

LITCHFIELD TOWNSHIP ZONING RESOLUTION CONTENTS

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LITCHFIELD TOWNSHIP ZONING RESOLUTION

Article I. INTRODUCTION

WHEREAS, the Board of Trustees of Litchfield Township deems it in the interest of the public health, safety, morals, comfort, and general welfare of said Township and its residents to establish a general plan of zoning for the unincorporated area of said Township.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Litchfield Township:

SECTION 101. PURPOSE

For the purpose of promoting public health, safety, morals, comfort, and general welfare; to conserve and protect property and property values; to secure the most appropriate use of land; and to facilitate adequate but economical provision of public improvements; all in accordance with a comprehensive plan, the Board of Trustees of this Township finds it necessary and advisable to regulate the location, height, bulk, number of stories, and size of buildings, and other structures, including tents, cabins, and trailer coaches, percentages of lot area which may be occupied, set-back building lines, sizes of yards, courts and other open spaces, the density of population, the uses of buildings and other structures including tents, cabins, and trailer coaches, and the use of land for trade, industry, residence, recreation or other purposes and for such purposes divides the unincorporated area of the Township into districts or zones.

SECTION 102. DISTRICTS

102.01. Establishment of Districts

For the purpose of carrying out the provisions of this resolution, the Township is hereby divided into the following districts:

- 102.01.1.** Residential District (R)
- 102.01.2.** Circle District (Circle)
- 102.01.3.** Commercial District (C)
- 102.01.4.** Industrial District (I)

Agricultural activities may be conducted in any district except when subject to zoning control in a major subdivision.

102.02. Zoning Districts Map

The districts or zones and their boundary lines are indicated upon a map entitled "Zoning Districts Map of Litchfield Township, Medina County, Ohio," which original map, together with all notations, references, amendments and changes is maintained in the office of the Zoning Inspector.

SECTION 103. GENERAL REGULATIONS

- 103.01.** Any building construction, modifications, or alterations shall be in conformance with the regulations of the district where the building is located.
- 103.02.** Any land or building shall be used solely for the purposes permitted in the district in which the land or building is located.

103.03. Each building must have its own open space.

103.04. Any parcel of land, with or without buildings, shall maintain the minimum lot width and lot area requirements of this resolution. Any parcel of land without minimum lot width and/or lot area requirements shall be created and transferred as a non-buildable lot.

SECTION 104. INTERPRETATION

In interpretation and application, the provisions of this Resolution shall be held to the minimum requirements adopted for the promotion of public health, safety, morals, comfort, and general welfare.

Nothing herein shall repeal, abrogate, annul or in any way impair or interfere with any provisions of law or any rules or regulations, other than zoning regulations, adopted or issued pursuant to law relating to the construction and use of buildings or premises.

Where this Resolution imposes a greater restriction upon the use of buildings or premises or upon the height of buildings or requires larger yards than are imposed or required by other provisions of law, rules, regulations, covenants or agreements, the provisions of this Resolution shall control, but nothing herein shall interfere with, abrogate, or annul any easements, covenants, deed restrictions or agreements between parties which impose restrictions greater than those imposed by this Resolution.

SECTION 105. VALIDITY

Each section, sub-section, provision, requirement, regulation or restriction established by this Resolution or any amendment thereto, is hereby declared to be independent, and the holding of any part to be unconstitutional, invalid or ineffective for any cause shall not affect nor render invalid the Resolution or amendments thereto as a whole or any other part thereof except the particular part so declared to be invalid.

SECTION 106. WHEN EFFECTIVE

Note - The original Litchfield Township Zoning Resolution was adopted August 21, 1950. Revision dates noted are dates revisions were passed, but not necessarily effective, per ADMINISTRATION, IV. Amendments, J. Effective Date, Referendum (See Appendix A)

Article II. RESIDENTIAL

SECTION 201. AGRICULTURE

Land in any district may be used for agricultural purposes. Anyone erecting an agricultural structure may be requested to sign a statement confirming the fact that the building under construction is being built for and will be used for agricultural purposes. If the accessory building purpose is changed from the definition of agriculture as stated in the Ohio Revised Code, the owner must obtain a zoning permit and meet the current zoning resolution. A main residence constructed on agricultural property shall conform to the regulations contained in this resolution.

SECTION 202. CLASSIFICATION OF USES FOR RESIDENTIAL PROPERTIES

The following uses and no other shall be residential uses and permitted in all residential and agricultural districts: Single residences, and accessory buildings, but excluding tents, cabins, trailer coaches and mobile homes. Single residences and accessory buildings require a permit.

One trailer coach or mobile home may be temporarily used as a residence on a lot while a permanent residence is being constructed thereon. The permit is renewable every three (3) months for a maximum of one (1) year.

Roadside stands consisting of removable structures used solely for the display and sale of agricultural products. Such stands shall be at least twenty-five (25) feet back from the traveled portion of the road, with adequate facilities maintained for off-the-road parking.

SECTION 203. MINIMUM LOT AREA PER RESIDENCE

The minimum lot area requirements for a single residence shall be two hundred (200) foot frontage, continuous to the minimum building setback line, by three (3) acres. For lots designated on a recorded plat prior to November 6, 1974, minimum acreage is one hundred and fifty (150) foot frontage, continuous to the minimum building setback line, by one and one half (1 1/2) acres and shall meet the required area necessary for an on-site septic system.

There shall be one (1) main residential building per lot.

SECTION 204. MINIMUM SIZE OF SINGLE RESIDENCE

- 204.01.** Living space for a single story residence shall be considered as the outside measurement of the foundation or foundation walls. In a two-story residence, living space shall be considered as the outside measurement of the foundation or foundation walls plus the outside measurement of the second story structure. Excluded are attics, basements, porches, garages, stoops, breezeways, or terraces in both one (1) and two (2) story residences.
- 204.02.** Every single story residence having a full basement shall have a first floor space designed and used for living quarters of not less than twelve hundred (1200) square feet.
- 204.03.** Every bi-level residence having a ground level shall have an upper floor space designed and used for living quarters of not less than twelve hundred (1200) square feet.
- 204.04.** Every single story residence having less than a full basement shall have a first floor space designed and used for living quarters of not less than twelve hundred (1200) square feet.
- 204.05.** Every one and one-half (1 1/2) and two (2) story residence having a full basement shall have a first floor space designed and used for living quarters of not less than nine hundred (900) square feet with a total square footage of not less than fourteen hundred (1400) square feet.
- 204.06.** Every one and one-half (1 1/2) and two (2) story residence hereafter erected, converted, enlarged or reconstructed, having less than a full basement shall have a first floor space designed and used for living quarters of not less than one thousand (1000) square feet with a total square footage of not less than fourteen hundred (1400) square feet.

204.07. Every split-level residence shall have a total floor space designed and used for living quarters of not less than twelve hundred (1200) square feet.

204.08. The structure shall be less than a height of 35 feet.

SECTION 205. BUILDING PLACEMENT

205.01. Side yard and rear yard clearance shall be a minimum of fifteen (15) feet.

205.02. Setback

205.02.1. Setback from road right-of-way shall be a minimum of one hundred (100) feet.

205.02.2. For rear lots the setback will be 50' from the point of where minimum lot width of 200' begins.

205.03. Corner lot setback from side road right-of-way shall be a minimum of fifty (50) feet.

205.04. Driveways shall maintain a five (5) foot side yard clearance.

205.05. Any rear lot driveway having a thirty (30) foot access strip must maintain a five (5) foot minimum side yard clearance.

SECTION 206. ACCESSORY BUILDINGS

206.01. Residential accessory structure shall follow residential building placement.

206.02. Any structure over one hundred and forty-four (144) square feet shall require a zoning permit.

206.03. No disabled vehicle, including trailer, semi-trailer, truck box, or house trailer, may be used as an accessory structure.

206.04. The structure shall be less than of a height of 30 feet.

SECTION 207. REGULATION OF LAKES AND PONDS

Public or private ponds or lakes containing over one and one-half (1 1/2) feet of water depth shall require a zoning permit.

A pond or lake shall have its high water line no closer than fifteen (15) feet from the side lot and/or rear lot lines or from any residence.

The high water line of a pond or lake shall be a minimum of fifty (50) feet from the right-of-way line of any road, said right-of-way line shall be deemed to be thirty (30) feet from the center of the road. On a corner lot, ponds or lakes shall be a minimum of fifty (50) feet from the right-of-way line on both roads, said right-of-way line shall be deemed to be thirty (30) feet from the center of both roads.

Ponds or lakes shall meet standards and specifications of the Medina County Soil and Water Conservation District, and/or Chapter 1521 of the Ohio Revised Code.

Upon making application for a zoning permit, the applicant will be required to submit to the Zoning Inspector a copy of the proposed pond and/or lake plans which have been reviewed and stamped by the Medina County Soil and Water Conservation District and Medina County Engineering Department.

SECTION 208. SWIMMING POOLS

A private in-ground or above-ground pool, eighteen (18) feet in diameter or two hundred and fifty-four (254) square feet in surface area or larger, shall be considered a structure and shall require a zoning permit. The construction, plumbing, and electrical requirement, inspection, and other safety facilities shall be regulated by the applicable governmental codes. Such pools shall not be located closer than one hundred (100) feet from the front right-of-way line of any road and shall conform to all required side and rear yard set-back lines. In-ground pools shall be completely surrounded by a fence or wall not less than four (4) feet in height. Above-ground pools shall have some means of deterring access to the pool. All fencing and safety requirements shall be in place no later than thirty (30) days from installation of the pool.

SECTION 209. FENCES

209.01. Purpose

The purpose of this section is to provide for the type, location, and size of fences constructed in residential areas and to ensure that the fences will enhance the Township as a whole and enhance rather than detract from the value of properties surrounding them.

209.02. Residential Uses

Fences shall not exceed six (6) feet in height to within fifty (50) feet of the road right-of-way, from which point they shall not exceed forty-two (42) inches in height to the road right-of-way, unless they do not obstruct the view, in which case they may be forty-eight (48) inches in height. Already existing homes closer than fifty (50) feet to the road right-of-way may erect a fence taller than forty-two (42) inches in height up to the front corner of the house. Fences shall be well maintained.

209.02.1. All fences, except where noted, shall require a permit. Small portions of fences used for landscaping do not require a permit.

209.02.2. Snow fence shall be temporary in nature and purpose and shall not be used as a permanent fence. No zoning permit is required.

209.02.3. Barbed wire and electrical fence shall be used only for farm animal containment.

209.02.4. Fences and posts are to be installed on applicant's side of the property line.

209.02.5. Prohibited types shall include, but are not limited to, razor wire.

SECTION 210. CONDITIONAL ZONING

Under certain conditions set forth in METHODS AND PROCEDURES, Section II. Conditional Zoning Permit, the Board of Zoning Appeals may issue a Conditional Zoning Permit in any residential district. Uses include:

210.01. Religious uses including churches, places of worship and cemeteries.

- 210.02.** Educational uses including public and parochial schools, public libraries and public museums.
- 210.03.** Health care uses including doctor's offices, clinics, nursing and convalescent homes, and hospitals.
- 210.04.** Recreational uses including publicly owned parks and playgrounds.
- 210.05.** Government owned, leased or operated buildings, or facilities such as township halls, community centers, road maintenance buildings, fire and/or police stations, public parks or cemeteries.
- 210.06.** A personal residence or family home used as a tourist home, boarding house, rooming house or a bed and breakfast.
- 210.07.** Assisted Living and Independent Living

A Conditional Zoning Permit shall be issued when reasonable conditions are established which will ensure harmony of land uses and will not adversely affect the general welfare, health and safety of the public.

In order to accomplish these objectives, provision is made in this Resolution for a more detailed consideration of each certain specified activity as it may relate to proposed conditions of location, design, size, operation, intensity of use, generation of traffic and traffic movements, concentration of population, processes and equipment employed, amount and kind of public facilities and service required, together with many other possible factors. Conditional Uses are reviewed annually by the Zoning Inspector.

SECTION 211. HOME OCCUPATION

Home occupations may be permitted as an accessory use according to the definitions and criteria established below, which uses are compatible with the residential character of the surroundings.

211.01. DEFINITION

- 211.01.1.** Type 1 home occupation is a non-residential use conducted entirely within a residence and carried on by the inhabitants thereof which use is clearly incidental and secondary to the use of the residence for residential purposes and does not change the character of the residence.
- 211.01.2.** Type 2 home occupation is a non-residential use utilizing an accessory building on a residential property and is carried on by the property's residents and a maximum of one employee, which use is clearly incidental and secondary to the use of the property for residential purposes.
- 211.01.3.** Type 3 home occupation is an activity which involves the use of commercial vehicles or equipment operated away from the residential premises for business purposes, but parked, stored, or serviced on the residential premises without creating a nuisance and is clearly incidental and secondary to the use of the residence for residential purposes.

211.02. TYPE 1 CRITERIA - HOME OCCUPATION

- 211.02.1.** Such use shall be conducted by persons residing on the premises.
- 211.02.2.** Such occupation shall be carried on entirely within the residence.

- 211.02.3. Such occupation shall be clearly incidental and subordinate to its use for residential purposes.
- 211.02.4. The use of the residences shall not constitute primary or incidental storage facilities for a business, industrial, or other commercial activity conducted elsewhere.
- 211.02.5. No traffic shall be generated by such occupation in greater volume than would normally be expected in a residential neighborhood.

211.03. TYPE 2 CRITERIA - HOME OCCUPATION

- 211.03.1. Such use shall be conducted by persons residing on the premises. Non-resident employees are allowed.
- 211.03.2. Such utilization shall take place within the residence or accessory building. Refer to Section 205 for building placement.
- 211.03.3. Such utilization shall be clearly incidental and subordinate to the land use for residential purposes, and there shall be no new buildings or building expansion specifically constructed for any home occupation.
- 211.03.4. All activity, material, goods or equipment indicative of the occupation, shall be within an enclosed structure.
- 211.03.5. The use of the accessory building shall not constitute primary or incidental storage facilities for a business, industrial, or other commercial activity conducted elsewhere.
- 211.03.6. No traffic shall be generated by such occupation in greater volume than would normally be expected in a residential neighborhood.
- 211.03.7. One non-illuminated permanent sign, a maximum of four (4) square feet, shall be permitted. No permit is required.
- 211.03.8. No equipment or process shall be used in such home occupation, which would cause a nuisance to neighbors such as noise, vibration, glare, fumes, odors or electrical interference. Evidence of the above objectionable elements shall not be discernible beyond the lot lines of the property.

211.04 TYPE III CRITERIA-HOME OCCUPATION

- 211.04.1. Only a resident of the premises may utilize residential property for parking, storing or servicing any commercial vehicle or equipment.
- 211.04.2. The activity conducted must not create a nuisance and must be clearly incidental and subordinate to the use of the premises for residential purposes.
- 211.04.3. All commercial motor vehicles or commercial equipment shall not be visible from the public way or adjacent property.

- 211.04.4. No commercial equipment shall be parked in any required side yard.
- 211.04.5. The maximum gross weight of each piece of commercial equipment or vehicle shall not exceed forty thousand (40,000 lbs) pounds allowable weight limits of the road where the home occupation is located.

SECTION 212. SUBDIVISIONS AND REAR LOTS

- 212.01. Any parcel of land that is to be subdivided must be approved by two (2) Township Trustees, or the Township Zoning Inspector and one (1) Township Trustee. A notice will be sent to the Township Zoning Inspector if he did not sign the document. Notification of this action will be made public at the next Trustee meeting. A complete plat plan showing lot sizes, roads, drives, and access to existing roads shall be submitted. The plat plan must address topography, waterways, swales, and the impact on adjoining lands. Medina County Planning Commission and Medina County Soil and Water Conservation will study the subdivision along with the Rural Lorain County Water Authority, Buckeye School District, and Lorain-Medina Rural Electric.
- 212.02. Rear Lot Development shall be a permitted use subject to the following conditions:
- 212.03. A rear lot is a lot behind a lot, or lots, that meets current zoning requirements.
- 212.04. No residence shall be erected in any district on a lot not meeting the required frontage on a public road per Section III. Minimum Lot Area Per Residence of this Resolution except as herein described. All rear lots shall have a permanent access thereto provided over an unoccupied strip of land of at least thirty (30) feet in width for its full length, duly recorded in the office of the Medina County Recorder. If more than one lot is to be located on backland and these lots are intended to utilize the same access strip, then said access shall be no less than sixty (60) feet in width. Said strip shall not comprise any part of any lot width or lot yard or lot area required by this Resolution. Each residential lot utilizing such strip for access shall otherwise comply with all of the requirements of this Resolution. In addition, minimum lot width must be maintained for at least fifty (50) feet, which shall be the minimum building setback line. Single access strips must be at least four hundred (400) feet apart, and double access strips (60 feet) must be at least six hundred (600) feet apart.

