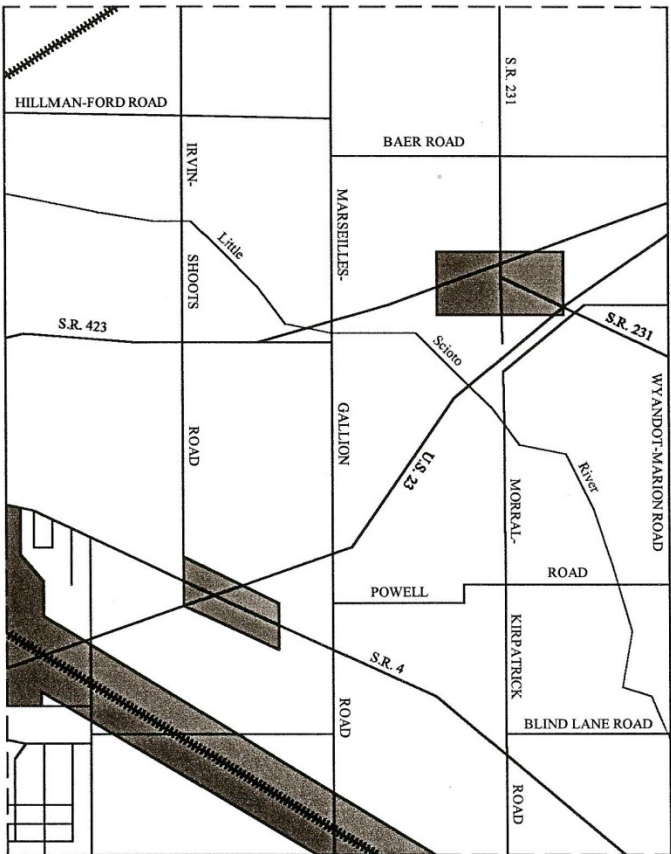


ZONING RESOLUTIONS





GRAND PRAIRIE TOWNSHIP MARION COUNTY, OHIO

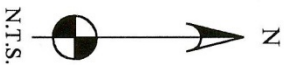
**July 1987
Revised 1999
Revised 2000
Revised January 2008
Revised July 2018
Revised December 2024**

GRAND PRAIRIE TOWNSHIP GENERALIZED ZONING MAP



ZONING DISTRICT LEGEND

-  "R" - RESIDENTIAL DISTRICT
-  "B-1" - LIMITED COMMERCIAL DISTRICT
-  "B-2" - GENERAL COMMERCIAL DISTRICT
-  "I" - INDUSTRIAL AND MANUFACTURING DISTRICT



Map Source: 1977 RPC Marion County Highway Map.

Map Date: 8/11/00

TABLE OF CONTENTS

SECTION I – PURPOSE & INTENT AND INTERPRETATION.....	6
PURPOSE & INTENT.....	6
INTERPRETATION	6
SECTION II – ZONING DISTRICTS	7
SECTION III – AGRICULTURE	8
SECTION IV - “R” – RESIDENTIAL DISTRICT	9
SECTION V – “B – 1” LIMITED COMMERCIAL DISTRICT	10
SECTION VI – “B – 2” – GENERAL COMMERCIAL DISTRICT	11
SECTION VII - “I” – INDUSTRIAL AND MANUFACTURING.....	13
SECTION VIII – PROHIBITED USES	14
SECTION IX – TEMPORARY LIVING SPACE	16
SECTION X – SWIMMING POOLS	17
SECTION XI – NON-CONFORMING USES, CONDITIONAL USES AND EXCEPTIONS... ..	18
SECTION XII – OUTDOOR ADVERTISING	19
SECTION XIII – PUBLIC UTILITIES AND RAILROADS	20
SECTION XIV – MINIMUM LOT AND DWELLING SIZE.....	21
MINIMUM LOT AREA PER FAMILY	21
MINIMUM DWELLING SIZES	21
SECTION XV – BUILDING SETBACKS AND HEIGHT LIMIT	22
BUILDING SETBACK FROM STREET RIGHT-OF-WAY LINE	22
SIDE LOT CLEARANCE.....	22

REAR LOT CLEARANCE	22
CORNER LOTS	22
BUILDING HEIGHT LIMIT	22
SECTION XV.1 - DRIVEWAY CULVERT AND DITCH TILE.....	23
SECTION XV.2 – SOLAR PANELS	
SECTION XVI – QUARRYING AND NATURAL RESOURCES	24
QUARRYING	24
NATURAL RESOURCES	24
SECTION XVII – ZONING INSPECTOR AND CERTIFICATES	26
SECTION XVIII – APPEALS AND HARDSHIPS	27
SECTION XIX – AMENDMENTS	29
SECTION XX – ENFORCEMENT	30
SECTION XXI – EFFECT OF INVALIDITY OF ONE SECTION	31
SECTION XXII – EFFECTIVE DATE	32
SECTION XXIII – DEFINITIONS	33

GRAND PRAIRIE TOWNSHIP ZONING RESOLUTION

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

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Grand Prairie Township that such zoning resolutions is hereby created.

