

LICKING TOWNSHIP ZONING RESOLUTION

LICKING COUNTY, OHIO

AMENDMENT Article/Section	ADOPTION DATE	EFFECTIVE DATE	1964 Resolution Format Page No. (Previous)	2010 Resolution Format Page No. (Current)
Zoning Resolution Established		November 14, 1964	N/A	N/A
Fee Schedule		September 6, 1983	1-A	N/A
Notification Requirement for Zoning Commission		September 8, 1987	13-c and 14	
Fee Schedule		February 1, 1988	1-A	N/A
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Conditional Uses Standards		September 4, 1990	6-9, 13, 13-A, 13-B and 13-C	5-11
Section 12.00.A.10: Mini-Storage	June 2, 1997	July 2, 1997	N/A	28 and 29
Section 12.00.A.11: Daycare	April 17, 2006	May 17, 2006	N/A	29
Section 12.00.B.1: Repair and Sale of Agriculture/ Construction Equipment	August 17, 2006	September 17, 2006	N/A	29 and 30
Section 12.00.A.12 Roll-Off Debris Containers	April 21, 2008	May 21, 2008	N/A	30

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ARTICLE 1: PURPOSE AND SCOPE

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

ARTICLE 2: ENFORCEMENT

Section 2.00: Public Utilities and Railroads

The regulations shall not apply to public utilities or Railroads.

Section 2.01: Enforcement

It shall be unlawful to construct, reconstruct, enlarge, change, maintain or use any building or to use any land in violation of any regulation or any provision of the zoning resolution or any amendment thereto. Any person, firm or corporation violating the zoning resolution or any regulation, provisions, or amendment thereto 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 erection, construction, reconstruction, enlargement, change, maintenance or use continues, may be deemed a separate offense.

In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used or any land is or is proposed to be used in violation of the law or of the zoning resolution of any amendment thereto the Board of Township Trustees, the prosecuting attorney of the county, the Township Zoning Inspector or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action, actions, proceeding or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

Section 2.02: Interpretation

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

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

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

Section 2.03: Validity

Each section, subsection, provision, requirement, regulation or restriction established herein or any amendment thereto, is hereby declared to be independent, and the holding of any part to be unconstitutional, invalid, or ineffective for any cause shall not effect nor render invalid the zoning resolution or amendments thereto as a whole or any other part thereof except the particular part so declared to be invalid.

Section 2.04: Zoning Certificate

Before constructing any building (excluding buildings incident to agriculture purposes) application shall be made to the Township Zoning Inspector for a Zoning Certificate. The applicant shall indicate the exact location of the proposed construction and submit a plot plan showing the proposed location, dimensions and the proposed use. Any Zoning Certificate approved by the Zoning Inspector shall conform with the Licking Township Zoning Ordinance.

The outside dimensions of the structure shall used to measure the square footage of floor space. Floor space excludes attic or basement area.

A separate Zoning Certificate shall be required for the construction and use of a temporary dwelling quarters. The charge for this certificate shall be in the same bracket charges as are required for new construction.

ARTICLE 3: NON CONFORMITIES

Section 3.00: Non Conforming Uses

Section 3.00.A: Existing Non Conforming Use

A non-conforming use existing at the time the zoning resolution or amendment takes effect may be continued, [except that if it is voluntarily discontinued for two [2] years or more, it shall then be deemed abandoned and any further use must be in conformity with the uses permitted in such district].

Section 3.00.B: Use Under Construction When They Become Non-Conforming

Any building arranged, intended or designed for a non-conforming use, the construction of which has been started at the time of the passage of the zoning resolution, but not completed, may be completed and put to such non-conforming use, providing it is done within one [1] year after the zoning takes effect.

Section 3.00.C: Non-Conforming Use Destroyed

Any building or structure, existing as a non-conforming use at the time the zoning resolution takes effect, which is destroyed by fire or the elements, may be reconstructed and restored providing the same is done within one [1] year from the date of said destruction.

Section 3.00.D: Altering Non-Conforming Use

A building or structure devoted to a non-conforming use at the time the zoning resolution takes effect may not be altered or enlarged so as to extend said non-conforming use.

Section 3.00.E: Change of Non-Conforming Use

Whenever a non-conforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted or non-conforming use.

ARTICLE 4: ADMINISTRATION

Section 4.00: Establishment of Zoning Inspector

The position of township zoning inspector is hereby created. He shall be appointed by and serve at the pleasure of the Board of Township Trustees and shall receive such compensation as the Board of Township Trustees may provide. He shall keep records of all applications for Zoning Certificates and the action taken thereon, and shall be a resident of the unincorporated area of the township included in the area zoned.

Section 4.01: Establishment of the Board of Zoning Appeals

There is hereby created a Township Board of Zoning Appeals of five members, to be appointed by the Board of Township Trustees, who shall be residents of the unincorporated area of the township included in the area zoned. The terms of each member shall, be five years beginning January 1st, except that the terms of the original members shall be of such length and so arranged that the term of one member will expire each year. Each member shall serve until his successor is appointed and qualified. Vacancies shall be filled by the Board of Township Trustees and shall be for the respective unexposed term. The members of the Board of Zoning Appeal shall serve without compensation.

Section 4.01.A: Powers and Duties of the Board of Zoning Appeals

The Township Board of Zoning appeals shall have the following powers:

Section 4.01.A.1: Appeals

To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of the zoning laws or any amendments there to.

Section 4.01.A.2: Variances

To authorize, upon appeal, in specific cases, such variance from the terms of the zoning resolution as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the zoning resolution or any amendments there to will result in unnecessary hardship and so that the spirit of the zoning resolution shall be observed and substantial justice done.

Section 4.01.A.3: Conditional Uses

Shall conform to the procedure and requirements for approval of conditional uses permits in Section 4.01.A.3.a to 4.01.A.3.i inclusive of this resolution.

Section 4.01.A.3.a General

It is recognized that an increasing number of new kinds of uses are appearing daily and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, design, size, method of operation, circulation and public facilities that each specific use must be considered individually. These specific uses as there conditionally permitted under the provisions of Article 10, 12 and 13, shall follow the procedures and requirements set forth in Section 4.01.A.3.a through 4.01.A.3.i inclusive.

Section 4.01.A.3.b: Contents of Application for Conditional Use Permit

An application for conditional use permit shall be filed with the zoning inspector or the zoning clerk by at least one owner or lessee of the property for which such conditional use is proposed. At a minimum, the application shall contain the following information:

Section 4.01.A.3.b.1

Name, address and telephone number of applicant.

Section 4.01.A.3.b.2

Legal description of property.

Section 4.01.A.3.b.3

Description of existing use.

Section 4.01.A.3.b.4

Zoning districts.

Section 4.01.A.3.b.5

Description of proposed conditional use.

Section 4.01.A.3.b.6

A plan of proposed site for conditional use showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards and such other information as the Board may require to determine if the proposed conditional use meets the intent and requirements of this resolution.

Section 4.01.A.3.b.7

A narrative statement evaluating the effects on adjoining property, the effect of such elements as noise, glare, odor, fumes and vibration of adjoining property, a discussion of the general compatibility with

adjacent and other properties in the district and the relationship of the proposed use to the comprehensive plan.

Section 4.01.A.3.b.8

Such other information as may be required in Section 4.01 – Establishment of Board of Zoning Appeals

Section 4.01.A.3.b.9

A list of the names and mailing addresses of neighboring and/or affected property owners shall accompany the conditional use permits.