SECTION 213. REGULATION OF TELECOMMUNICATION FACILITIES

Telecommunication facilities (TCFs) and accessory structures in a commercial/industrial district will be considered a permitted use and subject to the following requirements:

- 213.01. All towers shall be of a monopole and/or lattice design. Towers and antennas shall be designed to meet all Medina County Building Department requirements. Telecommunication facilities, equipment facilities, and support structures shall be designed so as to blend in with the existing surroundings to the extent feasible, including the use of compatible colors.
- 213.02. Tower location, equipment facilities, and any support structures and attachments shall conform to current setbacks for building location as described in the Zoning Resolution.

- 213.03.** Existing mature tree growth and natural landforms on the site shall be preserved where possible and the tower, equipment facilities, and support structures shall be adequately screened to maintain the maximum aesthetic value possible. A landscaped buffer area of not less than fifteen (15) feet in depth shall be placed between the communication facilities and the public right-of-way and any adjacent properties from which there is a direct view of the facilities other than the tower itself. The fifteen (15) foot landscape buffer shall consist of a tight screen fence of hardy evergreen shrubbery not less than six (6) feet in height. The landscaping shall be continuously maintained and promptly restored, if necessary.
- 213.04.** Co-location and site sharing shall be used whenever possible. TCFs should accommodate Township fire and safety communications.
- 213.05.** Any temporary facilities should meet the above criteria and be limited to a one hundred and twenty (120) day term.
- 213.06.** Site Plan Review
- 213.07.** The applicant for a TCF shall be responsible for all expenses incurred by the Township for any technical and/or engineering services deemed necessary by the Zoning Inspector, Zoning Commission or the Board of Township Trustees to issue a zoning permit.
- 213.08.** Prior to receiving final inspection by the Zoning Inspector, documented certification shall be submitted to the Zoning Inspector certifying that the regulations for non-ionizing electromagnetic radiation (NIER).

Article III. COMMERCIAL/INDUSTRIAL

SECTION 301. AGRICULTURE

Land in any district may be used for agricultural purposes. Anyone erecting an agricultural structure may be requested to sign a statement confirming the fact that the building under construction is being built for, and will be used for, agricultural purposes. A main residence constructed on agricultural property shall conform to the regulations contained in this resolution.

SECTION 302. CLASSIFICATION OF USES FOR CIRCLE AND COMMERCIAL DISTRICT

- 302.01.** CIRCLE DISTRICT
The purpose of this District is to provide for a variety of retail services and professional establishments which shall conform to the basic use and character of the area known as Litchfield Circle.
 - 302.01.1.** Permitted Uses in Circle District:
 - 302.01.1.1.** Residential uses as well as living quarters adjoining business establishment.
 - 302.01.1.2.** Preparation and processing of food and drinks to be retailed on premises, including but not limited to: bakery, delicatessen, meat market, confectionary restaurant, soda fountain, dairy market. Outside displays can not exceed 10% of a business structure square footage. Business total structures not to exceed 5,000 square feet.

- 302.01.1.3.** General merchandise stores including but not limited to: grocers, drug store, clothing and apparel store, furniture, interior decorators, appliance store, florist and gift shop, hardware, antiques, electronics and computer equipment. Outside displays can not exceed 10% of a business structure square footage. Business structure not to exceed 5,000 square feet.
- 302.01.1.4.** Establishments engaged in providing services including but not limited to: bed and breakfast, beauty shop, barber, hair salon, nail and tanning salon, tailor and dressmaker, financial and legal services, insurance agency, real estate offices, day care facilities, medical and health services, engineering and architectural services. Outside displays can not exceed 10% of a business structure square footage. Business structure not to exceed 5,000 square feet.
- 302.01.1.5.** Other uses similar in character to those listed above, in accordance with the purpose of the circle district, as outlined by the zoning code and guided by the comprehensive plan.
- 302.01.1.6.** If the parcel is being used as a residential use in the Circle District then Section 211 will apply.

302.02. CONDITIONAL ZONING IN CIRCLE DISTRICT

Under certain conditions set forth in METHODS AND PROCEDURES, the Board of Zoning Appeals may issue a Conditional Zoning Permit in the Circle District. Uses eligible for conditional use status for this district are:

- 302.02.1.** Religious uses including churches and places of worship
- 302.02.2.** Educational uses including public and parochial schools, public libraries and public museums.
- 302.02.3.** Gas Service Stations

302.03. COMMERCIAL DISTRICT

The purpose of this district is to provide for commercial uses primarily in the fields of warehousing, manufacturing, wholesaling, and repair, which would have no objectionable effects on the surrounding area of the community.

302.03.1. Permitted Uses:

- 302.03.1.1.** All uses permitted in the Circle District. There are no square footage restrictions and no limitation on outside retail displays in the Commercial District.
- 302.03.1.2.** Wholesale business
- 302.03.1.3.** Warehousing and storage establishments
- 302.03.1.4.** Repair establishments, such as automobile repair, paint or body shops.
- 302.03.1.5.** Yards for storage of stone, coal, lumber or other building materials.
- 302.03.1.6.** Storage and sale of lime, fertilizer, seed, feed and grain.
- 302.03.1.7.** Other establishments including plumbing or heating contractors, monument works, welding shops, bowling alleys and motion picture theaters.

302.03.1.8. Light manufacturing processes that may be operated within the limitations of the Township.

302.04. CONDITIONAL ZONING IN COMMERCIAL DISTRICT

Under certain conditions set forth in METHODS AND PROCEDURES, the Board of Zoning Appeals may issue a Conditional Zoning Permit in the Commercial District. Uses eligible for conditional use status for this district are:

302.04.1. Any conditional use listed for the Circle District

302.04.2. Nursing, convalescent and group homes

302.04.3. Hospital, emergency and urgent care facility.

302.04.4. Recreational uses including publicly or privately owned parks and playground

SECTION 303. AREA, YARD, AND STRUCTURE REQUIREMENTS / RESTRICTIONS FOR CIRCLE DISTRICT

303.01. Circle Lot Area

Three (3) acres, except legally existing lots of record at the date of enactment of this amendment, having sufficient area for the installation of an on-site sewer system pursuant to the regulations of the Medina County Health Department. Lots exempted hereunder may be built upon if written approval from the Health Department for the installation of an on-site sewage disposal system is provided at the time a Zoning Certificate is requested. Where there is no residential use proposed on the lot, the lot area may be reduced to two (2) acres providing it meets all other requirements.

303.02. Circle Lot Frontage

The minimum lot frontage shall be two hundred (200) feet, except for legally existing lots of record at the date of the enactment of this amendment, having a minimum frontage of one hundred and fifty (150) feet. If there is no residential use proposed for a lot, the lot frontage may be reduced to one hundred seventy-five (175) feet providing it meets all other requirements

303.03. Circle Setback

The primary commercial structure shall be set back seventy-five (75) feet from the center of the road. The required front yard may be used for parking except for a landscaped strip twenty (20) feet in width adjacent to the right-of-way and running the entire frontage of the parcel, except for curb cuts. Existing structures in the Circle District may use that structure's set back from the center of the road right of way for any new additions or expansions.

The setback building line on a corner lot shall be in accordance with the provisions governing the road on which the building faces. The side yard clearance on the side road shall be seventy five (75) feet from the centerline of the road.

303.04. Circle Side Yard

When adjacent to a residential district, the side yard adjacent to such district shall consist of a landscaped and planted buffer strip twenty-five (25) feet in width and running the length of the side yard. Natural landscaped screening will be required from the front line of the

commercial structure to the rear lot line. When abutting another commercial lot, the side yard setback of a building shall be no less than twenty (20) feet.

- 303.05.** Circle Rear Yard
When adjacent to a residential district, the rear yard adjacent to such district shall consist of a landscaped and planted buffer strip fifteen (15) feet in width and running the length of the rear yard. Natural landscape screening shall be required the entire rear lot line when abutting land zoned for residential use. When abutting another commercial lot, the rear yard shall be fifteen (15) feet.
- 303.06.** Structure Restrictions
The structure shall not exceed 5,000 square feet and shall be less than a height of 35 feet on a lot.

SECTION 304. AREA, YARD, AND STRUCTURE REQUIREMENTS / RESTRICTIONS FOR COMMERCIAL DISTRICT

- 304.01.** Commercial Lot Area
Three (3) acres, except legally existing lots of record at the date of enactment of this amendment, having sufficient area for the installation of an on-site sewer system pursuant to the regulations of the Medina County Health Department. Lots exempted hereunder may be built upon if written approval from the Health Department for the installation of an on-site sewage disposal system is provided at the time a Zoning Certificate is requested. Where there is no residential use proposed on the lot, the lot area may be reduced to two (2) acres providing it meets all other requirements.
- 304.02.** Commercial Lot Frontage
The minimum lot frontage shall be two hundred (200) feet, except for legally existing lots of record at the date of the enactment of this amendment, having a minimum frontage of one hundred and fifty (150) feet. If there is no residential use proposed for a lot, the lot frontage may be reduced to one hundred seventy-five (175) feet providing it meets all other requirements.
- 304.03.** Commercial Setback
The primary commercial structure shall be set back one hundred (100) feet from the center line of the road. The required front yard may be used for parking except for a landscaped strip twenty (20) feet in width adjacent to the right-of-way and running the entire frontage of the parcel, except for curb cuts. Existing structures in the Circle District may use that structure's set back from the center of the road right of way for any new additions or expansions.
- The setback building line on a corner lot shall be in accordance with the provisions governing the road on which the building faces. The side yard clearance on the side road shall be seventy five (75) feet from the centerline of the road.
- 304.04.** Commercial Side Yard
When adjacent to a residential district, the side yard adjacent to such district shall consist of a landscaped and planted buffer strip twenty-five (25) feet in width and running the length of the side yard. Natural landscaped screening will be required from the front line of the commercial structure to the rear lot line. When abutting another commercial lot, the side yard setback of a building shall be no less than twenty (20) feet.

304.05. Commercial Rear Yard
When adjacent to a residential district, the rear yard adjacent to such district shall consist of a landscaped and planted buffer strip fifteen (15) feet in width and running the length of the rear yard. Natural landscape screening shall be required the entire rear lot line when abutting land zoned for residential use. When abutting another commercial lot, the rear yard shall be fifteen (15) feet.

304.06. Structure Restrictions
The structure shall be less than a height of 35 feet.

SECTION 305. SUPPLEMENTARY REGULATIONS FOR CIRCLE DISTRICT-COMMERCIAL DISTRICT

305.01. Refuse Storage
All outdoor refuse storage areas shall be screened from view from adjacent properties. All refuse shall be stored in rodent-proof containers or enclosures. Refuse storage areas shall be maintained in a neat and orderly fashion so as not to attract insects, rodents, or other pests.

305.02. Parking
Parking and loading as regulated by PARKING FACILITIES (Refer to Section 310).

305.03. Signs
Signs as regulated by SIGNAGE (Refer to Article IV).

305.04. Site Plan Review
All uses permitted in the, Circle District, and Commercial Districts shall be issued zoning permits only after review and approval of the site plans by the Township according to the procedures and requirements of SITE PLAN REVIEW (Refer to Section 601). A change of use shall require a new site plan review.

SECTION 306. "I" DISTRICT - INDUSTRIAL AND MANUFACTURING

306.01. The purpose of the "I" District is to provide for and accommodate industrial uses in the fields of repair, storage, manufacturing, processing, wholesaling, distribution, and sexually oriented business, free from the encroachment of residential, retail, and institutional uses.

SECTION 307. SEXUALLY ORIENTED BUSINESSES

307.01. Purpose and Intent
In recent years, numerous studies in other jurisdictions throughout the nation have shown that Sexually Oriented Businesses have a blighting effect on surrounding land uses including a reduction of property values and an increase in crime. Therefore, it is the purpose and intent of this resolution to regulate the location of Sexually Oriented Businesses in order to protect the property values, residents, locally oriented businesses, churches, parks, libraries, and schools of Litchfield Township from the adverse effect(s) of sexually oriented businesses (S.O.B.'s). Furthermore, by regulating Sexually Oriented Businesses, this resolution will protect and promote the public health, morals, safety and welfare of the Township from the potentially detrimental impact of Sexually Oriented Businesses.

This resolution is not designed to limit and/or restrict any communicative materials, including sexually oriented materials, and/or the rights protected under the First Amendment. Also, it is not the intent of this resolution to restrict and/or deny those adults who desire to patronize such establishments or restrict and/or deny the marketing of

sexually oriented materials by distributors and exhibitors. Furthermore, it is not intended to prohibit or limit the display, sale or rental of descriptive, printed, film or video materials, or any live performance, which taken as a whole, contains serious literary, artistic, political, medical, educational or scientific value.

Sexually Oriented Businesses shall be permitted uses in the intended Zoning District(s) pursuant to the restrictions of this Resolution.

307.02. Definitions of Sexually Oriented Businesses

307.02.1. For purposes of this Resolution, sexually oriented businesses shall include, but not be limited to, any of the following:

307.02.2. Adult Book/Video Store

Any establishment which as one of its principle business purposes consists of the sales or rentals, or for the purpose of display or viewing any one of the following.

307.02.2.1. Books, magazines, periodicals, or other printed materials, photographs, films, motion pictures, video cassettes, or any other video reproductions, slides or other visual representations which depict and/or emphasize adult material, sexual activities, or specified anatomical areas as defined in this Section.

307.02.2.2. Instruments, devices, or paraphernalia, except those classified as medical or contraceptive devices, which are designed and promoted for use in connection with specified sexual activities.

307.02.2.3. Adult Arcade

Any establishment which employs coin-operated, token operated, electronically, electrically, mechanically controlled still or motion picture machines, projectors or other image- producing devices which displays images depicting and/or describing specified sexual activities or anatomical areas.

307.02.3. Adult Cabaret

Any nightclub, bar, restaurant or similar commercial establishment which regularly features:

307.02.3.1. Persons appearing in a state of nudity as described in this section.

307.02.3.2. Live performances which depict, describe, expose specified anatomical areas or specified sexual activities as described in this section.

307.02.3.3. Exhibitions, dance routines, or gyration choreography of persons totally nude, topless, bottomless, or strippers, male or female impersonators or any other similar entertainment or service that constitutes adult material as defined in this section.

307.02.4. Adult Motion Picture Theater

A commercial establishment which regularly depicts or describes specified sexual activities or specified anatomical areas through the use of films, motion pictures, video cassettes, slides, or similar photographic reproductions for any form of consideration.

307.02.5. Adult Theater

A theater, concert hall, auditorium, or similar commercial establishment which, for any form of consideration, regularly features persons who appear in a state of nudity, or live performances which emphasize the exposure of specified sexual activities or specified anatomical areas.

307.02.6. Escort Agency

A commercial use which supplies, offers to supply or advertises to supply "escorts" as defined herein as one of its primary business functions for a fee, tip, or other consideration.

307.02.7. Massage Parlor

Any establishment where for any form of consideration, massages, alcohol rubs, electric, heat or magnetic treatments, or any other manipulations of the human body which promotes or is connected with specified sexual activities or where any person providing such treatment, manipulation, or related service, exposes his or her specified anatomical areas. Sexually Oriented Businesses shall not include the practice of massage in any licensed hospital, nor by a licensed chiropractor, osteopath or massotherapist nor by any nurse or technician working under the supervision of a licensed physician, surgeon, chiropractor or osteopath, nor by trainers for any amateur, semi-professional or professional athlete or athletic team or school athletic program as a sexually oriented business.

