

ZC-2026-5 Cleanup Amendment for Section 1, 2, 3, 4 and 10

Exhibit A

Additions are in red text

Deletions are in black and ~~struck out~~

Suggestion for proposed amendment

105.0 SCHEDULE OF FEES, CHARGES AND EXPENSES; AND COLLECTION PROCEDURE.

The board of township trustees shall, by ~~motion resolution~~, establish a schedule of fees, charges, and expenses and a collection procedure for zoning certificates, amendments, appeals, conditional zoning certificates, and other matters pertaining to the administration and enforcement of this resolution requiring investigations, inspections, legal advertising, postage, **public hearing**, and other expenses. The schedule of fees shall be posted in the office of the zoning inspector and **on the township website** and ~~township fiscal officer~~, and may be altered or amended only by ~~motion resolution~~ of the board of township trustees.

Each application for a zoning certificate, amendment, or conditional zoning certificate and notice of appeal shall be accompanied by the fee so established.

Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

106.0 FIRST DAY EXCLUDED AND LAST DAY INCLUDED IN COMPUTING TIME; EXCEPTIONS; LEGAL HOLIDAY DEFINED.

The time within which an act is required by law to be done shall be computed by excluding the first and including the last day; except when the last day falls on Sunday or a legal holiday, then the act may be done on the next succeeding day which is not a Sunday or legal holiday.

When a public office in which an act, required by law, is to be performed is closed to the public for the entire day which constitutes the last day for doing such act or before its usual closing time on such day, then such act may be performed on the next succeeding day which is not a Sunday or legal holiday as defined on “O.R.C. 1.14”.

“Legal holiday” as used in this section means the days set forth in “O.R.C. 1.14”.

If any day designated in “O.R.C. 1.14” as a legal holiday falls on a Sunday, the next succeeding day is **treated as** a legal holiday.

200.0 DEFINITIONS AND INTERPRETATIONS OF TERMS OR WORDS

For the purposes of this resolution the following words and terms shall be defined and interpreted in accordance with the provisions set forth in this Article~~2~~.

201.0 RULES OF INTERPRETATION

- A. The particular controls the general.
- B. In case of any difference of meaning or implication between the text of this resolution and the captions for each section, the text shall control.
- C. The word “shall” is always mandatory. The word “may” is permissive. The word “should” indicates a preference.
- D. Words used in the present tense include the future, unless the text clearly indicates the contrary.
- E. Words used in the singular number include the plural, and words used in the plural number indicate the singular, unless the text clearly indicates the contrary.
- F. A “building” or “structure” includes any part thereof. A “building or other structure” includes all other structures of every kind, regardless of similarity to buildings.
- G. The phrase “used for” includes “arranged for”, “designed for”, “intended for”, “maintained for” and “occupied for”.
- H. Words and phrases shall be read in context and construed according to the rules of grammar and common usage. Unless defined in this resolution, words and phrases shall be given their usual and customary meaning. Words and phrases that have acquired a technical or particular meaning, whether by legislative definition or otherwise, shall be construed accordingly.
- I. The word “person” shall mean, in addition to an individual, a firm, corporation, association, organization, partnership, trust or any legal entity which may own and/or use land or buildings.

202.0 WORDS AND TERMS DEFINED

CANOPY means a ~~free-standing open-sided~~ roofed structure ~~supported on one or more supports~~ **constructed of fabric or other material supported by a building or by support extending to the ground directly under the canopy and placed so as to extend outward from a building providing a protective shield for doors, windows, and other openings.**

CHANNEL means a ~~natural or artificial watercourse of perceptible extent, with beds and banks to confine and conduct continuously or periodically flowing water.~~

CLINIC means any building or other structure devoted to the diagnosis, treatment and care of people as out-patients.

EARTH DISTURBING ACTIVITY means any grading, excavating, filling, or other alteration of the earth's surface where natural or man-made ground cover is destroyed and which may result in or contribute to erosion and sediment pollution.

MANUFACTURED HOME PARK means any lot upon which three (3) or more manufactured or mobile homes used for habitation are located, as defined in **O.R.C. 4781.01(D)** "O.R.C. 3733.01 (A)".

O.R.C. means Ohio Revised Code, as amended.

