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ZONING AMEN OR 958 / p3675 - p3744

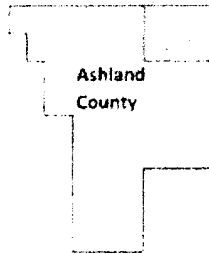
***500 US Highway 224
Sullivan, Ohio 44880***

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Whereas the Trustees of the Township of Sullivan, Ashland County, Ohio under the authority granted them in Chapter 519 of the Ohio Revised Code deem it necessary to the promotion of Public Health, Safety, Morals, Comfort and General Welfare to regulate the size, location and the use of structures: the size and locations of yards and other open spaces in relation to buildings: and to carry out the comprehensive planning for the Township; the districts and the regulations of this Zoning Resolution are hereby created and established and shall hereafter apply.

This Resolution shall be known as the Sullivan Township Zoning Resolution and may be referred to as the Zoning Resolution.

Sullivan
Township



Adopted by the Board of Trustees January 14, 2019 / Effective February 13, 2019
PROPERTY OF SULLIVAN TOWNSHIP

Sullivan Township, Ohio Ashland County Zoning Resolution

500 US Highway 224
Sullivan, Ohio 44880

AUTHENTICATION


The Sullivan Township Zoning Board of Commissions motioned on December 7, 2018 recommending the Sullivan Township Trustees adopt this attached 70 page Zoning Resolution. In as much as 10 day public viewings and public hearings were conducted separately by both the Trustees and the Zoning Commission after review and recommendation for approval from the Ashland County Planning Department at their meeting on November 14, 2018-- on January 14, 2019 the Board of Township Trustees of Sullivan Township moved by 2/3 majority vote (Campbell & Jenkins voting yes / Goff voting no) to adopt this 70 page 2019 Sullivan Township Zoning Resolution (Resolution 011419-1).

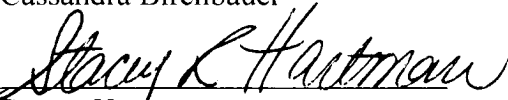
Trustee and Zoning Commission signatures below affirm that the above information is accurate and also affirm that the following pages reflect the content as presented to the Ashland County Planning Department and as shared in the public viewings and public hearings.

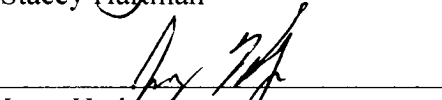
Passed this 14th of January, 2019 by the Board of Township Trustees, Sullivan Township.

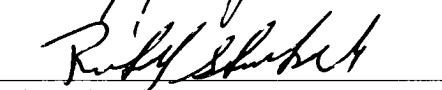
Effective this 13th day of February, 2019.

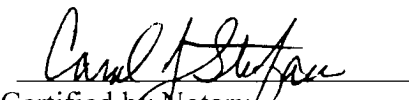
Sullivan Township Zoning Commission


Cassandra Birchbauer

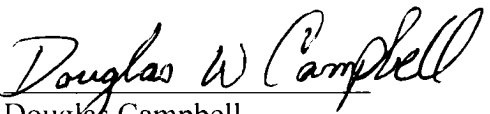

Stacey Hartman



Jerry Hodge

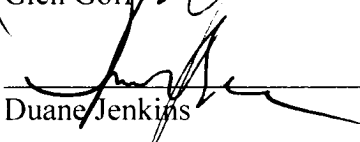

Rick Shumaker


Certified by Notary

Sullivan Township Trustees


Douglas Campbell


Glen Goff


Duane Jenkins



CAROL J STEFANCIN
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
December 01, 2019

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ARTICLE I - Purpose and Title

101 Purpose

Whereas the Trustees of the Township of Sullivan deem it necessary in the interest of the public health, safety, public convenience, comfort, prosperity, and general welfare of what is known as Sullivan Township to regulate therein the location, height, bulk, number of stories, and size of buildings and other structures, including tents, cabins, and trailer coaches, percentages of lot areas that 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 uses of land for trade, industry, residence, recreation, or other purposes; the districts and regulations of this Zoning Resolution, in accordance with the Ashland County Comprehensive Plan, are hereby adopted and established and shall thereafter apply as provided by O.R.C. 519.02

Effective Date: 29 December 2008

102 Title

This resolution shall be known as the Sullivan Township Zoning Resolution and may be referred to as the Zoning Resolution, this Resolution, or as these regulations.

Effective Date: 29 December 2008

ARTICLE II - General Provisions

201 Pending Applications for Zoning Certificate

1. The Sullivan Township Zoning Inspector will not issue a zoning certificate to any applicant unless evidence of a valid health (sewage) permit from the Ashland County Board of Health is in force unless such sewage permit is not required by the health department for the land use in question. Any subsequent actions by the Health Department condemning the land use or rescinding the health permit or finding the dwelling unfit for human habitation shall also render the Sullivan Township Zoning Certificate null and void. A new zoning permit is required before construction or use of the property may recommence. As assistance to applicants for a zoning certificate, the approved procedure and order for obtaining culvert permits, health permits and zoning certificates is:
 - A. Apply to the appropriate agency for a culvert permit (if required). The Sullivan Township Road Superintendent for township roads, the Ashland County Engineer's office for county roads and the Ohio Department of Transportation District Three office in Ashland for state and federal highways.
 - B. Apply for a sewage treatment/disposal system permit and obtain a soil test letter from the Ashland County Board of Health for structures to be occupied.
 - C. Apply for a Zoning certificate from the Sullivan Township Zoning Inspector. Include copies of the culvert permit, soil test letter, the parcel deed and a drawing of the parcel with the proposed structure. The drawing shall include property set back lines and the dimensions of the proposed structure
2. Nothing herein contained shall require any change in the plans, construction, size or designated use of any building, structure or part thereof, for which a zoning permit has been granted before the enactment of this Zoning Resolution and the construction of which, from such plans.
3. The Zoning Certificate shall be valid for one (1) year. All structural work for which the Zoning Certificate use has been granted shall be completed within one (1) year. If the structure is not completed within one (1) year of the issue date, the permit shall expire and a new application must be filed.
4. Zoning Certificates are not transferable.

Effective Date: 13 February 2019

202 Uses Exempted From Zoning Resolution

Except as provided in Section 204 and Section 601, nothing in this Zoning Resolution shall confer power to prohibit the use of any land for Agricultural purpose or the construction or use of building or structures incident to the use of Agricultural purposes of the use of land which such building or structures are located. A Zoning Certificate is not required for any Agricultural building or structure and a Zoning Certificate Exemption shall be issued to the landowner at no cost by the Sullivan Township Zoning Inspector.

Effective Date: 30 December 2015

203 Farm Dwellings Not Considered Incidental to Agriculture

A structure used only as a dwelling for a person engaged in agriculture is not considered incidental to an agricultural use of the land so as to be exempt from township zoning pursuant to Section 519.01 of the Ohio Revised Code. All farm dwellings as permitted in this Zoning Resolution shall be subject to Zoning Certificate and all other regulation of this Zoning Resolution.

Effective Date: 29 December 2008

204 Agricultural Exemption Not Applicable to Small Parcels

1. Parcels of land smaller than five (5) acres are subject to this zoning resolution including but not limited to section 601 to the fullest extent permitted by RC 519.21, and having more than seventy (70) percent of their land area used for purposes other than agricultural shall not be considered as agricultural land and shall not be eligible for the agricultural exemption of Section 519.21 of the Ohio Revised Code and shall adhere to the provisions of the district in which such parcel is located.
2. All lots less than one (1) acres shall not, in any case, be considered as agricultural land and shall not be eligible for the agricultural exemption of Section 519.21 of the Ohio Revised Code and shall adhere to the provisions of the district in which said parcel is located.

Effective Date: 30 December 2015

205 Greater Restrictions Prevail

Where this Zoning Resolution imposes greater restrictions than are imposed or required by other provisions of law, the requirements of this Zoning Resolution shall prevail.

Effective Date: 29 December 2008

206 Alterations

No building or structure shall be built or altered for uses other than those permitted in the district in which the structure is located.

Effective Date: 29 December 2008

207 New Land Uses

New land uses, other than those listed in these regulations, shall be prohibited on property in Sullivan Township.

Effective Date: 29 December 2008

208 Height Exemptions

Parapet walls, chimneys, cooling towers, elevator bulkheads, fire towers, exhaust stacks, stage towers, silos, and necessary mechanical accessories are exempt from the height restrictions listed in these regulations.

Effective Date: 29 December 2008

209 New Lots

New lots of record shall meet all minimum size requirements for the district in which they are located.

Effective Date: 29 December 2008

210 Additions

1. Any addition to an existing building shall not intrude into any required yard, open space, or setback area.
2. All additions to a Dwelling or Accessory Building require a Zoning Certificate including but not limited to additional rooms, sun rooms, lenais and closed-in porches.

Effective Date: 13 February 2019

211 Contiguous Parcels

Two or more lots of record, or platted lots, when contiguous and owned by the same individual or entity, may be treated as a single lot for the purposes of this resolution as long as the property in question is located in a single district.

Effective Date: 29 December 2008

212 Existing Lots

Separate Lots:

1. A lot existing as a separate parcel as of 14 May, 1964 that is held in separate ownership from any adjoining parcel may be used for any permitted use in the overlying district, provided minimum setback and side yard requirements are met. Applications for conditional uses may be considered for approval by the Zoning Board of Appeals.
2. Lots created after 14 May 1964 which met the minimum lot requirements at the time they were recorded may be used for any permitted use in the overlying

district, provided minimum setback and side yard requirements are met. Applications for conditional uses may be considered for approval by the Zoning Board of Appeals.

- 3. Lots created after 14 May 1964 which did not meet the minimum lot requirements at the time they were recorded are not eligible for consideration for conditional uses in the overlying district and shall be rejected by the Zoning Board of Appeals.

Contiguous Lots:

- 1. A contiguous parcel in the same ownership, recorded as of 14 May 1964 may be used for any permitted use in the overlying district, provided both the subject parcel and the adjoining parcel in the same ownership meet the current set back and side yard requirements. Applications for conditional uses may be considered for approval by the Zoning Board of Appeals.
- 2. A contiguous parcel in the same ownership recorded after 14 May 1964, that each meets all the minimum lot requirements when recorded, may be used for any permitted use in the overlying district. Applications for conditional uses may be considered for approval by the Zoning Board of Appeals.
- 3. Contiguous parcels in the same ownership recorded after 14 May 1964 that did not each meet the minimum requirements for the overlying district when recorded, cannot be developed with more than one principle use dwelling as combined. When more than two contiguous parcels in the same ownership exist, they must be combined so as not to create an orphan undersized parcel, i.e., if an owner with 3 contiguous parcels combines 2 for zoning purposes, the remaining parcel must either meet all the lot requirements or be combined with the other 2 parcels. Applications for conditional uses may be considered for approval by the Zoning Board of Appeals.

Effective Date: 30 December 2015

213 Sale of New Lots

No sales of properties are permitted which fail to meet the minimum size requirements as outlined in this resolution.

- 1. Sales of a partial piece of property is permitted so long as the land adjoins the buyers property and does not leave the sellers property below the minimum lot requirements, new lot must be combined with the buyers lot so as to not create an undersized lot or parcel

Effective Date: 30 December 2015

214 Sanitary Landfill, Solid Waste Site and Recycle Facilities

Sanitary Landfill, Solid Waste Sites and Recycle Facilities are expressly forbidden in Sullivan Township regardless of zoning district.

Effective Date: 13 February 2019

215 Fireworks

Manufacturing, sales, storage or distribution of fireworks or explosives including but not limited to Gun Powder and Tannerite is expressly forbidden in Sullivan Township.

Effective Date: 13 February 2019

216 Restoring Unsafe Buildings or Structures

Nothing in this Zoning Resolution shall prevent the strengthening or restoring to a safe condition any part of any building or structure declared insecure, unsafe, or structurally defective by Sullivan Township Fire Chief or other authority responsible under Chapter 3781 of the Ohio Revised Code.

Effective Date: 29 December 2008

217 Compliance with Zoning Resolution

A lot may be used and a structure, altered, occupied, or used only as this Zoning Resolution permits.

Effective Date: 29 December 2008

218 Pipeline (repealed)

Effective Date: 30 December 2015

219 Validity

If any article, section, sentence, clause, provision, requirement, or portion of this Zoning Resolution shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not effect any other article, section, sentence, clause, provision, requirement, or portion of this Zoning Resolution which is not in itself invalid or unconstitutional.

Effective Date: 29 December 2008

220 Zoning Density

Zoning Density is the limitation of one habitable dwelling on an individual lot in all zoning districts, except when a Conditional Use Certificate has been issued by the Board of Appeals to establish a Manufactured Dwellings Park on a single parcel in the Industrial District.

Note: A commercial dwelling (i.e. nursing home) shall not be permitted to occupy the same parcel as a residential dwelling.

Effective Date: 30 December 2015

ARTICLE III - Definitions

301 Explanations

For the purposes of this resolution, certain terms and words are described as follows: The words "used for" include "designed for" and vice versa; words used in the present tense include the future and vice versa; words in the singular number include the plural number and vice versa; the word "building" includes the word "structure"; the word "dwelling" includes the word residence; the word "lot" includes the word "plot" and "parcel"; and the word "shall" is mandatory and not advisory.