307.02.8. Nude Model Studio

Any establishment where a person, for any form of consideration, regularly appears in a state of nudity or displays specified anatomical areas solely to be observed, sketched, drawn, painted, sculpted, photographed or similarly depicted by other persons.

Nude Model Studio does not include:

307.02.8.1. A proprietary school licensed by the State of Ohio.

307.02.8.2. Any college, junior college or university, deriving its support entirely on, or in part, by public taxation.

307.02.8.3. A private college or university that offers accredited educational programs, which are transferable to a college, junior college or university), deriving its support entirely on, or in part, by public taxation.

307.02.9. Sexual Encounter Establishment

Any business, which exists and offers for any form of consideration a place where two or more persons may congregate, associate, or consort for the purpose of specified sexual activities or the exposure of specified anatomical areas, when one or more of the persons is in a state of nudity or semi-nudity. Establishments where a medical practitioner, psychologist, psychiatrist, or similar professional person, licensed by the state to engage in medically approved and recognized sexual therapy, shall not be defined as a sexually oriented business.

307.02.10. Sexually Oriented Businesses Include

All accessory structures, parking areas, and appurtenances thereto.

307.03. Definitions of Sexually Oriented Activities, Attire, etc..

307.03.1. Escort

A person who, for any form of consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

307.03.2. Nudity and State of Nudity

The showing, displaying, depiction or representation of either of the following:

307.03.2.1. The human male or female genitals, pubic area, buttocks, or the areola of the

female breast and/or

307.03.2.2. A state of dress, which fails to cover opaquely human genitals, pubic area, buttocks, or the areola of the female breast.

307.03.3. Semi-nude
Any state of dress which covers no more than the human genitals, pubic area, buttocks and the areolas of the female breast, as well as portions of the body covered by supporting straps or devices.

307.03.4. Bottomless
Less than the full opaque covering of the human male or female genitals, pubic area or buttocks.

307.03.5. Topless
The displaying of a female breast with less than a full opaque covering of any portion thereof below the top of the nipple.

307.03.6. Specified Anatomical Areas
Defined as and includes any of the following:

307.03.6.1. Human male or female genitals.

307.03.6.2. Any clothing or material that is less than completely opaque which covers the human male or female genitals, pubic area, buttocks, anus, or female breasts below a point immediately above the top of the areolas.

307.03.6.3. The human male genitals in a distinctly turgid state, even if completely and opaquely covered.

307.03.7. Specified Sexual Activities
Defined as and includes any of the following:

307.03.7.1. The fondling or any other erotic touching of the human male or female genitals, pubic area, buttocks, anus, or female breasts.

307.03.7.2. Sex acts, actual or simulated, normal or perverted, including but not limited to intercourse, oral copulation, or sodomy.

307.03.7.3. Masturbation, actual or simulated.

307.03.7.4. The human male or female genitals, or female breasts in a state of sexual stimulation or arousal.

307.03.7.5. Excretory functions as a result of or in connection with any of the activities as defined above as "Specified Sexual Activities."

307.04. Location & Restrictions
A sexually oriented business may be located only in accordance with the following:

307.04.1. Sexually Oriented Businesses shall be a permitted use in the intended I-1 Industrial Zones pursuant to the restrictions of this resolution.

307.04.2. No Sexually Oriented Business shall be located on any parcel within 300 feet of any residential structure.

- 307.04.3.** No Sexually Oriented Business shall be located on any parcel within 1,000 feet of any public park, library, church, public playground, private or public school, licensed day care or preschool establishment, or any other establishment where children are kept day or night (also referred to as sensitive uses).
- 307.04.4.** Sexually Oriented Businesses shall be located a minimum of 1,000 feet from any other Sexually Oriented Business.
- 307.04.5.** Sexually Oriented Businesses shall be restricted to one "Sexually Oriented Business" per principle structure and one structure per parcel.
- 307.04.6.** Sexually Oriented Business structures shall be designed to prevent internal activities and displays from being seen from the outside.
- 307.04.7.** All activities, programs, and other events of a "Sexually Oriented Business" shall be adequately and properly supervised so as to prevent any hazard and to prevent any disturbance or nuisance to surrounding properties, residents, or to the Township in general.
- 307.05.** Prevalence of Conforming Use
A "Sexually Oriented Business" which is lawfully and legally located and operating as a conforming use pursuant to the regulations set forth in this resolution, shall not be rendered a "non-conforming use" if a church, school, library or any other sensitive use as described in Section D subsection 3, locates within the 1,000 foot required buffer area.

SECTION 308. REGULATION OF LAKES AND PONDS

Public or private ponds or lakes containing over one and one-half (1 1/2) feet of water depth shall require a zoning permit.

A pond or lake shall have its high water line no closer than fifteen (15) feet from the side lot and/or rear lot lines or from any residence.

The high water line of a pond or lake shall be a minimum of fifty (50) feet from the right-of-way line of any road, said right-of-way line shall be deemed to be thirty (30) feet from the center of the road. On a corner lot, ponds or lakes shall be a minimum of fifty (50) feet from the right-of-way line on both roads, said right-of-way line shall be deemed to be thirty (30) feet from the center of both roads.

Ponds or lakes shall meet standards and specifications of the Medina County Soil and Water Conservation District, and/or Chapter 1521 of the Ohio Revised Code.

Upon making application for a zoning permit the applicant will be required to submit to the Zoning Inspector a copy of the proposed pond and/or lake plans which have been reviewed and stamped by the Medina County Soil and Water Conservation District and Medina County Engineering Department.

SECTION 309. SWIMMING POOLS

A swimming pool for public use shall be considered a commercial use. Such use requires a zoning permit and is subject to a Site Plan Review. The construction, plumbing and electrical requirement, inspection, and other safety facilities shall be regulated by the applicable governmental codes.

SECTION 310. PARKING FACILITIES

310.03. All Class "C" and "I" uses shall provide parking space off the road and outside of the public right-of-way. The parking area size will be determined by the following:

310.03.1. Recreation or Entertainment

310.03.1.1. Dining rooms, restaurants, taverns, night clubs, etc.: One (1) for each two hundred (200) square feet of floor area.

310.03.1.2. Bowling alleys: Four (4) for each alley or lane plus one (1) additional space for each one hundred (100) square feet of the area used for restaurant, cocktail lounge, or similar use.

310.03.1.3. Outdoor swimming pools (private or community), club, lodge, or hall: One (1) for each five (5) person capacity plus one (1) for each four (4) seats or one (1) for each thirty (30) square feet of floor area used for seating purposes, whichever is greater.

310.03.2. Commercial

310.03.2.1. Automobile service stations: Two (2) for each gasoline pump and four (4) for each service bay.

310.03.2.2. Hotels, motels: One (1) for each sleeping room plus one (1) space for each two (2) employees.

310.03.2.3. Retail stores: One (1) for each two hundred (200) square feet of floor area plus one (1) space per two (2) employees.

310.03.2.4. Banks, financial institutions, and similar uses: One (1) for each two hundred (200) square feet of floor area plus one (1) space per two (2) employees.

310.03.2.5. Offices, public or professional, corporate, administration, or service buildings: One (1) for each four hundred (400) square feet of floor area.

310.03.2.6. All other types of business or commercial uses: One (1) for each three hundred (300) square feet of floor area.

310.03.3. Institutional

310.03.3.1. Churches and other places of religious assembly: One (1) for each five (5) seats.

310.03.3.2. Hospitals: One (1) for each bed.

310.03.3.3. Sanitariums, homes for the aged, nursing homes, children homes, and similar uses: One (1) for each two (2) beds.

310.03.3.4. Medical and dental clinics: One (1) for every one hundred (100) square feet of floor area of office examination/treatment room, and waiting room.

310.03.3.5. Elementary and middle school: Two (2) per classroom plus one (1) per every eight (8) seats in assembly halls or auditoriums.

310.03.3.6. Childcare, nursery schools: One and one-half (1.5) spaces per employee.

310.03.4. Industrial - for all types of wholesale manufacturing, storage, and wholesale uses permitted in any industrial district: One (1) space for each employee (on the largest shift for which the building is designed) plus one (1) for each motor vehicle used in the business.

310.04. Any permanent buildings or grounds used for the assembling of persons for a common purpose shall provide space off the road and outside of the public right-of-way for parking.

Such parking space shall provide adequate means of ingress and egress and shall be available for the use of such patrons.

- 310.05.** Whenever a parking area for a commercial or business enterprise is located within or adjacent to a zoned residential district, it shall be screened on sides which adjoin any property used for or zoned for residential purposes. A fence, wall, or planting screen which is used to meet the screening requirements shall be maintained in good condition. The space between the fence or wall and the property line shall be landscaped with grass, hardy shrubs, or evergreen ground cover and maintained in good condition.

SECTION 311. FENCES

- 311.03.** Purpose
The purpose of this section is to provide for the type, location, and size of fences constructed in the commercial/industrial areas, and to ensure that the fences will enhance the Township as a whole and enhance rather than detract from the value of properties surrounding them.
- 311.04.** Commercial Uses
- 311.04.1.** All fencing for commercial and industrial purposes shall require a permit, except for small portions of fences used for landscaping.
- 311.04.2.** Full height shall be restricted to eight (8) feet.
- 311.04.3.** Prohibited types of fences include, but are not limited to, razor wire and electric fence.
- 311.04.4.** Fences shall be well maintained.
- 311.04.5.** Residential districts adjacent to commercial districts may follow commercial or residential fencing regulations.
- 311.04.6.** Fences and posts are to be installed on the applicant's side of the property line.

SECTION 312. PUBLIC UTILITIES, RAILROADS, OIL & GAS REGULATIONS

Are regulated by Ohio Revised Code Sections 1509.39, 519, and 509.23.

SECTION 313. REGULATION OF TELECOMMUNICATION FACILITIES

Telecommunication facilities (TCFs) and accessory structures in a commercial/industrial district will be considered a permitted use and subject to the following requirements:

- 313.03.** All towers shall be of a monopole and/or lattice design. Towers and antennas shall be designed to meet all Medina County Building Department requirements. Telecommunication facilities, equipment facilities, and support structures shall be designed so as to blend in with the existing surroundings to the extent feasible, including the use of compatible colors.
- 313.04.** Tower location, equipment facilities, and any support structures and attachments shall conform to current setbacks for building location as described in the Zoning Resolution.
- 313.05.** Existing mature tree growth and natural landforms on the site shall be preserved where possible and the tower, equipment facilities, and support structures shall be adequately screened to maintain the maximum aesthetic value possible. A landscaped buffer area of not less than fifteen (15) feet in depth shall be placed between the communication facilities

and the public right-of-way and any adjacent properties from which there is a direct view of the facilities other than the tower itself. The fifteen (15) foot landscape buffer shall consist of a tight screen fence of hardy evergreen shrubbery not less than six (6) feet in height. The landscaping shall be continuously maintained and promptly restored, if necessary.

- 313.06.** Co-location and site sharing shall be used whenever possible. TCFs should accommodate Township fire and safety communications.
- 313.07.** Any temporary facilities should meet the above criteria and be limited to a one hundred and twenty (120) day term.
- 313.08.** Site Plan Review
- 313.09.** The applicant for a TCF shall be responsible for all expenses incurred by the Township for any technical and/or engineering services deemed necessary by the Zoning Inspector, Zoning Commission, or the Board of Township Trustees to issue a zoning permit.
- 313.010.** Prior to receiving final inspection by the Zoning Inspector, documented certification shall be submitted to the Zoning Inspector certifying that the regulations for non-ionizing electromagnetic radiation (NIER).

Article IV. SIGNAGE

SECTION 401. PURPOSE

The purpose of this article is to provide a guide to control the use, size, type and location of all allowable signage within the Township so as to protect and preserve the appearance, character and value of adjacent properties and thereby promote the general welfare and safety by providing for the installation of signage of a unified and consistent appearance. It is further intended to reduce the sign or advertising distractions and obstructions that may contribute to traffic accidents.

SECTION 402. COMPLIANCE

Unless specifically exempted in the Article, a sign permit shall be required for each sign in accordance with the Resolution to assure compliance with the following regulations. A sign for which a permit has been issued, cannot be modified, altered, and/or replaced without first securing another permit. The repainting, repairs and/or preventive maintenance of a sign for which a permit has been issued, shall not be considered an alteration requiring a permit. The provisions of this resolution shall not amend or in any way interfere with other rules or regulations governing traffic or public safety signs.

SECTION 403. ZONING CERTIFICATE REQUIRED

- 403.01.** A zoning certificate issued by the Zoning Inspector shall be required prior to the erection, display, relocation, replacement, reinstallation or alteration of any sign, including temporary signs. In addition to the standard requirement regarding applications for zoning certificates, application for signs shall also be accompanied by detailed information regarding the design of the sign including dimensions, materials, method of attachment or support, source of illumination, and the relationship to any building, structure, or road right of way to which it is or is proposed to be installed or affixed.
- 403.02.** ODOT Permits – All signs within six hundred and sixty (660) feet of the right-of-way of Routes 18 and 83 are also subject to regulation by the Ohio Department of Transportation

(ODOT) under Ohio Revised Code, Chapter 5516 and the regulations adopted pursuant to Chapter 5516. Zoning certificates for signs within six hundred and sixty (660) feet of the right-of-way shall not be issued without evidence that a permit has first been issued by ODOT; or notice from ODOT that a state permit is not necessary. Unless the sign meets the exception in Ohio Revised Code 5516.06.

SECTION 404. ZONING CERTIFICATE EXCEPTIONS

No zoning certificate shall be required for:

- 404.01.** Periodic repairs, repainting or maintenance provided the sign is not altered, including but not limited to, the sign face, design or structure.
- 404.02.** Changing the lettering, graphics or information on a sign, specifically approved as a changeable copy sign, whether automatic or manual, and changing the face of any sign (provided such change does not alter the dimensions of the sign).
- 404.03.** All signs erected and maintained by a government body or otherwise erected pursuant to law shall be exempt from requiring a zoning certificate.
- 404.04.** Signs not exceeding four (4) square feet in area.
- 404.05.** A sign(s) as permitted in Section 407.
- 404.06.** A maximum of three (3) temporary signs not exceeding 4 square feet per sign in area per lot or parcel.

SECTION 405. GENERAL REQUIREMENTS

- 405.01.** Height
The height of a free-standing sign shall be measured from the finished grade at the base of the sign to the highest point or element of the sign.
- 405.02.** Frontage
For the purposes of calculating permitted sign area, the frontage of a building shall be the number of linear feet of the facade facing the principal street or containing the main entrance. The frontage of a lot shall be the number of linear feet that the lot abuts on the principal street.
- 405.03.** Illumination
Signs in the Residential districts shall not be illuminated. Signs in the Circle, Commercial, and Industrial districts may be illuminated. Permitted illuminated signs shall conform to the following requirements.
 - 405.03.1** All illuminated signs shall comply with the requirements of the National Electric Code.
 - 405.03.2** Electrical wiring serving any sign shall be installed underground, or on, or within the structure to which the sign is attached.
 - 405.03.3** Any illuminated sign shall employ only light(s) emitting a light of constant intensity. No sign shall be illuminated by or contain flashing, intermittent, rotating or moving light(s).

405.03.4 Any illuminated sign shall be shielded so as to prevent direct light and/or glare from being cast into any adjoining residential area or at vehicles traveling on a public right of way.

405.04 Signs are prohibited in All Districts in the following locations:

405.04.1 No sign shall be attached to or supported by a utility pole, street sign, or traffic control pole.

405.04.2 No sign shall be located within or shall obstruct any public right of way, traffic control device or street identification sign at intersections.

405.04.3 No sign shall be located so as to obstruct sight distance for vehicles.

405.04.4 No sign shall be located or maintained in which any portion of its surface or its supports will interfere in any way with a fire lane, exit or standpipe.

405.05 Prohibited Signs

Unless otherwise specifically permitted herein, the following signs are prohibited in all districts:

405.05.1 No signs may be placed on parked vehicles or trailers on business premises, residential premises and/or lot for the purpose of advertising a business, product, service or the like, except an identification sign which is affixed to a vehicle regularly operated in the pursuance of the day to day business or activity of an enterprise.

