# MORRIS TOWNSHIP

# KNOX COUNTY

# OHIO

# ZONING RESOLUTION
# 2026

**Morris Township House**
**13511 Beckley Road**
**Mount Vernon, OH 43050**
**(740) 397-6869**

# PREAMBLE

Morris Township, in Knox County, Ohio, is a quiet orderly agricultural community. It is the intent of this Resolution to protect Morris Township from the exploitation and inappropriate use of its human and natural resources, to secure optimum use of land and structures.

A Resolution of the Township of Morris, County of Knox, State of Ohio, enacted in accordance with the comprehensive plan and the provisions of Chapter 519, OHIO REVISED CODE, dividing the Township into zones and districts, encouraging, regulating and restricting therein the location, construction, reconstruction, alteration and use of business, industrial, recreational, and public areas; providing for adequate light, air, and convenience of access to property by regulating the use of land and buildings and the bulk of structures in relationship to the surrounding properties; limiting congestion in the public right-of-way; providing the compatibility of different land uses and the most appropriate use of land, providing for the administration of this Resolution, defining the powers and duties of the administrative officers as provided hereafter, and prescribing penalties for the violation of the provisions in this Resolution or any amendment thereto, all for the purpose of protecting the public health, safety, comfort, general welfare and morals of the Township, and for the repeal thereof.

Nothing contained in this Resolution shall prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incidental to the use for agricultural purposes of the land on which such buildings or structures are located. A zoning certificate shall be required for any such use, building, or structure. Agricultural activities may be prohibited or regulated in some zoning districts. The following statement is from section 519.21 of the Ohio Revised Code: The township zoning resolution, or an amendment to such resolution, may in any platted subdivision approved under section 711.05, 711.09, or 711.10 of the Ohio Revised Code, or in any area consisting of fifteen (15) or more lots approved under section 711.131 of the Ohio Revised Code some of which are contiguous to one another, and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road regulate: 1. Agriculture on lots of one (1) acre or less, 2. Buildings or structures incident to the use of land for agricultural purposes on lots greater than one (1) acre but not greater than five (5) acres by: setback building lines; height; and size, 3. Dairying and animal and poultry husbandry on lots greater than one acre but not greater than five acres when at least thirty-five percent (35%) of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured and mobile homes under section 4503.06 of the Ohio Revised Code. After thirty-five percent (35%) of the lots are so developed, dairying and animal and poultry husbandry shall be considered non-conforming use of land and buildings or structures pursuant to section 519.19 of the Ohio Revised Code.

Therefore, be it resolved by the Board of Township Trustees of Morris Township, County of Knox, State of Ohio.

# ARTICLE 1

## HISTORY OF ZONING IN MORRIS TOWNSHIP

SECTION 1.0 PETITION

The Board of Trustees of Morris Township, Knox County, Ohio, did receive on the 7th day of November, 1961 a petition signed by a number of qualified voters residing in the unincorporated area of Morris Township, as provided in Chapter 519.03 (B) of the Revised Code of the State of Ohio, said petition requesting the adoption of a Resolution to proceed with Township zoning.

SECTION 1.1 AMENDED

Updated 1973
Updated January 1999
Updated June 2004
Updated January 2016
Updated March 2018
Updated October 2026

As submitted and revised by the Morris Township Zoning Commission, Knox County, Ohio, on October 22nd, 2026.

Stephanie Sinks, Chairman 10/22/2026
Morris Township Zoning Commission

Larry Hall 10/22/2026
Morris Township Zoning Commission

Bernard Douglas 10/22/2026
Morris Township Zoning Commission

Candace Laymon 10/22/2026
Morris Township Zoning Commission

Robert Wise 10/22/2026
Morris Township Zoning Commission

Brian Frazier 10/22/2026
Morris Township, Zoning Inspector
Morris Township Zoning Commission

# ARTICLE 2

## TITLES, AUTHORITY, SEPARABILITY, AND ENACTMENT

SECTION 2.0 TITLE
This Resolution shall take effect and be in force on November 7 1961.

SECTION 2.1 AUTHORITY
This Resolution provides for the zoning of the unincorporated area of Morris Township, Knox County, Ohio, in accordance with the authority and intent of the Revised Code of Ohio, Chapters 519.01 to 519.99, inclusive, and any amendments thereto.

SECTION 2.2 PURPOSE
This Resolution is enacted for the general purpose of promoting the public health, safety, comfort, and welfare of the residents of the Township of Morris; to protect the property rights of all individuals by assuring the compatibility of uses and practices within districts; to facilitate the provision of public utilities and public services; to lessen congestion of public streets, roads, and highways; to provide for the administration and enforcement of this Resolution, including the provision of penalties for its violation; and for any other purpose provided in the Resolution, the OHIO REVISED CODE, or under common law rulings.

SECTION 2.3 INTERPRETATION
In their interpretation and application, the provisions of this Resolution shall be held to be the minimum requirements. Whenever the requirements of this Resolution conflict with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive or that imposing the higher standards shall govern.

SECTION 2.4 SEPARABILITY CLAUSE
Sections of this Resolution shall be deemed to be severable and should any Section, paragraph, or provision hereof be declared to be unconstitutional or invalid, such holdings shall not affect the validity of this Resolution as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 2.5 REPEAL OF CONFLICTING RESOLUTIONS
Any Resolutions or parts of Resolutions in conflict with this Zoning Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

SECTION 2.6 EFFECTIVE DATE
The Resolution shall become effective from and after the date of its approval and adoption as provided by law.

# ARTICLE 3

## INTERPRETATIONS AND DEFINITIONS

SECTION 3.0 INTERPRETATIONS OF WORDS AND TERMS
For the purposes of this Resolution certain words and terms shall be interpreted as follows:

1. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.

2. The singular number includes the plural, the plural number includes the singular and the present tense includes the future tense.

3. The word "person" includes an individual, a trust, a corporation, a partnership, a firm, an association or any other similar entity.

4. A "building" or "structure" includes any part thereof.

5. The word "lot" includes the words "plot", "parcel" or "tract of land."

6. The words "used for" includes, "designed for", "arranged for", "intended for", "maintained for" or "occupied for".

7. Terms not defined herein shall have the meaning customarily given to them.

8. The word "he" refers to a person and is not gender related.

SECTION 3.1 DEFINITIONS
For the purposes of this Resolution certain words and terms are defined as follows:

ACCESSORY USE OR BUILDING: A use or building on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or building.

ADULT ENTERTAINMENT: See Section 14.15

AGRICULTURE: The use of land for agricultural purposes including farming, dairying, pasturage, horticulture, apiculture, floriculture, plant propagation, viticulture, and animal and poultry husbandry, and the necessary accessory uses for packing, treating or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to the normal agricultural activities and provided, further, that these uses shall not include the commercial feeding of garbage or offal's to swine or other animals.

ALLEY: Any dedicated public way not more than twenty (20) feet wide affording a secondary means of access to abutting property and not intended for general traffic circulation.

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

ALTERATIONS, STRUCTURAL: Any change in supporting members of a building or structure, such as bearing walls, columns, beams, or girders.

APARTMENT: Same as "Dwelling Unit, Two-Family and Multi-Family."

APARTMENT HOTEL: A building or portion thereof designed for or containing both individual or suites of rooms and dwellings units that may be rented daily, weekly, monthly, or yearly.

APARTMENT HOUSES: Same as "Dwelling, Two or More and Multiple Family."

AUTOMOTIVE REPAIR: The repair, service, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting, and steam cleaning of vehicles.

AUTOMOTIVE, MANUFACTURED HOME, TRAVEL TRAILER, AND FARM IMPLEMENT SALE: The sale or rental of new and used motor vehicles, manufactured homes, recreation travel trailers, or farm implements, but not including repair work except incidental warranty repair of same, to be displayed and sold on the premises.

AUTOMOTIVE WRECKING: The dismantling or disassembly of motor vehicles, manufactured homes, or trailers, or the storage, sale or dumping of dismantled, or partially dismantled, obsolete or wrecked vehicles or their parts.

BASEMENT: A story all or partially below ground level but having at least one-half of its height below the average level of the adjoining ground.

BED AND BREAKFAST FACILITY: A portion of a residence where lodging and breakfast is provided by a resident family for compensation. Such a facility is generally used by transients. Bed and Breakfast facilities are considered to be home occupations. (See "Home Occupations.")

BILLBOARD OR POSTER PANEL: Any sign or advertisement, of any material what so ever, used as an outdoor display for the purpose of making anything known, the place of availability or sale of which is remote from said display.

BOARD: Shall mean the Township Board of Zoning Appeals.

BOARDING HOUSE: A building or portion thereof, other than a hotel, where lodging and meals for five (5) or more persons are provided for compensation.

BUILDING: Any structure designed or intended to support, enclose, shelter, or protect persons, animals, chattels or property. The term "building" shall not include such structures as billboards, fences, radio towers or structures with interior areas not normally accessible for human habitation, such as tanks, smokestack, grain elevators, coal bunkers, oil cracking towers, or similar structures.

BUILDING HEIGHT: The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line for mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

BUILDING LINE: Same as "setback line."

BUILDING, MAIN OR PRINCIPAL: A building in which is conducted the main or principal use of the lot which said building is situated.

BUILDING, PUBLIC OR COMMUNITY: A building for social, educational, recreational and administrative activities of a neighborhood or community, provided any such use is not operated for commercial gain.

BUSINESS: An office or shop engaged in the day-to-day sale of commodities and services to a local area or region, the sales being of retail character, either direct over-the-counter, by mail, by telephone or by contract.

CAMP GROUND: Same as "Tourist Camp".

CAMP, TOURIST: Same as "Tourist Camp".

CELLAR: Same as "Basement".

CERTIFICATE OF OCCUPANCY: A document issued by the Zoning Inspector certifying that the proposed use of a newly erected, changed, converted or altered building, for which the certificate is issued, conforms to the requirements of this Resolution.

CHANNEL: A natural or artificial watercourse with evident and distinct bed and banks to confine and conduct continuously or periodically flowing water.

CLINIC, MEDICAL: A place providing physical or mental health service and medical or surgical care of the sick, ailing, infirm or injured but providing no inpatient or over-night accommodations. "Medical Clinic" includes "Health Center", "Health Clinic" and "Doctor's Office".

CLUB: A building or portion thereof privately owned or operated for a social, literary, political, educational, or recreational purpose primarily for the exclusive use of its members and their guests.

COMMISSION: Shall mean the Township Zoning Commission.

CONDITIONAL USE: A use permitted within a District other than a principally permitted use, requiring a "Conditional Use Permit" and approval of the Board of Zoning Appeals. Conditional uses permitted in each District are listed in the official schedule of District regulations.

CONDITIONAL USE PERMIT: A permit issued by the Zoning Inspector upon approval, by the Board of Zoning Appeals, of an application for a use other than a principally permitted use allowed within the District.

COURT: An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings and which is bounded on two (2) or more sides by such building or buildings.

COURT, INNER: A court bounded on all sides by a building or group of buildings. The length of an inner court is the minimum horizontal dimension measured parallel to its longest side. The width of an inner court is the minimum horizontal dimension measured at right angles to its length.

COURT, OUTER: A court that opens onto a required yard, or street or alley. The width of an outer court is the minimum horizontal dimension measured in the same general direction as the yard, street or alley upon which the court opens. The depth of an outer court is the minimum horizontal dimension measured at right angles to the width.

CURB GRADE: The elevation of the established curb in front of the building measured at the center of such front. Where no curb grade has been established, the County Engineer shall establish such curb grade or its equivalent for the purpose of this Resolution.

DATA CENTERS: An establishment engaging in the storage, management, processing,and/or transmission of digital data, and housing computer and/or network equipment, systems, servers, appliances and other associated components related to digital data operations.

DAYS – any reference to day(s) refers to calendar days.

DISTRICT: A portion of the unincorporated area of the Township within which certain regulations and requirements, or various combinations thereof apply under the provisions of this Resolution.

DWELLING UNIT: Space, within a dwelling, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one (1) family and its household employees.

DWELLING, SINGLE FAMILY: A dwelling consisting of a single unit only, separated from other dwellings by open space.

DWELLING, TWO-FAMILY: A dwelling consisting of two (2) units which may be either attached side by side or one above the other, with each unit having a separate or combined entrance or entrances.

DWELLING, MULTI-FAMILY: A dwelling consisting of three (3) or more dwelling units, including condominiums, with varying arrangement of entrances and party walls.

DWELLING, ROW: Same as "Row House".

DWELLING, INDUSTRIALIZED UNIT: An assembly of materials or product comprising all or part of a total structure which, when constructed, is self-sufficient or substantially self-sufficient and when installed, constitutes a dwelling unit, except for necessary preparations for its placement, and including preparations for its placement, and including a manufactured home.

EASEMENT: Authorization by a property owner for the use by another for a specified purpose and applicable to any designated part of the owners property.

ELDERLY HOUSEHOLD: Not more than three (3) persons, related or unrelated, who occupy a single dwelling unit, of whom one person is elderly.

ELDERLY HOUSING FACILITY: A building or buildings containing twelve (12) or more dwelling units where occupancy is restricted to elderly persons or households. Such facilities may include emergency first aid care, day care, therapy, personal care, nursing facilities, recreational facilities, and provide for independent or semi-independent living. For the purposes of this definition, "elderly housing facility" shall not include convalescent homes, nursing homes, group residential facilities, or homes for the aged.

ELDERLY PERSON: Any person who is 62 years of age or older, or any person under 62 years of age who is handicapped such that his physical impairments are of a long-term duration and impede his ability to live independently without a suitable housing environment.

ESSENTIAL SERVICES: The erection, construction, alteration or maintenance, by public utilities or government agencies, of underground gas, electrical or water transmission or distribution systems, and of collection, communication, supply or disposal systems or sites, including poles, wires, mains, drains, sewers, pipes, hydrants or other similar equipment and accessories, exclusive of buildings, reasonably necessary in connection with the furnishing of adequate service by such public utility or government agency for the public health, safety and welfare.

FACILITES OF AN EDUCATIONAL, RELIGIOUS, CHARITABLE, PHILANTHROPIC OR NONPROFIT NATURE: "Facilities of an educational, religious, charitable, philanthropic or nonprofit nature" under this ordinance shall not include any buildings used for imprisonment or rehabilitation, including but not limited to any prison, jail, workhouse, penal institution, reformatory, correctional institution, penitentiary, juvenile detention home, juvenile community rehabilitation center, any facility created under Chapter 341, Sections 2151.65. Sections 753.02 et seq., of the OHIO REVISED CODE or any similar facility.

FAMILY: Two (2) or more persons related by blood, marriage, adoption, or living together as a single housekeeping unit; or a group of not more than six (6) persons, who need not be related by blood, marriage, or adoption, living together as a single housekeeping unit.

FARM: A parcel of land, five (5) qualifying acres or more in area, devoted to agricultural purposes from which a gross income of two thousand ($2,000) dollars or more is attained annually.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA): The agency with the overall responsibility for administering the National Flood Insurance Program.

FLOOD OR FLOODING: A general and temporary condition of partial or complete inundation of normally dry land areas from:

The overflow of inland or tidal waters, and/or

The unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD, BASE: The flood having a one (1%) percent chance of being equaled or exceeded in any given year. The base flood may also be referred to as the 100-year flood.

FLOOD INSURANCE RATE MAP (FIRM): An official map on which the Federal Emergency Management Agency had delineated the areas of special flood hazard.

FLOOD INSURANCE STUDY: The official report in which the Federal Emergency Management Agency has provided flood profiles, floodway boundaries, and the water surface elevations of the base.

FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

FLOOR AREA, BUSINESS AND MANUFACTURING: For the purpose of computing the minimum allowable floor area in business and manufacturing structures, the sum of the horizontal areas of each floor of the building shall be measured from the exterior walls. The floor area measurement is exclusive of the areas of basements, unfinished attics, breezeways, and enclosed or unenclosed porches.

FLOOR AREA, RESIDENTIAL: For the purpose of computing the minimum allowable floor area in a residential dwelling unit, the sum of the horizontal areas of each floor of the building shall be measured from the interior faces of the exterior walls. The floor area measurement is exclusive of the areas of basements, unfinished attics, attached garages, breezeways, and enclosed or unenclosed porches.

FRONTAGE: The length of the front boundary line of a lot or parcel that abuts on a street or road.

GARAGE, PRIVATE: A detached accessory building or portion, of a main building for the parking or temporary storage of automobiles of the occupants of the premises, and wherein (a) not more than one (1) space is rented for parking to persons not resident on the premises; (b) not more than one (1) commercial vehicle per dwelling unit is parked or stored; and (c) the commercial vehicles permitted do not exceed five (5) tons capacity.

GARAGE, PUBLIC: A building other than a private garage used for the care, repair, or equipment of motor vehicles, or where such vehicles are parked or stored for remuneration, hire or sale.

GOVERNMENTAL BUILDINGS: Buildings owned or operated by federal, state or local governments or departments and/or subdivisions thereof, which buildings are used for administrative, ministerial, public service, safety, health, public utility or recreational purposes. "Governmental buildings" under this ordinance shall not include any buildings used for imprisonment or rehabilitation, including but not limited to any prison, jail, workhouse, penal institution, reformatory, correctional institution, penitentiary, juvenile detention home, juvenile community rehabilitation center, any facility created under Chapter 341, Sections 2151.65, Sections 753.02 et seq., or Sections 5145.01 et seq. of the OHIO REVISED CODE, or any similar facility.

GUEST HOUSE: Living quarters within a detached accessory building located on the same premises with the main building, for use by temporary guests of the occupants of the premises; such quarters not rented or otherwise used as a separate dwelling.

HOME OCCUPATION: An accessory use which is an activity, profession, service, craft or revenue-enhancing hobby which is clearly incidental and subordinate to the use of the premises as a dwelling, by conditional use permit, without any significant adverse effect upon the surrounding neighborhood. Activities such as teaching, tutoring, babysitting, tax consulting and the like shall involve not more than three (3) receivers of such services at any one time. Home occupations are subject to a conditional use permit. See Section 14.8.

HOTEL: A building or portion thereof designed for or intended to be used for providing, for compensation, lodging for ten (10) or more transient wayfarers.

INSPECTOR: Shall mean the Zoning Inspector of Morris Township.

INSTITUTION: Building and/or land designed to aid individuals in need of mental, therapeutic, rehabilitative counseling, or other correctional services. "Institution" under this ordinance shall not include any buildings used for imprisonment or rehabilitation, including but not limited to any prison, jail, workhouse, penal institution, reformatory, correctional institution, penitentiary, juvenile detention home, juvenile community rehabilitation center, any facility created under Chapter 341, Sections 2151.65, Sections 753.02 et seq., or Sections 5145.01 et seq. of the OHIO REVISED CODE, or any similar facility.

INSTITUTIONAL HOME: A place for the care of babies, children, pensioners, or elderly people, except those for correctional or mental care.

JUNK: Any garbage, refuse or other debris that constitutes a nuisance. This includes, but is not limited to: old or scrap copper, brass, rope, rags, trash, waste, batteries, paper, rubber, iron, steel, and other old or scrap ferrous or nonferrous materials, as well as any worn-out, cast-off or discarded article that is ready for destruction or has been collected or stored for salvage or conversion to some other use. Any article or material that, unaltered or unchanged and without further rezoning, can be used for its original purpose as readily as when new shall not be considered junk. Cross reference ORC 505.87 and ORC 4737.05 (A).