Effective Date: 30 December 2015

302 Accessory Uses

A land use which is necessarily and customarily associated with, and is appropriate, incidental, and subordinate to a principal use of land in a zoned district.

Effective Date: 30 December 2015

303 Agriculture

Includes farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry; including, but not limited to, the care and raising of livestock equine; and fur bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops; tobacco; fruits; vegetables; nursery stock; ornamental shrubs; ornamental trees; flowers; sod; or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or productions. ORC 519.02-519.25

Effective Date: 29 December 2008

304 Bed and Breakfast

An establishment in a private dwelling that supplies temporary accommodations to overnight guests for a fee.

Effective Date: 29 December 2008

305 Board

Shall mean the Sullivan Township Zoning Board of Appeals.

Effective Date: 29 December 2008

306 Building

A structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals or chattel. When separated by division walls from the ground up without openings, each portion of such structure shall be deemed a separate structure.

Effective Date: 29 December 2008

307 Building Height

The vertical distance measured from the average elevation of the finished grade along the front of the building to the highest point of the roof surface.

Effective Date: 29 December 2008

308 Building Material

Building materials are any material or structural component commonly used for a construction purpose including naturally occurring substances, such as clay, sand, wood, rocks and gravel.

Effective Date: 30 December 2015

309 Campground / Camping

- a. A campground is a business on a plot of ground upon which two or more campsites are located, established or maintained for occupancy by camping units of the general public as temporary living quarters for recreation, education or vacation purposes.
- b. Home Owners / Land Owners may have a camping guest stay on their property for no more than 14 days in a calendar month.
- c. Home Owners / Land Owners may camp on their own property for no more than 14 days in a calendar month.
- d. If a Land Owner wants to build a structure of any kind on his property to be used as a Recreational Use for camping, a Zoning Certificate is required for such structure. The Zoning Certificate will be issued as a Recreational Structure Use and the limitation of camping 14 days in a calendar month applies.

Effective Date: 13 February 2019

310 Commercial Butchering

A facility established to slaughter livestock. Said facility may offer meat for wholesale or retail trade.

Effective Date: 29 December 2008

311 Commercial Use

A commercial use is one which is undertaken to generate revenue by an individual or entity excluding agricultural uses.

Effective Date: 30 December 2015

312 Comprehensive Plan

The term Comprehensive Plan in this Resolution refers to the Ashland County Comprehensive Plan & Land Use Map approved by the Ashland County Commissioners on February 28, 2000.

Effective Date: 29 December 2008

313 Conditional Use

A use which is subject to approval by the Sullivan Township Board of Zoning Appeals. A conditional use may be granted by the Board when there is a specific provision for such exception made in this Resolution.

Effective Date: 29 December 2008

314 Contiguous Parcels

Sharing an edge or boundary, touching, or adjoining lot lines.

Effective Date: 30 December 2015

315 Custom Butchering

A facility established to slaughter livestock owned by an individual. Said facility shall not offer meat for wholesale or retail trade. A facility of clearly limited nature for the convenience of individuals raising livestock for their own consumption.

Effective Date: 29 December 2008

316 Dwelling

A. Foundation:

All dwellings must be permanently secured to a permanent foundation constructed of concrete, cinder block, brick, or stone set on footer and must be below the frost line of this geographical area. Any type of wooden posts, telephone poles, and or skids are not considered a dwelling foundation.

B. Dwelling Defined:

A building, with a permanent foundation or portion thereof, designed exclusively for residential occupancy, including single family dwellings, two family dwellings, multi-family dwellings, permanently sited manufactured homes, vacation and seasonal dwellings, but not including hotels, motels, boarding houses or rooming houses.

1. **Manufactured Dwelling:** Means a building unit or assembly of closed construction that is fabricated in off-site facility and constructed in conformance 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 1974," 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and that has a permanent label tag affixed to it, as specified in 42 U.S.C.A 5415, certifying compliance with all applicable Federal Construction and Safety Standards.

2. **Mobile Home:** Means a building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five body feet in length or, when erected on site, is three hundred twenty or more square feet, is built on a permanent chassis, is transportable in one or more sections, and does not qualify as a manufactured home as defined in division (C)(4) of section 3781.06 of the Revised Code or as an industrialized unit as defined in division (C) (3) of section 3781.06 of the Revised Code.

3. **Single Family Dwelling:** A dwelling which is designed for and occupied by not more than one family and containing a minimum of one thousand three hundred and ninety (1390) sq ft. of livable floor area, excluding porches, basements, or garages.

4. **Two Family Dwelling:** A structure on a single lot of record containing a maximum of two (2) dwelling units, each of which is totally separated from the other by an un-pierced wall extending from an exterior wall to exterior wall, except for a common stairwell exterior wall to exterior wall, except for a common stairwell exterior to both units. Each unit shall contain a minimum of one thousand (1000) sq. ft. of livable floor area, excluding of porches, basements or garages.

5. **Multi Family Dwelling:** A structure on a single lot of record containing a maximum of three (3) dwelling units, each of which is totally separated from the others by an un-pierced wall extending from an exterior wall to exterior wall, except for a common stairwell exterior to all dwelling units. Each unit shall contain a minimum of six hundred (600) sq. ft. of livable floor area with one bedroom, and eight hundred (800) sq. ft. of livable floor area with two bedrooms, excluding porches, basements or garages.

6. **Mixed Use Dwelling:** A Business Building that is partially used as a dwelling by the owner operator only. The dwelling must conform to the minimum of one thousand three hundred ninety (1390) sq. ft. of livable floor area, excluding porches, basements, garages.

7. **Permanently Sited Manufactured Home:** Means a manufactured home that meets all of the following criteria:
 - a. The structure is affixed to a permanent masonry, concrete footing or foundation approved by the manufactured homes commission pursuant to Chapter 4781 of the Revised Code, to which a manufactured or mobile home may be affixed and is connected to appropriate facilities;

 - b. The structure, excluding any addition, has a width of at least twenty-two feet at one point, a length of at least twenty-two feet at one point, and total living area, excluding garages, porches, or attachments, of at least one thousand three hundred and ninety (1390) sq. ft.;

 - c. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and six-inch minimum eave overhang, including appropriate guttering;

 - d. The structure was manufactured after January 1, 1995;

- e. The structure is not located in a manufactured home park as defined by section 3733.01 of the Revised Code.
- C. Additional requirements are outlined in Article VI Supplemental Regulations 603.
- D. Travel trailers, park trailers, mobile homes, as these terms are defined in section 4501.01 of the Revised Code, and manufactured homes that do not qualify as a permanently sited manufactured home, other supplemental structures are prohibited to be used as a dwelling in any zone, nor can they be used as an addition to any home or existing structure.
- E. To convert any structure into a Dwelling, including but not limited to barns, accessory buildings, garages and sheds, a Zoning Certificate is required. An application shall be filed with the Zoning Inspector and approved before construction begins. The structure shall meet all requirements of a “Single Family Dwelling” including required minimum livable space and foundation requirements outlined in 316A and 316.B.3.
- F. All Dwellings require a Zoning Certificate before construction can begin.
- G. Zoning Certificates are non-transferable.

Effective Date: 13 February 2019

317 Essential Services

The erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies of gas, electrical, water or communications, supply, distribution or service facilities, including poles, wires, mains, drains, pipes, signals or hydrants including any necessary structures or buildings reasonably required to assure the provision of adequate supplies of public utilities by the utility or branch of government. Including, but not limited to libraries, hospitals, school facilities, public utilities, Board of Education, and Department of Natural Resources.

Effective Date: 30 December 2015

318 Family

One or more persons occupying a single-family dwelling as a single housekeeping unit under a common housekeeping management plan based on a single internally structured relationship providing organization and stability.

Effective Date: 29 December 2008

319 Fences

An enclosure about a field or other space or about any object; an inclosing structure of wood, iron, wire or other material to keep intrusion from without or straying from within.

Effective Date: 30 December 2015

320 Flood Protection Elevation

The elevation to which uses regulated by this resolution are required to be elevated or flood proofed.

Effective Date: 29 December 2008

321 General Manufacturing

Establishments engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of component parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics, resins, or liquors. All raw materials shall be stored in totally enclosed structures.

Effective Date: 29 December 2008

322 Home Occupation

A Home Occupation is a permitted use allowing a resident to operate a small low intensity business within one room of the livable area of the principle dwelling. Home occupations shall not detract from the residential character of a dwelling or neighborhood and shall be a use clearly incidental to the use of the dwelling as a residence. Home Occupation requires a Zoning Certificate per section 613.

Effective Date: 30 December 2015

323 Institution

A publicly owned and operated facility such as a public library, hospital, or prison.

Effective Date: 29 December 2008

324 Kennels

A kennel is a person, firm, company or corporation professionally engaged in the business of breeding dogs for hunting or sale. Any resident who purchases a kennel license from Ashland County shall be deemed as maintaining a kennel.

Effective Date: 13 February 2019

325 Junk

Includes the following items but not limited to: old or scrap copper, brass, rope, rags, trash, waste, batteries, paper, rubber, iron, steel, or other ferrous or nonferrous materials; old tires; unused machinery, appliances, or furnishings or parts thereof; scrap lumber or lumber products; construction or demolition debris; automotive parts; or two or more unlicensed, inoperable, severely damaged, dismantled, or partially dismantled. Also see Supplemental Regulations 608.

Effective Date: 13 February 2019

326 Junk Yard

An establishment or place of business maintained or operated for the purpose of storing, keeping, buying, or selling junk or for salvaging parts from vehicles or other machinery. The term "junk yard" includes junk yards and scrap metal processing facilities as defined in R.C. 4737.05, regardless of the location of such facility in relation to any highways, and motor vehicle salvage dealers as defined in R.C. 4738.01, as those statutes may be amended.

Effective Date: 30 December 2015

327 Local Businesses

An enterprise engaged in retail trade of a clearly limited nature for the convenience of surrounding residents, excluding adult oriented businesses. These may include, but are not limited to, repair shops, cleaning establishments, drug stores, beauty or barber shops, hobby shops, tanning shops, small appliance repair shops, new/used car/truck lots excluding semi's, and businesses for the sale of food and beverages for consumption either on or off the immediate premises.

Effective Date: 29 December 2008

328 Lot

A parcel of land of sufficient size to meet minimum zoning requirements and to provide such yards and other open spaces as herein required. Such lots shall have frontage on improved streets or roads and may include:

1. A single lot of record.
2. A portion of a lot of record.
3. A combination of complete lots of record, of complete lots of record and portions of lots of record, or portions of lots of record.
 - a. Corner Lot: A lot located at the intersection of two (2) or more streets. A lot abutting on a current street or streets shall be considered a corner lot if straight lines drawn from the foremost point of the lot meet at an interior angle of less than onehundred thirty-five (135) degrees.
 - b. Interior Lot: A lot other than a corner lot.
 - c. Reversed Corner Lot: A corner lot the side street line of which is substantially a continuation of the front line of the lot to its rear.
 - d. Through Lot: An interior lot having frontage on two or more streets but not qualifying as a corner lot.

Effective Date: 29 December 2008

329 Lot Areas

The total horizontal area within the lot lines of a piece of property.

Effective Date: 29 December 2008

330 Lot Coverage

The percentage of enclosed ground floor area of all buildings to total lot area.

Effective Date: 29 December 2008

331 Lot Depths

The horizontal distance between the front and rear lot lines, measured along the median between the two (2) side lot lines.

Effective Date: 29 December 2008

332 Lot Lines

The lines bounding a lot as defined herein.

Effective Date: 29 December 2008

333 Lot Frontage Width

Frontage or Lot Frontage Width follows the common real estate definition of frontage. The horizontal distance between the side lot lines measured at right angles to the depth at the edge of road right-of-way line.

Effective Date: 13 February 2019

334 Main Building

A Building in which is conducted the principal use of the lot on which it is located.

Effective Date: 30 December 2015

335 Nonconforming Building

A building or a portion thereof lawfully existing at the time this resolution is adopted which was designed, erected or structurally altered for a use that does not conform to the use of the Regulations of the District in which it is now located.

Effective Date: 29 December 2008

336 Nonconforming Use

A use which lawfully occupied a building or land at the time of adoption of this Resolution and which does not conform with the Regulations of the District in which it is located.

Effective Date: 29 December 2008

337 Nuisance

1. Public: A public nuisance requires a showing that the action injuriously affects the safety, health, or morals of the public or causes a substantial annoyance, inconvenience, or injury to the public.
2. Private: A property owner may file a private nuisance lawsuit against a person who unreasonably interferes with the owner's use and enjoyment of his or her property.

Nuisances also include but are not limited to: (325) Junk; (602) Supplemental Regulations, Public Nuisances & Hazards; (607) Deteriorated or Abandoned Structures; and (608) Junk.

Effective Date: 13 February 2019

338 Outdoor Wood Fired Boiler

An Outdoor Wood Fired Boiler is a fuel-burning device which may be equipped with a heat storage unit, and which is designed to:

1. burn wood or other biomass (as defined below) and:
2. be installed according to the manufacturer's specifications outdoors; and
3. heat building space and/or water via the distribution, typically through pipes, of a fluid heated in the device, typically water or a water/antifreeze mixture.