~~**PARKING GARAGE, COMMERCIAL** means any building in the commercial district which (1) is used for the storage of motor vehicles, and (2) is not accessory to any other use on the lot, and (3) contains space rented to the general public by the hour, day, week, month, or year. A "commercial parking garage" shall not include (1) any establishment used for automobile repairs, excepting minor repairs which are solely incidental to the storage of motor vehicles, nor (2) any establishment used exclusively for the storage of commercial or public utility motor vehicles, or for the dead storage of motor vehicles.~~

~~**PARKING LOT, COMMERCIAL** means any lot in the commercial district which (1) is used for the storage of motor vehicles, and (2) is not accessory to any other use on the same or any other lot, and (3) contains space rented to the general public by the hour, day, week, month or year. A "commercial parking lot" shall not include (1) any establishment used for automobile repairs, excepting minor repairs which are solely incidental to the storage of motor vehicles, nor (2) any establishment used exclusively for the storage of commercial or public utility motor vehicles, or for dead storage of motor vehicles.~~

~~**USED CAR LOT** means any commercial lot on which two (2) or more motor vehicles in operating condition are offered for sale or displayed to the public.~~

~~**WELLS, GAS AND OIL** see *Extraction of Oil, Natural Gas and Hydrocarbons Article 8*~~

~~**ZONING COMMISSION** means the zoning commission of the township.~~

~~302.0 SUBMISSION TO DIRECTOR OF OHIO DEPARTMENT OF TRANSPORTATION.~~

~~Before any zoning amendment is adopted affecting any land within three hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certification to the board of trustees and township zoning inspector by the director of transportation or any land within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the board of township trustees shall give notice, by registered or certified mail to the director of transportation.~~

~~The board of township trustees shall not adopt a zoning amendment for one hundred twenty (120) days from the date the notice is received by the director. If the director of transportation notifies the board of township trustees that he/she has purchased or has initiated proceeding to appropriate the land which is subject of the amendment, then the board of township trustees shall refuse to adopt the amendment. If the director notifies the board of township trustees that he/she has found acquisition at that time not to be in the public interest, or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the director and the property owner, the board of township trustees shall proceed as required by the Ohio Revised Code.~~

401.1 LOCATION OF OFFICIAL ZONING MAP.

The official township zoning map shall be located in the office of the **Zoning Inspector** ~~township fiscal officer~~, who shall be responsible for its custody and safe-keeping, and shall not be removed therefrom. ~~except by township officials for the purpose of conducting township business.~~

401.3 AMENDMENTS TO THE OFFICIAL ZONING MAP.

No amendments shall be made to the official township zoning map except in conformity with the procedure set forth in Article 3 of this resolution.

All amendments to the official township zoning map shall be made by adopting a new official township zoning map which shall be identified by the signatures of the township trustees and attested to by the township fiscal officer together with the date of its adoption and its effective date. Said map shall be located in the office of the **Zoning Inspector** ~~township fiscal officer~~ and kept together with the original township zoning map and all other amended zoning maps in the manner provided in Section 401.1

1000.0 NONCONFORMING USE OF BUILDINGS AND LAND NOT AFFECTED BY ZONING.

The lawful use of any dwelling, building or structure and of any land or premises, as existing and lawful at the time of the effective date of this resolution or any amendment thereto, may be continued, although such use does not conform with this resolution or amendment, but if any such nonconforming use is voluntarily discontinued for two (2) years or more **the nonconforming use shall be deemed abandoned, and** any future use of said land shall be in conformity with the provisions of this resolution or amendment thereto.

1004.0 RECONSTRUCTION OF NONCONFORMING USES BUILDINGS OR STRUCTURES.

1008.0 NONCONFORMING LOT OF RECORD.

In any zoning district, a building, structure, or use, as permitted herein, shall be allowed on any lot of record with a lot area, ~~or~~ lot width, **or lot frontage** less than the minimum prescribed herein, which meets all of the following:

- A. It was a lot of record prior to the enactment of the zoning resolution or amendment thereto which resulted in the nonconformity;
- B. It is in conformity with all of the regulations of the zoning resolution or amendment thereto which were in effect at the time it became a lot of record;
- C. The amount of nonconformity has not increased since it became nonconforming; and
- D. The building, structure, or use complies with all other regulations set forth herein, except minimum lot area and minimum width.
- E. Abutting lots considered one lot. If 2 or more contiguous lots in a single ownership are of record at the time this Resolution becomes effective, and if all or part of the lots with buildings do not meet the requirements established for lot area or lot width, the lands involved shall be considered as an undivided parcel for the purposes of this Resolution.**
 - (1) Restrictions on combined lots. No portion of combined lots that are considered an undivided parcel shall be used or divided in a manner which diminishes compliance with lot area or lot width requirements.**