Section 4.01.A.3.c: General Standards Applicable to all Conditional Uses

In addition to the specific requirements for conditionally permitted uses as specified in Section 4.01.A.3.d, the Board shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

Section 4.01.A.3.c.1

Is in fact a conditional use as established under the provisions of Section 4 and appears on the official schedule of district regulations adopted there under for the zoning district involved.

Section 4.01.A.3.c.2

Will be harmonious with and in accordance with the general objectives or with any specific objective of the County's comprehensive plan and/or the zoning resolution and similar uses.

Section 4.01.A.3.c.3

Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the same area.

Section 4.01.A.3.c.4

Will not be hazardous or disturbing to existing or future neighboring uses.

Section 4.01.A.3.c.5

Will be served adequately by essential public facilities and services such as highway, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools: or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

Section 4.01.A.3.c.6

Will not involve uses, activities, processes, material, equipment and conditions of operations that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odor.

Section 4.01.A.3.c.7

Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

Section 4.01.A.3.c.8

Will not result in the destruction, loss, or damage of a natural scenic, or historical feature of major importance.

Section 4.01.A.3.d: Specific Criteria for Conditional Uses

Following is a list of specific requirements for conditionally permitted uses as specified under the official schedule of district regulations:

Section 4.01.A.3.d.1

All structures and activity areas should be located at least one hundred [100] feet from all property lines.

Section 4.01.A.3.d.2

Loud speakers which cause a hazard or annoyance shall not be permitted.

Section 4.01.A.3.d.3

All points of entrance or exists should be located no closer that two hundred [200] feet from the intersection of two arterial thoroughfares or no closer that one hundred [100] feet from the intersection of an arterial street and a local or collector street.

Section 4.01.A.3.d.4

There shall be no more than one [1] sign oriented to each abutting street identifying the activity.

Section 4.01.A.3.d.5

No lighting shall constitute a nuisance and shall in no way Impair safe movement of traffic on any street or highway and no lighting shall shine directly on adjacent properties.

Section 4.01.A.3.d.6

Structures should have primary access to collector thoroughfare.

Section 4.01.A.3.d.7

Such developments should have primary access to arterial thoroughfares or be located at intersections of arterial and/or collector streets.

Section 4.01.A.3.d.8

Such developments should be located adjacent to non-residential uses such as churches, parks, industrial or commercial uses.

Section 4.01.A.3.d.9

Site locations should be preferred that offer natural or man-made barriers that would lessen the effect of intrusion into a residential area.

Section 4.01.A.3.d.10

Such uses should be properly landscaped to be harmonious with surrounding residential uses.

Section 4.01.A.3.d.11

Such structures should be located adjacent to parks and other non-residential uses such as schools and shopping facilities where use could be made of joint parking facilities.

Section 4.01.A.3.d.12

All permitted installations shall be kept in a neat and orderly condition as to prevent injury to any single property, any individual, or to the community in general.

Section 4.01.A.3.d.13

The area of use shall be completely enclosed by a six [6] foot fence and appropriately landscaped to be harmonious with surrounding properties.

Section 4.01.A.3.d.14

Such uses should be located on an arterial thoroughfare, adjacent to nonresidential uses such as commerce, industry, or recreation, or adjacent to sparsely settled residential uses.

Section 4.01.A.3.d.15

Truck parking areas, maneuvering lanes and access ways to public thoroughfares shall be designed to cause no interference with the safe and convenient movement of automobile and pedestrian traffic on and adjacent to the site. The site shall not be used for storage of trucks and truck parking shall be limited to a time not to exceed twenty-four [24] hours.

Section 4.01.A.3.d.16

Such developments should be located on or immediately adjacent to state highways.

Section 4.01.A.3.d.17

Such uses shall not be conducted closer than five hundred [500] feet from any residential district, nor closer than two hundred [200] feet from any structure used for human occupancy in any other district.

Section 4.01.A.3.e: Specific Criteria For Mining Operations

The following are additional requirements for conditionally permitted uses that involve mining operations.

Section 4.01.A.3.e.1

There shall be filed with the zoning inspector a location map which clearly shows areas to be mined and the location of adjacent properties, roads and natural features.

Section 4.01.A.3.e.2

Information shall be submitted on the anticipated depth of excavations and on depth and probable effect on the existing water table and coordinated with the Ohio Division of Water.

Section 4.01.A.3.e.3

All work conducted in connection with such operations shall be done between the hours of 7:30 A.M. and 5:00 P.M.

Section 4.01.A.3.e.4

All equipment and machinery shall be operated and maintained in such manner as to minimize dust, noise and vibration. access roads shall be maintained in dust-free condition by surfacing or other treatment as may be specified by the County Engineer.

Section 4.01.A.3.e.5

There may be filed with the Board a detailed plan for the restoration of the area to be mined which shall include the anticipated future use of the restored land, the proposed final topography indicated by contour lines of no greater interval than five [5] feet, the type and number per location of future roads, drives, drainage courses, or other improvements contemplated.

Section 4.01.A.3.e.6

All excavation shall be made either to a water producing depth, such depth to be not less than five [5] feet below the low water mark, or

shall be graded or backfilled with non-noxious, non-flammable and non-combustible solids to secure:

Section 4.01.A.3.e.6.i

That the surface area shall not collect and permit to remain therein stagnant water.

Section 4.01.A.3.e.6.ii

That the surface of such area which is not permanently submerged is graded or backfilled as necessary so as to reduce the peaks and depression thereof so as to produce a gently running surface that will minimize erosion due to rainfall and which will be in substantial conformity to the adjacent land area. The banks of all excavations not backfilled shall be sloped which shall not be less than three [3] feet horizontal to one [1] foot vertical and said bank shall be seeded.

Section 4.01.A.3.e.7

There shall be filed with the Board of Township Trustees a bond, payable to the township and conditioned on the faithful performance of all requirements contained in the approved restoration plan. The rate of the required bond shall be fixed by resolution of the Board of Township Trustees. The bond shall be released upon written certification of the zoning inspector that the restoration is complete and in compliance with the restoration plan.

Section 4.01.A.3.f: Specific Criteria For Mini Storage, Self Service Storage Facility Conditions and Safeguards.

Section 4.01.A.3.f.1

The Licking Township Board of Zoning Appeals will establish required conditions and standards in each respective conditionally permitted use. They may choose any or all of the following and add any other standard necessary to address concerns of the township.

Section 4.01.A.3.f.2

The perimeter of any commercial/business district in which a mini-storage, self storage facility, or garage mini-storage is established by a conditional use permit that abuts a single family, multi-family, agricultural or institutional (school, church, medical facility) use and/or district shall provide a 10-foot landscaped buffer along all lot lines that abut such uses. Parcels that abut other commercial or industrial uses may be required to provide said buffer to mitigate adverse affects of the storage facility on the adjacent commercial use.

Section 4.01.A.3.f.3

The buffer shall consist of one (1) tree every forty (40) feet of lineal boundary plus a minimum six (6) foot continuous planting, hedge, fence wall and/or earth mound or any combination thereof to provide a year-round opaque visual barrier.

Section 4.01.A.3.f.4

No commercial structure shall be closer than 40 feet to any lot line that abuts any single family, multifamily, and/or agricultural use. All other setbacks shall at a minimum comply with the business/commercial district but may be increased to minimize the affect of the mini-storage development on the surrounding community. In particular, front yard setbacks may be increased to match the average setback of the neighborhood.

Section 4.01.A.3.f.5

No mini-storage structure shall be located closer than 100' to any single-family structure or multi-family structure.

Section 4.01.A.3.f.6

All exterior lighting shall use shielded light fixtures that emit no light trespass onto the adjoining parcels or above the horizontal plane of the light fixture.

Section 4.01.A.3.f.7

No mini-storage structure or site may be used to store hazardous or flammable materials.