Outdoor Wood Fired Boiler for purposes of this resolution does not include models that generate 350,000 Btu/hr heat output or more. It also does not include indoor forced air furnaces. "Other biomass" refers only to automatically fed fuels such as wood pellets, shelled corn, and wood chips. Outdoor Wood Fired Boiler includes models labeled Outdoor Wood-Fired Hydronic Heater, or, Outdoor Wood Furnace.

Effective Date: 30 December 2015

339 Person

An individual, partnership, association, firm, syndicate, company, trust, corporation, department, bureau or agency, or any other entity recognized by law as the subject of rights and duties.

Effective Date: 29 December 2008

340 Professional Services

The use of offices and related spaces for such services as, but not limited to, medical practitioners, veterinarians, lawyers, architects, dentists, and engineers.

Effective Date: 29 December 2008

341 Public Uses

Public parks, schools and adjunctive administrative uses, cultural uses and service buildings devoted solely to the storage and maintenance of equipment and material.

Effective Date: 29 December 2008

342 Recreational Uses

1. Commercial Recreational Facilities:

Recreational facilities established for profit, such as but not limited to, commercial golf courses, swimming pools, ice-skating and race tracks.

2. Non-Commercial Recreational Facilities:

Private and semi-private recreational facilities which are not operated for commercial gain, such as but not limited to, country clubs, riding clubs, private golf courses, game preserves or community swimming pools. Noncommercial recreational facilities may be leased to outside groups or organizations provided the fees for such purposes are limited to incidental and custodial expenses.

Effective Date: 29 December 2008

343 Regional Flood

Large floods which have previously or which may be expected to occur on a particular stream because of local physical characteristics.

Effective Date: 29 December 2008

344 Regional Flood Plain

That land inundated by the 100-year flood (regional flood).

Effective Date: 29 December 2008

345 Residential Enterprise Business:

An occupation owned and conducted by the resident on the same parcel, as the enterprise owner's principle residence.

Residential Enterprise Businesses shall be limited to low intensity activities that generate a limited amount of additional vehicular traffic and shall not create a nuisance to neighboring property owners, nor alter the appearance of the neighborhood. Residential Enterprise Businesses shall require a Conditional Use Certificate or a Zoning Certificate.

Residential Enterprise Business Conditional Use Certificates and Zoning Certificates are non-transferable.

Effective Date: 13 February 2019

346 Rezoning

An amendment to, or a change in the Zoning Resolution, rezoning can take three (3) forms:

1. A comprehensive revision or modification of the Zoning Resolution text and map.
2. A change in the zone requirements.
3. A change in the zoning map.

Effective Date: 29 December 2008

347 Roadside Stands

Small structures (maximum of one hundred (100) square feet) for the sale of agricultural and plant nursery products, a minimum of fifty (50) per cent of the gross income shall be raised on farms owned operated by the market operator in normal crop year. Parking off highway must be provided.

For the safety of guests utilizing roadside stands, operators must;

- Provide ample off street parking.
- Maintain a minimum 40 foot wide driveway entrance to permit simultaneous entering & exiting traffic for stands on US Route 224 and State Route 58.
- Locate stands more than 50 feet from the centerline of any roadway.

Effective Date: 30 December 2015

348 Semi-Public Uses

EMS, Fire Departments, Churches and other places of worship, Sunday Schools, Parochial schools, colleges, hospitals and other institutions of an educational, religious, charitable or philanthropic nature.

Effective Date: 29 December 2008

349 Service Station / Fuel Mart

Service Station: A retail establishment at which motor vehicles are refueled, serviced, and sometimes repaired.

Fuel Mart: A retail establishment at which motor vehicles are refueled, and a convenience store.

Effective Date: 29 December 2008

350 Setback Line

A line established by zoning, platting or other legal authority on a lot of specified distance and parallel to the lot line to restrict the intrusions of buildings onto a lot line and providing free movement of air and adequate amounts of light.

Effective Date: 29 December 2008

351 Storage For Rent Building

A structure to be rented to one or more individual(s) for the storage of personal possessions.

Effective Date: 30 December 2015

352 Small Wind Farm

Wind turbines and associated facilities with a single interconnection to the electrical grid and designed for or capable of operation at an aggregate capacity of less than five megawatts.

Effective Date: 30 December 2015

353 Structures

Anything constructed or erected with a fixed location on the ground. Among other things, structures include but are not limited to Signs, Towers, Poles, Garages (attached or not), Sheds, Accessory Buildings, Porches, Stoops, Decks and Patios and similar constructions.

- a. Porches, stoops, decks, patios, covered or not, larger than 4 feet by 4 feet in size shall require a Zoning permit.
- b. Garages (attached or not), sheds, accessory buildings larger than One Hundred Forty-Four (144) square feet in size shall require a Zoning permit.

Effective Date: 13 February 2019

354 Structural Alterations:

Any change in the supporting members of a building such as bearing walls, columns, beams or girders.

Effective Date: 29 December 2008

355 Swimming Pools

Swimming pools shall be defined as all in-ground swimming pools and above-ground swimming pools.

Effective Date: 13 February 2019

356 Variance

A zoning variance is a permission granted by the Sullivan Township Zoning Board of Appeals to a property allowing a minor departure from this zoning resolution.

An area variance may be granted in order to remedy a practical difficulty when the strict application of the zoning requirements of lot width, lot depth, building height, setback, access, or other dimensional requirements, would impose practical difficulties and render the property virtually unusable. These difficulties must result from geographic, topographic or other physical conditions on the site or in the immediate vicinity not caused by the landowner.

Landowners who desire a land use that is not permitted or conditionally permitted in their zoning district shall apply for a zoning change as outlined in Section 703

Effective Date: 30 December 2015

357 Wood Processing / Sawmill

Wood Processing is the cutting or processing of wood (including but not limited to) the cutting, sawing, chipping, splitting, shredding, milling and or storing. Wood Processing does not include the fabrication of manufactured or pre-fab structures.

Milling:

Milling- is the refacing of a piece of wood or lumber through the use of equipment designed for that purpose.

Processing:

Processing- is the changing of raw material to a finished product, a continuous action, operation, or series of changes taking place in a definite manner to treat or prepare by some particular process.

Chemical:

A substance produced by or used in a chemical process. i.e.: Including but not limited to pressure treated wood products and or particle products.

Sawmill:

1. A facility where timber is sawed into boards.
2. A large machine for sawing lumber.

Lumber Yard:

1. A facility that provides Building Materials, whether it be for building or wood for heating or retail distribution or warehousing.
2. An Establishment that sells lumber and other building materials from a yard.

Effective Date: 30 December 2015

358 Yard

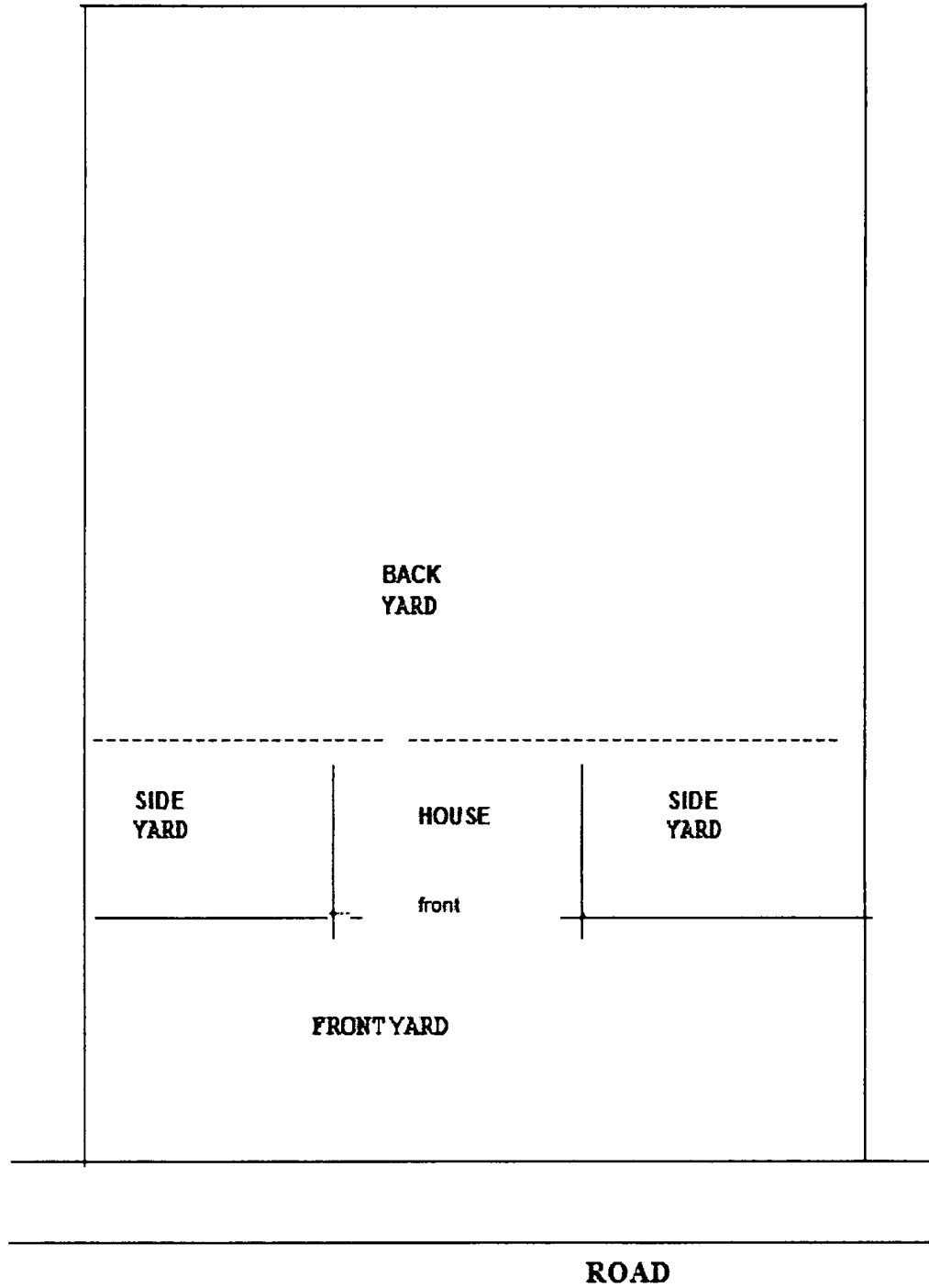
An open space at grade between the main structure and the adjoining lot lines unoccupied and unobstructed by any portion of a structure.

1. Yards are further subdivided for purposes of this resolution into the following categories;
 - a. Front Yard - The portion of the lot between the main structure and the roadway. The front yard shall be measured using a line parallel to the roadway, passing through the point where the main structure is closest to the roadway, extending to the lot lines.

- b. Side Yard - The portions of the lot alongside the main structure. The side yard(s) shall be measured using lines parallel to the roadway: the first passing through the point where the main structure is closest the roadway, extending to the lot lines; the second passing through the point where the main structure is farthest from the roadway, extending to the lot lines. The side yard(s) is the area between these parallel lines and the lot lines, not occupied by the main structure.
- c. Rear Yard - The portion of the lot between the main structure and the lot lines furthest from the roadway. The rear yard shall be measured using a line parallel to the roadway, passing through the point where the main structure is farthest from the roadway, extending to the lot lines.

Effective Date: 30 December 2015

358 Yard (diagram)



359 Zoning District

Shall mean the Zoning Districts and land uses therein as established by the Zoning Resolution of Sullivan Township.

Effective Date: 29 December 2008

360 Pond

A body of water, naturally or artificially confined, and usually of less extent than a lake.

Effective Date: 30 December 2015

ARTICLE IV - Establishment of Zoning Districts

401 Classification and Location of Zoning - Districts

Agricultural/Residential (A-1)

Purpose: To provide Agricultural areas with low density residential development.

Location: Encompasses the whole of Sullivan Township that is not otherwise zoned by the Zoning Districts Map of Sullivan Township, Ashland County, Ohio and Sullivan Township Zoning Resolution.

Authorized and Conditional uses will be in accordance with section 502.

Rural Center (R-2)

Purpose: To provide for a small Rural Center or " Cross Roads Community", where limited mixed land uses co-exist supplying convenience goods and services to the residents of the Township.

Location: The Rural Center District is as depicted on the Zoning Districts Map of Sullivan Township, Ashland County, Ohio.

Authorized and Conditional uses will be in accordance with section 503.

Commercial (C-1)

Purpose: To provide for the commercial needs of the Township Residents as well as Tourists and Travelers.

Location: The Commercial District is as depicted on the Zoning Districts Map of Sullivan Township, Ashland County, Ohio.

Authorized and Conditional uses will be in accordance with section 504-A

Proposed Commercial District (C-2)

Purpose: To provide for the future Commercial needs of the Township Residents as well as Tourists and Travelers.

Location: The Proposed Commercial District is as depicted on the Zoning Districts Map of Sullivan Township, Ashland County, Ohio.

Authorized and Conditional uses will be in accordance with section 504-B.

Industrial District (I-1)

Purpose: To provide for the Agribusiness and desirable Industrial Development in appropriate locations and to protect surrounding areas from environmental nuisances such as smoke, noise and pollution, etc.

