

JACKSON TOWNSHIP
ZONING RESOLUTION
8-9-99

PREPARED WITH THE ASSISTANCE OF
ASHLAND REGIONAL PLANNING COMMISSION

TABLE OF CONTENTS

PREAMBLE TO THE JACKSON TOWNSHIP ZONING RESOLUTION	4
SECTION 1 GENERAL REGULATIONS.....	5-6
SECTION 2 DISTRICTS	
200 Districts.....	7-8
SECTION 3 DISTRICT USES	
300 General Farm District	9
301 Residential District	10
302 Rural Center (R-2)	11
303 Commercial District.....	12
304 Industrial District	13
SECTION 4 DEFINITIONS	
400 General Terms.....	14
401 Accessory Use.....	14
402 Accessory Buildings	14
403 Agriculture	14
404 Agribusiness.....	14
405 Alterations, Structural	14
406 Automatic Expiration	14
407 Backlot, Building Lot.....	14
408 Board.....	14
409 Building.....	14
410 Building Height.....	15
411 Building, Main	15
412 Building, Setback Line.....	15
413 Business, Local	15
414 Butchering, Custom	15
415 Butchering, Commercial.....	15
416 Zoning Commission or Commission	15
417 Commercial Shooting Ranges.....	15
418 Conditional Use	15
419 Conditional Use Permit.....	15
420 Dwelling.....	15-16-17
421 Essential Services	17
422 Family	17
423 Final Zoning Permit	17
424 Floor Space	17
425 Flood Plain, Regional.....	17
426 Flood Protection Elevation	17
427 Flood, Regional.....	17
428 Home Occupation	17

429	Kennels	18
430	Junk Yard or Recycling Center	18
431	Lot	18
432	Lot Area	18
433	Lot Depth	18
434	Lot Lines	18
435	Lot of Record	18
436	Lot Width	19
437	Neighborhood Commercial	19
438	Nonconforming Building	19
439	Nonconforming Use	19
440	Person	19
441	Planned Unit Development	19
442	Preliminary Zoning Permit	19
443	Professional Services	19
444	Public Road	19
445	Public Use	19
446	Recreational Facilities	20
447	Residential Enterprise	20
448	Rezoning	20
449	Roadside Stands	20
450	Service Uses	20
451	Setback Line	20
452	Semipublic Use	20
453	Structure	20
454	Variance	21
455	Yard	21
456	Yard, Front	21
457	Yard, Rear	21
458	Yard, Side	21
459	Zoning Districts	21
SECTION 5 SUPPLEMENTAL REGULATIONS		
500	Temporary Structures	22
501	Deteriorated or Abandoned Structures	22
502	Junk	22
503	Mineral Extraction Storage and Processing	22-23
504	Accessory Buildings	24
505	Yard Requirements	25
506	Home Occupations	25-26
507	Residential Enterprises	26
508	Correction Period	26
509	Planned Unit Developments	26-27
510	Keeping of Animals, Fowl or Bees	27
511	Public Nuisances and Hazards	28
512	Flood Hazard Areas	28

513	Signs.....	28-29
514	Nonconforming Buildings and Uses.....	29-30
515	Conditional Uses.....	30-31
516	Kennels	31
517	Custom Butchering	31
518	Manufactured Home Parks	31-32-33
519	Restaurants.....	33
SECTION 6	ZONING COMMISSION	
600	Membership	34
601	Rules of Commission	34-35
602	Changes and Amendments.....	35-36-37
SECTION 7	BOARD OF ZONING APPEALS	
700	Membership	38
701	Rules of the Appeals Board	38
702	Powers and Duties of the Board.....	39-40
703	Procedures.....	40-41
SECTION 8	ADMINISTRATION	
800	Zoning Inspector	42
801	Zoning Certificate	42-43-44
802	Enforcement and Penalties.....	44
803	Interpretation, Purpose and Conflict.....	45
804	Validity	45
805	When Effective	45

**PREAMBLE TO JACKSON TOWNSHIP
ZONING RESOLUTION**

This Jackson Township Zoning Resolution has been prepared by the Jackson Township Zoning Commission with the assistance of the Ashland Regional Planning Commission. This Resolution has been prepared with the spirit of creating better land use, land use planning and Zoning. Planning and zoning together for the orderly progress of Jackson Township is the best deterrent for possible conflicting land uses in the future.

Therefore be it resolved by the Board of Township Trustees of Jackson Township, Ashland County, Ohio;

This resolution shall be known as the Jackson Township Zoning Resolution and maybe referred to as the "Zoning Resolution", which resolution amends and supersedes the existing zoning resolution of Jackson Township.

8/5/99

SECTION 1 – GENERAL REGULATIONS

- 100 No building or structure shall be built or altered for uses other than those permitted in the district in which the structure is located.
- 101 New land uses, other than those listed in these regulations, shall be prohibited on property in Jackson Township.
- 102 Parapet walls, chimneys, cooling towers, elevator bulkheads, fire towers, exhaust stacks, stage towers, silos, scenery lofts and necessary mechanical accessories are exempt from the height restrictions listed in these regulations.
- 103 New lots of record shall meet all minimum size requirements for the district in which they are located.
- 104 Any addition to an existing building shall not intrude into any required yard, open space, or setback area.
- 105 Two or more lots of record, or platted lots, when contiguous and owned by the same individual or entity may be treated as a single lot for the purposes of this resolution as long as the property in question is located in a single district.
- 106 The Jackson Township Zoning Resolution shall serve as a supplement to existing or future Federal, State and local laws. Whenever these regulations differ from other lawfully adopted regulations, the most restrictive or highest standard shall apply.
- 107 Any lot of record existing at the time of adoption of this resolution and held in separate ownership different from that of adjoining parcels may be used for any purpose normally permitted in that district even though its area, width and depth are less than the requirement of that District as long as the minimum setback and side yard requirements are met.
- 108 Agricultural uses, excluding related residential and agribusiness uses and those provisions specifically relating to agricultural districts, are exempt from these regulations.
- 109 No sales, transfers, divisions or creation of new lots after the effective date of this resolution are permitted which fail to meet the minimum lot size requirements as outlines in this resolution. As the result of any sale, transfer, or division all involved lots or parcels, including the original or residual parcel must meet the minimum size requirements outlined in this resolution. – Transfers between adjacent property owners which consolidate properties into a single parcel larger than its parts are permitted regardless of lot size minimums.

- 110 Disposal, processing, or storage of nuclear contaminated materials is specifically forbidden in Jackson Township regardless of the zoning district.
- 111 Disposal, processing, or storage of any materials which fall into the category of hazardous or toxic waste is specifically forbidden in Jackson Township regardless of the zoning district.
- 112 Commercial disposal, processing, or storage of waste suitable for a landfill is specifically forbidden in Jackson Township regardless of the zoning district. The creation of any sanitary waste disposal facility, including travel trailer dumping stations, must be approved by the Jackson Township Board of Zoning Appeals and the Ashland County Department of Health and a permit received prior to construction.
- 113 Commercial or private landfills are expressly forbidden in Jackson Township.
- 114 Manufacturing, sales, storage or distribution of fireworks or explosives is expressly forbidden in Jackson Township.
- 115 No more than one (1) main structure may be located on a lot of record in Jackson Township.
- 116 Junkyards or recycling centers shall not be permitted in Jackson Township.
- 117 Commercial Shooting Ranges are expressly forbidden in Jackson Township.
- 118 Building lots defined as “backlots” (see definitions) are prohibited in Jackson Township.
- 119 Fees: Fees as established by the Jackson Township Board of Trustees shall be paid upon the filing of a request for a variance, conditional use permit, preliminary zoning permit or renewals thereof or other permits as provided for by this resolution. Said fees shall be paid to the Board of Trustees and shall not be refunded.
- 120 Any property owner who has received written notice of a zoning violation will not be eligible to obtain a zoning certificate for any new construction on the same lot until the violation in question has been resolved.

SECTION 2 – DISTRICTS

200 For the purposes of this resolution, Jackson Township is hereby divided into four (4) Districts. They are as follows:

DISTRICT	PURPOSE
General Farm	To protect and maintain the openness and rural character of the countryside. To provide areas for rural development of various kinds where the General Farm District is appropriate.
Residential	To provide areas for residential development in areas that can support such development without creating any serious health threat.
Rural Center	To recognize and provide for small rural centers or “cross-roads communities” where limited mixed land uses exist and are not particularly harmful to each other. To provide for areas having convenience goods and services to residents of the surrounding area.
Commercial	To provide for the establishment of areas for local business uses, including retail businesses, which tend to meet the needs of the residents of the area and the needs of tourists or travelers to the extent of need and appropriateness. This category includes manufactured dwelling parks.
Industrial	To provide areas for the development of manufacturing and wholesale business establishments which are clean, quiet and free of hazardous or objectionable elements such as noise, dust, odor, smoke, glare, or other pollutants, generate little industrial traffic and operate entirely within enclosed structures in appropriate and designated locations.