Section 4.01.A.3.f.8

Buildings shall be designed to conform with the architectural character of the neighborhood.

Section 4.01.A.3.f.9

All fencing or walls if used shall be of natural or man-made materials to look natural that are durable and uphold the intent of the buffer requirements. Chain link, woven wire and other fencing materials of this nature shall not be constructed to meet the buffer requirements.

Section 4.01.A.3.f.10

Conditional use permits shall not be permitted for any mini-storage facility that has primary access from a roadway that is not classified as a minor-collector or greater on the Licking County Road Classification Map and any subsequent adoption thereof. The purpose of this standard is to ensure development occurs along improved roadways

that are capable of handling the traffic generated from said commercial use.

Section 4.01.A.3.g: Procedure For Hearing Notice

Upon receipt of the application for conditional use permit specified in this section, the Board shall hold a public hearing, publish notice in a local newspaper and give written notice to all parties of interest according to the procedures specified in this section.

Section 4.01.A.3.h: Action By The Board Of Zoning Appeals

Within thirty [30] days after the public hearing required in Section 4.01.A.3.g, the Board shall either approve, approve with supplementary conditions as specified in Section 4.01.A.3.c, or disapprove the application as presented. If the application is approved or approved with modifications the Board shall direct the zoning inspector to issue a conditional use permit listing the specific conditions specified by the Board for approval. If the application is disapproved by the Board, the applicant may seek relief through the Court of Common Pleas. Appeals from Board decisions shall be made in a manner specified in Section 4.01. If the application is approved or approved with supplemental conditions, or denied, one of the two [2] application copies received by the Appeals Board is to be properly filled in so stating the Board's decision and mailed by certified mail to the applicant. The zoning inspector is to be notified also.

Section 4.01.A.3.i: Expiration Of Conditional Use Permit

A conditional use permit shall be deemed to authorize only one [1] particular conditional use and said permit shall automatically expire if, for any reason, the conditional use shall cease for more than one [1] year.

In exercising the above mentioned powers, such board may, in conformity with the provisions of the law and the zoning resolution and amendments there to, reverse or affirm wholly or partly, or may modify the order, requirement, decisions of determination as ought to be made and to that end shall have all power of the officer from whom the appeal is taken.

Section 4.01.B: Proceedings of the Board of Zoning Appeals

The Township Board of Zoning Appeals shall organize and adopt rules in accordance with the provisions of the zoning resolution. Meeting of the Board of Zoning Appeals shall be held at the call of the chairman and at such other times as the Board may determine. The Chairman, or in his absence the acting chairman, may administer oaths and the Township Board of Zoning Appeals may compel the attendance of witnesses. All meetings of the Board of Zoning Appeals shall be open to the public. The Board shall keep minutes of

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

Section 4.01.C: Appeals

Appeals to the Board of Zoning Appeals may be taken by any person aggrieved or by an officer of the township affected by any decision of the administrative officer. Such appeal shall be taken within twenty days after the decision by filing with the officer from whom the appeal is taken and with the Board of Zoning Appeals a notice of appeal specifying the ground thereof. The officer from who the appeal is taken shall forthwith transmit to the Township Board of Zoning Appeals all the papers constituting the record upon which the action of appeals was taken.

Section 4.01.D: Public Hearing By The Board of Zoning Appeals

The Township Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give ten [10] days notice to the parties in interest and decide the same within thirty [30] days after it is submitted. Upon the hearing, any party may appear in person or by attorney. Any person adversely affected by a decision of the Township Board of Zoning Appeals may appeal to the Court of Common Pleas of this county on the ground that such decision was unreasonable or unlawful.

ARTICLE 5: AMENDMENT

The Township Zoning Commission shall meet quarterly and may initiate amendments to the zoning resolution from time to time. Amendments may also be initiated by the Township Trustees or by petition. Before submitting a recommendation of any amendment the Zoning Commission shall hold not less than one public hearing thereon, notice of which shall be given by one [1] publication in one or more newspaper of general circulation in the township at least ten [10] days before the date of such hearing, stating where the proposed amendment will be available for inspection. The time, date and place of hearing, texts, maps of the proposed amendment and a copy of the motion, resolution or application where applicable, shall be posted at the Township Hall at least ten [10] days before the date of such hearing. When the Township Zoning Commission has completed its recommendations for an amendment, it shall certify the same to the Board of Township Trustees.

After receiving the certification of a proposed amendment to the Zoning Resolution from the Township Zoning Commission and before adoption of such zoning amendment the Board of Township Trustees shall hold not less than one public hearing thereon, notice of which shall be given by one publication in one or more newspaper of general circulation in the township at least ten [10] days before the date of such hearing, stating where the proposed amendment will be available for inspection. The time, date and place of hearing, texts, maps of the proposed amendment and a copy of the motion, resolution or application where applicable, shall be posted at the Township Hall at least ten [10] days before the date of such hearing. Such hearing may be continued from time to time if in the public interest to do so.

No change in or departure from the text or maps of the amendment as certified by the Township Zoning Commission shall be made unless the same be first submitted to the Township Zoning Commission for its approval, disapproval or suggestions. If such changes are disapproved by the Township Zoning Commission, provisions so disapproved must receive the favorable vote of the entire membership of the Board of Township Trustees in order to be adopted.

After receiving a recommended amendment to the zoning plan from the Township Zoning Commission and holding the public hearing provided for, the Board of Township Trustees shall consider such recommendation and vote upon the recommended amendment to the zoning resolution. If the amendment to the zoning resolution is adopted by the Board of Township Trustees, it shall take effect thirty days thereafter, unless within said period 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 including in the amendment to the zoning resolution and affected by the amendment, equal to not less than eight [8] per cent of the total vote cast for all candidates for Governor in such area at the last general election in which a Governor was

elected, requesting the Board of Trustees to submit the amendment to the electors of such area for approval or rejection at the next primary or general election, in which event the amendment shall not take effect unless a majority of the electors shall approve the same.

ARTICLE 6: RESERVED FOR FUTURE USE

ARTICLE 7: RESERVED FOR FUTURE USE

ARTICLE 8: RESERVED FOR FUTURE USE

ARTICLE 9: RESERVED FOR FUTURE USE

ARTICLE 10: RESIDENTIAL DISTRICTS

Article 10.00: Residential (R)

Residential, which shall be designated as "R" districts.
(Agriculture can be carried on in any district)

Section 10.00.A: Permitted Uses

The following uses and no other shall be deemed Class "R" uses and permitted in all "R" Districts:

Section 10.00.A.1

Single, two or four family dwellings and buildings accessory thereto.

Section 10.00.A.2

Boat dock for the personal use of the owner are permitted so long as the same conforms to the regulations by the department of Natural Resources, State of Ohio. But in no event shall accessory buildings include boat house, which are specifically prohibited.

Section 10.00.A.3

Church, school, fire station, publicly-owned park, publicly-owned playground, College or University, museum, Community Center, Township Hall, Public Library, non-profit swimming pool.

Section 10.00.A.4

Any person may maintain an office or may carry on his customary home occupation in the dwelling house only used by him as his private residence providing such use does not involve any extension or modification of said dwelling which will alter its outward appearance as a dwelling and providing such use does involve any outward evidence of such use other than a sign as authorized in other section hereof.

Section 10.00.A.5

Hospital or sanitarium providing that any such hospital or sanitarium shall have a lot area of not less than five [5] acres and a frontage on a public thoroughfare of not less than seven hundred [700] feet and providing that any such hospital or sanitarium caring for contagious diseases also shall have a lot area of not less than 1/2 acre per bed in addition to the other requirements set forth herein, and provided that said hospital or sanitarium shall be set back at least three hundred [300] feet from the center of the road and have three hundred [300] feet clearance on each side and to the rear of said building.