SECTION I

PURPOSE & INTENT AND INTERPRETATION

PURPOSE & INTENT

This Zoning Resolution is adopted to promote the public health, safety, morals, comfort, property and general welfare; to protect and conserve property and property values to secure the most appropriate use of land and facilitate adequate but economical provisions of public improvements, all in accordance with a comprehensive plan. More specific purposes are:

- 1. To protect the character and the values of the agricultural, residential, institutional, business and manufacturing uses, and to insure their orderly and beneficial development, and**
- 2. To improve the public safety by locating buildings and uses adjacent to major thoroughfares, so they will cause the least interference with and damaged least by traffic movements, and**
- 3. To provide open spaces for light and air, to prevent excessive concentration of the population where public water supply and sanitary sewers are not now available, to prevent scattered and uncoordinated development, and**
- 4. To guide the future development of the township in accordance with a comprehensive plan, and to assure economical extension of public improvements and services.**

INTERPRETATION

- 1. The provisions of the Resolution shall be construed as minimum requirements. They do not prevent other more restrictive requirements.**
- 2. Where this Resolution imposes greater restrictions upon the use of land or buildings or upon the bulk of buildings, and where it requires higher standards than are required by other laws, ordinances, rules, or regulations, this Resolution shall prevail, and where other laws, ordinances, rules or regulations are more restrictive, they shall prevail.**

—

SECTION II

ZONING DISTRICTS

The Township is hereby divided into the following districts:

- 1. Residential, which is hereby designated as "R" District.**
- 2. Limited Commercial District, which is hereby designated as "B-1" District.**
- 3. General Commercial District, which is hereby designated as "B-2" District.**
- 4. Industrial and manufacturing, which shall be designated as "I" District.**

The districts as shown on the map hereto attached are hereby established and said map is made a part hereof.

No building of 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.

SECTION III

AGRICULTURE

Land in any district may be used for agricultural purposes. No zoning certificate shall be required for the construction of buildings incident to the use for agricultural purposes of the land, which such buildings shall be located. For the purpose of this Resolution, “Agriculture shall be defined as a minimum of ten (10) acres or a minimum gross income of five thousand dollars (\$5000) being derived from dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry. A zoning permit; however, is necessary for a farm residence(s).

SECTION IV

“R” – RESIDENTIAL DISTRICT

There is hereby created a “Residential Zone” which includes all territory not included in the Industrial and Commercial Zones for Grand Prairie Township, Marion County, Ohio.

The Following uses and no other shall be deemed Class R uses and permitted in all “R” –

1. **Single-family, two-family dwellings or multi-family dwellings and buildings accessory thereto. Single-family and two-family dwellings shall also include Industrialized Units and Manufactured Homes (as defined in Section XXIII). See Section XIV for minimum residential building requirements. Single-family, two-family dwellings and multi-family dwellings shall exclude tents, cabins, recreational vehicles, and mobile homes.**
2. **Tourist homes, rooming houses and boarding houses accepting not more than four (4) guests at any one time.**
3. **Church, school, college, university, children’s home, public library, public museum, community center, fire station, township hall, publicly owned park, publicly owned playground.**
4. **Any person may maintain an office or may carry on a customary home occupation in the dwelling house used by the person as his private residence providing such use does not involve any extension or modification of such dwelling which will alter its outward appearance as a dwelling and providing such use does not involve any outward evidence of such use other than a sign as authorized in other sections of this Resolution.**
5. **Hospital, sanitarium or rest home carding for four (4) or more patients, for other than drug or liquor addicts, contagious diseases, insane or mental cases, providing that any such hospital, sanitarium or rest home shall have a lot area of not less than five (5) acres and frontage on a public thoroughfare of not less than three hundred (300) feet.**
6. **Roadside stand consisting of removable structure used only for the display and sale or agricultural products produced on the premises, provided that adequate facilities are maintained for off-the-road parking by customers provided that such stand is removed during the seasons when it is not actually used. Such stand shall at least twenty (20) feet back from traveled portion of the road.**

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

SECTION V

“B-1” – LIMITED COMMERCIAL DISTRICT

Purpose: The purpose of the Limited Commercial District is to encourage the development of limited retail and such business and professional services necessary to the convenience and well-being of the adjacent residential community at appropriate locations.

Principal Permitted Uses:

1. Dwelling units of the type permitted and as regulated in the “R” – Residential District.
2. Agriculture
3. Retail sales, personal services, and office establishments, of the types listed hereunder not including drive-in facilities, provided each such establishment occupies a total floor area of not more than 4,000 square feet.
 - A. Drug store, including fountain
 - B. Hardware store limited primarily to retail sales
 - C. Barber and beauty shops
 - D. Offices in which goods or merchandising are not produced, displayed, stored, exchanged or sold, of the following types:
 1. Medical and dental offices and clinics.
 2. Legal, engineering, architectural, accounting, and similar professional offices.
 3. Accounting, book keeping and auditing services.
 4. Real estate and insurance offices.

Not including uses first permitted in the “B-2” – General Commercial District.

Conditional Permitted Uses:

1. Any other retail business or personal service determined by the Board of Appeals to be of the same general character as those uses permitted above, and demonstrated as necessary to serve the normal day-to-day needs of the population in the residential areas.

Accessory Permitted Uses:

1. Any use customarily incidental to the principal permitted use.
2. Outdoor advertising signs as regulated in Section XII.

SECTION VI

“B-2” – GENERAL COMMERCIAL DISTRICT

Purpose: The purpose of the General Commercial District is to encourage the development of general retail, but not wholesale merchandising establishments, and such business and professional services necessary to the convenience and well being of the adjacent residential community at appropriate locations.

Principal Permitted Uses:

1. Any principal use permitted in the “B-1” Limited Commercial District without limitation to drive-in facilities.
2. Dwelling units within the same structure containing a permitted commercial use.
3. Any retail business whose principal activity is the sale of new or used merchandise or antiques. Such retail business may include a workshop for the servicing or repair of goods sold on the premises, but shall not include the manufacture of goods or products.
4. Hotels or motels.
5. Service establishments in which the retail sale of goods may or may not be involved, such as:
 - A. Photography studios.
 - B. Catering services.
 - C. Secretarial, stenographic, and typing services.
 - D. Addressing and mailing services.
6. Commercially operated vocational schools.
7. Restaurants, tearooms, cafes, and other establishments serving food, beverages, or both.
8. Banks and other financial establishments including drive-in facilities.
9. Offices of professional, business, or industrial firms, not including the manufacture or storage of goods on the premises.
10. Radio and television studios, swimming pools, assembly halls, enclosed theaters, concert halls, dance halls or similar places or entertainment.
11. Commercial establishments engaged in the completion of finished products, limited to the following:
 - A. Duplicating, blue printing, photocopying and film processing.
 - B. Locksmiths, gunsmiths.