Location: The Industrial District is depicted on the Zoning Districts Map of Sullivan Township, Ashland County, Ohio.

Authorized and Conditional uses will be in accordance with section 505-A

Proposed Industrial District (I-2)

Purpose: To provide for future Agribusiness and desirable Industrial Development in appropriate locations and to protect surrounding areas from environmental nuisances such as smoke, noise and pollution, etc.

Location: The Proposed Industrial District is as depicted on the Zoning Districts Map of Sullivan Township, Ashland County, Ohio.

Authorized and Conditional uses will be in accordance with section 505-B.

Effective Date: 13 February 2019

402 Zoning Districts

1. The districts and their boundary lines are depicted upon the map entitled " Zoning Districts Map of Sullivan Township, Ashland County, Ohio," and said map is made a part of this Resolution. The Zoning Districts Map together with all notations, references, and other matters shown thereon are hereby declared a part of this Resolution.
2. If changes are made in District Boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map on the effective date of the amendment.

Effective Date: 13 February 2019

403 Zoning Districts Map of Sullivan Township, Ashland County, Ohio

1. The Zoning Districts Map of Sullivan, Ashland County, Ohio shall be prepared by the authority of the Sullivan Township Zoning Commission. The Map shall be dated with the effective date of the Resolution that adopts the Map and shall be signed by the Sullivan Township Zoning Commission members, the Township Trustees and the Fiscal Officer.
2. A certified print of the adopted Map or Map amendment shall be maintained in the offices of the Sullivan Township Trustees and the Sullivan Township Zoning Inspector.

Effective Date: 13 February 2019

404 Interpretation of District Boundaries

The following rules shall be used to determine the precise location of any Zoning District Boundary when there is a discrepancy or uncertainty as to the precise location of the boundary as shown on the Zoning District Map. The Sullivan Township Zoning Board of-Commissions shall be the final authority for any Zoning Boundary disputes.

a. Boundaries Which Follow Lot Lines.

Where District Boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries.

b. Boundaries Which Follow Streets, Alleys or Highways.

Where District Boundaries are indicated as approximately following the centerline or right-of-way line of streets, the centerline or alley line of alleys. Or the centerline or right-of-ways of constructed lines of highways, such lines shall be construed to be such District Boundaries.

c. Boundaries Which Adjoin Railroad Lines.

Where a District Boundary Line is shown as adjoining a railroad, it shall, unless otherwise fixed, be construed to coincide with the nearest boundary line of the railroad right-of-way.

Effective Date: 29 December 2008

ARTICLE V - Use Regulations and Permitted and Conditional Uses

501 Use Regulations

1. The Permitted and Conditional Uses for each district are shown in the following tables. Uses given in the following categories shall be interpreted according to the definitions (when given) in this Zoning Resolution. Uses not specifically listed or not interpreted to be included in the categories shall not be permitted except by amendment or exception to this Zoning Resolution.
2. The following uses are permitted in the indicated district only upon the application and approval of a valid Zoning Certificate or upon the application and approval of a valid conditional use certificate.

Effective Date: 29 December 2008

502 Agricultural/Residential (A-1)

1. PERMITTED USES:

- Accessory Uses
- Agriculture
- Child Care Facilities and Nursing Homes
- Essential Services
- Home Occupations
- Non-Commercial Recreational Facilities
- Outdoor Wood Fired Boilers
- Public Uses
- Semi-Public Uses
- Single Family Dwellings

2. CONDITIONAL USES:

- Bed & Breakfasts
- Campgrounds
- Cemeteries
- Golf Courses
- Kennels or Animal Hospitals
- Mortuaries
- Multi Family Dwellings (not to exceed 3 dwelling units)
- Nursery / Landscaping
- Radio or Television Station or Transmission Facilities
- Residential Enterprise Business
- Small Wind Farms
- Two Family Dwellings

3. Minimum Lot Size: Three (3) acres (130,680 sq. ft.).
4. Minimum Lot Frontage Width: Three hundred (300) ft.
5. Minimum Front Yard Setback: One hundred (100) ft. from centerline of road.
6. Minimum Rear Yard Setback: Forty (40) ft.
7. Minimum Side Yard Setback: Twenty (20) ft.
8. Maximum Building Height: Thirty-five (35) ft.
9. Maximum Number of Stories: Two and one-half (2 ½) stories.
10. Maximum Number of Dwellings Per Lot: One (1) Refer to Section 220.
11. Minimum Square Footage of a Dwelling: Refer to Section 316.

Effective Date: 13 February 2019

503 Rural Center (R-2)

1. PERMITTED USES:

- Accessory Uses
- Agriculture
- Essential Services
- Home Occupations
- Professional Services
- Public Uses
- Residential Enterprise Business
- Semi-Public Uses
- Single Family Dwellings
- Two Family Dwellings

2. CONDITIONAL USES:

- Bed & Breakfasts
- Cemeteries
- Child Care Facilities and Nursing Homes
- Kennels & Animal Hospitals
- Local Business
- Mortuaries
- Multi Family Dwellings (not to exceed 3 dwelling units)
- Non-Commercial Recreational Facilities
- Radio or Television Stations or Transmission Facilities

3. Minimum Lot Size: 20,000 sq. ft.

4. Minimum Lot Depth: Two hundred (200) ft.

5. Minimum Lot Frontage Width: One hundred (100) ft.

6. Minimum Front Yard Setback: Fifty (50) ft. from centerline of road.

7. Minimum Rear Yard Setback: Forty (40) ft.

8. Minimum Side Yard Setback: Twenty (20) ft.

9. Maximum Building Height: Thirty-five (35) ft.

10. Maximum Number of Stories: Two and one-half (2 ½) stories.

11. Maximum Number of Dwellings Per Lot: One (1) Refer to Section 220.

12. Minimum Square Footage of a Dwelling: Refer to Section 316.

Effective Date: 13 February 2019

504-A Commercial District (C-1)

1. PERMITTED USES

- Accessory Uses
- Agriculture
- Banks
- Bed and Breakfast
- Child Care Facilities & Nursing Homes
- Essential Services
- Home Occupations
- Hotels & Motels
- Local Business
- Mixed Use Dwellings
- Multi Family Dwellings (not to exceed three (3) dwelling units)
- Non-Commercial Recreational Facilities
- Offices
- Outdoor Wood Fired Boilers
- Professional Services
- Public Uses
- Residential Enterprise Business
- Restaurants
- Semi-Public Uses
- Single Family Dwellings
- Two Family Dwellings

2. CONDITIONAL USES:

- Campgrounds
- Car & Truck Dealers
- Cemeteries
- Golf Courses
- Highway Commercial Uses
- Kennels & Animal Hospitals
- Mortuaries
- Nursery/Landscaping
- Public Service Facilities
- Public Shooting Ranges
- Radio or Television Stations or Transmission Facilities
- Service Stations / Fuel Marts
- Small Wind Farms
- Storage-For-Rent Buildings

3. Minimum Lot Size: Three (3) acres (130,680 sq. ft.).
4. Minimum Lot Frontage Width: Three hundred (300) ft.
5. Minimum Front Yard Setback: One hundred (100) ft. from centerline of road.

6. Minimum Rear Yard Setback: Forty (40) ft.
7. Minimum Side Yard Setback: Twenty (20) ft.
8. Maximum Building Height: Thirty five (35) ft.
9. Maximum Number of Stories: Two and one-half (2 ½) stories.
10. Maximum Number of Dwellings Per Lot: One (1) Refer to Section 220.
11. Minimum Square Footage of a Dwelling: Refer to Section 316.

Effective Date: 13 February 2019

504-B Proposed Commercial District (C-2)

Permitted and Conditional uses are listed in section 504-A Commercial District.

Property Owners who desire Commercial Development of land within the Proposed Commercial District shall request Re-Zoning of the property to Commercial (C-1) in accordance with section 703. Adjoining parcels may be submitted as a single Re-zoning request.

Effective Date: 13 February 2019

505-A Industrial District (I-1)

1. PERMITTED USES

- Accessory Uses
- Agriculture
- Banks
- Bed & Breakfast
- Campgrounds
- Child Care Facilities and Nursing Homes
- Commercial Recreational Facilities
- Construction Businesses & Construction Equipment Storage
- Dump Truck and Semi-Trailer Hauling Services
- Essential Services
- Equipment Storage, Service or Sales
- Food Processing
- General Manufacturing
- Golf Courses
- Grain Elevators and Feed Mills
- Highway Commercial Uses
- Home Occupations
- Hotels and Motels
- Kennels or Animal Hospitals
- Laboratories
- Local Business
- Manufacture, Sale or Storage of Building Materials
- Mixed Use Dwellings
- Multi Family Dwellings (not to exceed 3 dwelling units)
- Non-Commercial Recreational Facilities
- Nursery/Landscaping
- Offices
- Outdoor Wood Fired Boilers
- Professional Services
- Public Service Facilities
- Public Shooting Ranges
- Public Uses
- Research and Testing Facilities
- Residential Enterprise Business
- Restaurants
- Semi-Public Uses
- Service Stations/Fuel Marts
- Single Family Dwellings
- Storage-For-Rent Buildings
- Transport and Trucking Terminals
- Two Family Dwellings

505-A Industrial District (I-1) - continued

- Wholesale or Warehouse Facilities
- Wood Processing/Saw Mills

2. CONDITIONAL USES

- Adult Oriented Businesses
- Airports
- Cemeteries (not in the 2015 book but was in what we sent to Ashland but no votes to add this)
- Commercial & Custom Butchering
- Institutions
- Manufactured Dwellings Parks and Subdivisions
- Massage Establishments
- Mineral Extraction, Processing and Storage
- Radio or Television Stations or Transmission Facilities
- Small Wind Farms

3. Minimum Lot Size: Three (3) acres (130,680 sq. ft.).
4. Minimum Lot Frontage Width: Three hundred (300) ft.
5. Minimum Front Yard Setback: One hundred (100) ft. from centerline of road.
6. Minimum Rear Yard Setback: Forty (40) ft.
7. Minimum Side Yard Setback: Twenty (20) ft.
8. Maximum Building Height: Thirty-five (35) ft.
9. Maximum Number of Stories: Two and one-half (2.5) stories.
10. Maximum Dwellings per Lot: One (1) Refer to Section 220.
11. Minimum Square Footage of a Dwelling: Refer to Section 316.

Effective Date: 13 February 2019

505-B Proposed Industrial District (I-2)

Permitted and Conditional uses are listed in section 505-A Industrial District (I-1).

Property owners who desire Industrial Development of land within the proposed Industrial District shall request Re-Zoning of the property to Industrial (I-1) in accordance with section 703. Adjoining parcels may be submitted as a single Re-Zoning request.

Effective Date: 13 February 2019

ARTICLE VI - Supplemental Regulations

601 Keeping of Animals, Fowl, or Bees

1. None of the following: Cow, Horse, Goat, Sheep, or Swine shall be raised or kept on lots of less than two (2) acres. No exotic animals, as defined by the US Fish & Wildlife Service, shall be permitted in Sullivan Township.
2. Chickens, Fowl, or Rabbits kept on lots of less than one-fourth (1/4) acre shall be caged in such a way so that neighbors shall not be disturbed.
3. Colonies of Bees shall not be located on lots of less than one (1) acres. Bee colonies shall not be located within twenty (20) feet of a property line or within fifty (50) feet of a neighboring dwelling.
4. Animal runs, barns, shelters, pens, or colonies shall be constructed no closer than One hundred (100) feet to any property line or within fifty (50) feet of a dwelling.
5. All health and sanitation requirements of the State of Ohio and Ashland County shall be followed to the fullest extent.
6. All animals, fowl or bees shall be properly housed or caged and all food supplies shall be kept in rodent-proof containers.

Effective Date: 30 December 2015

602 Public Nuisances and Hazards

1. No land, building or use shall be used or occupied so as to be a nuisance or hazard to adjoining property owners or adversely affect neighboring areas.
2. Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire-prevention equipment and by such safety devices as are normally used in the handling of such material. All noxious or hazardous substances shall be stored, transported or used and disposed of in such a way so as to not be a hazard to adjoining property owners and uses. Adequate precautions shall be taken to insure the safety of adjoining property owners. Such hazards shall be kept removed from adjacent activities to a distance which is compatible with the potential danger involved.
3. No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation of any equipment at any point other than that of the creator of such disturbance.
4. No vibration shall be permitted which is discernible without instruments on any adjoining parcel.

5. No direct or reflected glare shall be permitted which is visible from any property outside an Industrial District or from any street.
6. No erosion, either by wind or water, shall be permitted which will carry objectionable substances onto neighboring properties.
7. No pollution of any stream, reservoir, aquifer, or other body of water within or surrounding Sullivan Township shall be permitted, which would create a health hazard to the welfare, safety, or health of residents of the Township.
8. The Zoning inspector, or Board of Zoning Appeals, prior to approving a zoning permit, may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerances. The Zoning Inspector shall investigate all nuisance violations or complaints and present his findings to the Zoning Commission.
9. Methods and procedures for the determination of the existence of any dangerous or objectionable elements which constitute a public nuisance may utilize any applicable and reliable measurement procedures or the assistance of reputable consultants, government organizations or other sources may be utilized.
10. Noise Pollution included but not limited to: barking dogs, 4 wheelers, snow mobiles, dirt bikes and loud exhaust shall not exceed 50 decibels at the property line.