JUNK MOTOR VEHICLE: A motor vehicle that meets all of the following criteria:

A. Three model years old or older;
B. Apparently inoperable;
C. Extensively damaged, including, but not limited to, any of the following: missing wheels, tires, engine or transmission.

Cross reference ORC 505.173(E)

JUNK YARD: A place, structure or lot where junk, waste, discarded, salvaged or similar materials such as old iron or other metals, wood, liquid waste, timber, glass, paper, rags, cloth, bagging, cordage, barrels, containers, etc. are bought, sold, exchanged, baled, disassembled, or handled, including auto wrecking yards, used lumber yards, house wrecking yards, and places or yards for use in the accumulation of salvaged house wrecking and structural steel materials and equipment including recycling yards, collection centers and processing centers related to recycling.

KENNEL: Any lot or premises on which four (4) or more dogs more than four (4) months of age are housed, groomed, bred, boarded, trained, or sold.

LIVESTOCK – Domestic animals, such as cattle or horses, raised for home use or for profit, especially on a farm.

LOADING SPACE: An off-street space, on the same lot with a building or group of buildings, for the temporary parking of a commercial-type vehicle with loading and unloading merchandise or material.

LOT: A parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are required in this Resolution. Such lot shall abut upon and have permanent access to a public street or highway or an approved private street.

LOT AREA: The total horizontal area within the lot lines of the lot.

LOT, CORNER: A lot that has at least two (2) contiguous sides, each abutting on a street or road.

LOT, OCCUPANCY OR COVERAGE: The part or percentage of the lot area occupied by buildings including accessory structures.

LOT DEPTHS: The horizontal distance between the front and rear lot lines measured along the median between the side lot lines.

LOT, INTERIOR: A lot other than a corner lot.

LOT LINES: The lines abounding a lot as defined herewith:

1. Front Lot Line: That line separating the lot from the street or road right-of-way. In the case of a corner or through lot, the lines separating the lot from each street or road right-of-way.
2. Rear Lot Line: A lot line that is opposite the front lot line. In the case of a corner lot, the rear lot line shall be opposite either front lot line, but there shall be only one (1) rear lot line. In the case of a lot pointed at the rear, the rear lot lines shall be perceived to be a line, not less than twenty (20) feet long, lying parallel to and farthest from the front lot line and wholly within the lot.
3. Side Lot Line: Any lot line, not a front lot line nor a rear lot line.

LOT, THROUGH: An interior lot having frontage on two (2) streets or roads that are parallel or non-intersecting near-by.

LOT OF RECORD: A lot that is part of a subdivision recorded in the office of the County Recorder or a lot described by metes and bounds, the description of which has been so recorded.

LOT, REVERSED FRONTAGE: A lot on which frontage is essentially at right angles to the general pattern in the area. A reversed frontage lot also may be a corner lot.

LOT, WIDTH: The distance between straight lines connecting front and rear lot lines at each side of the lot, measured parallel to the front lot line at the minimum building setback line.

MANUFACTURED HOME: Means a building unit or assembly of closed construction that is fabricated in an off-site facility, that conforms with the federal construction and safety standards established by the Secretary, Housing and Urban Development Department (HUD), pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974," and bearing a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards. "Manufactured Home" shall not have the same meaning as an industrialized unit.

MOBILE HOME: A building unit or assembly of closed construction that is fabricated in an off-site facility, is more than 35 body feet in length or, when erected on site, is 320 or more square feet, is built on a permanent chassis, is transportable in one or more sections. A mobile home shall not have the same meaning as an industrialized unit or manufactured home (ORC 4501.01 (O)).

MOBILE HOME PARK: Any site or tract of land under private ownership, upon which two (2) or more mobile homes used for human habitation are parked, either free of charge or for revenue purposes; including any roadway, building, structure, or enclosure used or intended for use as a part of the facilities of such park.

MOTEL OR MOTOR HOTEL: A group of attached, semi-attached or detached sleeping or living units for the accommodation of transient motorists, each unit having convenient access to off-street parking spaces for the exclusive use of the guests or occupants.

MOTOR HOME OR TRAVEL TRAILER (RECREATIONAL VEHICLE): Any self-propelled or non-self-propelled vehicle so designed, constructed, re-constructed, or added to in such manner as will permit the use thereof for human habitation whether or not connected to utilities, whether or not resting on wheels, jacks, or other temporary foundation, and used, or so constructed as to permit its use, as a conveyance upon the public streets or roads.

NONCONFORMITIES: Lots, uses of land, structures, and uses of structures and land in combination lawfully existing at the time of enactment of this Resolution or its amendments which do not conform to the regulations of the district or zone in which they are situated, and are therefore incompatible.

NUISANCE FACTOR: An unpleasant, offensive, or obnoxious thing or practice contributing to an annoyance, especially a continuous or repetitive invasion, across property lines, of people or things such as noise, dust, smoke, heat, odor, glare, fumes, flashes, vermin, vibration shock wave, electronic or atomic radiation, objectionable effluent, pedestrian traffic or vehicular traffic.

NURSERY, NURSING HOME: A home or facility for the care and treatment of babies, children, pensioners, or elderly people.

NURSERY, PLANT MATERIALS: Land, building, structure, or combination thereof for the storage, cultivation, propagation, and/or transplanting of live trees, shrubs, or plants offered for retail sale on the premises including products used for gardening or landscaping.

OCCUPANT: A tenant or owner who, on a temporary or permanent basis, occupies space or a dwelling unit in a building or structure or holds land for tillage or other farming purposes.

OPEN SPACE: An area, which may be on the same lot with a building, substantially open to the sky. The area may include natural environmental features and recreational facilities but does not include highways, structures and the like.

OVERLAY DISTRICT: A district described by the zoning map within which, through superimposition of a special designation, furthermore regulations and requirements apply in addition to those of the underlying districts.

PARKING SPACE, OFF-STREET: For the purpose of this Resolution, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any road, street or alley right-of-way.

PARKING AREA, PRIVATE: An open area, other than a road, street or alley, used for the parking of automobiles and available for either public or quasi-public use.

PARKING AREA, PUBLIC: An area, other than a private parking area, road, street or alley, used for the parking of automobiles and available for either public or quasi-public use.

PERFORMANCE BOND OR SURETY BOND: An agreement by a sub divider or developer with the Township for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the agreement.

PERSONAL SERVICES: Any enterprise conducted for gain that primarily offers services to the general public such as shoe repair, watch repair, barbershops, beauty parlors, and similar activities.

PLANNED UNIT DEVELOPMENT (PUD): An area of land in which a variety of housing types and subordinate commercial and industrial facilities are accommodated in a pre-planned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that normally apply under these regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles, and landscaping plans.

PROFESSIONAL ACTIVITIES: The use of offices and related spaces for such professional services as are provided by medical practitioners, lawyers, architects, and engineers, and similar professions.

PUBLIC SERVICE FACILITY: The erection, construction, alteration, operation, or maintenance of buildings, power plants, substations, water treatment plants, pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water and sewage services.

PUBLIC USES: Public parks, schools, administrative and cultural buildings and structures, not including public land or buildings devoted solely to the storage and maintenance of equipment and materials and public service facilities.

PUBLIC UTILITY: A public or private organization, such as a public service corporation, duly authorized to supply such commodities as gas, electricity, communications, water supply, sewerage, waste disposal and the like.

PUBLIC WAY: An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk, bicycle path, or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

QUASI-PUBLIC USE: Churches, Sunday Schools, parochial schools, colleges, hospitals, and other facilities of an educational, religious, charitable, philanthropic, or non-profit nature.

RECREATION CAMP: An area of land on which two or more travel trailers, campers, tents, or other similar temporary recreational structures are regularly accommodated with or without charge, including any building, structure or fixture of equipment that is used or intended to be used in connection with providing such accommodations.

RECREATION FACILITIES: Public or private facilities that may be classified as either "extensive" or "intensive" depending upon the scope of services offered and the extent of use. Extensive facilities generally require and utilize considerable areas of land and include, but need not be limited to, hunting, fishing, and riding clubs and parks. Intensive facilities generally require less land (used more intensively) and include, but need not be limited to, miniature golf courses, amusement parks, stadiums, and bowling alleys.

RECREATION VEHICLE (RV): A self-propelled vehicle designed, constructed or added to by means of accessories, in such manner as will permit use and occupancy thereof for human transportation and human habitation, by utilizing either connected or self-contained utilities, and used, primarily for short-term or seasonal excursions for recreation.

RESEARCH ACTIVITIES: Research, testing, and related facilities including operation of prototype, pilot plant or semi-works processes which are no larger than normal version of process, exposure of product to weather and all other tests relating to code and other product performance requirements and fabrication or assembly operations which process materials or equipment for market development and other uses, provided that such operations shall be conducted within a building or be visually screened or located more than two hundred (200) feet from adjacent property lines, and provided further, that the same do not violate the provisions of Sections 10.16 through 10.24, inclusive.

RIGHT-OF-WAY: A strip of land, taken or dedicated for use as a public way. In addition to the street or roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, berm and drainage facilities, and may include land for special features (required by topography or highway design) such as grade separations, landscaped areas, viaducts, and bridges.

ROADSIDE STAND: A temporary structure designed or used for the display or sale of agricultural and related products, and/or any other items.

ROW HOUSE: A dwelling consisting of three (3) or more dwelling units attached side-by-side with party walls and separate entrances.

SETBACK LINE: A line established by the Zoning Resolution, or other legal means, generally parallel with and related (in feet) to the front lot line, defining the limits of a yard in which no building or structure may be located above ground. The front setback line is sixty (60) feet from the edge of the street or road.

SIGN: A publicly displayed devise or notice, visible from any public road or street, designed to attract the attention of persons either on or off the premises where such sign is located, and to provide information on a business, product, profession, commodity, activity, or service sold or offered on the premises:

1. Sign, Area of: The total area of exposed exterior surfaces in square feet.
2. Sign, Ground: A sign supported by one (1) or more poles, uprights, or braces in or upon the ground.
3. Sign, Illuminated: Any sign illuminated by electricity, gas, or artificial light including reflecting or phosphorescent light.
4. Sign, Portable: A sign that is not permanently affixed and can be moved from one location to another.
5. Sign, Projecting: A sign, other than a wall sign, which projects from a building.
6. Sign, Roof: A sign erected, constructed, supported and maintained on or above the roof.
7. Sign, Temporary: A sign in which characters, letters, illustrations or ornamentations are applied to cloth, paper, fabric, or fibrous material of any kind, with or without a frame.
8. Sign, Wall: A sign attached directly to the wall of a building and extending twelve (12) inches or less from the wall, including window signs.

STORY: That part of a building between the surface of a floor and the ceiling next above it.

STORY, HALF: An uppermost story, lying under a sloping roof, having an area of at least two hundred (200) square feet with a clear height of seven and a half (7 1/2). For purposes of this Resolution, the usable floor area is only that area having at least seven and a half (7 1/2) feet clear height between floor and ceiling.

STREET: See "Thoroughfare, Road, Street or Alley".

STRUCTURE: Anything constructed or erected, the use of which requires location on the ground or attachment to something having a fixed location on the ground. Among other things, the term "structure" includes buildings, Sectional homes, walls, fences, and billboards.

SWIMMING POOL: A private swimming pool, as regulated herein, shall be any pool, pond, lake or open tank, not located within a completely enclosed building, and containing or normally capable of containing water to a depth at any point greater than one and one-half (1 1/2) feet.

TEMPORARY USE OF BUILDING: A building or use permitted by the Board of Appeals or the Zoning Inspector, to exist during the period of construction of the main building or use, or for special events.

THOROUGHFARE, ROAD, STREET, OR ALLEY: The full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:

1. Alley: A minor street used primarily for vehicular service access to the back of side of properties abutting on another street.
2. Arterial Street: A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route.
3. Collector Street: A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets, including the principal entrance and circulation routes within residential subdivisions.
4. Cul-de-Sac: A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.
5. Dead-End Street: A street temporarily having only one outlet for vehicular traffic and intended to be extended or continued in the future.
6. Local Street: A street primarily for providing access to residential or other abutting property.
7. Loop Street: A type of local street, each end of which terminated at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred eighty (180) degree system of turns are not more than one thousand (1,000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other.
8. Marginal Access Road: A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets (also called frontage street).

TOURIST CAMP: Land used or intended to be used by campers or for trailers, tents or moveable sleeping or living units. Two (2) or more trailers, whether parked or supported on foundations, shall constitute a tourist camp.

TOURIST COURT: A group of attached or detached sleeping or living units containing less than three hundred (300) square feet floor area for each unit and which are provided for transient guest, the term "Tourist Court" includes auto courts, motels and motor lodges.

TOURIST HOME: A building in which board or rooming, or both are offered to the traveling public for compensation, and in contradistinction to a hotel, boarding or rooming house.

TRAILER: A non-self-propelled vehicle, on wheels, designed to be used or so constructed as to permit its use, when drawn by an automobile or truck, for conveying living facilities, equipment, construction materials, and other commodities, on public roads and streets. The term "trailer" includes trailer coach, house trailer, truck trailer, and semi-trailer.

USE: The specific purpose for which land or a building is arranged, designated or intended, of for which land or a building is, or may be, occupied or maintained.

VARIANCE: A modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, actual enforcement of the resolution would result in unnecessary and undue hardship. Such "Variance" may be authorized by the Board of Zoning Appeals, upon appeal, in specific cases. As used in this Resolution, a variance is authorized only for height, area and size of structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the Zoning District or uses in an adjoining Zoning District.

VETERINARY ANIMAL HOSPITAL OR CLINIC: A place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for the treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.

VICINITY MAP: A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the general area in order to better locate and orient the area in question.

WALKWAY: A public way, four feet (4) or more in width, for pedestrian use only, whether along the side of a road or not.

YARD: A required open space, other than a court, unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot provided accessories, ornaments, and furniture that may be permitted in any yard are subject to height limitations and requirements limiting obstruction of visibility.

YARD, FRONT: A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.

YARD, REAR: A yard extending between lot sidelines across the rear of a lot and from the rear lot line to the rear of the principal building.

YARD, SIDE: A yard extending from the principal building to the side lot lines on both sides of the principal building and between the lines establishing the front and rear yards.

ZONING MAP: A map of Morris Township on which the boundaries of each Zoning District are delineated. This map is entitled "Morris Township Zoning Plan," and is on file at the office of the Morris Township Zoning Inspector and at the Morris Township House.

ZONING PERMIT: A document issued by the Zoning Inspector authorizing uses of land and structures and the characteristics of the uses as proposed by the applicant.

# ARTICLE 4

## NON-CONFORMITIES

SECTION 4.0 EXISTING NON-CONFORMITIES

Within the Districts established by this Resolution, there exist uses of land and/or buildings which were lawful prior to the adoption of this Resolution, but which would not be permitted by the regulations imposed by this Resolution. It is the intent of this Resolution to permit these non-conformities to continue until they are removed, but not to encourage their survival. It is further the intent of this Resolution that non-conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same District.

SECTION 4.1 INCOMPATIBILITIES OF NON-CONFORMING USES

Non-conforming uses are declared by this Resolution to be incompatible with permitted uses in the Districts involved. A non-conforming use of a structure, a non-conforming use of land, or a non-conforming use of a structure and land in combination shall not be extended or enlarged after passage of this amended Resolution by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses, the nature of which would be prohibited in the District involved.

SECTION 4.2 AVOIDANCE OF UNDUE HARDSHIP

To avoid undue hardship, nothing in this Resolution shall be deemed to require a change in the plans, construction, or designated use of any buildings on which actual construction was lawfully begun prior to the effective date of this Resolution, or Amendment thereto, and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction material in permanent position and the fastening of it in a permanent manner. Where demolition or removal of an existing building has been started preparatory to rebuilding on the site such demolition or removal shall be deemed to be actual construction, provided that such work is carried out diligently.

SECTION 4.3 NON-CONFORMING USES OF LAND

Where, at the time of adoption of this Resolution; lawful use of land exists which would not be permitted by the regulations imposed by this Resolution, that use may be continued so long as it remains otherwise lawful, provided:

1. No such non-conforming use shall be enlarged, increased, or extended to occupy a greater area of land than was occupied at the effective date of adoption of this Resolution or amendment thereto, unless approved by the Board of Zoning Appeals.
2. No such non-conforming use shall be moved in whole or in part to any portion of the lot of parcel other than that occupied by such use at the effective date of adoption of this Resolution or Amendment thereto, unless approved by the Board of Zoning Appeals.
3. If any such non-conforming use of land is discontinued or abandoned for more than two (2) years, any subsequent use of such land shall conform to the regulations established by this Resolution for the District in which such land is located.
4. No additional structure not conforming to the requirements of this Resolution, shall be erected in connection which such nonconforming use of land, unless approved by the Board of Zoning Appeals.

SECTION 4.4 NON-CONFORMING SINGLE LOTS OF RECORD

In any District, in which any structure is permitted, and not withstanding limitations imposed by other provisions of this Resolution, any structure may be erected on any single lot of record at the effective date of adoption of this Resolution or Amendment thereto. This provision shall apply even though such lot fails to meet the requirements for lot area or lot width or both that are generally applicable in the District, provided that yard dimensions and requirements, other than those applying to the area or width or both of the lot, shall conform to the regulations for the District in which such lot is located. Variances of requirements listed in Articles of this Resolution, other than lot area or lot width, may be obtained through action of the Board of Zoning Appeals as provided in Article 5.

## SECTION 4.5 NON-CONFORMING STRUCTURES

Where a lawful structure exists at the effective date of adoption or amendment of this Resolution that could not be built under the terms of this Resolution by reasons of restrictions on area, lot coverage, height, bulk, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such non-conforming structure may be enlarged or altered in a way that increases its non-conformity, unless approved by the Board of Zoning Appeals.
2. Should such structure be moved for any reason, it shall thereafter conform to the regulations for the District in which it is located after it is moved, unless approved by the Board of Zoning Appeals.

## SECTION 4.6 NON-CONFORMING USES OF STRUCTURES

If lawful use, involving individual structures with an assessed value of five hundred dollars ($500.00) or more, or involving structure and premises in combination, exists at the effective date of adoption of this Resolution and would not be allowed in the District under the terms of this Resolution, the lawful use may continue so long as it remains otherwise lawful, subject to the following provisions:

1. Change To Another Non-Conforming Use: If no structure alterations are made, any non-conforming use of a structure or structure and land, upon appeal to the Board of Zoning Appeals, may be changed to another non-conforming use provided that the Board of Zoning Appeals shall find that the proposed use is equally appropriate or more appropriate to the District than the existing non-conforming use. In permitting such change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accord with other provisions of this Resolution.
2. Change to a Conforming Use: Whenever a non-conforming use has been changed to a conforming use, such use shall not thereafter be changed to a non-conforming use, unless approved by the Board of Zoning Appeals.
3. Extended Use: Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption of this amended Resolution, but no such use shall be extended to occupy any land outside such building, unless approved by the Board of Zoning Appeals.
4. Discontinued Use: When a non-conforming use of a structure, or structure and premises in combination, is discontinued or abandoned for two (2) years, the structure, or structure and premises in combination, shall not thereafter be used except in conformity with the regulations of the District in which it is located.
5. Elimination of Non-Conforming Status: Where non-conforming use status applies to a structure and land in combination, removal, or destruction of the structure shall eliminate the non-conforming status of the land.
6. Repairs And Maintenance: Repairs and maintenance work as required to keep it in sound condition may be made to a nonconforming building or structure, but there shall not be any increase in square footage of the original structure.
7. Restoration of Damaged Building: A non-conforming building or structure which is damaged or partially destroyed by fire, flood, wind, earthquake, or other calamity or by public enemy, to the extent of not more than seventy five (75%) per cent of its market value at the time of damage, may be restored and the same use of occupancy continued or resumed, provided that the total cost of such restoration does not exceed seventy five (75%) per cent of the market value of the building or structure at the time of damage and provided that such restoration is started within a period of twelve (12) consecutive months after such calamity and is diligently prosecuted to completion, within two years of such calamity. In the event that such damage exceeds seventy five (75%) per cent of the market value at the time of damage, no repairs or reconstruction shall be made unless every portion of the building or structure is made to conform to all regulations for new buildings in the District in which it is located, unless approved by the Board of Zoning Appeals.
8. Vacancy: A non-conforming building, or portion thereof, which is vacant or hereafter becomes vacant and remains unoccupied for a period of twenty four (24) months, shall not be occupied thereafter except by a use that conforms to the use regulations of the District in which is located.