201 The location and boundaries of the various districts listed in the resolution shall be shown on a map entitled “Jackson Township Zoning Plan 1995”. A certified copy of this map will be held on file in the offices of the Jackson Township Trustees and said map, all notations, dimensions and designations shown thereon, are hereby declared to be a part of this resolution.

- A. District boundaries are intended to follow street, alley, property or lot lines as they exist at the time of passage of this resolution.
 - B. Where district boundaries do not follow existing lot or property lines, the dimensions of these areas shall be listed on the zoning map.
 - C. In the case of a vacation of a street, alley or other right of way, the abutting zoning classification on either side shall be automatically extended to the centerline of said vacated property.
 - D. Where boundaries appears to approximately follow a foresaid lines and not more than ten (10) feet distant from such lines they shall be interpreted to be the boundary unless specifically shown otherwise on the zoning map.
- 202 The zoning map or any zoning map amendment shall be prepared by authority of the Township Zoning Commission or the Township Trustees. The map or amendment shall be dated with the effective date of the Resolution which adopted the map of amendment.
- 203 A certified print of the adopted map or map amendment shall be maintained by the office of the Jackson Township Trustees and in the office of the Ashland County Regional Planning Commission.

SECTION 3 – DISTRICT USES

300 General Farm District

1. **Permitted Uses – After obtaining a valid zoning certificate.**
 - A. Agriculture
 - B. Single-Family dwelling
 - C. Accessory uses
 - D. Public uses
 - E. Semi-public uses
 - F. Roadside stands

2. **Conditional Uses**
 - A. Two-family dwelling
 - B. Tourist home
 - C. Nursery (Child care) and nursing home
 - D. Kennel
 - E. Cemetery
 - F. Television or radio station transmitter or tower
 - G. Mineral extraction, storage and processing.
 - H. Custom butchering
 - I. Residential enterprise
 - J. Planned unit development
 - K. Sales and service of agricultural equipment
 - L. Manufactured dwelling park
 - M. Non-commercial recreational facilities
 - N. Home occupation
 - O. Veterinary Clinic
 - P. Essential services

3. **Requirements**
 - A. Minimum area: two (2) acres (87, 120 sq. ft.)
 - B. Minimum lot width: One hundred sixty-five (165) feet.
 - C. Minimum front yard: Eighty-five (85) feet from the center of road or street, including porches or decks.
 - D. Minimum rear yard: Fifty (50) feet.
 - E. Minimum side yard: Twenty-five (25) feet each side.
 - F. Minimum lot depth: Two hundred (200) feet from centerline of road or street.
 - G. Maximum building height: thirty-five (35) feet.
 - H. Minimum main building size: Eight hundred (800) square feet.

301 Residential District

1. Permitted Uses – After obtaining a valid zoning certificate.

- A. Agriculture
- B. Single-Family dwelling
- C. Accessory uses
- D. Public uses
- E. Semi-public uses
- F. Roadside stands

2. Conditional Uses

- A. Two-family dwelling
- B. Nursery (Child care) and nursing home
- C. Bed-and-breakfast tourist home
- D. Cemetery
- E. Television or radio station transmitter or tower
- F. Semi-public uses
- G. Public service facility
- H. Multi-family dwelling
- I. Residential enterprise
- J. Planned unit development
- K. Manufactured dwelling park
- L. Home occupation
- M. Essential services

3. Requirements

- A. Minimum area: two (2) acres (87, 120 sq. ft.)
- B. Minimum lot width: One hundred sixty-five (165) feet.
- C. Minimum front yard: Eighty-five (85) feet from the center of road or street, including porches or decks.
- D. Minimum rear yard: Fifty (50) feet.
- E. Minimum side yard: Twenty-five (25) feet each side.
- F. Minimum lot depth: Two hundred (200) feet from centerline of road or street.
- G. Maximum building height: thirty-five (35) feet.
- H. Minimum main building size: Eight hundred (800) square feet.

302 Rural Center (R-2)

- 1. Permitted Uses – After obtaining a valid zoning certificate.**
 - A. Agriculture
 - B. Single-Family Dwellings
 - C. Two Family Dwellings
 - D. Accessory Uses
 - E. Public uses
 - F. Professional Services

- 2. Conditional Uses**
 - A. Manufactured Dwellings
 - B. Manufactured Dwellings Parks and subdivisions
 - C. Multi Family Dwellings
 - D. Nursery or Nursing Homes
 - E. Tourist Homes
 - F. Mortuaries
 - G. Cemeteries
 - H. Semi-Public Uses
 - I. Neighborhood Commercial Uses
 - J. Radio or Television Stations or Transmission Facilities
 - K. Non-Commercial Recreational Facilities
 - L. Home occupation
 - M. Essential services

- 3. Requirements**
 - A. Minimum area: Twenty Thousand (20,000) sq. Ft. excluding road right-of-way
 - B. Minimum lot width: One hundred (100) feet.
 - C. Minimum front yard: Fifty (50) feet from the center of road or street, including porches or decks.
 - D. Minimum rear yard: Thirty (30) feet.
 - E. Minimum side yard: Eight (8) feet each side.
 - F. Minimum sum of both side yards: Twenty (20) ft.
 - G. Maximum building height: thirty-five (35) feet.
 - H. Maximum number of stores: Two and one-half (2.5)
 - I. Maximum percent of lot coverage: Thirty (30) percent
 - J. Minimum building size: 800 square feet.

303 Commercial District

1. Permitted Uses:**2. Conditional Uses**

- A. Agriculture
- B. Offices and banks
- C. Restaurants
- D. Accessory uses
- E. Public uses
- F. Commercial kennels and veterinary clinics
- G. Semi-public uses
- H. Two family dwellings
- I. Multi-family dwellings not exceeding four (4) units
- J. Home occupations
- K. Vehicle and machinery repair facilities
- L. Local business
- M. Nursery (Child care) and nursing homes
- N. Bed and breakfast tourist home
- O. Mortuaries or cemeteries
- P. Service stations
- Q. Service facilities
- R. Motels
- S. Commercial recreational facilities
- T. Commercial butchering
- U. Neighborhood commercial uses
- V. Service uses
- W. Manufactured dwelling park

3. Requirements

- A. Minimum area: two (2) acres (87, 120 sq. ft.)
- B. Minimum lot width: One hundred sixty-five (165) feet.
- C. Minimum front yard: Eighty-five (85) feet from the center of road or street, including porches or decks.
- D. Minimum rear yard: Fifty (50) feet.
- E. Minimum side yard: Twenty-five (25) feet each side.
- F. Minimum lot depth: Two hundred (200) feet from the centerline of road or street.
- G. Maximum building height: thirty-five (35) feet.
- H. Minimum main building size: Eight hundred (800) square feet.

304 Industrial District

1. Permitted Uses – Every industrial use requires review by the Jackson Township Board of Zoning Appeals which shall review the specified and intended use and either issue or deny a conditional use permit.

2. Conditional Uses

- A. Agriculture
- B. Accessory Uses
- C. Public Uses
- D. Semi-Public Uses
- E. Commercial recreational facilities
- F. Saw mills
- G. Essential Services
- H. Local business
- I. Service stations
- J. Cemeteries and mortuaries
- K. Motels
- L. Restaurants
- M. Manufacture, sale and storage of supplies
- N. Equipment storage, repair and sales
- O. Wholesale and warehouse facilities
- P. Grain elevators and feed mills
- Q. Offices and banks
- R. Research and testing laboratories
- S. Food Processing
- T. Oil and gas wells and on site storage
- U. Television or radio station transmitter or tower
- V. Airports
- W. Neighboring commercial services
- X. Pumping or metering stations for gas, water or petroleum products.

3. Requirements

- A. Minimum area: two (2) acres (87, 120 sq. ft.)
- B. Minimum lot width: One hundred sixty-five (165) feet.
- C. Minimum front yard: Eighty-five (85) feet from the center of road or street, including porches or decks.
- D. Minimum rear yard: Fifty (50) feet except adjacent to residential district where one hundred (100) feet is required.
- E. Minimum side yard: Twenty-five (25) feet each side except adjacent to residential district where 100 feet is required.
- F. Minimum lot depth: Two hundred (200) feet from the centerline of road or street.
- G. Maximum building height: Forty-five (45) feet.
- H. Minimum main building size: 1500 square feet.

