

ARTICLE 5
SUPPLEMENTARY
DISTRICT REGULATIONS

- SECTION 501 GENERAL PROVISIONS: The following supplementary regulations are applicable to all Zoning Districts within Spring Valley Township unless otherwise modified by the requirements of a specific Zoning District.
- SECTION 502 PUBLIC STREET FRONTAGE REQUIRED: No new lot shall be created nor shall any building be erected upon a lot which does not possess the required minimum frontage upon a public street establishment for the district in which such lot is located or unless a variance is otherwise granted by the Board of Zoning Appeals.
- SECTION 503 PRINCIPAL BUILDINGS PER LOT: No more than one principal building or structure may be constructed upon any one lot for the purposes of this Regulation. The construction of more than one principal building or structure upon any one lot shall require either that approval of a variance from the Board of Zoning Appeals, be approved as part of a Planned Unit Development, or exempt as a tenant farmer dwelling.
- SECTION 504 REDUCTION OF AREA OR SPACE: No lot, yard, court, parking area, or other space shall be reduced in area or dimension, thus making said area or dimension less than the minimum required by this Resolution and, if said area or dimension is already less than the minimum required by this Resolution, it shall not be further reduced.
- SECTION 505 ARCHITECTURAL PROJECTIONS INTO REQUIRED YARDS: All architectural projections shall be in accordance with the following provisions:
- 505.1 Chimneys, flues, sills, pilasters, cornices, eaves, gutters, and other similar architectural features may project into any required yard a maximum of twenty-four inches.
 - 505.2 Unroofed porches and steps may extend from the dwelling into the required front yard a maximum of ten (10) feet. Open structures such as roofed porches, canopies, balconies, decks, platforms, and carports, shall be considered parts of the building to which attached and shall not project into any required yard.
 - 505.3 No structure may project into a required side yard except in the case of a single non-conforming lot of record which is or insufficient width to meet the side yard requirements of this Regulation. The Board of Zoning Appeals may grant a minimum specified variance to permit the construction of a one-family residence in such a case.
- SECTION 506 EXCEPTIONS TO HEIGHT REGULATIONS: The height limitations contained in the 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, except where the height of such structures

will constitute a hazard to the safe landing and take-off or aircraft at an established airport.

SECTION 507 ACCESSORY BUILDINGS: All accessory buildings shall be in conformity with the following provisions:

507.1 No garage or other accessory building shall be erected within a side yard or front yard.

507.2 An accessory building must be to the rear of the main building, and not less than ten (10) feet from the side or rear lot lines nor less than ten (10) feet from the main building.

507.3 An accessory building may precede construction of a main building, and must be submitted with site plan showing location of the septic system, well, and main building. If the accessory building precedes the main building it is subject to inspection until the main building is completed. Under no circumstance will an accessory building be used for habitation.

SECTION 508 CONVERSION OF DWELLINGS TO MORE UNITS: A structure may not be converted to accommodate an increased number of dwelling units unless the following requirements are met:

508.1 The district is properly zoned for an increase in dwelling units.

508.2 The yard dimensions still meet the yard dimensions required off-street parking for the new comparable structures in such district.

508.3 The lot area shall be adequate to accommodate the required off-street parking for the converted unit as provided within Article 6.

508.4 The lot area per family equals the lots area requirements for new structures in such district.

508.5 The floor area per dwelling unit is not reduced to less than that which is required construction in such district.

508.6 The conversion is in compliance with all other applicable Federal, State, and local codes.

SECTION 509 SETBACK REQUIREMENTS FOR CORNER LOTS OR THROUGH LOTS: On a corner lot or through lot, the principal building and all accessory structures shall be required to have the same setback for the front yard in the district in which such structures are located.

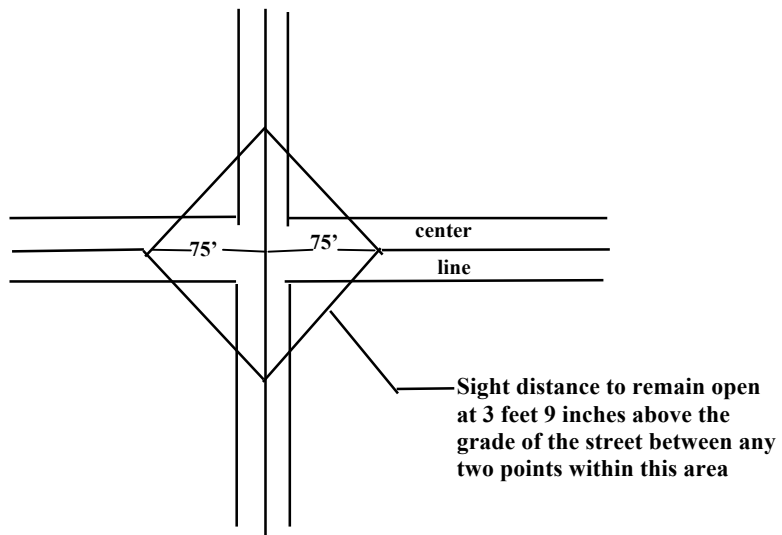
SECTION 510 FENCES, WALLS, AND VEGETATION: The location and height of all fences, walls, and vegetation shall be in accordance with the following provisions:

510.1 Partition Fences and Livestock Fences Agricultural Districts: Partition fences livestock fences may be permitted within any required yard within any Agricultural District are exempt from zoning agricultural uses and are permitted

within any required side or rear yard for non-agricultural uses, provided that adequate sight distance is maintained at all intersections and driveway entrances. All such partition fences and livestock fences shall be constructed and maintained in accordance with Chapter 971 of the Ohio Revised Code.

510.2 Fences, Walls, and Vegetation in Front Yards: No fence, wall or hedge shall be permitted within any required front yard above the height of two and one-half (2 1/2) feet.

510.3 VISIBILITY AT INTERSECTION: No structure, fill or vegetation shall be erected, placed, planted, or allowed to grow on any corner lot so as to create a sight impediment within seventy-five (75) feet of the intersecting centerlines of any two or more streets. In determining if any sight impediment exists, the zoning inspector shall measure the sight distance between the centerlines of such streets at a height of three feet, nine inches (3'9") above the actual grades of the streets. (See Illustration)



510.4 Fences, Walls, and Vegetation in Side and Rear Yards: No fence wall shall be permitted within any side or rear yard which exceeds six (6) feet in height. Dense evergreen plantings, deciduous trees, shrubs, or hedges, or other vegetation may exceed six (6) feet in height within any side or rear yard.

510.5 Screening: Fences, walls, or vegetation used for required screening as outlined in Article 5, Section 515, may exceed six (6) feet in height upon approval by the Zoning Inspector or Board of Zoning Appeals.

510.6 Security Fences: Security Fences for uses within non-residential districts may exceed six (6) feet in height.

510.7 Barbed Wire and Electric Fences: Barbed wire and electric fences shall be prohibited within any residential district; barbed wire and electrified sections of fences when used for security purposes within any non-residential district, shall be a minimum of eight (8) feet above the ground.

510.8 Fences Prohibited Within right-of-way: Fences and walls shall not be permitted within any right-of-way.

SECTION 511

REQUIRED TRASH AREAS: All commercial, industrial, and multi-family residential uses that provide trash and/or garbage collection areas shall have such areas enclosed on at least three sides by a solid wall or fence adequate in height to screen the containers, if such area is not within an enclosed building or structure. Provisions for adequate vehicular access to and from such area or areas for collection of trash and/or garbage as determined by the Zoning Inspector shall be required.

SECTION 512

OUTDOOR STORAGE AND WASTE DISPOSAL: All outdoor storage and waste disposal shall be in accordance with the following provisions:

- 512.1 Highly flammable or explosive liquids, solids, or gases shall not be stored in bulk above ground except within the HI Heavy Industrial District or as otherwise approved by the appropriate fire officials. The storage areas of such materials shall be completely enclosed by a solid wall or fence adequate to ensure the safety of surrounding land uses. Fuel products stored for use on bonafide farms are excluded from this provision.
- 512.2 The storage and/or disposal of hazardous waste materials shall only be permitted as a conditional use within an approved sanitary landfill site, subject to compliance with the provisions of Section 522.14 and documented approval from the Ohio Environmental Protection Agency.
- 512.3 All outdoor storage areas shall be adequately screened from view from any residential district by an appropriate wall, fence, or vegetative planting in accordance with Section 515.
- 512.4 Materials or wastes which might cause fumes, dust, which constitute a fire hazard, or which may be edible or attractive to rodents or insects shall be stored outdoors only in closed containers constructed of impervious material.
- 512.5 No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by wind, flood, or natural causes or forces.
- 512.6 Parking and/or storage of heavy equipment or implements used for Contract Construction Service businesses that are located in TB/Township Business zoned areas of the Township and/or adjacent to or in view of a residential use or district must comply with applicable screening requirements listed in Section 515.

SECTION 513

PRIVATE ACCESSORY SWIMMING POOLS: Private accessory swimming pools may be permitted in any district, provided the following provisions are met

- 513.1 The pool is intended solely for the enjoyment of the occupants and guests of the principal use of the property on which it is located.
- 513.2 It may not be located closer than ten (10) feet to any property line and may not encroach upon any required front yard, side yard, or within fifteen (15) feet of required on-site waste water leaching areas or replacement areas designated by the Greene County Health Department.
- 513.3 The swimming pool shall be walled or fenced in order to prevent uncontrolled access by children from any street or adjacent property. Any such fence shall not be less than five (5) feet in height and maintained in good condition with a gate and lock.
- 513.4 Exterior lighting shall be shaded wherever necessary in order to avoid casting direct light upon any other property or any public street.

