. Where general sewer is available, may be reduced to 22,000 sq. ft.
- b. See definition for type of multiple family unit. Townhouse units must meet floor area requirements of multiple family dwellings.
- c. Off-street parking shall be permitted to occupy part of the required front yard after approval of the parking plan layout and points of ingress and egress by the Township Zoning Commission.
- d. No side yards are required along the interior side lot lines of the District. On an exterior side yard abutting a residential district, there shall be provided a minimum side yard setback of thirty (30) feet.
- e. Off-street loading space shall be provided in the rear yard in accordance with the provisions of Section 600.4 of this Resolution and shall be provided in addition to any required off-street parking facilities.
- f. Where there is a front-to-front industrial relationship, or a front-to-side industrial relationship, the minimum front yard setback may be reduced to twenty-five (25) feet. All front yards shall be landscaped in accordance with the provisions of Article VI, Sections 600.6 and 600.9.
- g. Side and rear yards shall be equal to at least the height of the average of the various heights of the building masses, excluding towers, and other appurtenances. All side and rear yards abutting a Residential District shall provide open space equal to at least one hundred (100) feet in width.
- h. A six (6) foot high obscuring fence or six foot high planting screen shall be provided along those side and rear lot lines abutting a residential development, and/or abutting a R-Residential District.
- i. See Section 600.2 for Accessory Building or Use Setback
- j. As per Section 403.3, 4.c.
- k. As per Section 403.3, 4.d.

SECTION 405.2

FRANKLIN TOWNSHIP
R-1, R-2 SET BACKS
FOR INTERIOR LOT
MINIMUM ONE ACRE



FRANKLIN TOWNSHIP
R-1, R-2 SET BACKS
FOR CORNER LOT
MINIMUM ONE ACRE



* NOTE
20' IF THIS IS A SIDE YARD DEPENDING
ON THE ORIENTATION OF THE PRIMARY
STRUCTURE

ARTICLE V

SPECIAL DISTRICTS

SECTION 500 SPECIAL DISTRICTS ESTABLISHED

Districts providing for the use or development of land for certain purposes or under certain conditions, as hereinafter specified, are hereby established and adopted.

SECTION 500.1 RELATION TO STANDARD ZONING DISTRICTS AND MAP

Special Districts and regulations shall be in addition to the Standard Zoning Districts, as established on the Zoning Districts Map and nothing herein is intended to amend, modify or otherwise change the Standard Zoning District Regulations except as specifically set forth in the Special District Regulations. The inclusion of land in a Special District shall be in addition to the Standard Zoning Districts as established on the Zoning Districts Map, and nothing herein is intended to amend, modify or otherwise change the Standard Zoning District boundaries as shown on the Zoning District Map.

SECTION 501 MH MOBILE HOME PARK DISTRICT

SECTION 501.1 PURPOSE

The Mobile Home Park (MH) District is established in recognition of mobile homes which are of such a nature as to warrant individual consideration and regulations due to the unique demands they place upon the public health and welfare, and the requirements of location and development that generally are peculiar to these uses.

It is the intent of this Section to allow mobile homes to be suitably located and developed in unified areas having all necessary services and facilities comprehensively provided in accordance with a predetermined site plan.

SECTION 501.2 PERMITTED USES

1. Mobile Home Park developments developed in accordance with the following regulations and subject further to the review and approval of a site plan by the Township Zoning Commission and the Township Trustees:
 - a. The Mobile Home Park shall include at least ten (10) acres of land and at least ten (10) mobile home stands.
 - b. The Mobile Home Park shall provide a twelve (12) foot wide greenbelt together with a six (6) foot high obscuring screen on those side or rear yards of the Park

which abut onto an "R", "B", or "I" District. The obscuring screen shall be a continuous, year-around screen.

- c. Access from Mobile Home Parks to the nearest public thoroughfare shall be by means of a public right-of-way not less than sixty (60) feet in width. No access shall be permitted through an "R" Residential District.
 - d. An adequate road and walkway system shall be provided throughout the park to serve each mobile home stand. Four (4) foot sidewalks must be provided on each side of a road unless an internal sidewalk or walkway system is provided. The road and walkway systems shall be constructed in accordance with the required improvement specifications of the Subdivision Regulations of the applicable jurisdiction.
 - e. Each mobile home stand shall be served by centralized water and sewer facilities of the type approved by the Ohio Department of Health, and Richland County Health Department.
 - f. Each mobile home stand shall be furnished with power and heating fuel hook-ups.
 - g. Each mobile home stand shall be equipped with individual trash receptacles adequately protected from spillage. The owner of the Mobile Home Park shall be responsible for furnishing each lot with trash receptacles.
 - h. The Mobile Home Park shall further comply with any other county and state health department regulations, and any other resolutions of Franklin Township.
 - i. A centralized radio or television tower or cable hook-up shall be provided to service all of the mobile home units in the Mobile Home Park. Such tower shall be located in a convenient area and shall be located at least twenty-five (25) feet away from any lot line.
 - j. The occupant of the mobile home unit shall provide a continuous opaque skirting consisting of non-flammable material around the entire base of the unit to the finished grade of the stand.
- 2. Accessory uses as regulated in Article VI, GENERAL PROVISIONS, of this Resolution.
 - 3. Automobile parking spaces as regulated in Article VI, GENERAL PROVISIONS, of this Resolution.

SECTION 501.3 AREA AND BULK REQUIREMENTS

See Section 405, "SCHEDULE OF REGULATIONS", limiting the height and bulk of buildings, the minimum lot size, the maximum density permitted and establishing minimum yard setback requirements.

ARTICLE VI

GENERAL PROVISIONS

SECTION 600 SCOPE OF THE ZONING RESOLUTION

The provisions of this Zoning Resolution shall apply to all land in the Township of Franklin, Ohio and no building or structure or part thereof, shall be erected, converted, reconstructed or structurally altered, nor shall any building or land be used, designed, or arranged for any purpose, except in conformity with the provision of this Resolution.

SECTION 600.1 NON-CONFORMING LOTS, NON-CONFORMING USES OF LAND AND NON-CONFORMING STRUCTURES

1. Purpose:

The purpose of this Section is to provide for the eventual and equitable elimination of nonconforming lots, non-conforming uses of land and non-conforming structures which do not conform to the provisions of this Resolution, but which were in operation prior to the enactment of this Resolution. Nonconforming lots, uses, and structures are declared to be incompatible with the permitted uses in the district involved. It is further the purpose of this Resolution that nonconforming lots, uses, and structures of land shall not be enlarged upon, extended, nor be used as a basis for adding other structures or uses prohibited in the same district.