# ARTICLE 5

## ADMINISTRATION

SECTION 5.0 THE MORRIS TOWNSHIP ZONING INSPECTOR

A Zoning Inspector designated by the Board of Trustees of Morris Township, Knox County, Ohio shall administer and enforce this Resolution. He may be provided with the assistance of such other persons as the Board of Township Trustees may direct. The Zoning Inspector, before entering upon his duties, shall give bond as specified in Chapter 519.161 of the OHIO REVISED CODE.

1. Duties of the Zoning Inspector: For the purposes of this Resolution the Zoning Inspector shall have the following duties:
    a. Upon receipt of a proper application, he shall issue a "Zoning Permit", when all requirements set forth in Sections 6.2 and 6.3 of Article 6 are met.
    b. Upon finding that any of the provisions of this Resolution are being violated, he shall notify the person responsible for such violation and order the action necessary to correct such violation.
    c. Order discontinuance of illegal uses of land, buildings, or structures.
    d. Order removal of illegal buildings or structures, or illegal additions or structural alterations.
    e. Order discontinuance of any illegal work being done.
    f. Take any action authorized by this Resolution to ensure compliance with or to prevent violations of this Resolution.

SECTION 5.1 THE MORRIS TOWNSHIP ZONING COMMISSION

The Zoning Commission shall consist of five (5) members appointed by the Board of Township Trustees, each for a term of five (5) years with the terms so arranged that only one (1) member shall be appointed each year. Members of the Commission shall reside in the unincorporated portion of Morris Township. Vacancies shall be filled, by the Board of Township Trustees, for the unexpired term of the member affected.

1. Proceedings of the Commission: The Commission shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this Resolution. Meetings shall be held at the call of the Chairperson and at such other times as the Commission may determine. All meetings shall be open to the public. The commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions all of which shall be a public record and immediately placed in the files of the Commission.

2. Duties of the Commission: For the purpose of this Resolution the Commission shall have the following duties:
    a. Initiate proposed amendments to this Resolution.
    b. Review all proposed amendments to this Resolution and make recommendations to the Morris Township Board of Trustees as specified in Article 19.
    c. Review all Planned Unit Developments and make recommendations to the Board of Township Trustees as provided in Article 18.

SECTION 5.2 THE MORRIS TOWNSHIP BOARD OF ZONING APPEALS

The Board of Zoning Appeals shall consist of five (5) members to be appointed by the Board of Township Trustees, each for a term of five (5) years, with the terms so arranged that only one (1) member shall be appointed each year except in the case of vacancies as noted herewith. Each member shall be a resident of the unincorporated portion of Morris Township. Members of the Board may be removed from office by the Morris Township Board of Township Trustees for cause upon written charges and after public hearing. Vacancies shall be filled by appointment by the Morris Township Board of Trustees for the unexpired term of the member affected.

1. Proceedings of the Board of Zoning Appeals: The Board shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this Resolution. Meetings shall be held at the call of the Chairperson and at such other times as the Board may determine. The Chairperson, or in

his absence, the acting Chairperson, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

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

2. Duties of the Board of Zoning Appeals: In exercising its duties, the Board may, as long as such action is in conformity with the terms of this Resolution, reverse or affirm, wholly or partly, or modify the order, requirements or determinations appealed from and make such order, requirement, or determination as ought to be made, and to that end shall have the powers of the Zoning Inspector from whom the appeal is taken. The concurring vote of three (3) members of the Board shall be necessary to reverse any order, requirement or determination of the Zoning Inspector, or to decide in favor of the applicant on any matter upon which the Board is required to pass under this Resolution, or to effect any variation in the application of this Resolution. For the purpose of this Resolution, the Board has the following responsibilities:
   a. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, interpretation or determination made by the Zoning Inspector.
   b. To authorize such variances from the terms of this Resolution as will not be contrary to the public interest, where, owing to the special conditions, a literal enforcement of this Resolution will result in unnecessary hardship, and so that the spirit of this Resolution shall be observed and substantial justice done.
   c. To grant conditional use permits as specified in the official schedules or district regulations and under the conditions specified in the district, regulations and such additional safeguards as will uphold the intent of this Resolution.

SECTION 5.3 DUTIES OF ZONING INSPECTOR, BOARD OF ZONING APPEALS, LEGISLATIVE AUTHORITY AND COURTS ON MATTERS OF APPEAL

It is the intent of the Resolution that all questions of interpretation and enforcement shall be first presented to the Zoning Inspector, except conditional uses, and that such questions shall be presented to the Board of Zoning Appeals only on appeals from the decision of the Zoning Inspector, and the recourse from decisions of the Board shall be to the courts as provided by law. It is further the intent of the Resolution that the duties of the Board of Township Trustees in connection with this Resolution shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this Section and this Resolution. Under this Resolution the Board of Township Trustees shall have only the duties of considering and adopting or rejecting proposed amendments or the repeal of this Resolution as provided by law, and of establishing a schedule of fees and charges as stated in Section 6.10. Nothing in this Resolution shall be interpreted to prevent any official of Morris Township from appealing a decision of the Board of Appeals to the courts as provided in Sections 2505 and 2506 of the OHIO REVISED CODE. Any such appeal shall be made within thirty (30) days of the Board's written decision.

SECTION 5.4 PROCEDURE AND REQUIREMENTS FOR APPEALS AND VARIANCES

As specified in Section 5.2-2 on duties, the Board of Zoning Appeals has appellate jurisdiction relative to Appeals and Variances. Appeals and applications for Variances shall conform to the procedures and requirements set forth in pertinent Sections and sub-Sections of this Article.

1. Appeals: Appeals to the Board of Zoning Appeals concerning interpretation or administration of this Resolution may be taken by any person aggrieved, or by any officer of Morris Township, affected by any decision of the Zoning Inspector. Such appeal shall be taken within thirty (30) days after the decision by filing, with the Zoning Inspector and with the Board of Zoning Appeals, a notice of appeal specifying the grounds upon which the appeal is being taken. The Zoning Inspector shall transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken. All appeals to the Township Board of Zoning Appeals shall be made on the application provided by the Township.
2. Stay of Proceedings: An Appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Inspector from who the Appeal is taken certifies to the Board of Zoning Appeals, after the notice of appeal is filled with him, that by reason of facts stated in the Application, a stay

would, in his opinion, cause imminent peril to life and property. In such case proceedings shall not be stayed other than by a Restraining Order which may be granted by the Board of Zoning Appeals or by a court of record on application or on notice to the Zoning Inspector, from whom the Appeal is taken, on due case shown.

3. Variances: The Board of Zoning Appeals may authorize, upon appeal in specific cases, such variance from the terms of this Resolution as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Resolution would result in unnecessary hardship. No non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted or non-conforming use of lands, structures or buildings in other districts shall be considered grounds for issuance of a variance. Variances shall not be granted on the grounds of convenience or profit but only where strict application of the provisions of this Resolution would result in unnecessary hardship.
   a. Application for Variances: A Variance from the terms of this Resolution shall not be granted by the Board of Zoning Appeals unless and until a written application for a variance is submitted to the Zoning Inspector and the Board of Zoning Appeals containing the following:
      (1). Name, address and phone number of Applicant.
      (2). Name, address and phone number of Property Owner.
      (3). Legal description and address of property.
      (4). Description of nature of Variance requested.
      (5). A narrative statement demonstrating that the requested variance conforms to the following standards:
         aa. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
         bb. That a literal interpretation of the provisions of this Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Resolution.
         cc. That special conditions and circumstances do not result from the actions of the applicant, property owner, or lessee.
         dd. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Resolution to other lands, structures, or buildings in the same district.
         ee. A list of all property owners, and their mailing addresses, who are within, contiguous to, or directly across the street of road from the parcel in question and others that may have a substantial interest in the proposal.

      A variance shall not be granted unless the Board of Zoning Appeals makes specific findings of fact based directly on the particular evidence presented to it, which support conclusions that the standards and conditions imposed by Subsection (5) of this Section have been met by the applicant.
   b. Supplementary Conditions and Safeguards: Under no circumstances shall the Board of Zoning Appeals grant an appeal or variance to allow a use not permissible, under the terms of this Resolution, in the district involved, or any use expressly, or by implication, prohibited in said district by the terms of this Resolution. In granting any appeal or variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with the Resolution. Violation of such conditions and safeguards, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this Resolution and punishable, under Section 6.9 on penalties, for violation of this Resolution.
   c. Public Hearing By the Board of Zoning Appeals: The Board of Zoning Appeals shall hold a public hearing within thirty (30) days after the receipt of an application for an appeal or variance from the Zoning Inspector or from an applicant.
   d. Notice of Public Hearing in Newspaper: Before holding the public hearing required in the previous sub-Section, notice of such hearing shall be given in the Newspaper of general circulation in Morris Township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance.

e. Notice To Parties in Interest: At least ten (10) days before the required Public Hearing, written notice of such hearing shall be mailed by the Chairperson of the Board of Zoning Appeals or the Zoning Inspector, by first class mail, to all parties in interest. The notice shall contain the same information as required of notices published in the newspaper as specified in the previous Section.

f. Action By the Board of Zoning Appeals: Within thirty (30) days after the Public Hearing required in previous Sections, the Board of Zoning Appeals shall either approve, approve with supplementary conditions as specified in Subsection b., or disapprove the request for appeal or variance. The Board of Zoning Appeals also shall make a finding that the reasons set forth in the application justify the granting of the variance that will make possible a reasonable use of land, building or structure. Appeals from board decisions shall be made in the manner specified in Section 5.3 on Duties of Zoning Inspector, Board of Zoning Appeals, Legislative Authority, and Courts on Matters of Appeal.

g. Approval of the Minutes of the Board of Zoning Appeals: The Chairman of the Board of Zoning Appeals shall meet with the Zoning Inspector within a reasonable amount of time (within 30 days) to approve the minutes of such hearing and/or meeting at which a decision was made concerning any matter of appeal or variance.

h. Zoning Map and Zoning Book of Records: Zoning Inspector shall mark the zoning map and enter the information in the Zoning Book of Records.

## SECTION 5.5 PROCEDURES AND REQUIREMENTS FOR CONDITIONAL USE PERMITS

It is recognized that an increasing number of new kinds of uses are appearing daily, and that many of these and some other more conventional uses possess characteristics of unique and special nature relative to location, design, size, method of operation, traffic circulation, and public utilities, and that each specific use must be considered individually. These specific uses as they are conditionally permitted under the provisions of the Articles of District Regulations shall follow the procedures and requirements set forth in the following Sections:

1. Contents of Application For Conditional Use Permit: An application for conditional use permit shall be filed with the Chairman of the Board of Zoning Appeals, and/or the Zoning Inspector by at least one owner or lessee of property for which such conditional use is proposed. At a minimum, the application shall contain the following information:
   a. Name, address, and phone number of the applicant.
   b. Legal description, and/or address of property.
   c. Description of existing use.
   d. Zoning District.
   e. Description of proposed conditional use.
   f. A plan of the proposed site for the conditional use permit showing the location of all buildings, parking and loading area, traffic access and traffic circulation, open spaces, landscaping, refuse and service area, utilities, signs, yards and other such information as the Board may require to determine if the proposed conditional use meets the intent and requirements of this Resolution.
   g. A narrative statement evaluating the effect on adjoining property, the effect of such elements as noise, glare, odor fumes and vibrations on adjoining property; a discussion of the general compatibility with adjacent and other properties in the District; and the relationship of the proposed use to the overall plan for Morris Township.
2. General Standards Applicable to Conditional Uses: In consideration of all applicants for conditional uses, the Board of Zoning Appeals shall review each case individually as to its applicability to the following standards so that the proposed conditional use:
   a. is in fact a conditional use as established under the provisions of the Articles on District Regulations and appears on the official schedule of District Regulations for the Zoning District involved.
   b. will be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and applicable regulations of the Zoning District in which it is located.
   c. will not be hazardous or disturbing to existing or future neighboring uses.
   d. is necessary for the public convenience at that location.

e. will not create excessive additional requirements at public cost for public facilities and services such as highways, streets, police, and fire protection, drainage structures, water and sewer facilities, and schools and will not be detrimental to the economic welfare of the community.
f. will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person's property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, or odors.
g. will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
h. is so designed, located and proposed to be operated that public health, safety, morals and welfare will be protected.

3. Supplementary Conditions and Safeguards: In granting any conditional use permit, the board may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violations of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this Resolution and punishable under Section 6.9 of this Resolution.
4. Procedures for Hearing and Notices: Upon receipt of an application, for a conditional use permit specified in Section 5.4 -3 c, d and e, the Board shall hold a public hearing, publish notice thereof in a newspaper, and give written notice to all parties in interest according to the procedures specified in Sections on hearings and notices.
5. Action By The Board of Zoning Appeals: Within thirty (30) days after the public hearing required in the previous Section, the Board shall either approve, approve with supplementary conditions, or disapprove the application as presented. If the application is approved or approved with modifications, the Board shall direct the Zoning Inspector to issue a conditional use permit listing the specific conditions specified by the Board for approval. If the application is disapproved by the Board, the applicant may seek relief though the Court of Common Pleas. Appeals from the Board decisions shall be made in the manner specified in Section 5.3 on this Article on "Duties of Zoning Inspector, Board of Zoning Appeals, Legislative Authority and Courts on Matters of Appeal".
6. Approval of the Minutes of the Board of Zoning Appeals: The Chairman of the Board of Zoning Appeals shall meet with the Zoning Inspector within a reasonable amount of time (within thirty (30) days) to approve the minutes of such hearing and/or meeting at which a decision was made concerning any matter of conditional use.
7. Expiration of Conditional Use Permit: A conditional use permit shall be deemed to authorize only one (1) particular conditional use and said permit shall automatically expire if, for any reason, the conditional use shall cease for more than two (2) years.

# ARTICLE 6

## ENFORCEMENT, PENALTIES AND FEES

SECTION 6.0 ZONING PERMITS REQUIRED

No building or other structure shall be erected, moved or structurally altered, nor shall any land be changed in use or any building established or changed in use without a Zoning Permit, issued by the Morris Township Zoning Inspector. Such permits shall be issued in conformity with the provisions of this Resolution. No Zoning Permit shall be effective for more than one (1) year.

SECTION 6.1 CONTENTS OF APPLICATION FOR ZONING PERMIT

The application for a Zoning Permit shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state the date the permit shall expire, and it may be revoked if work has not begun within one (1) year or substantially completed within two and one half (2 ½) years. The application shall contain, at a minimum, the following information:

1. Name, address and phone number of applicant.
2. Legal description and/or address of property.
3. Existing use.
4. Proposed use.
5. Zoning District.
6. Plans in triplicate drawn to scale, showing the actual dimensions and the shape of the lot to be built upon, the exact size and location of existing buildings on the lot, if any, and the location and dimensions of the proposed building(s) or alteration(s), including cost estimates for the work.
7. Building heights.
8. Number of off-street parking spaces or loading berths.
9. Number of dwelling units.
10. Such other matters as may be necessary to determine conformance with, and provide for enforcement of this Resolution.

SECTION 6.2 APPROVALS OF ZONING PERMITS

Within thirty (30) days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this Resolution. Where a permit is requested for any dwelling, including a manufactured home, or other building involving the disposal of sanitary wastes and/or water supply facilities, a permit for such disposal and water supply facilities from the Knox County Health Department and/or other appropriate authority for sanitary sewer approval shall be required before issuing a Zoning Permit. All Zoning Permits shall expire after one (1) year. One copy of the plans shall be returned to the applicant by the Zoning Inspector with his mark of approval or disapproval, which is attested to by his signature. One copy of the plans, similarly marked, shall be retained by the Zoning Inspector.

SECTION 6.3 SUBMISSION TO OHIO DIRECTOR OF TRANSPORTATION

Before the Zoning Permit is issued affecting any land within three hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in certification to local officials by the Director of Transportation or any land within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Zoning Inspector shall give notice, by registered mail, to the Director of Transportation that he shall not issue a Zoning Permit for one hundred and twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Zoning Inspector that he shall proceed to acquire land needed, then the Zoning Inspector shall refuse to issue the Zoning Permit. If the Director of Transportation notifies the Zoning Inspector that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the Zoning Inspector shall, if the application is in conformance with all provisions of this Resolution, issue the Zoning Permit.

## SECTION 6.4 EXPIRATION OF ZONING PERMIT

If the work described in any Zoning Permit has not begun within one (1) year from the date of issuance thereof, said permit shall expire. It shall be revoked by the Zoning Inspector and written notice thereof shall be given to the persons affected. If the work described in any Zoning Permit has not been substantially completed within two and one half (2 1/2) years after issuance thereof, said permit shall expire and be revoked by the Zoning Inspector, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new Zoning Permit has been obtained or extension granted.

## SECTION 6.5 RECORD OF ZONING PERMITS

The Zoning Inspector shall maintain a record of all Zoning Permits and copies thereof shall be made available to any person upon request.

## SECTION 6.6 VIOLATIONS

No building shall be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used, and no land shall be used in violation of this Zoning Resolution, or amendment or supplement to such Resolution, adopted by the Morris Township Board of Trustees pursuant to Chapter 519, Ohio Revised Code. Each day's continuation of a violation of this section shall be deemed a separate offense irrespective of whether or not a separate notice of violation or affidavit charging a violation has been served upon the violator for each day the offense continues.

No building or other structure shall be erected, moved or structurally altered, nor shall any land be changed in use or any building established or changed in use without a Zoning Permit, pursuant to Section 6.0 of this Resolution. Failure to obtain a Zoning Permit is a violation subject to penalty under Section 6.9 of this Resolution, as well as any instance when the actual use, arrangement or construction is contrary to or different from that authorized in the Zoning Permit issued on the basis of plans and applications approved by the Zoning Inspector.

## SECTION 6.7 COMPLAINTS REGARDING VIOLATIONS

Whenever a violation of this Resolution occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Inspector together with a written statement, signed by the complaining person, showing that person's willingness to testify in court if requested.

## SECTION 6.8 REMEDIES

In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used or any land is or is proposed to be used in violation of Chapter 519, Ohio Revised Code, or of this Zoning Resolution or amendments hereto adopted by the Morris Township Board of Trustees under such resolution, such board, the prosecuting attorney of the county, the zoning inspector, or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance, or use. The township trustees may employ special counsel to represent it in any proceeding or to prosecute any actions brought under this Section.