Section 10.00.A.6

Agriculture may be conducted on plots less than 5.00 acres providing any such use is not noxious, dangerous, or offensive by reason of odor, dust, smoke, gas, noise, fumes, flames or vibration and providing any such use does not constitute an annoyance to the surrounding property owners.

Section 10.00.B: Conditionally Permitted Uses

Section 10.00.B.1

After obtaining a valid conditional use permit in accordance with the Zoning Inspector and other provisions of these regulations, the following uses may be conditionally permitted:

Section 10.00.B.1.a

Golf courses, public swimming pools, nursing homes.

Section 10.00.C: Minimum Dwelling Sizes

Section 10.00.C.1: Single Family Dwelling

No single family dwelling shall be erected with less than seven hundred (700) square feet of gross ground floor area, exclusive of breezeways, porches, terraces, and garages, it with basement; if without basement eight hundred (800) square feet, and shall be not less than twenty (20) feet in width or depth, whichever is the smaller dimension. Basement area shall be a minimum of 300 sq. ft.

Section 10.00.C.2: Two Family Dwelling

No two-family dwelling shall be less than seven hundred square feet of gross ground floor area and a gross floor area of seven hundred (700) square feet per family, exclusive of breezeways, porches, terraces and garages. Without a basement, no two-family dwelling shall be erected with less than eight hundred (800) square feet of gross ground floor area and a gross floor area of eight hundred (800) square feet per family, exclusive of breezeways, porches, terraces and garages.

No two-family dwelling shall be less than twenty feet [20] in width or depth, whichever is the smaller dimension. Basement area shall be minimum of 300 sq. ft. per family.

Section 10.00.C.3: Four Family Dwelling

No four-family dwelling shall be erected with less than 2800 feet if with basement; or 3200 sq. ft. without basement. Basement area shall be not less than 300 sq. ft. per family.

Section 10.00.C.4: General Requirements For All Dwellings

All structures in Section 10.00.C must have a continuous perimeter masonry footer and foundation.

Section 10.00.D: Minimum Lot Area

Section 10.00.D.1: Categories

Category (a). With individual sanitary sewer and or water facilities.

Category (b). With community sanitary sewer facilities as acceptable to the County and/or State Health Department. The water system to be community or individual as acceptable to the county and/or State Health Department.

Section 10.00.D.2: Single Family

No single family dwelling shall be erected or building altered to accommodate one family as a residence in Category "a" - on less than twenty thousand [20,000] sq. ft. unless such lot was designated on a recorded plat or separately owned at the time the zoning resolution was originally effective (Nov. 14, 1964) and cannot practicably be enlarged to conform with this requirement. In category "b" on less than a lot area of twelve thousand (12,000) sq. ft. of lot area. See also Section 10.00.D.1: Categories.

Section 10.00.D.3: Apartment House/Living Quarters Over A Business

No apartment house or living quarters over a business establishment shall be erected or a building altered into apartments to accommodate more than one family for each five thousand [5,000] sq. ft. of lot area in both Categories "a" and "b".

Section 10.00.D.4: Measurement of Lot Area Computations

Lot areas computations shall start thirty [30] feet from the center of the right-of-way unless the right-of-way is now or is contemplated to be of more than sixty [60] feet wide, in which case the computation will start at the edge of the right-of-way.

Section 10.00.E: Lot Width Requirement

No dwelling shall be erected in any district on a lot having a width at the building setback line of less than one hundred [100] feet in Section 11a category and eighty [80] feet in 11b unless such lot was designated on a recorded plat or separately owned at the time the zoning resolution takes effect and cannot be practicably enlarged to comply with this requirement. No

minimum lot width shall be required in a "B" or "I" district for uses other than dwellings except such as is necessary to comply with the requirements for yard and lot areas or parking facilities.

Section 10.00.F: Setback Lines

Section 10.00.F.1: Front Yard Setback

No building or structure or any portion thereof, except steps and uncovered porches less than ten [10] feet in width, shall be erected within thirty [30] feet of the right-of-way sideline of any road or street. This applies to the categories under Section 10.00.D.1: Categories. If there is no established right-of-way sideline for any road or street, said sideline shall be deemed to be thirty [30] feet from the center of the road. Garages and accessory buildings shall not be located closer to the right-of-way sideline than is the main building.

Section 10.00.F.2: Side Yards Setback

For every building in an "R" district, there shall be a minimum side lot clearance on each side of said building. This shall be not less than ten [10] feet and shall remain open and unoccupied by any building or structure. Attached garages, carports or accessory buildings connected with the main building by a breezeway or other permanently constructed connection shall be constructed to be a part of the main building. All detached accessory buildings except garages shall be located at least twenty [20] feet from any dwelling. Exception: Garages located not less than twenty [20] feet to the rear of the main building may be erected not less than five [5] feet from side lot line except on corner lots. An accessory building is a subordinate building customarily incident to and located on the same lot with the main building.

Section 10.00.F.3: Corner Lot Yard Setback

The setback building line on a corner lot shall be in accordance with the provisions governing the road or street on which the building faces. If possible, the side yard clearance on the side street should conform to the setback line for an inside lot on said road or street, but in no event shall be less than twenty (20) feet.

Section 10.00.F.4: Side Yards Setback

For every building erected in an "R" district and for every building erected in any district, there shall be a minimum rear lot clearance at the rear of said building of at least fifteen (15) feet, which space shall remain open and unoccupied by any building or structure. Where a business or industrial district adjoins a residential district, no business or industrial building shall be erected less than one hundred (100) feet from the nearest residential lot line, and an ornamental wall, fence, or shrubbery screen, a minimum of seven (7) feet high shall be placed along the business or industrial lot line

adjacent to the residential property, furnished and erected at the expense of the industry.

Section 10.00.G: Rear Houses

No dwelling or apartment house shall be erected or altered or used unless the same shall have access to a public street and, if located in the rear of another building and has no immediate street frontage, then a permanent easement for access shall be provided over an unoccupied strip of land at least twenty (20) feet in width and such reserved strip may not form a part of any lot width or lot yard or lot area required. by the zoning resolution, and, if more than one dwelling is located in the rear of another building and has no immediate street frontage, then said easement for access shall be not less than forty (40) feet in width and each additional said rear house shall be subject to the same requirements for frontage on the easement for access and other requirements for lot and yard areas as though said dwelling was located on a public street. Said easements shall be executed with the requirements provided by law for deeds and shall be filed with the Recorder of this County for record.

Section 10.00.H: Temporary Residence

Section 10.00.H.1: Temporary Residence Permitted

Not more than one trailer coach may be temporarily used as a residence by a visitor on occupied property, owned, leased or rented by a Licking Township resident for a period of ninety [90] days, provided that:

Section 10.00.H.1.a

Joint application is filed with the Zoning Inspector by the aforesaid property resident and the trailer coach owner within fourteen days after arrival on the property.

Section 10.00.H.1.b

All provisions of the Licking County Health Board are to be complied with.

Section 10.00.H.1.c

A permit fee has been paid to the Zoning Inspector who may issue a "Temporary Visitors Zoning Certificate" for a period of ninety [90] days, subject to renewal by the Zoning Commission. (See also Licking Township Fee Schedule, adopted by the Board of Trustees).

Section 10.00.H.2: Types of Temporary Residence

A garage or basement may be temporarily used as a residence on a lot while a dwelling is being constructed thereon, but such use shall not be continued for more than 12 months. A separate zoning certificate shall

be required for the use of a temporary dwelling quarters, subject to renewal by approval of Zoning Commission.