2. Regulations:

a. Nonconforming Lots

In any R - Residential District, dwellings may be erected on any single lot of record existing at the effective date of adoption or amendment of this Resolution; even though such lots fail to meet the requirements for area or width, or both, that are generally applicable in the district, providing the yard dimensions and other requirements not involving the area and width of the lot shall conform to the regulations for the district in which such lot is located. The Board of Zoning Appeals may grant a variance where the strict application of the provisions of this Resolution would result in practical or unnecessary hardship in complying with the minimum yard requirements for the district in which such lot is located.

b. Nonconforming Use of Land

The lawful use on any land existing at the effective date of adoption or amendment of this Resolution may be continued although such use does not

conform with the regulations of this Resolution providing the following conditions are met:

- (1) A nonconforming use shall not be extended, enlarged or increased to occupy a greater area of land than was occupied at the effective date of this Resolution. The extension of a lawful use to any portion of a nonconforming structure which existed prior to the enactment of this Resolution shall not be deemed to be the extension of such nonconforming use.
- (2) Whenever a nonconforming use has been discontinued for a period of two (2) years or more, such discontinuance shall be considered as conclusive evidence of an intention to abandon legally the nonconforming use. At the end of the two (2) year period, any subsequent use of land shall conform to the provisions of this Resolution for the district in which such land is located.
- (3) Nonconforming uses established after the effective date of this Resolution shall be declared as illegal nonconforming uses and shall be discontinued within twenty (20) days following the date of inspection.
- (4) Any nonconforming use may be changed to another nonconforming use of the same or more restrictive classification by the Zoning Board of Appeals. In permitting such a change, the Board of Appeals may require that the new use meet certain conditions and requirements in accordance with the provisions of this Resolution.
- (5) Should such nonconforming use be involuntarily destroyed, it may be reconstructed as long as there is no increase in nonconformity.

c. Nonconforming Structures

A lawful structure existing at the effective date of the adoption or amendment of this Resolution may be continued although such structure does not conform to the area, height or yard provisions of this Resolution, providing the following provision are met:

- (1) A nonconforming structure may not be altered or enlarged with increases in nonconformity.
- (2) Should such nonconforming structure be involuntarily destroyed, it may be reconstructed as long as there is no increase in nonconformity.

- (3) Should such structure be moved or transported for any reason and for any distance whatsoever, it shall thereafter conform to the provisions for the district in which it is located after it is removed.

3. Repairs, Maintenance and Construction:

- a. Nothing in this Resolution shall prevent the strengthening or restoring to a safe condition any building or structure or part thereof declared to be unsafe by an official charged with protecting the general health, safety and public welfare of the community.
- b. Ordinary repairs and the replacement of nonbearing walls, fixtures, wiring or plumbing may be done on any building or part thereof devoted to a nonconforming use provided the cubic content of the building as it existed at the effective date of adoption or amendment of this Resolution shall not be increased.
- c. Nothing in this Resolution shall prohibit the completion or construction and use of a nonconforming building for which a zoning certificate has been issued prior to the effective date of adoption or amendment of this Resolution, provided construction is commenced within thirty (30) days after the issuance of such certificate; and that the entire building or structure shall have been completed within one (1) year from the date said zoning certificate was issued.

4. Exempt Nonconforming Use:

Where a special exception or conditional use certificate has been granted for any use as provided in this Resolution, such use shall not be classified as a nonconforming use within the district in which it is located.

SECTION 600.2 ACCESSORY BUILDINGS AND USES

Accessory buildings and uses as permitted in this Resolution shall be subject to the following conditions:

1. An accessory building attached to the principal building, shall comply with the requirements of this Resolution applicable to the main building.
2. Detached accessory buildings shall be permitted in any required yard provided that:
 - a. A detached accessory building shall be located no closer than six (6) feet from any required side or rear lot line.

- b. A detached accessory building located in the front yard shall meet the minimum front yard setback and shall not obstruct any part of the principal building.
- c. Within an “R” District no accessory building shall exceed one (1) story in height.
- d. Accessory buildings located on a corner or double frontage lot shall not be permitted to project beyond the minimum front yard depth facing adjacent streets.

SECTION 600.3 OFF-STREET PARKING REGULATIONS

- 1. All single and multiple family dwellings shall be provided with parking space off the road or street and outside of the public right-of-way, together with a means of ingress and egress thereto, for not less than one and one-half (1 1/2) vehicles per dwelling unit. Each such vehicle shall be provided with at least two hundred (200) square feet of space for parking.
- 2. All B Business uses shall provide parking space off the road or street, outside of the public right-of-way and within three hundred (300) feet of the entrance to said establishment. At least two hundred (200) feet of parking area shall be provided for every one hundred (100) square feet of area of the first floor of said establishment which it serves.
- 3. Every church, theater, auditorium, stadium, arena, building or ground used for the assembling of persons to attend performances, shows, exhibitions, contests, concerts, lectures, entertainment and similar activities shall provide parking space off the street or road, and outside of the public right-of-way, of at least two hundred (200) square feet for every four (4) persons to be accommodated. Such parking area shall be within four hundred (400) feet of the main entrance to such use, and adequate means of ingress and egress shall be provided.
- 4. All I-Industrial uses shall provide at least one two hundred (200) square feet of parking area per employee on the largest working shift. Wholesale establishments shall provide five (5) parking spaces in addition to the above requirement.
- 5. All B-Business and I-Industrial uses shall provide adequate space off the street or road, and outside of the public right-of-way for vehicles delivering to, unloading, loading or taking away from said user goods, materials, supplies, or waste in connection with said use.
- 6. All driveways shall be kept in a condition to be able to accept any emergency vehicles.

SECTION 600.4 TEMPORARY BUILDINGS AND STRUCTURES

1. Temporary buildings for uses incidental to construction work shall be permitted for a period not to exceed one (1) year provided the occupant obtains a temporary building certificate.
2. Not more than one (1) recreational vehicle may be used as a temporary residence by a visitor on a lot with a permanent residence, provided that:
 - a. Such temporary residence shall not exceed thirty (30) consecutive days in any twelve (12) month period.
 - b. Application for a "Temporary Visitor's Zoning Certificate" is filed with the Zoning Inspector within seventy-two (72) hours after arrival on the property.

SECTION 600.5 PLANT MATERIALS

Whenever, in this Resolution, a greenbelt or planting strip is required, it shall be planted within six (6) months from the date of issuance of a certificate of occupancy and shall thereafter be reasonably maintained with permanent plant material to provide a screen to abutting properties.

