

BOARD OF TRUSTEES OF HARRISON TOWNSHIP
LICKING COUNTY, OHIO
MINUTES OF PUBLIC HEARING MARCH 21, 2016

The Harrison Township Trustees met to hold a Public Hearing on March 21, 2016 at the Township Hall. The meeting was called to order at 9:30 a.m. by the Chairman, Eric Smith and he led those present in the Pledge of Allegiance. The purpose of this hearing is to consider and review proposed amendments to the Harrison Township Zoning Regulations. The Trustees will consider the following Articles: ARTICLE 3 Definitions, ARTICLE 10 District and General Provisions, ARTICLE 12 Agricultural District, ARTICLE 15 Business Districts and ARTICLE 17 Exceptions and Modifications. The Fiscal Officer called the roll, and the following members and guests were present.

Trustee	Eric Smith
Trustee	Mark Van Buren
Trustee	Ray Foor
Fiscal Officer	Carolyn Elder
Zoning Inspector	Tom Frederick
Guest	Vickie Noble, Zoning Secretary
Guest	Dwight Gibson, Jr.
Guest	Jim Hannahs

A court reporter from Anderson Reporting Service was in attendance and recorded the Hearing.

Tom Frederick, Zoning Inspector, presented the proposed changes to the Harrison Township Zoning Resolution. They were reviewed by Article.

Article 3 Definitions - all agreed.

Article 10 District and General Provisions - all agreed

10.11 Accessory Buildings - change 6 feet to 15 feet from any lot lines

Trustee Van Buren inquired about the reason and Tom responded that it would keep everything within the fifteen foot setback.

10.14 Double Wide/Sectional Mobile Homes

ARTICLE 12 Agricultural District - all agreed with a change to 12.7

12.8 Reduction in Area Requirements - propose to delete

Trustee Van Buren ask if 12.7 Agricultural Structures: Area, Width and Yard Requirements, should change the Side Yard from 25 feet on both sides to 15 feet on both sides to make it the same as residential. Discussion was held.

The Trustees decided to change 12.7 Agricultural Structures: Area, Width and Yard Requirements, the Side Yard from 25 feet on both sides to 15 feet on both sides.

ARTICLE 15 Business Districts - all agreed

15.63 and 15.65 were reviewed.

ARTICLE 17 Exceptions and Modifications -all agreed

17.3 was reviewed.

The recommendations from the Licking County Planning Commission were reviewed and considered.

The proposed changes to the Harrison Township Resolution are the 17 pages following this page (page 2 of 19). The proposed changes are in red ink.

-Mark Van Buren moved to adopt the proposed revisions to the Harrison Township Zoning Resolution as presented. The revisions were in ARTICLE 3 Definitions, ARTICLE 10 District and General Provisions, ARTICLE 12 Agricultural District, ARTICLE 15 Business Districts and ARTICLE 17 Exceptions and Modifications as presented. One additional change will be made to 12.7 Agricultural Structures: Area, Width and Yard Requirements, the Side Yard from 25 feet on both sides to 15 feet on both sides. Ray Foor seconded the motion. Roll call: Smith YES, Van Buren YES and Foor YES. The motion passed.

These revisions will take effect on April 20, 2016.

The Chairman adjourned the Public Hearing at 9:53 a.m.

Respectively Submitted,

A handwritten signature in cursive script that reads "Carolyn I. Elder".

Carolyn I. Elder
Harrison Township Fiscal Officer

Proposed Changes and Additions to Article 3 Definitions

CLINIC: ~~A place which provides a range of services by a group of licensed practitioners, their associate and assistant, including the care, diagnosis and treatment of those who are sick, ailing, infirm and/or injured persons, and include the care of those who are in need of medical, surgical or dental attention, but who are not provided with board or room nor kept overnight on the premises.~~

A facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an out-patient basis, including emergency treatment, diagnostic services, training, administration and services to outpatients, employees, or visitors. The term "clinic" includes immediate care facilities. Such facility would operate with fixed hours.