405.05.2 No sign visible from a road shall contain any words or symbols that would cause confusion because of their resemblance to highway traffic control or direction signals.

405.05.3 No signs shall hang less than eight and one-half (8.5) feet above a pedestrian walkway or less than fourteen (14) feet above a vehicular path.

405.05.4 No sign shall obstruct the egress from any building.

405.05.5 Signs that employ any parts or elements which revolve, rotate, whirl, spin, or otherwise make use of motion to attract attention in a commercial or industrial district.

405.05.6 Signs or parts containing or consisting of flags, pennants, ribbons, streamers, spinners, or balloons in a commercial or industrial area.

405.05.7 Beacons or searchlights.

405.06 Signs, Measurement of:

The dimensions of a sign shall be calculated based upon the area normally visible from any one direction. The area shall be measured by the smallest square, rectangle, circle or combination thereof, which will encompass the entire advertising device including decorative border, trim cutout and extension. Frames and other structural members, not including advertising matter, shall not be included in calculation of the surface area. A logo, however, is to be considered part of the sign. (For example, a rectangular sign measuring four (4) feet by six (6) feet with a display of both sides shall be considered twenty-four (24) square feet, as would a four (4) feet by six (6) feet sign with a display on only one (1) side.) When separate elements are organized to form a single sign but the elements are separated by open space, the area shall be calculated by determining the geometric form or combination of forms, which comprise all the display area including the space between the elements. (See drawings at end of section.)

SECTION 406. ENFORCEMENT

406.01. Maintenance

The Zoning Inspector may order any sign to be painted or refurbished at least once each year, if needed, to keep the sign in a neat and safe condition. All supports, guides, braces and anchors for such signs shall be maintained in a safe condition. The Zoning Inspector may order removal of any such sign that is not so maintained, and it shall be unlawful for the owners or persons having charge of such sign not to remove the same after receiving notice from the Zoning Inspector to do so.

406.02. Removal

If the Zoning Inspector finds that any sign or other advertising structure is unsafe or insecure to the public, or has been constructed or erected or is being maintained in violation of the provisions of this Resolution, notice shall be given in writing by the Zoning Inspector, to the owner, agent or person having beneficial use of said sign, who shall thereafter immediately correct the condition for which said notice was given. Upon receipt of written notice of the Zoning Inspector, the owner thereof or the person maintaining the same, shall proceed, at once, to put such sign in a safe, secure and/or presentable condition or remove the sign within thirty (30) days.

406.03. Violation

If the Zoning Inspector shall find that any sign or other advertising structure regulated herein is unsafe or insecure or a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of the Resolution, notice shall be given in writing by the Zoning Inspector. If the structure is not removed or altered so as to comply with the standards herein set forth within the time set by the Zoning Inspector, except for portable or temporary signs which must be removed immediately upon notice, in addition to any other lawful remedy, the Trustees then shall have the right to order removal of said sign according to the authority granted to the Trustees by State Legislature.

SECTION 407. SIGNS PERMITTED IN (R) RESIDENTIAL DISTRICTS

407.01. Permanent Signs:

407.01.1 One non-illuminated sign not exceeding four (4) square feet. If Freestanding, such sign shall not be located closer than ten (10) feet from the right of way.

407.01.2 One free-standing sign at each entrance to a residential development not to exceed twenty-four (24) square feet in area and not to exceed six (6) feet in height. Such sign shall not be located closer than twenty-five (25) feet to any road right of way and fifteen (15) feet to any property line. The base and foundation of any sign shall be landscaped.

407.02. Temporary Signs

407.02.1 Three temporary signs, which may be either a wall, or freestanding sign, not exceeding twelve (12) square feet in area shall be permitted for each lot or parcel.

407.02.2 One temporary freestanding sign may be erected on a site during construction or reconstruction of a building for which a valid building permit has been obtained. Such sign shall not exceed twenty-four (24) square feet in area or eight (8) feet in height. Such sign shall not be located closer than ten (10) feet from any right of way or closer

than fifteen (15) feet from any property line and shall be removed within five (5) days after permanent occupancy of the lot or structure.

SECTION 408. SIGNS PERMITTED IN CIRCLE DISTRICT, COMMERCIAL DISTRICT, AND (I) INDUSTRIAL DISTRICT

The following signs shall be permitted in the above Districts and shall conform with the regulations set for herein:

408.01. Detachable Building Sign

408.01.1 Ground or Pole Signs

408.01.1.1 On a lot where multiple business' are located, these regulations permit one (1) freestanding sign that shall not exceed fifty (50) square feet in area nor twenty (20) feet in height.

408.01.1.2 Parcels that have frontage on two (2) or more streets may have a second free-standing sign provided the second ground sign is located on a different street and does not exceed thirty (30) square feet in area nor eight (8) feet in height.

408.01.1.3 Ground signs shall not be located closer than ten (10) feet from any road right of way or closer than twenty-five (25) feet for Commercial/Commercial side lot line or seventy-five (75) feet for Commercial/Residential side lot line. The placement of the ground sign shall be located in the required landscaping or buffer strip, if one is required.

408.01.1.4 Portable signs shall conform to 42 square feet and shall not be located closer than ten (10) feet from any road right of way or closer than twenty-five feet for Commercial/Commercial side lot line or seventy-five (75) feet for Commercial/Residential side lot line.

408.02 Affixed Building Signs

In addition to the other signs permitted by this section, each business shall be permitted only one (1) each of the following:

408.02.1 Wall Signs:

The dimensions of a wall sign shall be based on the linear measurement of the amount of the front of the building or unit(s) utilized by the business. One square foot of sign for each linear foot of this exterior measurement is allowed up to a maximum of eighty (80) square feet per business. For instance, a business utilizing thirty-four (34) feet of the linear front of a given structure would be permitted up to a thirty-four (34) square foot sign regardless of the buildings overall dimensions. All signs shall not project more than 18 inches from the building wall to which they are attached nor shall more than 20% of the signs total height be extended above the top of the wall.

408.02.2 Awning Signs:

Awning signs shall conform to the dimensional restrictions described in the preceding paragraph (408.02.1) of this section. No awning shall extend above the building wall. Posts or columns beyond the building lines shall not be permitted for awnings. Every awning shall be securely attached to and supported by the building.

408.02.3 Projection sign shall be 8 ½ feet above a walkway and not to exceed four (4) feet from the building and to not exceed twelve (12) square feet in size.

408.03 Billboard Signs:

Billboards shall be permitted only in commercial and Industrial districts and land used for agriculture, as required by Section 519.20 of the Ohio Revised Code, and shall require a zoning certificate. Such signs shall be located so as to maintain the same minimum front, side and rear yard requirements as for buildings in that district, except that no such sign shall be located closer than five hundred (500) feet to a dwelling. Nor shall any such sign be permitted closer than five hundred (500) feet to a public park, public or parochial school, library, church, hospital or similar institution. The maximum area of such sign shall be three hundred (300) square feet. The maximum height of such sign shall be thirty five (35) feet. Such signs visible to approaching traffic on either or both sides of a right of way shall have a minimum spacing of at least five hundred (500) feet.

408.04 Service Station Signs

In addition to the other signs permitted in this section, gasoline filling stations may have more than one unlighted, double-faced accessory sign per pump island. Such signs shall have a maximum total area of five (5) square feet and shall be attached to the pump island.

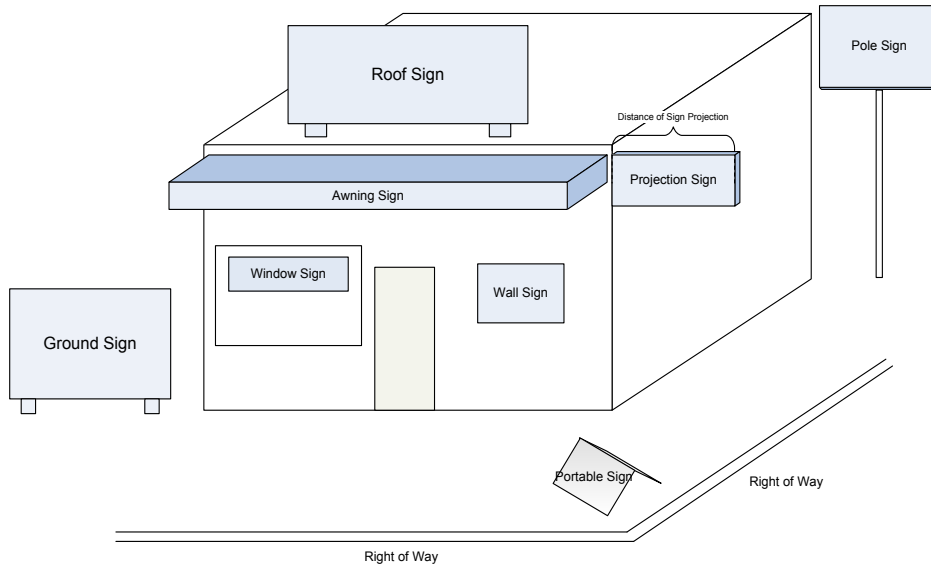
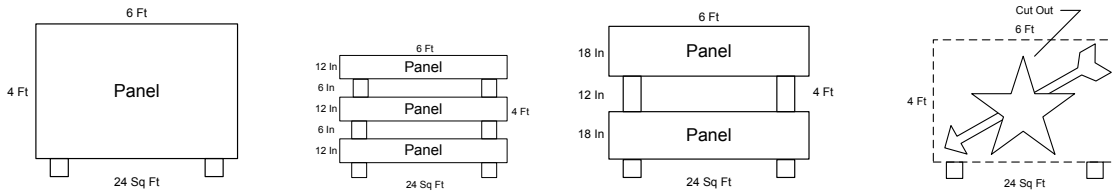
408.05 One three (3) foot by five (5) foot flag sign per business is permitted with no permit required.

408.06 Temporary Signs:

408.06.1 One sign per business, which may be a wall, banner, poster or free-standing, not exceeding thirty-two (32) square feet in area, shall be permitted for not more than 90 days per calendar year. Free-standing temporary signs shall not exceed six (6) feet in height nor shall such signs be located closer than ten (10) feet from the front or any side lot line and must conform with permanent sign placement requirements.

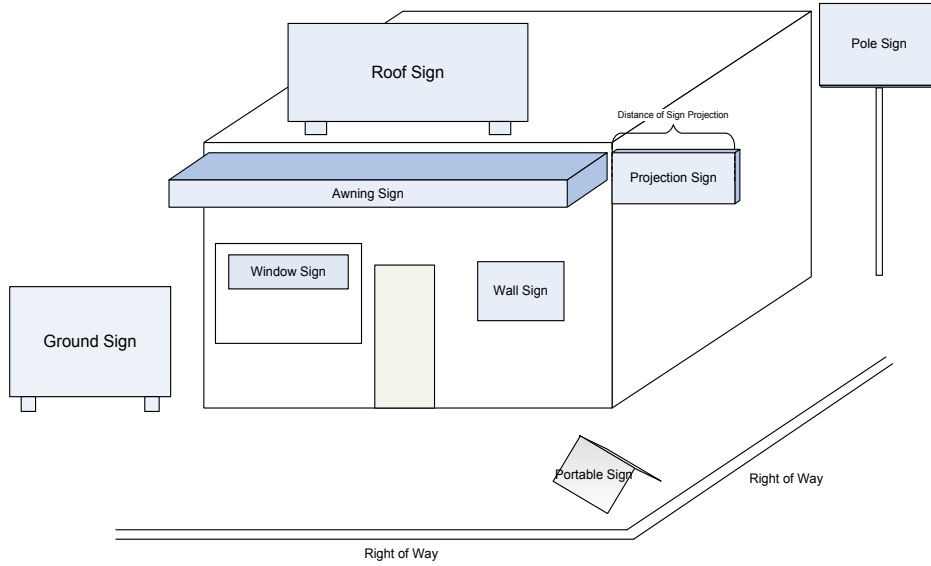
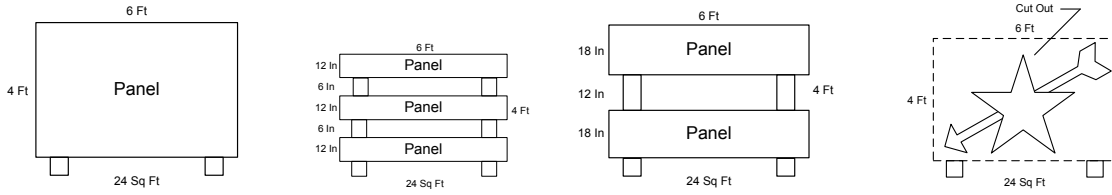
408.06.2 One temporary free-standing sign may be erected on a site during construction or reconstruction of a building for which a valid building permit has been obtained. Such sign shall not exceed thirty-two (32) square feet in area not eight (8) feet in height. Each sign shall be located a minimum of fifteen (15) feet from any street right of way or property line and shall be removed within five (5) days after permanent occupancy of the building.

409 SIGN TYPES AND EXAMPLES



8 ½ feet from bottom of Projection Sign to walkway.

408 SIGN TYPES AND EXAMPLES



8 1/2 feet from bottom of Projection Sign to walkway.

Article V. NONCONFORMING USES

SECTION 501. PURPOSE

The purpose of this article is to provide for the continuation of uses that do not conform to the existing zoning, but which were in operation prior to the enactment of this Resolution or amendments thereto, but not to encourage their continuation. It is the intent of this article that nonconforming uses and structures be afforded reasonable opportunities for expansion, but not be used as grounds for adding other structures or uses prohibited elsewhere in the same district. It is also the purpose of this article to impose limitations on the development of substandard lots.

SECTION 502. POLICY

The lawful use of any building or land existing at the effective date of this Resolution or amendments thereto may be continued, although such use does not conform with the provisions of this Resolution.

SECTION 503. REGULATIONS

503.01. Alterations

A building, structure, lot or parcel containing a nonconforming use may be altered, improved or reconstructed, provided that:

503.01.1. A nonconforming structure may be altered or enlarged once to a total area not to exceed twenty-five percent (25%) more than the area of the existing structure, provided that the alteration or enlargement does not increase the nonconformity.

503.01.2. A nonconforming use may be altered or enlarged to extend the area of such use to a total area not to exceed twenty-five percent (25%) more than the legally existing area of the use, provided that the alteration or enlargement shall otherwise comply with the current regulations of the district in which it is located. Provided, however, that the area or intensity or nature of a use **shall not** be altered or enlarged in any manner which creates or increases a nuisance or hazard affecting or potentially affecting the surrounding properties or the community.

503.02. Nonconforming to Nonconforming Use

A nonconforming use may not be changed to another nonconforming use unless the Zoning Commission determines that the proposed use is less in conflict with the character and uses in the district than the existing nonconforming use.

503.03. Restoration

This resolution shall not prevent the reconstruction, repairing, rebuilding and continued use of any nonconforming building or structure damaged by fire, collapse, explosion or acts of God subsequent to the date of this Resolution, wherein the expense of such work does not exceed sixty percent (60%) of the replacement cost of the building or structure at the time such damage occurred.

503.04. Construction Approved Prior to the Resolution

Nothing in this Resolution shall prohibit the completion of construction and use of a nonconforming building for which a zoning certificate has been issued prior to the effective date of this Resolution or any amendment provided the following:

503.04.1. That construction was commenced within ninety (90) days after the issuance of such certificate.

503.04.2. That the entire building shall have been completed within one (1) year after the issuance of a zoning certificate.

503.05. Displacement

No nonconforming use shall displace a conforming use. A nonconforming use may be changed to another nonconforming use provided that the changed nonconforming use is identical or in less conflict with the character and use of the district than the existing nonconforming use as determined by the Zoning Commission.

503.06. Discontinuance or Abandonment

Whenever a nonconforming use has been voluntarily discontinued for a period of two (2) years or more, the nonconforming use shall not be reestablished and any further use shall be in conformity with the provisions of the Resolution.

503.07. Unsafe Structure

Nothing in this Resolution shall prevent the strengthening or restoring to a safe condition any portion of a building or structure declared unsafe by a proper authority.