SECTION 514

PRIVATE RECREATION FACILITIES: All private recreation facilities shall be in accordance with the following provisions in addition to any conditions required by the Board of Zoning Appeals.

- 514.1 Community swimming pools may be permitted provided the following conditions are met.
 - a. The pool and accessory structures, including the areas used by the bathers and the required parking areas, shall not be located closer than fifty (50) feet to any residential district and must be screened in accordance with Section 515.
 - b. The swimming pool and all of the areas used by bathers shall be walled or fenced in order to prevent uncontrolled access by children from the streets or adjacent properties. Said fence or wall shall not be less than six (6) feet in height and maintained in good condition.
 - c. Loudspeakers, juke boxes, public address systems, and electric amplifiers shall be permitted insofar as they do not create a nuisance and/or disturb the peace of persons on any other properties within any district.
 - d. Exterior lighting shall be shaded wherever necessary in order to avoid casting direct light upon any other property or a public street.
- 514.2 Recreational vehicle parks and campgrounds may be permitted as a conditional use within any designated district in accordance with the following minimum provisions:
 - a. The minimum total area of the park or campground shall be five (5) acres. The maximum density of the park or campground shall be established by the Board of Zoning Appeals, but in no case shall the overall density exceed twelve (12) campsites per acre. In determining the overall density limit, the

capability of the land to accommodate adequate campsites with a minimum of 1,500 square feet of nearly level and well drainage area shall be considered.

- b. The thoroughfare upon which the park or campground is located shall be of adequate width and base to accommodate the type of traffic generated by the Board of Zoning Appeals. No entrance or exit from the park or campground shall require movement of traffic through a residential district.
- c. Each campsite within the park or campground shall be provided with a minimum of one adequately sized parking space for the type of vehicle intended to use the site. In order to guarantee stability, the parking pad shall be composed of concrete, gravel, or other approved material.
- d. All recreational vehicle sites, other camping sites, and all off-street parking spaces shall be located a minimum of twenty feet from any side or rear property line, and the minimum front yard setback from any public street. The minimum side or rear setbacks shall be fifty feet when adjacent to any residential district.
- e. The Board of Zoning Appeals may require fencing, walls, landscaping, earth mounds, or other suitable efforts in accordance with Section 515 where it is determined that buffering or screening is necessary to minimize land use conflicts and/or protect the public safety.
- f. Management structures, recreational facilities, toilets, showers, dumping stations, or other similar uses shall be located within the park or campground in such a manner that they will not attract customers other than occupants of the park or campground.
- g. The park or campground shall provide water supply and waste water disposal facilities which meet the needs of the intended clientele, either independent recreational vehicles or dependent campers and primitive campsites. At a minimum, a service building with showers and toilets shall be required where not provided separately. All water supply, wastewater disposal, and refuse disposal facilities shall be located and designed subject the approval of the Greene County Health Department.
- h. No recreational vehicle shall be used as a permanent place of residence or business within the park or campground. Continuous occupancy for longer than ninety (90) day period within any twelve (12) month period shall be deemed permanent occupancy.
- i. All traffic into and out of the park or campground shall be through entrances and exits designed for safe and convenient movement of traffic. No entrance or exit shall require an acute angle turn for vehicles moving into or out of the park. The radii of curbs and pavements at intersections shall facilitate easy turning movements. No material impediment to visibility shall be created or maintained which violates the requirements of Section 510.3

514.3 Other private recreation facilities shall be in accordance with the following:

- a. Loudspeakers, juke boxes, public address systems, and electric amplifiers shall be permitted insofar as they do not create a nuisance within any district.
- b. Exterior lighting shall be shaded wherever necessary in order to avoid casting direct light upon any other property or public street.

- c. Firing lines used by gun clubs shall be located a minimum of five hundred (500) feet from the nearest property line. All target areas shall be protected by natural or artificial embankments approved by the Board of Zoning Appeals.
- d. All water activities shall be adequately protected by fences, walls, or other suitable barriers in order to prevent uncontrolled access by unauthorized persons.

SECTION 515

SCREENING: No buildings or structures shall be erected, altered, or enlarged nor shall for any non-residential use on a lot that adjoins or faces any Residential District be used, nor shall any multiple family use be established adjoining any single family development, until a plan for screening has been submitted, approved by the Zoning Inspector, or the Board of Zoning Appeals in case of Conditional Uses, except in accordance with the following provisions:

515.1 Screening shall be provided for one more of the following purposes:

- a. A visual barrier to partially or completely obstruct the view of structures or activities.
- b. As an acoustic screen to aid in absorbing or deflecting noise.
- c. For the containment of debris and litter.