HALFWAY HOUSE: A facility required to be licensed by the state, which provides training, care, supervision, treatment, or rehabilitation to the aged, disabled, those convicted of crimes or those suffering the effects of drugs or alcohol; this does not include day-care centers, family day-care homes, foster homes, schools, hospitals, jails, or prisons.

HOSPITAL: ~~A building or portion thereof used for the accommodation of the sick, injured or infirm people.~~

An institution consisting of one or more buildings, where sick or injured persons are given medical care and, in the course of same, are housed overnight, fed, and provided nursing and related services. This definition shall not include drug rehabilitation facilities, halfway houses, institutions for mentally ill individuals, or other similar facilities.

Proposed changes in 10.11 and 10.14

DISTRICT AND GENERAL PROVISIONS

10.0 DISTRICTS

The Township is hereby divided into the following districts:

- C -1 Conservation District
- AG Agricultural District
- R Residential Districts
- B -1 General Business District
- NB Neighborhood Business District
- LB Local Business District
- GB General Business District
- M-1 General Manufacturing District
- PUD Planned Unit Development District

10.1 COMPLIANCE WITH REGULATIONS

No building shall be erected, converted, or altered, nor shall any building or land be used except for a purpose permitted in the district in which the building or land is located, except as hereinafter provided. No building shall be erected, enlarged or altered except in conformity with the area regulations, minimum yard requirements of this Resolution for the District in which such building is located.

10.2 STREET FRONTAGE REQUIRED

Except as required by other provisions of these regulations, no lot shall have less than required frontage (lot width) as measured along the edge of the road right-of-way of an existing public street. Only one principal dwelling shall be permitted on any residential lot. The minimum road frontage requirement for fronting on a cul-de-sac shall be sixty (60) feet

10.3 TRAFFIC VISIBILITY ACROSS CORNER LOTS

In any R- District on any corner lot, no fence, structure or planting shall be erected or maintained within twenty (20) feet of the corner (the point of intersection of the right-of-way lines), which interferes with traffic visibility across the corner.

10.4 OFF STREET PARKING AND LOADING

In any district, spaces for off-street parking and for off-street loading shall be provided in accordance with the provisions of Article 18.

10.5 ESSENTIAL SERVICES

Essential services shall be permitted as authorized and regulated by law and other resolutions of the Township, it being the intention hereof to exempt such essential services from the application of these regulations.

10.6 UNSAFE BUILDINGS

Nothing in these regulations shall prevent the strengthening or restoring to a safe condition any part of any building or structure declared unsafe by proper authority.

10.7 VACATED STREET OR ALLEY

Whenever any street, alley or other public way is vacated by official action as provided by law, the zoning district adjoining the side of such public way shall be extended automatically, depending on the side or sides to which such lands revert, to include the right-of-way thus vacated, which shall thenceforth be subject to all regulations of the extended district or districts.

10.8 MOBILE HOMES PROHIBITED - EXCEPT

1. A mobile home, garage, basement or temporary structure may be temporarily used as a residence on a lot while a dwelling is being constructed, remodeled or repaired thereon, but such use shall not be continued for more than eighteen (18) months. A separate zoning certificate shall be required for the use of a temporary dwelling quarters, subject to renewal by the Board.
2. As a construction trailer to be used for temporary office or storage space. A permit, on a six (6) month renewable basis, is required.

10.9 MOBILE HOMES/TRAILERS - VISITORS

Not more than one (1) mobile home or trailer may be temporarily used as a residence by a visitor on occupied property owned, leased, or rented by a resident of the Township for a period of ninety (90) days, subject to renewal by the Board, provided that:

1. Joint application is filed with the Zoning Inspector by the aforesaid property resident and the mobile home/trailer owner within seventy-two (72) hours after arrival on the property.
2. All provisions of the Licking County Health Board are complied with.