## SECTION 6.9 PENALTY

Whoever violates any provision of this Zoning Resolution and amendments hereto or Chapter 519, Ohio Revised Code, shall be fined not more than five hundred dollars ($500.00) for each offense or the maximum fine or imprisonment as provided by law, whichever is greater. Each day during which a violation occurs or continues shall constitute a separate offense.

## SECTION 6.10 SCHEDULE OF FEES, CHARGES AND EXPENSES

The Board of Trustees of Morris Township shall, by separate Resolution, establish a schedule of fees, charges and expenses, and a collection procedure for Zoning Permits, amendments, appeals, variances, conditional use permits, plan approvals and other matters pertaining to the administration and enforcement

of this Resolution requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the office of the Zoning Inspector, and may be altered only by the Board of Township Trustees. Until all fees are submitted or paid, no action shall be taken on any application or appeal. (See Appendix A).

# ARTICLE 7

## DISTRICTS, ZONING MAP, AND GENERAL REQUIREMENTS

SECTION 7.0 DISTRICTS

The unincorporated portions of Morris Township are hereby divided into the following districts:

| | |
|---|---|
| Flood Plain Overlay District | FP |
| Agricultural-Residential District | AG/R |
| Low-Density Residential District | R-1 |
| Medium-Density Residential District | R-2 |
| General Business District | B-1 |
| Highway-Oriented Business District | HOB |

The boundaries of these districts are shown on the map entitled "Official Zoning Map of Morris Township, 1986" and as amended in 1994 which accompanies this Resolution and is hereby declared to be an integral part of this Resolution and hereby adopted as part of this Resolution. For the interpretation of this Resolution, the Zoning Districts have been formulated to realize the general purposes as set forth in the "Preamble". In addition, the specific purposes of each Zoning District shall be stated hereafter in the Regulations for each District.

SECTION 7.1 OFFICIAL ZONING MAP

The Official Zoning Map shall be maintained and kept on file in the office of the Morris Township Board of Trustees and all notations, references, data and other information shown thereon are a part of this Resolution and have the same force and effect as if the Zoning Map and all such notations, references, data, and other information shown thereon were fully set forth herein. The Official Zoning Map shall be identified by the signature of the Chairman of the Morris Township Board of Trustees, attested by the Township Clerk, and shall show thereon the date of its enactment.

SECTION 7.2 DISTRICT BOUNDARIES

Where there is uncertainty as to the boundaries of any Zoning District shown on the Official Zoning Map, the following shall apply:

1. Where district boundaries are indicated as approximately following the centerlines of thoroughfares or highways, street lines, or highway right-of-way lines, such centerlines, street lines, or highway right-of-way lines shall be construed to be such boundaries.
2. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries.
3. Where district boundaries are so indicated that they are approximately parallel to the centerlines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the Official Zoning Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Official Zoning Map.
4. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line.
5. Where the boundary of a district follows a stream, lake or other body of water, said boundary line shall be deemed to be at the limit of the jurisdiction of the Township unless otherwise indicated.
6. In the case of the official vacation of a road, street, alley, watercourse or the right-of-way, the abutting zoning classifications on the centerline of said vacated road, street, alley, watercourse or waterway shall apply and the boundaries of the district or districts affected shall be automatically adjusted to encompass the right-or-way or lands thus vacated. Such reverted lands shall thenceforth be subject to all regulations of the extended district or districts.
7. Where boundaries appear to approximately follow such lines as indicated above or appear to be not more than ten (10) feet therefrom, such lines shall be interpreted to be the boundary unless specifically shown otherwise.

SECTION 7.3 CHANGES IN BOUNDARIES AND CLASSIFICATION

Changes in District boundaries and classifications, approved in accordance with the procedures set forth in Article 18, shall be made on the Official Zoning Map within twenty (20) days of enactment of such modification.

SECTION 7.4 COMPLIANCE WITH REGULATIONS

The regulations for each District as set forth in this Resolution shall be minimum regulations and shall apply uniformly to each class or kind of land or structure except as hereinafter provided:

1. No land, building or structure shall be used or occupied, and no building, structure, or part thereof shall be erected, reconstructed, moved or structurally altered except in conformity with all of the Regulations specified herein for the District in which it is located.
2. No building or other structure shall be erected or altered:
   a. to provide for greater bulk.
   b. to accommodate or house a greater number of families except as provided in Section 14.1.
   c. to occupy a greater percentage of lot area.
   d. to have narrower or smaller rear yards, front yards, or side yards or other open space; than therein required or in any other manner contrary to the provisions of this Resolution.
3. No yard of lot existing at the time of adoption of this Resolution shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Resolution shall meet, at least, the minimum requirements set forth within this Resolution.

SECTION 7.5 GENERAL REQUIREMENTS

The following general requirements shall be applicable to all Zoning Districts in Morris Township:

1. No land or open space, exclusive of lands devoted to agricultural purposes, shall be allowed, after July 15 and September 15, to remain unmown or otherwise unkept, so as to permit the uncontrolled growth of noxious weeds.
2. No lot, yard, or open space shall be used, at any time, as a place where junk, waste, discarded or salvaged material is accumulated in such manner as to be unsightly, as to detract significantly from the local environment, and/or provide a haven for vermin or small rodents.

SECTION 7.6 OFFICIAL SCHEDULE OF DISTRICTS REGULATIONS ADOPTED

District regulations shall be as set forth in the Official Schedule of District Regulations hereby adopted and declared to be part of this Resolution and in Article 13 of this Resolution, "Supplementary District Regulations." District Regulations for PUD District shall be those specified in Article 17 of this Resolution.

SECTION 7.7 INTENT OF DISTRICT REGULATIONS

It is the intent of these regulations to set forth within the District Regulations the permitted uses, the conditionally permitted uses, the general requirements of the District, and other regulations as they pertain in general to each Zoning District. Conditionally permitted uses are in addition to the permitted uses in each District and as such are governed by Article 4, Article 5 and other Articles of this Resolution. Rules, regulations, requirements, standards, Articles, and/or Sections not specifically included for each District but which are contained in these Regulations and which are applicable to each District or use shall be applied as if stated in full in Articles 8 through 12, inclusively, of these Regulations. Uses not specifically defined or stated which cannot reasonably be interpreted by the Zoning Inspector or the Zoning Commission as permitted or conditionally permitted in any District shall be referred to the Board of Zoning Appeals for an order in the determination of such use and the District to which and under what circumstances will prevail as specified in Article 5, Administration.

# ARTICLE 8

## ZONING REGULATIONS FOR FLOOD PLAIN OVERLAY DISTRICT

SECTION 8.0 PURPOSE

It is purpose of this Article to promote the public health, safety, and general welfare and to minimize losses resulting from periodic inundation of flood waters in Morris Township by restricting or prohibiting uses which are dangerous to health, safety and property in time of flooding or uses that cause excessive increases in flood height or velocities, requiring that uses vulnerable to floods be protected from flood damage at time of initial construction, controlling the filling, grading, dredging, dredging, and other development that may increase flood damage, and controlling the alteration of natural flood plains, stream channels, and natural protective barriers that are involved in the accommodation of flood waters.

SECTION 8.1 FINDING OF FACT

The flood hazard areas of Morris Township are subject to periodic inundation which may result in loss of life and property, hazards to health and safety, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare. These flood losses are caused by:

1. The cumulative effect of obstruction in flood plains, causing increased flood heights and velocities.
2. The occupancy of flood hazard areas by uses vulnerable to floods and which are not adequately elevated or protected from flood damage.

SECTION 8.2 APPLICABLE LANDS

This Article shall apply to all lands within the Township boundaries shown on the Official Zoning Map within the boundaries of floodway, or floodway fringe, as identified by the Knox County Flood Maps, and any revision thereto as adopted by reference and declared to be part of this Resolution.

SECTION 8.3 OVERLAY DISTRICT DESIGNATION

The areas of floodway or floodway fringe identified on the Official Zoning Map shall be shown as an Overlay District. This Overlay District shall be designated as the Flood Plain Overlay (FP) District.

Those areas within the Flood Plain Overlay District designated as floodway on the Official Zoning Map shall be subject to all the requirements of the Flood Plain Overlay District, as well as those specific Sections that address the floodway.

The Flood Plain Overlay (FP) District shall be superimposed over the Official Zoning Map. The underlying Zoning District, as shown on the Official Zoning Map, shall hereafter be called the Base District. Uses and requirements governing the Flood Plain Overlay District are more restrictive than those of the Base District; the provisions of this Article shall supersede those of the Base District.

SECTION 8.4 INTERPRETATION OF BOUNDARIES

When disagreement exists as to the boundaries of the Flood Plain Overlay District of the floodway, those boundaries shall be interpreted to be the boundaries of the floodway and floodway fringe as shown on the Knox County Flood Maps. Disagreement as to boundaries of the flood hazard areas will be resolved by the procedures outlined in the Knox County Flood Damage Reduction Regulations, and not the Morris Township Board of Zoning Appeals.

SECTION 8.5 WARNING AND DISCLAIMER OF RESPONSIBILITY

The degree of flood protection required by this Resolution is considered reasonable for regulatory purposes. Larger floods may occur or flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Resolution does not imply that areas outside the Flood Plain Overlay District boundaries or land uses permitted within such district will be free from flooding or flood damages. This Resolution shall not create liability on the part of Morris Township, Knox County, or any officer or employee thereof for any flood damages that result from reliance on this Article or any administrative decision lawfully made thereunder.

SECTION 8.6 COMPLIANCE

Unless specifically exempted as stated in Section 4.2 of the Knox County Flood Damage Prevention Regulations, no structure or land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this Article and other applicable Resolutions of the Township and Knox County.

SECTION 8.7 ABROGATION

This Section is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Article and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION 8.8 FLOOD PLAIN USAGE

All structures or uses to be located in the Flood Plain Overlay District shall comply with the requirements of the Morris Township Zoning Resolution and the Knox County Flood Damage Reduction Regulations and amendments or revisions thereto.

SECTION 8.9 OTHER REQUIREMENTS

Any buildings, structures, or land uses to be located in an identified flood hazard area shall comply with the requirements of the Knox County Flood Damage Reduction Regulation adopted by the Knox County Commissioners.

1. Change to Non-Flood Plain District: Changes of district classification from Flood Plain Overlay District to any other classification provided by this Resolution may be initiated in accordance with the requirements of this Resolution; provided that the applicant can show that any flood condition existing at the time the Flood Plain Overlay District was originally established does no longer exist and that the area in question is now reasonably well protected from floods for the intended purpose and occupancy. Prior to recommending a change of zoning to the Township Trustees, the Township Zoning Commission shall obtain certification from the Knox County Planning Commission, or the agency or department administering the Flood Hazard Prevention Regulations, that the area proposed to be removed from the Flood Plain Overlay District is free from inundation from a 100-year flood event, and the amendment procedures of Article 13 have been followed.

SECTION 8.10 REQUIRED LOT AREA, LOT WIDTH, HEIGHT, PARKING, YARDS, AND SIGNS

The lot area, lot width, building height, parking, yards, and sign requirements shall comply with the Base District requirements as outlined in Section 8.3 of this Article.

Any proposed lot for the residential use shall comply with the Knox County Board of Health and Knox County Subdivisions Regulations. Any structure intended for four-family residential, commercial, or industrial land use shall comply with the Ohio Environmental Protection Agency, or any other appropriate authority regulations.

# ARTICLE 9

## ZONING REGULATIONS FOR AGRICULTURAL-RESIDENTIAL DISTRICT (AG/R)

SECTION 9.0 PURPOSES

The purpose of the Agriculture-Residential District AG/R is to preserve and protect the decreasing supply of prime agricultural land. This District also is designated to control the indiscriminate infiltration of urban development in agricultural areas, which adversely affect agricultural operators. District AG/R affords adequate opportunity to satisfy individual housing preferences and permits not more than one (1) single-family dwelling per lot or specified minimum area. Two-family dwellings are a conditionally permitted use, subject to approval of the Board of Zoning Appeals.

SECTION 9.1 USES PERMITTED IN DISTRICT AG/R

The following uses are permitted by right and a Zoning Permit for such uses shall be issued by the Zoning Inspector if all yard, sanitary and similar requirements are met:

1. Agriculture.
2. Single family dwellings and manufactured homes.
3. Essential services and railroads.
4. Educational and religious institutions and facilities.
5. Publicly owned and operated libraries, parks and recreation facilities.
6. Accessory buildings provided they meet the requirements set for in Sections 14.2 and 14.5.

SECTION 9.2 CONDITIONALLY PERMITTED USES

The following uses may be permitted by the Morris Township Board of Zoning Appeals pursuant to the provisions in Section 5.5 and, further, subject to the terms and conditions provided herein:

1. Radio, television and relay towers and facilities (Applies to commercial stations and equipment only.)
2. Home occupations provided they conform to the provisions in Section 14.7 which establishes conditions and limitations under which a specific portion of a dwelling may be used as a workshop by a seamstress, watch maker, or the like or used as office space by a professional person, minister, accountant, realtor, or others.
3. Cemeteries provided the site contains not less than twenty (20) contiguous acres of land, the perimeter of the entire site is to be fenced in a manner satisfactory to the Board of Zoning Appeals, and the principal access to the cemetery is to be directly from an adjoining thoroughfare.
4. Airport or landing strips provided the proposed use meets the requirements set forth in Section 14.11.
5. Utility stations and pump houses provided they are completely fenced to a minimum height of six (6) feet with controlled gate or gates and provided they do not adversely affect the local environment or detract from the welfare of residents in the vicinity.
6. Soil, sand, clay, gravel and similar removal operations and the excavation and filling of land provided the conditions set forth in Article 15 are fully met.
7. Temporary buildings provided they meet the conditions specified in Section 14.3
8. Public stables and riding academies provided they meet the conditions specified in Section 14.3 and/or 14.4.
9. Planned Unit Development provided such proposed use meets the requirements specified in Article 17, subject to Regional Planning review, requirements, and approval.

SECTION 9.3 HEIGHT LIMIT

No building, except those for agricultural purposes shall be erected or enlarged to exceed more than two and one-half (2 ½) stories or forty (40) feet in height.

SECTION 9.4A REQUIRED LOT AREA AND DIMENSIONS FOR RESIDENTIAL USE

Each dwelling shall be located on a lot or parcel having a minimum area of two (2) acres (87,120 square feet) and a minimum width of one hundred eighty (180) feet of continuous road frontage. Each lot will have a maximum depth at any point along its road frontage of three (3) times the main road frontage. All lots must contain more than five (5) acres, regardless of use, to be considered for agricultural usage. All new and residual lots must meet the requirements described above.

SECTION 9.4B REQUIRED LOT AREA AND DIMENSIONS FOR AGRICULTURAL USE

For combined agricultural and residential use, each dwelling shall be located on a lot having an area of not less than five (5) acres and a lot width of not less than three hundred feet (300) and not less than three hundred (300) feet of continuous road frontage. Each lot will have a maximum depth at any point along its road frontage of three (3) times the main road frontage. All lots containing more than five (5) acres, regardless of use, shall be regulated for agricultural use. All new and residual lots must meet the requirements described above.

SECTION 9.5 REQUIRED YARD AREA

1. Front Yard: There shall be a front yard of not less than fifty (50) feet from the right-of-way to the building line. By definition, this line fifty (50) feet from the right-of-way is the "setback line" for purposes of this Resolution. Where existing lots comprising forty (40%) percent or more of the frontage (excluding reversed corner lots) are developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such developed front yards shall establish the depth to the setback line for the entire frontage.
2. Side Yards: There shall be a side yard of not less than twenty (20) feet on each side of the principal building. There shall be a side yard of not less than fifteen (15) feet on each side of any outbuilding. In case of non-conforming lots less than fifty (50) feet in width that are already established, the width of the side yard shall not be less than five (5) feet.
3. Rear Yards: There shall be a rear lot of not less than fifteen (15) feet.

SECTION 9.6 FLOOR AREA-RESIDENTIAL

Each dwelling unit hereafter erected or structurally altered shall have a minimum floor area of not less than one thousand five hundred (1,500) square feet, exclusive of floor areas devoted to basements, utility rooms, attached garages, open or enclosed porches and the like.

SECTION 9.7 MAXIMUM LOT OCCUPANCY

The maximum percentage of the total residential lot area which may be occupied by both principal and accessory buildings, or structures may be no more than fifteen (15) percent. This restriction is not applicable to agricultural lands.

SECTION 9.8 PARKING REQUIREMENTS

Parking requirements shall be as regulated in Article 14 of this Resolution.

SECTION 9.9 SIGNS

Signs shall be as regulated in Article 16 of this Resolution.

SECTION 9.10 CULVERTS AND DRIVEWAYS

The minimum requirement of twenty-four (24) foot by twelve (12) inch culverts shall be used at entrances from Township roads. The diameter of all entrance pipes must meet the approval of the Township Trustees.

SECTION 9.11 DATA CENTERS

Data centers are a prohibited use.

# ARTICLE 10

## ZONING REGULATIONS FOR LOW-DENSITY RESIDENTIAL DISTRICT (R-1)

SECTION 10.0 PURPOSE

The purpose of the R-1 District is to permit the establishment of low density single family dwellings with lot sizes sufficient for individual water and sewer facilities, but not to exceed one (1) dwelling unit per one (1) gross acre.

SECTION 10.1 USES PERMITTED IN DISTRICT R-1

The following uses are permitted by right and a Zoning Permit for such uses shall be issued by the Zoning Inspector if all yard, sanitary and similar requirements are met:

1. Single-family dwellings.
2. Churches.
3. Public and private schools.
4. Public parks and playgrounds.
5. Accessory uses and structures provided they meet the requirements set forth in Section 14.5.
6. Private Swimming Pools provided they meet the requirements set forth in Sections 14.2 and 14.5.

SECTION 10.2 CONDITIONALLY PERMITTED USES IN DISTRICT R-1

After obtaining a valid conditional use permit in accordance with Section 5.5 and the other provisions of these regulations, the following uses may be conditionally permitted:

1. Institutions, nursery-nursing homes, clinics.
2. Home occupations. (Section 14.7)
3. Cemeteries.
4. Nursery-plant materials and sales.

SECTION 10.3 HEIGHT LIMIT

No building shall be erected or enlarged to exceed two and one-half (2 ½) stories or forty (40) feet.

SECTION 10.4 REQUIRED LOT AREA AND DIMENSIONS

Every lot shall have a minimum width of one hundred eighty (180) feet and a minimum area of not less than one (1) acre (43,560 square feet), exclusive of road right-of-way, and shall be in addition to any easements of record.

SECTION 10.5 REQUIRED YARD AREAS

1. Front Yard: There shall be a front yard of not less than fifty (50) feet in depth, provided, however, that where normal lots comprising forty (40%) percent or more of the frontage are developed with buildings having front yards with a variation of not more than ten (10)feet in depth, the average of such developed front yards shall establish the front yard depth for the entire frontage, except as provided elsewhere in these Regulations. Measurements shall be made from the road right-of-way or thirty (30) feet from the centerline of the road, whichever is a greater distance from the centerline.
2. Side Yard: There shall be side yards of not less than fifteen (15) feet on each side.
3. Rear Yard: There shall be a rear yard of not less than fifteen (15) feet to the rear line.

