

**AUSTINBURG TOWNSHIP  
ZONING RESOLUTION**

**TABLE OF CONTENTS**

Title Page		
Preamble		
<b>Article 1</b>	<b>Title, Interpretation and Enactment</b>	<b>1-1</b>
100	Title	1-1
101	Land Use Policy Statements	1-2
110	Purpose	1-2
120	Provisions of Resolution Declared to be Minimum Requirements	1-2
130	Separability Clause	1-2
140	Repeal of Conflicting Resolution	1-2
150	Effective Date	1-2
<b>Article 2</b>	<b>Definitions</b>	<b>2-1</b>
<b>Article 3</b>	<b>Nonconformities</b>	
300	Purpose	3-1
301	Uses Under Conditional Use Provisions Not Nonconforming Uses	3-1
302	Incompatibility of Nonconformities	3-1
310	Avoidance of Undue Hardship	3-1
320	Certificates for Nonconforming Uses	3-2
330	Substitution of Nonconforming Uses	3-2
340	Single Nonconforming Lots of Record	3-2
341	Nonconforming Lots of Record in Combination	3-2
350	Nonconforming Uses of Land	3-2
360	Nonconforming Structures	3-3
370	Nonconforming Uses of Structures / of Structures & Land in Combination	3-3
380	Termination of Nonconforming Uses	3-4
381	Termination of Use Through Discontinuance	3-4
382	Termination of Use by Damage or Destruction	3-4
390	Repairs and Maintenance	3-4
<b>Article 4</b>	<b>Procedures &amp; Requirements for Appeals and Variances</b>	
400	General	4-1
401	Appeals	4-1
402	Stay of Proceedings	4-1
410	Variances	4-1
411	Application and Standards for Variances	4-1
412	Additional Conditions and Safeguards	4-2
413	Public Hearing by the Board of Zoning Appeals	4-2
414	Notice of Public Hearing in Newspaper	4-2
415	Notice to Parties of Interest	4-2
416	Action by Board of Zoning Appeals	4-3
417	Term of Variance	4-3
418	Authorized Variance	4-3

<b>Article 5</b>	<b>Procedures &amp; Requirements for Conditional Use Permits; Substantially Similar Uses;</b>	
	<b>Accessory Uses</b>	
500	Regulation of Conditional Uses	5-1
501	Purpose	5-1
510	Contents of Conditional Use Permit Application	5-1
520	General Standards for all Conditional Uses	5-1
530	Specific Criteria for Conditional Uses	5-2
540	Public Hearing	5-8
541	Notice of Public Hearing	5-8
542	Notice to Parties of Interest	5-8
550	Action by the Board of Zoning Appeals	5-8
551	Supplementary Conditions and Safeguards	5-9
552	Expiration of Conditional Use Permit	5-9
560	Procedure & Requirements to Determine that a Use is Substantially Similar	5-9
561	Remedy by Application for Amendment	5-9
562	Standards for Consideration of Substantially Similar Uses	5-10
563	Effect of Determination that a Use is Substantially Similar	5-10
564	Record of Substantially Similar Uses	5-10
570	Regulation of Accessory Uses	5-10
571	Purpose	5-10
572	Definition	5-10
573	General Requirements	5-10
574	Dwellings as Accessory Uses	5-11
575	Accessory Elderly Dwelling Unit	5-11
576	Retail Sales and Services as Accessory Uses	5-11
577	Small Wind Energy Systems	5-11
<b>Article 6</b>	<b>Amendment</b>	
600	Procedure for Amendment of District Changes	6-1
601	General	6-1
602	Initiation of Zoning Amendments	6-1
603	Contents of Application for Zoning Map Amendment	6-1
604	Contents of Application for Zoning Text Amendment	6-1
605	Transmittal to Zoning Commission	6-2
606	Submission to County Planning Commission	6-2
607	Submission to Director of Transportation	6-2
608	Public Hearing by Zoning Commission	6-2
609	Notice of Public Hearing in Newspaper	6-2
610	Notice to Property Owners by Zoning Commission	6-3
611	Recommendation by Zoning Commission	6-3
612	Public Hearing by Board of Township Trustees	6-3
613	Action by Board of Township Trustees	6-3
614	Effective Date and Referendum	6-3
615	File Zoning Amendments with County Recorder and County Planning Commission	6-3
<b>Article 7</b>	<b>Establishment of Districts</b>	
700	Purpose	7-1
710	Establishment of Districts	7-1
720	Zoning District Map	7-1
721	Zoning Map Legend	7-1
722	Identification of Official Zoning Map	7-1
723	Interpretation of District Boundaries	7-2
725	Zoning Map Amendments	7-2
726	File Zoning Map with County Recorder and County Planning Commission	7-2

**Article 8 Official Schedule of Permitted Uses and Dimensional Requirements**

AC (Accommodation Commercial) District  
EC (Educational Campus) District  
I/OP (Industrial/Office Park) District  
NC (Neighborhood Commercial) District  
PUD (Planned Unit Development) District  
R-1 (Single- and Two-Family) District  
R-2 (Multi-Family) District  
RC (Recreation Commercial) District