C. Interior decorating.

12. Repair services related to goods permitted to be sold in this District, such as:

- A. Household appliance repair.**
- B. Furniture refinishing or re-upholstering.**
- C. Shoe repair and shoe shine shop.**
- D. Watch, clock or jewelry repair.**
- E. Auto repair.**

13. Drive-in establishments which relate to the sale or services permitted in the District.

14. Rental or sale of automobiles, trucks, trailers, and home gardening tools.

15. Recreation facilities such as:

- A. Mini-golf.**
- B. Batting cages.**

16. Gasoline service stations and car washes.

17. Off-street parking as principal use.

Conditional Permitted Uses:

- 1. Video game halls.**
- 2. General enclosed warehousing.**
- 3. Sale and storage of building materials, not including sawmills or mixing of cement, concrete, or asphalt paving materials.**
- 4. The manufacture of precision instruments such as photographic, optical, electronic, or computer equipment.**
- 5. Adult only entertainment establishments (see Section XXIII for definitions) – located a minimum of 2500 linear feet from any house, school, church, or cemetery.**

Accessory Permitted Uses:

- 1. Any use customarily incidental to the principal permitted use.**
- 2. Outdoor advertising signs as regulated in Section XII.**

SECTION VII

“I” – INDUSTRIAL AND MANUFACTURING DISTRICT

The following uses and no other shall be deemed Class I uses and permitted in all “I” Districts:

- 1. Any use permitted in a “R” district or a “B-1” district shall be permitted in an “I” District with the exception of areas that may be designated as industrial parks which shall be zoned for industrial use only.**
- 2. Any wholesale merchandising, industrial or manufacturing use, providing use in not noxious, dangerous or offensive by reason of emission of odor, dust, smoke, gas, noise, flame or vibration, except uses specifically prohibited in this resolution.**

SECTION VIII

PROHIBITED USES

The following shall be deemed objectionable and shall not be permitted in any “R”, “B”, or “I” Districts:

1. Amusement park.
2. Commercial aviation field.
3. Brewery.
4. Metallic powder works.
5. Bulk petroleum station with tanks above ground.
6. Chemical plant.
7. Crematory.
8. Distilling of bones, fat or glue, glue or gelatin manufacturing.
9. Dry cleaning plant.
10. Manufacturing or storage of explosives, gunpowder or fireworks.
11. Bumping, storing, burying, reducing, disposing of or burning garbage, refuse, scrap metal, rubbish, offal or dead animals, except such as result from the normal use of premises, unless such dumping is done at a place provided by the township trustees for such specific purposes. The storage of trash, material for recycling, or waste materials including but not limited to discarded household goods, discarded commercial products, industrial by-products and other similar materials shall not be visible from the property line of the lot on which such materials are being stored or placed otherwise. All such materials shall be housed in an appropriate container or enclosure, excepting trash that is properly placed in an appropriate enclosed container at an assigned location for regularly scheduled trash pickup. In all cases, there shall be full compliance with applicable zoning district standards.
12. Junk yards, automobile graveyards, or places for the collection of scrap metal, paper, rags, glass or junk for salvage or storage purposes.
 - a. Any items such as trucks, tractors, cars, movers, buses, farm or construction equipment, etc., parts of such which because of age, or broken or partly worn out condition is no longer in original intended use, but is maintained for a possibility of future use or for removal of parts, for use on other equipment, if not stored in buildings shall be located in an area which would not be visible so as not to detract from the general appearance of property or where questionable objectionable complaints could be issued by neighboring property owners.
 - b. There shall be no more than one (1) wrecked, unlicensed or otherwise inoperable motor vehicle allowed per one (1) dwelling unit.

- 13. Outdoor theaters.**
- 14. Slaughterhouses.**
- 15. Fertilizer plant.**
- 16. Race tracks.**
- 17. Retailing of alcoholic beverages.**
- 18. Trailer Park**
- 19. Tourist camp**

SECTION IX

TEMPORARY LIVING SPACE

Temporary living spaces or these spaces used until the main dwelling is completed (and generally located in basements, garages, or mobile homes, etc.) shall not be permitted in any residential district unless a permit is granted and a permit fee of \$180 is paid, such permit not to exceed six (6) months. A dwelling, however, may be occupied on or above the ground floor before it is entirely completed, if approved by the Board of Appeals.

SECTION X

Swimming Pools

Swimming pools may be allowed in any district provided the pool is used primarily for the enjoyment of the occupant or employees of the property on which it is located.

1. Permits and Applicability.

Private in-ground or above ground swimming, or wading or other pools capable of containing three (3) feet or more of water depth shall be considered structures for the purpose of permits and fencing requirements, shall not be located in front yards and shall be no closer than (10) ten feet to the side or rear property line.

2. Fences Required.

The owners and/or operators of any swimming pool shall construct and maintain fences of such type and description that will effectively deny ingress to animals and persons not specifically admitted to such swimming pools by the owner or operator thereof.

3. Fence Specifications.

Fences referred to in subsection 2 hereof shall be constructed so that not more than three (3) inches of open space exists between the bottom of the fencing material and the ground measured vertically and shall have not more three (3) inches of clear opening in any one dimension except for doors or gates. Such fencing shall be not less than four (4) feet in height and not more than six (6) feet in height.

Exception: Above ground pool having sidewalls of four (4) feet or more in height from the finish grade, shall be required to have fencing and gates only where access to the pool may be had.

4. Locks Required.

Fences shall be equipped with locks so as to comply with the intent as specified in subsection 2 hereof.

SECTION XI

NON-CONFORMING USES AND CONDITIONAL USES AND EXCEPTIONS

NON-CONFORMING USES

1. A non-conforming use existing at the time this Resolution 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.
2. 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 this resolution, but not completed, may be completed and put to such non-conforming use, providing it is done within one (1) year after this resolution takes effect.
3. Any building or structure, existing as a non-conforming use at the time this resolution takes effect, which is destroyed by fire or the elements, may be reconstructed and restored providing the same is done within two (2) years from the date of said destruction.
4. A building or structure devoted to a non-conforming use at the time this resolution takes effect may not be altered or enlarged so as to extend said non-conforming use.
5. 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.