SECTION 10.6 FLOOR AREA- RESIDENTIAL

Each dwelling unit hereafter erected or structurally altered shall have a minimum floor area of not less than one thousand five hundred (1,500) square feet, exclusive of floor areas devoted to basements, utility rooms, attached garages, open or enclosed porches and the like.

SECTION 10.7 MAXIMUM LOT OCCUPANCY

The maximum percentage of the total residential lot area that may be occupied by both principal and accessory buildings, or structures may be no more than fifteen (15%) percent. This restriction is not applicable to agricultural lands.

SECTION 10.8 PARKING REQUIREMENTS
Parking requirements shall be as regulated in Article 14 of this Resolution.

SECTION 10.9 SIGNS
Signs shall be as regulated in Article 16 of this Resolution.

SECTION 10.10 CULVERTS AND DRIVEWAYS
The minimum requirement of twenty-four (24) foot by twelve (12) inch culverts shall be used at entrances from Township roads. The diameter of all entrance pipes must meet the approval of the Township Trustees.

SECTION 10.11 LIVESTOCK
No livestock is permitted in R1 District.

SECTION 10.12 DATA CENTERS
Data Centers are a prohibited use.

# ARTICLE 11

## ZONING REGULATIONS FOR MEDIUM-DENSITY RESIDENTIAL DISTRICT (R-2)

SECTION 11.0 PURPOSE

The purpose of the R-2 District is to permit the establishment of medium density single, two and multiple family dwellings not to exceed four (4) dwellings per gross acre. Centralized water and/or sewer facilities are required. City water and sewer required on new construction.

SECTION 11.1 USES PERMITTED IN DISTRICT R-2*

The following uses are permitted by right and a Zoning Permit for such uses shall be issued by the Zoning Inspector if all yard, sanitary and similar requirements are met:

1. Single-family dwellings units.
2. Two-family dwelling units.
3. Multi-family dwelling units.
4. Churches.
5. Public and private schools.
6. Public parks and playgrounds.
7. Governmental buildings.
8. Accessory uses and structures provided they meet the requirements set forth in Section 14.5.
9. Private swimming pools provided they meet the requirements set forth in Sections 14.2 and 14.5.

*Public utility supplies or water and sewer are required to accommodate these uses under the R-2 density.

SECTION 11.2 CONDITIONALLY PERMITTED USES IN DISTRICT R-2

After obtaining a valid Conditional Use Permit in accordance with Section 5.5 and other provisions of these Regulations, the following uses may be conditionally permitted:

1. Institutions, nursery-nursing homes.
2. Home occupations. (Section 14.7)

SECTION 11.3 HEIGHT LIMIT

No building shall be erected or enlarged to exceed two and one-half (2 ½) stories or thirty five (35) feet.

SECTION 11.4 REQUIRED LOT AREA AND DIMENSIONS

Every lot for a single family dwelling shall have a minimum width of sixty (60) feet and a minimum area of ten thousand (10,000) square feet; every lot or tract of land upon which there is erected a two-family dwelling or multiple-family dwelling shall have a minimum width of at least seventy (70) feet and a minimum lot area of not less than twelve (12,000) square feet. All lot area measurements shall be exclusive of road right-of-way, and shall be in addition to any easements of record.

SECTION 11.5 REQUIRED YARD AREAS

1. Front Yard: There shall be a front yard of not less than thirty (30) feet in depth. Measurements shall be made from the road right-of-way.
2. Side Yard: There shall be side yards of not less than eight (8) feet on each side.
3. Rear Yard: There shall be a rear yard of not less than eight (8) feet to the rear line.

SECTION 11.6 FLOOR AREA - RESIDENTIAL

Single-family dwellings or structures shall have a minimum area of one thousand two (1,200) square feet. Two-family and multi-family dwellings units shall have a minimum area of eight hundred (800) square feet of living space per unit. All dwelling bulk requirements for the R-2 District are to be determined from inside dimensions, exclusive of porches, cellars or basements.

SECTION 11.7 MAXIMUM LOT OCCUPANCY
The maximum percentage of the total residential lot area which may be occupied by both principal, accessory buildings, or structures may be no more than fifteen (15%) percent. The restriction is not applicable to agricultural lands.

SECTION 11.8 PARKING REQUIREMENTS
Parking requirements shall be as regulated in Article 14 of this Resolution.

SECTION 11.9 SIGNS
Signs shall be as regulated in Article 16 of this Resolution.

SECTION 11.10 CULVERTS AND DRIVEWAYS
The minimum requirement of culverts used at entrances on Morris Township Roads shall be twenty-four (24) feet long by twelve (12) inch high. The diameter of all entrance pipes must meet the approval of the Morris Township Trustees.

SECTION 11.11 LIVESTOCK
No livestock is permitted in R2 District.

SECTION 11.12 DATA CENTERS
Data Centers are a prohibited use.

# ARTICLE 12

## ZONING REGULATIONS FOR GENERAL BUSINESS DISTRICT (B-1)

SECTION 12.0 PURPOSE

The purpose of the B-1 District is to provide for a wide range of retail facilities and services of such a nature as to be fully compatible in the close proximity they must serve. Marginal strip development shall be prohibited.

SECTION 12.1 USES PERMITTED IN DISTRICT B-1

The following uses are permitted by right and a Zoning Permit for such uses shall be issued by the Zoning Inspector if all yard, sanitary and similar requirements are met:

1. Any use permitted in a residential district.
2. Major retail outlets: furniture, department, clothing, shoe and variety stores, hardware, appliance, paint and wallpaper stores and the like.
3. Food, Drug and Beverages: grocery stores, supermarkets, meat markets, drug stores, and liquor stores, bakery in conjunction with retail sales, restaurants, tea rooms and taverns, and the like.
4. Specialty Shops: gift shops, magazine, book and stationary outlets, florist shops, camera and photography shops, sporting goods and the like.
5. Service and Recreation: laundromat, dry cleaning and laundry pickup stations, barber and beauty shops, shoe repair and tailor shops, mortuaries, printing shop with not more than ten (10) full time regular employees, places of amusements and assembly, and the like.
6. Business and Professional Offices: medical, dental, vision, and, hearing offices, clinics, law offices, insurance, real estate offices, banks, finance and utility companies, and the like.
7. Automotive and Related Uses: new and used motor vehicle and/or farm sales, service and repair; gasoline filling stations, motorcycle and bicycle shops; cab and bus stands and depots, and the like.
8. Taverns, restaurants or restaurants providing entertainment and the like.
9. Baseball fields, pool halls, swimming pools, skating rinks, golf driving ranges, miniature golf, bowling alleys and the like.
10. Wholesale business or warehousing when no processing, fabrication or assembly is involved, if conducted entirely in an enclosed building and the like.
11. Accessory buildings and uses provided they meet the requirements set forth in Section 14.5.

SECTION 12.2 CONDITIONALLY PERMITTED USES IN DISTRICT B-1

After obtaining a valid Conditional Use Permit in accordance with Article 5, and the other provisions of these Regulations, the following uses may be conditionally permitted:

1. Institutions, nursery-nursing homes, clinics.
2. Home occupations.
3. Cemeteries.
4. Radio or television broadcasting stations and towers. (Applies to commercial stations and equipment only.)
5. Private recreational camps.
6. Commercial and public entertainment facilities.
7. Public garages.
8. Trade or commercial schools.
9. Mini-warehouses, public and private.

SECTION 12.3 HEIGHT LIMIT

No building shall be erected or enlarged to exceed three (3) stories or forty-five (45) feet.

SECTION 12.4 REQUIRED LOT AREA DIMENSIONS

SECTION 12.4A WITHOUT CENTRAL WATER AND SEWER
Every lot shall have a minimum width of two hundred (200) feet and a minimum lot area of not less than one (1) acre (43,560 square feet), exclusive of road right-of-way and shall be in addition to any easement of record.

SECTION 12.4B WITH CENTRAL WATER AND SEWER
Lot Area, Width and Depth with Central Water and Sewer: Every lot shall have a minimum width of eighty (80) feet and a minimum lot area of not less than twenty thousand (20,000) square feet, exclusive of road right-of-way and shall be in addition to any easement or record.

SECTION 12.5 REQUIRED YARD AREAS
1. Front Yard: There shall be a front yard of not less than fifty (50) feet in depth. Measurements shall be made from the road right-of-way or thirty (30) feet from the centerline of the road whichever is the greater distance from the centerline.
2. Side Yard: There shall be a side yard of not less than twenty (20) feet without public water and sewer. There shall be a side yard of not less than fifteen (15) feet with public water and sewer.
3. Rear Yard: There shall be a rear yard of not less than forty (40) feet in depth, forty (40) feet with public water and sewer.

SECTION 12.6 STRUCTURE BULK - MINIMUM FLOOR AREA
Structures shall have a minimum of one thousand (1,000) square feet of space by outside dimensions exclusive of porches, cellars or basements.

SECTION 12.7 MAXIMUM LOT OCCUPANCY
The maximum percentage of the total lot area which may be occupied, by both principle and accessory buildings for commercial uses, the maximum lot occupancy shall be fifty (50%) percent.

SECTION 12.8 PARKING REQUIREMENTS
Parking requirements shall be as regulated in Article 14 of this Resolution.

SECTION 12.9 SIGNS
Signs shall be as regulated in Article 16 of this Resolution.

SECTION 12.10 CULVERTS AND DRIVEWAYS
The minimum requirement of culverts used at entrances on Morris Township Roads shall be twenty-four (24) feet long by twelve (12) inch high. The diameter of all entrance pipes must meet the approval of the Morris Township Trustees.

SECTION 12.11 LIVESTOCK
No livestock is permitted in B1 District.

SECTION 12.12 DATA CENTERS
Data centers are a prohibited use.

# ARTICLE 13

## ZONING REGULATIONS FOR HIGHWAY-ORIENTED BUSINESS DISTRICT (HOB)

SECTION 13.0 PURPOSE

The purpose of the HOB District is to encourage the establishment of areas for highway business uses only. This district is specifically designed to serve the motoring public. HOB districts are generally associated with interchange areas along the major lined access highway.

SECTION 13.1 USES PERMITTED IN DISTRICT HOB

The following uses are permitted by right and a Zoning Permit for such uses shall be issued by the Zoning Inspector if all yard, sanitary and similar requirements are met:

1. Any use permitted in a residential district.
2. Auto service stations with or without the sales of petroleum products.
3. General auto repair (indoor only).
4. Truck stops with or without restaurants and truck service and/or repair (indoor only).
5. Hotels, motels.
6. Restaurants
7. Gift shops, floral shops, antique shops.
8. Self-operating auto-washes, commercial auto-washes, and truck washes.
9. Open fruit and vegetable markets.
10. Drive-through/in eating establishments.
11. Grocery stores and meat markets.
12. Bike shops and motorcycle shops.
13. Accessory buildings and uses provided they meet the requirements set forth in Section 15.5.

SECTION 13.2 CONDITIONALLY PERMITTED USES IN DISTRICT HOB

After obtaining a valid Conditional Use Permit in accordance with Article 5, and the other provisions of these Regulations, the following uses may be conditionally permitted:

1. Public garages.
2. Watercraft and/or recreational vehicles sales and/or service.
3. Manufactured home, recreational vehicle, sales and/or service lots.
4. Trade or commercial schools.
5. Mini-warehouses/storage units, both public and private.

SECTION 13.3 HEIGHT LIMIT

No building shall be erected or enlarged to exceed three (3) stories or forty-five (45) feet in height.

SECTION 13.4 REQUIRED LOT AREA DIMENSIONS

SECTION 13.4A WITHOUT CENTRAL WATER AND SEWER

Every lot shall have a minimum width of two hundred (200) feet and a minimum lot area of not less than one (1) acre (43,560 square feet), exclusive of road right-of-way and shall be in addition to any easement of record.

SECTION 13.4B WITH CENTRAL WATER AND SEWER

Lot Area, Width and Depth with Central Water and Sewer: Every lot shall have a minimum width of eighty (80) feet and a minimum lot area of not less than twenty thousand (20,000) square feet, exclusive of road right-of-way and shall be in addition to any easement or record.

SECTION 13.5 REQUIRED YARD AREAS

1. Front Yard: There shall be a front yard of not less than fifty (50) feet in depth. Measurements shall be made from the road right-of-way or thirty (30) feet from the centerline of the road whichever is the greater distance from the centerline.
2. Side Yard: There shall be a side yard of not less than twenty (20) feet without public water and sewer. There shall be a side yard of not less than fifteen (15) feet with public water and sewer.
3. Rear Yard: There shall be a rear yard of not less than forty (40) feet in depth, forty (40) feet with public water and sewer.

SECTION 13.6 STRUCTURE BULK - MINIMUM FLOOR AREA
Structures shall have a minimum of one thousand (1,000) square feet of space by outside dimensions exclusive of porches, cellars or basements.

SECTION 13.7 MAXIMUM LOT OCCUPANCY
The maximum percentage of the total lot area which may be occupied, by both principle and accessory buildings for commercial uses, the maximum lot occupancy shall be fifty (50%) percent.

SECTION 13.8 PARKING REQUIREMENTS
Parking requirements shall be as regulated in Article 14 of this Resolution.

SECTION 13.9 SIGNS
Signs shall be as regulated in Article 17 of this Resolution.

SECTION 13.10 CULVERTS AND DRIVEWAYS
The minimum requirement of culverts used at entrances on Morris Township Roads shall be twenty-four (24) feet long by twelve (12) inch high. The diameter of all entrance pipes must meet the approval of the Morris Township Trustees.

SECTION 13.11 LIVESTOCK
No livestock is permitted in HOB District.

SECTION 13.12 DATA CENTERS
Data Centers are a prohibited use.

# ARTICLE 14

## SUPPLEMENTARY DISTRICT REGULATIONS

SECTION 14.0 GENERAL

The following District Regulations are intended to supplement all Regulations set forth elsewhere in this Resolution and to provide specific conditions for various uses, classification of uses or other zoning considerations where problems are likely to be encountered.

SECTION 14.1 CONVERSION OF DWELLINGS TO MORE UNITS

A residence may not be converted to accommodate an increased number of dwelling units unless:

1. The yard dimensions still meet the yard dimensions required by the zoning regulations for new structures in that district.
2. The lot area per family equals the lot area requirements for new structures in that district.
3. The floor area per dwelling unit is not reduced to less than that which is required for new construction in that district.
4. The conversion is in compliance with all other relevant codes and regulations.

SECTION 14.2 PRIVATE SWIMMING POOLS

No private swimming pool, exclusive of above-ground swimming pools, shall be allowed in any Zoning District in Morris Township as a permitted use unless it complies with the following conditions and requirements:

1. The pool is intended and is to be used solely for the enjoyment of the occupants of the principal building of the property on which it is located and their guests.
2. The pool may be located anywhere on the premises except in required front yards, provided it shall be located closer to any property line than the yard requirements of the district. Pump and filter installations shall be located no closer to any property line than the yard requirements of the district.
3. The in-ground swimming pool, or the entire property on which it is located, shall be walled or fenced to prevent uncontrolled access by children from the street or adjacent properties. Said fence or wall shall not be less than four (4) feet in height and maintained in good condition with a locked gate.
4. Adequate provisions for draining the pool shall be made.
5. Any lights used to illuminate the pool area shall be so arranged as to reflect the light away from adjoining properties.
6. Permit required: No person, firm or corporation shall construct or install a swimming pool or make any alteration therein, or in the appurtenances thereof without having first submitted an application and plans to the Zoning Inspector.

SECTION 14.3 TEMPORARY BUILDINGS

Temporary buildings, construction trailers, equipment, and materials used in conjunction with construction work may only be permitted in any district during construction. Temporary facilities must be removed upon completion of the construction work

SECTION 14.4 SATELLITE ANTENNAS

Satellite antennas may be located anywhere on the premises except the required front yard. In the event the proposed antenna fails to function properly when located to the rear of the setback line, an application for variance shall be required to permit location of the proposed antenna at a specific location elsewhere on the premises.

SECTION 14.5 ACCESSORY BUILDINGS

An accessory building is a subordinate building or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal or main building. In any Zoning District in Morris Township, accessory buildings, except as otherwise permitted in this Resolution, shall be subject to the following regulations:

1. Accessory buildings shall not be erected in any required yard except a rear yard or side yard.

2. Accessory buildings on a corner lot of record, the rear of which abuts upon the side of another lot, shall not project beyond the front yard line required on the lot in the rear of such corner lot.
3. An accessory building structurally attached to a main building, or detached, shall be subject to, and must conform to, all regulations in this Resolution applicable to the main building.
4. In residential areas an accessory building, on a lot of minimum required area (43,560 square feet), shall not exceed twenty five (25) feet in height and may not occupy more than thirty (30%) percent of a required rear yard, forty (40%) percent of any non-required rear yard, provided that in no case shall the total ground floor areas of the main building and all accessory buildings exceed fifteen (15%) percent of the total lot area.
5. No detached accessory building, in a residential or commercial area, shall be located closer than fifteen (15) feet to any main building.
6. No accessory building shall be located within a dedicated easement right-of-way.
7. The regulations above shall not be applicable to accessory buildings for agricultural purposes.

## SECTION 14.6 PARKING AND STORAGE OF CERTAIN VEHICLES

Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on property in any Zoning District other than in a completely enclosed building or structure. However, one boat and one trailer may be stored in the rear yard if they have a current license. The parking of a disabled vehicle, exclusive of agricultural equipment, within any residential area for a period of more than two (2) weeks shall be prohibited, unless such vehicle is stored in an enclosed garage or other accessory building and complies with Section 14.5.

## SECTION 14.7 HOME OCCUPATIONS

### Purpose

It is the intent of this Section to:

1. Ensure the compatibility of home occupations with uses permitted in the residential districts.
2. Maintain and preserve the character of residential neighborhoods.
3. Promote the efficient use of public services and facilities by assuring these services are provided to the residential population for which they were planned and constructed, rather than commercial uses.

### Definition

"Home Occupation" means an accessory use which is an activity, profession, occupation, service, craft or revenue-enhancing hobby which is clearly incidental and subordinate to the use of the premises as a dwelling, and is conducted without any significant adverse effect upon the surrounding neighborhood. Activities such as teaching, tutoring, tax consulting and the like shall involve not more than three (3) receivers of such services at any one time.

### Permit Required

1. No home occupation may be carried on in a residential Zoning District (AG/R, R-1, R-2, B-1) unless a conditional use permit has first been issued by the Board of Zoning Appeals.
2. Written application for a home occupation permit shall be made to the secretary of the Board of Zoning Appeals. The application shall include:
    a. The address of the property and the name, address and telephone number of the owner and occupant of the property.
    b. A description of the home occupation sought to be carried on.
    c. The number and names of persons to be involved in the home occupation.
    d. Any additional information required by the Board of Zoning Appeals to establish the advisability of granting the permit.

### Regulations

No home occupation permit shall be issued, and no home occupation shall be carried on unless the home occupation complies with all of the following regulations:

1. There shall be no more than two (2) non-residential employees or volunteers to be engaged in the proposed use.
2. Sales of commodities not produced on the premises may be permitted, provided that the commodities are specified in the application and are reasonably related to the home occupation.
3. The home occupation may be permitted to be conducted in a structure accessory to the residence, provided the application so specifies.