SECTION 600.6 SIGN REGULATIONS

Outdoor advertising shall be subject to the regulations contained herein:

1. A sign not larger than twelve (12) square feet in area is permitted (in any district) when the use of the sign is in direct relation to the use of the premises, and will not require a zoning certificate.
2. An outdoor advertising sign or billboard, twelve (12) square feet or larger shall be classed as a business use and shall be permitted in all "B" and "I" districts and on all lands used for agriculture purposes and shall be deemed a structure and shall require a zoning certificate before being erected, constructed or replaced.
3. No outdoor advertising sign shall be placed nearer any street or road than the minimum building set-back line.
4. No outdoor advertising sign more than twelve (12) square feet in size shall be located within one hundred fifty (150) feet of any intersection unless affixed to a building and not extending beyond or above the same more than three (3) feet.
5. Any illuminated sign shall be so shaded as not to interfere with the vision of persons on the highway or to annoy neighbors.

SECTION 600.7 LANDFILL AND DUMPING OPERATIONS

The use of land for filling or dumping of garbage, hazardous waste, toxic waste and discarded building materials shall not be permitted within Franklin Township.

SECTION 600.8 SCREENING DEVICES

1. Fences are permitted within any R-Residential District subject to the following conditions:
 - a. Swimming pools shall be completely enclosed by a fence or structure no less than four (4) feet in height.
 - b. All fences shall comply with the requirements of the Richland County Building Code as it applies to fence installation and materials, but in no instance shall a fence contain barbed wire, electric current or charge of electricity.
 - c. Fences on recorded lots having a total area in excess of two (2) acres and a minimum lot width of at least one hundred (100) feet and acreage or parcels not included within the boundaries of a recorded plat are excluded from these regulations.
 - d. No obscuring fence or wall shall be extended toward the front lot line beyond the front of the principal building or structure or the required minimum front yard setback, whichever is greater.
2. Masonry wall or fences shall be provided and maintained for multiple family developments or uses within any "B" or "I" District on those sides abutting one and two-family residential developments. Walls and fences shall be provided in conformance with the following regulations:
 - a. Obscuring fence or wall which meets the following minimum height requirements shall be required for those uses permitted in the districts listed below where the side and/or rear yard or such uses abut onto any R-Residential District:

<u>District</u>	<u>Minimum Height Requirement (In Feet)*</u>
B Business	5
I Industrial	6

*The minimum height requirements shall be measured from the surface of the ground.

- b. Obscuring fences or walls shall be built to the minimum front yard setback.

- c. Required fences and walls shall be located on the property line except where such fence or wall interferes with underground utilities or surface water drainage conditions.
- d. Such walls or fences may be constructed with openings which do not in any square section (i.e. height and width) exceed twenty (20) percent of the total surface. Where walls or fences are pierced, the openings shall be so spaced as to maintain the obscuring character required. The arrangement of the openings shall be reviewed and approved by the Building Inspector.
- e. All fences and walls shall be constructed of materials approved by the Building Inspector to be durable, weather-resistant, rustproof and easily maintained.

SECTION 600.9 CORNER CLEARANCE

No fence, wall, greenbelt, planting strip, or any other obstruction to vision above a height of two and one-half (2 1/2) feet from the established street grade shall be permitted within the triangular area at the intersection of any street right-of-way lines formed by a straight line drawn between said right-of-way lines at distance along each line of thirty (30) feet measured from their point of intersection. No fence, wall, greenbelt, planting strip, or other obstruction shall be permitted to exist in such a way as to constitute a safety hazard.

SECTION 600.10 APPROVAL OF SUBDIVISION PLATS

No proposed plat of a new subdivision shall hereafter be approved unless the lots within such plat equal or exceed the minimum lot area and width requirements set forth in the various districts of this Resolution.

SECTION 600.11 PRINCIPLE BUILDING

Within any R-1 Residential District only one (1) principal building shall be permitted on any one lot.

SECTION 600.12 CORNER LOTS

Corner lots in all districts are required to meet the minimum front yard setbacks, facing both streets as indicated in that district.

SECTION 600.13 BUILDING AND ZONING CERTIFICATES

No building permit or zoning certificate shall be issued without evidence that the Richland County Health Department has approved the sanitary sewage disposal system for which the building permit or zoning certificate has been requested.

SECTION 600.14 INCONSISTENCIES

In the event any of the requirements or regulatory provisions of this Resolution are found to be inconsistent with one another, the more restrictive or greater requirements shall be deemed in each case to be applicable.

SECTION 600.15 CONDITIONS AND SAFEGUARDS

The Township Zoning Board of Appeals shall have the power to impose any additional conditions to safeguard the intent and objectives of this Resolution.

SECTION 600.16 CONDITIONAL ZONING CERTIFICATES

1. Purpose

Provision is made in this Resolution for a more detailed consideration of each of certain specified uses or activities as it may relate to proposed conditions of location, design, size, operation, intensity of use, generation of traffic, and traffic movement, concentration of population, processes and equipment employed, amount and kind of public facilities and services required together with any other public facilities and services required, together with any other factors. Land and structural uses possessing these particularly unique characteristics are designated as Conditionally Permitted Uses and are permitted through the issuance of a Conditional Zoning Certificate with such conditions and safeguards attached as may be deemed necessary for the protection of the public welfare.

2. Procedure

Any application for a Conditional Zoning Certificate for any land use or structure permitted under this Resolution shall be submitted in accordance with the following procedures:

a. Application to Board of Zoning Appeals:

An application for a Conditional Zoning Certificate shall be submitted to the Board of Zoning Appeals on a special form provided for that purpose. The Board of Zoning Appeals, where appropriate, may refer an application to qualified consultants for a report, if it deems the proposed use may cause undue traffic generation, population concentrations, or extra size sewer and/or water utility systems. The cost of such report shall be at the expense of the applicant, and said

report shall be furnished to the Board of Zoning Appeals within thirty (30) days from the date upon which it was requested.

b. Data Required with Application:

- (1) Form supplied by the Zoning Inspector and completed by the applicant.
- (2) Site plan, plot plan or development plan of the entire property being considered, drawn at a scale of 1" = 100' and showing the location of all abutting streets, the location of all existing and proposed structures, the types of buildings and their intended use.

c. Review by Board of Zoning Appeals:

The Board of Zoning Appeals shall review the proposed development, as presented, on the submitted plans and specifications in terms of the conditions established for the specified use. In cases where the Board of Zoning Appeals requests a report from a consultant, the application will not be reviewed until the Board of Zoning Appeals has received the report along with a receipt for the cost of such report. Such review shall be completed and made public within sixty (60) days following the date the application was submitted.

d. Issuance and Revocation of Conditional Zoning Certificates:

Only upon conclusion of review procedures, relative to a particular application, may the Board of Zoning Appeals issue a Conditional Zoning Certificate. The breach of any safeguard, condition, or requirement shall automatically invalidate the certificate granted, and shall constitute a violation of this Resolution. Such violation shall be declared as a nuisance per se as per Article XIII of this Resolution.