515.2 Screening may be one of the following or a combination or two or more, as determined by the Zoning Inspector.

- a. A solid masonry wall.
- b. A solidly constructed decorative fence.
- c. Louvered fence.
- d. Dense evergreen plantings.
- e. Landscaped mounding.

515.3 Whenever any non-residential use abuts a residential use or district, a visual screening wall, fence, planting and/or a landscaped mound shall be erected or placed beside such mutual boundary lines, except where the Zoning Inspector has determined that a traffic hazard will be created.

515.4 Height of screening shall be in accordance with the following:

- a. Visual screening walls, fences, plantings, or mounds shall be a minimum of five and one half (5 1/2) feet high in order to accomplish the desired screening effect, except in required front yards when maximum height shall be not greater than two and one half (2 1/2) feet. Exception to the height of screening in the front yard may be provided for the Board of Zoning Appeals.
- b. A dense evergreen planting with a minimum height of four (4) feet at planting and a mature height of at least five and one half (5 1/2) feet or greater or solidly constructed decorative fence shall be permanently maintained along the mutual boundary of an accessory parking area and

adjacent land zoned for residential uses except for the portion of such boundary located within a required front yard.

515.5 Screening for purposes of absorbing or deflecting noise shall have a depth of at least fifteen (15) feet of dense planting or a solid masonry wall in combination with decorative plantings.

515.6 Whenever required screening is adjacent to parking areas or driveways such screening shall be protected by bumper blocks, post, or curbing to avoid damage by vehicles. All screening shall be trimmed, maintained in good condition, and free of advertising or other signs.

SECTION 516

DRIVE-IN SERVICE: Establishments, which by their nature create lines of customers waiting to be served within automobiles, shall provide off-street storage areas in accordance with the following requirements.

516.1 Photo pick-ups, restaurants, drive-thru beverage docks, and other similar commercial establishments that can normally serve customers in three minutes or less shall provide no less than five (5) storage spaces per window. Drive-in restaurants and other similar uses which require an additional stopping point for ordering shall provide a minimum of five (5) storage spaces for each such stopping point.

516.2 Commercial establishments which require a transaction time in excess of three (3) minutes such as banks, savings and loan offices, or other similar money windows shall provide no less than seven (7) storage spaces per window.

516.3 Self-serve automobile washing facilities shall provide no less than five (5) storage spaces per stall. All other automobile washing facilities shall provide no less than seven (7) storage spaces per window.

516.4 Automobile service stations shall provide no less than two (2) storage spaces for each accessible side of a gasoline pump island. Gasoline pumps shall not be located closer than fifteen (15) feet to any street right-of-way line, nor within fifteen (15) feet of a reserved sight distance area as required in Article 5, Section 510.

SECTION 517

PARKING AND STORAGE OF MOBILE HOMES AND VEHICLES OTHER THAN PASSENGER CARS: The parking and/or storage of mobile homes, recreational vehicles or other vehicles other than passenger cars upon any lot shall be in accordance with the following provisions:

517.1 Mobile Homes: Mobile homes shall not be stored or parked outside of any mobile home park unless the storage of mobile homes is a permitted or a conditional use within such a district. No living quarters shall be maintained or any business conducted within any mobile home located outside of any Mobile

Home Park District, unless it is for the purpose of a tenant farmer dwelling as defined by Section 202.115.

- 517.2 Recreational Vehicles: The outdoor storage or parking of any recreational vehicle shall not be permitted within any front yard within any district in which residential dwellings are permitted. No dwelling unit shall be maintained and no business shall be conducted within any recreational vehicle while such vehicle is parked outside of any approved camping area. The wheels or any similar transporting devices of any recreational vehicle shall not be removed except for repairs, nor shall any recreational vehicle be permanently attached to the ground.
- 517.3 Construction Equipment Within Residential Districts: Outdoor storage or parking of backhoes, bulldozers, well rigs, and other similar construction equipment, other than equipment temporarily used for construction upon the site, is not be permitted in any residential district.
- 517.4 Other Vehicles: The storage parking of any vehicle having a gross vehicle weight rating greater than 10,000 pounds or an overall vehicle length greater than 21 feet shall not be permitted within any Residential District, excluding vehicles making temporary service or delivery calls.