**Article 9 Supplementary District Regulations**

900	General	9-1
901	Conversions of Dwellings to More Than One Unit	9-1
902	Principal Building Per Lot	9-1
903	Reduction of Area or Space	9-1
904	Construction in Easements	9-1
905	Parking & Storage of Vehicles & Trailers	9-2
906	Required Refuse Collection Areas	9-2
907	Junk	9-2
908	Outside Storage & Refuse Collection	9-2
910	Supplemental Yard & Height Regulations	9-3
911	Setback Requirements for Buildings on Corner Lots	9-3
912	Fence & Wall Restrictions in Front Yards	9-3
913	Yard Requirements for Multi-Family Dwellings	9-4
914	Side & Rear Yard Requirements for Nonresidential Uses Abutting Residential Districts	9-4
915	Exceptions to Height Regulations	9-4
916	Architectural Projections	9-4
917	Visibility at Intersections	9-4
920	Objectionable, Noxious, or Dangerous Uses, Practices, or Conditions	9-5
921	Assurance Requirements and Plans	9-6
922	Enforcement Provisions	9-6
930	Temporary Uses	9-6
940	Screening	9-7

**Article 10 Special Regulations**

1000	General	10-1
1000.10	Regulation of Satellite Dish Antennas	10-1
1000.11	Purpose	10-1
1000.12	Zoning Permit Required	10-1
1000.13	Ground-Mounted Satellite Dish Antennas	10-1
1000.14	Roof-Mounted Satellite Dish Antennas	10-2
1000.15	Variances on Locational Characteristics	10-2
1000.20	Regulation of Amusement Arcades	10-2
1000.21	Purpose	10-3
1000.22	Conditional Use Permit Required	10-3
1000.23	Zoning of Amusement Arcades	10-3
1000.24	Maintenance of a Nuisance Prohibited	10-3
1000.25	Restricted Access to Certain Minors	10-4
1000.26	Complaints Regarding Amusement Arcades	10-4
1000.27	Revocation of Conditional Use Permit	10-4
1000.28	Procedure for Revocation	10-4
1000.30	Regulation of Adult Entertainment Businesses	10-4
1000.31	Purpose	10-5
1000.32	Findings	10-5
1000.33	Location & Restrictions of Adult Entertainment Businesses	10-5

1000.34	Severability	10-6
1000.35	Complaints Regarding Adult Entertainment Businesses	10-6
1000.36	Revocation of Conditional Use Permit	10-7
1000.37	Procedure for Revocation	10-7
1000.40	Regulation of Television, Radio, & Microwave Tower & Telecommunications Equipment Siting	10-7
1000.41	Purpose	10-7
1000.42	Zoning Permit Required	10-8
1000.43	Approval Standards for a New Transmission Facility	10-8
1000.44	Zoning Permit Required	10-9
1000.45	Zoning Permit Not Required	10-9
1000.50	Regulation of Swimming Pools as Accessory Uses	10-9
1000.51	Purpose	10-9
1000.52	Private Swimming Pools	10-9
1000.53	Community or Club Swimming Pools	10-10
1000.60	Regulation of Long-Term Parking Facilities	10-10
1000.61	Purpose	10-10
1000.62	Conditional Use Permit Required	10-10
1000.63	Permit Requirements	10-10
1000.70	Regulation of Home Occupations	10-11
1000.71	Purpose	10-11
1000.72	Home Occupation as a Permitted Use	10-11
1000.73	Home Occupation as a Conditionally Permitted Use	10-11
1000.74	Invalidation of Home Occupation Conditional Use Permit	10-12
1000.80	Regulation of Group Residential Facilities	10-12
1000.81	Purpose	10-12
1000.82	Conditional Use Permit Required	10-12
1000.83	Zoning of Group Residential Facilities	10-13
1000.84	Variance to Distancing Requirement	10-13
1000.85	Uniformity with Respect to Granting of Conditional Use Permits	10-13
1000.90	Appearance and Design Standards for Single Family Housing	10-13
1000.91	Purpose	10-13
1000.92	Standards	10-13
1000.96	Uniformity with Respect to Granting of Variances	10-14
1000.100	Regulation of Self-Service Storage Facilities	10-14
1000.101	Purpose	10-14
1000.102	Conditional Use Permit Required	10-14
1000.103	Use Regulations	10-15
1000.104	Development Standards	10-15
1000.105	Performance Standards	10-16
1000.200	Regulation of Auctions	10-16
1000.201	Purpose	10-16
1000.202	Conditional Use Permit Required	10-16
1000.203	Use Regulations	10-16
1000.204	Developmental Standards	10-17
1000.205	Performance Standards	10-17
1000.206	Building Setback Adjacent to a River or Stream	10-17
1000.207	Agriculture Uses, Prohibitions & Limitations	10-17
1000.208	Storage Container, Storage Trailer	10-18