3. A fee subject to the provision of Article 5.11 has been paid to the Zoning Inspector who may issue a "Temporary Visitor's Zoning Certificate" for a period of ninety (90) days, subject to renewal by the Board.

10.10 TERRITORY NOT INCLUDED - ANNEXATIONS

In every case where territory has not been specifically included within a district or where a territory becomes a part of the unincorporated area of the Township as the result of the disincorporation of any city, town, or portion thereof, or otherwise, such territory shall automatically be classified as a "C-1" District until otherwise classified.

10.11 ACCESSORY BUILDINGS

Accessory buildings shall be ~~distant at least six (6) feet from any dwelling situated on the same lot unless an integrated part thereof; at least six (6) feet from any other accessory building and at least six (6)~~ 15 (fifteen) feet from any lot lines of adjoining lots and meet the same front yard requirements of structures in that district.

10.12 DRAINAGE AND FLOOD PLAIN REGULATIONS

1. Adequate Drainage Required: No principal building shall be erected structurally altered, or relocated on land which is not adequately drained at all times nor which is subject to periodic flooding, nor so that the lowest floor level is less than three (3) feet above the highest anticipated seasonal ground water level.
2. Obstruction to Drainage Prohibited: The damming, filling, relocating or otherwise interfering with the natural flow of surface water along any surface water drainage channel or natural water course shall not be permitted except with approval of the Board and upon recommendation from the Licking County Flood Plain Administrator, and the Licking County Planning Commission (LCPC).
3. Building Restricted Adjacent to Drainage Channels or Watercourses: No building other than a bridge, dam or revetment subject to the aforesaid approval, shall be erected, structurally altered or relocated within twenty (20) feet of the ordinary high water line of such surface water that the lowest floor of said building is less than three (3) feet above the ordinary high ground water line, except with approval of the Board and upon recommendation from the Licking County Flood Plain Administrator.

10.13 AGRICULTURAL EXEMPTIONS

Section 519.02 and 519.25, inclusive, of the Revised Code confer no power on any Board of Township Trustees or Zoning Appeals to prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use of agricultural purposes of the land on which such buildings or structures are located, and no zoning certificate shall be required for any such building or structure.

10.14 DOUBLE WIDE/SECTIONAL MOBILE HOMES

A double wide mobile home will be considered to be the same as a permanent site built dwelling provided:

1. It be affixed to a permanent foundation;
2. The undercarriage, tongue and hitch be removed.
3. Shall comply with the minimum floor square feet of living space and setbacks of the Zoning District in which they are established.

10.15 PERMITS REQUIRED

At the time of application for permit for a Temporary Dwelling or Accessory Building, a permit for the principle structure is also required.

10.16 JUNK YARDS

Junk yards are prohibited when they are determined to be a junk yard as defined in Article 3 of this resolution.

10.17 BUFFERING AND SCREENING

1. REQUIREMENTS

A buffer yard shall be required along the boundary of all neighboring properties any property which proposes to facilitates unlike land use and/or has a zoning classification that allows for an unlike land use from the adjacent properties:

- a. To shield neighboring properties from any adverse external effects of a development;
- b. To shield the development from negative impacts of adjacent uses such as streets or railroads;
- c. To screen public views of rear or side yards and rear facades within double frontage or reverse frontage lots

2. Function and Materials – A buffer as referred to in this section shall be defined as a strip of land, free from buildings, driveways, or other impervious surfaces, that is permanently set aside by the owner for buffering purposes. Buffering shall provide visual and audio screening in order to minimize adverse impacts. It may consist of fencing, plantings, walls, evergreens, berms, rocks, boulders, mounds, or combinations thereof to achieve the same objectives. No buffer design or material shall interfere with the natural drainage of the area, unless it is demonstrated that the drainage is adequately addressed and

accommodated in the lots constructed or to be constructed storm water management infrastructure, and won't affect adjoin lots.