4. Outside storage related to the home occupation may be permitted if totally screened from adjacent residential lots, provided the application so specifies.
5. Not more than twenty five (25%) percent of the gross floor area of any residence shall be devoted to the proposed home occupation.
6. The external appearance of the structure in which the use is to be conducted shall not be altered, and not more than one (1) sign, no larger than nine (9) square feet shall be mounted flush to the wall of the structure.
7. Minor or moderate alterations (non-structural) may be permitted to accommodate the proposed use, but there shall be no substantial construction or reconstruction.
8. No equipment, process, materials or chemicals shall be used which create offensive noise, vibrations, smoke, dust, odor, heat, glare, x-rays, radiation, or electrical disturbances.
9. No more than two (2) additional parking places may be proposed in conjunction with the home occupation.

Invalidation of Home Occupation Conditional Use Permit

For the purpose of this Resolution, a conditional use permit issued for a home occupation shall cease to be valid at such time as the premises for which it was issued is no longer occupied by the holder of said permit. Such conditional use permit shall also be immediately invalidated upon the conduct of the home occupation in any manner not approved by the Board of Zoning Appeals.

## SECTION 14.8 FENCE AND WALL RESTRICTIONS IN REQUIRED FRONT YARD

In any required front yard, no fence or wall shall be permitted which materially impedes vision across such yard above the height of two and one half (2 ½) feet and no hedge or other vegetation shall be permitted which materially impedes vision across such yard between the height of two and one half (2 ½) feet and ten (10) feet. On a corner lot, in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two and a half (2 ½) feet and ten (10) feet above the center line grades of the intersecting streets in the triangular area bounded by the right-of-way lines of such corner lot and a line joining points along side street lines fifty (50) feet from the point of intersection.

## SECTION 14.9 YARD REQUIREMENTS FOR MULTI-FAMILY DWELLINGS

Multi-family dwellings shall be considered as one (1) building for the purpose of determining front, side, and rear yard requirements. The entire group as long as a unit shall require one (1) front, one (1) rear, and two (2) side yards as specified for dwellings in the appropriate district. Each individual building shall meet all requirements for the appropriate district as though it were on an individual lot.

## SECTION 14.10 ARCHITECTURAL PROJECTIONS

Open structures such as porches, canopies, balconies, platforms, carports, covered patios, and similar architectural projections shall be considered parts of the building to which attached and shall not project into the required minimum front, side, or rear yard.

## SECTION 14.11 AIRPORTS AND LANDING STRIPS

Airports and landing strips and pertinent facilities involved in aircraft operations shall be subject to all rules and regulations of the Federal Aeronautics Administration, which agency shall approve the preliminary plans submitted to the Morris Township Board of Trustees, and subject to applicable State and County laws as may be adopted. Land beneath all aircraft approach lanes, as established by appropriate aeronautical authorities, which are not a part of the airport landing strip, shall be developed as to not endanger safe flight conditions to and from runways or landing strips. Permitted height of buildings, structures, telephone and electrical lines and appurtenances thereto shall be established by the Board of Zoning Appeals after consultation with appropriate aeronautical agencies.

## SECTION 14.12 EXCEPTIONS TO HEIGHT REGULATIONS

The height limitations contained in official district regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

SECTION 14.13 DATA CENTERS

Data centers are a prohibited use.

SECTION 14.14 SPECIAL REGULATIONS FOR ALL DISTRICTS AND USES

No land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious, or otherwise objectionable conditions which could adversely affect the surrounding areas or adjoining premises, except that any use permitted by this Resolution may be undertaken and maintained if acceptable measures and safeguards to reduce dangerous and objectionable conditions to acceptable limits as established by the performance requirements in the following Sections:

1. FIRE HAZARDS: Any activity involving 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 any such material. Such hazards shall be kept removed from adjacent activities to a distance compatible with the potential danger involved.
2. RADIO ACTIVITY OR ELECTRICAL DISTURBANCE: No activity shall emit dangerous radio activity 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.
3. NOISE: Objectionable noise, as determined by the Zoning Inspector, which is due to volume, frequency or beat shall be muffled or otherwise controlled. Air raid or fire sirens and related apparatus used solely for public purposes are exempt from this requirement.
4. VIBRATION: No vibration shall be permitted which is discernible without instruments on any adjoining lot or property.
5. AIR POLLUTION: Air pollution shall be subject to the requirements and regulations established by the Director of the Ohio Environmental Protection Agency.
6. GLARE: No direct or reflected glare shall be permitted which is visible from any street, road or property outside a manufacturing area.
7. EROSION: No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties.
8. WATER POLLUTION: Water pollution shall be subject to the requirements and regulations established by the Director of the Ohio Environmental Protection Agency.
9. ENFORCEMENT PROVISIONS: The Zoning Inspector, prior to the issuance of 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.
10. MEASUREMENTS PROCEDURES: Methods and procedures to be used in determining the existence of any dangerous and objectionable elements shall conform to applicable standard measurement procedures published by the American National Standards Institute, New York; the Chemical Manufacturing Association, Washington, D.C.; and the Ohio Environmental Protection Agency.

SECTION 14.15 MANUFACTURED HOMES

When a manufactured home is placed on a lot, it must meet all yard/zoning requirements, and must include a full foundation. The minimum square feet of floor area of a manufactured home shall be as per the Zoning District requirements.

SECTION 14.16 ADULT ENTERTAINMENT FACILITES

A. Definitions

1. "Adult Entertainment Facility" means any establishment that is involved in one or more of the following listed categories:

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

b. Adult Mini-Motion Picture Theater- A facility with a capacity for less than fifty (50) persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas," for observation by patrons therein.

c. Adult Motion Picture Theater- A facility with a capacity of fifty (50) or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting,

describing, or relating to "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.

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

2. "Specified Sexual Activities" means any of the following:
   a. Human genitals in a state of sexual stimulation or arousal.
   b. Acts, real or simulated, or human masturbation, sexual intercourse, sodomy, cunnilingus, fellatio or sadomasochistic sexual abuse.
   c. Fondling or other erotic touching of human genitals, pubic regions, buttocks, or female breasts.
3. "Specified Anatomical Areas" means any of the following:
   a. Less than completely covered human genitals, pubic region, buttocks, and female breasts below a point immediately above the top of the areola.
   b. Human male genitals in a discernible turgid state.
4. "Person" means any individual, corporation, company, business, partnership, association, establishment, or other legal entity of any kind.
5. "Fine Art Gallery" means any display of artwork which is individually charged and signed by the artist or which is limited in addition to one thousand (1,000) or less.
6. "Sexually Explicit Nudity" means the sexually oriented and explicit showing of nudity including, but not limited to, close-up views, poses, or depictions in such position or manner which present or exposes such nudity to prominent, focal, or obvious viewing attention.
7. "Sadomasochistic Sexual Abuse" means actual or simulated flagellation, rape, torture, or other physical or sexual abuse, by or upon a person who is nude or partially denuded, or the condition of being fettered, bound for sexual gratification or abused or represented in the context of a sexual relationship.
8. "Visibly Displayed" means the material is visible on a billboard, viewing screen marquee, newsstand, display rack, window, show case, display case, or other similar display area that is visible from any part of the general public or otherwise, or that that is visible from any part of the premises where a juvenile is or may be allowed, permitted, or invited as part of the general public or otherwise, or that is visible from a public street, sidewalk, park, alley, residence, playground, school, or other place to which juveniles, as part of the general public or otherwise, has unrestrained and reasonably anticipated access and presence.
9. "Knowledge of Character" means having general knowledge, or reason to know or a belief or ground for belief which warrants further inspection or inquiry, of the nature and character of the material or performance involved. A person has such knowledge when he or she knows or is aware that the material or performance contains, depicts, or describes sexually explicit nudity, sexual activity, sadomasochistic sexual abuse, or lewd exhibition of the genitals, whichever is applicable, whether or not such person has precise knowledge of the specific contents thereof. Such knowledge may be proven by direct or circumstantial evidence, or both.
10. "Harmful to Juveniles" means any material or performance, whether through motion pictures, photographs, drawings, cartoons, slides, depictions, or descriptions in which (a), (b) or (c) apply:
    a. The average adult person, applying contemporary community standards would find that the material or performance, taken as a whole, is intended to excite lustful or erotic thoughts in juveniles, or is designed or marketed to cater or appeal to a prurient interest in nudity, sex or excretion.
    b. The material or performance depicts or describes sexually explicit nudity, sexual activity, sadomasochistic sexual abuse, or lewd exhibition of the genitals, in a way that is patently offensive to prevailing standards in the adult community with respect to what is suitable for juveniles.
    c. The material or performance, taken as a whole, lacks serious literary, artistic, political, educational, or scientific value for juveniles.

B. Exceptions

Nothing in this Article shall be construed to pertain to:

1. The purchase, distribution, exhibition and/or loan of any work of art, book, magazine or other printed material or manuscript by any accredited museum, library, fine art gallery, school or institution of higher learning.

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

C. Location

Adult entertainment facilities, adult mini-motion picture theaters, adult motion picture theaters and adult entertainment facilities of any kind or type are prohibited in Morris Township. Violation of this zoning regulation shall be subject to the enforcement Articles and penalties outlined in the zoning regulations of Morris Township.

D. Unlawful Exhibition or Display of Harmful Material to Juveniles

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

1. Allow, permit, or fail to prevent any juvenile who is not accompanied by a parent of lawful guardian to enter or remain on premises if in that part of the premises where the juvenile is or may be allowed, permitted, or invited as part of the general public or otherwise, there is visibly displayed all or any part of any book, magazine, newspaper, or other form of material which is either of the following: harmful to juveniles, when taken as a whole; or contains on its cover, package, wrapping or within the advertisements therefore, depictions or photographs of sexually explicit nudity, sexual activity, sadomasochistic sexual abuse, or lewd exhibition of the genitals.

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

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

E. Violation and Penalty

Whoever violates any provisions of this Article shall be guilty of a misdemeanor of the first degree.

F. Adult Entertainment Facilities - Prohibited

All of the above subjects or establishments shall be prohibited within the border and boundaries of Morris Township, Knox County, Ohio

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# ARTICLE 15

## OFF-STREET PARKING AND LOADING FACILITES

### SECTION 15.0 GENERAL REQUIREMENTS

1. No building or structure shall be erected, substantially altered, or its use changed unless permanently maintained off-street parking and loading spaces have been provided in accordance with the provisions of this Resolution.
2. The provisions of this Article, except where there is a change of use, shall not apply to any existing building or structure. Where the new use involves no additions or enlargements, there shall be provided as many of such spaces as may be required by this Resolution.
3. Whenever a building or structure constructed after the effective date of this Resolution is changed or enlarged in floor area, number of dwelling units, seating capacity, or otherwise to create a need for an increase in the number of existing parking spaces, additional parking spaces shall be provided on the basis of the enlargement or change. Whenever a building or structure existing prior to the effective date of this Resolution is enlarged to the extent of fifty (50%) percent or more in floor area, number of employees, number of housing units, seating capacity or otherwise, said building or structure shall then and thereafter comply with the full parking requirements set forth herein.
4. All off-street parking and loading facilities will be considered a structure and shall not be located in the yards (setbacks) established within this Resolution.
5. All off-street parking facilities will comply with the requirements of the American Disability Act.
6. No parking in cul-de-sacs.

### SECTION 15.1 PARKING SPACE DIMENSIONS

A parking space shall have minimum rectangular dimensions of not less than nine (9) feet in width and nineteen (19) feet in length for ninety (90) degree parking; nine (9) feet in width and twenty three (23) feet in length for parallel parking; ten (10) feet in width and nineteen (19) feet in length for sixty (60) degree parking; and twelve (12) feet in width and nineteen (19) feet in length for forty five (45) degree parking. All dimensions shall be exclusive of driveways, aisles, and other circulation areas. The number of required off-street parking spaces is established in Section 15.17 of this Resolution.

### SECTION 15.2 LOADING SPACE REQUIREMENTS AND DIMENSIONS

A loading space shall have minimum dimensions of not less than twelve (12) feet in width, fifty (50) feet in length, exclusive of driveways, aisles, and other circulation areas, and a height of clearance of not less than fifteen (15) feet. One (1) off-street loading space shall be provided and maintained on the same lot for every separate occupancy requiring delivery of goods, and having a modified gross floor area of up to five thousand (5,000) square feet. One (1) loading space shall be provided for each addition ten thousand (10,000) square feet or fraction thereof.

### SECTION 15.3 PAVING

The required number of parking and loading spaces as set forth in Section 15.2 and 15.17, together with driveways, aisles, and other circulation areas, shall be improved with such material to provide a durable and dust-free surface.

### SECTION 15.4 DRAINAGE

All parking and loading areas shall provide for proper drainage of surface water to prevent the drainage of such water onto adjacent properties or walkways.

### SECTION 15.5 MAINTENANCE

The owner of property used for parking and/or loading shall maintain such areas in good condition without holes and free of all dust, trash, and other debris.

SECTION 15.6 LIGHTING

All parking area that is intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property.

SECTION 15.7 LOCATION OF PARKING SPACES

The following regulations shall govern the location of off-street parking spaces and areas:

1. Parking spaces for all detached residential uses shall be located on the same lot as the use that they are intended to serve.
2. Parking spaces for commercial, industrial, institutional uses shall be located not more than seven hundred (700) feet from the principal use and shall not be located in the yards (setbacks) established within this Resolution.

SECTION 15.8 SCREENING AND/OR LANDSCAPING

Parking area in or adjacent to a residential district shall be effectively screened on all sides which adjoin or face any property used for residential purposes by an acceptably designed wall, fence, or planting screen not less than four (4) feet nor more than six (6) feet in height and maintained in good condition. The space between such fence, wall, or planting screen, and the lot line of the adjoining premises in any residential district shall be landscaped with grass, hardy shrubs or evergreen ground cover, and maintained in good condition. In the even that terrain or other natural features are such that the erection of such fence, wall or planting screen will not serve the intended purpose, then no such fence, wall, or planting screen and landscaping shall be required.

SECTION 15.9 DISABLED VEHICLES

The parking of a disabled vehicle within a residential or commercial district for a period of more than two (2) weeks shall be prohibited, unless such vehicle is stored in an enclosed garage or other accessory building. Also see Section 15.6.

SECTION 15.10 MINIMUM DISTANCE AND SETBACK

No part of any parking area for more than ten (10) vehicles shall be closer than twenty (20) feet to any dwelling unit, school, hospital, or other institution for human care located on an adjoining lot, unless separated by an acceptably designed screen. If on the same lot with a single family residence, the parking area shall not be located within the front yard required for such building. In no case shall any part of a parking area be closer than the required yard requirements established within the district to any established street or alley right-of-way.

SECTION 15.11 JOINT USE

Two or more non-residential uses may jointly provide and use parking spaces when their hours of operation do not normally overlap, provided that a written agreement approved by the Zoning Inspector shall be filed with the application for a Zoning Permit.

SECTION 15.12 WHEEL BLOCKS

Whenever a parking lot extends to a property line, wheel blocks or other suitable devices shall be installed to prevent any part of a parked vehicle from extending beyond the parking lot.

SECTION 15.13 WIDTH OF DRIVEWAY AISLE

Driveways serving individual parking spaces shall not be less than twenty five (25) feet wide for ninety (90) degree parking, twelve (12) feet wide for parallel parking, seventeen and a half (17 ½) feet for sixty (60) degree parking, and thirteen (13) feet for forty five (45) degree parking.

SECTION 15.14 ACCESS

All parking areas shall be designed in such a manner that any vehicle leaving or entering the parking area from or into a public or private streets shall be traveling in a forward motion. Access driveways for parking areas or loading spaces shall be located in such a way that any vehicle entering or leaving such area shall be clearly visible for a reasonable distance to any pedestrian or motorist approaching the access or driveway from a public or private street.

SECTION 15.15 WIDTH OF ACCESS DRIVEWAY

The entrances and exits to the parking area shall be clearly marked. Interior vehicular circulation by way of access roads shall maintain the following standards: for one way traffic the minimum width of fourteen (14) feet except for forty five (45) degree parking in which case the minimum width of the access road shall be seventeen (17) feet. Access roads for two-way traffic shall have a minimum width of twenty four (24) feet. Parking areas having more than one (1) aisle or driveway shall have directional signs or markings in each aisle or driveway.

SECTION 15.16 STRIPING

All parking areas with a capacity over twelve (12) vehicles shall be striped with double lines (six (6) inches both sides of center) between stalls to facilitate the movement into and out of the parking stalls.

SECTION 15.17 PARKING SPACE REQUIREMENTS

For the purpose of this Resolution, the following minimum parking space requirements shall apply:

SECTION 15.17-1 RESIDENTIAL

TYPE OF USE MINMUM PARKING SPACES REQUIRED:

1. Single family or two family dwellings: Two (2) for each unit
2. Apartments, or multi-family dwelling which have sleeping rooms: Two (2) for each unit
3. Boarding houses, rooming houses, dormitories, and fraternity houses: One (1) for each sleeping room or two (2) for each permanent occupant
4. Mobile Homes: Two (2) for each unit

SECTION 15.17-2 BUSINESS

TYPE OF USE MINIMUM PARKING SPACES REQUIRED:

1. Automobile service garage which also provides for repair: Two (2) for each gasoline pump and four (4) for each service bay
2. Hotels, motels: One (1) per each sleeping room plus one (1) space for each two (2) employees
3. Funeral parlors, mortuaries and similar type use: One (1) for each one hundred (100) square feet of floor area in slumber room, parlors, or service rooms.
4. Retail store: One (1) for each two hundred fifty (250) square feet of floor area.
5. Banks, financial institutions and similar use: One (1) for each two hundred (200) square feet.
6. Offices, public or professional administration, or service building: One (1) for each four (400) square feet of floor area.
7. All other types of business or commercial uses permitted in any business district: One (1) for each three hundred (300) square feet of floor area.

SECTION 15.17-3 RECREATIONAL OR ENTERTAINMENT

TYPE OF USE MINIMUM PARKING SPACES REQUIRED:

1. Dining rooms, restaurants, taverns, nightclubs, etc.: One (1) for each two hundred (200) square feet of floor area.
2. Bowling alleys: Four (4) for each alley or lane plus one (1) additional space for each one hundred (100) square feet of the area used for restaurant, cocktail lounge, or similar use.
3. Dance floors, skating rinks: One (1) for each one hundred (100) square feet of floor used for the activity.
4. Outdoor swimming pools, public or community or club: One (1) for each five (5) persons capacity, plus one (1) for each four (4) seats or one (1) for each thirty (30) square feet of floor area used for seating purposes whichever is greater.
5. Auditoriums, sport arenas, theaters, and similar uses: One (1) for each four (4) seats.

SECTION 15.17-4 INSTITUTIONAL

TYPE OF USE MINIMUM PARKING SPACES REQUIRED:

1. Churches and other places of religious assembly: One (1) for each five (5) seats.
2. Hospitals: One (1) for each bed.

3. Sanitariums, home for the aged, nursing homes, asylums, and similar uses: One (1) for each two (2) beds.

4. Medical and dental clinics: One (1) for every two hundred (200) square feet area of examination, treating room office, and waiting room.

5. Libraries, museums, and art galleries: One (1) for each four hundred (400) square feet of floor area.

SECTION 15.17-5 SCHOOLS (PUBLIC, PAROCHIAL, OR PRIVATE)

TYPE OF USE MINIMUM PARKING SPACES REQUIRED

1. Elementary and junior high schools: Two (2) for each classroom and one (1) for every eight (8) seats in auditorium or assembly halls.