Nuisances also include but are not limited to: (325) Junk; (337) Nuisance; (607) Deteriorated or Abandoned Structures; and (608) Junk.

Effective Date: 13 February 2019

603 Permanently Sited Manufactured Dwellings

You must obtain a certificate to install any new or used manufactured home being set, permanent and temporary, in the State of Ohio. This certificate will include a plan review and three (3) required inspections. All inspections must be approved and an OMHC seal placed on your home by the inspector prior to occupancy. Manufactured homes must be installed by a licensed installer.

The installation of **ALL** manufactured homes in the State of Ohio requires that:

- a. Installation permits shall be obtained in advance of any work. All permits and inspections fees must be paid prior to any work and inspections being performed.
- b. Manufactured homes must be installed in accordance with the Ohio Manufactured
- c. Homes Installation Standards. See Chapter 4781-6 of the Ohio Administrative Code.
- d. All work must be inspected. The law requires minimum of 3 inspections will be required. Footing Inspection (an open hole inspection done prior to concrete being poured), Electrical Inspection (prior to electrification by the Power Co.) and final Inspection (once the home is installed, completed and all utilities are connected). The final inspection **MUST** be completed and approved and the Commission Inspection Seal affixed before the homeowner is permitted to occupy the home.

- e. All permits, inspections and inspection seals must be issued and performed by the local authority having jurisdiction.
- f. UNLICENSED PERSONS SHALL NOT CONTRACT TO INSTALL MANUFACTURED HOMES OR INSTALL FOUNDATIONS (BASED SUPPORT SYSTEMS) FOR MANUFACTURED HOMES.

If you have any questions regarding the installation of a manufactured homes in Ohio. Contact your retailer, or the Ohio Manufactured Homes Commission.

Effective Date: 13 February 2019

604 Manufactured Dwellings Parks and Subdivisions

1. Manufactured dwelling parks and subdivisions are permitted in those districts specified in Article V of this Zoning Resolution. All manufactured dwellings parks and subdivisions shall meet the following conditions and criteria:
 - a. The applicant presents plans, specifications, design criteria and other data for the proposed park or subdivision in a form suitable for making the determination herein required by the Board of Zoning Appeals and all other pertinent information they may require in each individual application.
 - b. Such plans including landscaping, at a scale approved by the Board of Zoning Appeals shall show the location and dimensions of streets and other roadways and lots.
 - c. All manufactured dwelling parks and subdivisions shall meet current state or local regulations governing their placement and occupancy.
2. Standards for manufactured dwelling parks and subdivisions
 - a. Size of site: Minimum of ten acres.
 - b. Density: Maximum of four (4) manufactured dwelling per gross acre.
 - c. Minimum Number of Sites: A Minimum of twenty-five (25) at first occupancy.
 - d. Width: Minimum width of the development shall be three hundred (300) feet.
 - e. Depth: Maximum depth of the development shall not exceed five (5) times the width.
 - f. Minimum Square Feet of one thousand (1000) sq.ft. of living space, excluding porches, basements and garages and dwelling cannot be more than 5 years old from the current year.
 - g. Buffering: The outer boundaries of the park shall contain a buffer zone composed of a green strip of not less than fifty (50) feet in the front and twenty-five (25) feet on both sides and to the rear and shall be landscaped.
 - h. Access: Shall be provided into the park or subdivision with a minimum right of way sixty (60) feet in width with a minimum of thirty (30) feet to be a paved roadway.

- i. Roads: Marginal access roads may be required if deemed necessary by the Board of Zoning Appeals. These streets shall have a minimum right of way of sixty (60) feet and a pavement width of thirty (30) feet.
- j. Walkways: Shall be provided with a minimum width of three (3) feet and shall be paved.
- k. Recreation and Open Space: A minimum seven (7%) percent of the gross land area of the development shall be reserved for recreation and open space uses, excluding any yard requirements.

3. Standards for lots

- a. Lots shall follow the minimum standards required in the current Ohio Department of Health Regulations Chapter 3701-27.
- b. Setbacks: Required side yards shall be the same normally required for the district in which the park is located.
- c. Parking: A minimum of four hundred (400) square feet of off street parking per space or lot, for two (2) cars shall be provided and paved.
- d. Walkways: Each lot or space shall have a paved walkway of a minimum of three (3) feet in width leading to the main entrance from the walkway along the right of way.
- e. Tie-Downs: Must conform to Ohio Administrative Code Chapter 3701-27.
- f. Under-skirting: All manufactured dwellings shall have skirting around the entire perimeter made of material specially for under-skirting which is approved by the manufacturer of the manufactured dwelling.
- g. Lot Numbering: Each manufactured dwelling space or lot shall be numbered for identification purposes.

4. All manufactured dwellings shall be taxed as real property.

Effective Date: 29 December 2008

605 Campgrounds

- 1. Campgrounds shall comply with all applicable State of Ohio and local Health Department and Subdivision Regulation requirements relative to the location, layout, construction, drainage, sanitation, safety, operation, and shall have a minimum of forty (40) acres.
- 2. Construction activities, other than stakes used to layout right-of-ways or lots and work related to surveying the parcel, is prohibited prior to the issuance of a permit from the State Department of Health and the approval of the final plat by the Sullivan township Trustees, and Zoning Inspector.

Effective Date: 29 December 2008

606 Temporary Structures

Temporary Structures incidental to the construction and/or reconstruction of a structure fall into two categories: either Temporary Living Quarters, or Temporary Construction Buildings.

Temporary Living Quarters

Temporary Living Quarters for Reconstruction: Temporary Living Quarters may be authorized by the Sullivan Township Zoning Inspector for the purpose of housing the property owner and family during the reconstruction of a primary residential dwelling which has been substantially damage by Fire, Flood, Wind or other Natural Disaster and as a result of such damage, is rendered uninhabitable.

A Zoning Certificate for Temporary Living Quarters is required and will be issued in conjunction with a Zoning Certificate for reconstruction of the dwelling to the owner of record at the time of the disaster and is not transferable. The Certificate is valid for 12 months and may be renewed once for an additional 12 months- at the discretion of the Zoning Inspector. Renewal of the Temporary Living Quarters Certificate will only be approved provided there has been significant progress in the reconstruction of the dwelling.

Temporary Living Quarters may be erected in any of the Zone Districts herein established; however, such temporary quarters shall be removed upon completion, abandonment of work, or transfer of the property.

Temporary Living Quarters for New Construction or for the Reconstruction of deteriorated or abandoned structures is permitted with a Zoning Certificate.

Effective Date: 13 February 2019

Temporary Construction Buildings

Temporary buildings, including tents and construction trailers, for uses incidental to construction work may be erected in any of the Zone Districts herein established; however, such temporary buildings or structures shall be removed upon the completion or abandonment of the construction work.

Effective Date: 29 December 2008

607 Deteriorated or Abandoned Structures

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

Effective Date: 13 February 2019

608 Junk

1. No person, firm, or corporation shall accumulate, collect, deposit, dump, dispose of, maintain, or store any junk outside of an enclosed building, or allow the same, on any property under the control or responsibility of that person, firm or corporation.
2. This section does not apply to vehicles stored at an automotive repair shop while awaiting repair, for a period not to exceed thirty days, or such longer period of time as the township zoning inspector may approve in writing for good cause shown.
3. Nothing in this zoning resolution shall limit the authority of the Board of Township Trustees to pursue any civil or criminal actions or other remedies authorized by law for the removal of junk, junk motor vehicles, or other nuisances, including, but not limited to, those provided in R.C. 505.173, R.C. 505.87, R.C. 505.871, R.C. Chapter 3767, and R.C. 4513.60 to R.C. 4513.66, as those statutes may be amended. Also including but not limited to authority under sections (325) Junk; (337) Nuisances; (602) Supplemental Regulations - Public Nuisances & Hazards; and (607) Deteriorated or Abandoned Structures.

Effective Date: 13 February 2019

609 Mineral Extraction, Storage and Processing

1. Mineral extraction and related activities shall occur where permitted by these regulations and only after a valid Zoning Certificate has been obtained.
2. Mineral Extraction and related activities shall occur no closer than five hundred (500) feet from any structure intended for human occupancy.
3. The operator of any facility used for mineral extraction shall submit to the Zoning Inspector a map showing the areas to be mined and identifying adjacent property owners, roads, natural features and any additional information deemed necessary by the Inspector.
4. Operators of all mineral extraction facilities shall comply totally with Section 1514 and other relevant sections of the Ohio Revised Code and all related, applicable regulations and requirements of the Ohio Department of Natural Resources, Division of Reclamation.
5. These Regulations do not apply to oil or gas wells.

Effective Date: 29 December 2008

610 Accessory Buildings

1. An Accessory building may be placed on a permanent foundation or may be constructed on skids.
2. Accessory buildings shall be located in the side or rear yard.
3. Accessory buildings shall be no closer than twenty (20) feet of any property line.
4. Accessory buildings exceeding one hundred forty-four (144) sq. ft. in size shall require a zoning permit.

5. Mobile homes, manufactured dwelling, truck bodies, semi-trailers, all trailers, vans, buses, train cars, recreational vehicle (RV) shipping containers, and other similar vehicles shall not be utilized as an accessory building in any District in Sullivan Township.
6. Truck bodies, a portion of a truck body, trailers, shipping containers, or structures placed on skids are specifically prohibited from being used as storage buildings.

Effective Date: 13 February 2019

611 Storage For Rent Buildings

1. Storage buildings may only be located in those Districts identified in these regulations.
2. All storage buildings shall be permanent structures with a solid footer located below the frost- line.
3. The storage building maybe rented for inside storage only of personal possessions.
4. Truck bodies, a portion of a truck body, trailers, shipping containers, or structures placed on skids are specifically prohibited from being used as storage buildings.
5. Only structures capable of being taxed as real property may be considered storage buildings.
6. Accessory Buildings placed by property owners to store personal possessions of lawn and garden equipment are not considered storage buildings. However, in all cases truck bodies, a portion of a truck body, and trailers are prohibited.
7. Storage buildings maybe subdivided into individual compartments.
8. Storage of personal possessions outside the storage building or on the grounds surrounding the storage buildings is prohibited.

Effective Date: 30 December 2015

612 Yard Requirements

1. Interior lots having frontage on two streets shall only be required to provide the required front yard on one street.
2. In the case of corner lots used for residential purposes, the required front yard shall be provided for along the right of way of both streets.

Effective Date: 29 December 2008

613 Home Occupations

1. A Home Occupation is a permitted use allowing a resident to operate a small low intensity business within one room of the livable area of the principle dwelling. The application for the Zoning Certificate shall be filed by the property owner or, in the case of a rental property, the property owner and the resident operator of the business shall apply jointly. No more than one Home Occupation may be established on any parcel. Home Occupation Certificates are non-transferable.

A use to operate a Home Occupation may be authorized upon adequate demonstration by the applicant(s) that the proposed use satisfies both the criteria for a Zoning Certificate and the following supplemental Home Occupation criteria:

- a. The operator(s) of the Home Occupation shall reside on the premises and shall not employ persons who do not reside on the premises.
- b. The Home Occupation shall be secondary to the use of the property as a residence and shall not require internal or external alterations or construction features not customary to a residential dwelling.
- c. The Home Occupation shall be operated solely within the livable area of the principle dwelling. All related equipment, materials and supplies shall be stored within the dwelling approved for use as a Home Occupation. The use of an attached/detached garage or an accessory building in the operation of a home occupation, or for storage of related equipment, materials and supplies is specifically prohibited, except for a Motor Vehicle, as defined in ORC 4501.01, used in the operation of the Home Occupation.
- d. A Home Occupation shall be limited to low-intensity activities that do not generate noxious, dangerous or offensive odors, dust, smoke, noise, fumes, flames, vibrations or other emissions detectable to neighboring property owners and shall not alter the character or appearance of the dwelling or neighborhood.
- e. A sign advertising the Home Occupation shall not exceed four (4) square feet and shall not be closer than twenty (20) feet from the right of way and shall be kept in good repair.
- f. Permitted Home Occupations are limited activities which may include any of the following:
 - Art Studio; Tailoring; Professional Offices; Real Estate Offices; Teaching and Instruction, Manufacturing Hand Crafted Items for Sale; Clock Making and Repair; Gunsmithing; Computer Networking and Repair; Telephone, Internet or Mail Order Off-Premises Sales and other similar low-intensity activities.
- g. Prohibited Home Occupations shall include any of the following but not limited to:
 - Clinics or Hospitals; Restaurants; Beauty or Barber Shops; Wholesale or Retail Shops except for those offering only handcrafted goods made on the premises; Automobile or Small Engine Sales or Repair Shops; Welding; Massage Parlors or other Adult Entertainment; Pest Control; Upholstery; Furniture Making/Repair; the Manufacture, Repair or On-Premises Sales of any item(s) which would not normally be found in a residential dwelling or any other activities.

Effective Date: 13 February 2019

614 Correction Period

All Zoning violations shall be corrected within Ten (10) days, or a stipulated period established by the Sullivan Township Board of Trustees upon receipt of a written notice of said violation by the owner of the property. Any violation not corrected in this period of time shall be reported to the County Prosecutor for legal action upon approval of the Sullivan Township Trustees.