SECTION 504. NONCONFORMING LOTS

The lot area, width and frontage requirements established in each of the zoning districts shall apply to all lots, unless such lot was separately owned and was either a parcel of legal record or included in a legally recorded land contract at the time this Resolution took affect and cannot practicably be enlarged to comply with the current requirements.

Article VI. METHODS AND PROCEDURES

SECTION 601. SITE PLAN REVIEW AND CONFORMANCE

601.01 Purpose

The purpose of this Section is to provide adequate review of proposed developments where the uses are of such a nature, because of their size, scale or effect on surrounding property, that review of specific plans is deemed necessary to protect the public health, safety and welfare of the community. Further, the purpose of this Section is to provide for the planning of land and the design of buildings as a coordinated process and for the integration of new developments with the surrounding environment.

601.02 General Requirements

Permitted commercial uses, industrial uses, change of use or other such uses as specifically required by this Resolution shall have a Site Plan Application approved prior to issuance of a Zoning Certificate or a conditional Zoning Certificate. Application requirements, procedures, and review standards of a Site Plan are established below. A Site Plan shall be reviewed by the Zoning Commission to ensure that the general requirements of this Section and the specific requirements of the Zoning Resolution are complied with in the interest of the community and objectives of the Litchfield Township Comprehensive Plan.

601.03 Optional Informal Non-binding Review of Site Plan

It is recommended, but not required, that prior to going through the expense of preparing and submitting a Site Plan Application for formal review and action by the Zoning Commission, a prospective applicant meet for an informal non-binding review with the Zoning Inspector or the Zoning Commission. The purpose is to discuss early and informally the intent and effect of the Zoning Resolution on the proposed development.

601.03.1 To aid the discussion, the applicant may at their discretion, prepare a preliminary plan showing the relationship of the development to surrounding properties, locations of buildings and parking areas, internal circulation pattern, proposed sizes of buildings, and proposed uses to be included in the development.

601.03.2 The informal review is non-binding on either party. No commentary, opinions, suggestions, or recommendations at the pre-application meeting shall be relied upon by either party as to indicate subsequent approval or disapproval of the plan.

601.04 Waiver of a Site Plan Review

A Site Plan Review of minor external changes to an existing site may not require a formal board Site Plan Review when the Zoning Inspector determines that the proposed external change does not have an effect on any of the site plan review criteria in Section 601.06. A Zoning Certificate is required for the external change to the site as required by this Zoning Resolution.

601.05 Application and Submission Requirements for Site Plan Review include the following:

601.05.1 Completed Application for Site Plan Review including sufficient copies of drawings and supporting documents as stated on the application, are to be submitted to the Zoning Inspector.

601.05.2 Fee as set by Township Trustees. (see Section 604 of this Resolution)

601.05.3 Site Plan development features, present, proposed or revised, are to be drawn to a legible scale, and shall show topographical features of the lot, building placement, accessory buildings, signs, and screening for trash or other outdoor storage areas, activity areas, and shall include a circulation and parking plan, planting and landscape plan, and drawings of the exterior of structures. A description of the proposed development features and operation shall be provided in sufficient detail to include adjacent properties as well as existing structures and/or new building placement in proportion to these adjacent properties.

601.05.4 Completed application, including all supporting documentation, for Site Plan Review of permitted uses shall be submitted to the Zoning Inspector for review by the Zoning Commission. If the application is deemed to be incomplete the Zoning Inspector shall not accept the application until applicant has corrected the deficiency to the satisfaction of the Zoning Inspector.

601.05.5 Within ten (10) calendar days of receipt by the Zoning Inspector of the satisfactorily completed Application for Site Plan Review as described above including all required copies as specified on the application, the Zoning Inspector shall forward the application and supporting documentation to the Secretary of the Zoning Commission for distribution to the Zoning Commission members.

601.06 Site Plan Review Criteria

During the Site Plan Review process, the Zoning Commission shall determine that the Site Plan complies with the applicable requirements, provisions and purpose of this Zoning Resolution and the Litchfield Township Comprehensive Plan, including but not limited to the following review criteria:

601.06.1 The Site Plan shall show that a proper relationship will exist between public roads, service roads, driveways, and parking areas to encourage pedestrian and vehicular traffic safety on both public and private lands.

601.06.2 All the development features including the principal buildings, open spaces, service roads, driveways, and parking areas shall be so located and related as to minimize the possibility of adverse effects upon adjacent development.

601.06.3 The architectural design of buildings shall be developed with consideration given to the relationship of adjacent development in terms of building height, mass, line and pattern, and character.

601.06.4 Building location and placement shall be developed with consideration given to minimizing removal of trees and change of topography.

601.06.5 Maximum possible visual and auditory privacy for surrounding properties and occupants shall be provided through good design and landscaping.

601.06.6 Screening of parking areas, service areas, and refuse storage areas from surrounding properties shall be provided through landscaping, ornamental walls, or fences where necessary to promote harmony with adjacent development.

601.06.7 On-site traffic circulation shall be designed to make possible adequate fire and police protection.

601.06.8 Grading shall be designed to minimize adverse effects on abutting properties, streams, and public roads and to minimize the possibility of erosion. The Zoning

Commission may require that such grading plans be reviewed by the proper Medina County authority with any costs borne by the developer.

601.06.9 Curb cuts, internal drives, parking areas, and pedestrian walkways shall be arranged to promote safe and efficient movement within the site, between adjacent sites, and between the site and the adjacent thoroughfare system.

601.06.10 Access from the site to adjacent roads shall meet the plan of the applicable road authority. In the absence of such authority, the number and location shall be designed to maintain the traffic movement function of arterial and collector roads.

601.06.11 The overall development concept shall reflect the intent and consideration of the Litchfield Township Comprehensive Plan.

601.06.12 All lighting shall be directed away from adjacent roads so as not to impair safe movement of traffic. No lighting shall shine directly on adjacent properties.

601.07 Procedure for Site Plan Review

Applications for a Site Plan Review for permitted uses shall be submitted to the Zoning Inspector for review by the Zoning Commission.

601.07.1 Site Plan Review Date

A Site Plan shall be reviewed by the Zoning Commission at one or more of its regular public meetings. The Site Plan Review date shall be at least twenty (20) calendar days, but not more than forty (40) days from the date the application is received by the Board Secretary. Application and supporting documentation shall be distributed to all members of the Zoning Commission at least fourteen (14) days prior to the Site Plan Review date.

601.07.2 Notice to Property Owners

Written notice shall be sent ten (10) days before the Site Plan Review to the applicant and to all owners of property within five hundred (500) feet from the corner pin on both corners of the road frontage including all owners of property contiguous to, directly across from, and directly behind the property in question.

601.07.3 Site Plan Review Assistance

The extent and complexity of certain Site Plan Applications may require that the Zoning Commission and/or Township Trustees obtain review assistance, statements of opinion, and reports from qualified professionals including but not limited to civil engineers, planners, appraisers, architects, and attorneys.

601.07.4 Site Plan Review Continuance

Site Plan Continuance may be necessary if during the course of the review deficiencies are discovered in the Site Plan Application or supporting documentation that prevents the Zoning Commission from completing the review at one or more of its regularly scheduled meetings. The applicant will be notified by the Zoning Commission of the deficiencies, specific corrective measures and mutually agreed time allotted in order to complete the Site Plan Review.

601.07.5 Action by the Zoning Commission

Within forty-five (45) days after the Site Plan Review is completed, or in the case of a Site Plan Review Continuance (Section 601.07.3) where the applicant failed to provide requested documentation within the allotted time, the Zoning Commission shall approve, approve with modifications, or disapprove the Site Plan at the next scheduled meeting.

601.08 Approved Site Plan

An approved Site Plan shall become a binding commitment of the specific elements approved for the development. The approved Site Plan may be transferred to another person, corporation, or group of individuals or corporations who shall be subject to all requirements set forth in the approved site plan. All construction and development under any Zoning Certificate shall be in accordance with the approved Site Plan. Any departure from such plan shall be a violation of this Zoning Resolution. Any changes in an approved Site Plan shall be resubmitted to the Zoning Commission for consideration in accordance with the Zoning Resolution and accompanied by the required documentation.

601.09 Modification of Site Plan

Modifications and/or alterations during construction where the Zoning Inspector determines that the development does not adhere to the approved Site Plan will result in the issuance of a stop work order by the Zoning Inspector. Sufficient documentation supporting the modifications and/or alterations shall be submitted to the Zoning Inspector for review and action by the Zoning Commission at one or more of its scheduled public meetings.

601.10 Performance Bond

601.10.1 A performance bond or other financial guarantee may be required to be placed on deposit with Township Trustees to ensure all Site Plan requirements are fulfilled. Such bond or guarantee shall be based on an estimate approved by the Township Trustees and shall be for a period not to exceed three (3) years.

601.10.2 When a performance bond or guarantee is in place, the Zoning Inspector must report to the Township Trustees when all aspects of the development of the approved Site Plan are complete. Upon the satisfactory completion of the development provisions, the Township Trustees can release the bond or guarantee.

601.10.3 In the event that the development provisions are not met the Township Trustees will liquidate the bond or guarantee.

601.11 Issuance and Expiration of Zoning Certificate.

601.11.1 Upon receipt of the approved Site Plan Application, and the deposit of a performance bond and/or other financial guarantee in the appropriate amount, if required, the Zoning Inspector, for permitted uses, shall issue a Zoning Certificate specifying all development features of the approved Site Plan . (See Section 603 of this Resolution)

601.11.2 The Zoning Certificate shall expire one (1) year after the date of issuance unless, prior thereto, construction is begun, or an extension has been granted by the Zoning Inspector. The date of expiration shall be noted on the Zoning Certificate. At the expiration of one (1) year any deposit of a performance bond or financial guarantee shall be returned to the depositor where construction has not been undertaken, and each reapplication thereafter shall be accompanied by the required documentation and fees. (See Section 603 of this Resolution)

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SECTION 602. CONDITIONAL ZONING CERTIFICATES

602.01 Purpose

When a proposed use is designated in any District as a Conditional Use, as set forth in the District regulations, a Conditional Zoning Certificate is required and the application for such Conditional Zoning Certificate shall be submitted and reviewed according to the guidelines outlined in this chapter. The purpose of this Section is to provide adequate review of proposed developments where the uses are of such a nature, because of their size, scale, location, design, operation, or effect on surrounding property, that review of specific plans is deemed necessary to protect the public health, safety and welfare of the community. Further, the purpose of this Section is to provide for the planning of land and the design of buildings as a coordinated process and for the integration of new developments with the surrounding environment.

602.02 General Procedures

Permitted Conditional Uses as specifically required shall have an application for Conditional Use and Site Plan approved prior to issuance of a Conditional Zoning Certificate. Application requirements, procedures, and review standards of a Site Plan are established below. A Site Plan shall be reviewed by the Board of Zoning Appeals to ensure that the general requirements of this Section and the specific requirements of the Zoning Resolution are complied with in the interest of the community and surrounding development

602.03 Application Requirements Include the Following:

602.03.1 Completed application for Conditional Zoning Certificate including sufficient copies of drawings and supporting documents as stated on the application are to be submitted to the Zoning Inspector.

602.03.2 Fee as set by Township Trustees. (See Section 604 of this Resolution)

602.03.3 Site Plan development features, present, proposed or revised, are to be drawn to a legible scale, and shall show topographical features of the lot, building placement, accessory buildings, signs, and screening for trash or other outdoor storage areas, activity areas, and shall include a circulation and parking plan, planting and landscape plan, and drawings of the exterior of structures. A description of the proposed development features and operation shall be provided in sufficient detail to include adjacent properties as well as existing structures and/or new building placement in proportion to these adjacent properties.

602.03.4 Completed application, including all supporting documentation, for Conditional Zoning Certificate uses shall be submitted to the Zoning Inspector for review by the Board of Zoning Appeals. If the application is deemed to be incomplete the Zoning Inspector shall not accept the application until applicant has corrected the deficiency to the satisfaction of the Zoning Inspector.

602.04 Procedure for Conditional Zoning Certificate

602.04.1 Action by Board of Zoning Appeals

Within ten (10) calendar days of receipt by the Zoning Inspector of the completed application and supporting documentation as described above, the Zoning Inspector shall provide a copy of the application and supporting documentation to the Secretary of the Board of Zoning Appeals to be placed on the agenda of the Board of Zoning Appeals.

602.04.2 On-Site Review and Workshop

The Board of Zoning Appeals will set a date convenient to the majority of the Board of Zoning Appeals and applicant for an on-site review of the premises and proposed use. In addition the Board of Zoning Appeals may deem it necessary to conduct a workshop for its members in order to review and become familiar with the application as it pertains to the Zoning Resolution.

602.04.3 Distribution of Application for Conditional Zoning Certificate

The Secretary of the Board of Zoning Appeals shall provide a copy of the application and supporting documentation to the Fiscal Officer of the Township Trustees and the Secretary of the Zoning Commission to be distributed to the appropriate members for their review and comment.

602.04.4 Review by Township Trustees and Zoning Commission

The Township Trustees and the Zoning Commission may, at its discretion, review the application for Conditional Zoning Certificate at its next regularly scheduled meeting, or convene a special meeting, in order to prepare written comments and suggestions that will be submitted to the Secretary of the Board of Zoning Appeals to be read aloud for consideration during the Board of Zoning Appeals public hearing on the Conditional Zoning Certificate.

602.05 Procedure for Public Hearing

602.05.1 Date of Public Hearing

After adequate review and study of an application, the Board of Zoning Appeals shall set a date for a public hearing on the application and hold a public hearing. The date of the Public Hearing shall be at least twenty (20) calendar days, but not more than forty (40) calendar days from the date the application is received by the Chairman of the Board of Zoning Appeals.

602.05.2 Notice to Property Owners

At least ten (10) days prior to the date of the public hearing, notice of such public hearing shall be given by first class mail to the owners of property within and contiguous to and directly across the street from the property on which the use is proposed, including property that is located in an adjoining community. Failure of delivery of such notice shall not invalidate action taken on such application.

602.05.3 Notice to Public

Further notice shall be given in one or more newspapers of general circulation in the Township at least ten (10) days before the date of said public hearing. All notices shall set forth the time and place of the public hearing and the nature of the proposed Conditional Use. The Board of Zoning Appeals may recess such hearing and, if the time and place of the continued hearing is publicly announced at the time of adjournment, no further notice shall be required. Any person may appear before the Board of Zoning Appeals at the public hearing and state their reasons for or against the proposal.

602.06 Review Criteria for Conditional Zoning Certificate

The Board of Zoning Appeals shall review the proposed Conditional Use, as presented on the submitted plans and specifications, to determine whether or not the proposed use shall conform with the purpose and intent of this Zoning Resolution and the Litchfield Comprehensive Plan. In making such a determination, the Board of Zoning Appeals shall find that both the general criteria established for all Conditional Uses and the specific requirements established for that particular use, as set forth in this Resolution, are satisfied by the establishment and operation of the proposed use.

602.06.1 Shall review the Site Plan for the proposed Conditional Use according to the Site Plan review procedures set forth in Section 601 of this Resolution.

602.06.2 Shall review any request for Variance of any regulation set forth in this Zoning Resolution pertaining to the proposed Conditional Use, provided the request for Variance has been submitted in compliance with the procedures set forth in the Zoning Resolution.

602.06.3 May require the applicant to submit such additional information as deemed necessary including the carrying out of special studies and the provisions of expert advice. The cost, if any, of such additional information shall be borne by the applicant, as stated in the schedule of fees. (See Section 604 of this Resolution)

602.07 Action by Board of Zoning Appeals

After the conclusion of the public hearing, the Board of Zoning Appeals shall take one of the following actions:

602.07.1 Approval of Application for Conditional Zoning Certificate

If the proposed Conditional Use meets the general requirements of this Section and the specific requirements set forth in the Zoning Resolution for that particular use, the Board of Zoning Appeals shall approve the application for a Conditional Zoning Certificate. The Board of Zoning Appeals shall set such conditions of operation, as it deems necessary to ensure that the Conditionally Permitted Use shall operate in strict accordance with what was accepted by the Board of Zoning Appeals based on the application and the on-site review. The conditions of operation set by the Board of Zoning Appeals together with the Application for Conditional Zoning Certificate and supporting documentation approved by the Board of Zoning Appeals, shall become a part of the Certificate.