Section 10.00.H.3: Temporary Residence Structures Prohibited

No tent, trailers, motor or non-motor vehicles used as living quarters may be used as a temporary or permanent residence.

ARTICLE 11: RESERVED FOR FUTURE USE

ARTICLE 12: COMMERCIAL/BUSINESS DISTRICTS

Section 12.00: Commercial/Business District (C)

Business and commercial, which shall be designated as "C" district.
(Agriculture can be carried on in any district)

Section 12.00.A: Permitted Uses

The following uses and no other shall be deemed Class "C" uses and permitted in all "B" District:

Section 12.00.A.1

Any use permitted in an "R" district shall be permitted in a "C" district.

Section 12.00.A.2

Apartment house, rooming house, hotel, motel, living quarters over business establishment.

Section 12.00.A.3

Stores and shops for conducting any mercantile business or public service.

Section 12.00.A.4

Bank, funeral home, office or office building, studio.

Section 12.00.A.5

Lodge hall.

Section 12.00.A.6

Gasoline filling and servicing station providing storage tanks are underground.

Section 12.00.A.7

Indoor theater, bowling alley, dance hall, skating rink.

Section 12.00.A.8

Builders supply, ice storage and sales, plumbing and heating supply.

Section 12.00.A.9

Dairy, locker plant, job printing, newspaper printing plant.

Section 12.00.A.10

Amended July 2, 1997, Licking County Recorder Instrument Number 200710090026400. Added Mini-Storage Facility

Amended again April 21, 2008, Licking County Recorder Instrument Number 200805190011584. Removed Mini-Storage Facility as permitted use and made conditional use.

Section 12.00.A.11

Daycare

Amended April 17, 2006, Licking County Recorder Instrument Number 200710090026407.

Section 12.00.A.12

Rental and storage of empty Roll-Off-Debris Containers and Empty Portable Storage Containers used for building and demolition materials.

Amended August 2, 2007, Licking County Recorder Instrument Number 200710090026410.

Section 12.00.A.13

Motels shall be classified as a business use and shall be permitted in all "B" and "I" districts, subject to the regulations contained herein:

Section 12.00.A.13.a

Minimum living area per unit, including bathrooms and closets, shall be two hundred sixty (260) square feet.

Section 12.00.A.13.b

All motels shall provide parking space off the road or street and outside the public right-of-way, together with ingress and egress thereto, and space for not less than one motor vehicle per unit. The exterior grounds shall be attractively landscaped and all drive-ways shall be paved.

Section 12.00.A.13.c

Motels shall utilize collective sewers connecting with a community or county health department or state health department approved individual sewage disposal system.

Section 12.00.A.13.d

No motel shall have a lot area less than one (1) acre nor a lot area per sleeping unit of less than two thousand (2,000) square feet.

Section 12.00.B: Conditional Uses

Section 12.00.B.1

Repair and sale of agricultural and construction equipment.
Amended August 7, 2006, Licking County Recorder Instrument Number
200710090026408.

Section 12.00.B.2

Mini-Storage, self-service storage facility, garage mini-storage within an enclosed structure. See also, Section 4.02.A.3.f Specific Criteria For Mini Storage, Self Service Storage Facility Conditions and Safeguards.

Existing storage businesses operating in compliance with current zoning on the effective date (4/21/2008) of this amendment are grand fathered.

Amended April 21, 2008, Licking County Recorder Instrument Number
200805190011584.

Section 12.00.C: Supplementary Standards For Permitted and Conditionally Permitted Uses

The above uses shall be permitted only providing such use is not noxious, dangerous or offensive by reason of emission of odor, dust, smoke, gas, noise, fumes, flames or vibration.

Section 12.00.D: Residential Use Requirements

Any residential use shall meet the minimum requirements set in Sections 10.00.C to 10.00.H.

ARTICLE 13: MANUFACTURING DISTRICTS

Section 13.00: Industrial and Manufacturing District (I)

Industrial and manufacturing, which shall be designated as "I" district. The map is hereby established and said map is made a part hereof. No building or premises shall be used and no building shall be erected except in conformity with the regulations prescribed herein for the district in which it is located.

(Agriculture can be carried on in any district)

Section 13.00.A: Permitted Uses

The following uses and no other shall be deemed Class "I" uses and permitted in all "I" district.

Section 13.00.A.1

Any use permitted in an "R" district or a "B" district shall be permitted in an "I" district.

Section 13.00.A.2

Any normal industrial or manufacturing use, providing such use is not noxious, dangerous or offensive by reason of emission or odor, dust, smoke, gas, noise, fumes, flames or vibration, except specifically prohibited herein.

ARTICLE 14: RESERVED FOR FUTURE USE

ARTICLE 15: OFFICIAL SCHEDULE OF SUPPLEMENTARY DISTRICT REGULATIONS

Section 15.00: Prohibited Uses

Without the special permission of Board of Zoning Appeals, the following used shall be deemed to constitute a nuisance and shall not be permitted in any "R", "B" or "I" Districts:

Section 15.00.A

Bulk petroleum station with tanks above ground.

Section 15.00.B

Distilling bones, fat or glue, glue or gelatin manufacturing.

Section 15.00.C

Manufacturing or storage of explosives, gun powder or fireworks.

Section 15.00.D

Dumping, storing, buying, reducing, disposing of or burning garbage, refuse, scrap metal, rubbish, offal of dead animals, except such as results from the normal use, unless such dumping is done at a place of premises provided by the Township Trustees for such specific purpose.

Section 15.00.E

Junk Yards. Storage of automobiles not in running condition, auto graveyards as places for the collection of scrap metal, paper, rags, glass or junk for salvage or storage purposes or storage of used building material.

Section 15.00.F

Slaughter houses.

Section 15.00.G

Commercial aviation fields.

Section 15.00.H

Racetracks except a race track that is part of a county fairgrounds.

Section 15.00.I

Trailer parks, trailer courts, tourist camps, cabins for transient use.

Section 15.00.J

Brewery and distillery.

Section 15.00.K

Night clubs.

Section 15.00.L

Manufacture of fertilizer.

Section 15.00.M

Oil. The erection of oil and gas derricks and appurtenant structure in connection with the drilling of a gas or oil well, but any variance under this particular section shall not be so construed as to grant a variance to the entire tract where-in such well is proposed to be located, but such variance shall be restricted to not more than 10 acres for each such well and abandonment of drilling of 6 months shall constitute a revision to the particular classification where said land was originally situated.

Section 15.00.N

Adult Entertainment Facility. (See also Article 17 – Adult Entertainment Regulations)

Section 15.00.O

Land in any district may be used for agricultural purposes. No zoning certificate shall be required for the construction of buildings incident to the uses for agricultural purposes of the land on which such building shall be located, but residential buildings shall conform to the regulations contained in this resolution.

"Agriculture" shall include agriculture, farming, dairying, pasturage, apiculture horticulture, floriculture, viticulture and animal and poultry husbandry, conducted on plots of 5.00 acres or larger.

ARTICLE 16: RESERVED FOR FUTURE USE

ARTICLE 17: ADULT ENTERTAINMENT REGULATIONS

Section 17.00: Definitions

Section 17.00.A: Adult Entertainment Facility

Means any establishment, which is involved in one or more of the following listed categories:

Section 17.00.A.1: Adult Bookstore

An establishment having greater than 25 percent [25%] of its display area or items for sale of its stock in trade, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting or relating to "specified sexual activities" or "specified anatomical areas" as herein defined.