CONDITIONAL USES AND EXCEPTIONS

The Board of Zoning Appeals shall hear and decide upon requests for conditional uses listed in the use regulations of each zoning district. The Board of Zoning Appeals shall also rule on exceptions regarding non conforming uses and structures as provided in this resolution. In order to grant a conditional use or exception the Board of Zoning Appeals must request and find that the following conditions exist, and may also require appropriate conditions and safeguards for approval.

1. Request a detailed, written description of the proposed use or exception. The conditions described in this description will be predicated upon ownership, proposed use and or a specific timeline of the owner. These conditions are specified by the Board of appeals and will be followed by the owner.
2. That the proposed use or exception is consistent with the nature and condition of the neighborhood.
3. That the proposed use or exception would not be hazardous, harmful, offensive, or a nuisance to the surrounding neighborhood. If the proposed use or exception is vacant for one year from the descriptions listed starting date, the approved conditional use or exception is null and void

SECTION XII

OUTDOOR ADVERTISING SIGNS

For the purpose of this Resolution, outdoor advertising shall be classified as a business use and shall be permitted in any "I" district and all lands used for agricultural purposes, subject to the regulations contained in this resolution:

- 1. Signs no larger than six (6) square feet in area are permitted in established residential districts when the use of the sign is in direct relation to the premises. For permanent signs not attached to a building, the top of any portion of the sign or its holder shall not be higher than three (3) feet from the average ground level where the sign is located. Signs in conformity with the above limitations shall not be require a zoning permit.**
- 2. An outdoor sign or billboard, other than those mentioned in Paragraph 1 of this Section, shall be deemed a structure and shall require a zoning certificate before being erected, constructed or replaced.**
- 3. No outdoor advertising sign, except those mentioned in Paragraph 1 of this Section, shall be placed nearer any street or road than the minimum set-back building line.**
- 4. No outdoor advertising sign 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.**
- 5. Any illuminated sign shall be so shaded as not to interfere with the vision of persons on the highway or to annoy neighbors.**

SECTION XIII

PUBLIC UTILITIES AND RAILROADS

This Resolution shall not apply to public utilities or railroads. However, Section 519.221 of the Ohio Revised code permits townships to regulate cellular communication towers owned by public utilities in areas zoned for residential use.

The following regulations shall be met whenever a public utility tower is to be located, erected, constructed, reconstructed, or any other situation as defined in Section 519.211 (A) of the Ohio Revised Code:

1. Telecommunication or cellular towers shall be a minimum of 1000 feet from any residential dwelling unit.
2. Telecommunication or cellular towers shall be minimum of one and one-half (1/2) tower heights (including base height if applicable) from any buildings, roads, alleys, utility lines, etc.
3. Any site where a telecommunication or cellular tower is constructed shall be landscaped and maintained in keeping with the décor of the area in which the tower is located.
4. Telecommunication or cellular towers shall be a minimum of 5280 feet from any public or private airport.

Mail boxes installed along the road for United States Mail services are the responsibility of the property owner. If damage to the mail box is the result of Grand Prairie Township work being done, the cost of the repair or replacement of the mailbox shall be paid by the Township. With the maximum amount to be eighty dollars(\$80.00) per mail box damaged.

SECTION XIV

MINIMUM LOT AREA PER FAMILY

TYPE OF DEVELOPMENT	SANITARY SEWER AND WATER AVAILABLE	NO SANITARY SEWER OR WATER AVAILABLE
Single-Family Dwelling Unit	* Lot Area: 20,000 sq. ft. ** Frontage 100 feet	* Lot Area: 43,560 sq. ft. ** Frontage 100 feet
Two-Family Dwelling Unit	* Lot Area: 30,000 sq. ft. ** Frontage 100 feet	* Lot Area: 43,560 sq. ft. ** Frontage 100 feet
Multiple-Family Dwelling Unit ***	* Lot Area: 30,000 sq. ft. ** Frontage 100 feet	N/A

* In computing lot areas, one-half of the width of the road or street right-of-way may be included if the lot owner holds title to the same.

** The minimum lot width shall be measured at the building line unless such lot was designated on a recorded plat and separately owned at the time this resolution took effect and cannot practicably be enlarged to conform with the requirement.

*** Three (3) parking spaces per unit. All off street parking.

*** All parking area spaces shall be not less than nine (9) feet wide and twenty (20) feet long with a twenty-four (24) foot back out. Such space shall be measured rectangularly and be served by aisles of sufficient width to permit easy and smooth access to all parking spaces.

*** All parking areas and adjacent aisles or driveways shall be paved with asphaltic material or cement.

MEDIUM DWELLING SIZES

All single-family, two-family or multi-family dwelling units must meet the following requirements, which shall be construed to be the minimum building requirements.

Manufactured homes must meet all of the following requirements and have a manufacture date not more than 10 years old from the date when the house is installed to its foundation.

1. Minimum building width of 26 feet at the narrowest point exclusive of breezeways, porches, terraces and garages or attachments.
2. The minimum floor area for single or two-family dwelling shall be 1144 square feet if the residential structure has one-story, and 1200 square feet if the residential structure has more than one-story.
3. The minimum floor area for multi-family residential structure shall be 1000 square feet per dwelling unit in the residential structure.
4. All dwelling units must be permanently attached to a cement block, concrete foundation, or other locally approved footing with a minimum footer depth of three (3) feet below the finish grade.
5. The dwelling unit has a minimum 3:12 residential roof pitch, conventional residential siding, and six-inch minimum eave overhang with additional appropriate guttering.