602.07.2 Denial of Application for Conditional Zoning Certificate

If the proposed use is found not to be in compliance with the specifications of this Zoning Resolution, or not conform with the purpose, policies and intent this Resolution the Board of Zoning Appeals shall reject the application and provide written notice to the applicant.

602.08 Modification of Conditional Zoning Certificate

Any change in the Conditionally Permitted Use from that set forth in the Certificate shall require application to the Board of Zoning Appeals for review. (See Section 602.03, 602.04. of this Resolution)

602.09 Terms of Conditional Certificate

A Conditional Zoning Certificate shall be deemed to authorize a particular Conditional Use on a specific parcel for which it was approved.

602.09.1 Term of Conditional Certificate

The Conditional Zoning Certificate shall expire one (1) year after the date of issuance unless, prior thereto, construction is begun. If the construction described in any Conditional Certificate has not been completed within two (2) years of the date of issuance, said Certificate shall expire and the Zoning Inspector shall send written notice thereof to the persons affected, together with notice that further construction as described in the expired Certificate shall not proceed until a new Conditional Zoning Certificate has been obtained or an extension has been granted. Construction is deemed to have begun for the purpose of the Conditional Zoning Certificate, upon the start of any excavation, setting of piers, footers, or foundation of the building or structure as described on the Conditional Zoning Certificate application.

602.09.1.1 Conditional Certificate Extension

Upon showing valid cause, the Zoning Inspector may grant a one (1) time extension of the conditional Zoning Certificate for a period up to, but not to exceed one hundred and eighty (180) days.

602.09.2 Violation and Enforcement of Conditional Use Certificate

A Conditional Zoning Certificate issued pursuant to this Section shall be valid only for the use and the operation of such use as specified on the Certificate. The breach of any of the terms, conditions or requirements of the Conditional Certificate shall constitute a violation of the Zoning Resolution and of the Zoning Certificate. Repeated violations, or failure to correct a violation, may result in revocation of the Zoning Certificate such violation shall be punishable as permitted by the Ohio Revised Code and this Resolution. (See Section 606 of this Resolution)

602.10 Review of Conditional Use Operations

Whenever the operation of the approved Conditional Use is regulated either by conditions set forth in this Section or by conditions, stipulations, safeguards and limitations prescribed by the Board of Zoning Appeals, the Conditional Zoning Certificate issued by the Zoning Inspector shall indicate that the operation of the Conditional Use shall be reviewed regularly from the date of issuance to determine if the use has been, and is being operated in compliance with the conditions stipulated on the Conditional Zoning Certificate. If Conditional Use has been discontinued or abandon for a period of at least two (2) years, said Certificate shall expire and the Zoning Inspector shall send written notice thereof to the persons affected.

602.11 Reapplication Procedure

No application for a Conditional Zoning Certificate which has been denied wholly or in any part by the Board of Zoning Appeals of the Township shall be re-submitted until the expiration of one (1) year or more from the date of such denial, except on grounds of newly discovered evidence or proof of changed conditions which a majority of the Board of Zoning Appeals determine sufficient to justify reconsideration. The original application including all supporting documentation shall be submitted to the Zoning Inspector for review by the Board of Zoning Appeals.

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SECTION 603. ZONING CERTIFICATE APPLICATION AND ISSUANCE

603.01 Zoning Certificate Required.

Before locating, erecting, enlarging, constructing, reconstructing or altering any sign, fence, structure, or building, or utilizing any land or change of use, application shall be made to the Zoning Inspector for a Zoning Certificate. A Zoning Certificate shall be issued only when the plans for the proposed use, building or structure fully comply with the regulations set forth in this Zoning Resolution.

603.02 Zoning Certificate Application and Submission Requirements

The completed Application Form for a Zoning Certificate including sufficient copies of drawings and supporting documentation as stated on the application, and the following requirements listed below when applicable, are to be submitted to the Zoning Inspector.

603.02.1 Residential Use Principal Building Certificate

Applications for construction of principal buildings shall submit the following:

603.02.1.1 Completed Application Form for a Zoning Certificate.

603.02.1.2 Fee as set by Township Trustees.

603.02.1.3 A legible scale drawing, aerial photo, or copy of the recorded plat of lot, showing all lot dimensions, total acreage, property boundaries, including all existing improvements, and showing placement of proposed building with distances to property lines and road right-of way.

603.02.1.4 A scale drawing (front and side views) of the proposed building showing length, width, height to the roof peak and floor plan.

603.02.1.5 Documentation from the Medina County Tax Map Office verifying the street address of recorded property parcel.

603.02.1.6 Evidence that sanitary sewage disposal facilities based on the maximum occupancy and/or square feet and use of building have been approved by the Medina County Health Department, Medina County Sanitary Engineer, or Ohio EPA as appropriate.

603.02.1.7 Copy of Driveway Apron and Culvert Permit, and/or Ditch Enclosure Permit from the Ohio Department of Transportation, the Medina County Engineer, or the Township Trustees, whichever is applicable, specifying the grade of pipe, diameter, length, backfill and covering.

603.02.1.8 Copy of Medina County Stormwater Management & Sediment Control Permit issued by the Medina County Highway Engineer for any non-farm soil disturbance activity over five thousand (5,000) square feet. (Examples include but are not limited to: basement/foundation excavation, driveway, utility trenching, grading or clearing, landscaping or lawn.)

603.02.2 Residential Use Accessory Building/Structure Certificate

No Zoning Certificate shall be issued for any accessory building/structure unless a legal Principal building exists on the same parcel within the same Zoning District, or unless an unexpired Zoning Certificate for a proposed Principal building is in effect.

603.02.2.1 Completed Application Form for a Zoning Certificate.

603.02.2.2 Fee as set by Township Trustees.

603.02.2.3 A legible scale drawing, aerial photo, or copy of the recorded plat of lot, showing all lot dimensions, total acreage, property boundaries, including all existing improvements, and showing placement of proposed building/structure with distances to property lines and road right-of way.

603.02.2.4 A scale drawing (front and side views) of the proposed building/structure showing length, width, height to the roof peak.

603.02.2.5 Copy of Medina County Stormwater Management & Sediment Control Permit issued by the Medina County Highway Engineer for any non-farm soil disturbance activity over five thousand (5,000) square feet. (Examples include but are not limited to: basement/foundation excavation, driveway, utility trenching, grading or clearing, landscaping or lawn.)

603.02.3 Zoning Certificate for Commercial Permitted Use

Applications for Zoning Certificates for Commercial permitted uses, with or without building construction, shall include the following submission requirements:

603.02.3.1 Completed Application Form for a Zoning Certificate.

603.02.3.2 Fee as set by Township Trustees.

603.02.3.3 Approved Site Plan (See Section 601 of this Resolution)

603.02.3.4 Documentation from the Medina County Tax Map Office verifying the street address of recorded property parcel.

603.02.3.5 Evidence that sanitary sewage disposal facilities based on the maximum occupancy and/or square feet and use of building have been approved by the Medina County Health Department, Medina County Sanitary Engineer, or Ohio EPA as appropriate.

603.02.3.6 Copy of Driveway Apron and Culvert Permit, and/or Ditch Enclosure Permit from the Ohio Department of Transportation, the Medina County Engineer, or the Township Trustees, whichever is applicable, specifying the grade of pipe, diameter, length, backfill and covering.

603.02.3.7 Copy of Medina County Stormwater Management & Sediment Control Permit issued by the Medina County Highway Engineer for any non-farm soil disturbance activity over five thousand (5,000) square feet. (Examples include but are not limited to: basement/foundation excavation, driveway, utility trenching, grading or clearing, landscaping or lawn.)

603.02.4 Zoning Certificate for Conditional Use

Applications for Zoning Certificates for Conditional Use shall include the following submission requirements:

603.02.4.1 Completed Application Form for a Zoning Certificate.

603.02.4.2 Fee as set by Township Trustees.

603.02.8.3 Approved Site Plan. (See Section 602 of this Resolution)

603.02.4.4 Documentation from the Medina County Tax Map Office verifying the street address of recorded property parcel.

603.02.4.5 Evidence that sanitary sewage disposal facilities based on the maximum occupancy and/or square feet and use of building have been approved by the Medina County Health Department, Medina County Sanitary Engineer, or Ohio EPA as appropriate.

603.02.4.6 Copy of Driveway Apron and Culvert Permit, and/or Ditch Enclosure Permit from the Ohio Department of Transportation, the Medina County Engineer, or the Township Trustees, whichever is applicable, specifying the grade of pipe, diameter, length, backfill and covering.

603.02.4.7 Copy of Medina County Stormwater Management & Sediment Control Permit issued by the Medina County Highway Engineer for any non-farm soil disturbance activity over five thousand (5,000) square feet. (Examples include but are not limited to: basement/foundation excavation, driveway, utility trenching, grading or clearing, landscaping or lawn.)

603.02.5 Structural Alteration/Addition of Commercial Use Building

603.02.5.1 Completed Application Form for a Zoning Certificate.

603.02.5.2 Fee as set by Township Trustees.

603.02.5.3 Approved Site Plan. (See Section 601 of this Resolution)

603.02.5.4 Copy of Medina County Stormwater Management & Sediment Control Permit issued by the Medina County Highway Engineer for any non-farm soil disturbance activity over five thousand (5,000) square feet. (Examples include but are not limited to: basement/foundation excavation, driveway, utility trenching, grading or clearing, landscaping or lawn.)

603.02.6 Zoning Certificate for Business Use

No business shall be conducted within an existing single or multi-unit commercial building without first obtaining a Zoning Certificate to conduct a permitted Commercial Use within the Commercial space before occupancy.

603.02.6.1 Completed Application Form for a Zoning Certificate.

603.02.6.2 Fee as set by Township Trustees.

603.02.6.3 Approved Site Plan if applicable.

603.02.7 Fence Certificate

603.02.7.1 Completed Application Form for a Zoning Certificate.

603.02.7.2 Fee as set by Township Trustees.

603.02.7.3 A legible scale drawing, aerial photo, or copy of the recorded plat of lot, showing all lot dimensions, total acreage, property boundaries, including all existing improvements, and showing placement of proposed fence with distances to property lines and road right-of way.

603.02.7.4 A scale drawing (front and back views) or description of the proposed fence showing length, width, height.

603.02.8 Lake and Pond Certificate

603.02.8.1 Completed Application Form for a Zoning Certificate.

603.02.8.2 Fee as set by Township Trustees.

603.02.8.3 A legible scale drawing, aerial photo, or copy of the recorded plat of lot, showing all lot dimensions, total acreage, property boundaries, including all existing improvements, and showing placement of proposed land or pond with distances to property lines and road right-of way.

603.02.8.4 Copy of Lake and Pond Permit issued by the Medina County Engineer's Office or Medina County Soil and Water Conservation District.

603.02.8.5 Approved Site Plan if applicable. (See Section 601 of this Resolution)

603.02.9 Swimming Pool Certificate (Non-Commercial Use)

603.02.9.1 Completed Application Form for a Zoning Certificate.

603.02.9.2 Fee as set by Township Trustees.

603.02.9.3 A legible scale drawing, aerial photo, or copy of the recorded plat of lot, showing all lot dimensions, total acreage, property boundaries, including all existing improvements, and showing placement of proposed swimming pool with distances to property lines and road right-of way.

603.02.9.4 Copy of Medina County Stormwater Management & Sediment Control Permit issued by the Medina County Highway Engineer for any non-farm soil disturbance activity over five thousand (5,000) square feet. (Examples include but are not limited to: basement/foundation excavation, driveway, utility trenching, grading or clearing, landscaping or lawn.)

603.02.10 Sign Certificate (See Article IV of this Resolution)

603.02.10.1 Completed Application Form for a Zoning Certificate.

603.02.10.2 Fee as set by Township Trustees.

603.02.10.3 A legible scale drawing, aerial photo, or copy of the recorded plat of lot, showing all lot dimensions, total acreage, property boundaries, including all existing improvements, and showing placement of proposed sign with distances to property lines and road right-of way.

603.02.11 Temporary Trailer Usage

603.02.11.1 Completed Application Form for a Zoning Certificate.

603.02.11.2 Fee as set by Township Trustees.

603.03 Exceptions for Zoning Certificate

The following do not require a Zoning Certificate: driveway resurfacing; additional driveway and culvert placement; walkways; concrete pads; children's play set or treehouse; wheelchair ramp; boat dock; temporary portable car port; door, window, siding or roof replacement; landscape or holiday decorations and as stated in other sections of this Zoning Resolution and as provided by law.

603.04 Issuance of Zoning Certificate

The Zoning Inspector shall, within ten (10) days of receiving a submitted application, review the application to determine accuracy and compliance with the applicable district regulations and submission requirements. If the application is deemed insufficient, the Zoning Inspector shall notify the applicant of necessary changes. When the application is deemed complete and the application fee has been paid, the Zoning Inspector shall officially accept the application for consideration of the action(s) requested on the date such determination is made.

603.04.1 The Zoning Inspector shall approve and issue the Zoning Certificate after determining that the application meets all requirements of this Resolution, including the application requirements specified herein. In conducting a review of the application, the Zoning Inspector may consult with any department, agency, public body, official, company, or individual necessary to determine whether the application complies with the regulations of this Resolution. The cost, if any, of such additional consultation shall be borne by the applicant, as stated in the schedule of fees. (See Section 604 of this Resolution)

603.05 Denial of Zoning Certificate Application

A Zoning Certificate shall not be issued if any aspect of the development would violate one or more provisions of this Resolution. In such case, the Zoning Inspector shall state on the application the reason for the denial, including the regulation(s) which would be violated by the proposed use, and shall send one copy thereof to the applicant along with one copy of the Site Plan, signed, dated and noted as disapproved.

603.06 Term of Zoning Certificate.

The Zoning Certificate shall expire one (1) year after the date of issuance unless, prior thereto, construction is begun. If the construction described in any Zoning Certificate has not been completed within two (2) years of the date of issuance, said Certificate shall expire and the Zoning Inspector shall send written notice thereof to the property owner, together with notice that further construction as described in the expired Certificate shall not proceed until a new Zoning Certificate has been obtained or an extension has been granted. Construction is deemed to have begun for the purpose of the Zoning Certificate, upon the start of any excavation, setting of piers, footers, or foundation of the building or structure as described on the Zoning Certificate application.

603.06.1 Zoning Certificate Extension

Upon showing valid cause, the Zoning Inspector may grant a one (1) time extension of the Zoning Certificate for a period up to, but not to exceed one hundred and eighty (180) days.

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SECTION 604. SCHEDULE OF FEES, CHARGES AND EXPENSES

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 Certificates, Site 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 office of the 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.

SECTION 605. RESERVED FOR FUTURE USE

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SECTION 606. ENFORCEMENT AND PENALTY

606.01 Zoning Inspector to Enforce Resolution

It shall be the duty of the Zoning Inspector to enforce the regulations found in this Resolution. In performing this duty, the Zoning Inspector may take any reasonable action necessary to substantiate the existence of a zoning violation including entering onto the site of a possible violation.

606.02 Zoning Violation

Any person or persons who participates in a violation of this Resolution, or supplement or amendment thereto, shall be responsible for that violation and subject to the actions and penalties described herein or as otherwise provided by law.

606.03 Actions to Comply with Zoning Resolution

606.03.1 Notification of Zoning Violation

The Zoning Inspector shall, upon inspection and identification of each zoning violation, deliver a written notice of each violation to the landowner or responsible party requiring him/her to remedy each violation.

606.03.2 Correction Period

All violations shall be corrected within a period of ten (10) days after the written notice is issued or a longer period of time as indicated by the Zoning Inspector. Any violations not corrected within the specified time period shall be referred to the County Prosecutor who shall initiate prosecution procedures

606.03.3 Action by Township and/or other parties

In case any building or development feature is or proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used, or any land is or proposed to be used in violation of any provisions of this Zoning Resolution, the Township Trustees, the Prosecuting Attorney of the County, the Township Zoning Inspector, or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, stop work order, mandamus, abatement or any other appropriate action or proceeding to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use. The Township Trustees may employ special counsel to represent the Township in any proceedings or to prosecute any actions brought under this section. The Zoning Inspector shall have the majority approval of the Board of Township Trustees before referring violations to the Medina County Prosecutor for legal actions.