SECTION 600.17 SITE PLAN REVIEW

1. A site plan shall be submitted to the Board of Zoning Appeals for approval of:
 - a. Any use or development for which the submission of a development plan is required by any provision of this Resolution.
 - b. Any conditionally permitted use within any District in this Resolution.
2. Every site plan submitted to the Board of Zoning Appeals shall contain such information and be submitted in such form as the Board of Zoning Appeals may prescribe in its rules. Supporting evidence in the form of a map, chart, table or drawing shall be declared as an exact or accurate representation of the development proposal shown on the site plan.

3. Approval of the site plan by the Board of Zoning Appeals shall constitute approval of the development. The breach of any requirement or the misrepresentation of facts, figures or other supporting evidence by the applicant shall constitute a violation of this Resolution. Such violations shall be declared as a penalty as prescribed in Article XIII of this Resolution, and shall automatically invalidate the zoning certificate granted.

SECTION 600.18 DRAINAGE CHANNELS

Drainage channels that exist within Franklin Township are essential for the maintenance of the health and general welfare of the people. Any encroachment upon filling or the destruction of channels is a violation of this Resolution. In order to provide for the development of property for its best use, such as new subdivisions, the County Engineer shall decide what facilities are adequate to maintain the primary purpose of the drainage channel.

SECTION 600.19 WATER WELL OR SEPTIC TANK SYSTEMS

Where individual water well or septic tank systems are provided, no building permit or zoning certificate shall be issued without evidence that the Richland County Health Department has approved the proposed sanitary sewage disposal system for which the building permit or zoning certificate has been requested.

SECTION 600.20 PUBLIC AND PRIVATE ACCESS REQUIREMENTS

Every dwelling shall be located on a lot having access to a public or private street. Public Streets shall be designated in accordance with the minimum improvement standards of the City of Mansfield and/or Richland County Subdivision Regulations as they apply to various sections of Franklin Township. All multiple family developments designed to be serviced by private drives and streets shall be approved and shall further meet the minimum improvement standards established for private streets by the Engineering Department of the City of Mansfield or Richland County (where applicable).

SECTION 600.21 REGULATION OF JUNK AND JUNK YARDS

Junk yards and the storage of junk shall be prohibited in Franklin Township.

ARTICLE VII

GENERAL EXCEPTIONS

SECTION 700 EXEMPT FROM REGULATIONS

The provisions of this Zoning Resolution shall apply to all land, every structure and every use of land or structure except agriculture, essential services and railroads, and area and height requirements as specifically exempt by law in accordance with the provisions of this Article.

SECTION 700.1 AGRICULTURE

Agriculture including farming, dairying, pasturage, horticulture, floriculture, viticulture and animal and poultry husbandry shall be permitted in any district. The use of any land for agricultural purposes or the construction or use of any building or structure incident to the use for agricultural purposes of the land on which such buildings or structures are located shall be permitted and no zoning certificate shall be required for any such building or structure.

SECTION 700.2 PUBLIC UTILITIES

The provisions of this Zoning Resolution shall not apply to public utilities except where express authority has been conferred by the Ohio Revised Code on the Board of Township Trustees or Board of Zoning Appeals in which case the entire Zoning Resolution shall be applied where applicable.

1. The provisions of this Zoning Resolution shall apply where authority is granted by the Ohio Revised Code for Township Trustees or Board of Zoning Appeals with respect to any telecommunications tower defined by ORC 519.211 and is proposed to be located in any area of the Township zoned for residential use. When a telecommunications tower is proposed to be located in any area zoned for residential use it shall be and is as a conditional use. Telecommunications towers shall be permitted provided the Board of Zoning Appeals determines that each of the following conditions have been met:
 - a. For the purpose of regulating such telecommunication towers in areas of the Township zoned for residential use, a telecommunication tower shall be considered to exist if the freestanding structure including antennas exceed fifty-two (52) feet in height or if an attached tower exceeds the height of the building or other structure to which it is attached by more than twelve (12) feet.
 - b. A site plan shall be provided showing the design and painted color of the tower and its location on the property.
 - c. No tower shall be constructed with lights and be painted in red/white or in other bright colors or configuration colors except when specifically required by a

Federal law or regulation. When lights are required, strobe lights shall not be used unless specifically required by Federal law or regulation.

- d. The site shall be a minimum of 350 feet from the nearest parcel of land used for residential purposes except: (1) where a communications tower already exists on the same parcel that was constructed prior to January 1, 2003, and (2) the proposed tower will not be constructed beyond a radius of one hundred (100) feet from such prior existing tower.
 - e. The minimum set-back line between the base of the tower and all adjacent property lines shall be the height of the tower.
 - f. The tower shall be sited and be of a design and color(s) that would incorporate the characteristics of the immediate surrounding area so as to provide a natural blending of the tower into its surrounding environment and aesthetically soften its intrusion into a residential area. Further, no advertising shall be permitted on the tower.
 - g. Unless the proposed tower would be located on a parcel where another tower already exists as otherwise provided in Paragraph (d) above, the applicant shall demonstrate that the need for the proposed tower cannot be accommodated by co-locating systems on an existing tower.
 - h. Each tower shall be designed to accommodate the addition and co-location of a minimum of two additional telecommunication systems.
 - i. If the tower is abandoned, it shall be removed within ninety days of its last date of operation or thereafter be removed by the township and the cost of removal billed to the property owner.
2. In the event an existing tower is to be reconstructed, changed, altered, or enlarged, then it shall be permitted by the Board of Zoning Appeals subject to the conditions of this Section and the provisions of Section 900.5(6). In no event shall any change or alteration be permitted that would substantially increase the tower's height.

SECTION 700.3 RAILROAD RIGHTS-OF-WAY

For the purposes of this Resolution, railroad rights-of-way shall be permitted as authorized and regulated by State and Federal Laws, it being the intent of this subsection to exempt railroad rights-of-way from the application of this Resolution. A building or structure intended to be erected or constructed within the railroad rights-of-way shall comply with the use, area and height regulations of the district in which it is located. Spur tracks shall be extended from the existing railroad right-of-way to adjacent industrial districts only when they are totally within Industrial Districts.