SECTION 518

COMMUNITY BASED RESIDENTIAL SOCIAL SERVICE FACILITIES:
Residential facilities providing resident services for the care and/or rehabilitation of groups or individuals who require protection supervision within a residential environment shall be permitted only in accordance with the following provisions:

- 518.1 Foster Homes may be permitted within any district in which residential dwellings are permitted, provided such homes possess a valid, appropriate license.
- 518.2 Family Care Homes may be permitted within an adequately sized unattached residential dwelling, provided that:
 - a. The home shall possess a valid license from the appropriate state agency.
 - b. The home shall be required to meet the district regulations applicable to single family residences within the district in which such home is located.
 - c. The home shall provide adequate off-street parking area for each resident and/or resident supervisor who is permitted to own or operate an automobile.
 - d. The Zoning permit shall be limited to the operator to whom it is originally issued and is not transferable to any subsequent operator.
- 518.3 Group Care Homes may be permitted within an adequately sized unattached residential dwelling within designated residential districts subject to the Board of Zoning Appeals. The Board of Zoning Appeals shall determine whether to

permit such requests and may assign conditions it feels are necessary to insure compatibility with the neighborhood, using the following criteria as a minimum:

- a. No group care home may be permitted unless the agency supervising such a facility satisfies the Board of Zoning Appeals that the home complies with licensing required by the State of Ohio.
- b. The home shall not be located closer than 20,000 feet to another Family Care Home, Group Care Home, Home for Adjustment or Institution. Variances of more than ten percent (10%) of this requirement may not be considered.
- c. The home shall not be reasonably accessible, by reasons of location or transportation provided by the operator, to necessary medical, psychiatric, recreational, or other services required by the residents.
- d. Every room of the home occupied for sleeping purposes home shall have a least eighty square feet habitable floor area for each occupant.
- e. The operator or agency applying for a conditional use permit to operate a facility shall provide the Board of Zoning Appeals with a plan which documents the need for the home in relation to the specific clientele served, describes the program objectives and nature of the facility, identifies the location and type of other community based residential social service facilities operated by such operator or agency, and lists the standards of the State of Ohio, and the sponsoring agency for the operation of the desired facility.
- f. The home shall provide adequate off-street parking area for each resident and/or resident supervisor who is permitted to own or operate an automobile.
- g. The proposed use of the site as a group care home shall be compatible with the present character of the neighborhood, considering noise, traffic, lights, exterior alterations of the structure, or other potentially offensive characteristics.
- h. The conditional use permit shall be limited to the operator to whom it is originally issued and is not transferable to any subsequent operator.

518.4 Homes for Adjustment may be conditionally permitted within an adequately sized unattached residential structure subject to the approval of the Board of Zoning Appeals. The Board of Zoning Appeals shall determine whether to permit such requests and any conditions which it feels may be necessary to insure compatibility with the neighborhood, using the following criteria as a minimum:

- a. No Home for Adjustment may be permitted unless the court or agency supervising such a facility satisfies the Board of Zoning Appeals that the home complies with all licensing requirements of the State of Ohio.
- b. The home shall not be located closer than 20,000 feet to another Family Care Home, Group Care Home, Home for Adjustment, or Institution. Variances or more than ten percent (10%) of this requirement may not be considered.
- c. The home shall be reasonably accessible, by reason of location or transportation provided by the operator, to necessary medical, psychiatric, recreational, or other services required by the residents.
- d. Every room occupied for sleeping purposes within the home shall contain a minimum of eighty (80) square feet or habitable floor area for each occupant.

- e. The operator or agency applying for a conditional use permit to operate a facility shall provide the Board of Zoning Appeals with a plan which documents the need for the home in relation to the specific clientele served, describes the program objectives and nature of the facility, identifies the location and type of other community based residential social service facilities operated by such operator or agency, and lists the standards of the State of Ohio, and the desired facility.
- f. The home shall provide adequate off-street parking area for each resident and/or resident supervisor who is permitted to own or operate an automobile.
- g. The proposed use of the site as a home for adjustment shall be compatible with the present character of the neighborhood, considering noise, traffic, lights, exterior alterations of the structure, or other potentially offensive characteristics.
- h. The conditional use permit shall be limited to the operator to whom it is originally issued and is not transferable to any subsequent operator.

518.5 Institutions may be conditionally permitted in an unattached structure within any designated district, subject to approval by the Board of Zoning Appeals.

SECTION 519

AGRIBUSINESS OPERATIONS: No conditional use permit shall be issued for any agribusiness operations unless the following conditions have been satisfied:

- 519.1 The agribusiness establishment shall be incidental and necessary to the conduct of agriculture within the agricultural district and shall not be a business which is not dependent upon the surrounding agricultural community.
- 519.2 The minimum distance permitted between the agribusiness establishment and any existing dwelling unit or existing residential district shall be established by the Board of Zoning Appeals based upon the character of the agribusiness.
- 519.3 The agribusiness establishment shall have approval from the Ohio Environmental Protection Agency for any on-site water supply and/or wastewater disposal system.
- 519.4 The agribusiness shall not emit noise, odor, dust, or chemical residues which result in the creation of a nuisance or trespass to surrounding properties.
- 519.5 The agribusiness shall be located upon a thoroughfare which the Board of Zoning Appeals determines is adequate to accommodate any traffic which is generated by the agribusiness establishment.