606.04 Penalty

Whoever violates any of the provisions of this Resolution or fails to comply with any of the provisions shall be fined not more than five hundred (500) dollars for each offense as stipulated in Chapter 519.99 of the Ohio Revised Code. Each day such violation or failure exists shall constitute a separate violation.

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Article VI. ADMINISTRATION

SECTION 701. ZONING INSPECTOR

701.01. General

For the purposes of enforcing the zoning regulations, the Township Trustees shall establish and fill the position of Township Zoning Inspector, together with such assistants as the Trustees deem necessary. The term of employment, rate of compensation, and other such conditions shall be set by the Township Trustees. The Zoning Inspector shall keep records of all applications for zoning permits and the action taken thereon.

701.02. Bond

The Township Zoning Inspector, before entering upon the duties of his office, shall give bond, signed by a bonding or surety company authorized to do business in Ohio or, at his option, signed by two or more freeholders having real estate in the value of double the amount of the bond, over and above all encumbrances to the state, in the sum fixed by Ohio Statute and the Township Trustees. Such surety company or real estate bond shall be approved by the Township Trustees and the bond shall be conditioned upon the faithful performance of such Zoning Inspector's official duties. Such bond shall be deposited with the Township Clerk.

SECTION 702. ZONING COMMISSION

702.01. Powers

The Zoning Commission shall have the following duties:

702.01.1. Initiate proposed amendments to the text or map of this Resolution.

702.01.2. Review all proposed amendments to this Resolution and make recommendations to the Township Trustees.

702.01.3. Review all site plans as specified in the section on Site Plan Review, and assist the Board of Zoning Appeals in reviewing conditional use applications as specified in the section on Conditional Zoning.

702.01.4. Make recommendations to the Township Trustees on all matters concerning planning, zoning and development in Litchfield Township.

702.02. Members

The Zoning Commission shall be composed of five (5) members who reside in the unincorporated area of Litchfield Township, to be appointed by the Township Trustees. The terms of the members shall be of such length and so arranged that the term of one member will expire each year on December 31st. Members shall serve until their successors are appointed and qualified. Members shall be removable for non-performance of duty, misconduct in office, or other cause by the Township Trustees, upon written charges being filed with the Township Trustees; after a public hearing has been held regarding such charges, and after a copy of the charges has been served upon the member so charged at least ten (10) days prior to the hearing. The member shall be given an opportunity to be heard and answer such charges. Vacancies shall be filled by the Township Trustees and shall be for the unexpired term.

702.03. Procedures

- 702.03.1.** The Zoning Commission shall annually elect officers from its members. The Zoning Commission may prescribe rules for the conduct of its affairs as are not in conflict with this Resolution or Ohio statute. Three members of the board shall constitute a quorum at all meetings. A concurring vote of three members shall be necessary to effect an order, take action, make decisions, or act on any authorization. The Zoning Commission shall keep records of its proceedings and shall meet at least quarterly or as the need arises.
- 702.03.2.** Site Plan requirements and conditions are valid only if they are made part of motion to approve Site Plan and/or if denoted on Site Plan.
- 702.03.3.** The Litchfield Zoning Board requires that any zoning map change to require an area/parcel map change and a detailed text amendment to be included with the request. This map would become part of the meeting minutes and also be forwarded to the Department of Planning Services.

702.04. Conduct

- 702.04.1.** The chairperson shall request all Board members and the general public to please turn off or place on vibrate any type of electronic device, cell phone, pager and or laptop computer.
- 702.04.2.** It is the responsibility of the regular Board Members to keep current when absent from a meeting, especially if discussion of subject matter is continuing to the next months meeting. Staying current and informed will reduce the unnecessary revisiting of previously discussed topics.
- 702.04.3.** The chairperson shall initially determine whether or not a particular matter can be revisited, but a majority vote of the Board can override the decision of the chairperson.
- 702.04.4.** In the event that a regular member has been absent for two consecutive meetings concerning the same matter and the same alternate has been present for both meetings, said alternate shall remain on the Board until that subject is voted on or discussion of subject ceases, regardless of how many months' subject remains on agenda.
- 702.04.5.** Alternate member(s) shall remain on the Board for the entire meeting once the chairperson strikes the gavel and calls the meeting to order regardless of if or when regular member arrives. If regular member arrives, he or she will be counted as present but will remain seated with the general public.
- 702.04.6.** If any regular member is absent for four meetings in a calendar year and absenteeism is not health related, it shall be grounds for dismissal at the discretionary will of the Trustees. (Policies and Procedures to be voted on and approved by the Board of Zoning Commission).

SECTION 703. BOARD OF ZONING APPEALS

703.01. General

A Board of Zoning Appeals is hereby created and shall have all the powers and duties prescribed by law and by this Resolution.

703.02. Composition and Appointment

The Board shall consist of five (5) members appointed by the Township Trustees. The members shall be residents of the unincorporated area of Litchfield Township. The term of

office shall be five (5) years and the terms shall be so arranged that the term of one member will expire each year on December 31st. Members shall serve until their successors are appointed and qualified. Members shall be removable for the same causes and in the same manner as provided for in ZONING COMMISSION (Refer to Section 702.02)-Members. Vacancies shall be filled by appointment of the Board of Township Trustees and shall be for the unexpired term.

703.03. Organization

703.03.1. Officers, Rules

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

703.03.2. Quorum

Three members of the Board shall constitute a quorum at all meetings. A concurring vote of three members shall be necessary to affect an order, take action, make decisions, or act on any authorization.

703.03.3. Meetings

The Board shall meet at the call of its Chairman and at such other times as the Board may determine. All meetings of the Board shall be open to the public.

703.03.4. Witnesses

The Board Chairman or Acting Chairman may administer oaths and the Board may compel the attendance of witnesses in all matters coming within the purview of the Board.

703.03.5. Proceedings

The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep legible records of its examinations and other official actions all of which shall be immediately filed in the office of the Township Trustees and shall be a public record.

703.04. Powers

The Board of Zoning Appeals shall have the following powers:

703.04.1. Appeals - Both Administrative Appeals and Variance Appeals

703.04.2. Conditional Zoning Permits

703.04.3. Such other powers as described in this Resolution.

703.05. Administrative Appeals

The Board shall have the power to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Inspector in the enforcement of this Resolution. Administrative appeals shall be reviewed in the manner further specified below in Section 703.06-Procedure for Administrative and Variance Appeals.

703.05.1. Variance Appeals

703.05.1.1. General

The Board of Zoning Appeals shall have the power to authorize, upon appeal in specific cases, variances from the terms of the Zoning Resolution.

703.05.1.2. Use Variance

The Board of Zoning Appeals may authorize, upon appeal in specific cases, a use variance from the terms of the Zoning Resolution as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of this Resolution will result in unnecessary hardship, and so that the spirit of this Resolution shall be observed and substantial justice done.

703.05.1.3. Area Variance

The Board of Zoning Appeals may authorize, upon appeal in specific cases, an area variance from the terms of the Zoning Resolution where it determines that practical difficulties exist. In determining that practical difficulties exist, the Board shall consider, but is not limited to, the following factors:

- 703.05.1.3.1.** Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
- 703.05.1.3.2.** Whether the variance is substantial;
- 703.05.1.3.3.** Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
- 703.05.1.3.4.** Whether the variance would adversely affect the delivery of governmental services (e.g. water, sewer, garbage);
- 703.05.1.3.5.** Whether the property owner purchases the property with the knowledge of the zoning restriction;
- 703.05.1.3.6.** Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and
- 703.05.1.3.7.** Whether the spirit and intent of the Zoning Resolution will be observed and substantial justice done by granting the variance.

703.05.1.4. General Findings - In order to approve any variance, the Board shall make specific finding that:

- 703.05.1.4.1.** The literal interpretation of the provisions of the Resolution deprive the applicant of the rights commonly enjoyed by properties in the same district under the terms of this Resolution.
- 703.05.1.4.2.** That the granting of the variance will not be detrimental to the public interest or to the property or improvements in the district in which the variance is sought and will not materially impair the purpose of this Resolution.

703.05.1.5. Limitation - The Board of Zoning Appeals shall not grant a use variance for any use expressly prohibited by the terms of this Resolution.

The Board of Zoning Appeals may grant a use variance for any use not expressly prohibited by the terms of this Resolution in the district involved upon a finding that the conditions of Section 519.14 (B) of the Ohio Revised Code and Number 2 of this section have been met. No non-conforming use of the neighboring land, structures, or buildings in the same district and not currently permitted on non-conforming use of the land, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

703.05.1.6. Supplementary Conditions - In granting a variance, the Board may impose such conditions as it may deem necessary to protect the public health, safety, and morals and, in furtherance of the purpose and intent of this Resolution, including a

requirement of a bond guarantee that insures compliance with special conditions imposed by the Board.

703.06. PROCEDURE FOR ADMINISTRATIVE AND VARIANCE APPEALS

- 703.06.1.** General - Appeals to the Board of Zoning Appeals concerning the powers specified for administrative appeals and variance appeals may be taken by any person or corporation or by any officer of Litchfield Township adversely affected by any decision of the Zoning Inspector. The appeal shall be taken within twenty (20) days after the decision by filing, with the Zoning Inspector, a notice of appeal specifying the grounds upon which the appeal is taken. Within five (5) days the Zoning Inspector shall transmit to the Secretary of the Board of Zoning Appeals the notice of appeal and all papers constituting the record of the action, which is appealed.
- 703.06.2.** Stay of Proceedings - An appeal shall stay all proceedings in furtherance of the action appealed, unless the Zoning Inspector shall certify to the Board of Zoning Appeals after the notice of the appeal has been filed, that a stay would cause imminent peril to life or property. In such cases, proceedings shall not be stayed by other than a restraining order granted by the Board or by a court having lawful jurisdiction.
- 703.06.3.** Public Hearing and Notices - The Board of Zoning Appeals shall hold a public hearing within thirty (30) days after the receipt of an appeal from the Zoning Inspector. Notice of the hearing shall be published in a newspaper at least ten (10) days before the date of the public hearing. The notice shall state the time, place and object of the public hearing. Notices shall be sent at least ten (10) days before the hearing to all parties involved in the appeal and to all property owners adjacent to or across the road from the subject property. The Board may recess such hearing, and, if the time and place of the continued hearing is publicly announced at the time of adjournment, no further notice shall be required.
- 703.06.4.** Assistance - Applications for appeals may be submitted by the Board to the Zoning Commission for review and comment. The findings of the Zoning Commission shall be submitted in writing to the Board prior to its public hearing and shall be included in the minutes of the hearing. The Board may also seek assistance from any other appropriate source.
- 703.06.5.** Decisions - Within twenty (20) days after the public hearing, the Board of Zoning Appeals shall either approve, approve with supplementary conditions, or disapprove the request for appeal. A certified copy of the Board's decision shall be transmitted to the applicant or appellant and to the Zoning Inspector. Such decision shall be binding upon the Zoning Inspector and shall be incorporated in the terms and conditions of the Zoning Permit whenever a Permit is authorized by the Board. Any appellant, having been denied his appeal by the Board, may appeal to the Court of Common Pleas.

SECTION 704. AMENDMENTS

General

The Trustees of Litchfield Township may, from time to time, amend by resolution the number, shape, area, or regulations of districts established on the Zoning Districts Map (Appendix A) or the regulations set forth in this Resolution. All amendments shall be made according to the procedures required by Section 519.12 of the Ohio Revised Code and this Article, and only after receipt of recommendations from the Zoning Commission.

704.01. Initiation of Amendments

Amendments to the Zoning Resolution, either regulations or map, may be initiated by one of the following:

- 704.01.1.** Motion of the Township Zoning Commission.
 - 704.01.2.** Passage of a resolution by the Township Trustees and certification to the Zoning Commission.
 - 704.01.3.** Filing of an application with the Zoning Commission by one or more owners of property within the area proposed to be changed or affected by the proposed amendments to the Zoning Resolution.
- 704.02.** Applications
Applications for zoning amendments shall be made in a form prescribed by the Township, payment of the appropriate fees and shall include at least the following:
- 704.02.1.** Zoning District Map:
 - 704.02.1.1.** Name, address, and phone number of applicant;
 - 704.02.1.2.** Location and description of property, including size and permanent parcel number;
 - 704.02.1.3.** Plat map showing property to be changed and adjoining properties.
 - 704.02.1.4.** Present use
 - 704.02.1.5.** Present zoning district
 - 704.02.1.6.** Proposed use
 - 704.02.1.7.** Proposed zoning district
 - 704.02.1.8.** If ten (10) or less parcels are to be rezoned, a list of all property owners and their mailing addresses who are within, contiguous to, or directly across the road from the parcel(s) proposed to be rezoned and others that may have a substantial interest in the case.
 - 704.02.1.9.** A statement on how the proposed amendment relates to the comprehensive plan.
 - 704.02.2.** Zoning Regulations:
 - 704.02.2.1.** Name, address, and phone number of person offering proposal.
 - 704.02.2.2.** Section number and exact wording of proposed Regulation amendment.
 - 704.02.2.3.** Statement of the intended purpose and effect of the proposed amendment.
 - 704.02.2.4.** Statement on how the proposed amendment relates to the comprehensive plan.
- 704.03.** Referral to Medina County Planning Commission
Within five (5) days after initiation of a zoning amendment, the Zoning Commission shall transmit a copy of the amendment to the Medina County Planning Commission. The Medina County Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit the recommendation to the Zoning Commission. The recommendation shall be considered at the public hearing held by the Zoning Commission on the proposed amendment.
- 704.04.** Referral to Ohio Department of Transportation
The Director of the Ohio Department of Transportation shall be notified concerning proposed zoning amendments affecting any land within three hundred (300) feet of the centerline of a certified (journalized) new highway or highway improvement or within five hundred (500) feet from the intersection of an existing public road with said centerline. Upon receipt of an application for rezoning in this area, the Zoning Commission shall notify the Director by registered or certified mail and shall then proceed with the requirements of this Article. However, the Township Trustees shall not approve the amendment for a period of one hundred twenty (120) days from receipt of the notice by the Director. During

the one hundred twenty (120) day period, or any extension agreed to by the Director and the property owner, the Director shall proceed to acquire the land required for the highway improvement, or to determine that acquisition at that time is not in the public interest. Upon receipt of notice from the Director that the property will be acquired, the Trustees shall refuse to rezone the land that the Director intends to acquire. If the Director provides notice that acquisition at that time is not in the public interest or at the expiration of the 120-day period or any extension, the Trustees shall proceed to approve or disapprove the amendment in the manner specified below.

704.05. Public Hearing by Zoning Commission

Upon the initiation of an amendment to the Zoning Resolution, the Zoning Commission shall set a date for a public hearing. The hearing shall be held more than twenty (20) but less than forty (40) days from the date of initiation of the amendment.

704.06. Notice

Notice of the Zoning Commission public hearing shall be given as follows:

704.06.1. Newspaper

Notice shall be given by publication in one or more newspapers of general circulation in the Township at least ten (10) days before the date of the hearing. The notice shall state the time and place of the public hearing, the nature of the proposed amendment or supplement, and a statement that after the conclusion of the hearing the matter will be referred for further determination to the Township Trustees. The time limitation stated above shall be changed as necessary to remain in compliance with the Ohio Revised Code.

704.06.2. Property Owners

If the proposed amendment or supplement intends to rezone or redistrict ten (10) or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Zoning Commission by first class mail, at least twenty (20) days before the date of the public hearing, to all owners of property within, contiguous to, and directly across the road from the area proposed to be rezoned. The notice shall include the same information required above for newspaper notices.

704.07. Action of the Zoning Commission

The Zoning Commission shall, within thirty (30) days after the hearing, recommend the approval, denial, or the approval of some modification of the proposed amendment. The Zoning Commission shall submit the recommendation, together with the application and the recommendation of the Medina County Planning Commission, to the Township Trustees.