Section 17.00.A.2: Adult Mini-Motion Picture Theater

A facility with a capacity for less than 50 persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas", for observation by patrons therein.

Section 17.00.A.3: Adult Motion Picture Theater

A facility with a capacity of 50 or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas", for observation by patrons therein.

Section 17.00.A.4: Adult Entertainment Business

Any establishment involved in the sale or services of products characterized by the exposure or presentation of "specified anatomical areas" or physical contact of live male or female and which is characterized by salacious conduct appealing to prurient interest for the observation or participation in by patrons. Services or products included within the scope of adult entertainment business are photography, dancing, reading, massage and similar functions which utilize activities as specified above.

Section 17.00.A.5: Specified Sexual Activities

Mean any of the following:

Section 17.00.A.5.a

Human genitals in a state of sexual stimulation of arousal.

Section 17.00.A.5.b

Acts, real or simulated or human masturbation, sexual intercourse, sodomy, cunnilingus, fellatio or sadomasochistic sexual abuse.

Section 17.00.A.5.c

Fondling or other erotic touching of human genitals, pubic regions, buttocks or female breasts.

Section 17.00.A.6: Specified Anatomical Areas

Mean any of the following:

Section 17.00.A.6.a

Less than completely covered human genitals, pubic region, buttocks and female breasts below a point immediately above the tope of the areola.

Section 17.00.A.5.b

Human male genitals in a discernibly turgid state.

Section 17.00.A.7: Person

"Person" means any individual, corporation, company, business, partnership, association, establishment or other legal entity of any kind.

Section 17.00.A.8: Fine Art Gallery

"Fine Art Gallery" means any display of artwork which is individually crafted and signed by the artist or which is limited in edition to 1,000 or less.

Section 17.00.A.9: Sexually Explicit Nudity

"Sexually explicit nudity" means the sexually oriented and explicit showing of nudity, including, but not limited to, close-up views, poses, or depictions in such position or manner, which present or expose such nudity to prominent, focal, or obvious viewing attention.

Section 17.00.A.10: Sadomasochistic Sexual Abuse

"Sadomasochistic sexual abuse" means actual or simulated flagellation, rape, torture, or other physical or sexual abuse, by or upon a person who is nude or partially denuded, or the condition of being fettered, bound for sexual gratification or abuse or represented in the context of a sexual relationship.

Section 17.00.A.11: Visibly Displayed

"Visibly displayed" means the material is visible on a billboard viewing screen, marquee, newsstand, display rack, window, show case,

display case, or other similar display area that is visible from any part of the general public or otherwise, or that is visible from any part of the premises where a juvenile is or may be allowed, permitted, or invited, as part of the general public or otherwise or that is visible from a public street, sidewalk, park, alley, residence, playground, school, or other place to which juveniles, as a part of the general public or otherwise, has unrestrained and reasonable anticipated access and presence.

Section 17.00.A.12: Knowledge of Character

"Knowledge of character" means having general knowledge, or reason to know; or a belief or ground for belief which warrants further inspection or inquiry, of the nature and character of the material or performance involved. A person has such knowledge when he or she knows or is aware that the material or performance contains, depicts or describes sexually explicit nudity, sexual activity, sadomasochistic sexual abuse, or lewd exhibition of the genitals, whichever is applicable, whether or not such person has precise knowledge of the specific contents thereof. Such knowledge may be proved by direct or circumstantial evidence or both.

Section 17.00.A.13: Harmful to Juveniles

"Harmful to juveniles" means any material or performance, whether through motion pictures, photographs, drawings, cartoons, slides, depictions or descriptions to which [1], [2] and [3] apply.

1. The average adult person, applying contemporary community standards would find that the material or performance, taken as a whole, is intended to excite lustful or erotic thoughts in juveniles, or is designed or marketed to cater or appeal to a prurient interest in nudity, sex or excretion.
2. The material or performance depicts or describes sexually explicit nudity, sexual activity, sadomasochistic sexual abuse, or lewd exhibition of the genitals, in a way which is patently offensive to prevailing standards in the adult community with respect to what is suitable for juveniles.
3. The material or performance, taken as a whole, lacks serious literary, artistic, political, educational, or scientific value for juveniles.

Section 17.00.A.14: Exceptions

Nothing in this article shall be construed to pertain to:

Section 17.00.A.14.a

The purchase, distribution, exhibition and/or loan of any work of art, book, magazine or other printed material or manuscript by any

accredited museum, library, fine art gallery, school or institution of higher learning.

Section 17.00.A.14.b

The exhibition and/or performance of any play, drama, tableau, or motion picture by any theater, museum, library, fine art gallery, school or institution of higher learning either supported by public appropriation or which is an accredited institution supported by private funds.

Section 17.01: Location

Adult Entertainment Facilities are specified as a conditional use in the [HB] Highway Business zoning district only and are additionally subject to the conditions hereafter set forth in Section 17.02: Conditions.

Section 17.02: Conditions

Section 17.02.A

No adult entertainment facility shall be established within 2500 feet of any area zoned for residential use.

Section 17.02.B

No adult entertainment facility shall be established within a radius of 2500 feet of any school, library or teaching facility, whether public or private, governmental or commercial, which school, library or teaching facility is attended by persons under 18 years of age.

Section 17.02.C

No adult entertainment facility shall be established within a radius of 2500 feet of any park or recreational facility attended by persons under 18 years of age.

Section 17.02.D

No adult entertainment facility shall be established within a radius of 2500 feet of any other adult entertainment facility.

Section 17.02.E

No advertisements, displays or other promotional materials displaying specified sexual activities or specified anatomical areas shall be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other areas public or semi-public.

Section 17.02.F

All building openings, entries, windows, etc. for adult uses shall be located, covered, or serviced in such a manner as to prevent a view into the interior from any public or semi-public area, sidewalk or street. For new construction, the building shall be oriented so as to minimize any possibility of viewing the interior from public or semi-public areas.

Section 17.02.G

No screens, loudspeakers or sound equipment shall be used for adult motion picture theaters [enclosed or drive-in] that can be seen or discerned by the public from public or semi-public areas.

Section 17.02.H

Off-street parking shall be provided in accordance with standards for permitted uses within the HB zoning district as appropriate.

Section 17.02.I

Sections [a] through [e] above, may be waived by the Planning and Zoning Board provided that the applicant provides affidavits of 51 percent [51%] of the property owners and resident freeholders within the above described radius, giving their consent to the establishment of adult entertainment facility and if the Board determines:

Section 17.02.I.1

That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this section will be observed.

Section 17.02.I.2

That the proposed use will not enlarge or encourage the development of a skid row or similar depressed area.

Section 17.02.I.3

That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation nor will it interfere with any program of urban renewal, residential or commercial reinvestment or renovation of a historical area.

Section 17.02.I.4

That all applicable regulations of this Section will be observed.

Section 17.02.J

No adult entertainment facility shall be established within a radius of 2,500 feet of any church, synagogue, or permanently established place of religious services attended by persons under 18 years of age.

Section 17.03: Unlawful Exhibition or Display of Harmful Material to Juveniles

No person having custody, control or supervision or any business or commercial establishment or premises, with knowledge of the character of the material involved, shall do or cause to have done any of the following:

Section 17.03.A

Allow, permit or fail to prevent any juvenile who is not accompanied by a parent or lawful guardian to enter or remain on premises if in that part of the premises where the juvenile is or may be allowed, permitted or invited as part of the general public or otherwise, there is visibly displayed all or any part of any book, magazine, newspaper or other form of any material which is either of the following:

Section 17.03.A.1

Harmful to juveniles, when taken as a whole; or contains on its cover, package, wrapping or within the advertisements therefore, depictions or photographs of sexually explicit nudity, sexual activity, sadomasochistic sexual abuse or lewd exhibition of the genitals.

