

Parkman Township Zoning Resolution # 1

Published 2013

Table of Contents

1. Article I -----General Provisions
2. Article II-----Definitions
3. Article III-----Zoning Districts and Official Zoning Map
4. Article IV-----District Regulations
 - a. Section 400.0----General-----IV 1
 - b. Section 401.0----Prohibited Uses In All Zoning Districts-----IV 1-2
 - c. Section 402 Residential District-----IV 2-12
 - d. Section 403 Commercial District-----IV 12-17
 - e. Section 404 Industrial District-----IV 18-21
5. Article V-----Conditional Uses
6. Article VI-----Parking and Loading/Unloading Spaces
7. Article VII-----Signs
8. Article IX-----Nonconforming Buildings, Structures and Uses
9. Article X-----Administration
10. Article XI-----Enforcement
11. Article XII-----Amendments
12. Article XIII-----Wireless Telecommunications Towers and Facilities
13. Article XIV-----Adult Oriented Businesses
14. Forms

ARTICLE I

GENERAL PROVISIONS

Section

100.0 Title

This resolution shall be known as "The Zoning Resolution of Parkman Township, Geauga County, Ohio" and may be herein after referred to as "this resolution".

101.0 Jurisdiction

This resolution shall apply to all of the unincorporated territory of Parkman Township, Geauga County, Ohio.

102.0 Provisions of Resolution Declared to be Minimum Requirements.

103.0 Powers Not Conferred by Chapter 519 of the Ohio Revised Code or this Resolution.

- A. This resolution does not prohibit the use of any land for agriculture purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, including buildings or structures that are used primarily for vinting and selling wine and that are located on land any part of which is used for viticulture and no zoning certificate shall be required for any such building or structure.
- B. This resolution does not apply in respect to the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use, or enlargement of any buildings or structures of any public utility or railroad, whether public or privately owned, or the use of land by any public utility or railroad, for the operation of its business. However, subject to R.C. 519.21 (B) (4) (a), the provisions of this resolution shall apply with respect to the location, erection, construction, reconstruction, change, alteration, removal, or enlargement of a wireless telecommunications tower and appurtenant facilities.
- C. This resolution does not prohibit the sale or use of alcholic beverages in areas where the establishment and operation of any retail business, hotel, lunchroom or restaurant is permitted by this resolution.
- D. This resolution does not prohibit the use of any land owned or leased by an industrial firm for the conduct of oil or natural gas well drilling or production activities or the location of associated facilities or equipment when such oil or natural gas obtained by the industrial firm is used for the operation of its own plants.

E. This resolution does not prohibit in a district zoned for agricultural, industrial, residential, or commercial uses, the use of any land for a farm market where fifty percent (50%) or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year.

104.0 Schedules of Fees, Charges, and Expenses; and Collection Procedure

The board of township trustees shall, by resolution, establish a schedule of fees, charges, and expenses and a collection procedure for zoning certificates, amendments, appeals, conditional zoning certificates, 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 township clerk, and may be altered or amended only by resolution of the board of township trustees.

Each application for a zoning certificate, amendment, or conditional zoning certificate and notice of appeal shall be accompanied by the fee so established.

Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

105.0 First Day Excluded and Last Day Included in Computing Time; Exceptions; Legal Holiday Defined

The time within which an act is required by law to be done shall be computed by excluding the first and including the last day; except that when the last day falls on Sunday or a legal holiday, then the act may be done on the next succeeding day which is not Sunday or legal holiday.

When a public office in which an act, required by law, is to be performed is closed to the public for the entire day which constitutes the last day for doing such act or before its usual closing time on such day, then such act may be performed on the next succeeding day which is not a Sunday or legal holiday as defined in R.C. 1.14.

"Legal holiday" as used in this section means the day set forth in R.C. 1.14.

If any day designated in R.C. 1.14 as a legal holiday falls on Sunday, the next succeeding day is a legal holiday.

106.0 Computation of Time

If a number of months is to be computed by counting the months from a particular day, the period ends on the same numerical day in the concluding month as the day of the month from which the computation is begun, unless there are not that many days in the concluding month, in which case the period ends on the last day of that month.

107.0 Specific Provision Prevails over General; Exception

If a general provision conflicts with a specific provision, they shall be construed, if possible, so that effect is given to both. If the conflict between the provisions is irreconcilable, the specific provision prevails as an exception to the general provision, unless the general provision is the latter adoption and the manifest intent is that the general provision prevail.

108.0 Irreconcilable Amendments

If amendments are enacted at the same or different times, one amendment without reference to another, the amendments are to be harmonized, if possible, so that effect may be given to each. If the amendments are substantively irreconcilable, the latest in date of enactment prevails. The fact that a later amendment restates language deleted by an earlier amendment, or fails to include language inserted by an earlier amendment, does not of itself make the amendments irreconcilable. Amendments are irreconcilable only when changes made by each cannot reasonably be put into simultaneous operation.

109.0 Continuation of Prior Amendment

A provision or regulation which is re-enacted or amended is intended to be a continuation of the prior provision or regulation and not a new enactment, so far as it is the same as the prior provision or regulation.

110.0 Effect of Amendment

The amendment of this resolution does not:

1. Affect the prior operation of this resolution or any prior action taken thereunder;
2. Affect any validation, cure, right, privilege, obligation, or liability previously acquired, accrued, accorded, or incurred thereunder;
3. Affect any violation thereof or penalty, forfeiture, or punishment incurred in respect thereto, prior to the amendment or repeal;
4. Affect any investigation, proceeding, or remedy in respect of any such privilege, obligation, liability, penalty, forfeiture, or punishment; and the investigation, proceeding, or remedy may be instituted, continued, or enforced, and the penalty, forfeiture, or punishment imposed, as if the resolution had not been amended.

111.0 Annexed Territory

Upon annexation of township territory to an existing municipal corporation the zoning regulations then in effect shall remain in full force and shall be enforced by the township officials until the legislative authority of said municipal corporation shall either officially adopt the existing zoning regulations or new regulations for such territory.

112.0 Severability

If any provisions or regulations of this resolution or an amendment thereof or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions, regulations, applications, or amendment; and to this end the provisions, regulations, and amendments are severable.