SECTION XV

BUILDING SETBACKS AND HEIGHT LIMIT

BUILDING SETBACK FROM STREET RIGHT-OF-WAY LINE

No building or structure or any portion thereof, **except steps and uncovered porches less than ten (10) feet in width**, shall be erected within (50) feet of the right-of-way **side line** of any street or road.

SIDE LOT CLEARANCE

For every building erected in an “R” District, there shall be a minimum side lot clearance on each side of said building of not less than **fifteen (15) Twenty-five (25)** feet, which space shall remain open and unoccupied by any building or structure. Attached garages or accessory buildings connected with the main building by a breeze way or other permanently constructed connection shall be construed to be part of the main building for the purpose of this section. All other accessory buildings shall be at least twenty (20) feet from any dwelling.

Provided, however that an accessory building located not less than twenty (20) feet to the rear of the main building may be erected not less than five (5) feet from a side lot line, except on corner lots; provided, that it will be not less than twenty (20) feet distant from any existing residence. An accessory building is a subordinate building customarily incident to and located on the same lot with the main building.

REAR LOT CLEARANCE

For ever building erected in an “R” District and for every dwelling 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.

CORNER LOTS

The setback building line on a corner lot shall be in accordance with the provisions governing the road or highway on which the building faces. If possible, the side-yard clearance on the side road shall conform to the setback line for an inside lot on said street or road, but in no event shall said side-yard clearance be less than twenty five (25) feet from the right-of-way side lines of the street or road.

BUILDING HEIGHT LIMIT

No structure or building in the “R” District shall exceed sixty (60) feet in height. The height limitations may be appealed to the Grand Prairie Township Board of Zoning Appeals. Telecommunication or cellular communication towers exceeding sixty (60) feet in height shall be subject to the requirements of Section XIII.

SECTION XV.1

DRIVEWAY CULVERT AND DITCH TILE

The board of township trustees, by resolution, **may will** require any person to obtain approval by one of the Trustees or Zoning Inspector before installing or replacing a driveway culvert, **filling in a ditch** or making any excavation in a township highway or highway right-of-way within its jurisdiction, except an excavation to repair, rehabilitate, or replace a pole already installed for the purpose of providing electric or telecommunications service. The board, as a condition to the granting of the permit, may do any of the following:

1. Require the applicant to submit plans indicating the location, size, type, and duration of the culvert or excavation contemplated.
2. Specify methods of excavation, refilling, and resurfacing to be followed.
3. Require the use of warning devices it considers necessary to protect travelers on the highway;
4. Require the applicant to indemnify the township against liability or damage as the result of the installation of the culvert or as a result of the excavation.
5. Require the applicant to post a deposit or bond, with sureties to the satisfaction of the board, conditioned upon the performance of all conditions in the permit.
6. Minimum culvert or tile specifications for:
 - (A) Any road to property access type driveway is: eight (8) inch diameter minimum and thirty (30) feet long, made of galvanized steel or plastic. If plastic is used it must be of a type that is double wall and not perforated.
 - (B) Road side ditch filling or leveling is; eight (8) inch diameter minimum, made of plastic that is a double wall type with perforations.
 - (C) All other materials and construction must be approved by the zoning inspector.
 - (D) All excavation must be approved by one of the Trustees or Zoning Inspector before final covering of culvert or tile is made.
7. **Require the applicant to contact the Ohio Utilities Protection Service for the location of underground utilities.**
8. **Require the use of a qualified contractor for the culvert installation**

Applications for permits under this section shall be made to the township zoning inspector upon forms furnished by the board.

Culverts shall be maintained by the property owner so that both ends of the culvert are kept free of obstructions that may inhibit the natural flow of water.

No person shall install a driveway culvert or make an excavation in any township highway or highway right-of-way in violation of any resolution adopted pursuant to this section, except that, in the case of an emergency requiring immediate action to protect the

public health, safety, and welfare, an excavation may be made without first obtaining a permit, if an application is made at the earliest possible opportunity.

All costs incurred for any culvert installation, repair, maintenance, and ditch filling are the responsibility of the property owner.

XV.2

Free Standing or Ground Mounted Solar Arrays and Panels

Free Standing or Ground Mounted Solar Arrays shall be Conditionally Permitted Accessory Uses and Accessory Structures in Grand Prairie Township with the following criteria and standards. The following will apply to both Solar Arrays and Solar Panels regardless of the name used in this section. Both will be considered one and the same type of structure.

- A. **Minimum Lot Area:** Free standing or ground mounted solar arrays shall be Conditionally Permitted Accessory use and structure only on lots that are one (1) acre or larger.
- B. **Maximum Height:** Free Standing or Ground Mounted Solar Arrays shall not exceed a maximum height of fifteen (15) feet measured to the highest projection of the solar panel in the final configuration and orientation.
- C. **Minimum Setbacks:** Free Standing or Ground Mounted Solar Arrays shall be setback from all side and rear property lines in accordance with the following:
 - 1. **Residential:** Minimum side yard twenty (20) feet and back yard twenty (20) feet.
 - 2. **Non-residential:** Minimum side yard twenty (20) feet and back yard twenty (20) feet.
 - 3. **Non-residential, abutting residential:** Minimum Side yard fifty (50) feet and back yard fifty (50) feet
- D. **Location:** Free Standing or ground mounted solar arrays shall be located behind the front setback line of the principle building to which such facility is accessory.
- E. **Wiring.** All electrical connections between the free standing or ground mounted solar arrays and the principle building shall be located underground.
- F. **Accessory Compartments:** All accessory components shall be located either within the principle building or behind the front setback of the principle building and shall comply with the side and rear setback lines of the township. Ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access. Accessory components shall be screened from view from the public right of way and adjacent properties.
- G. **Maximum Ground Coverage:** Free standing or ground mounted Solar Arrays in “R1” and “R2” single family residential areas shall comply with the minimum accessory structure provisions set forth in this provision.
- H. If the free standing or ground mounted Solar Arrays become inoperable for their intended purpose, the Arrays shall be removed and the area where they are mounted shall be returned to the original condition before the Arrays were installed.

