

FTZC 09-2C Fairfield Township Zoning Resolution Text Amendments

4.36 COMMISSION, ZONING. (FT~~WP~~ZC) Zoning Commission of Fairfield Township, Butler County, Ohio.

4.41 COURTYARD, OUTER. A court which extends directly to an ~~d~~ opens for its full length on a street, or other permanent open space or yard at least twenty-five (25) feet wide.

4.43 DISTRICT. A portion of the territory of ~~Butler County Fairfield Township~~ in which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this ~~ordinance resolution~~. The term "R-District" shall mean any R-1, R-1A, R-2, R-3, R-4, R-MHP or R-PUD District; the term "B-District" shall mean any B-1, B-2, B-3, ~~B-4~~ or B-PUD District; the term "M-District" shall mean any M-1 or M-2 District; the term F-1 shall mean flood plain district; ~~the term "OR-District" shall mean the OR-1 district; the term "Overlay District" shall mean the Homewood – Belmont Overlay District.~~

4.44 DISTRICT, MORE RESTRICTED OR LESS RESTRICTED. Each of the districts in the following listing shall be deemed more restricted than any of the other districts succeeding it, and it shall be less restricted than any of the other districts preceding it:

~~B-1, B-2, B-3, M-1, M-2~~

4.46 DWELLING, ACCESSORY. A second dwelling located within a principal structure or on the same lot as a principal structure where such accessory dwelling is without full kitchen facilities and is clearly incidental to the principal dwelling.

4.55 GARAGE, RESIDENTIAL A detached accessory building or a portion of the principal building used only for the storage of self-propelled passenger vehicles or trailers and incidental personal property by the families ~~resident upon~~ ~~residing on~~ the premises.

4.59 HIGHWAY, PRIMARY. An officially designated, federal or state numbered highway or a county or other road designated as a primary thoroughfare on the official Land Use Plan~~e~~ and/or the official Thoroughfare Plan for Butler County, Ohio.

4.116 STRUCTURAL ALTERATION. Any ~~change~~ in the structural members of a building, such as walls, columns, beams or girders.

4.131 - including any driveway and sidewalk area, as herein after

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5.1 For the purpose of this Resolution the unincorporated territory of Fairfield Township, Butler County, Ohio is hereby divided into the following categories of zoning districts:

A-1 - "Agricultural District"

R-1 - "Suburban Residence Residential District"

R-1A - "Suburban Residential District"

R-2 - "Single-Family Residence Residential District"

R-3 - "One and Two Family Residence Residential District"

R-4 - "Multi-Family Residence Residential District"

R-PUD - "Residential Planned Unit Development"

B-PUD - "Business Planned Unit Development"

R-MHP - "Mobile Home Park District"

H-B - "Homewood – Belmont Overlay District"

B-1 - "Neighborhood Business District"

B-2 - "Community Business District"

B-3 - "General Business District"

~~B-4~~ OR-1 - "Office and Research District"

M-1 - "Light Industrial District"

M-2 - "General Industrial District"

F-1 - "Flood Plain District"

6.12.6 The number of accessory structures and sizes shall be based on square footage of residential lots as shown

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below:

Lot Size (in SQFT)	Max. Size of Bldg. (SQFT)	Max Ht. (ft)	Qty
Up to 6000	Up to 650	44 20	1
6001 - 9000	Up to 750	44 20	1
9001 - 12000	Up to 900	44 20	1
12001 - 15000	Up to 1000	44 20	1
15001-21800	Up to 1200	44 20	1
21801 - 43560(1AC)	Up to 1500	44 20	1
43561 -130680(3AC)	2000 / each	20	2
130681 & Above	2500 / each	20	2

6.18 OFF-STREET PARKING AND LOADING. In any district, spaces for off-street parking and for loading or unloading, unloading shall be provided in accordance with the provisions of Section 23.1 of this Resolution.

6.18.1 PARKING AND/OR STORAGE OF TRAILERS, CAMPERS, WATERCRAFT, OR OTHER

RECREATIONAL VEHICLES. No trailer, camper, watercraft, or other recreational vehicle shall be permitted in any front yard, unless such item is a minimum of fifty (50) feet from any Right of Way, ~~and shall only be stored/parked on an impermeable surface a concrete surface, or similar hard surface as deemed appropriate by the Zoning Inspector.~~ Any such vehicle or equipment shall not encroach any R-District side or rear yard requirements for accessory buildings. No living quarters shall be maintained or any business conducted while vehicle is so parked.