<b>Article 11 Off-Street Parking and Loading Facilities</b>		
1100	General Parking Requirements	11-1
1110	Off-Street Parking Design Standards	11-1
1120	Determination of Required Spaces	11-2
1121	Joint or Collective Parking Facilities	11-2
1122	Off-Street Storage Areas for Drive-In Services	11-3
1123	Parking of Disabled Vehicles	11-3
1130	Parking Space Requirements	11-3
1131	Handicapped Parking	11-5
1140	Off-Street Loading Space Requirements	11-5
1141	Off-Street Loading Design Standards	11-5
<b>Article 12 Signs</b>		
1200	General	12-1
1201	Governmental Signs Excluded	12-1
1202	General Requirements for all Signs and Districts	12-1
1203	Measurement of Sign Area & Sign Height	12-2
1210	Permit Required	12-3
1211	Signs Permitted in all Districts Not Requiring a Permit	12-3
1212	Signs Permitted in any District Requiring a Permit	12-3
1213	Signs Permitted in the R-1 District	12-4
1214	Signs Permitted in the R-2 District	12-4
1215	Signs Permitted in the RC District	12-4
1216	Signs Permitted in the NC District	12-5
1217	Signs Permitted in the AC District	12-5
1218	Signs Permitted in the I/OP District	12-5
1220	Temporary Signs and Banners	12-6
1240	Sign Setback Requirements	12-6
1241	Setbacks for Off-Premise Signs Not Exceeding 100 Sq Ft	12-6
1242	Off-Premise Signs Exceeding 100 Square Feet	12-6
1243	Setbacks for Public and Quasi-Public Signs	12-6
1244	Special Yard Provisions	12-7
1250	Limitation	12-7
1260	Maintenance	12-7
1261	Abandoned Signs (and Advertising Structures) Prohibited	12-7
1262	Non-Conforming Signs and Structures	12-8
1263	Loss of Legal Non-Conforming Status	12-8
1270	Violations	12-8
<b>Article 13 Administration</b>		
1300	Purpose	13-1
1301	General Provisions	13-1
1310	Zoning Administrator	13-1
1311	Responsibilities of Zoning Administrator	13-1
1320	Zoning Commission	13-2
1321	Proceedings of Zoning Commission	13-2
1322	Duties of Zoning Commission	13-2
1330	Board of Zoning Appeals	13-2
1331	Proceedings of the Board of Zoning Appeals	13-3
1332	Duties of the Board of Zoning Appeals	13-3
1340	Duties of Zoning Administrator, Board of Zoning Appeals, Legislative Authority and Courts on Matters of Appeal	13-4
1350	Board of Township Trustees	13-4
1351	Schedule of Fees	13-4

<b>Article 14</b>	<b>Enforcement</b>	
1400	General	14-1
1401	Zoning Permits Required	14-1
1402	Contents of Application for Zoning Permit	14-1
1403	Approval of Zoning Permit	14-1
1404	Submission to Director of Transportation	14-2
1405	Expiration of Zoning Permit	14-2
1410		14-2
1411		14-2
1412	Record of Zoning Permits & Certificates of Occupancy	14-2
1420	Failure to Obtain a Zoning Permit or Certificate of Occupancy	14-2
1430	Construction & Use to be as Provided in Applications, Plans, Permits, and Certificates	14-2
1440	Complaints Regarding Violations	14-3
1441	Entry and Inspection of Property	14-3
1450	Stop Work Order	14-3
1460	Zoning Permit Revocation	14-3
1470	Notice of Violation	14-3
1471	Ticketing Procedure	14-4
1472	Penalties and Fines	14-4
1473	Additional Remedies	14-4
<b>Article 15</b>	<b>Planned Unit Developments</b>	
1500.00	Planned Unit Development Regulations	15-1
1510.10	Purpose	15-1
1500.12	Interpretation	15-1
1500.20	PUD District Designation	15-1
1500.21	Uses Permitted in a PUD District	15-1
1500.22	Minimum Project Area Requirements	15-1
1500.23	Disposition of Open Space	15-2
1500.24	Utility Requirements	15-2
1500.25	Special PUD Lot Requirements	15-2
1500.26	Arrangement of Commercial Uses	15-2
1500.30	Procedure for Approval of PUD Districts	15-3
1500.31	Pre-Application Meeting	15-3
1500.32	Preliminary Development Plan Application Requirements	15-3
1500.33	Zoning Commission Public Hearing	15-3
1500.34	Notice of Public Hearing	15-4
1500.35	Public Access to Proposed PUD Documents	15-4
1500.36	Approval in Principle of Preliminary Development Plan	15-4
1500.40	Submission of Final Development Plan	15-4
1500.41	Final Development Plan Application Contents	15-4
1500.42	Public Hearing by Commission	15-5
1500.43	Recommendation by Commission	15-5
1500.44	Criteria for Commission Recommendation	15-5
1500.45	Public Hearing by Township Trustees	15-5
1500.46	Notice of Public Hearing by Trustees	15-6
1500.47	Action by Trustees	15-6
1500.48	Supplementary Conditions and Safeguards	15-6
1500.50	Expiration & Extension of Approval Period	15-6