SECTION 700.4 DWELLING QUARTERS, NON-RESIDENTIAL DISTRICTS

Within any B-Business or I-Industrial District sleeping quarters of a watchman or caretaker may be permitted, providing such quarters are made a part and are attached as part of the main building or structure.

SECTION 700.5 PERMITTED HEIGHT EXCEPTIONS

The height limitation contained in Section 405 Schedule of Regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy except where the height of such structures will constitute a hazard to the safe landing and take-off of aircraft at an established airport. Such exceptions shall not be erected at a height greater than twelve (12) feet above the height limit established for the district in which the structure is located.

SECTION 700.6 VOTING PLACE

The provisions of this Resolution shall not be so construed as to interfere with the temporary use of any property as a voting place in connection with a public election.

SECTION 700.7 ACCESSWAYS

For the purpose of this Resolution, any walk, terrace or other pavement surfacing providing access to rear yards and/or accessory structures, and not in excess of ten (10) inches above the finished grade, shall not be considered to be a structure, and shall be permitted in any required yard.

SECTION 700.8 PROJECTIONS INTO YARDS

Open, unenclosed, and uncovered porches or paved terraces may project not more than ten (10) feet within the minimum front yard setback, but this shall not be interpreted to include or permit fixed canopies.

SECTION 700.9 LOTS ADJOINING ALLEYS

In calculating the area of a lot that adjoins an alley, for the purposes of applying lot area requirements of this Resolution, one-half (1/2) the width of such alley abutting the lot shall be considered as part of such lot.

SECTION 700.10 CONSTRUCTION

Nothing in this Resolution shall be deemed to require any change in the plans, construction or designated use of any building upon which actual construction was lawfully begun prior to the adoption of this Resolution and upon which actual construction has been diligently carried on and provided further that such building shall be completed within one (1) year from the date of passage of this Resolution.

SECTION 700.11 YARD REGULATIONS

When yard regulations cannot reasonably be determined on lots of peculiar shape, topography or due to architectural or site arrangement, such regulations may be modified as determined by the Board of Zoning Appeals.

SECTION 700.12 FRONT YARD VARIANCES IN RESIDENTIAL DISTRICTS

In any R-Residential District where the average depth of at least two (2) existing front yards on lots located within one hundred (100) feet of the lot in question and within the same block are less or greater than the minimum front yard setback prescribed for the district in which such lots are located, the Board of Zoning Appeals may modify the required minimum front yard depth of such lot no more than ten (10) feet.

ARTICLE VIII

TOWNSHIP ZONING COMMISSION

SECTION 800 AUTHORITY, COMPOSITION, AND APPOINTMENT

There is hereby created a Township Zoning Commission consisting of five (5) citizens of the Township with records of civic, business, or professional leadership, and who shall not be members of the Board of Zoning Appeals. Each member shall be appointed for a period of five (5) years, except that one of the initial members shall be appointed for one (1) year and one of the initial members shall be appointed for two (2) years, and one of the initial members shall be appointed for three (3) years, and one of the initial members shall be appointed for four (4) years, and one of the initial members shall be appointed for five (5) years. In the event of the death or resignation of a member, the Township Trustees shall make the appointment for the duration of the unexpired portion of the term of the member.

SECTION 800.1 ORGANIZATION

The Zoning Commission shall elect a chairman, vice chairman, and secretary from its membership, and shall prescribe rules for the conduct of its affairs.

SECTION 800.2 QUORUM

The Zoning Commission shall require a quorum of three (3) of its members at all of its meetings, and a concurring vote of three members shall be necessary to effect an order.

SECTION 800.3 MEETINGS

The Zoning Commission shall meet quarterly or at the call of its Chairman or the Vice Chairman acting in the capacity of the Chairman, or by the call of two other members of the Zoning Commission.

SECTION 800.4 POWERS AND DUTIES

1. The Zoning Commission shall act on all rezone requests to the Official Township Zoning Map submitted to said Zoning Commission by the Township Clerk in conformance with Article X of this Resolution. The Zoning Commission shall recommend approval, disapproval or modification of the original request to the Township Trustees following the procedures set forth in Article X of this Resolution.
2. The Zoning commission shall review and approve a site plan as specifically provided for elsewhere in this Resolution.

3. The Zoning Commission shall review from time to time any provision or provisions of this Resolution and shall recommend such changes as it deems necessary in order to promote the intent of this Resolution to the Township Trustees following the procedures set forth in Article X of this Resolution.

SECTION 800.5 ADMINISTRATION AND ENFORCEMENT

The provisions of this Resolution shall be administered and enforced by the Zoning Inspector, or his deputies, or such other officials as may be designated by the Township Trustees.

SECTION 800.6 DUTIES OF THE ZONING INSPECTOR

A Zoning Inspector shall be employed for the purpose of granting zoning certificates and to make inspections of premises or buildings necessary in carrying out his duties in compliance with the provisions of this Resolution. It shall be unlawful for the Zoning Inspector to issue permits or approve any plans until he has inspected such plans in detail and found them to conform with the provisions of this Resolution. The Zoning Inspector shall also be responsible for submitting to the Zoning Board of Appeals all applications for Conditional Zoning Certificates. The Zoning Inspector shall not refuse to issue a zoning certificate when the provisions or conditions of this Resolution are complied with by the applicant.

SECTION 800.7 APPLICATION PROCEDURE - ZONING CERTIFICATE

1. Before constructing, erecting, changing the use of, or altering any building, including accessory buildings, or changing the use of any premises, application shall be made to the Zoning Inspector for a zoning certificate. The application shall include the following information:
 - a. A plot plan drawn to a scale of not less than ten (10) feet to the inch showing the actual shape, location and exact dimensions of the property to be built upon.
 - b. The shape, size and location of all buildings and other structures to be erected, altered or moved and of any building or other structures already on the property.
 - c. The existing and intended use of the property, including residential areas, the total number of dwelling units to be accommodated in the building.
 - d. Any other pertinent data as may be required to determine whether the provisions of this Resolution are being observed properly except for Sexually Oriented Businesses.
2. Within twenty (20) days after the receipt of the application, the Zoning Inspector shall issue a zoning certificate if the application complies by a proper fee as indicated in

Section 800.8 below. If such certificate is refused for cause, the applicant shall be notified of such refusal and cause within the twenty (20) day period.

3. Each applicant shall clearly state that unless construction is started within one (1) year from the date of issuance, or substantially completed within two and one half (2 1/2) years, the zoning certificate may be revoked.