Roof mounted Solar Arrays (panels) in “B-1” and “B-2” business districts and in “I” industrial districts shall be located, maintained and operated in conformance with the following criteria and standards.

- A. Roof mounted solar arrays (panels) shall require a zoning permit as an accessory use, but shall be considered part of the principal building and not an accessory structure.

- B. Solar panels shall not extend more than twenty-four (24) inches above the plane of the roof or pitched roofs nor more than thirty-six (36) inches above the roofline of a flat roof.
- C. Solar panels shall not extend above the peak or ridgeline of a pitched roof or the parapet wall of a flat roof.
- D. All accessory components shall be located either within the building, behind the front setback of the line of the principle building or hidden from view behind the parapet wall of a building with a flat roof.
- E. All accessory components shall comply with the minimum side and rear building setbacks for the principal building.
- F. Solar panels shall have appropriate structural strength to withstand wind loads as provided in the Ohio Building Code.
- G. Solar panels shall be installed to avoid glare or reflection onto adjacent properties and right of way.
- H. Solar arrays shall not contain advertising visible from off the premises.
- I. Ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.
- J. Accessory components shall be screened from view from the public right of way and adjacent properties.

SECTION XVI

QUARRYING AND NATURAL RESOURCES

QUARRYING

Quarrying is regulated by the Ohio Department of Natural Resources

1.

This page intentionally left blank.

SECTION XVII

ZONING INSPECTOR AND CERTIFICATES

1. The position of Township Zoning Inspector is hereby created. He shall be appointed by the Board of Township Trustees and shall receive such compensation as the Trustees shall provide. He shall keep records of all applications for Zoning Certificates and the action taken thereon.
2. Before constructing any building (excluding buildings incident to agricultural purposes and accessory buildings of less than fifty (50) square feet, changing the use of, or altering any building or structure (including accessory buildings over fifty (50) square feet or changing the use of any premises) an 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 and dimensions and the proposed use.
3. A Zoning Certificate shall be revocable, if among other things, the actual use, construction or alteration does not conform to the terms of application and the Certificate granted thereon.
4. A Zoning Certificate shall expire one (1) year after issuance unless the construction or alteration permitted by it has been substantially begun and is thereafter pursued to completion, or unless the land or premises have been put to the use permitted by such Certificate.
5. Application for a zoning certificate shall be accompanied by the following fees: minimum or base fee for a new construction or alteration shall be twenty-five dollars (\$25.00). The base fee covers valuation of new construction or alteration up to and including one thousand dollars (\$1000.00). Valuation of construction or alteration over and above one thousand dollars (&1000.00) shall be an additional one dollar (&1.00) per one thousand dollars (&1000.00) of valuation.

A fee of fifty dollars (\$50.00) will be charged by the Zoning Inspector to issue a Temporary Visitors Zoning Certificate for a visiting travel trailer parking on any premise over ten (10) days in any thirty (30) day period.

All matters demanding a decision by the Board of Zoning Appeals shall require a payment of a fifty dollars(\$50.00) fee plus all costs. Petitions to amend the Zoning Regulations that are initiated by property owners or lessees of property shall require payment of a one hundred dollar (\$100.00) fee. Petitions to amend the Zoning Regulations that are initiated by non-residents shall require payment of a three hundred fifty dollar (350.00) fee.

No permit shall be required for minor alterations, remodeling or repairs on any building, providing that gross ground floor area is not enlarged. No permit shall be required for temporary removable structures erected as part of a construction project, nor for construction of roads, sewers, service lines, utility lines or driveways.

SECTION XVIII

APPEALS AND HARDSHIPS

The Board of Township Trustees shall appoint a township Board of Zoning Appeals comprising five (5) members who shall be residents of the unincorporated territory in the township included in the area zoned. The terms of all 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. Members shall be removable for the same causes and the same manner as provided by Section 519.04 of the Ohio Revised Code. Vacancies shall be filled by the Board of Township Trustees and shall be for the unexpired term. The members shall serve without compensation (519.13 Ohio Rev. Code).

The Township Board of Zoning Appeals May:

1. Hear and decide appeals where it is alleged there is error in any order, decision, or determination made by an administrative official in the enforcement of Sections 519.02 to 519.25, inclusive, of the Ohio Revised Code, or of any resolution adopted pursuant thereto.
2. Authorize, upon appeal, in specific cases, such variance, nonconforming use, conditional uses or exceptions 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 resolution will result in unnecessary hardship, and so that the spirit of the resolution shall be observed and substantial justice done.

In exercising the above-mentioned powers, such Board may, in conformity with such sections, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from, and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have all powers of the officer from whom the appeal is taken (519.14 Ohio Rev. Code).

The Township Board of Zoning Appeals shall organize and adopt rules in accordance with the Zoning Resolution. Meetings of the Board shall be held at the call of the Chairman, and at such other times as the Board determines. The Chairman, or in his absence the acting chairman, may administer oaths, and the Board may compel the attendance of witnesses. All meetings of the Board 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, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board of Township Trustees and be a public record.

Appeals may be taken to the Board by any person aggrieved or by any officer of the township affected by any decision of the administrative officer. Such appeal shall be taken within twenty (20) days after the decision by filing with the officer from whom the appeal is taken and with the Board, a notice of appeal specifying the grounds. Each application shall be accompanied by a check payable to the Board of Trustees or a cash payment sufficient to cover the cost of publishing and mailing notices of the hearing or hearings. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

The Board shall fix a reasonable time for the hearing of the appeal, give ten (10) days' notice to the parties in interest, and decide the appeal within a reasonable time after it is submitted. Upon the hearing any party may appear in person or by attorney. Any person

adversely affected by a decision of a Board may appeal to the court of common pleas of Marion County on the ground that the decision was unreasonable or unlawful. The court may affirm, reverse, vacate, or modify the decision complained of in the appeal (519.15 Ohio Rev. Code).