2. High Schools: One (1) for every ten (10) students and one (1) for each teacher and employee.

3. Business, technical and trade schools: One (1) for each two (2) students.

4. Colleges, universities: One (1) for each two (2) students.

5. Kindergartens, childcare centers, nursery schools, and similar uses: Two (2) for each classroom but not less than six (6) for the building.

SECTION 15.17-6 MANUFACTURING

TYPE OF USE MINIMUM PARKING SPACES REQUIRED

1. All types of manufacturing, storage, and wholesale uses permitted in any manufacturing district: One (1) for every two (2) employees (on the largest shift for which the building is designed) plus one (1) for each motor vehicle used in the business.

2. Cartage, express, parcel delivery, and freight terminals: One (1) for every two (2) employees (on the largest shift for which the building is designed) and one (1) for each motor vehicle maintained on the premises.

SECTION 15.18 GENERAL INTERPRETATION OF ARTICLE 14

In the interpretation of Article 14, the following rules shall govern:

1. Parking spaces for other permitted, or conditional uses not listed in this Article, shall be determined by the Board upon an appeal from a decision of the Zoning Inspector.

2. Fractional numbers shall be increased to the next whole number.

3. Where there is an adequate public transit system or where for any other reason parking demand is unusually low, then the parking space provisions cited above may be reduced proportionately by the Board upon an appeal from a decision of the Zoning Inspector.

# ARTICLE 16

## EXTRACTIONS OF NATURAL RESOURCES

SECTION 16.0 EXTRACTION OF NATURAL RESOURCES-INTENT

It is the intent of this Section to assure that the natural resources of Morris Township be properly managed and that all land used for the extraction, processing and storage of mineral resources be reclaimed so as not to create a hazard or nuisance which, either immediately or in the future, will adversely affect the safety or general welfare of the community.

SECTION 16.1 PROCEDURES AND REQUIREMENTS

Any owner, lessee, or other interested person, firm or corporation may file an application with the Board of Zoning Appeals for authorization to quarry or otherwise extract mineral resources in any Zoning District in Morris Township. Such application and action by the Board shall be in accordance with the procedures set forth in Article 5 and subject to the terms and requirements prescribed herein;

a. Any conditions or requirements, specified in this Resolution, for the Zoning District in which the extraction of resources is proposed, shall be met.
b. The application shall include, in addition to other requirements:
    1. Name, address and phone numbers of the owners of the land from which removal is to be made.
    2. Type and location of processing plant, if any to be used.
    3. Proposed method of removal and whether or not blasting or other use of explosives will be involved.
c. All blasting operations, use of all equipment, and all removal and production operations shall be performed in such manner as to eliminate noise, vibration, dust or fragments of stone which are injurious or annoying to persons living in the vicinity.
d. The boundary of the property or area of operations shall be fenced at least six (6) feet high with No. 9 wire, six (6) inch, agricultural fencing, posted with two (2) strands of barbed wire on angle brackets.
e. All open pits in operation shall have side slopes of not less than one (1) foot vertical to one (1) foot horizontal.
f. No extraction operation shall be carried out, or any stockpile placed closer than one hundred (100) feet to any property line unless a greater distance is specified by the Board of Zoning.. Distance requirements may be reduced to twenty five (25) feet by written consent of the owner or owners of abutting property.
g. No production and removal operations shall be permitted closer than twenty-five (25) feet to any right-of-way of a public road, street or other thoroughfare.

SECTION 16.2 FINANCIAL RESPONSIBILITY

In accepting an application for extraction of natural resources, the Board of Zoning Appeals must be satisfied that the applicant or applicants are financially able to carry-out the proposed extraction operations in accordance with the plans submitted and complete the restoration and reclamation of the exhausted gravel pit or other extraction area as specified herein.

SECTION 16.3 REHABILITATION

To guarantee the restoration and reclamation of an exhausted gravel pit, or other extraction area, every applicant granted a permit to extract natural resources shall furnish a performance bond payable in due course to the Morris Township Fiscal Officer in an amount of not less than ten thousand ($10,000) dollars and not more than fifty thousand ($50,000) dollars as a guarantee that such applicant, in restoring and reclaiming such land, shall, within a reasonable time and to the satisfaction of the Board of Zoning Appeals, meet the following minimum requirements:

a. For all excavations that shall be made to a water producing depth, such depth to be not less than five (5) feet below the low water mark, or shall be back-filled with non-noxious, non-flammable and non-combustible solids to assure that the excavated area shall not collect and

retain stagnant water and that the grade of the back-filled slopes will be such as to minimize erosion and be in substantial conformity with the slopes of the adjoining area.

b. Vegetation shall be restored by appropriate grass seeding and by planting shrubs or trees in all parts of the extraction area not inundated.
c. The banks of all excavation not fully backfilled shall be sloped to the water line by a one (1) foot vertical on three (3) feet horizontal incline or slant.

SECTION 16.4 ADDITIONAL REQUIREMENTS

In addition to the foregoing, the Board of Zoning Appeals may impose such additional requirements or limitations concerning the nature, use and operation of proposed resource extraction as the Board may deem necessary for the protection of adjacent properties and in the public interest.

SECTION 16.5 GAS AND OIL WELLS

In any and all Zoning Districts in Morris Township a well may be drilled for the exploration and production of natural gas and oil only when or after the following conditions have been complied with:

a. Compliance with all applicable laws of the Knox County Engineer and the State of Ohio.
b. No tank, or reservoir erected for or intended for the storage of petroleum products shall be located within fifty (50) feet of any public right-of-way or within one hundred (100) feet of a residential lot line.
c. Surety bond in the amount of fifty thousand ($50,000) dollars has been obtained and is attached to the drilling permit application to be filed with said application to assure faithful performance of each and every condition set forth in the permit and guaranteeing the repair of all damage to public property resulting from such well or the drilling of the well including damage to roads or streets, pavements, bridges, culverts, tiles, street signs, traffic signs or signals, and drainage facilities but not necessarily limited thereto. Such bond shall be held by the Morris Township Fiscal Officer until released or reduced and released by the Board of Trustees of Morris Township upon satisfaction that all such damage has been repaired or necessary repairs have been ordered and paid for.

# ARTICLE 17

## SIGNS

SECTION 17.0 PURPOSE

The purpose of this Section is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor advertising and outdoor signs of all types. It is intended to protect property values, enhance and protect the physical appearance of the community, and preserve the scenic and natural beauty of the area. It is further intended to reduce sign or advertising distraction and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, provide more open space, curb deterioration of the natural environment, and enhance community development.

SECTION 17.1 GOVERNMENTAL SIGNS EXCLUDED

For the purpose of this Resolution, the term "sign" does not include signs erected and maintained pursuant to and in discharge of any governmental function, or required by any law, ordinance, or governmental regulation.

SECTION 17.2 GENERAL REQUIREMENTS

The regulations contained in this Section shall apply to all signs in all Zoning Districts:

a. Any illuminated sign or lighting shall employ only lights emitting a light of constant intensity. No sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights.
b. No illuminated sign or lighting device shall be placed or directed so as to permit the beams and illumination there from to be directed or beamed upon a public thoroughfare, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.
c. No sign shall employ any parts of elements that revolve, rotate, whirl, spin, or otherwise make use of motion to attract attention.
d. Subsection a., b., and c., above, shall not apply to any sign performing a public service function indicating time, temperature or similar services.
e. No sign shall be placed on the roof of any building, except those signs whose supporting structure is screened so the sign appears to be a continuation of the face of the building.
f. No projecting sign shall be erected or maintained from the front or face of a building a distance of more than two (2) feet.
g. No portable or temporary sign shall be placed on the front or face of a building or on any premises, except as provided in Subsection 7 herein.
h. 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 attraction attention whether or not part of a sign.
i. No sign, erected or maintained in the window of a building, visible from any public or private thoroughfare, shall occupy more than twenty (20) percent of the window surface.
j. No sign of any type or size shall be installed, placed or attached in any form, shape, or manner to a fire escape or any door or window giving access to any fire escape.
k. All signs hung and erected shall be plainly marked with the name of the person, firm, or corporation responsible for maintaining the sign.
l. No sign shall be placed in any public right-of-way except publicly owned signs such as traffic control signs and directional signs. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter, shall be permitted on any property.
m. No sign of any type or size shall be posted on utility poles.
n. Should any sign be or become unsafe or in danger of falling, the owner thereof or the person or firm responsible for its maintenance shall, upon receipt of written notice from the Zoning Inspector, proceed at once to put such sign in a safe and secure condition, or remove the sign.

o. All wiring, fittings, and materials used in the construction, connection and orientation of electrically illuminated signs shall be in accordance with the provisions of the local state electric code.
p. the following are prohibited:
    a. Advertising devices erected or maintained on trees, or painted or drawn upon rocks or other natural features.
    b. Advertising devices that prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.
    c. Advertising devices illuminated so as to interfere with the effectiveness of or obscure an official sign, signal device.
    d. Advertising devices which attempt or appear to direct the movement of traffic or which interfere with, imitate or resemble an official sign, signal or device.

SECTION 17.3 MEASUREMENT OF SIGN AREA

The total area of signs shall include the visible display areas of all signs located on the premises. When figuring the total area, both sides of a double-faced sign will be used. Frames and structural members, not being advertising matter, shall not be included in the computation of surface area of signs.

SECTION 17.4 SIGNS PERMITTED IN ALL DISTRICTS, NO PERMIT REQUIRED. WITH EXCEPTION IN THE BUSINESS DISTRICT

The following signs and nameplates shall be permitted in all Zoning Districts in Morris Township:

a. Signs denoting the name and address of the occupants of the premises, not to exceed one and one half (1 ½) square feet in area.
b. Professional nameplates, not to exceed four (4) square feet in area.
c. One church bulletin board, not exceeding eighteen (18) feet in area.
d. Directional signs, not exceeding one and one half (1 ½) square feet in area.
e. For a building other than a dwelling, one identification sign not exceeding twelve (12) square feet in area, attached to and parallel with the front wall.
f. Signs advertising the sale, lease, or rental of premises upon which the sign is located, shall not exceed twelve (12) square feet in area, except in all residential areas where the area of the sign shall not be more than six (6) square feet.
g. Allow two farm signs, denoting the name and address of occupants, denoting advertising for produce or merchandise grown on such farms, and denoting membership or organizations, not to exceed a total of fifty (50) square feet.
h. Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs, or societies, which signs or bulletin boards shall not exceed thirty (30) square feet in area which shall be located on the premises of such institutions and shall be setback from all front lot lines at least twelve (12) feet.
i. The permitted sign size shall be no larger than six (6) square feet per side.
j. Temporary signs announcing special public or institutional events, the erection of a building, or signs for similar uses shall be removed within two (2) weeks of the completion of the event or project.

SECTION 17.5 SIGNS PERMITTED IN B-1 DISTRICT - PERMIT REQUIRED

The following regulations apply to signs in Zoning B-1 Districts:

a. Each business shall be permitted one (1) flat or wall on premise sign. Projection of wall signs shall not exceed two (2) feet measured from the face of the main building and the bottom of such sign shall be not less than nine (9) feet above the finished grade or sidewalk.
b. All permanent on-premise signs for any single business enterprise may have an area equal to two (2) square feet of sign area for each lineal foot of building frontage, or part of a building occupied by such enterprise but shall not exceed a maximum area of one hundred (100) square feet.
c. A projecting sign may be attached to a building or constructed as marquee or canopies but limited to one (1) such sign per establishment. Minimum height shall be eight and one half (8 ½) feet and shall not project more than ten (10) feet into the required front yard.

d. A roof sign, not less than six (6) feet or more than twelve (12) feet above the surface of a roof, shall be permitted. Such sign shall be not less than five (5) feet from a front wall of a building.
e. Each business or industry shall be permitted two on-premises, free-standing signs not exceeding eight (8) feet in height or twelve (12) square feet in area on any face of the sign. Such signs shall not be located closer than twenty (20) feet from any right-of-way line. Such signs shall not exceed twenty five (25) feet in height.
f. In lieu of the permitted signs as permitted above, groups of establishments of four (4) or more business shall be permitted one (1) larger ground sign for all businesses. Such sign shall not exceed eighty (80) square feet on any face nor exceed twenty (20) feet in height and shall be setback at least thirty (30) feet from the street or right-of-way.
g. Larger signs or advertising devices for businesses or industries adjacent to the interstate and primary highways as regulated by the OHIO REVISED CODE, Section 5517.07, as amended shall be permitted in accordance with those state laws. Such signs shall not be subject to the above regulations but shall require a permit from the Township Zoning Inspector and the owner or agent of such sign must show proof of having obtained the required State of Ohio approval.

SECTION 17.6 OUTDOOR ADVERTISING DISPLAYS AND/OR BILLBOARDS – PERMIT REQUIRED

A. Outdoors advertising shall be classified as a business use and be permitted in all commercial and industrial districts and/or lands used for agricultural purposes subject to the following regulations:
   a. Such signs or structures shall not be located within fifty (50) feet of any street (or road) right-of-way.
   b. Such signs or structures shall not be located within four hundred (400) of any other outdoor advertising display or billboard on the same side of the street, except in commercial and industrial districts such distances may be reduced to one hundred (100) feet.
   c. Such signs or structures shall not be located on or within one hundred (100) feet of any building, except signs painted on barns.
   d. Such signs or structures shall not exceed four hundred eighty (480) square feet for two (2) or more faces, and in no case shall more than two hundred forty (240) square feet of display or sign area be visible from any road or street. These size limitations may be increased by one hundred (100%) percent in commercial and industrial areas.
B. Advertising devices adjacent to the interstate and primary highways as regulated by the OHIO REVISED CODE, Section 5516.01 to 5516.13 and 5531.07, as amended shall be permitted in accordance with those state laws.

SECTION 17.7 POLITICAL SIGNS

The erection of political signs shall be permitted in any district of the township provided that said signs:
   a. Do not exceeding thirty-two (32) square feet in total sign area.
   b. Do not interfere with visibility of vehicular traffic entering or leaving a public street or highway.
   c. May be posted and removed without destruction of public or private property.
   d. Designate the name and address of the person charged with removal of the sign.
   e. Signs shall not be placed on Public Utility Poles or Public Property without proper authorization and in no event shall such signs be within public road right-of-way.

SECTION 17.8 VIOLATIONS

In case any sign shall be installed, erected, constructed, or maintained in violation of any of the terms of this Section of this Resolution, the Zoning Inspector shall notify the owner, political personality or committee, person or firm responsible for the erection and maintenance thereof to alter such sign or signs so as to comply with this Resolution. Failure to comply with any of the provisions of this Article shall be deemed a violation and shall be punishable under Article 6 of this Resolution. Political signs posted in violation of Section 17.7 are subject to removal by the Zoning Inspector or other Township employee five (5) days after all reasonable attempts to notify responsible party of violation has been given.

# ARTICLE 18

## PLANNED UNIT DEVELOPMENT

SECTION 18.0 PURPOSE

The intent of this Section is to provide, in the case of Planned Unit Developments (PUDs), an added degree of flexibility in the placement, bulk and interrelationship of buildings and land uses within a planned project and the implementation of new design concepts, while at the same time maintaining a reasonable ratio of required floor area to units of land area. A maximum choice of living environments by allowing a variety of housing and permitting an increased density per acre and a reduction in lot dimensions, yards, building setbacks and area requirements in a Planned Unit Development, is permitted in any Residential Zoning District as a means of attaining a more efficient use of land than is generally achieved through conventional development. Type text here

SECTION 18.1 AUTHORIZATION

Subject to the foregoing statement of intent, the Board of Trustees of Morris Township, with the advisory assistance of the Zoning Commission and the Knox County Regional Planning Commission, may grant a special exception for a Planned Unit Development, but only after notice and public hearing as prescribed by law.

SECTION 18.2 PROVISONS GOVERNING PLANNED UNIT DEVELOPMENTS

Because of the special characteristics of Planned Unit Developments, special provisions governing the development of land for this purpose are required. Whenever there is a conflict or difference between the provision of this Section and those of other Articles of this Resolution, the provisions of this Section shall prevail. Subjects not covered by this Section shall be governed by the respective provisions found elsewhere in this Resolution.

SECTION 18.3 APPLICATION AND PROCEDURE

Upon approval by the Knox County Regional Planning Commission, Zoning Commission, and the Board of Trustees, a Planned Unit Development District may be applied to portions of any existing Residential Zoning District. Upon approval of a final development plan, the Official Zoning Map shall be annotated for the land area involved so that the district name includes the notation "PUD". Planned Unit Development Districts shall be approved by the Zoning Commission and the Board of Trustees in the manner set forth in the following Sections.

SECTION 18.4 REQUIREMENTS AND LIMITATIONS

The following requirements and limitations shall prevail in the considerations and design procedures followed in developing a preliminary plan for a Planned Unit Development:

a. Uses Permitted: Compatible residential, commercial, public, and quasi-public uses may be combined in PUD Districts provided that the proposed location of the commercial use will not adversely affect adjacent property, and/or public health, safety, and general welfare.
b. Project Ownership: The project land may be owned, leased, or controlled by a single person or corporation or by a group of individuals or corporations. Such ownership may be a public or private corporation.
c. Minimum Project Area: The gross area of a tract of land to be developed in a Planned Unit Development District shall be a minimum of twenty (20) acres. When the Planned Unit Development proposes a mixture of residential uses and commercial uses, the Zoning Commission may limit the development of not more than eight (8) percent of the tract to commercial uses. A minimum of twenty (20) percent of the land shall be reserved for common open space and recreational facilities for the residents or users of the area being developed.
d. Disposition of Open Space: The required amount of common open space land reserved under a Planned Unit Development shall either be held in corporate ownership by owners of the project area or the use of each owner who buys property within the development or be dedicated to Morris Township and retained as common open space for parks, recreation, and

related uses. The responsibility for the maintenance of all open spaces shall be specified by the developer before the approval of the final development plan.

e. Utility Requirements: Underground, utilities, including telephone and electrical systems, are required within the limits of all Planned Unit Developments. Appurtenances to these systems which can be effectively screened may be excepted from this requirement if the Zoning Commission finds that such exception will not violate the intent of character of the proposed PUD.

f. Minimum Lot Size: Lot area per dwelling unit may be reduced by not more than sixty (60%) percent of the minimum lot area required in the official District regulations. A diversification of lot sizes is encouraged. Lot widths may be varied to allow for a variety of structural designs. Setbacks, also, may be varied for this purpose.

g. Lots to Abut upon Common Open Space: Every property developed under the planned unit development approach should be designed to abut upon common open space or similar areas. A clustering of dwellings is encouraged. In areas where town houses or condominiums are used, there shall be no more than six (6) such units in any contiguous group.

h. Height Requirements: For each foot of building height over the maximum height specified in District Regulations, the distance between such buildings and the side and rear property lines of the PUD project area shall be increased by a one (1) foot addition to the side and rear yards required in the District.

i. Parking: Off-street parking, loading, and service areas shall be provided in accordance with Article 4. However, off-street parking and loading areas shall not be permitted within fifteen (15) feet of any residential use.

j. Perimeter Yards: Notwithstanding the provisions of this Section, every lot abutting the perimeter of the Planned Unit Development District shall maintain all yard requirements specified in the Official District Regulations as applicable.

k. Arrangement of Commercial Uses: When Planned Unit Development Districts include commercial uses, commercial buildings and establishments shall be planned as groups having common parking areas and common ingress and egress points. Planted screens or fences shall be provided on the perimeter of the commercial areas abutting residential areas.

l. Internal Traffic and Landscaping: The plan of the PUD project shall provide for the integrated and harmonious design of buildings, and for adequate and properly arranged facilities for internal traffic circulation, landscaping, and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of adjoining and surrounding non-commercial areas.

m. Expansion Areas: All areas designed for future expansion or not intended for immediate improvement or development shall be landscaped or otherwise maintained in a neat and orderly manner as specified by the Zoning Commission.