SECTION 800.8 FEES

The Township Trustees shall by resolution establish a schedule of fees, charges and expenses and a collection procedure for zoning certificates, amendments, appeals, variances, conditional use permits, plan approvals, 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 Township Hall and office of the Township Zoning Inspector, and may be altered or amended only by the Township Trustees. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

When the Township Zoning Commission or the Zoning Board of Appeals finds it necessary to maintain the record of public hearing procedures or when the Township Zoning Commission or the Zoning Board of Appeals will deem it necessary to cause special studies to be made, the applicant shall bear all direct and related costs.

ARTICLE IX

BOARD OF ZONING APPEALS

SECTION 900 AUTHORITY, COMPOSITION, AND APPOINTMENT

There is hereby created a Board of Zoning Appeals consisting of five members appointed by the Township Trustees. The Board shall include five (5) citizens of the Township with records of civic, business, or professional leadership, and who shall not be members of the Zoning Commission. Each member shall be appointed for a period of five years, except that one of the initial members shall be appointed for one (1) year, and one of the initial members shall be appointed for two (2) years, and one of the initial members shall be appointed for three (3) years, and one of the initial members shall be appointed for four (4) years, and one of the initial members shall be appointed for five (5) years. In the event of the death or resignation of a member, the Township Trustees shall make the appointment for the duration of the unexpired portion of the term of the member.

SECTION 900.1 ORGANIZATION

The Board of Zoning Appeals shall elect a chairman from its membership, shall appoint a Recording Secretary, and shall prescribe rules for the conduct of its affairs.

SECTION 900.2 QUORUM

The Board of Zoning Appeals shall require a quorum of three members at all its meetings, and a concurring vote of three members shall be necessary to effect an order.

SECTION 900.3 MEETINGS

The Board of Zoning Appeals shall meet at the call of its chairman or two other members, and at such other regular times as it may, by resolution, determine.

SECTION 900.4 WITNESSES

The Board of Zoning Appeals chairman or acting chairman may administer oaths and compel the attendance of witnesses in all matters coming within the review of this Resolution.

SECTION 900.5 POWERS AND DUTIES

The Board of Zoning Appeals shall have the following powers and duties:

1. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the Zoning Inspector in the enforcement of this Resolution.

2. To authorize, upon appeal, such variance from the terms of the zoning resolution as will not be contrary to the public interest, where due to special conditions, literal enforcement of the Resolution will result in unnecessary hardship.
3. To grant conditional zoning certificates for the use of land, buildings, or other structures as specifically provided for elsewhere in this Resolution.
4. To permit special exceptions to the uses specified in a given zoning district because the provisions of this Resolution covering conditions, precedent or subsequent, are not precise enough to cover all applications without interpretation.
5. The Board of Zoning Appeals shall not have the power to permit a use not normally permitted in a given zoning district.
6. The Board of Zoning Appeals shall review the particular facts and circumstances of each proposed conditional use in terms of the following standards and shall find adequate evidence showing that such use on the proposed location:
 - a. Will be harmonious with and in accordance with the general objectives of this Resolution;
 - b. 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;
 - c. Will not be hazardous or disturbing to existing or future neighboring uses;
 - d. Will not be detrimental to property in the immediate vicinity or to the community as a whole;
 - e. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets or roads.

(See Section 200.1 DEFINITIONS for the distinction between a "variance" and an "exception.")

SECTION 900.6 PROCEDURES

The Board of Zoning Appeals shall act in accordance with the procedure specified by law, including this Resolution. All appeals and applications made to the Board of Zoning Appeals shall be in writing and on the forms prescribed therefore. Every appeal or application shall refer to the specified provision of the Resolution involved, and shall exactly set forth the interpretation that is claimed, the details of the variance that is applied for, and the grounds on which it is

claimed that the variance should be granted, as the case may be. Every decision of the Board of Zoning Appeals shall be by resolution, each of which shall contain a full record of the findings of one or another of the following headings: Interpretation; Exceptions; Variances; together with all documents pertaining thereto. In the event that the Board of Zoning Appeals will find it necessary to draw upon any planning, legal, engineering, or any other expert testimony, such fee shall be raised in order to cover all expenses of such expert testimony. The applicant shall bear all direct and related costs.

SECTION 900.7 APPEALS AND NOTICE OF HEARINGS

Appeals to the Board of Zoning Appeals may be taken by any person aggrieved or by any officer of the Township affected by any decision of the administrative officer. Such appeal shall be taken within twenty days after the decision by filing with the officer from whom the appeal is taken and with the Board of Zoning Appeals, a notice of appeal in accordance with the procedures in Section 900.6. The officer from whom the appeal is taken shall transmit to the Board of Appeals all the papers constituting the record upon which the appeal is being taken.

The Board of Zoning Appeals shall fix a reasonable time for the public hearing of the appeal, give at least ten days notice in writing to the parties in interest, give notice of such public hearing by one publication in one or more newspapers of general circulation in the township at least ten days before the date of such hearing, and decide the appeal within a reasonable time after it is submitted.

SECTION 900.8 FEES

The Township Trustees may from time to time prescribe and amend by resolution, a reasonable schedule of fees to be charged to applicants for appeals to the Board of Zoning Appeals. At the time the notice of appeal is filed, the said fee shall be paid to the Clerk of Franklin Township. Schedule of fees are posted in the Township Hall and in the office of the Township Zoning Inspector.

ARTICLE X

AMENDMENTS

Amendments to the Zoning Resolution or map may be initiated by motion of the Zoning Commission, by passage of a resolution by the Board of Trustees, or by the filing of an application by one or more of the owners or lessees of property within the area proposed to be changed. The Board of Trustees shall upon passage of such resolution, certify it to the Zoning Commission.

Upon such certification, adoption of such motion, or the filing of such application, the Zoning Commission shall set a date for public hearing thereon, not less than twenty nor more than forty days hence. Notice of such hearing shall be given by the Zoning Commission by one publication in one or more newspapers of general circulation in the Township at least fifteen days before the date of such hearing.

If the proposed amendment intends to rezone ten or less parcels of land, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least twenty days before the date of the public hearing, to all owners of property within and contiguous to, and directly across the street from such area proposed to be rezoned.

Within five days after the adoption of such motion, certification of such resolution, or filing of such application, the Township Zoning Commission shall transmit a copy thereof, together with text and map pertaining thereto, to the Regional Planning Commission. The Regional Planning Commission shall recommend the approval, denial, or modification of the proposed amendment and shall submit such recommendation to the Township Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission on the proposed amendment.