SECTION XIX

AMENDMENTS

It shall be the policy of the Grand Prairie Township Government to consider this Zoning Resolution, together with its Zoning District Maps, to be subject to amendment from time to time, in order to recognize changing conditions of land use and development, and to utilize improved practices in zoning. The Resolution will be regarded as a flexible means of encouraging good development and use of the land in Grand Prairie Township.

To these ends, The Township Trustees, Grand Prairie Township Zoning Commission, and property owners or lessees of property may initiate amendments. The procedure for such proposed amendments shall be as set for in the Ohio Revised Code, Section 519.12.

SECTION XX

ENFORCEMENT

- 1. 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 this resolution or any amendment thereto. Any person, firm or corporation violating this resolution or any regulation, provision 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 day and every day during which such illegal erection, construction, reconstruction, enlargement, change, maintenance or use continues may be deemed a separate offense.**
- 2. 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 law or of this Resolution or 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. The Board of Township Trustees may employ special counsel to represent it in any proceedings or to prosecute any actions brought under this Section.**

SECTION XXI

EFFECT OF INVALIDITY OF ONE SECTION

Should any section or provision of the Resolution be decided by the Courts to be unconstitutional or invalid, such decisions shall not affect the validity of the Resolution as a whole, or any part thereof other than the part so held to be unconstitutional or invalid.

All Resolutions or parts thereof which are in conflict with the provisions of this Resolution are hereby repealed.

SECTION XXII

EFFECTIVE DATE

This Resolution shall take effect and be in force immediately following certification by the Board of Elections, if the plan is so approved by a majority of the vote cast on the Resolution.

SECTION XXIII

DEFINITIONS

Intent

The following terms shall have, throughout this text, the meaning given herein:

1. The word “shall” is to be interpreted as mandatory and not directory; the word “may” is permissive;
2. All words used in the singular shall include the plural, and all words used in the present tense shall include the future tense, unless the context clearly indicates the contrary;
3. The word “Township” shall mean Grand Prairie Township, Marion County, Ohio, the term “Commission” shall mean the Zoning Commission of said Township, the term “Board” shall mean the Board of Zoning Appeals of said Township, and the term “Trustees” shall mean the Board of Township Trustees of said Township.

Adult Only Entertainment Establishments

An establishment which features services which constitute adult services which constitutes adult material or which features exhibitions of: persons totally nude, topless or bottomless, or persons with less than full opaque covering of private parts of the body, erotic dancers, strippers, male or female impersonators, or similar entertainment which constitutes adult material.

Adult Only Material

Any book, magazine, newspaper, pamphlet, poster, print, slide, transparency, figure, image, description, motion picture, pornographic record or tape, other tangible thing or any service, capable of arousing interest through sight, sound, or touch, or is characterized by an emphasis on sexual excitement.

Agriculture

A minimum of ten (10) acres or a minimum gross income of five thousand dollars (\$5,000) being derived from dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry.

Airport

Any runway, land area or other facility designed or used either publicly or privately by any person for the landing and taking-off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings, and open spaces.

Areas

1. **Area of Buildings.** The area at the ground level of the main building and all accessory buildings (excluding unenclosed porches, terraces and steps) measured from the outside surface of exterior walls.

2. **Area of Lot.** The total horizontal area within the lot boundary lines of a zoning lot.

Building and Structures

1. **Structure.** That which is constructed, located more or less permanently on the Ground or attached to something located on the ground.
 - a. Including buildings, barriers, bridges, bulkheads, coal bunkers, Public seating facilities, platforms, pools, poles, tanks, tents, towers, roadside stands, sheds, signs, walls and decks. **Metal shipping containers having a floor area greater than one hundred (100) square feet.**
 - b. **Excluding:** trailers and other vehicles whether on wheels or other supports.
 - c. **Fences:** Sections XV (Setback lines), XV (side lot clearance), XV (rear lot clearance), and XV (corner lots) as set forth in preceding sections shall not apply but a zoning permit shall be required.

For the purpose of this resolution, a fence is defined as a boundary device either permanent or temporary, consisting of posts, wire and/or rail enclosing lots, yard, drives, or fields for the purpose of protection, privacy or decoration. More permanent or solid devices constructed of stone, brick, or masonry and used for the above purpose shall be defined as a walls. Fences and walls shall conform to the following height limits by yard and location. A zoning permit is required for all fences and walls.

YARD	LOCATION	MAXIMUM HEIGHT IN FEET
Rear	If within ten (10) feet of Side or rear lot line	6
	If ten (10) feet or more From side or rear lot line	10
Side	At any location	6
Front	At any location but not less than one (1) foot from the street right-of-way line	3-1/2

2. **Building.** A structure which is permanently affixed to the land, has one or more floors and a roof, is bounded by either open space or lot lines, and used as a shelter or enclosure for persons, animals, and/or property. This term shall be used synonymously with “structure” unless otherwise noted, and shall be construed as if followed by the words “or parts thereof”.

3. **Main Building.** The building occupied by the chief use or activity on the premises, all parts of which are connected in a substantial manner by common walls or a continuous roof.
4. **Accessory Building.** A subordinate building detached from, but located on the same zoning lot as the main building, the use of which is customarily incident to that of the main building or use. **Including but not limited to: Metal shipping containers having a floor area greater than one hundred (100) square feet.**
5. **Building Line.** (Synonymous with setback line) A line established by this resolution, generally parallel with a lot line, defining the limits of a yard in which no building or structure above ground may be located, except as otherwise provided herein.