Effective Date: 29 December 2008

615 Flood Hazard Areas

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

Effective Date: 29 December 2008

616 Signs

1. All signs located in Sullivan Township shall follow the requirements of these Regulations.
2. The following signs shall be permitted in any District. No certificate shall be required:
 - a. Real Estate rental or sale signs are not to exceed four (4) square feet per side.
 - b. Signs listing the name and address of occupants of a structure not exceeding four (4) square feet.

- c. Signs or bulletin boards related to places of worship, public buildings or social clubs or societies not exceeding forty (40) square feet.
 - d. Entrance, exit or directional signs.
 - e. Temporary signs advertising special events must be removed after forty-eight (48) hours following the event.
 - f. Political signs: These signs must be removed within 72 hours after the election.
 - g. Signs erected by governmental agencies
 - h. Signs which advertise roadside stands must not exceed twelve (12) square feet.
3. Zoning Certificates shall be required for the following types of signs:
- a. Outdoor advertising signs located on the premises of the establishment advertised.

4. Signs shall be set back from the edge of the right-of-way as required by the following table:

<u>SIZE</u>	<u>SETBACK</u>
Less than or equal to 10 sq. ft.	20 feet
11 to 33 square feet	40 feet
34 square feet or greater	50 feet

5. Signs shall be separated from each other a minimum of ten (10) times the average size of the sign; signs shall be not less than one hundred (100) feet apart.
6. Signs shall not be located less than one hundred (100) feet to a neighboring residential dwelling.
7. Signs advertising Home Occupations and Residential Enterprise Business must not exceed (4) square feet.
8. The following types of signs are prohibited:
- a. Signs attached to or painted on trees, rocks or natural features; excluding address signs.
 - b. Any illuminated sign or lighting device or progressive text sign shall employ only light emitting a constant intensity and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving lights. In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination there from to be directed upon a public or private road or adjacent lots so as to cause glare or reflection that may constitute a traffic hazard, nuisance, or distraction.
 - c. No sign shall include any part or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention.
 - d. No sign shall be installed, erected, or attached in any form, shape, or manner to a fire escape or any door or window providing access to any fire escape or exit, except legally required signage (Ex: Exit)

- e. No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners, or other similar moving devices. Such devices, as well as strings of lights, shall not be used for the purpose of advertising or attracting attention.
- f. No sign shall be placed within any public right-of-way except governmental signs.
- g. Business advertising signs not located on the premise of the business are prohibited.

Effective Date: 13 February 2019

617 Nonconforming Buildings and Uses

1. Any legal use of a structure or land lawfully existing at the effective date of this Zoning Resolution may be continued, even though such use does not conform to the provisions of this Zoning Resolution. This nonconforming lawful use of a structure may be extended throughout those existing parts of the structure, which were arranged or designed for such use. No existing structure devoted to a nonconforming use shall be enlarged, extended, constructed, reconstructed, moved or structurally altered except in changing the use of the structure to a use permitted in the zoning district in which it is located.
2. Whenever the lawful use of a structure or land becomes nonconforming through a change in the Zoning Resolution or in the district boundaries, such use may be continued subject to the same limitations and the same conditions set forth above.
3. A nonconforming lawful use which has been damaged by fire, explosion, act of God or the public enemy may be reconstructed and used as before the time of damage provided such repairs or reconstruction are completed within two (2) years of the date of such damage, provided that the new building, use, or structure shall not contain more than the original space of the replaced building, use or structure and shall conform to all building regulations of Ashland County and the State of Ohio. A Zoning Certificate shall be required, after the two (2) years of said damage, any repairs or reconstruction must comply with the current Zoning Requirements.
4. If a nonconforming use is abandoned for two (2) years such use must conform to all provisions of the Zoning District in which such use is located and all other provisions of this current Zoning Resolution.

Effective Date: 13 February 2019

618 Conditional Uses

1. Under special conditions, land uses other than those specifically permitted by this Zoning Resolution may occur in a District. A list of these uses is located in Article V of this Zoning Resolution. A special permit must be obtained from the Board of Zoning Appeals before the development of any land use identified in this resolution as a "Conditional Use".
2. All proposed "Conditional Uses" are subject to the following general standards:
 - a. The uses will be harmonious with and in accordance with the general objectives, or with any specific objectives of the Sullivan Township's Zoning Resolution.

- b. All structures and uses will be designated, constructed operated and maintained so as to be harmonious, safe and appropriate in appearance and use with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
 - c. The proposed use will not be hazardous or disturbing to existing or future neighboring uses.
 - d. The proposed use will be served adequately by essential public services (fire, police, highways, sewers, water, schools) or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.
 - e. That the proposed use will not create excessive additional public costs or responsibilities for services or activities and will not be detrimental to the community.
 - f. The proposed uses will not involve activities, processes, materials or equipment detrimental to persons, property or the general welfare of the community because of excessive noise, smoke, odors, traffic, glare or fumes.
 - g. Adequate access to the use shall be provided that does not interfere with surrounding uses or disrupt current traffic patterns.
 - h. The proposed use will not result in the destruction, loss or damage of natural, scenic or historic features of major importance.
3. When making its review of the proposed use the Board of Zoning Appeals shall review the proposal on the basis of the above factors and any other criteria deemed pertinent by them. Such review shall follow the requirements established in Article VIII of this Zoning Resolution.
4. Conditional Use Certificates are non-transferable.

Effective Date: 13 February 2019

619 Residential Enterprise Business- Supplemental Regulations:

1. Residential Enterprise Business is a conditionally permitted, and a permitted use allowing a resident to operate a small low intensity business on the same parcel as his principle residence. The application for the conditional use shall be filed by the property owner or, in the case of a rental property, the property owner and the resident operator of the business shall apply jointly. Applications requesting establishment of more than one (1) Residential Enterprise Business on a parcel shall be denied. Residential Enterprise Business Certificates are non-transferable.

A conditional use to operate a residential enterprise business may be authorized upon adequate demonstration by the applicant(s) that the proposed use satisfies both the criteria for a conditional use and the following supplemental residential enterprise business criteria:

- a. The operator(s) of the residential enterprise business shall reside on the premises and that a maximum of two (2) persons who do not reside on the parcel may be employed by that enterprise.
- b. The residential enterprise business shall be secondary to the use of the property as a residence.

- c. The residential enterprise business shall be operated in either an attached garage or an accessory structure not to exceed a maximum of one thousand five hundred (1,500) square feet. The business may operate in an accessory structure larger than one thousand five hundred (1,500) square feet provided that the dedicated business area is separated from the remainder of the structure by a permanent continuous floor-to-ceiling partition uninterrupted by openings, doors or windows.
- d. A residential enterprise business shall be limited to low-intensity activities that do not generate noxious, dangerous or offensive odors, dust, smoke, noise, fumes, flames, vibrations or other emissions objectionable to neighboring property owners and shall not alter the appearance of the neighborhood.
- e. A sign advertising the residential enterprise business shall not exceed four (4) square feet and shall not be closer than twenty (20) feet from the right of way and shall be kept in good repair.
- f. Parking shall be limited to a maximum of six (6) spaces. Each parking space shall not exceed two hundred (200) square feet. Adequate turn around space must be provided so as to eliminate vehicles from backing out on to a main thoroughfare. The driveway entrance, and culvert if required, shall be a minimum of forty (40) feet in width.
- g. All related equipment, materials and supplies shall be stored within the structure approved for use as a residential enterprise business.
- h. Permitted Residential Enterprise Businesses are limited to activities which may include any of the following:
 - Art Studio; Tailoring; Professional Offices; Real Estate Offices; Teaching and Instruction, Manufacturing Hand Crafted Items for Sale; Clock Making and Repair; Gunsmithing; Computer Networking and Repair; Telephone, Internet or Mail Order Off-Premises Sales and other similar low-intensity activities.
- i. Prohibited Residential Enterprise Businesses shall include any of the following but not limited to:
 - Clinics or Hospitals; Restaurants; Beauty or Barber Shops; Wholesale or Retail Shops except for those offering only handcrafted goods made on the premises; Automobile or Small Engine Sales or Repair Shops; Welding; Massage Parlors or other Adult Entertainment; Pest Control; Upholstery; Furniture Making/Repair; the Manufacture, Repair or On-Premises Sales of any item(s) which would not normally be found in a residential dwelling or any other activities.

Effective Date: 13 February 2019

620 Junk Yards

Junkyards are expressly forbidden in Sullivan Township regardless of Zoning District.

Effective Date: 13 February 2019

621 Small Wind Farms

Notwithstanding any other provision of this zoning resolution, small wind farms shall be subject to the following regulations. The term "small wind farm" means wind turbines and associated facilities with a single interconnection to the electrical grid and designed for or capable of operation at an aggregate capacity of less than five megawatts.

1. Small wind farms shall be permitted as conditional uses within the Agricultural-Residential A-1, Commercial C-1, or Industrial 1-1 including Proposed Commercial and Proposed Industrial districts. Failure to meet the terms of this section shall be grounds for revoking the conditional use certificate.
2. Turbines shall not be roof-mounted.
3. The maximum height for any wind turbine shall be one hundred (100) feet. Maximum height shall be calculated by measuring from the tip of the highest blade at maximum vertical rotation to the base of the tower.
4. The minimum distance between the ground and any part of the rotor or blade assembly shall be thirty feet (30).
5. Small wind farms shall be located in the back yard of the main structure, i.e., behind a line running from the back wall of the main structure
6. All turbines shall be surrounded by a "clear fall zone." The clear fall zone must encompass the greater of the following:
 - a. A radius at least one hundred fifty (150) % of the height of the turbine, such height to be measured from the tip of the prop at maximum vertical rotation to the base of the tower, or any clear fall zone recommended by the manufacturer of whichever is greater.
7. The clear fall zone shall not overlap any neighboring properties, utility wires or cables, private roads or driveways, or public roads.
8. Turbines shall be painted or coated in white, gray, or sky blue with a non-reflective finish. Lights or "high visibility" markings shall not be placed on the turbine unless required by Federal Aviation Administration regulations.
9. Advertising shall not be permitted on the wind farm, except a manufacturer's logo of a reasonable size.
10. Wind turbines shall be maintained in operating condition. If a wind turbine is inoperable for more than eighteen (18) consecutive months, the use shall be considered abandoned and the tower removed.
11. Noise shall not exceed sixty(60) dB on any part of any neighboring property except under extraordinary circumstances, such as a severe windstorm.

12. The turbine shall not create a "flicker" effect on any part of a neighboring property at any time of year. Any neighboring property owner may waive this limitation for all or part of his property by writing to the Board of Zoning Appeals.
13. All wires associated with the operation of a wind turbine shall be located underground.
14. A locked anti-climb device must be installed on all wind turbines.
15. An automatic fire suppression system must be installed on all wind turbines.
16. With the application for the conditional use certificate, the owner shall provide an engineering report prepared by a licensed professional engineer, and/or specifications provided by the manufacturer, showing:
 - a. Size and height of the unit.
 - b. Size and depth of the unit's concrete mounting pad.
 - c. Maximum decibel level on neighboring properties.
 - d. Maximum extent of any flicker effect at any given time of year.
 - e. Listing of safety measures, including anti-climb devices and fire suppression systems.
 - f. A site drawing showing the required clear fall zone and the location of all structures, roads, and above-ground utility wires.
 - g. A maintenance schedule.
 - h. A dismantling plan.
17. Failure to comply with this section may result in the issuance of a Notice of Zoning Violation by the Zoning Inspector, subject to the penalty of section 903 of this zoning resolution.

Effective Date: 30 December 2015

622 Outdoor Wood Fired Boilers

Outdoor Wood Fired Boilers are permitted uses in Agricultural/Residential (A-1), Commercial (C-1) and Industrial (I-1) including Proposed Commercial (C-2) and Proposed Industrial (I-2) Districts.

1. Must be compliant with EPA New Source Performance Standards (NSPS).
2. Set Back Requirements. Outdoor Wood Fired Boilers shall be located in the rear yard only, be a minimum of fifty (50) feet from all property lines, and a minimum one hundred fifty (150) feet from the nearest roadway or neighboring dwelling.

Effective Date: 13 February 2019

623 Fences

Must comply with, including but not limited to, the Ohio Revised Code 971.01 thru 971.99.

Our recommendations for all other types of fencing shall be as follows: You, as a property owner, must be able to maintain both sides of the fence without trespassing onto the adjoining property.

Effective Date: 13 February 2019

625 Swimming pools

1. Before constructing or installing an In-Ground Swimming Pool, a valid Zoning Certificate shall be obtained from the Zoning Inspector.
2. All swimming pools shall be located in the rear yard.
3. All In-Ground Swimming Pools shall be surrounded by a fence with a minimum height of forty-eight inch (48") and have locking gates.
4. All gates shall be securely locked from the inside.
5. No Swimming Pools shall be located closer than Twenty (20) Feet of any property line.