3. Planting Specifications – Size of evergreens and deciduous trees shall be allowed to vary depending on setting and type of shrub. All trees, shrubs, and ground covers shall be planted according to accepted horticultural standards and be live at the time of planting. The buffering shall be significant at the time of planting to provide an immediate effect of visual screening. A landscape plan shall be submitted by the applicant that shows the buffering and this will be required to be approved by the Zoning Inspector. The buffer shall be at least 70% opaque during the winter and at least six foot in height at the time of planting.
4. Plant Species – The plant species selected should be hardy for the particular climate zone in which the development is located and appropriate in terms of function and size.
5. (existing 10.17.2) Installation and Maintenance
 - a. Plant materials must be installed to current nursery industry standards for Central Ohio, within one year of the issuance of the occupancy permit. Plant materials must be properly supported to ensure survival. Support devices such as guy wires or stakes must not interfere with vehicular or pedestrian movement.
 - b. The owner shall be responsible for the maintenance of all landscaping. All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include, but not limited to, mowing (of grass of six (6) inches or higher), edging, pruning, fertilizing, watering, weeding, and other such activities common to the maintenance of landscaping. Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Plant materials which die shall be replaced with plant material of similar variety and size within ninety (90) days. Trees with a trunk diameter in excess of six (6) inches measured twenty-four (24) inches above the ground shall be replaced with ones of similar variety having a trunk diameter of no less than three (3) inches measured twenty-four (24) inches above the ground.
 - c. Irrigation shall be provided to ensure that plants will survive the critical establishment period when they are most vulnerable due to lack of watering. All landscaped areas shall provide a system which provides sufficient water to ensure that the plants become established. The system is not required to be permanent if the plants chosen can survive adequately on their own, once established.
 - d. Protection shall be provided for all landscaped areas, particularly trees and shrubs, from potential damage by adjacent development, including parking or storage areas.
 - e. If the buffer materials have not been installed or maintained in accordance with the standards herein, the Zoning Inspector may issue a violation notice in accordance with the authority given in Article 4.1 - Duties of the Zoning Inspector. If the violation is not remedied according to the violation notice within the time noted in the violation notice, then fines may be implemented in accordance with Article 5.10 - Penalties for Violation.

- f. The Board of Zoning Appeals may grant a single time extension up to one year after a public meeting if substantial evidence is presented to indicate abnormal circumstances beyond the control of the owner or his agent.

Revisions:

05-20-2013

- Article 10.0, added references to NB, LB, GB
- replaced Article 10.17, BUFFERING AND SCREENING (10.17.5, "b" though "f" were not modified)

Previous version: Adopted Date 5-01-2000, Effective Date 5-31-2000, Revised Article 10.16 Date 3-07-05, Added Article 10.17 Effective Date 06-05-08

Proposed change in 12.8...Trustee change in 12.7

AG AGRICULTURAL DISTRICT

12.0 PURPOSE

The purpose of the Agricultural District is to provide an area for agricultural pursuits protected from infringement of unguided urban development; to create and preserve a setting for rural small estate residential development; and, to conserve areas physically unsuitable for intensive development.

12.1 USES PERMITTED IN THE AG DISTRICT

1. Agricultural uses, commercial grain storage.
2. One-family residential dwelling.
3. Utility and service system buildings and lands, public buildings, picnic grounds, religious and educational institutions.
4. Unlighted signs notifying of sale, rental or lease of land or sale of farm goods on the premises on which the sign is maintained having not over four (4) square feet of sign area; signs announcing meeting time and place of civic organizations.
5. Home occupations.

12.2 CONDITIONAL USES IN THE AG DISTRICT*

1. Real Estate, professional, and small announcement signs, subject to the provisions of Article 19.
2. Uses of land including quarrying and mining of natural resource (See Article 20).
3. Cemeteries, golf courses and similar uses.
4. Private aviation field.

* As approved by the Board of Zoning Appeals.