SECTION 520

JUNK: The accumulation of trash, unlicensed vehicle, junk vehicles, vehicle parts, rags, or other debris in any district shall be a nuisance per se and shall be prohibited outside of an approved junk yard. The purpose of this section is to promote the health, safety, and welfare of Spring Valley Township by eliminating environments for breeding of vermin, rodents, insects, and infestations.

SECTION 521

JUNK YARDS: Junk yards may be permitted as a Conditional Use within specified districts upon the submission of satisfactory proof that such operations will not be detrimental to the neighborhood or surrounding properties. No junk yard shall be located, operated, or maintained within Spring Valley Township unless it is located within the proper district and the following conditions have been guaranteed by the applicant:

- 521.1 The operator of the junk yard shall possess a license from the Greene County Auditor.
- 521.2 The junk yard operation shall possess a plan for the control operation shall be permitted closer than five hundred (500) feet from any established residential or rural center district.
- 521.3 The area of the site used for the storage of junk shall be completely enclosed by a fence or other suitable means to prevent any uncontrolled access by unauthorized persons.
- 521.4 The site shall contain mounding, screening, or natural vegetation adequate to obscure the view of junk from any public street or surrounding property as determined by the Board of Zoning Appeals.
- 521.5 Any fence required for screening purposes shall be in accordance with the following requirements:
 - a. It shall be neatly constructed of opaque material.
 - b. It shall not be less than six (6) in height.
 - c. It shall be maintained in a condition so as to insure its opaqueness.
 - d. It shall contain no advertising.
- 521.6 All motor vehicles stored or kept in such junk yards shall be kept that they will not catch and hold water in which mosquitoes may breed, and so that they will not constitute a place or places in which mice or other vermin may be harbored, reared, or propagated.
- 521.7 Because of the tendency for junk yards to promote the breeding of mosquitoes and vermin and the potential volatile nature of certain materials, no operation shall be permitted closer than five hundred (500) feet from any established residential or rural center district.
- 521.8 The Zoning Inspector or a Health Department Employee may visit the site at any time and may have cause for a Cease and Desist Order if any of the above sections are in violation.

SECTION 522

SANITARY LANDFILLS: Sanitary landfills may be permitted as a Conditional Use within specified districts upon submission of satisfactory proof that such operations will not be detrimental to surrounding properties or to the environment. The following conditions shall be guaranteed by the applicant:

- 522.1 All zoning permit applications for sanitary landfills within Spring Valley Township shall be accompanied by the following information, at a minimum:
- a. Vicinity maps, drawn at a scale of one (1) inch equal to one thousand (1,000) feet, illustrating the proposed site in relation to surrounding existing and proposed land uses, existing and proposed roads, surrounding zoning districts, and Perspectives: A Future Land Use Plan for Greene County, Ohio;
 - b. Topographic maps, drawn at a scale no greater than one (1) inch equal to two hundred (200) feet with five (5) foot contour intervals, showing the existing and the proposed final physiographic layout of the site;
 - c. A hydro geologic and surface drainage study of the site conducted by a qualified professional engineer registered in the State of Ohio, illustrating the various depths, thicknesses, and hydrologic characteristics of underlying geologic deposits and the depth, direction of flow, and potential for contamination of the underground water supply;
 - d. A transportation plan for the site illustrating any proposed external routes or access to the landfill site and any proposed internal circulation routes within the landfill site;
 - e. Proposed methods of control for insects, rodents and other disease vectors;
 - f. Proposed methods of controlling odor, dust, and/or blowing debris such as paper;
 - g. Proposed methods for screening;
 - h. Proposed hours of operation;
 - i. The location and size of proposed shelters for landfill personnel and equipment; and
 - j. A proposed plan for future use of the site.
- 522.2 All proposed sanitary landfill operations shall be required to secure a "Permit to Install" from the Ohio Environmental Protection Agency prior to the issuance of a Conditional Use Permit.
- 522.3 The site shall contain mounding or screening adequate to obscure the view of the land filling operation from any public street, existing dwelling unit, or any residentially zoned property.
- 522.4 The site shall be limited to areas where surfaces or underground water pollution will not occur.
- 522.5 The site shall not be accessible from any established residential area.
- 522.6 The site shall be so located as to minimize the effects of winds carrying objectionable odors to urbanized or urbanizing areas.
- 522.7 An attendant shall be on duty during the time the sanitary landfill site is open to supervise the unloading or refuse.