Effective Date: 13 February 2019

626 Prohibited Uses

1. The storage or processing of Human Biosolids in any form, whether liquid, thickened liquid, dewatered, or dried shall be expressly forbidden in Sullivan Township regardless of Zoning District. Further, land application of Class B Biosolids shall be expressly forbidden regardless of the Zoning District. The forgoing prohibition shall not apply to the storage of Biosolids on a lot generated by a Wastewater Treatment Facility constructed on that lot solely to treat the sanitary effluent from the residents of Sullivan Township.
2. The Sludge, Effluent, Scum and any contents removed from Septic Tanks (including portable units) is expressly forbidden to be dumped, placed, spread, buried, stored, burned or composted in Sullivan Township regardless of the Zoning District.
3. Licensed and Unlicensed Marijuana Cultivators, Processors or Retail Dispensaries are expressly forbidden in Sullivan Township regardless of the Zoning District.
4. Junkyards OF ANY TYPE are expressly forbidden in Sullivan Township regardless of the Zoning District.
5. Landfills OF ANY TYPE are expressly forbidden in Sullivan Township regardless of the Zoning District.
6. Solid Waste Sites OF ANY TYPE are expressly forbidden in Sullivan Township regardless of the Zoning District.
7. Recycling Facilities OF ANY TYPE are expressly forbidden in Sullivan Township regardless of the Zoning District.

8. Dumping, storing, burying, reducing, disposing, recycling, composting or incinerating of garbage refuse, scrap, metal, rubbish, offal, dead animals, junk, food, yard waste such as but not limited to grass and tree clippings and human waste/biosolids that are not generated on that lot is expressly forbidden in Sullivan Township regardless of the Zoning District. Personal use composting is permitted.
9. Composting Sites, Fields and Facilities which offer materials of ANY TYPE “for sale” are expressly forbidden in Sullivan Township regardless of the Zoning District.
10. No pond, lagoon, cesspool, impound area or storage vessel shall be constructed or used to store sewage, industrial waste, or human waste treated or untreated in any district of Sullivan Township. Except for waste generated on that lot by human, animal or an industrial permitted use.
11. Disposal, processing, or storage of nuclear contaminate materials OF ANY TYPE are expressly forbidden in Sullivan Township regardless of the Zoning District.

Effective Date: 13 February 2019

ARTICLE VII - Zoning Board of Commissions

701 Membership

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

Effective Date: 29 December 2008

702 Rules of the Commission

1. The Commission shall by majority vote of its members elect a Chairman, a Vice-Chairman and a Secretary, who shall occupy such offices until their successors are duly elected at the next annual meeting of the Commission, which shall be held during the month of January each year.
2. Meetings of the Commission shall be at the call of the Chairman and at such times as the Commission may determine. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, and of each member's absence or failure to vote, and shall keep records of every official action, every rule or regulation, every amendment or repeal thereof, and every order, requirement, decision or determination of the Commission and shall be filed in the Office of the Commission and shall be a public record.
3. Members of the zoning commission shall be removable for nonperformance of duty, misconduct in office, or other cause by the board, upon written charges being filed with the board of trustees, after a public hearing has been held regarding such charges, and after a copy of the charges has been served upon the member so charged at least ten days (10) prior to the hearing, either personally, by registered mail, or by leaving such copy at the member's usual place of residence. The member shall be given an opportunity to be heard and answer such charges.
4. The Zoning Commission shall require a quorum of three (3) members at all of its meetings and the concurring vote of three (3) members shall be required to effect any decision of the Commission.
5. The Commission may, within the limits of the moneys appropriated by the Board of Trustees for the purpose, employ or contract with such planning consultants and executive and other assistants, as it deems necessary.

Effective Date: 30 December 2015

703 Changes and Amendments

1. Authority: All provisions of current State Laws pertaining to Township Zoning shall be complied with. Whenever the public necessity, convenience, general welfare or good zoning practice requires, the Board of Trustees may, by Resolution after report thereon by the Commission and subject to the procedure in this Section, and/or the current State Law, amend, supplement or change the Regulations, district boundaries or classification of property, now or hereafter established by this Resolution.
2. Amendment: Amendments to the zoning resolution may be initiated by motion of the zoning commission, by the passage of a resolution by the board of trustees, or by the filing of an application by one or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment with the township zoning commission. The board of township trustees, upon the passage of such a resolution, shall certify it to the township zoning commission.
3. Fee: A fee established by the Township Trustees shall be paid to the Board of Township Trustees upon the filing of each application for change of district classification. Said fee shall not be refunded unless the applicant withdraws such application prior to any incurred expense by the township.
4. Zoning Commission - Public Hearing: Upon the adoption of a motion by the township zoning commission, the certification of a resolution by the board of township trustees to the commission, or the filing of an application by property owners or lessees with the commission, the commission shall set a date for a public hearing, which date shall not be less than twenty nor more than forty days from the date of the certification of such a resolution, the date of adoption of such a motion, or the date of the filing of such an application. Notice of the hearing shall be given by the commission by one publication in one or more newspapers of general circulation in the township at least ten days before the date of the hearing.
5. Zoning Commission - Notification: If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land, as listed on the county auditor's current tax list, written notice of the hearing shall be mailed by the township zoning commission, by first class mail, at least ten days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from the area proposed to be rezoned or redistricted to the addresses of those owners appearing on the county auditor's current tax list.
 - a. If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land as listed on the county auditor's current tax list, the published and mailed notices shall set forth the time, date, and place of the public hearing and include all of the following:
 - i. The name of the township zoning commission that will be conducting the hearing;
 - ii. A statement indicating that the motion, resolution, or application is an amendment to the zoning resolution;
 - iii. A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and of the names of owners of those properties, as they appear on the county auditor's current tax list;

- iv. The present zoning classification of property named in the proposed amendment and the proposed zoning classification of that property;
 - v. The time and place where the motion, resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the hearing;
 - vi. The name of the person responsible for giving notice of the hearing by publication, by mail, or by both publication and mail;
 - vii. A statement that, after the conclusion of the hearing, the matter will be submitted to the board of township trustees for its action;
 - viii. Any other information requested by the commission.
- b. If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing and include all of the following:
- i. The name of the township zoning commission that will be conducting the hearing on the proposed amendment;
 - ii. A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;
 - iii. The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the hearing;
 - iv. The name of the person responsible for giving notice of the hearing by publication;
 - v. A statement that, after the conclusion of the hearing, the matter will be submitted to the board of township trustees for its action;
 - vi. Any other information requested by the commission.
6. Planning Commission: Within five days after the adoption of the motion, the certification of the resolution, or the filing of the application, the zoning commission shall transmit a copy of it together with text and map pertaining to it to the Ashland County Planning Commission.
- a. The county of Ashland planning commission shall recommend the approval or denial of the proposed amendment or the approval of some modification of it and shall submit its recommendation to the township zoning commission. The recommendation shall be considered at the public hearing held by the township zoning commission on the proposed amendment. The recommended approval of the planning commission shall be conclusively presumed unless, within twenty days after receiving the proposed zoning resolution, it notifies the zoning commission to the contrary.

7. Zoning Commission Recommendation: The township zoning commission, within thirty days after the hearing, shall recommend the approval or denial of the proposed amendment, or the approval of some modification of it, and submit that recommendation together with the motion, application, or resolution involved, the text and map pertaining to the proposed amendment, and the recommendation of the county or regional planning commission on it to the board of township trustees.

8. Board of Trustees Public Hearing: The board of township trustees, upon receipt of that recommendation, shall set a time for a public hearing on the proposed amendment, which date shall not be more than thirty days from the date of the receipt of that recommendation. Notice of the hearing shall be given by the board by one publication in one or more newspapers of general circulation in the township, at least ten days before the date of the hearing.

9. Board of Trustees Notification: If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing and include all of the following:
 - a. The name of the board of township trustees that will be conducting the hearing;
 - b. A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;
 - c. A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and of the names of owners of those properties, as they appear on the county auditor's current tax list;
 - d. The present zoning classification of property named in the proposed amendment and the proposed zoning classification of that property;
 - e. The time and place where the motion, application, or resolution proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the hearing;
 - f. The name of the person responsible for giving notice of the hearing by publication, by mail, or by both publication and mail;
 - g. Any other information requested by the Board.
 - i. If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing and include all of the following:
 - h. The name of the board of township trustees that will be conducting the hearing on the proposed amendment;
 - i. A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;
 - j. The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the hearing;

- k. The name of the person responsible for giving notice of the hearing by publication;
 - l. Any other information requested by the board.
10. Adoption: Within twenty days after its public hearing, the board of township trustees shall either adopt or deny the recommendations of the township zoning commission or adopt some modification of them. If the board denies or modifies the commission's recommendations, a majority vote of the board shall be required.

Effective Date: 30 December 2015

ARTICLE VIII - Zoning Board of Appeals

801 Membership

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

Effective Date: 29 December 2008

802 Rules of the Board

1. The Board shall by majority vote of its members elect a Chairman, a Vice-Chairman and Secretary who shall occupy such offices until their successors are duly elected at the next annual meeting of the Board.
2. Members of the zoning board of appeals shall be removable for nonperformance of duty, misconduct in office, or other cause by the board, upon written charges being filed with the board of trustees, after a public hearing has been held regarding such charges, and after a copy of the charges has been served upon the member so charged at least ten days prior to the hearing, either personally, by registered mail, or by leaving such copy at the member's usual place of residence. The member shall be given an opportunity to be heard and answer such charges.
3. All meetings of the Board shall be open to the public.
4. Meetings of the Board shall be at the call of the Chairman and at such times as the Board may determine. The Board shall keep minutes of all meetings showing the proceedings, the vote of each member upon each question, or if absent or failing to vote, indicating such fact and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the Board Office and be a public record.
5. The Board shall require a quorum of three (3) members at all meetings, and the concurring vote of three (3) members shall be required to effect any decision of the Board.
6. The Board may, within the limits of the monies appropriated by the Board of Township Trustees for the purpose, employ such executives, professional, technical, and other assistants as it deems necessary.

Effective Date: 30 December 2015

803 Powers and Duties of the Board

1. Hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Inspector in the enforcement of sections 519.02 to 519.25 of the Revised Code, or of any resolution adopted pursuant thereto.
2. 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 resolution will result in unnecessary hardship, and so that the spirit of the resolution shall be observed and substantial justice done.
3. A variance may be authorized upon adequate demonstration by the applicant that the proposed variance satisfies each of the following criteria:
 - a. That the variance requested is the minimum variance which would make possible the reasonable use of the applicant's land.
 - b. That special conditions and circumstances exist which are peculiar to the land involved.
 - c. That granting the proposed variance would be in the public interest and would be in harmony with the purpose and scope of the underlying zoning district, and the intent and purpose of this resolution.
 - d. That the variance would result in minimal detriment to properties in the immediate vicinity.
 - e. That the special conditions and circumstances on which the application is based do not result from the negligent or knowing violation of this resolution by the applicant.
4. The Zoning Certificate for the variance shall be valid for one (1) year. All structural work for which the variance has been granted shall be completed in one (1) year. If the structure will not be completed within one (1) year, a new application shall be filed.
5. In granting a variance the Board of Zoning Appeals may impose such conditions as it deems necessary to protect the public health and welfare, and to further the purpose and intent of this zoning resolution. These conditions shall be made a part of and attached to the zoning certificate. Any variance authorized pursuant to this resolution shall be subject to the following additional requirements:
 - a. No variance shall be granted which allows the establishment or expansion of a use subject to conditional use procedures or otherwise prohibited.
 - b. No variance shall be granted which shall have the effect of rezoning property.
 - c. No variance shall be granted which allows the creation of a parcel which is substandard to the minimum parcel size requirements of the particular zoning district.

6. Grant conditional zoning certificates for the use of land, buildings, or other structures. If the board considers conditional zoning certificates for activities that are permitted and regulated under Chapter 1514 of the Revised Code or activities that are related to making finished aggregate products, the board shall proceed in accordance with section 519.141 of the Revised Code.

A conditional use may be authorized upon adequate demonstration by the applicant that the proposed use satisfies each of the following criteria:

- a. The proposed use would be in harmony with the purpose and scope of the underlying zoning district and with the intent and purpose of both the Sullivan Township Zoning Resolution and the Ashland County Comprehensive Plan & Land Use Map. Additionally, the proposed use must be specifically listed in Article V as a conditional use for the district in which the parcel is situated.
 - b. The proposed use would be in the public interest and will not involve activities, processes, materials or equipment hazardous or detrimental to the general health and welfare of the community or to a person of normal sensibilities because of excessive noise, smoke, odors, traffic, glare or fumes.
 - c. The proposed use will neither be hazardous to persons or detrimental to properties in the immediate vicinity, nor shall it interfere with existing or future neighboring permitted uses.
 - d. All structures will be designed, constructed operated and maintained so as to be harmonious, safe, and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the area in the same underlying zoning district.
 - e. The proposed use will be served adequately by essential public services (fire, police, highways, sewage, water, schools, etc.) or that the persons or agencies responsible shall be able to adequately provide such service.
 - f. The proposed use will not create excessive additional public costs or responsibilities.
 - g. The proposed use shall be provided with adequate access that does not interfere with neighboring uses or disrupt current traffic patterns.
 - h. The proposed use will not result in the destruction, loss or damage of natural, scenic or historical features of major importance.
 - i. No conditional use shall be granted which shall have the effect of rezoning a property.
 - j. The Zoning Certificate for the conditional use shall be valid for one (1) year. All structural work for which the conditional use has been granted shall be completed in one (1) year. If the structure will not be completed within one (1) year, a new application shall be filed.
7. Revoke an authorized variance or conditional zoning certificate granted for the extraction of minerals, if any condition of the variance or certificate is violated.