704.08. Public Hearing and Notice by Township Trustees

The Township Trustees shall, upon receipt of the recommendation, set a time for a public hearing on the proposed amendment or supplement. The hearing shall be held within thirty (30) days from the date of the receipt of the recommendation from the Zoning Commission. Notice of the public hearing shall be given by the Township Trustees by one publication in one or more newspapers of general circulation in the Township, at least ten (10) days before the date of the hearing. The published notice shall set forth the time and place of the public hearing and a summary of the proposed amendment. The time limitation stated above shall be changed as necessary to remain in compliance with the Ohio Revised Code.

704.09. Action of Township Trustees

Within twenty (20) days after the public hearing, the Trustees shall either adopt or deny the recommendations of the Zoning Commission or adopt some modification thereof. In the event the Trustees deny or modify the recommendation of the Zoning Commission, the majority vote of the Trustees shall be required.

704.10. Effective Date, Referendum

Amendments adopted by the Township Trustees shall become effective in thirty (30) days after the date of such adoption unless within that period a referendum petition is presented to the Trustees. The petition must be signed by a number of qualified voters residing in the unincorporated area of the Township equal to at least eight percent (8%) of the total vote cast for all candidates for governor in such area at the last preceding general election at which a governor was elected. The petition shall request the Township Trustees to submit the amendment to the electors of such area for approval or rejection at the next primary or general election.

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

NOTE: The requirement for notice to the Ohio Department of Transportation is from Section 5511.01 of the Ohio Revised Code and is usually overlooked. The notice applies only to journalized improvements, that is those improvements with a definitely established right-of-way and for which a local public hearing has been held. If there is doubt about which improvements have been journalized, consult ODOT District 3 at 906 Clark Street in Ashland, 44805. Telephone (419) 324-1511. The same notice requirements in Section 5511.01 also apply to building permits, zoning permits, and subdivision plats.

Article VII. DEFINITIONS

For the purpose of this Resolution the following terms are hereby defined:

Access/Permanent Access - A strip of land providing ingress and egress for a rear lot as described in Rear Lot Development.

Accessory Use or Building - Use or building customarily incidental and subordinate to the principal use or building, located on the same residential, commercial or industrial lot or premises as the principal use or building.

Agriculture - see Ohio Revised Code Section 519

All Weather Driving Surface - Concrete, asphalt, hard surface, or aggregate with a six (6) to eight (8) inch base.

Alteration - As applied to a building or structure, is a change or rearrangement in the structural parts or in the exit facilities or an enlargement, whether by extending on a side or by increasing the height, or by moving from one location to another.

Attic - An unheated or unfinished floor space that is not accessible by means of a permanent and immovable stairway.

Automobile Graveyard - Any establishment or place of business which is maintained, used or operated for storing keeping, buying or selling wrecked, scrapped, ruined or dismantled motor vehicles or motor vehicle parts.

Basement - A story having more than one half of its height below average grade.

Building - Any structure having a roof supported by columns or by walls and intended for the enclosure, shelter or housing of persons, animals or chattels.

Co-locate - To locate and share an appropriate location on the telecommunication facility (monopole) with other telecommunication carriers in order to provide service.

Commercial Vehicle/Equipment - Any commercial vehicle or equipment as defined by the State of Ohio requiring Commercial Plates.

Conditional Use - A use permitted within a district other than a principally permitted use, requiring a conditional zoning certificate and approval of the Board of Zoning Appeals.

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

Certificate of Compliance- Certificate of Zoning Compliance is a document issued by the Zoning Inspector stating that the proposed use of the building or land conforms to the requirements of the Litchfield Zoning Resolution.

Dump - Any premises use primarily for disposal by abandonment, discarding, dumping, reduction, burial, incineration, or any other means and for whatever purpose of garbage, sewage, trash, refuse, waste material of any kind, junk, discarded machinery, vehicles, or parts thereof, offal or dead animals.

Fence, Barbed Wire - A fence made with wire having points or barbs spaced along its length.

Fence, Chain Link - A fence consisting of loops of wire interconnected in a series of joining links.

Fence, Decorative - A fence constructed for its beauty or decorative effect and providing an unobstructed opening, such as, but not limited to, open board, split rail, and rail.

Fence, Electric - A single or multi-strand wire fencing having an electric charge with relationship to the ground.

Fence, Living - A fence consisting of the growth or placement of hedges, trees, bushes, plants, or a combination thereof so as to prevent public view or provide seclusion.

Fence, Privacy - A fence constructed so as to prevent public view or provide seclusion.

Fence, Razor Wire - A fence with flat drawn wire, razor sharp on both edges.

Fence, Snow - A temporary fencing used to control blowing/drifted snow.

Fence, Woven Wire - A fence constructed of woven wire and having multipurpose uses.

Frontage Lot - A lot bordering a public road, which meets the minimum frontage requirements of this zoning code.

Hotel or Motel - A building in which lodging is provided and offered to the public for compensation and which is open to transient guests, as distinguished from a boarding house or lodging house.

Home Occupation - An occupation or profession conducted by the full time residents of a residence that is incidental to the use of the property as a residence.

Junk - Litter, scrap iron, scrap tin, scrap brass, scrap copper, scrap lead, scrap zinc and all other scrap metals and their alloys, bones, rags, used cloth, used rubber, used ropes, used tinfoil, used bottles, old or used machinery, used tools, used appliances, used fixtures, used utensils, used lumber, used boxes and/or crates, used pipe and/or pipe fittings, used automobile and/or airplane tires, and other manufactured goods that are so worn, deteriorated or obsolete as to make them unusable in their existing condition, but are, subject to being dismantled.

Junk Motor Vehicle - Any unlicensed motor vehicle which is apparently inoperable or extensively damaged, such damage including, but not limited to, any of the following: missing wheels, tires, motor or transmission.

Junk Yard - Establishment or place of business, which is maintained or operated for the purpose of storing, keeping, buying or selling junk or for the maintenance or operation of an automobile graveyard. The term junk yard shall also include scrap metal processing facilities and any site, location or premises on which are kept two or more junk motor vehicles, whether or not for a commercial purpose.

Lot - For the purposes of this Resolution, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage and area and to provide such yards and other open spaces as are herein required.

Lot, Corner - A lot at the junction of and abutting two or more intersecting roads.

Lot Frontage - The distance between side lot lines measured along the right-of-way side line of a public or private road.

Mobile Home/Trailer Coach - A movable or portable structure designed and constructed to be towed as a unit or units, on its or their own chassis and running gear, on the public roads and designed, constructed and equipped with the necessary service connections for human occupancy and habitation.

Monopole - A single slender and typically cylindrical vertical structure to which antenna(s) and support structures are affixed.

Non-Conforming Use - A building, structure or use of land existing at the time of the enactment or amendment of the Resolution, and which does not conform to the use regulations of the district in which it is located.

Nuisance- Anything offensive or obnoxious to the health and welfare of the inhabitants of the township; or any act or thing repugnant to, or creating a hazard to, or having a detrimental effect on the property of another person or to the community.

Performance Bond - An agreement by a sub-divider, builder, contractor or developer with the Township for the amount of the estimated site improvement cost guaranteeing the completing of physical improvements according to plans and specifications within the time prescribed and in the manner set forth by the applicant's permit.

Permanent Abandonment - The facility is no longer being utilized for telecommunication by all carriers, including all local safety organizations.

Public Utility - Any person, firm, corporation, governmental agency or board fully authorized to furnish to the public electricity, gas, steam, telephone, telegraphy, or transportation of water.

Rear Lot - Is a lot behind a lot or lots that meets current zoning requirements.

Residence - Any building (except a house trailer or mobile home as defined herein) which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants.

Residence, Single - A residence consisting of a single residence only, separated from other residences by open space.

Right-of-Way - Strip of land used or dedicated for use as a public way. In addition to the roadway, it normally incorporates sidewalks and drainage facilities.

Road, Private - A thoroughfare which affords principal means of access to abutting property, but which has not been deeded to the public or subject to public easements.

Road, Public - A thoroughfare which has been dedicated or deeded to the public for public use or is subject to public easements and which affords principal access to abutting property.

Sewers, Central or Group - An approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community or region.

Sign-General- Any structure, natural object or device which shall be used to attract attention to any object, product, place, activity, person, institution, organization or business or which shall display or include any letter, word, banner, flag, other than governmental or noncommercial flags, balloon pennant, search light badge or insignia. The word sign shall include a writing representation or other figure of similar character located on the interior of a building when illuminated and located so as to be viewed from the exterior of the building. (See Signage for types)

Sign Area - The area measured by the smallest square, rectangle, circle, or combination thereof which will encompass the entire advertising device including border, trim, cutout, and extension.

Sign, Awning - A sign that is mounted on, painted on, attached to, or incorporated within an awning.

Sign, Billboard - A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

Sign, Flashing - Any directly or indirectly illuminated sign which exhibits changing natural or artificial light or color effects by any means whatsoever.

Sign, Governmental - A sign erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance, or other governmental regulation.

Sign, Ground - Any sign, other than a pole sign, placed upon or supported by the ground independent of any other structure.

Sign, Illuminated - A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

Sign, Pole - A sign that is mounted on a free-standing pole or other support so that the bottom edge of the sign face is six (6) feet or more above grade.

Sign, Portable - A sign that is not permanently affixed to a building, structure, or the ground, with or without permanent lettering.

Sign-Projection- A sign that is hung and can be seen from both directions of approach.

Sign, Roof - A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support, and which projects above the point of a building with a flat roof or the cove line of a building with a gambrel, gable, hip, or mansard roof.

Sign, Temporary - A sign intended to be displayed for 90 days or less in a calendar year.

Sign, Wall - A sign fastened to, or painted on, or incorporated into a building or structure.

Sign, Window - A sign that is applied or attached to the interior of a window or located in such manner within a building that it can be seen from the exterior of the structure through a window.

Structure - Anything constructed or erected, which requires location on the ground, including signs, walls, buildings, lakes, and ponds.

Telecommunication - Technology permitting the passage of information from the sender to one or more receivers in a usable form by means of any electromagnetic system.

Telecommunication Antenna -An antenna system designed to transmit or receive communications as authorized by the Federal Communications Commission (FCC), excluding amateur radio operator antennas.

Telecommunication Equipment Building - A structure in which the electronic receiving and relay equipment for a telecommunication facility is housed.

Telecommunication Facility - A facility consisting of the equipment and structures involved in receiving telecommunication or radio signals from a mobile radio communication source and transmitting those signals to a central switching computer which connects the mobile unit with the land-based telephone lines.

Telecommunication Tower - A tower including, but not limited to, self-supporting lattice or monopole which elevates the communication antenna and may include accessory transmission and receiving equipment.

Trailer Park - Any site, or tract of land under single ownership, upon which three or more mobile homes used for habitation are parked, either free of charge or for revenue purposes.

Use - The principal purpose for which a lot, and/or the main building thereon, is designed, arranged or intended and for which it may be used, occupied or maintained.

Variance - A modification of the strict terms of the regulations of the Zoning Resolution in specific cases where certain special conditions are met.

Zoning Certificate- The document issued by the zoning inspector authorizing use within the regulations of the zoning resolution-which is the same as zoning certificate as authorized per ORC 519.17.

Zoning Map - Areas designated by the Zoning Resolution as being Residential, Commercial, or Industrial districts.

Zoning Permit - A document issued by the Zoning Inspector authorizing use within the regulations of the Zoning Resolution which is the same as Zoning Certificate as authorized in ORC 519.17

Zoning Text - Those parts of the Zoning Resolution which regulate building lot size, set-back areas, etc. within the Township.

REVISION DATES

The following sections were updated, revised, or amended on the dates listed:

Actions to Comply with Zoning Resolution 1/26/13
Accessory Buildings - 1/20/97-11/9/00-12/10/08-9/10/09
Administration - 12/3/79 – 8/31/88 – 5/20/94-1/20/97-11/9/00
Agriculture - 7/25/77-2/13/80-3/27/84-1/20/97-11/9/00
Amendments - 3/5/80-3/27/84-1/30/95-1/20/97
Area Yard and Structure Requirements/Restrictions for Commercial District 3/21/08
Area Yard and Structure Requirements/Restrictions for Circle District 3/21/08
Board of Zoning Appeals - 12/3/79-1/20/97
Building Placement - 1/20/97-11/9/00
Certificate of Compliance 3/21/08
Classification of Uses, both Residential and Commercial/Industrial - 1/20/97-11/9/00-06/12/07
Classification of Uses, both Circle and Commercial 3/21/08-12/10/08
Conformance with Site Plan 3/21/08
Commercial Area and Yard Requirements - 1/20/97-8/29/02-06/12/07-
Commercial/Industrial - 9/11/84-11/4/85-11/8/93-1/20/97-10/09/00-8/25/03-5/23/05-6/12/07
Conditional Zoning - 4/8/85-7/28/86-7/2/87-3/28/88-1/20/97-11/9/00-3/21/08-1/26/13
Definitions - 2/13/80-9/14/83-3/27/84-10/26/92-11/8/93-11/22-93-5/20/94-1/20/97-8/31/98-
11/9/00-7/14/03-06/12/07-3/21/08
Districts 3/21/08
Duplexes - 1/20/97-11/9/00-Removed Completely
Enforcement/Penalty - 8/31/88-1/20/97-1/26/13
Explanation of Litchfield Township Zoning Districts Appendix 3/21/08
Fences - 6/21/76-8/2/76-5/20/94-1/20/97-1/26/13
General Regulations - 1/20/97
Height Restrictions-Minimum size of single residence-9/10/09
Home Occupations - 9/4/83-3/27/84-8/31/88-1/20/97-12/10/08
 Type I 12/10/08
 Type II 12/10/08
 Type III 12/10/08
Junk – 7/14/03
Junk Motor Vehicles - 4/12/82
Lakes and Pond Certificate 1/26/13
Methods and Procedures - 1/20/97-11/9/00
Minimum Lot Area - 6/24/74-10/28/74-11/6/79-1/20/97-11/9/00
Minimum Lot Width - 6/24/74-11/6/79-1/20/97
Minimum Size of Residence - 6/24/74-6/21/76-8/2/76-10/26/92-1/20/97-11/9/00
Nonconforming Use – 12/27/04
Oil & Gas Regulations, Public Utilities, Railroads - 1/12/84-1/20/97
Parking Facilities - 1/20/97
Prohibited Uses - 4/12/82-8/31/88-removed 1/20/97
Rear Lines - 7/9/82-1/30/95-1/20/97
Rear Lot Development - 6/22/83-11/22/93-8/14/95-1/20/97-10/9/00-8/30/04
Regulation of Lakes and Ponds - 6/21/76-8/2/76-1/30/95-1/20/97
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11/8/93-1/20/97-10/9/00-6/12/07-1/26/13
Schedule of Fees, Charges and Expenses 3/21/08-1/26/13
Set Back Building Lines - 1/30/95-1/20/97
Sexually Oriented Businesses – 5/23/05
Side Yards - 3/5/80-1/30/95-1/20/97-6/12/07
Signs - 10/26/92-11/8/93-1/20/97-1/31/05-6/12/07-07/12/10
Signs Permitted in Circle District, Commercial District and (I) Industrial District 3/21/08, 7/12/10
Site Plan Review (Fire Inspection) - 10/26/92-1/20/97
Site Plan and Review Conformance - 1/20/97-10/9/00-8/29/02
Subdivisions - 1/20/97-11/9/00-8/30/04
Supplemental Regulations for Circle District and Commercial District 3/21/08
Swimming Pools - 5/20/94-1/20/97-11/9/00-1/26/13
Telecommunication Facilities - 8/31/98-11/9/00
Variance Appeals - 1/20/97
When Effective - 1/20/97-11/9/00
Zoning Commission Procedures - 5/20/94–1/31/05-5/23/05
Zoning Commission Map 3/21/08

Zoning Certificate Application and Issuance 1/26/13

Zoning Certificate 1/26/13

Denial of Application 1/26/13

Exemption of Certificate 1/26/13

Term of Certificate 1/26/13

Extension 1/26/13

Full book approval 3/27/06-Effective 4/26/06, approval December 27, 2012-Effective January 26, 2013

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