Dwellings and Other Living Accommodations

1. **Dwelling Unit.** Space, within a dwelling, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for bathing and toilet facilities – all used by only one family.
2. **Dwelling.** A building designed or occupied exclusively for non-transient residential use (including one family, two-family, or multi-family buildings).
3. **Industrialized Unit.** A building unit or assembly of closed construction fabricated in an off-site facility, that is substantial self-sufficient as a part of a greater structure, and that requires transportation to the site of intended use. “Industrialized unit” includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. “Industrialized unit” does not include a manufactured home.
4. **Manufactured Home.** A building unit or assembly of closed construction fabricated in an off-site facility, that conforms with the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the “Manufactured Housing Construction and Safety Standards Act of 2000,” and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards.
5. **Mobile Home.** A building unit or assembly of closed construction fabricated in an off-site facility, is more than 35 body feet in length, or when erected on a site is 320 or more square feet, that is built on a permanent chassis and is transportable in one or more sections, and does not qualify as a manufactured home or industrialized unit as defined in this Chapter. These units were primarily built before 1976 when HUD standards became effective.
6. **One Family Dwelling.** A building consisting of one dwelling unit only, detached or separated from other dwelling units by open space.

7. **Two-Family Dwelling.** A building consisting of two dwelling units which are either attached side by side or one above the other, and each unit having either a separate entrance.
8. **Multi-Family Dwelling.** A building or portion thereof designed for or used for residence purposes by three or more families, including an apartment building or town house.
9. **Rooming House.** A building operated by a resident family accommodating for compensation, one (1) to four (4) (inclusive) persons by the week, or for a more extended period of time.
10. **Tourist House.** A one-family dwelling, operated by a resident family in which only overnight quests are lodged for compensation.

Family

Either an individual, two or more persons who live together in one dwelling unit and maintain a common household, related by blood, marriage or adoption.

Home Occupation and Professional Offices

1. **Home Occupation.** A gainful occupation clearly incidental and secondary to the use of the dwelling for residential purposes, conducted wholly within a dwelling, or in a building accessory thereto, only by members of the resident family.
2. **Home Professional Office.** A secondary office clearly accessory to and located in the dwelling occupied by a person practicing in any of the recognized professions (including accountant, architect, artist, engineer, lawyer, musician, physician).

Junk or Auto Wrecking Yard

Land used to dismantle more than one motor vehicle or trailer, or land used to store, sell or dump partly dismantled, obsolete or wrecked vehicles or their parts, second-hand building materials, junk, paper, containers or other salvaged materials.

Lot

1. **Zoning Lot.** A single tract of land abutting a dedicated street, occupied or intended to be occupied by a use, building or group of buildings and their accessory used and buildings as a unit, together with such open spaces as are required by this Resolution (it may not coincide with a lot of record). Unless the context clearly indicates the contrary, the term lot is used synonymously with zoning lot throughout this Resolution.
2. **Corner Lot.** A lot abutting on two streets at their intersections, where the interior angle or intersection is not more than one hundred thirty five (135) degrees.
3. **Interior Lot.** A lot other than a corner lot or through lot.

4. **Front Lot Line.** The lot line separating an interior lot from the street upon which it abuts; or the shortest lot line of a corner lot which abuts a street.
5. **Lot Depths.** The mean horizontal distance of a lot measured between the front and rear lot lines.
6. **Lot Widths.** The horizontal distance of a lot measured along the building line at right angle to the mean lot depth line.

Nonconforming Building Use

1. **Nonconforming Building.** A building existing lawfully at the time this Resolution, or amendment thereto, became effective but which does not Conform to the area or yard regulations of the district in which it is located.
2. **Nonconforming Use.** The use of a building or land existing lawfully at the time this Resolution, or amendment thereto, became effective but which does not conform to the use regulations of the district in which it is located.

Permanent Foundation

Permanent masonry, concrete, or locally approved footing or foundation

Roadside Stand

A removable structure used only, or intended to be used only, for the sale of seasonal agricultural products produced on the premises.

Signs

1. **Sign.** A structure or part thereof, of any device attached to a structure or painted or represented on a structure, which shall display or include any letter, word, model, banner, pennant, insignia, device or representation used as, or which is in the nature of, an announcement, direction or advertisement.
2. **Business Sign.** A sign which directs attention to business, commodity, service or profession conducted, sold or offered upon the same lot.
3. **Real Estate Sign.** A “for sale” or “for rent” sign relating to and located on the zoning lot.
4. **Advertising Sign.** A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the same zoning lot (including a billboard).

Street

An existing public way shown upon a plat heretofore approved by official action and duly filed and recorded and affording the principal means of access to abutting property.

Trailers

1. **House Trailers.** A self propelled or non-self propelled vehicle so designed, constructed, or added to by means of accessories in such manner as will permit the use and occupancy therein for human habitation whether resting

on wheels, jacks or other foundations and used or so constructed as to permit its being used as a conveyance upon the public highway.

2. **Trailer Park or Tourist Camp.** Any premise occupied by, or designed to be occupied by, more than one family in house trailers, tents, camp cars, or similar facilities, and shall include roadway, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such house trailer park.

Use

1. **Use.** Any purpose for which buildings, other structures or land may be arranged, designed, intended, maintained, or occupied; or any occupation, business, activity or operation carried on in a building, other structure or on land.
2. **Main Use.** The principal purpose or activity of a building, other structure or zoning lot.
3. **Accessory Use.** A use located on the same lot with the main use of building or land, but incidental to the main use of main building or land.

Variance

A modification of this Resolution, permitted in instances where a literal application of these provisions would result in undue hardship as a result of some peculiar or unique condition or circumstance pertaining only to the zoning lot in question.

Yards

1. **Yard.** That portion of the open area on a zoning lot extending between a building and the nearest lot line, open and unobstructed from the ground upward.
2. **Front Yard.** The yard extending from the front wall of the building to the front lot line across the full width of the lot.
3. **Rear Yard.** The yard extending from the rear wall of the building to the rear lot line across the full width of the lot.
4. **Side Yard.** The yard extending between a side lot line and the nearest wall of the building, and from the front yard, provided, that for a corner lot, the side yard extends from the front yard to the rear lot line on the street side.
5. **Required Yard.** The minimum yard required between a lot line and a line for a building, to comply with the regulations of the district in which the zoning lot is located.