12.3 REQUIRED LOT AREA AND LOT WIDTH IN THE AG DISTRICT FOR RESIDENTIAL USE

Each dwelling shall be located on a lot having an area of not less than forty-five (45,000) thousand square feet and a lot width of not less than one-hundred fifty (150) feet at the building line.

12.4 HEIGHT REGULATION IN THE AG DISTRICT

No dwelling shall exceed two-one half (2 ½) stories or thirty-five (35) feet in height.

Adopted Date 3-17-97

Effective Date 4-16-97

Revised 12.6 Effective Date 01-05-06

12.5 REQUIRED YARD IN THE AG DISTRICT

All dwellings shall have the following minimum yard spaces:

Front Yard	40 feet*
Side Yard	15 feet each side
Rear Yard	50 feet

12.6 REQUIRED FLOOR AREA IN THE AG DISTRICT

Any building intended in whole or part for residential purpose shall meet requirements of Article 13.3

12.7 AGRICULTURAL STRUCTURES: AREA, WIDTH AND YARD REQUIREMENTS

Front Yard	50 feet**
Side Yard	25 feet on both sides change to 15 feet as per Trustees (March 21, 2016 Public Hearing)
Rear Yard	None
Lot Area	None

12.8 REDUCTION IN AREA REQUIREMENTS Propose to delete

~~As provided in Article 17, Exceptions and Modifications.~~

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*Or 70 feet from the center of the road if no R.O.W. has been established.

Corner lots shall provide the minimum front yard requirements on each street side to the lot.

** Or 80 feet from the center of the street if no R.O.W. has been established.

B - BUSINESS DISTRICTS Proposed changes to 15.63 and 15.65

15.0 PURPOSE

The purpose of the Business Districts is to provide for a wide range of retail, outlet and wholesale facilities and services of a nature as to be fully compatible in a business district. In addition to the existing B-1 Business District, there are four (4) additional specific B districts: NB, LB, and GB; and PUD, governing future changes to business zoning.

15.01 NB - “Neighborhood Business District”

The purpose of the “Neighborhood Business District” (NB) is to encourage the establishment of neighborhood businesses and services which tend to meet the daily needs of the residents of the immediate neighborhood. Such districts shall reduce parking and traffic congestion as well as discourage large, regional oriented-businesses or other businesses and services that would affect the neighborhood character of the district. Such businesses would normally operate with fixed hours, light traffic, low noise and lighting as not to affect the adjoining properties. This district is also designed to act as a buffer between more intense non-residential uses and residential uses. Strip center development shall be discouraged.

15.02 LB - “Local Business District”

The purpose of the “Local Business District” (LB) is to provide for a wide range of retail facilities and services for a clientele from a larger geographical area with higher traffic, light and noise volume than the NB district. The hours of operation in this district are less restrictive than those of NB district.

15.03 GB - “General Business District”

The purpose of the “General Business District” (GB) is to encourage the establishment of areas for general business uses which meet the needs of a regional market area. Activities in this district are often large space users, and the customers using such facilities generally are from a larger radius or region creating heavier traffic, noise and light. Hours of operation in this district are generally not limited.