SECTION 4 -- DEFINITIONS

For the purposes of this resolution, certain terms and words are described as follows:

- 400 **General terms** – The words “used for” include “designed for” and vice versa; words used in the present tense include the future and vice versa; words in the singular number include the plural number and vice versa; the word “building” includes the word “structure”; the word “dwelling” includes the word “residence”; the word “lot” includes the word “plot”; and the words “shall” is mandatory and not directory.
- 401 **Accessory Use:** A use of land or of a structure or a portion thereof customarily incidental and subordinate to the principal use of land or building and located on the same lot with such principal use.
- 402 **Accessory Buildings:** Any building or structure which is separate from the main building, but located on the same parcel as the main building, in any zoning district. (See Section 504).
- 403 **Agriculture:** The use of land for farming, dairying, pasturage, agricultural, horticulture, floriculture, viticulture and animal and poultry husbandry, the packing, treating or storing of produce provided, however, that the operation of any accessory uses shall be secondary to that of normal agricultural activities and provided further that the above uses shall not include the commercial feeding of garbage or offal to swine or other animals.
- 404 **Agribusiness:** Any use of land or buildings to sell a product or service which is used primarily by farmers in the pursuit of agriculture.
- 405 **Alterations, Structural:** Any change in the supporting members of a building such as bearing walls, columns, beams or girders.
- 406 **Automatic Expiration:** A time limit placed on the period of time a conditional use permit is valid by the Board of Appeals prior to issuance of the permit.
- 407 **Backlot, building lot:** Any building lot which is positioned so as to preclude a minimum of one hundred and sixty five (165) feet (see minimum frontage in Section 3 of this resolution) of frontage from being at the road directly in front of the building.
- 408 **Board:** Shall mean the Jackson Township Zoning Board of Appeals.
- 409 **Building:** A structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals or chattels. When separated by division walls from the ground up without openings, each portion of such buildings shall be deemed a separate building.

- 410 **Building height:** The vertical distance measured from the average elevation of the finished grade along the front of the building to the highest point of the roof surface.
- 411 **Building, main:** A building in which is conducted the principal use of the lot on which it is located.
- 412 **Building Setback Line:** The minimum distance from the center of the road that a structure may be located on a lot of record.
- 413 **Business, local:** An enterprise engaged in a retail trade of a clearly limited nature for the convenience of surrounding residents. These may include, but are not limited to, repair shops, cleaning establishments, drug stores, beauty or barber shops, hobby shops, and businesses for the sale of food and non-alcoholic beverages for consumption either on or off the immediate premises.
- 414 **Butchering, Custom:** A facility established to slaughter livestock owned by an individual. Said facility shall not offer meat for wholesale or retail trade. A facility of clearly limited nature for the convenience of individuals raising livestock for their own consumption.
- 415 **Butchering, commercial:** A facility established to slaughter livestock. Said facility may offer meat for wholesale or retail trade.
- 416 **Zoning Commission or Commission** shall mean the Jackson Township Zoning Commission.
- 417 **Commercial Shooting Ranges:** Any area where the property is used to allow shooting for a fee or fees paid to the owner or operator whether that owner operator is an individual, an association or a corporation.
- 418 **Conditional use:** A use of property which is outside the list of permitted uses and which is subject to approval by the Jackson Township Board of Zoning Appeals. A conditional use may be granted by the Board when there is a specific provision for such exception made in this Resolution. A list of permitted conditional uses is contained in Section 3 (District Uses) of this resolution.
- 419 **Conditional Use Permit:** A permit granted by the Jackson Township Board of Zoning Appeals for a conditional use of property.
- 420 **Dwelling:** A building, or portion thereof, designed exclusively for residential occupancy, including single family dwellings, two family dwellings, multi family dwellings, vacation and seasonal dwellings, and vehicles or residences designed to be moved or towed on wheels, skids, or rollers, but not including hotels, motels, boarding houses or rooming houses.

1. **Manufactured Dwelling:** A detached residential unit designed for transportation after fabrication on public or private thoroughfares on its own wheels or on a flatbed or other trailer and arriving at the site ready for occupancy except for minor and incidental unpacking and assembly operations. A factory built structure having at least eight hundred (800) square feet, excluding porches and garages, of living area and from which all wheels, tongues and axles have been removed. A constructed unit that is approved by the Ohio Department of Industrial Relations. Approved manufactured dwellings will carry a certification sticker from the State of Ohio. All manufactured dwellings shall meet the requirements of Section 4101.2 of the Ohio Basic Building Code dealing with industrialized units for the year in which they were built. Only manufactured dwellings from manufacturers certified as per Section 4101.2-98 may be located in Jackson Township. All manufactured dwellings located in Jackson Township shall be installed using tiedown straps and suitable ground anchors. Manufactured Dwellings shall not be considered as single family dwellings for location on individual lots of record. All manufactured dwellings located in Jackson Township shall be located in Manufactured Dwelling parks.
2. **Modular Home:** An assembly of materials or products comprising all or part of a total structure which, when constructed, is self sufficient and when installed constitutes a single-family dwelling and which contains a minimum of eight hundred (800) square feet of habitable floor area exclusive of porches or garages. Such installation includes its placement. This definition includes sectional units, but not manufactured houses. A single modular home shall be considered a single family dwelling. Modular homes must be set on a permanent foundation with footers below the frost line and taxed as real property.
3. **Single Family Dwelling:** A dwelling which is designed for and occupied by not more than one family and containing a minimum of eight hundred (800) square feet of habitable floor area exclusive of porches or garages.
4. **Two Family Dwelling:** A structure on a single lot of record containing a maximum of two (2) dwelling units, each of which is totally separated from the other by an unpierced wall extending from an exterior wall to exterior wall, except for a common stairwell exterior to both units. Each unit shall contain a minimum of eight hundred (800) square feet of habitable floor area exclusive of porches or garages.
5. **Multi Family Dwelling:** A structure on a single lot of record containing a maximum of three (3) dwelling units, each of which is totally separated from the others by an unpierced wall extending from

an exterior wall to exterior wall, except for a common stairwell exterior to all dwelling units. Each unit shall contain a minimum of four hundred (400) sq. ft. of habitable floor area exclusive of porches or garages.

- 421 **Essential services:** The erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies of gas, electrical, water or communications, supply, distribution or service facilities, including poles, wires, mains, drains, pipes, signals or hydrants including any necessary structures or buildings reasonably required to assure the provision of adequate supplies of public utilities by the utility or branch of government.
- 422 **Family:** One or more persons occupying a single family dwelling as a single housekeeping unit under a common housekeeping management plan based on a single internally structured relationship providing organization and stability.
- 423 **Final Zoning Permit:** A zoning permit which is issued after completion of construction, alteration or changes in the use of any structure or property in Jackson Township. There is no term limit on a Final Zoning Permit.
- 424 **Floor Space:** Square footage of a building excluding porches, manufactured dwelling “pull outs,” garages, decks, basements and other similar additions.
- 425 **Flood Plain, Regional:** That land inundated by the 100-year flood (regional flood).
- 426 **Flood Protection Elevation:** The elevation to which uses regulated by this resolution are required to be elevated or flood proofed.
- 427 **Flood, regional:** Large floods which have previously or which may be expected to occur on a particular stream because of local physical characteristics.
- 428 **Home Occupation:** A home occupation is a business conducted in the dwelling, garage, or accessory building of the owner of the residence. Any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling of dwelling purposes and does not change the character thereof. The home occupation shall not create undue amounts of traffic, noise or nuisances for neighboring property owners. Home occupations include, but are not limited to the following: real estate office, barber shop, beauty shop, doctor offices, leather shops, crafts, or repair shops for small appliances. Specifically excluded from the home occupation category are the following: heavy equipment and truck repair, except for a maximum of two (2) pieces of equipment or trucks owned and operated by the property owner as his primary occupation. (See Supplemental Regulation 506 in this Regulation)

- 429 **Kennels:** Any land used to house dogs for commercial purposes including breeding dogs for sale. A kennel license obtained by the property owner shall automatically deem the kennel to be a commercial kennel which must adhere to the commercial kennel regulations in this resolution.
- 430 **Junk yard or recycling center:** An open area where waste scrap metal, paper two (2) or more unlicensed motor vehicles or other motor vehicles or parts thereof, or similar materials are bought, sold, exchanged, stored, packed or handled, including building wrecking yards, and including uses taking place entirely within an enclosed building.
- 431 **Lot:** A parcel of land of sufficient size to meet minimum zoning requirements and to provide such yards and other open spaces as herein required. Such lots shall have frontage on improved streets or roads and may include:
1. A single lot of record.
 2. A portion of a lot of record.
 3. A combination of complete lots or record, of complete lots of record and portions of lots of records, or portions of lots of record.
1. **Corner lot:** A lot located at the intersection of two (2) or more streets. A lot abutting on a current street or streets shall be considered a corner lot if straight lines drawn from the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.
 2. **Interior lot:** A lot other than a corner lot.
 3. **Reversed corner lot:** A corner lot the side street line of which is substantially a continuation of the front line of the lot to its rear.
 4. **Through lot:** An interior lot having frontage on two or more streets but not qualifying as a corner lot.
- 432 **Lot area:** The total area within the lot lines of a piece of property.
- 433 **Lot depth:** The horizontal distance between the front and rear lot lines, measured along the median between the two (2) side lot lines.
- 434 **Lot lines:** The lines bounding a lot as defined herein.
- 435 **Lot of record:** A lot that has been surveyed and been placed on file according to the requirements of the County Auditor and County Engineer.