The Township Zoning Commission shall, within thirty days after such hearing, recommend the approval, denial, or modification of the amendment, and submit such recommendation with the application or resolution, text and map pertaining thereto, and the recommendation of the Regional Planning Commission to the Board of Township Trustees.

The Township Trustees, upon receipt of the recommendation, shall set a time for a public hearing on the amendment, which shall be held not more than thirty days from receipt of the recommendation of the Zoning Commission. Notice of such public hearing shall be given by the Board of Trustees by one publication in one or more newspapers of general circulation in the Township, at least fifteen days before the date of such hearing. The published notice shall set forth the time and place of the hearing, and a summary of the proposed amendment.

Within twenty days after the hearing, the Board shall either adopt, deny, or modify the Zoning Commission's recommendation. In the event the Board denies or modifies the recommendation of the Zoning Commission, the unanimous vote of the Board shall be required.

Such amendment adopted by the Board of Trustees shall become effective in thirty days after the date of adoption unless within thirty days of adoption, there is presented to the Trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the Township equal to not less than eight (8%) percent of the total vote cast for all candidates for governor in the Township in the last preceding general election at which a governor was elected, requesting the Trustees to submit the amendment to the voters in the Township for approval or rejection at the next primary or general election.

No amendment for which such a referendum vote has been requested shall be put into effect unless a majority of those voting favors the amendment. Upon certification by the Board of Elections that the voters have approved the amendment, it shall take immediate effect. All applications for a zoning amendment shall include:

1. Evidence that the existing Zoning Resolution is unreasonable with respect to the particular property, and it deprives the property owner of his lawful and reasonable use of the land. For the purposes of this Zoning Resolution, a limitation upon the financial gain from the land in question shall not constitute unreasonable zoning.
2. Evidence that the proposed amendment would materialize in an equal or better Zoning Resolution than that existing.

Whenever an amendment is made to the text of the Zoning Resolution, the appropriate definitions pertinent to such amendment shall be included in Article II.

The Township Trustees may from time to time, to defer administrative costs, prescribe and amend by resolution a reasonable schedule of fees to be charged to applicants for an amendment to this Zoning Resolution. A schedule of those fees can be found in the Township Hall and in the office of the Township Zoning Inspector.

This fee shall not apply to any amendment introduced by the Township Trustees or the Township Zoning Commission.

ARTICLE XI

REPEALER

The Zoning Resolution previously adopted by Franklin Township, and all amendments, are hereby repealed. The repeal of the above Resolution and its amendments does not affect or impair any act done, offense committed or right accruing, liability or penalty incurred prior to the enactment of this Resolution.

ARTICLE XII

INTERPRETATION

In the interpretation and application, the provisions of this Resolution shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience or general welfare. It is not intended by this Resolution to repeal, abrogate, annul, or in any way to impair or interfere with any existing provision, law or resolution, or with any rules, regulations or permits previously adopted or issued or which shall be adopted or issued pursuant to the law and regulations governing the use of buildings or premises; provided, however, that where this Resolution imposes greater restriction than is required by existing resolution or by rules, regulations or permits; the provisions of this Resolution shall control.

ARTICLE XIII

VIOLATIONS AND PENALTIES

SECTION 1300 PUBLIC NUISANCE

Buildings erected, altered, moved, razed or converted, or any use of land or premises carried on in violation of any provision of this Resolution are declared to be a nuisance per se. Any building or land use activities considered possible violations of the provisions of this Resolution, which are observed by any Township Official, shall be reported to the Zoning Inspector.

SECTION 1300.1 INSPECTION

The Zoning Inspector shall inspect each alleged violation, and shall in writing, order correction of all conditions which are found to be in violation of this Resolution.

SECTION 1300.2 CORRECTION PERIOD

All violations shall be corrected within a period of thirty (30) days after the written order is issued or for a longer period of time as indicated by the Zoning Inspector in the written order. Any violations not corrected within the specified period of time shall be reported to the County Prosecutor who shall initiate prosecution procedures.

SECTION 1300.3 PENALTIES

The owner or owners of any building or premises or part thereof, where anything in violation of this Resolution shall be placed or shall exist, any tenant or occupant of such building or premises, and any architect, builder or contractor who shall assist in the commission of any such violation, and any persons who shall violate any of the provisions of this Resolution or fail to comply therewith shall, for each violation or non-compliance, be deemed guilty of a misdemeanor and upon conviction be assessed the fine of not less than twenty-five (25) dollars, nor more than three hundred (300) dollars. Each day such violation or failure to comply shall exist, it shall constitute a separate offense. The fine is to be paid to the Franklin Township treasury.

ARTICLE XIV

VALIDITY AND SEPARABILITY

It is hereby declared to be the legislative intent of this Resolution that if any provisions of this Resolution, or the application thereof to any zoned lot, building or other structure, or tract of land, are declared by a court of competent jurisdiction to be invalid or ineffective in whole or in part, or to be inapplicable to any person, firm, corporation or situation, the effect of such decision shall be limited to the provision or provisions which are expressly stated in the decision to be invalid or ineffective to the zoning lot, building or other structure, or tract of land immediately involved in the controversy. All other provisions of this Resolution shall continue to be separate and fully effective, and the application of any such provision to other persons or situations shall not be affected.

ARTICLE XV

EFFECTIVE DATE

This Resolution shall take effect and be in full force and effect from and after the earliest period allowed by law.

Adopted by the Franklin Township
(Richland County) Trustees

Date: _____

Attest by Township Clerk:

Clerk

<u>Amendment No.</u>	<u>Date Approved by Trustees</u>	<u>Sections Amended</u>
1-1987	12-28-87	Appl. for rezone for D. Robison on S.R.13, R-1 to B-1
2-1987	12-28-87	Appl. for rezone for Monarch Trailer Co. on Bowman Street, B-1 to I-1
	12-28-87	Table of contents, 200.1, 401.3, 403.3, 404.3, 405, 600.3, 600.6, 600.7, 600.8, 600.9, 600.16, 800.8, 900.7, 900.8, Article X, 1300.3, Appendix
1-1989	3-6-89	200.1, 401.3, 402.3, 403.2, 403.3, 404.2, 404.3, 405, 600.8, 800.7, 1300, Appendix
1-2000	1-11-00	200.1,
1-2003	8-25-03	200.1, 401.3, 402.3, 403.3, 405, 600.2, 700.2, 700.5, 900.5

APPENDIX

FRANKLIN TOWNSHIP, RICHLAND COUNTY, OHIO

ZONING CERTIFICATE

No. _____ - _____ (year)

Name _____

Date _____

Fee \$ _____

The undersigned hereby applies for a Zoning Certificate for the following use to be issued on the basis of the representations contained herein, all of which the applicant swears to be true.