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6.18.2 PARKING AND/OR STORAGE OF MOTOR VEHICLES. No motor vehicle shall be permitted in any ~~front~~ yard, unless such item is stored/parked on a concrete surface or similar hard surface as deemed appropriate by the Zoning Inspector which wholly encompasses the area of the vehicle or equipment. Any such vehicle or equipment shall not encroach any R-District side or rear yard requirements for accessory buildings.

~~9.5, 10.5, 11.5, 12.5~~ 6.35 KEEPING OF ANIMALS IN "R-DISTRICTS" . The keeping of up to four (4) animals customarily considered as house pets shall be allowed provided that such animals are not vicious, as determined by the Butler County Dog Warden, and provided that these animals do not present unsanitary conditions, as determined by the Board of Health. Nothing in this section shall prohibit the temporary (less than five (5) months) keeping of newborn offspring of permitted animals, ~~nor~~ shall these regulations prohibit the keeping of any number of fish in aquarium.

17.3 CONDITIONAL USES REQUIRING BOARD APPROVAL.

~~17.2.4 17.3.5~~ Automobile, truck, trailer and farm implement sales and service establishments for the display, hire and sales, including sales lots and repair of automobiles, trucks, trailers, and farm implements. ~~provided that all such operations other than display and sales shall be conducted within a completely enclosed building; and further provided that any building used for repair work shall have no openings other than stationary windows or required fire exits when located within one hundred (100) feet of any R-District, or a recorded residential subdivision.~~

ARTICLE 19

~~B-4~~ OR-1 OFFICE AND RESEARCH DISTRICT

19.2 PRINCIPAL PERMITTED USES.

19.2.1 Office uses and research and development facilities.

19.2.2 Schools and colleges.

19.2.3 Public buildings and properties of an administrative, cultural, recreational or service type.

~~3.~~ 26.5.18 COMMERCIAL ANIMAL FARMS

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- a. All such uses shall have a minimum lot area of ten (~~105~~) acres.
- b. All associated principal and accessory buildings used for holding animals shall be a minimum of four hundred (400) feet from any lot in and R-District and any recorded residential subdivision.

26.5.19 AUTOMOBILE, TRUCK, TRAILER AND FARM IMPLEMENT SALES AND SERVICE ESTABLISHMENTS FOR THE DISPLAY, HIRE AND SALES, INCLUDING SALES LOTS AND REPAIR OF AUTOMOBILES, TRUCKS, TRAILERS, AND FARM IMPLEMENTS

- a. all such operations other than display and sales shall be conducted within a completely enclosed building;
- b. any building used for repair work shall have no openings other than stationary windows or required fire exits on any building façade facing residential uses when located within one hundred (100) feet of any R-District, or a recorded residential subdivision.
- c. parking design and layout shall be approved by the Butler County Engineer's Office
- d. watershed management shall be approved by the Butler County Engineer's Office
- e. Site Development and maintenance of parking areas shall be in accordance with section 23.1.2.5 and 23.1.2.7 of the Fairfield Township Zoning Resolution.

26.8.2 VARIANCES. The Board shall have the power to authorize upon appeal in specific cases, filed as herein before provided, such variances from the provisions or requirements of this Resolution as will not be contrary to the public interest. Where the applicant seeks a use variance, said applicant shall be required to establish to the Board, proof by a preponderance of the evidence that unnecessary hardship will prevail unless the variance is granted.

Where the applicant seeks an area variance, it shall be sufficient that said applicant establish to the Board, proof by a preponderance of the evidence that he has or will encounter practical difficulties in the use of his property. The Board shall consider the following factors and other factors that may be applicable in the judgment of the Board in determining a variance.

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- a. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
- b. Whether the variance is substantial:
- c. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance:
- d. Whether the variance would adversely affect the delivery of governmental services (e.g. water, sewer, garbage, ~~etc.~~safety services);
- e. Whether the property owner purchased the property with knowledge of the zoning restriction;
- f. Whether the property owner's ~~property owner's~~ predicament can feasibly be ~~obviated~~ resolved through some method other than a variance:
- g. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice ~~be~~ done by granting the variance.

Article 27

27.9 FAIRFIELD TOWNSHIP TRUSTEES - FINAL ACTION. Within twenty (20) days after such public hearing the Board shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. In the event the Board denies or modifieds the recommendation of the Fairfield Township Zoning Commission a ~~unanimous majority~~ vote of the Board shall be required.