- 436 **Lot width:** The horizontal distance between the side lot lines measured at right angles to the lot depth at the building setback line.
- 437 **Neighborhood Commercial:** Land used for construction or use by a commercial enterprise to provide domestic goods or services to those residents in the immediate area such as grocery stores, appliance services, etc.
- 438 **Nonconforming Building:** A building or a portion thereof lawfully existing at the time this resolution is adopted which was designed, erected or structurally altered for use that does not conform to the use of the Regulations of the District in which it is now located.
- 439 **Nonconforming use:** A use which lawfully occupied a building or land at the time of adoption of this Resolution and which does not conform with the Regulations of the District in which it is located.
- 440 **Person:** An individual, partnership, association, firm, syndicate, company, trust, corporation, department, bureau or agency, or any other entity recognized by law as the subject of rights and duties.
- 441 **Planned Unit Development:** A contiguous area of land in which a variety of housing types and clusters are accommodated in a preplanned environment under more flexible standards such as lot sizes and setbacks, than those that normally apply under these Regulations.
- 442 **Preliminary Zoning Permit:** A permit issued after application for a Zoning Permit to allow the permit holder to construct, alter or change the use of structures or property in Jackson Township. The term of a Preliminary Zoning Permit is limited by this resolution and is considered temporary pending the issuance of a Final Zoning Permit.
- 443 **Professional Services:** The use of offices and related spaces of such services as, but not limited to, medical practitioners, veterinarians, lawyers, architects, dentists, engineers, etc.
- 444 **Public Road:** Includes the words street, highway or thoroughfare. A strip of land over which the public has an interest. This interest may occur by prescription (where the use has existed for an extended period of time without written documentation as to its creation or existence) or by dedication.
- 445 **Public use:** Public parks, schools and adjunctive administrative uses, cultural uses and service buildings devoted solely to the storage and maintenance of equipment and material.

- 446 **Recreational Facilities:**
1. Commercial Recreational Facilities: Recreational facilities established for profit, such as but not limited to, commercial golf courses, swimming pools, ice skating and race tracks.
 2. Noncommercial Recreational Facilities: Private and semi-private recreational facilities which are not operated for commercial gain, such as but not limited to, country clubs, riding clubs, private golf courses, game preserves or community swimming pools. Noncommercial recreational facilities may be leased to outside groups or organizations provided the fees for such purposes is limited to incidental and custodial expenses.
- 447 **Residential Enterprise:** A home occupation that employs individuals who are not residents of the dwelling.
- 448 **Rezoning:** An amendment to, or a change in the Zoning Resolution, rezoning can take three (3) forms:
1. A comprehensive revision or modification of the zoning resolution text and map;
 2. A change in the zone requirements;
 3. A change in the zoning map.
- 449 **Roadside Stands:** Small structures (maximum of one hundred (100) square feet) for the sale of agricultural and plant nursery products, a minimum of fifty (50) per cent of the produce shall be raised on the premises. Parking off the highway must be provided.
- 450 **Service Uses:** An enterprise engaged in the business of providing support for the convenience of individuals or other businesses. These may include but are not limited to the following uses: plumbers, electricians, heating contractors, printers, landscapers, and product distributors.
- 451 **Setback Line:** A line established by zoning, platting or other legal authority on a lot of specified distance and parallel to the lot line to restrict the intrusions of buildings, or porches, decks, etc. onto a lot line and providing free movement of air and adequate amounts of light.
- 452 **Semipublic use:** Churches and other places of worship, Sunday Schools, Parochial schools, colleges, hospitals and other institutions of an educational, religious, charitable or philanthropic nature.
- 453 **Structure:** Anything constructed or erected with a fixed location on the ground. Among other things, structures include signs, towers, poles and similar constructions.

- 454 **Variance:** A variance is a relaxation of requirements where such variance will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of this Resolution would result in unnecessary and undue hardship.
- 455 **Yard:** An open space at grade between a building and the adjoining lot line unoccupied and unobstructed by any portion of a structure from the ground upwards, except as otherwise provided herein.
- 456 **Yard, front:** A yard extending across the full width of the lot between the nearest front main building and the front lot line; the depth of the required front yard shall be measured horizontally from the nearest point of the front lot line.
- 457 **Yard, rear:** A yard extending across the full width of the lot between the nearest rear main building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest point of the rear lot line, or to the center of an alley if one is present.
- 458 **Yard, side:** A yard between a main building and the side lot lines extending from the front yard, or from the front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line towards the nearest point of the main building.
- 459 **Zoning Districts:** Shall mean the Zoning Districts and land uses therein as established by the Zoning Resolution of Jackson Township.

SECTION 5 -- SUPPLEMENTAL REGULATIONS

500 **Temporary Structures**

Temporary Structures for human habitation may be permitted during construction or reconstruction of a residence. Such temporary structures shall be used only after approval by the Ashland County Health Department of the sewage system and water supply. A permit for the location of said temporary structure shall be required. The permit issued by the Jackson Township Zoning Inspector shall be valid for six (6) months. All temporary structures shall be inspected after six months. The temporary permit may be renewed for an additional six (6) month period. In no case shall a temporary structure be used for more than one year.

501 **Deteriorated or Abandoned Structures**

Deteriorated or abandoned structures such as dwellings, barns, silos, sheds, oil storage tanks or other structures in a similar condition which create potential health hazards or nuisances shall be demolished and removed. Any of the above structures, destroyed by fire or other causes, must be demolished and the debris removed before a building permit shall be issued, or within 90 days, whichever comes first.

502 **Junk**

Scrap metal, paper, two (2) or more abandoned or unlicensed vehicles, household appliances, farm equipment or other similar articles that are not in operating condition or licensed as required by State Law or are creating a health or safety hazard or nuisances shall be removed from the view of the public and placed in an enclosed structure. Not permitted in a Planned Unit Development.

503 **Mineral Extraction, Storage and Processing**

1. Mineral extraction and related activities shall occur where permitted by these regulations and only after a valid Zoning Certificate has been obtained.
2. Mineral Extraction and related activities shall occur no closer than five hundred (500) feet from any structure intended for human occupancy.
3. The operator of any facility used for mineral extraction shall submit to the Zoning Inspector a map showing the areas to be mined and identifying adjacent property owners, roads, natural features and any additional information deemed necessary by the Inspector.

4. The operator of any facility used for mineral extraction shall submit to the Zoning Inspector a plan outlining how the area shall be reclaimed. The plan shall include the anticipated future use of the property, the final topography indicated by contour lines of intervals of not more than five (5) feet, the type of trees and shrubs, and number per acre, type and quality of grass to be spread, locations of roads, location of proposed drainage courses, plus any information deemed necessary by the Zoning Inspector.
5. In most cases a performance bond payable to the County Commissioners shall be filed by the operator. This bond shall be held to guarantee satisfactory compliance by the operator with the requirements of these Regulations. The rate per acre of property to be mined shall be fixed to equal the expected costs of reclamation. Said bond shall be released by the County Commissioners upon written certification of a compliance with these Regulations and satisfactory completion of the restoration plan.
6. These Regulations do not apply to oil or gas wells.

504 **Accessory Buildings**

1. A zoning permit shall be required for accessory buildings greater than 10 feet x 12 feet in any district.
2. Accessory buildings shall be located in the side or rear yard.
3. Accessory buildings shall be no closer than twenty-five (25) feet of any property line. (This will not apply in a Planned Unit Development)
4. Accessory buildings shall not occupy more than ten (10%) percent of the required yard.
5. Mobile homes, manufactured dwellings, truck bodies, semi-trailers, vans, buses, train cars and other similar vehicles shall not be utilized as accessory buildings in any district in Jackson Township.
6. Accessory buildings greater than 10 feet by 12 feet must be placed on a permanent foundation with footers extending downward below the frost-line. Said foundations shall be constructed to be positioned within four (4) inches of the periphery of the building. Accessory buildings of pole or clear-span steel construction are exempt from Section 504, item 6 of this regulation.

505 Yard Requirements

1. Interior lots having frontage on two streets shall only be required to provide the required front yard on one street.
2. In the case of corner lots used for residential purposes, the required front yard shall be provided for along the right of way that the residence fronts on.
3. In situations where forty (40%) percent or more of the frontage on the same side of a street between two (2) intersection streets is developed with new structures, new buildings shall be erected no closer or farther from the right-of-way than the average distance as established by existing buildings.