Section 17.03.B

Visibly display, exhibit or otherwise expose to view, all or any part of such material in any business or commercial establishment where juveniles, as part of the general public or otherwise, are or will probably be, exposed to view all or any part of such material from any public or private place.

Section 17.03.C

Hire, employ or otherwise place, supervise, control or allow in any business or commercial establishment or other place, any juvenile under circumstances which would cause, lead or allow such juvenile to engage in the business or activity of selling, distributing, disseminating or otherwise dealing or handling such material, either to or for adults or juveniles.

ARTICLE 18: RESERVED FOR FUTURE USE

ARTICLE 19: OFF STREET PARKING AND LOADING FACILITIES

Section 19.00: Parking Facilities

Section 19.00.A

All dwellings and apartment houses shall provide parking space off the road or street and outside of the public right-of-way, together with means of ingress and egress thereto, for not less than one motor vehicle per dwelling unit or apartment. Not less than two hundred (200) square feet of area shall be deemed necessary for each such vehicle.

Section 19.00.B

All Class "B" uses shall provide parking space off the road or street, outside of the public right-of-way and not more than three hundred (300) feet distant from an entrance to said establishment of an area of, not less than two hundred (200) square feet for each one hundred (100) square feet of area of the first floor of said establishment which it serves.

Section 19.00.C

Every theater, auditorium, stadium, arena, building or grounds used for the assembling of persons to attend theatrical performances, shows, exhibitions, contests, concerts, lectures, entertainment and similar activities shall provide off the street or road and outside of the public right-of-way not less than two hundred (200) square feet of space, suitable for parking automobiles and other vehicles, for every four persons to be accommodated. Such parking space shall be within three hundred (300) feet of the main entrance to such use, shall provide adequate means of ingress and egress and shall be available for the use of such patrons.

Section 19.00.D

Continuous curb breaks shall not be permitted. No curb break shall be longer than 60 ft. No curb break shall be closer to the next curb break than 200 feet.

Section 19.00.E

All Class "B" and Class "I" uses shall provide adequate parking space off the street or road and outside of the public-right-of-way for vehicles delivering to, unloading or taking away from said user goods, materials, supplies or waste in connection with said business or use.

Section 19.00.F

All Class "I" uses shall provide adequate parking space off the street or road and outside the public right-of-way for employee and visitors.

ARTICLE 20: SIGNS

Section 20.00: Outdoor Advertising

Outdoor advertising shall be classified as a business use and shall be permitted in all "B" and "I" districts and on all lands used for agricultural purposes, subject to the regulations contained herein:

Section 20.00.A

A sign not larger than four (4) square feet in area is permitted in any district, including residential, when the use is in direct relation to the use of the premises. Such a sign requires no zoning certificate.

Section 20.00.B

An outdoor advertising sign or billboard in excess of four (4) square feet of area, shall be deemed a structure and shall require a zoning certificate before being erected, constructed or replaced.

Section 20.00.C

No outdoor advertising sign, except those mentioned in paragraph one (1) of this section, shall be placed nearer any street or road than the minimum set-back building line.

Section 20.00.D

No outdoor advertising sign more than four (4) square feet in size shall be located within one hundred fifty (150) feet of any intersection, unless affixed to a building and not extending beyond or above the same more than three (3) feet, or if eight (8) feet or more above the road level, it may be located on the set-back line. Except at a multiple intersection where the road or roads do not cross and continue through and beyond the intersection (dead end), or an outdoor advertising sign may be located on the set-back line of the uncrossed side of the through road.

Section 20.00.E

If an outdoor sign be located directly in front of a business, it shall be thirteen (13) feet or more above the road level and must be two (2) feet or more back of the lot line.

Section 20.00.F

Any illuminated sign shall be so shaded as not to interfere with the vision of persons on the highway or to annoy neighbors.

ARTICLE 21: RESERVED FOR FUTURE USE

ARTICLE 22: RESERVED FOR FUTURE USE

APPENDIX A: DEFINITIONS

Appendix "A" is herein adopted as part of the Licking Township Zoning Resolution. Due to the size of the definitions portion of the resolution it has been determined by the officials of Licking Township to present the definitions section at the end of the resolution so as to not segment the substantive regulatory text portion of the resolution. Therefore, instead of presenting the definitions as an article of the resolution it is presented as an appendix at the end of the document and adopted as part of the document unlike other portions of the appendix, that are presented in the appendix for reference only. Any amendment to this resolution is subject to the procedures in Article 5: Amendment of this resolution.

INTERPRETATION OF TERMS AND WORDS:

Certain terms are herein defined for convenience and clarity and shall be used in the interpretation of this resolution. In all instances, the word "shall" is mandatory and not directory.

A word being listed within this appendix shall not mean that it is a permitted or conditional use within Licking Township.

Accessory Use or Structure: An accessory use or structure is a use or structure subordinate to the principal use of a building on the lot and serving a purpose customarily incidental to the use of the principal building.

Agriculture: Agriculture is the use of land for agricultural purposes, including farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, animal and poultry husbandry, and the necessary accessory uses for packing, treating or storing the produce. The operation of any such accessory uses shall be secondary to that of normal agricultural activities. The above uses shall not include the commercial feeding of garbage or offal to swine or other animals.

Agriculture Implement Sales: The use of land, building or structures for the sale, storage or repair of equipment and machinery directly associated with the operation of a farm. Amended (INSERT DATE), Licking County Recorder Instrument Number (INSERT INSTRUMENT NUMBER).

Alley: Alley is a 20-foot public right-of-way providing secondary access to abutting property.

Beginning Construction: The beginning of construction is the incorporation of labor and materials within the walls of a building or buildings; the incorporation of labor and materials at the site, lot or parcel where a building is to be constructed; the incorporation of labor and material where land is to be used for purposes other than construction of a building.

Board: The Board is the Board of Zoning Appeals of Licking Township.

Building: A building is a structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals, or chattels.

Building, Height of: The height of a building is the vertical distance from the top of the foundation to the highest point of the building.

Cellar: A cellar is a story having more than one-half (1/2) of its height below grade.

Commission: The Licking Township Zoning Commission

Court: A court is an open, unoccupied and unobstructed space, other than a yard, on the same lot with a building or group of buildings.

Daycare: Any place in which childcare or publicly funded child care is provided for thirteen or more children at one time, any place is not the permanent residence of the licensee or administrator in which child care, or publicly funded child care is provided for seven to twelve children at one time. In counting children for the purposes of this division, any children under six years of age who are related to a licensee, administrator or employee and who are on the premises of the center shall be counted. Said facility shall be licensed by the State of Ohio as detailed and defined in Chapter 5104 -- Child Care in the Ohio Revised Code. Additionally the facility provides non-medical care to children in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis. This definition of Child Day Care facility includes day care centers and excludes home daycare facilities. Amended April 17, 2006, Licking County Recorder Instrument Number #200710090026407.

District: A district is a portion of the unincorporated territory of Licking Township governed by uniform resolutions and requirements.

Dwelling: A dwelling is any building or portion thereof occupied, or intended to be occupied, for residence purposes only, but not including a tent, cabin or trailer.

Dwelling, Single-Family: A single-family dwelling is a building occupied or constructed to be occupied, for residence purposes by one family or house-keeping unit.

Dwelling, Two-Family: A two-family dwelling is a building occupied, or constructed to be occupied, by not more than two families or housekeeping units.

Dwelling, Multi-Family: A multiple-family dwelling is a building or portion thereof occupied, or constructed to be occupied by more than two families or housekeeping units.