15.1 PERMITTED and CONDITIONAL USES IN THE NB, LB, and GB DISTRICTS

<i>Permitted and Conditional Uses by Business District: P = Permitted C = Conditional NA= Not Allowed</i>	<i>NB</i>	<i>LB</i>	<i>GB</i>
Churches and other places of worship, including Sunday School buildings, located not less than fifty (50) feet from any other lot in any R district; schools and colleges for academic instruction, located not less than fifty (50) feet from any other lot in any R district; public libraries, public museums and public art galleries located not less than twenty-five (25) feet from any other lot in any R district or residence(s). The above must comply with 15.6 Screening and Buffer Yard Requirements	P	P	P
Clothing, shoe, variety stores, hardware, appliance, paint and wallpaper stores.	P	P	P
Antique stores, gift shops, magazine, book and stationery outlets, florist shops, camera and photography shops, sporting good stores, bicycle shops.	P	P	P
Dry cleaning and laundry pick-up stations barber and beauty shops, shoe repair and tailor shops, printing shops.	C	P	P
Nursing homes and licensed day care centers, including adult day care.	C	P	P
Business and professional offices including but not limited to: government offices, medical and dental offices and clinics, law offices, insurance and real estate offices, banks, finance and utility company offices.	P	P	P
Accessory structures to any of above permitted	P	P	P
Public parks and playgrounds, provided that any principal building or community pool shall be located not less than one hundred (100) feet from any other lot in any R district or residence(s)	C	P	P
Grocery stores, meat markets (excluding slaughter facilities), drug stores, bakeries in conjunction with retail sales, restaurants (excluding drive in/ through establishments) and tea rooms. (Hours to be defined during approval hearing with BZA)	C	P	P
Laundromat and Dry Cleaners	C	P	P
Lodges, fraternal and service organizations	C	P	P
Bed and Breakfast	C	P	P
Places of amusement and assembly.	C	C	P
Construction Sales and Service	C	C	P
Pet shops, commercial kennels and veterinary establishments; however, pet shops and commercial kennels shall be located a minimum of two hundred (200) feet from any lot used for residential purpose.	C	C	C
Single family dwelling, accessory use or structure	C	C	C
Furniture and Department Stores	NA	P	P

Adopted Date 8-18-2015
Effective Date 9-17-2015

<i>Permitted and Conditional Uses by Business District: P = Permitted C = Conditional NA= Not Allowed</i>	NB	LB	GB
Motor vehicles sales, filling stations (excluding junk yards, motor vehicle disassembly and sale of used motor vehicle parts)	NA	P	P
Cemeteries, mortuaries, funeral homes and crematories	NA	P	P
Supermarket	NA	C	P
Public storage facility	NA	C	P
Motor vehicle services and repair.	NA	C	P
Drive-in/through retail, restaurants and refreshment stands, bulk sales and storage not including outdoor unfenced storage.	NA	C	P
Research facilities	NA	C	C
Golf Courses and their Country Clubs including but not limited to associated retail establishments and meeting facilities.	NA	C	C
Animal pounds	NA	C	C
Hotels and Motels	NA	NA	P
Motion picture theaters, excluding ADULTS ONLY ENTERTAINMENTS FACILITIES.	NA	NA	P

15.2 MAXIMUM BUILDING SIZE, REQUIRED LOT AREA AND WIDTH, MINIMUM REQUIRED SET BACKS, LOCATION AND BUFFER REQUIREMENTS

	NB Neighborhood	LB Local	GB General
Maximum Building Size	5,000 sq ft	25,000 sq ft	None
Minimum Lot Size	45,000 sq ft	90,000 sq ft	150,000 sq ft
Lot width @ Building Line	150 ft	300 ft	300 ft
Front Yard	50 ft	50 ft	50 ft
Back Yard	50 ft	50 ft	50 ft
Side Yard	15 ft	15 ft	30 ft
Buffer - if abutting residential use	30 ft	50 ft	100 ft
<i>Abutting Roadway Requirements</i> As defined by Licking County road classification map.	Any Roadway type	Must abut a: Major Collector, Major Arterial or Minor Arterial	Must abut a: Major Arterial or Minor Arterial

15.3 SCREENING/BUFFER REQUIREMENTS

A buffer yard shall be required along the boundary of any property which proposes to facilitate unlike

land use and/or has a zoning classification that allows for an unlike land use from the adjacent properties.

See Article 10, Section 10.17, "BUFFERING AND SCREENING", for specifications.

15.4 BUILDING HEIGHT REGULATION IN THE BUSINESS DISTRICT

No building shall exceed two and one-half (2.5) stories or thirty-five (35) feet in height, except as provided in Article 17.