1. Name of Landowner _____ Address _____

2. Location _____ Zoning _____

3. Proposed Use of Residence _____ No. of D.U.'s _____

No. of Stories _____ Business _____ Kind _____

Manufacturing _____ Kind _____

Garage _____ Accessory Bldg. _____

Purpose _____

House Trailer or Equal _____

Permanent _____ Temporary _____

Outdoor Advertisement _____ Other _____

4. Frontage _____ Land Area _____

Depth from Right-of-Way _____

Width at Setback Line _____

Clearances: Left _____ Right _____ Sketch or Attach Plot Plan

Rear _____ Dimensions of Structure _____ x _____ Ground

Floor Area _____ sq. ft.

5. Sewage System: Public _____ Community _____ Private _____

Water System: Public _____ Community _____ Private _____

6. PAID: Cash _____ Check _____ Date _____

Unless construction is started within one (1) year from the date of issuance, or substantially completed within two and one half (2 1/2) years, the Zoning Certificate will be revoked.

NOTICE: In consideration of permission given, I do hereby covenant and agree to do said work in compliance with the provisions of this Franklin Township Zoning Resolution pertaining to same. Approval of this application shall not excuse the applicant from complying with all building regulations of the State of Ohio, Richland County and the Health Department.

Upon the basis of the statement in the above application, a Zoning Certificate is (Refused) (Approved) .

Reason for Refusal: _____

Date _____

Zoning Inspector

FRANKLIN TOWNSHIP, RICHLAND COUNTY, OHIO

CONDITIONAL ZONING CERTIFICATE

Application Number _____ - _____ (year)

Name of Property Owner _____

Name of Applicant, if different _____

Address of Applicant _____

Phone Number _____

Application for Property Located at _____

(Address or Description)

Zoning District in which Property is Located _____

Conditionally Permissible Use _____

In event of transfer of business or land to a new owner, the new owner must be informed by the present owner of this application.

ATTACHED and as part of this application are:

A. Site Plan showing:

1. Boundaries and divisions of property
2. Abutting streets and properties
3. Location of all existing and proposed improvements, including structures, parking, landscaping, etc.
4. Location of existing and proposed water wells, water distribution lines, septic tanks or sewer lines, or other utility features.
5. Topography of (5) five foot intervals showing the slope characteristics of the property.

B. Complete plan improvement specifications for all proposed development and construction.

C. State supporting evidence that the proposed use has complied with each of the general and specific conditions listed below:

General Conditions

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____

Specific Conditions:

1. _____
2. _____
3. _____
4. _____

Attach sheets in necessary.

Fee _____

Date _____
Owner's Signature

This certificate is automatically revoked if any of the conditions specified herein are not met.

Zoning Board of Appeals' Action:

Zoning Board of Appeals' Approval: _____ Disapproval: _____

Zoning Board of Appeals' Chairman: _____

Zoning Board of Appeals' Secretary: _____

Date of Issuance of Conditional Zoning Certificate: _____

FRANKLIN TOWNSHIP, RICHLAND COUNTY, OHIO

APPLICATION FOR ZONING AMENDMENT

Application No. _____ - _____ (year)

Fee \$ _____

The undersigned, owner(s) of the following legally described property hereby request the consideration of change in zoning district classification as specified below:

1. Name of Applicant _____

2. Mailing Address _____

Phone Number: Home _____ Business _____

3. Locational Description: Subdivision Name _____

Section _____ Township _____ Range _____

Block _____ Lot No. _____

(If not located in a political subdivision attach legal description.)

4. Existing Use _____

5. Present Zoning District _____

6. Proposed Use _____

7. Proposed Zoning District _____

8. Supporting Information: Attach the following items to the application:

- a. A vicinity map showing property lines, streets, and existing and proposed zoning.
- b. A list of all property owners within contiguous to, and directly across the street from the proposed rezoning.
- c. A statement of how the proposed rezoning relates it to the Comprehensive Plan.

Date _____ Applicant _____

FOR OFFICIAL USE ONLY

FRANKLIN TOWNSHIP ZONING COMMISSION:

Date Filed _____

Date of Notice in Newspaper _____

Date of Notice to Adjacent Property Owner _____

PETITION FOR APPEAL

1. The below signed hereby appeal from the refusal of the Franklin Township Zoning Inspector to issue building permit or zoning certificate as required and refused within the last twenty (20) calendar days.
2. The petitioner hereby supplies the names and addresses of any person, firm or corporation owning premises adjoining and across the street from petitioner's property which is the subject of this appeal in accordance with the provisions of Section 900.6 and 900.7 of the Franklin Township Zoning Resolution. Said list is attached to and made a part of this petition.
3. The petitioner hereby attaches to and makes a part hereof a brief description of his appeal.
4. Filing fee for this petition in the amount of \$ _____ (see Schedule of Fees), is hereby tendered to the Clerk of Franklin Township.

Clerk

Petitioner's Name

Address

FRANKLIN TOWNSHIP CLERK AND ZONING BOARD OF APPEALS ACTION:

1. Date of Public Notice by Publication: _____
2. Date of Mailing Notices to petitioner and above owners in Item 2 above: _____
3. Date of Public Hearing: _____
4. Decision of Board of Zoning Appeals: _____
(Petition Approved or Disapproved)

Reasons for Decision: _____

Zoning Board of Appeals

by: _____

BEFORE THE BOARD OF ZONING APPEALS, FRANKLIN TOWNSHIP,
RICHLAND COUNTY, OHIO

REQUEST FOR VARIANCE/EXCEPTION

No. _____ - _____ (year)

Name

Address

City, State & Zip Code

The undersigned request a variance/exception for property located at: _____

_____ an zoned

_____ district for the following purpose: _____

The section of the zoning ordinance to be varied is _____

The undue hardship or practical difficulties which justify this variance are as follows: _____

Date

Applicant's Signature

Board of Zoning Appeals decision: _____

If granted: Conditional Permit No.: _____ - _____ (year)

APPLICATION FOR A SIGN PERMIT

No. _____ - _____ (year)

When this document is approved by the Zoning Inspector, it shall constitute a sign permit.

LANDOWNER

SIGN ERECTOR

Name

Name

Address

Address

City, State & Zip Code

City, State & Zip Code

Description of sign including size and materials to be used:

A diagram of the proposed sign and its location on the property is attached.

Date

Applicant's Signature

Based upon the information contained in this application and accompanying diagrams, a sign permit is approved/denied.

Reason for Denial: _____

Date

Zoning Inspector