506 Home Occupations

1. Home Occupations may occur in the owner's dwelling, garage or accessory building. The total space occupied by the Residential Enterprise (including storage space), either in the dwelling or an accessory building, shall not exceed the total habitable area of the dwelling.
2. The Home Occupation shall be clearly incidental to the use of the dwelling and property as a residence.
3. A maximum of one (1) accessory building may be used for the Home Occupation.
4. Only residents of the dwelling may be employed by the Home Occupation.
5. Home Occupations are limited to low intensity activities that generate a limited amount of additional vehicular traffic and shall not create a nuisance to neighbors such as: real estate office, barber shop, beauty shop, doctor offices, leather shops, crafts, or repair shops for small appliances. Specifically excluded from the home occupation category are the following: heavy equipment and truck repair, except for a maximum of two (2) pieces of equipment or trucks owned and operated by the property owner as his primary occupation. Other occupations may be permitted upon approval of a variance by the Jackson Township Board of Zoning Appeals.
6. Home Occupations are permitted only after the owners obtain a valid Zoning Certificate for the activity.
7. Parking shall be limited to a maximum of two (2) spaces. Each parking space shall not exceed two hundred (200) square feet.

8. Separate sanitation facilities shall not be installed in an accessory building or located on the site for use by the Home Occupation.

507 Residential Enterprise

1. A maximum of two (2) non-residents of the dwelling may be employed by the owner.
2. The Residential Enterprise shall be clearly incidental to the use of the dwelling and property as a residence.
3. The Enterprise may occur in the owner's dwelling, garage or accessory building. The total space occupied by the Residential Enterprise (including storage space), either in the dwelling or an accessory building, shall not exceed the total habitable area of the dwelling.
4. A maximum of one (1) accessory building may be used for the Residential Enterprise.
5. Acceptable Residential Enterprises are the same as those listed for Home Occupations and are subject to the same limitations.
6. Residential Enterprises are permitted only after the owners obtain a valid Zoning Certificate for the activity.
7. Parking shall be limited to a maximum of four (4) spaces. Each parking space shall not exceed two hundred (200) square feet.
8. Separate sanitation facilities shall not be installed in an accessory building or located on the site for use by the Residential Enterprise.

508 Correction Period

All zoning violations shall be corrected within Thirty (30) days – or a stipulated period established by the Jackson Township Board of Zoning Appeals – of receipt of a written notice of said violation by the owner of the property. Any violation not corrected in this period of time shall be reported to the County Prosecutor for legal action.

509 Planned Unit Development

1. All planned unit developments shall be subjected to the following rules, regulations, criteria and standards.

2. The requirements required to obtain a Conditional Use Permit shall be followed.
3. Planned Unit Developments shall only be permitted in Districts identified for such uses in these Regulations.
4. All applicable State and Local Regulations shall be followed during the planning, design, construction and occupation of a Planned Unit Development.
5. The Board of Zoning Appeals shall consider the following points when making their decision:
 - A. Different types of living environments are available by offering a variety of housing and building types and by permitting an increased density of housing units per acre through a reduction in lot dimensions, yard dimensions, setbacks, and area requirements.
 - B. A well thought out pattern of open space and recreation areas convenient to accessory uses and dwellings is included.
 - C. A development pattern that preserves the natural topography, geological features and vegetation without disrupting natural drainage features.
 - D. That a more efficient use of land is achieved resulting in savings through shorter streets and utility lines.
 - E. A development pattern consistent with the land use, density, transportation facilities and community facilities objectives.
 - F. That the Planned Unity Development does not adversely affect the neighboring land uses.

510 Keeping of Animals, Fowl or Bees

1. Not more than one of the following: Cow, Horses, Swine, Sheep or Goats shall be raised on lots of less than two and one half (2 ½) acres.
2. Chickens, Fowl or Rabbits shall not be kept on lots of less than twenty thousand (20,000) square feet. All animals shall be provided with suitable shelters to avoid disturbing neighbors.
3. Colonies of Bees shall not be located on lots of less than twenty thousand (20,000) square feet. A minimum of one thousand (1,000) square feet shall be required for each colony.
4. Animal runs, barns, pens, shelters or colonies shall be constructed no closer than one hundred feet to any other property line or dwelling.
5. All health and sanitation requirements of the State or County shall be followed.

511 Public Nuisances and Hazards

No land, building or use shall occur, be used, or be occupied so as to have a substantial negative impact on the community. All noxious or hazardous substances shall be stored, transported or used and disposed according to the applicable state or federal regulations or according to the recommendations of the products' manufacturer so as to not be a hazard to adjoining property owners and uses. Suitable precautions shall be taken to insure the safety of adjoining property owners.

512 Food Hazard Areas

1. Structures and land uses located in the Regional Flood Plain shall be subject to the following requirements:
 - A. Construction of any permanent structure in a Flood Hazard Area is prohibited by this resolution.
 - B. The Zoning Classification of the property shall apply to areas in the flood plain.
 - C. Only those uses listed for that Zoning District shall occur in Flood Hazard Area.
 - D. Permitted Uses:
 - a. General Farm District: Agriculture Uses, all (except Residences and related permanent structures) Residential Uses, lawns, gardens and recreational areas.
 - b. Residential Districts: Agriculture Uses, all (except Residences and related permanent structures) Residential uses, lawns, gardens and recreational areas.
 - c. Commercial District: Agriculture Uses, all (except Residences and related permanent structures) Residential uses, lawns, gardens and recreational areas, Commercial uses such as loading, parking or storage areas for items not subject to flood damage or easily moved.
 - d. Industrial District: Agriculture uses, all: Commercial uses such as loading, parking or storage areas; Industrial uses, parking or loading areas, storage areas for items not subject to flood damage or easily moved.
5. Utility facilities such as dams, power plants, flowage areas, transmission lines, pipelines, water monitoring devices or dikes or earthen structures are also permitted.
6. Temporary structures located in the regional flood plain shall not be used for human habitation.
7. Hazardous or toxic substances shall not be stored in flood prone areas.

513 Signs

1. All signs located in Jackson Township shall follow the requirements of these Regulations.
2. The following signs shall be permitted in any District. No permit shall be required, however, setback dimensions as contained in the Resolution's Section 513-3-b and 513-3-c must be compiled with:
 - A. Real Estate rental or sale signs of less than six (6) square feet per side.
 - B. Signs advertising Home Occupations or Residential Enterprises of not more than six (6) square feet per side.
 - C. Signs listing the name and address of occupants of a structure not exceeding four (4) square feet per side.
 - D. Signs or bulletin boards related to places of worship, public buildings or social clubs or societies not exceeding forty (40) square feet.
 - E. Entrance, exit or directional signs.
 - F. Temporary signs advertising special events or the construction of buildings completion of the advertised activity.
 - G. Political signs not exceeding four (4) square feet, these signs must be removed within two (20 weeks of the election.
 - H. Signs erected by governmental agencies.
 - I. Signs advertising roadside stands not exceeding six (6) square feet.
3. Zoning Certificates shall be required for the following types of signs:
 - A. Outdoor advertising signs not located on the premises of the establishment advertised.
 - B. Signs shall be set back from the edge of the right-of way as required by the following table:

Size	Setback
Less than or equal to 10 sq. ft.	10 feet
11 to 30 square feet	20 feet
31 to 50 square feet	30 feet
51 square feet or greater	50 feet
 - C. Signs shall be separated from each other a minimum of ten (10) times the average size of the signs; signs shall be not less than one hundred (100) feet apart.
 - D. Signs shall not be located less than one hundred (100) feet to a residential structure.
 - E. No signs shall be greater than one hundred (100) square feet in total surface per side.
 - F. Signs on the premises of commercial or industrial uses; the edge of such signs shall not be closer than fifteen (15) feet to the right-of-way.

4. The following types of signs are prohibited:
 - A. Signs attached to or painted on trees, rocks or natural features.
 - B. Flashing or illuminated signs that distract drivers.
 - C. Signs that resemble devices erected under governmental authority.
 - D. Signs located in dedicated rights-of-way.
 - E. Signs deemed to be unsafe or a public hazard.
5. When the Regulations conflict with applicable State Requirements, said State requirements shall apply.