Effective Date: 13 February 2019

804 Procedures

1. **Meetings:** Meetings of the Board shall be 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 Board meetings shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, and of each member's absence or failure to vote, and shall keep records of every official action, every rule or regulation, every amendment or repeal thereof, and every order, requirement, decision or determination of the Board and said records shall be filed in the Office of the Board of Township Trustees and shall be a public record.
2. **Appeals:** Appeals to the Board of Zoning Appeals may be made by any person aggrieved or by any officer of the Township affected by any decision of the Zoning Inspector. Such appeal shall be made within twenty (20) days after the decision by filing with the Zoning Inspector and with the Board, a notice of such appeal specifying the grounds on forms approved by the Board. The Zoning Inspector shall transmit to the Board all the paper constituting the record upon which the action appealed was taken.
3. **Variances, Exceptions and Conditional Uses:** All applications for variances, conditional uses and exceptions shall be made to the Board of Zoning Appeals in writing and on forms prescribed.
4. **Public Hearing and Decision:** When a notice of appeal, variance or conditional use has been filed in proper form with the Board of Zoning Appeals, the Board shall fix a reasonable time for the public hearing for same, within 45 days, give at least ten (10) days' written notice to the parties in interest, advertise notice of hearing by one (1) publication in one (1) or more newspapers of general circulation in the Township at least ten (10) days before the date of said hearing. Upon the hearing, any person may appear in person or by attorney. The Board may recess such hearings from time to time, and if the time and place of the continued hearing be publicly announced at the time of adjournment, no further notice shall be required. The Board must decide the appeal, variance, conditional use, or exception within a reasonable time, within 45 days, after it is properly submitted.
5. **Refusal of the Appeal:** The refusal of an applicant's request by the Board of Zoning Appeals can only be appealed to the Court of Common Pleas of Ashland County.
6. **Procedural Errors and Decisions:** When a complaint is filed by a resident (not the applicant), Zoning Inspector, Zoning Board of Commissions, or a Trustee regarding any Procedural Errors or Decisions made by the Zoning Board of Appeals within a 2 year limitation, the Zoning Board of Appeals shall hold a Public Hearing within 45 days to hear and decide if actions will or will not be taken regarding the filed complaint. The Zoning Board of Appeals shall hold the hearing within 45 days of receipt of the complaint and follow the rules of 804-4 when holding the hearing. There shall be no fees required to the complainants for this hearing.
 - a. If a Resident (not the applicant), Zoning Inspector, Zoning Board of Commissions, or a Trustee is not satisfied with the decision made by the Zoning Board of Appeals Procedural Error or Decision Complaint Hearing within 45 days, the next recourse would be for the complaint against the Zoning Board of Appeals to be transferred to the Board of Trustees to hold a public hearing within 45 days regarding the complaint against the Zoning Board of Appeals by following 802-2 procedures for holding a public hearing. If anyone is still not satisfied with the actions or decisions from the Board of Trustees public hearing the next recourse would be for the complainants to file a case through the Court of Common Pleas of Ashland County.

Effective Date: 13 February 2019

ARTICLE IX - Administration

901 Zoning Inspector

1. The Board of Township Trustees shall appoint a Township Zoning Inspector and affix his compensation. It shall be the duty of the Zoning Inspector to:
 - a. Enforce the provisions of this Resolution.
 - b. Issue permits as provided in this Resolution and keep record of all permits issued or refused with a notation of any special conditions involved, and the expiration date.
 - c. File and safely keep copies of all plans submitted, and the same shall form a part of the records in his or her office.
 - d. Maintain a certified copy of the text of this Resolution and of the Zoning Map.
 - e. Keep records of all violations and/or complaints.
 - f. Make such records available for the use of the Board of Township Trustees, the Zoning Commission, the Board of Zoning Appeals, and the Public.
 - g. Submit all zoning fees collected to the Fiscal Officer within twenty-four (24) hours. All applicants for zoning permit shall be furnished with a copy of Zoning Resolutions. Applicants must sign a receipt book for Zoning Resolutions Book and Address sign. Records are to be kept with the Zoning Inspector.

Effective Date: 13 February 2019

902 Zoning Certificates

1. Requirements: No person shall locate, erect, construct, reconstruct, enlarge or structurally alter a non-farm building or structure within the Township without obtaining a Zoning Certificate. No Zoning Certificate shall be issued unless the plans for the proposed building or structure fully comply with the Zoning Regulations.
 - a. The Zoning Inspector shall deny all applications when an unresolved zoning violation exists either with the property or the applicant. The applicant may appeal to the Board of Zoning Appeals, which may authorize issuance of a Zoning Certificate when a demonstrated hardship results from the denial.
2. Applications: Zoning Certificates shall hereinafter be secured from the Township Zoning Inspector prior to construction, erection or exterior alteration of any building. Applications for Zoning Certificates shall be made in writing by the owner or by his authorized agent and shall include a statement of the use or intended use of the building or structure after construction, erection or alteration and shall be accompanied by a plan drawn to scale, showing the proposed building line and its exact relation to lot and road lines as well as satisfactory evidence that the line or lines of the bounding road or roads have been accurately located on the ground. The required fee as established by the Board of Township Trustees shall accompany each application for a Zoning Certificate.
Zoning Certificates are not transferable.

3. Fees: The Board of Township Trustees may adopt a system of Zoning Certificates, establish and collect reasonable fees thereof, and amend such fees, or adopt new fees, from time to time when necessary.
4. Before operation of any business in Sullivan Township begins, a Zoning Certificate is required in addition to possible other requirements. When a business is not operational for two (2) years, the Zoning Certificate shall expire. A new application for a Zoning Certificate shall then be filed and approved before the business can begin operations.
5. All Zoning Certificates are valid for one (1) year from the date of approval. All structural work for which the Zoning Certificate was issued shall be completed within one (1) year. If the structural work is not completed within the one (1) year, the Zoning Certificate shall expire and a new application must then be filed.

Effective Date: 13 February 2019

903 Enforcement and Penalties

1. Enforcement: This Resolution shall be enforced by the Zoning Inspector or such enforcement Officer as may be designated by him.
2. Revocation of Zoning Certificates: Any Zoning Certificate issued upon a false statement shall be void. Whenever the fact of such false statement shall be established to the satisfaction of the Board of Township Trustees, the Zoning Certificate shall be revoked by notice, in writing, to be delivered to the holder of the void certificate upon the premises. Any person who shall proceed thereafter with such work or use without having obtained a new Zoning Certificate, in accordance with this Resolution, shall be deemed guilty of violation thereof.
3. Violation: in case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used, or any land is, or proposed to be, used in violation of this Resolution, the Board of Township Trustees, the County Prosecuting Attorney, the Township Zoning Inspector, or any neighboring property owner who would be damaged by such violation, in addition to other remedies provided by law, may institute injunction, and abatement or any other appropriate action or proceeding to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.
4. Fine: Any person, firm or corporation violating any provision of this Resolution shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than five hundred dollars for each offense. Each day's continuation of a violation of this section may be deemed a separate offense.

Effective Date: 30 December 2015

904 TELECOMMUNICATIONS TOWERS

1. "Telecommunications tower" means any free-standing structure, or any structure to be attached to a building or other structure, that meets all of the following criteria:
 - a. The free-standing or attached structure is proposed to be constructed on or after October 31, 1996.
 - b. The free-standing or attached structure is proposed to be owned or principally used by a public utility engaged in the provision of telecommunications services.
 - c. The free-standing or attached structure is proposed to be located in an unincorporated area of a township, in an area zoned for residential use.

2. Sections 519.02 to 519.25 of the Revised Code confer power on a board of township trustees or board of zoning appeals with respect to the location, erection, construction, reconstruction, change, alteration, removal, or enlargement of a telecommunications tower, but not with respect to the maintenance or use of such a tower or any change or alteration that would not substantially increase the tower's height. However, the power so conferred shall apply to a particular telecommunications tower only upon the provision of a notice, in accordance with Section 519.211 division (B)(4)(a) of the Ohio Revised Code, to the person proposing to construct the tower.

3. The Ohio Revised Code requires that any person who plans to construct a telecommunications tower in Sullivan Township shall provide the both of the following by certified mail:
 - a. Written notice to each owner of property, as shown on the county auditor's current tax list, whose land is contiguous to or directly across a street or roadway from the property on which the tower is proposed to be constructed, stating all of the following in clear and concise language:
 - i. The person's intent to construct the tower;
 - ii. A description of the property sufficient to identify the proposed location;
 - b. Written notice to the board of township trustees of the person's intent to construct the tower and a description of the property sufficient to identify the proposed location. The notice to the board also shall include verification that the person has complied with Section 904-3(A).

4. Property Owners notified, no later than fifteen days after the date of mailing of the notice may give written notice to the board of township trustees requesting that the Sullivan Township Zoning Resolution apply to the proposed location of the tower as provided in the Ohio Revised Code if the free-standing structure is proposed to top at a height that is greater than the maximum allowable height of structures within the zoned district.

5. If the board of township trustees receives notice from a property owner notified under Section 904-3(A) within the time specified or if a trustee makes an objection to the proposed location of the telecommunications tower within fifteen days after the date of mailing of the notice sent, the board of trustees shall request that the fiscal officer of the township send the person proposing to construct the tower written notice that the tower is subject to The

Sullivan Township Zoning Resolution. The notice shall be sent no later than five days after the date the board first receives such a notice from a property owner or the date upon which a board member makes an objection. Upon the date of mailing of the notice to the person, sections 519.02 to 519.25 of the Revised Code shall apply to the tower.

6. If the Board of Township Trustees receives no notice within the time prescribed or no individual trustee has an objection as provided within the time prescribed, the tower is not subject to the Sullivan Township Zoning Resolution without exception.

Effective Date: 13 February 2019

Article X - Regulations for an Adult Entertainment Establishment.

1001 Adult Entertainment Establishment

Adult entertainment establishment means an adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theater, adult theater, nude or seminude model studio, or sexual encounter establishment.

Definitions:

1. Adult arcade - has the same meaning as section 2907.39 of the ORC.
2. Adult bookstore, adult novelty store, or adult video store - have the same meaning as section 2907.39 of the ORC.
3. Adult cabaret - has the same meaning as section 2907.39 of the ORC.
4. Adult entertainment - has the same meaning as section 2907.39 of the ORC.
5. Adult motion picture theater - has the same meaning as section 2907.39 of the ORC.
6. Adult theater - has the same meaning as section 2907.39 of the ORC.
7. Nude or semi-nude model studio - has the same meaning as section 2907.39 of the ORC.
8. Sexual encounter establishment - has the same meaning as section 2907.39 of the ORC.

Effective Date: 30 December 2015

1002 Conditions for Approval

1. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the intent of this Section will be observed.
2. The following additional requirements are to be met by an applicant for a Conditional Use Certificate to operate an adult entertainment establishment in the Industrial District., and or Proposed Industrial District. All applicants for Conditional Uses shall be required to fully comply with any and all other applicable provisions of these Regulations.

Effective Date: 30 December 2015

1003 Requirements for Adult Entertainment Establishments

1. Adult entertainment establishments may be Conditionally Permitted in the Industrial District, and or Proposed Industrial District (I-1). Adult entertainment establishments are prohibited in all other districts.
2. All adult entertainment establishments shall be a minimum distance of Two Thousand (2000) feet:
 - c. From any residential dwelling;

- d. From any church, synagogue, or other permanently established place of worship or religious services; or
 - e. From any private or commercial school, or teaching facility; or
 - f. From any licensed day care facility; or
 - g. From any other adult entertainment establishment; or
 - h. From any permanently established school, library, or teaching facility, operated by the Board of Education, Amish community or government; or
 - i. From any park or other public recreation facility; or, From any of the following establishments; or
 - j. Establishments for the sale of beer or intoxicating liquor for consumption on the premises; or
 - k. Pool or billiard halls; or
 - l. Video game or pinball arcades, or any other amusement game arcade; or
 - m. Establishments that sell, use, or convey firearms and/or ammunition.
 - n. No advertisements, displays, or other promotional materials 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. A single exterior sign is permitted provided the sign content is limited to any or all the following information: Business name; address; phone number; and or hours of operation.
3. All building openings, entries, windows, etc. shall be located, covered, or serviced in such a manner as to prevent a view into the interior from any adjoining lot, public or semi-public area, sidewalk, or street. For new construction, the building shall be constructed so as to prevent any possibility of viewing the interior from any adjoining lot, public or semi-public area, sidewalk, or street.
4. No screens, loudspeakers, or sound equipment shall be used that can be seen or heard by the public from any adjoining lot, public or semi-public area, sidewalk, or street.

Effective Date: 30 December 2015

1101 Injection Wells

Injection Wells for which the primary purpose is the disposal of liquids, gases or other products "unfit for human consumption" are prohibited in all districts in Sullivan Township.

Effective Date: 13 February 2019

1102 Waste Disposal Injection Wells

A land use where hazardous wastes, typically from Mining, Oil & Gas Extraction, or other Industrial Operations, are injected into the earth for disposal are prohibited in all districts of Sullivan Township.

Effective Date: 13 February 2019