- 522.8 Blowing paper shall be controlled by providing a portable fence near the working area. The fence and area shall be policed daily.
- 522.9 There shall be no open storage or burning of refuse or garbage.
- 522.10 Conditions unfavorable for the production of insects, rodents, and other disease vectors shall be maintained by carrying out routine landfill operations promptly in a systematic manner.
- 522.11 Domestic animals shall be excluded from the site.
- 522.12 A compacted layer of at least six (6) inches of suitable cover material shall be placed on all exposed refuse by the end of each working day.
- 522.13 Other conditions which the Board of Zoning Appeals deems necessary to insure that the sanitary landfill operation will not be detrimental to surrounding properties or to the environment.
- 522.14 No hazardous waste, defined under Ohio Revised Code Section 3724.01 (J) (1) and (2), and the Resource Conservation and Recovery Act of 1976, 90 Stat. 2806-2812, 42 U.S.C. 6921 to 6931 shall be deposited in or stored on any site designated as a Sanitary Landfill under Section 523 of this code without application for and receipt of a hazardous waste storage-burial conditional use permit from the Board of Appeals and submission of an operating plan by the proposed site operator to include the following information and assurance;
- a. The full legal and corporate name of the site operator to include any other names used by said site operator within the past five (5) years, and the names of all the officers of the said proposed operator in include detailed resumes of same indicated prior experience or expertise in the operation of a hazardous waste storage-burial facility.
 - b. A detailed listing of the specific types of hazardous waste to be stored on site to include chemical and generic designation and known effects on flora and fauna of same.
 - c. A complete fire and population evacuation plan for all areas within five (5) miles of the site center.
 - d. A complete geologic and hydrologic study of the site showing site barrier control sufficient to prevent all off-site leachate transmission and insure protection of all water supplies.
 - e. Operator shall submit the name of this waste transport company to include the type of vehicles to be used to transport the hazardous waste and the training of the driver-operators.
 - f. Operator shall submit a plan for the control of malodorous airborne pollutants so that no such odors are transported off-site.
 - g. Operator-applicant shall present proof to the Board of licensure for Hazardous Waste Storage under Section 3734.03 of the Ohio Revised Code

prior to issuance of any conditional use permit by the Board of Zoning Appeals.

- h. Operator-applicant shall present proof of bond or surety to the sum set by Zoning Board of Appeals subject to the approval of the Township Council. Proof of bond shall be required prior to the grant of a conditional use permit for Hazardous Waste Storage in Spring Valley Township.

522.15 The Zoning Inspector or a Health Department Employee may visit the site at any time and may have cause for a Cease and Desist Order if any of the above sections are in violation.

SECTION 523
Effective 9/18/03

MINERAL EXTRACTION OPERATIONS: The purpose of this Section is to insure that the mineral resources of Spring Valley Township are properly managed, and that all land used for mineral extraction be properly located, screened, and reclaimed so as not to create a hazard or nuisance which may adversely affect the health, safety, morals or general welfare of the community, either immediately or in the future. Quarries, sand, and gravel operations, or other mineral extraction operations may be permitted as a Conditional Use only in an AM Agricultural/Mineral District (see Article 4 Section 417) upon satisfactory demonstration that such operations will not be detrimental to the neighborhood or surrounding properties.

In order to preserve a balance of land uses, expedite reclamation, preserve health, safety, morals, and general welfare of the community, to provide for the prompt restoration of depleted mining sites, and to implement the objectives and policies of the current Regional Planning and Coordinating Commission *Perspectives 2020: Future Land Use Plan for Greene County, Ohio*, total of all legally permitted mining sites shall not exceed 800 acres in Spring Valley Township.

The Township Zoning Inspector shall maintain a current and up-to-date total of all acreage existing as mineral extraction sites for the purpose of managing the 800-acre maximum.

523.1 All applications for a Conditional Use Permit within the AM Agricultural/Mineral Resource District shall include eight copies and be accompanied by the following information, at a minimum:

- a. Vicinity maps, drawn at a scale of one (1) inch equal to one thousand (1,000) feet, illustrating the potential extraction area(s) in relation to surrounding existing land uses, existing and proposed roads, surrounding zoning districts, and land uses as shown in *Perspectives 2020: A Future Land Use Plan for Greene County, Ohio*.
- b. A map at a scale of at least one (1) inch equals one hundred (100) feet showing existing contours at intervals of five (5) feet or less, any existing building structures, and any public utilities or easements on the property.
- c. Name and address of the applicant and/or owners, including all partners and officers.
- d. Name and address of the owner of the surface rights of the property.