514 **Nonconforming Buildings and Uses**

1. Any lawful uses of buildings or land existing at the time of the adoption of this Resolution may continue, even though such use does not conform to the District requirements.
2. A nonconforming structure or use may be enlarged a maximum of twenty (20) percent of the original floor or ground area provided that all other requirements concerning setback and lot area are met.
3. Whenever a building or land use becomes nonconforming through an amendment to this Resolution or to the Zoning map, such use may continue.
4. Any nonconforming use that is discontinued for a period of one (1) or more years shall not again be started except in total conformation with these Regulations.
5. Any structure under construction at the time of adoption of these Regulations designed for a conforming use may be used for its intended purpose. However failure to complete the construction under permit within a twelve (12) month period shall render the permit invalid and said structure shall be removed from the premises.
6. A nonconforming building or structure damaged by fire, explosion, act of nature or a public enemy to the extent that up to fifty (50%) percent of the structure must be replaced, may be restored to the same use within twelve (12) months provided all reconstruction portions of the structure conform to the requirements of these Regulations.
7. A nonconforming building or structure damaged by fire, explosion, act of nature or a public enemy to the extent that more than fifty percent (50%) of the structure must be replaced, may be reconstructed by meeting all standards applicable to new dwellings or structures set forth in this resolution. Upon determination of the extent of required reconstruction as being in excess of fifty percent (50%) said nonconforming use shall be rescinded.

8. Replacement of a nonconforming building or structure is permitted only if the new building or structure meets all standards applicable to new dwellings or structure meets all standards applicable to new dwellings or structures set forth in this resolution. Upon replacement of the building or structure said nonconforming use shall be rescinded.

515 **Conditional Uses**

1. Under special conditions, land uses other than those specifically permitted by this Resolution may occur in a District. A list of these uses is located in Section 3 of this Resolution. A special permit must be obtained from the Board of Zoning Appeals before the development of any land use identified in this resolution as a “conditional use.”
2. All proposed “Conditional Uses” are subject to the following general standards:
 - A. The uses will be harmonious with and in accordance with the general objectives, or with any specific objectives of the Township’s Zoning Resolution.
 - B. All structures and uses will be designated, constructed, operated and maintained so as to be harmonious, safe and appropriate in appearance and use with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
 - C. The proposed use will not be hazardous or disturbing to existing or future neighboring uses.
 - D. The proposed use will be served adequately by essential public services (fire, police, highways, sewers, water, schools) or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.
 - E. That the proposed use will not create excessive additional public costs or responsibilities for services or facilities and will not be detrimental to the community.
 - F. The proposed uses will not involve activities, processes, materials, or equipment detrimental to persons, property or the general welfare of the community because of excessive noise, smoke, odors, traffic, glare or fumes.
 - G. Adequate access to the use shall be provided that does not interfere with surrounding uses or disrupt current traffic patterns.
 - H. The proposed use will not result in the destruction, loss or damage of natural, scenic or historic features of major importance.

3. When making its review of the proposed use the Board of Zoning Appeals shall review the proposal on the basis of the above factors and any other criteria deemed pertinent by them. Such review shall follow the requirements established in Section 7 of this Resolution.
4. In granting any conditional use, the Board may prescribe appropriate conditions and safeguards including time constraints and automatic expirations in conformity with this resolution. Violations of such safeguard and conditions, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this resolution and punishable under the provisions outlined in Section 8 of this resolution. A conditional use permit may be granted with an automatic termination at which time the conditional use permit shall expire.
5. Expiration of a conditional use permit. A conditional use permit, properly granted, shall be deemed to authorize only one particular conditional use and said permit shall automatically expire if, for any reason, the conditional use shall cease for more than six (6) months. A conditional use permit shall automatically expire on any automatic termination date set forth in the conditional use permit application approved by the Board.

516 **Kennels**

An accessory use or home occupation. Any resident who purchases a kennel license from Ashland County shall be deemed as maintaining a kennel. Measures shall be taken to keep noise levels at a minimum so as to not disturb neighboring property owners. Not permitted in a Planned Unit Development.

517 **Custom Butchering**

Custom Butchering, as defined, shall be permitted in those Districts identified in these Regulation. A facility used for Custom Butchering shall be located no closer than two hundred (200) feet to the residence of an adjacent property owner,. No wholesale or retail trade shall be associated with the facility. The Ashland County Board of health shall certify the adequacy of sanitary measures to dispose of animal waste and byproducts before the facility is occupied. Provisions for pasturage or long term care of animals to be slaughtered shall be prohibited.

518 **Manufactured Home Parks**

1. Manufactured Home Parks are permitted in those districts specified in Section 3 of this resolution. All manufactured home parks shall meet the following conditions and criteria:

- A. The applicant presents plans, specifications, design criteria and other data for the proposed park in a form suitable for making the determination herein required by the Board of Zoning Appeals and all other pertinent information they may require in each individual application.
 - B. Such plans, at a scale approved by the Board of Zoning Appeals shall show the location and dimensions of streets and other roadways and lots.
 - C. All manufactured home parks shall meet current state or local regulations governing their placement and occupancy.
2. Standards for Manufactured Home Parks
- A. Size of site: Minimum of ten acres.
 - B. Density: Maximum of four (4) manufactured houses per gross acre.
 - C. Minimum number of sites: A minimum of twenty-five (25) at first occupancy.
 - D. Width: Minimum width of the development shall be three hundred (300) feet.
 - E. Depth: Maximum depth of the development shall not exceed five (5) times the width.
 - F. Buffering: The outer boundaries of the park shall contain a buffer zone composed of a green strip of not less than fifty (50) feet in the front and twenty-five (25) feet on both sides and to the rear.
 - G. Access: Shall be provided into the park with a minimum right of way sixty (60) feet in width with a minimum of thirty feet to be a paved roadway.
 - H. Roads: Marginal access roads may be required if deemed necessary by the Board of Zoning Appeals. These streets shall have a minimum right of way of sixty (60) feet and a pavement width of thirty (30) feet.
 - I. Walkways: Shall be provided with a minimum width of three (3) feet and shall be paved.
 - J. Recreation and open space: A minimum of seven (7%) percent of the gross land area of the development shall be reserved for recreation and open space uses, excluding any yard requirements.
3. Standards for lots
- A. Lots shall follow the minimum standards required in the current Subdivision Regulations of Ashland County.
 - B. Setbacks: A minimum side yard setback of 15 feet shall be maintained and a minimum of 25 feet shall be maintained as front yard and rear yard setbacks.
 - C. Parking: A minimum of four hundred (400) square feet of off street parking per space or lot, for two (2) cars shall be provided and paved.
 - D. Walkways: Each lot or space shall have a paved walkway of a minimum of three (3) feet in width leading to the main entrance from the walkway along the right of way.

- E. Skirting: Each manufactured home shall be completely skirted, entirely closing the bottom, within thirty (30) days of its placement. The term “skirting” shall mean the use of any rigid weatherproof material designed and installed in such a manner as to provide a solid or visual barrier between the underside of a mobile home and the pad.
- F. Pad: Each lot or space shall be provided with a stable base or foundation on which to place the manufactured home and acceptable to the Board of Zoning Appeals.
- G. Lot numbering: Each manufactured home space or lot shall be numbered for identification purposes.
- H. Tie-downs: Each manufactured home shall employ the use of tie downs to support it in high winds. Tie down anchors are to be furnished at the time of construction which are acceptable to the Board of Zoning Appeals.
- I. All manufactured home size standards will comply with the minimum living space standards contained in section 518 of this resolution.

519 **Restaurants**

1. The number of seats permitted in a restaurant in a commercial district is 50.
2. No restaurant is permitted to conduct any type of topless dancing or related adult entertainment.

Section 6 – Zoning Commission

600 Membership

1. The Zoning Commission, hereinafter called the Commission, shall be appointed by the Board of Township Trustees and shall consist of five (5) members (none whom shall be concurrently appointed as a member of the Board of Zoning Appeals) who are residents of the unincorporated area of the Township.
2. Each member shall be appointed for a five (5) year term with the terms of the members to be of such length and so arranged that the term of one member will expire each year. A successor shall be appointed on the expiration of each term to service five (5) years. Each member shall serve until his or her successor is appointed and qualified. Members of the Commission may be allowed their expenses, or such compensation, or both, as the Board of Trustees may approve and provide. The Board of Township Trustees may remove any member for cause, after a public hearing, in accordance with the provisions of Section 519.04 of the Ohio Revised Code. Vacancies shall be filled for the unexpired term of any member whose place becomes vacant.

601 Rules of the Commission

1. The Commission shall by majority vote of its members elect a Chairman, a Vice-Chairman and a Secretary, who shall occupy such offices until their successors are duly elected at the next annual meeting of the Commission which shall be held during the month of January each year.
2. Meetings of the Commission shall be in January and July of each year or at the call of the Chairman or at such other times as the Commission may determine. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, and of each member's absence or failure to vote, and shall keep records of every official action, every rule or regulation, every amendment or repeal thereof, and every order, requirement, decision or determination of the Commission and shall be filed in the Office of the Commission and shall be a public record.
3. If any member of the Commission is absent for four (4) consecutive meetings, he may be considered, at the option of the Chairman, to have resigned and the Chairman may request the Board of Township Trustees to appoint a replacement.