15.5 RESIDENTIAL USE IN A BUSINESS DISTRICT

Any residence in a Business District, except as addressed in this Article, must follow regulations of the R districts; see Article 13.

15.6 B-1 BUSINESS DISTRICT

15.61 USES PERMITTED IN THE B-1 BUSINESS DISTRICT

1. Churches and other places of worship, including Sunday School buildings, located not less than fifty (50) feet from any other lot in any R district; schools and colleges for academic instruction, located not less than fifty (50) feet from any other lot in any R district; public libraries, public museums and public art galleries located not less than twenty-five (25) feet from any other lot in any R district or residence(s). The above must comply with 15.66 Screening and Buffer Yard Requirements.
2. Public parks and playgrounds, provided that any principal building or community pool shall be located not less than one hundred (100) feet from any other lot in any R district or residence(s).
3. Furniture, department, clothing, shoe, variety stores, hardware, appliance, paint and wallpaper stores and bicycle shops.
4. Grocery stores, supermarkets, meat markets excluding slaughter facilities, drug stores, bakeries in conjunction with retail sales, restaurants and tea rooms.
5. Antique stores, gift shops, magazine, book and stationery outlets, florist shops, camera and photography shops, sporting good stores, motion picture theaters, excluding ADULTS ONLY ENTERTAINMENTS FACILITIES.
6. Barber and beauty shops, shoe repair and tailor shops, printing shops.
7. Business and professional offices, medical and dental offices and clinics, law offices, insurance and real estate offices, banks, finance and utility company offices.
8. Lodges, fraternal and service organizations.
9. Public storage facility.
10. Golf Courses and their Country Clubs including but not limited to associated retail establishments and meeting facilities.
11. Accessory structures to any of above permitted uses.

15.62 CONDITIONAL USES IN B-1 BUSINESS DISTRICT

1. Motor vehicle services and repair.
2. Vehicle drive-in, drive-in theaters drive-in restaurants and refreshment stands, bulk sales and storage not including outdoor unfenced storage.
3. Animal pounds, pet shops, kennels and veterinary establishments; however, pet shops and kennels shall be located a minimum of two hundred (200) feet from any lot used for residential purpose.
4. Places of amusement and assembly.
5. Adult only entertainment facility providing it is not established within a fifteen hundred (1500) foot radius of any or all property lines of churches, day care facilities, nursing homes, any schools, library or teaching facilities whether public, private, governmental or commercial, boundaries of residential districts, recreational facilities, lot lines of lots or PUD's devoted to residential use, from an already existing adult oriented business or one that has received a conditional use permit, or from any structure that contains a residence.
6. Research facilities.
7. Single family dwelling, accessory use or structure.
8. Construction Sales and Service.
9. Laundromat, dry cleaning and laundry pick-up stations
10. Day care centers and nursing homes
11. Motor vehicles sales, filling stations (excluding junk yards, motor vehicle disassembly and sale of used motor vehicle parts), motor cycle shops.
12. Motels and hotels shall be subject to the provisions of Article 23. (See Article 23.0 HOTELS AND MOTELS, General Requirements for additional requirements.)
13. Cemeteries, mortuaries, funeral homes and crematories

15.63 REQUIRED LOT AREA AND LOT WIDTH IN THE B-1 BUSINESS DISTRICT

1. All residential uses to be accommodated in the B-1 Business District shall meet the minimum lot width requirements of the R-45 Residential District.
Please see Article 13.7
2. All commercial buildings shall be located on a lot having an area of not less than forty-five thousand (45,000) square feet and a lot width of not less than one hundred fifty (150) feet at the building line.

15.64 BUILDING HEIGHT REGULATION IN THE B-1 BUSINESS DISTRICT

See Article 15, Section 15.4 BUILDING HEIGHT REGULATION IN THE BUSINESS DISTRICT.