Enclosed Structure: A structure that is affixed to the ground is secure and consists of walls or opaque fences on all sides. Such enclosed structures may have, but shall not be required to have a roof; structures not having a roof shall be used for the storage of currently licensed and operable vehicles only. Such areas shall have buffering if adjacent to residential areas and shall have lighting designed to be shielded from adjoining properties. The contents within shall not be visible from those passing by. Amended April 21, 2008, Licking County Recorder Instrument Number #200805190011584.

Farm Implement Sales: The use of land, building or structures for the sale, storage or repair of equipment and machinery directly associated with the operation of a farm. Amended (INSERT DATE), Licking County Recorder Instrument Number (INSERT INSTRUMENT NUMBER).

Family: A family is a person living alone, two or more persons living together as a single housekeeping unit, but not including a group occupying a boarding house, lodging house or hotel.

Garage, Mini Storage: A principal commercial structure, open to the public for the use of temporary, enclosed storage of personal belongings, furniture, household goods, boats, small trailers or automobiles. Amended April 21, 2008, Licking County Recorder Instrument Number #200805190011584.

Garage, Private: A private garage is a garage intended for, and used by, the private motor vehicles of the families resident upon the premises.

Garage, Public: A public garage is a space or structure for the storage, sale, hire, care, repair or refinishing of self-propelled vehicles.

Heavy Equipment: A moveable or transportable vehicle or other apparatus commonly used in commercial, industrial, or construction enterprises, such as but not limited to, trucks, trailers, bulldozers, cranes, backhoes, rollers, loaders, lifts, having a gross weight of 2.5 tons or more. Amended (INSERT DATE), Licking County Recorder Instrument Number (INSERT INSTRUMENT NUMBER).

Junk Yard: Any open area where waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards and places or yards for storage and equipment.

Lot: A lot is a piece or parcel of land occupied, or intended to be occupied by a building and its accessory buildings and uses, including all open spaces required by this resolution, and having full frontage on a public street.

Lot, Corner: A corner lot is a lot abutting upon two (2) or more streets at their intersection.

Lot, Double Frontage: A double frontage lot is a lot having a frontage on two (2) non-intersecting streets.

Lot Depth: Lot depth is the mean horizontal distance between the front and the rear lot lines.

Lot Line, Front: The front line is the line separating the lot from a street.

Lot Line, Rear: The rear lot line is the line opposite and most distant from the front lot line.

Lot Line, Side: The side lot line is any line other than a front or rear lot line.

Lot Width: Lot width is the width of the lot measured at the building line.

Mini Storage: See Garage Mini Storage

Motor Vehicle: Means any truck or tractor, including any other self-propelled or motor driven vehicle that is operated upon any public highway of this state for the purpose of transporting property and passengers. Amended (INSERT DATE), Licking County Recorder Instrument Number (INSERT INSTRUMENT NUMBER).

Motor Vehicle General Repair and Service: The business of repairing, overhauling, removing, adjusting, replacing, assembling, or disassembling parts of any motor vehicle. Amended (INSERT DATE), Licking County Recorder Instrument Number (INSERT INSTRUMENT NUMBER).

Non-conforming Use of Building: The non-conforming use of a building is a building or structure devoted to or occupied by a use that does not conform with the provisions of this resolution for the district in which it is located.

Non-conforming Use of Land: The non-conforming use of land is a tract, parcel or site devoted to or occupied by a use that does not conform with the provisions of this resolution for the district in which it is located.

Parking Lot, Commercial: A commercial parking lot is a surfaced area of one (1) or more "parking spaces" designed or used for the parking of self-propelled vehicles and available to the public whether for a fee or as an accommodation to clients or customers.

Parking Space: A parking space is a surfaced area of not less than one hundred sixty (160) square feet either within a structure or in the open, exclusive of driveways or access drives, for the parking of a motor vehicle.

Portable Storage Container: A purpose built transportable, fully enclosed, box-like container that is designed for temporary storage of materials and/or equipment. Such containers are uniquely designed for their ease of loading to and from a transport vehicle. For the purposes of this resolution, the trailer portion of a tractor-trailer shall be considered a portable storage container when expressly used for the purpose of on-site storage. Amended April 2, 2007, Licking County Recorder Instrument Number #200710090026410.

Repair of Agriculture and Construction Equipment: The business of repairing, overhauling, removing, adjusting, replacing, assembling, or disassembling parts of any motor vehicle. For the purpose of this definition, said activities are conducted within a completely enclosed (all four sides, roof and floor) structure and not in outdoor areas. Amended (INSERT DATE), Licking County Recorder Instrument Number (INSERT INSTRUMENT NUMBER).

Roll-Off-Debris Containers: An open-top metal box used for containment of construction or demolition debris, yard waste, or other similar waste and/or debris items. Such containers generally range in size between ten (10) and forty (40) cubic yards and between three (3) and six (6) feet in height and are commonly transported by flatbed trucks. Amended April 2, 2007, Licking County Recorder Instrument Number #200710090026410.

Self-Service Storage Facility: A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property. All storage is within an enclosed structure; there is no exterior storage. Amended April 21, 2008, Licking County Recorder Instrument Number 200805190011584.

Story: That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it; if there be no floor above it, then the space between the floor and the ceiling next above it.

Story, Half: A half-story shall mean a partial story under a cable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than four (4) feet above the floor of such story; provided, however, that any partial story used for residence purposes, other than for a Janitor or caretaker, shall be deemed a full story.

Street: A street is a public right-of-way fifty (50) feet or more in width which provides a public means of access to an abutting property, any public right-of-way not less than thirty (30) feet in width which existed prior to the enactment of this resolution. The term "street" shall include avenue, drive, circle, road, highway or similar term.

Structure: A structure is anything constructed, the use of which requires permanent location on the ground, or attached to something having a permanent location on the ground.

Structural Alteration: A structural alteration is any change in the walls, columns, beams, or girders of a building.

Tourist Court: A tourist court is a group of attached or detached cottages, cabins or similar building containing individual sleeping or living units for the accommodation of transient guests. The term shall be interchangeable with auto courts, motels and motor lodges.

Trailer: A trailer is any vehicle or structure, constructed in such a manner as to permit occupancy thereof as sleeping quarters or the conduct of any business, trade or occupation, or use as a selling or advertising device, and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled or drawn by its own or other motor power.

Trailer Park: A trailer park is any lot or portion of the lot which is used or offered as a location for one (1) or more trailers which are being used for individual sleeping and living units.

Roadside Stand: A roadside stand is a temporary enclosure designed exclusively for temporary use and used for the display or sale of agricultural products produced on the premises upon which such stand is located.

Yard, Front: A front yard is an open space extending the full width of the lot between any part of a building and the front lot line.

Front Yard, Depth: The depth of the front yard is the shortest distance measured horizontally between any part, of a building and the front lot line.

Yard, Rear: The rear yard is an open space extending the full width of the lot between a building and the rear lot line.

Rear Yard, Depth: The depth of the rear yard is the shortest distance measured horizontally between any part of a building and the rear lot line.

Yard, Side: The side yard is an open space extending from the front yard to the rear yard between a building and the side lot line.

Side Yard, Width: The width of a side yard is the shortest distance measured horizontally between any part of a building and nearest side lot line.

Zoning Inspector: The Zoning Inspector is the Administrative Officer or his authorized representative as appointed by the Board of Township Trustees of Licking Township to enforce and carry on the provisions of this resolution.

Zoning Certificate: A zoning certificate is a written statement issued by the Zoning Inspector authorizing the construction of buildings structures or the establishment of uses permitted in this resolution.