4. The Zoning Commission shall require a quorum of three (3) members at all of its meetings and the concurring vote of three (3) members shall be required to affect any decision of the Commission.
5. The Commission may, within the limits of the moneys appropriated by the Board of Trustees for the purpose, employ or contract with such planning consultants and executive and other assistants as it deems necessary.

602 **Changes and Amendments**

1. Authority:
 - A. All provision of current state laws pertaining to Township Zoning shall be complied with. Whenever the public necessity, convenience, general welfare or good zoning practice requires, the Board of Trustees may, by resolution, after report thereon by the Commission and subject to the procedure in this Section, and/or the current Ohio Law, amend, supplement or change the resolution, district boundaries or classification of property, now or hereafter established by the resolution and current official zoning map.
 - B. It is the intent of this Resolution to discourage all forms of zoning that result in small portions of the same platted property zoned differently.
2. Initiation: Amendments or supplements to the Zoning Resolution may be initiated as follows:
 - A. By motion of the Township Zoning Commission;
 - B. By passage of a Resolution therefore by the Board of Township Trustees, and a certification of the same by the Commission;
 - C. By the filing of an application by one (1) or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment or supplement with the Township Zoning Commission.
3. Applications: Applications initiated by private owners or lessees for any change of district boundaries or reclassification of districts as shown on the Zoning Maps shall be filed with the Zoning Commission upon forms approved by the Commission and accompanied by such data and information prescribed for the purpose of the Commission.
4. Fee: A fee established by the Board of Jackson Township Trustees shall be paid to the township upon the filing of each application for change of district classification, except actions initiated by the Board of Jackson Township Trustees or the Jackson Township Zoning Commission. Said fees shall be paid to the Zoning Inspector.

5. Transmittal to the Regional Planning Commission: Within five (5) days after the adoption of such motion, or the certification of such resolution, or the filing of such application, the Commission shall transmit a copy thereof, together with text map, to the Regional Planning Commission. The Regional Planning Commission shall recommend the approval or denial of the proposed amendment or supplement, or the approval of some modification thereof, and shall submit such recommendation to the Commission. Such recommendation shall be considered at the public hearing held by the Commission.
6. Hearing and Notice by Zoning Commission: Upon the adoption of such motion, or the certification of such resolution, or the filing of such application, the Township Zoning Commission shall set a date for the public hearing not less than twenty (20) nor more than forty (40) days from the date of the certification of such resolution or the adoption of such motion, or the date of the filing of such application. Notice of such hearing shall be given as follows:
 - A. A Notice shall be published in one (1) or more newspapers of general circulation in the Township at least fifteen (15) days before the date of such hearing.
 - B. If the proposed amendment or supplement intends to rezone or redistrict ten (10) or fewer parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Commission, by first class mail requiring a signed receipt by the receiver, at least twenty (20) days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from such area proposed to be rezone or redistricted to the addresses of such owners appearing on the Ashland County Auditor's current tax list or the Ashland County Treasurer's mailing list. The failure to deliver such notice shall not validate any such amendment or supplement. The published and mailed notices shall set forth the time and place of the public hearing, the nature and extent of the proposed amendment or supplement, and a statement that after the conclusion of such hearing the matter will be referred for further determination to the Jackson Board of Township Trustees.
7. Records: The Zoning Commission shall keep minutes of its proceedings showing the vote of each member upon each question and shall keep records of its examinations and other official action, all of which shall be filed in the Commission Office and shall be a public record.
8. Decision by Commission and Submittal to the Board of Township Trustees: The Commission shall study the proposed changes in the terms of public necessity, convenience, general welfare and good zoning practice. The Commission shall, within thirty (30) days after such hearing, recommend the approval, or denial of the proposed amendment or supplement on the basis, or

the approval or some modification thereof, and submit such recommendation together with such application or resolution, the text and map pertaining thereof, and the recommendation of the Regional Planning Commission to the Board of Township Trustees.

9. Hearing and Notice by the Board of Township Trustees: The Board of Township Trustees, upon receipt of such recommendation from the Township Zoning Commission, shall hold a public hearing thereon. The Board of Township Trustees shall set a time for the public hearing on the proposed amendment or supplement not more than thirty (30) days from the date of the receipt of such recommendation from the Commission. Notice of such public hearing shall be given by the Board of Township Trustees by one (1) publication in one (1) or more newspapers of general circulation in the Township, at least fifteen (15) days before the date of such hearing. Said Notice shall contain the information listed in items 6.B.a through 6.B.g of this Section.
10. Action by the Board of Township Trustees: Within twenty (20) days after such public hearing, the Board of Township Trustees shall either adopt or deny the recommendation of the Commission, or adopt some modification thereof. In the event the Board of Township Trustees denies or modifies the recommendation of the Commission, the unanimous vote of the Board of Township Trustees shall be required to override the recommendation of the Commission.
11. Effect and Referendum: Such amendment or supplement adopted by the Board of Township Trustees shall become effective in thirty (30) days after the date of such adoption unless within thirty (30) days after the adoption of the amendment or supplement, there is presented to the Board of Township Trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the Township, or part thereof, included in the Zoning Plan, equal to not less than eight (8%) percent of the total vote cast for all candidates for governor in such areas at the last general election at which a governor was elected, requesting the Board of Township Trustees submit the amendment or supplement to the electors of such area for approval or rejection at the next primary or general election.
12. No amendment or supplement for which such referendum vote has been requested shall be put into effect unless a majority of the votes cast on the issue is in favor of the amendment. Upon certification by the Board of Elections that the amendment has been approved by the voters, it shall take effect immediately. Aggrieved parties may appeal decisions to the Court of Common Pleas.

Section 7 – **Board of Zoning Appeals**

700 **Membership**

1. The Board of Zoning Appeals, hereinafter called the Appeals Board, shall be appointed by the Board of Township Trustees and shall consist of five (5) members (none whom shall be concurrently appointed as a member of the Township Zoning Commission) who are residents of the unincorporated area of the Township.
2. The members of the Appeals Board shall serve the same length of terms, and appointments should be staggered in the same manner as provided for the Township Zoning Commission in Section 6. The Board of Township Trustees may remove a member for cause, after a public hearing in accordance with the provisions of Section 519.04 of the Ohio Revised Code. Vacancies shall be filled for the unexpired term of any member whose place becomes vacant.

701 **Rules of the Appeals Board**

1. The Appeals Board shall by majority vote of its members elect a chairman, a vice chairman and a secretary who shall occupy such offices until their successors are duly elected at the next annual meeting of the Appeals Board, which shall be held during the month of January each year.
2. If any member of the Appeals Board is absent for four (4) consecutive meetings, he may be considered, at the option of the chairman, to have resigned, and the chairman may request the Board of Township Trustees to appoint a replacement.
3. All meetings of the Appeals Board shall be open to the public.
4. The Appeals Board shall keep minutes of all meetings showing the proceedings, the vote of each member upon each question, or if absent or failing to vote, indicating such fact and shall keep records of its examinations and other official actions all of which shall be immediately filed in the office for the Township Trustees and shall be a public record.
5. The Appeals Board shall require a quorum of three (3) members at all meetings and the concurring vote of three (3) members shall be required to affect any decisions by the Appeals Board.

702 Powers and duties of the Appeals Board

1. Appeals: To hear and decide appeals where it is alleged there is an error in any interpretation, order, requirement, decision or determination made by an administrative official in the enforcement of the provisions of this Resolution.
2. Variances: Upon appeal in specific cases, where, by reason of exceptional narrowness, shallowness or shape or exceptional topographical conditions or other extraordinary situations or conditions of a lot, the strict application of the terms of this Zoning Resolution would result in a peculiar and practical difficulties or unnecessary hardship upon the owner, the Jackson Township Zoning Board of Appeals may grant a variance provided it will not substantially impair or change the intent of the Zoning Resolution. The following tests shall be applied by the Board in determining unnecessary hardship:
 - A. The applicant's hardship cannot be one of economics alone; for hardship the required USE must remove all profitable USE from the land.
 - B. The hardship must result from the requirements of this resolution and not from the applicant's own actions.
 - C. Real hardship must be shown; it is not sufficient to allege that the granting of a variance will not have any harmful effect on the surrounding area.
 - D. The variance must not be contrary to the public interest even if hardship is shown.
 - E. The variance must not alter the essential character of the area.
3. No variance shall be granted unless the Appeals Board finds that ALL of the following conditions exist:
 - A. The special circumstances or conditions applying to the building or land in question are unique to such lot or property and do not apply generally to other land or buildings in the vicinity.
 - B. The granting of the application is necessary for the preservation and enjoyment of a substantial property right and not merely as a convenience to the applicant.
 - C. The authorization of the variance will not impair an adequate supply of light and air to the adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or imperil the public safety or unreasonably diminish or impair established property values within the surrounding areas, or in any way impair the health, safety, convenience or general welfare of the inhabitants of Jackson Township.
4. Conditional Use Zoning Certificates: To grant a Conditional Use Zoning Certificate for the use of land, buildings or other structures if such certificate for specified uses are provided in the Jackson Township Zoning Resolution.