15.65 BUILDING YARDS IN THE B-1 BUSINESS DISTRICT

1. **Residential Uses:** each residence in the B-1 Business District shall meet the minimum yard requirements of the R-45 Residential District.
Please see Article 13.8
2. **Commercial Structures:** each shall have the following minimum yard spaces:
 Front Yard: 50 feet
 Side Yard: 15 feet each side
 Rear Yard: 50 feet

Corner lots shall meet minimum front yard requirements of each side of the lot frontage.

15.66 SCREENING/BUFFER YARD REQUIREMENTS

A buffer yard shall be required along the boundary of any property which proposes to facilitate unlike land use and/or has a zoning classification that allows for an unlike land use from the adjacent properties.

The width of a buffer shall be in accordance with the following:

Any Residential District and/or Use:	30 feet wide
M-1 District and/or Use:	10 feet wide

See Article 10, Section 10.17, "BUFFERING AND SCREENING", for specifications.

15.67 RESIDENTIAL USE IN A B-1 BUSINESS DISTRICT

See Article 15, Section 15.5 RESIDENTIAL USE IN A BUSINESS DISTRICT.

Revisions:

05-20-2013

- Added references to B-1 Business district throughout
- Article 15.3, deleted requirements, added reference to Article 10.17.
- Inserted Article 15.6

Previous versions: Adopted Date 5-20-2013, Effective Date 6-19-2013

Adopted Date 12-03-2007, Effective Date 01-03-2008

EXCEPTIONS AND MODIFICATIONS

Proposed change to 17.3

17.0 LOT OF RECORD

When a lot, which is an official lot of record at the time of adoption of this Resolution, does not comply with the area, yard, or other requirements of this Resolution, such lot may be used as a building site provided, however, that the yard and other requirements of the district are complied with as closely as possible, in the opinion of the BOARD of ZONING APPEALS.

17.1 EXCEPTION TO YARD REQUIREMENTS

1. Allowable Projections of Residential Structures Into Yards:
Any structure may project into the required front yard if existing structures on both adjacent lots in the same district have less than the required minimum front yard, provided, however, that such projection shall extend no closer to the street than either of the adjacent structures.
Architectural features of residential buildings such as window sills, cornices, roof overhangs, may project into the requirements provided such projection is not more than four (4) feet and does not reach closer than four (4) feet to any lot line.
2. Allowable Projections of Business Structures Over Sidewalk:
Signs, awnings, canopies, marquees, are permitted to overhang the sidewalk in the Business District only providing that overhanging signs are a minimum of eight (8) feet above the sidewalk at any point and that all other structures are a minimum of eight (8) feet above the sidewalk at any point.
3. Allowable Projection of Accessory Building into Rear Yard:
One-story accessory buildings may project into only rear yards abutting on a thoroughfare providing such projection extends not closer than six (6) feet to the rear lot line.

17.2 EXCEPTIONS TO HEIGHT LIMITS

The height limitations of this Resolution shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy; monuments, water towers, transmission towers, chimneys, smoke stacks, silos, derricks, conveyors, flagpoles, radio towers, masts and aerials.

Propose to delete

17.3 PROVISION FOR REDUCTION IN AREA REQUIREMENTS

1. ~~There are no provisions for reductions in lot area for other districts, i.e. R45, R70, B-1, LB, NB, GB, and M-1 in this resolution, except when such lot(s) is (are) part of a Planned Unit Development (PUD).~~
2. ~~The lot area and frontage requirements for any residential lot in an AG District served by public water system and public sewage system may be reduced as hereinafter specified:~~

- a. ~~Water Available~~
Minimum lot area _____ 45,000 Square Feet
Minimum lot frontage* _____ 150 feet

- b. ~~Sewage Available~~
Minimum lot area _____ 45,000 Square Feet
Minimum lot frontage* _____ 150 feet

- c. ~~Sewage and Water Not Available~~
Minimum lot area _____ 70,000 Square Feet
Minimum lot frontage* _____ 150 feet

*At the Building Line

Revisions:

05-20-2013

- Edited reference from B-1 Business District to Business District