## SECTION 18.5 PROCEDURE FOR APPROVAL OF PUD DISTRICT

Planned Unit Development Districts shall be approved in accordance with the procedures in the following sub-Sections:

a. Pre-Application Meeting: The developer shall meet with the Knox County Regional Planning Commission, Zoning Inspector, and Zoning Commission prior to the submission of the preliminary development plan. The purpose of such meetings is to discuss, early and informally the purpose and effect of the Resolution and the requirements and the standards contained therein and to familiarize the developer with any plans for major thoroughfares, parks, public open spaces, and drainage, sewer and water systems in Morris Township.

b. Contents of Application for Approval of Preliminary Plan: An application for approval of the preliminary PUD shall be filed with the Chairman of the Zoning Commission by at least one owner or lessee of property for which the PUD is proposed. At a minimum, the application shall contain the following information filed in triplicate:

(1). Name, address and phone number of applicant.

(2). Name, address and phone number of registered surveyor, registered engineer and/or urban planner assisting in the preparation of the preliminary plan of development.

(3). Legal description of property.

(4). Description of existing use.

(5). Zoning District(s).
(6). A vicinity map at a scale approved by the Zoning Commission showing property lines, roads, proposed zoning and such other items as the Zoning Commission may require.
(7). The preliminary development plan at a scale approved by the Zoning Commission showing topography at two (2) foot intervals; location and type of residential and commercial uses; layout, dimensions and names of existing and proposed roads and streets, right-of-ways, utility easements, parks and community spaces; layout and dimensions of lots and building setback lines; preliminary improvement drawings showing water, sewer, drainage, electricity, telephone, natural gas; and such other features as the Zoning Commission deems necessary.
(8). Proposed schedule for development of the site.
(9). Evidence that the applicant has sufficient control over the land in question to initiate the proposed development within five (5) years.
(10). A written statement by the developer setting forth the reasons why, in his opinion, the Planned Unit Development would be in the public interest and would be consistent with the statement above of the Township's objectives for planned unit developments.

c. Public Hearing by Zoning Commission: Within thirty (30) days after receipt of the application for the preliminary development plan, the Zoning Commission shall hold a public hearing.

d. Notice of Public Hearing in Newspaper: Before holding the public hearing provided above, notice of such hearing shall be published in one (1) or more newspapers of general circulation in Morris Township at least twenty (20) days before the date of said hearing. The notice shall set forth the time and place of the public hearing, a general description of the PUD, time and place where the maps of the proposed PUD will be available for examination prior to the hearing, and the name of the person responsible for giving notice of the hearing.

e. Notice to Property Owners By Zoning Commission: At least twenty (20) days before the date of the public hearing required above, written notice of such hearing shall be sent, by first class mail, by the Chairman of the Zoning Commission to all owners of property contiguous to or directly across the road or street from the area proposed to be included within the Planned Unit Development. This notice shall contain the same information as required of the notice published in newspapers as specified above.

f. Approval in Principal: Within thirty (30) days after the public hearing required above, the Zoning Commission shall review the preliminary development plan to determine if it is consistent with the intent and purpose of this Resolution; whether the proposed development advances the general welfare of the community and neighborhood; and whether the benefits, combination of land uses, and the interrelationship with the land uses in the surrounding area justify the deviation from standard district regulations. The Commission's applicant may submit a final development plan. Approval in principal shall not be construed to endorse a precise location of uses, configuration of parcels, or engineering feasibility.

SECTION 18.6 FINAL DEVELOPMENT PLAN

After approval in principal of the preliminary development plan, the developer shall submit a final development plan to the Zoning Commission. The final development plan shall be in general conformance with the preliminary development plan approved in principal. Five (5) copies of the final development plan shall be submitted and may be endorsed by a qualified professional team that should include an urban planner, engineer, and registered landscape architect.

SECTION 18.7 FEE

An application for approval of final PUD shall be accompanied by a fee as may be determined by the Board of Trustees. Such fee may be utilize by the Board of Trustees to obtain the services of one (1) or more expert consultants qualified to advise as to whether the proposed Planned Unit Development conforms to applicable Morris Township policies and standards, and for investigation and report on any objectionable elements that the Zoning Commission may wish to be advised on. Any portion of the fee remaining shall be returned to the applicant.

SECTION 18.8 CONTENTS OF APPLICATION FOR APPROVAL OF FINAL PLAN

An application for approval of the final development plan shall be filed with the Chairman of the Zoning Commission by at least one (1) owner or lessee of property for which the PUD is proposed. At a minimum, the application shall contain the following information:

a. A survey of the proposed development site, showing the dimensions and bearings of the property lines, area in acres, topography, existing features of the development site, including major wooded areas, structures, roads, easements, utility lines and land uses.
b. All the information required on the preliminary development plan, the location and sizes of lots, location, and proposed density of dwelling units, non-residential building intensity, and land use considered suitable for adjacent properties.
c. A schedule for the development of units to be constructed in progression; design principles for buildings; tabulation of the number of acres in the proposed project for various uses; the number of proposed housing units by type; estimated residential population; estimated non-residential population; and standards for height, open space, parking areas, and public improvements for each unit of development.
d. Engineering feasibility studies and plans showing, as necessary, water, sewerage, drainage, electricity, telephone, and natural gas installations, water disposal facilities, road and street improvements, and the nature and extent of earth work required for site preparation and development.
e. Site plan showing buildings, various functional use areas, traffic and pedestrian circulation and their relationship.
f. Preliminary building plans, including floor plans and exterior elevations.
g. Landscaping plans.
h. Deed restrictions, protective covenants and other legal statements or devices to be used to control the use, development and maintenance of the land and the improvements thereon, including those areas that are to be commonly owned and maintained.

SECTION 18.9 SECOND PUBLIC HEARING BY ZONING COMMISSION

Within thirty (30) days after the submission of the final development plan, the Zoning Commission may hold a second public hearing if the final development plan differs from the preliminary plan in any manner, and to an extent, that such second hearing is deemed warranted and in the best interests of the inhabitants of the area. If a second public hearing is held, notice shall be given as specified in Subsections 5d and 5e above.

SECTION 18.10 RECOMMENDATION BY ZONING COMMISSION

Within sixty (60) days after receipt of the final development plan the Zoning Commission shall recommend to the Board of Trustees that the final development plan be approved as submitted, approved with supplementary conditions, or disapproved. The Zoning Commission shall transmit all papers constituting the record and the recommendations to the Board of Trustees.

SECTION 18.11 CRITERIA FOR RECOMMENDATIONS BY ZONING COMMISSION

In making its recommendation, as required in Subsection 10 above, the Zoning Commission shall find that the facts submitted with the application and presented at the hearing establish that:

a. The proposed development can be initiated within five (5) years of the date of approval.
b. Each individual unit of the development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained.
c. The uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect that could not be achieved under the standard district regulations.
d. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the existing network of thoroughfares outside the PUD.
e. Proposed commercial developments can be justified at the locations proposed.
f. An exception from the standard district requirements is warranted by the design and other favorable features incorporated in the final development plan.

g. The area surrounding said development can be planned and developed in coordination and substantial compatibility with the proposed development.
h. The existing and proposed utility services are adequate for the population densities and non-residential uses proposed.

SECTION 18.12 SUPPLEMENTARY CONDITIONS AND SAFEGUARDS

In approving any Planned Unit Development District, the Board of Trustees may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violation of such conditions and safeguards, when made a part of the terms under which the final development plan is approved, shall be deemed a violation of this Resolution and punishable under Article 6 of this Resolution.

SECTION 18.13 ACTION BY THE BOARD OF TRUSTEES

Within sixty (60) days after receipt of the recommendations of the Zoning Commission the Board of Trustees shall, by Resolution, either approve, approve with supplementary conditions, or disapprove the application as presented. If the application is either approved or approved with conditions, the Board of Trustees shall direct the Zoning Inspector to issue Zoning Permits only in accordance with the approved final development plan and supplementary conditions attached thereto.

SECTION 18.14 EXPIRATION AND EXTENTION OF APPROVAL PERIOD

The approval of a final development plan for a Planned Unit Development District shall be for a period not to exceed five (5) years to allow for preparation and recording of the required subdivision plat and the development of the project. If no construction has begun within five (5) years after approval is granted, the approved final development plan shall be void and the land shall revert to district regulations in which it is located. An extension of the time limit or modification of the approved final development plan may be approved if the Zoning Commission finds such extension or modification is not in conflict with the public interest.

SECTION 18.15 REVOCATION OF APPROVAL

When it is found that the construction of the Planned Unit Development is not in conformance with the approved final development plan, the Board of Trustees shall give the applicant notice of intent to revoke such permit at least ten (10) days prior to review of the permit by the Board of Trustees. After conclusion of such review, the Board of Trustees may revoke its approval of the Planned Unit Development if the Trustees feel that a violation, in fact, does exist and has not been remedied prior to the review and no plan for remedial action has been offered by the applicant.

# ARTICLE 19

## AMENDMENTS

SECTION 19.0 PROCEDURES FOR AMENDMENTS

Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Board of Trustees of Morris Township, after receipt of recommendations thereon from the Zoning Commission and subject to procedures provided by law, may amend this Resolution to supplement, change, or repeal the Regulations, restrictions, boundaries or classification of property set forth herein. Procedures to be utilized for such amendment are specified in the following Sections of this Article.

SECTION 19.1 INITIATION OF ZONING AMENDMENTS

Amendments to this Resolution may be initiated in one of the following ways:

1. By adoption of a motion by the Zoning Commission.
2. By adoption of a Resolution by the Board of Trustees of Morris Township.
3. By the filing of an application by at least one (1) owner or lessee of property within the area proposed to be changed or affected by said amendment.

SECTION 19.2 CONTENTS OF APPLICATION

Applications for amendments to change the Official Zoning Map shall contain at least the following information:

1. Name, address, and phone number of applicant.
2. Existing use.
3. Existing Zoning District.
4. Proposed use.
5. Proposed Zoning District.
6. A vicinity map, at a scale approved by the Zoning Inspector, showing property lines, thoroughfares, existing and proposed zoning and such other items as the Zoning Inspector may require.
7. A list of all property owners, and their mailing address, who are within, contiguous to, or directly across the street or road from the parcel(s) proposed to be rezoned and others that may have a substantial interest in the proposal, except that addresses need not be included where more than ten (10) parcels are to be rezoned.
8. A statement of how the proposed amendment relates to the Comprehensive Plan.
9. Fee and costs as established in Section 6.10.

Applications for amendments proposing to amend, supplement, change or repeal portions of the text of this Resolution, other than the Official Zoning Map, shall include only items 1, 2, and 9 listed above.

SECTION 19.3 TRANSMITTAL TO THE ZONING COMMISSION

Immediately after adoption of a Resolution by the Board of Trustees of Morris Township, or the filing of an application by at least one (1) owner or lessee of property, said application or Resolution shall be transmitted to the Morris Township Zoning Commission.

SECTION 19.4 SUBMISSION TO THE KNOX COUNTY REGIONAL PLANNING COMMISSION

Within five (5) days after the adoption of a motion by the Zoning Commission, adoption of a Resolution by the Board of Trustees of Morris Township, or the filing of an application by at least one (1) owner or lessee, the Zoning Commission shall transmit a copy of such motion, Resolution or application, together with the text and map pertaining to the case in question, to the Knox County Regional Planning Commission. The County Regional Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit such recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission.

SECTION 19.5 SUBMISSION TO OHIO DEPARTMENT OF TRANPORTATION

Before any zoning amendment is approved affecting any land within three hundred (300) feet of the centerline of a proposed new highway or highway for which changes are proposed as described in the certification to local officials by the Ohio Department of Transportation (ODOT), or within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Zoning Commission shall give notice to ODOT. The Zoning Commission may proceed as required by law; however, the Board of Trustees shall not approve the amendment for one hundred twenty (120) days from the date the notice is received by ODOT. If ODOT notifies the Board of Trustees that it or Director of Transportation shall proceed to acquire any land needed, then the Board of Trustees of Morris Township shall refuse to approve the rezoning. If ODOT notifies the Board of Trustees that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or an extension thereof agreed upon by ODOT and the property owner, the Board of Trustees of Morris Township shall proceed as required by law.

SECTION 19.6 PUBLIC HEARING BY MORRIS TOWNSHIP ZONING COMMISSION

The Zoning Commission shall schedule a public hearing after the adoption of their motion, transmittal of a Resolution from the Board of Trustees of Morris Township, or the filing of an application for zoning amendment. Said hearing shall be not less than twenty (20) and not more than forty (40) days from the date of adoption of such motion, transmittal of such Resolution, or the filing of such application.

SECTION 19.7 NOTICE OF PUBLIC HEARING IN NEWSPAPER

Before holding the public hearing as required in Section 19.6, notice of such hearing shall be given by the Zoning Commission by at least one publication in one or more newspapers of general circulation of the Township at least fifteen (15) days before the date of said hearing.

1. 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 hearing, and shall include all of the following:
   a. The Morris Township Zoning Commission will be conducting the public hearing on the proposed amendment.
   b. A statement indicating that the motion, application, or Resolution is an amendment to the zoning Resolution.
   c. The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least fifteen (15) days prior to the public hearing.
   d. The name of the person responsible for giving notice of the public hearing by publication.
   e. A statement that after the conclusion of such hearing the matter will be submitted to the Board of Township Trustees for its action.
   f. Any other information requested by the Zoning Commission.
2. If the proposed amendment intends to rezone or redistrict ten (10) or fewer parcels of land as listed on the County Auditor's current tax list, the published shall set forth the time, date, and place of the public hearing, and shall include all of the following:

   a. The Morris Township Zoning Commission will be conducting the public hearing.

   b. A statement indicating that the motion, Resolution, or application 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 the names of owners of these properties, as they appear on the county Auditor's current tax lists.

   d. The present zoning classification of property named in the proposed amendment and the proposed zoning classification of such property,

   e. 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 fifteen (15) days prior to the public hearing.

   f. The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail.

   g. A statement that after the conclusion of such hearing, the matter will be submitted to the Board for its action.

   h. Any other information requested by the Zoning Commission.

SECTION 19.8 NOTICES TO PROPERTY OWNERS BY MORRIS TOWNSHIP ZONING COMMISSION

If the proposed amendment intends to rezone or redistrict ten (10) or less parcels of land as listed on the tax duplicate, a written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least twenty (20) days before the date of the public hearing, to all owners within, contiguous to, and directly across the thoroughfare from the area proposed to be rezoned or redistricted, to the address of such owners appearing on the Knox County Auditor's current tax list or the Treasurer's mailing list and to such other list that may be specified by the Board of Trustees of Morris Township. The failure to deliver the notice, as provided in this Section, shall not invalidate any such amendment. The notice shall contain the same information as required of notices published in newspapers as specified in the Section 19.7.

SECTION 19.9 RECOMMENDATIONS BY MORRIS TOWNSHIP ZONING COMMISSION

Within thirty (30) days after the public hearing required in Section 19.6, above, the Zoning Commission shall recommend to the Board of Trustees that the amendment be granted as requested, or that a specified modification of the requested amendment be granted, or that the amendment be not granted.

SECTION 19.10 PUBLIC HEARING BY BOARD OF TRUSTEES OF MORRIS TOWNSHIP

Within thirty (30) days upon receipt of the recommendation of the Zoning Commission, the Board of Trustees shall hold a public hearing. Notice of such public hearing in a newspaper shall be given at least fifteen (15) days before the date of such hearing by the Board of Trustees of Morris Township. The contents of such notice shall be that specified in Section 19.7.

SECTION 19.11 ACTION BY BOARD OF TRUSTEES OF MORRIS TOWNSHIP

Within twenty (20) days after the public hearing required by Section 19.10, the Board of Trustees of Morris Township shall either adopt of deny the recommendation of the Zoning Commission or adopt some modification thereof. In the event of the Board of Trustees denies or modifies the recommendation of the Commission, the unanimous vote of the Board of Trustees is required.

SECTION 19.12 EFFECTIVE DATE AND REFERENDUM

The proposed amendment, if adopted by the Board of Trustees of Morris Township, shall become effective thirty (30) days after the date of its adoption, unless, within thirty (30) days after adoption of the amendment there is presented to the Board of Trustees a petition, signed by a number of registered electors residing in the unincorporated area of Morris Township, or part of that unincorporated area included in the zoning plan, equal to not less than eight (8%) percent of the total vote case for all candidates for governor in that area at the most recent general election at which a governor was elected, requesting the Board of Trustees to submit the amendment to the electors of that area for approval or rejection at a special election to be held on the day of the next primary or general election that occurs at lease ninety (90) days after the petition is filed.

No amendment for which such referendum vote has been requested shall be put into effect unless a majority of the votes cast on the issue is in favor of the amendment. Upon certification by Knox County Board of Elections that the amendment has been approved by the voters, it shall take effect immediately.

# ARTICLE 20

## AUTHENTICATION AND EFFECTIVE DATE

SECTION 20.0 AUTHENTICATION
The Morris Township Fiscal Officer is hereby directed to certify the passage of this "Zoning Resolution of Morris Township, Knox County, Ohio,

SECTION 20.1 EFFECTIVE DATE
This Resolution, amended as provided in Article 18 there, shall be in full force and effect on the following date: March 28, 2018.

Dan Humphrey, Chairman
Board of Trustees
Morris Township
Knox County, Ohio

Attest:

Diane Clippinger , Fiscal Officer

# APPENDIX A

**FEE SCHEDULE**

The schedule of fees and charges and the collection procedure in effect on the date of adoption of this Amended Resolution are as follows:

Fees for a Zoning Permit, payable to the Fiscal Officer of Morris Township, are collected by the Zoning Inspector in advance of the issuance of such permit. The amount of the current fee for each Zoning Permit is:

For Agricultural Districts, **$40.00** and **$.10** per square foot of living area. There is no cost for a barn or out building for agricultural use.

For Residential Districts, **$40.00** and **$10** per square foot of living area.

For Business District, **$40.00** and **$.10** per square foot.

Fee for filing each application for an amendment to change District boundaries or zoning classification is a non-refundable **$250.00** charge, payable to the Fiscal Officer of Morris Township.

Fee for each Appeals, Variance and Conditional Use Permit is a non-refundable **$250.00** charge payable to the Fiscal Officer of Morris Township.

Fee for Swimming Pool, **$25.00**, as defined in Article14.2.

Fee for Signs in B-1 District, Outdoor Advertising Displays, and/or Billboards, **$25.00** and **$2** per square foot.

The penalty for violation of any provision of this Resolution is as provided in Section 6.9.

No fee is charged for actions initiated by the Zoning Commission or the Board of Township Trustees.

There is a **$10.00** fee for a copy of the Morris Township Zoning Resolution.

Note: Fee schedule was adopted by the Morris Township Trustees on January 4, 2016.