

Article II

General Provisions

SECTION 200 - AUTHORITY AND PURPOSE FOR ZONING RESOLUTION

Section 200.01 Authority

This Zoning Resolution is adopted under authority granted to Ohio townships by the Legislature of the State of Ohio in Chapter 519, Ohio Revised Code. This Resolution and all provisions contained herein shall be known as the Jefferson Township Zoning Resolution.

Section 200.02 Purpose of Zoning

The purpose of this Zoning Resolution is as *described* by Section 519.02, Ohio Revised Code.

SECTION 210 – INTERPRETATION

In their interpretation and application, the provisions of this Zoning Resolution are adopted for the promotion of the public health, safety, and morals of the township. Whenever the requirements of this Zoning Resolution conflict with the requirements of any other lawfully adopted rules, regulations, or resolutions, the most restrictive, or that imposing higher standards, shall govern.

SECTION 220 - SEPARABILITY CLAUSE

Should any section or provision of this Zoning Resolution be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Zoning Resolution as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 230 - SCOPE OF ZONING RESOLUTION

Section 230.01 Territorial Limits

The provisions of this Zoning Resolution shall apply to all land in the unincorporated territory of Jefferson Township.

SECTION 240 - APPLICATION OF ZONING RESOLUTION

Section 240.01 Exempt from Regulation

The regulations set forth in this Zoning Resolution shall affect all land, every structure and every use of land or structure, except agriculture and public utilities or railroads as is now specifically exempt by law or as may be hereafter amended by law or as is exempted by paragraphs 1 through 3 below.

1) Agriculture

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

Agriculture shall not be prohibited on lots greater than five (5) acres. The use of any land for agricultural purposes or the construction or use of building or structure incidental to the use for agricultural purposes of the land on which such buildings or structures are located shall not be prohibited on lots greater than five acres and no zoning certificate shall be required for any such building or structure. (ORC 512.21).

2) Public Utilities and Railroads

Public utilities and railroads shall be regulated to the fullest extent permitted by Section 519.211 of the Ohio Revised Code and any amendments thereto. For purposes of defining areas zoned for residential use as referenced in Section 519.211(B) of the Ohio Revised Code, areas zoned for residential use means the total area zoned to a specific residential zoning designation as contained in the zoning resolution plus an additional 250 feet of buffer area extending beyond the boundary of the residentially zoned territory. Residential zoning designations shall include, but not be limited to, Countryside Residential District (CSR), Restricted Suburban Residential District (RSR), Limited Suburban Residential District (LSR); Suburban Periphery Residential District (SPR), Planned Suburban Residential District (PSR), Planned Residential District (PR), and any other residential zoning categories that may be adopted in the future.

3) Governmental Functions

Any local, State or Federal activity carried on for the purpose of administrative, protective, executive, legislative or judicial function shall not be prohibited.

Section 240.02 New Subdivision, Structures, or Uses

New development including the subdivision of land, construction and the use of land or structures shall conform to the regulations for the Zoning District in which such development is located.

1) New Subdivision

The subdivision or re-subdivision of land shall not create lots less than the minimum size required for the Zoning District in which such land is located nor shall lots be provided or intended for uses not allowed in the Zoning District.

2) New Structures

New structures and/or developments shall be permitted only on lots meeting the requirements of this Zoning Resolution and shall conform with the development standards of the Zoning Districts in which such construction is proposed, except as is otherwise provided for in Article IV.

3) New Uses

Any new use of land or a structure shall be a permitted use or a conditional use for the Zoning District in which such use is to be located.

Section 240.03 Existing Conforming Lots, Structures or Uses

Lots, structures, or the use of lots and/or structures which conform with the regulations of the Zoning District in which they are located may be continued; and may be altered, extended, or changed in accordance with the development standards of the Zoning District.