(See Districts for Conditional Uses). All proposed conditional uses are subject to the general standards listed in Section 5, paragraph 515, parts 1, 2 and 3 of this resolution. Procedures for obtaining a conditional use permit are contained in Section 515 of this resolution.

703 **Procedures**

1. Meetings of the Appeals Board shall be at the call of the Chairman and at such other times as the Appeals Board may determine. The Chairman, or in his absence, the acting chairman, may administer oaths, and the Appeals Board meetings shall be open to the public. The Appeals Board shall keep minutes of its proceedings showing the vote of each member upon each question, and of each member's absence or failure to vote, and shall keep records of every official action, every rule or regulation, every amendment or repeal thereof, and every order, requirement, decision or determination of the Appeals board, all of which shall be filed in the Office of the Board of Township Trustees and shall be a public record.
2. Appeals and Variances: Appeals and Appeals for Variances to the Jackson Township Board of Zoning Appeals may be made by any person aggrieved or by any officer of Jackson Township. Appeals and Appeals for Variances may only be filed after denial by the Jackson Township Zoning Inspector for a Preliminary Zoning Permit or a Final Zoning Permit in the particular case being argued by appellant. Such appeal shall be made within twenty (20) days after filing with the Township Clerk, a notice of such appeal, specifying the grounds for the appeal on forms approved by the Appeals Board. A fee established by the Jackson Township Board of Trustees shall be paid to the Township Clerk upon the filing of each appeal. The Township Clerk shall transmit to the Appeals Board all the papers constituting the record upon which the action appealed from was taken.
3. Public Hearing and Decision: The Jackson Township Board of Zoning Appeals shall fix a reasonable time for the public hearing for the appeal, giving at least ten (10) days notice in writing to the parties of interest, give notice of such public hearing by one (1) publication in one (1) or more newspapers of general circulation in the Township and at least ten (10) days before the date of such hearing and decide the appeal within a reasonable time after it is submitted. Upon the hearing, any person may appeal in person or by attorney. Every decision of the Appeals Board shall be based upon a finding and facts shall be reduced to writing and preserved among its records.

4. Refusal of the Appeal: The refusal of an applicant's request by the Appeals Board can only be appealed to the Ashland County Court of Common Pleas.

Section 8 – Administration

800 Zoning Inspector

1. The Board of Township Trustees shall appoint a Township Zoning Inspector, and affix his compensation. It shall be the duty of the Zoning Inspector to:
 - A. Enforce the provisions of this Resolution.
 - B. Issue permits as provided in this Resolution, and keep record of all permits issued or refused with a notation of any special conditions involved.
 - C. File and safely keep copies of all plans submitted, and the same shall form a part of the records in his or her office.
 - D. Maintain a verified copy of the text of this Resolution and of the Zoning Map.
 - E. Keep records of all violations and/or complaints.
 - F. Make such records available for the use of the Board of Township Trustees, the Zoning Commission, the Board of Zoning Appeals, and the Public.

801 Zoning Certificates

1. Requirements: No person shall locate, erect, construct, reconstruct, enlarge or structurally alter a non-farm building, accessory building or structure within Jackson Township without obtaining a Preliminary Zoning Certificate.
2. Applications: Preliminary Zoning Certificates shall be secured from the Jackson Township Zoning Inspector prior to construction, erection or exterior alteration of any building. Application for Preliminary Zoning Certificates shall be made in writing by the owner or by his authorized agent. The required fee as established by the Jackson Township Board of Trustees shall accompany each application for a Preliminary Zoning Certificate. Zoning certificates are not transferable.
3. The application shall include the following information.
 - A. A plot plan drawn to scale showing the exact dimensions of the parcel of real estate to be built upon.
 - B. The location, dimensions, height and bulk of existing structures and structures to be erected.
 - C. A plan showing the ingress and egress locations to any thoroughfare along with proof of State of Ohio or County of Ashland permits if required.
 - D. A floor plan showing the exact dimensions of the building to be constructed or altered, including the alterations if changes are to an existing building.
 - E. The intended use of the property and buildings(s).
 - F. The yard, open area and parking dimensions.

- G. If the proposed use shall require a health permit (sewage, water), the health permit issued by the proper authorities shall be verified as a requirement for a preliminary zoning permit.
4. No Zoning Certificate shall be issued unless the plans for the proposed building or structure fully comply with these Zoning Regulations.
 5. Within 30 days after receipt of applications, the Zoning Inspector shall issue a preliminary zoning permit if the application complies with the requirements of this resolution and the application is accompanied by the proper fee. The application is to be reviewed by the Jackson Township Zoning Inspector in conjunction with the Jackson Township Trustees ONLY to determine if the application meets all the criteria in this resolution. However, the final decision regarding the issuance of the preliminary zoning permit or final zoning permit rests solely with the Jackson Township Zoning Inspector. Should this application not meet the aforementioned criteria, the applicant shall be notified of the application short comings, a permit shall be denied by the zoning inspector and the Board of Zoning Appeals shall be notified of the denial.
 6. The preliminary zoning permit shall become void at the expiration of six (6) months after date of issuance unless construction is started. If no construction is started or the intended use is changed within six (6) months of the date of the preliminary permit, a new preliminary permit is required. Exterior construction, including finished exterior walls, roofs, footers, windows, etc., shall be completed within twelve (12) months of preliminary permit issuance, unless a renewal permit is issued and fee paid. Preliminary permits may be renewed once during the construction process by the Zoning Inspector after applicant has demonstrated that construction has been in process during the term of the initial preliminary permit. After one renewal without completion of the construction process, a new preliminary zoning permit must be obtained following the procedure outlined for the initial preliminary zoning permit.
 7. Construction shall be completed within one year from the date of issue or the permit will become null and void. New permits for the same project may be issued at any time. A one-time renewal is allowed for a Preliminary Zoning Certificate providing the procedure mentioned earlier in this resolution is followed.
 8. Upon notification by the holder of a preliminary zoning permit that the project is completed, the Jackson Township Zoning Inspector shall inspect the project to ensure that it conforms to all sections of this resolution. If the project meets with the requirements of the resolution, the Zoning Inspector shall issue a Final Zoning Permit. There shall be no additional fee for the Final Zoning

Permit. The aforesaid notification by the permit holder may be issued verbally.

9. Fees: The Board of Township Trustees may adopt a system of Zoning Certificates, establish and collect reasonable fees thereof, and amend such fees, or adopt new fees, from time to time when necessary.

802 **Enforcement and Penalties**

1. Enforcement: This Resolution shall be enforced by the Zoning Inspector or such enforcement Officer as may be designated by him/her.
2. Revocation of Zoning Certificates: Any Zoning Certificate issued upon a false statement shall be void. Whenever the fact of such false statement shall be established to the satisfaction of the Board of Township Trustees, the Zoning Certificate shall be revoked by notice, in writing, to be delivered to the holder of the void certificate upon the premises. Any person who shall proceed thereafter with such work or use without having obtained a new Zoning Certificate in accordance with this Resolution, shall be deemed guilty of violation thereof.
3. Violation: In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or use, or any land is, or proposed to be, used in violation of this Resolution, the Board of Township Trustees, the County Prosecuting Attorney, the Township Zoning Inspector or any neighboring property owner who would be damaged by such violation, in addition to other remedies provided by law, may institute injunction, 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.
4. Fine: Any person, firm or corporation violating any provision of this Resolution shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than One Hundred Dollars (\$100.00). Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use of continues may be deemed a separate offense.

803 Interpretation, Purpose and Conflict

In interpreting and applying the provision of this Resolution, they shall be held to the minimum requirements for the promotion of the health, safety, comfort, convenience and general welfare of the community. Where this resolution imposes a greater restriction upon the use of buildings or land, or upon the height of buildings, or requires larger open space than those that are imposed or required by other provisions, this Resolution shall control.

804 Validity

If any section, paragraph, subdivision, clause, sentence or provision of this Resolution shall be adjudged by any court of competent jurisdiction to be invalid; such judgment shall not impair, invalidate or nullify the remainder of this Resolution. The effect shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

805 When Effective

This resolution, as amended, shall be in full force and effect from and after its passage by the Jackson Township Board of Trustees as provided by the Ohio Revised Code (Section 519.11 and 519.12).