- e. A plan showing the location, timing, and size of the areas to be excavated on all proposed phases as well as an estimate and description of material to be excavated on all proposed phases.
- f. A list of the types of resources or minerals to be extracted.
- g. The proposed method of removal of such resources and whether or not blasting or other use of explosives will be required.
- h. A hydrologic study determining and describing both ground and surface water in the vicinity, identified as to area by a map and flow chart showing volume and direction. The map shall show water table depth and location of all wells in the area. Test wells and data shall be obtained to establish ground water condition at the proposed site.
- i. Analysis of potential impact on the site including but not limited to: wetlands, floodplain, archeological and/or historic sites, shorelines, vegetation and wildlife, endangered or threatened plants and animals, scenic vistas and travel corridors (both human and wildlife).
- j. The location of any mineral processing to be used and any accessory or related operations that may be utilized in connection with the operation of a processing plant by the mining processor or any other firm, person, or corporation.
- k. A general description of the equipment to be used for excavating, processing, and/or transporting excavated mineral resources.
- l. A transportation plan for the site illustrating any proposed external routes of access to the site and any proposed internal circulation route within the site, estimated number and frequency of trips to and from the site.
- m. A detailed reclamation plan for the rehabilitation and reclamation of the affected areas as specified in this Section.
- n. The means by which the applicant will control storm water runoff and erosion to protect the watershed(s) and aquifer(s).
- o. Hours of operation and days of operation for the extraction and other operations.
- p. The means by which noise, dust, odors, vibrations, light pollution, and other potential nuisances will be controlled.
- q. The location, type and height of all fencing with a minimum height of five feet required and appropriate signs prohibiting trespassing.
- r. The location and type of landscaping to be used to screen the site, or other operations from adjacent land uses and public right-of-ways, including mounding.
- s. Whenever the floor of a quarry is greater than five (5') feet below the average elevation of an adjacent public street or any adjacent property, the property containing such quarry shall be completely enclosed by mound of earth not less than ten (10') feet in height, and planted with trees and suitable landscaping. Such mound base shall be located not less than thirty (30') feet from any street right-of-way or boundary of the quarry property and this slope shall be a 3 to 1 ratio.
- t. Access roads shall be maintained in a dust-free condition by surfacing or dust retarding material. A full explanation of these controls shall be furnished in detail.

- u. No mineral extraction operations shall be conducted within five hundred (500) feet of an existing residence or residential district except as necessary for initial berm construction or removal.
 - v. The location of any storage or processing activities on the site shall be shown on the phasing plan.
 - w. Any other information required by the Board of Zoning Appeals.
- 523.2 All proposed mineral extraction operations shall be required to secure a permit for such activities from the Chief of the Division of Reclamation, Ohio Department of Natural Resources upon the issuance of a Conditional Use Permit by the Zoning Inspector.
- 523.3 The operator shall maintain complete records on a daily basis of all blasting operations, (if permitted) including records of the time, the date, the location, and complete description of weather conditions relating to each such blast. Such records shall be available to the Zoning Inspector upon request. At the request of the Zoning Inspector, the operator shall fully cooperate in any investigation by the Zoning Inspector of the conditions of the operation. The Zoning Inspector accompanied by necessary technical personnel shall be permitted on-site during any working hours.
- 523.4 In order to insure adequate lateral support for public roads in the vicinity of mineral extraction operations:
- a. All mineral excavations shall be located at least 100 feet and back filled to at least 150 feet from a street right-of-way line.
 - b. All quarrying or blasting shall be located at least 100 feet from the right-of-way line of any existing or platted street, road, highway or railway.
 - c. Such excavation or quarrying may be permitted within these limits to the point of reducing the ground elevation to the grade of the existing or platted street, road, or highway where officially approved by the authority charged with maintenance of such platted street, road, or highway.
- 523.5 All excavations of minerals shall either be: (1) made to a depth not less than five (5) feet below a water-producing level, or (2) graded and/or back filled with non-toxic and non-flammable solids, to assure that the excavated area will not collect and retain stagnant water. The graded or back filled surface shall create an adequate finished topography to minimize erosion by wind or rain and substantially conform to the contours of the surrounding area.
- 523.6 The underwater banks of all excavations, which are not back filled, shall be sloped at a grade of not less than 3 feet horizontal to 1 foot vertical minimum, to six (6) feet below the water line. Spoil banks shall be graded to a level suiting the existing terrain and planted with trees, shrubs, legumes, or grasses where re-vegetation is possible.
- 523.7 When any quarrying has been completed, it shall comply with the approved reclamation plan and such excavated area shall either be left as a permanent lake, or the bottom floor thereof shall be leveled to prevent the collection and

stagnation of water and to provide proper drainage without excessive soil erosion. If the bottom floor is leveled, said floor should be covered with topsoil of adequate thickness for the growing of turf or other ground cover. If left as a lake, the banks shall be sloped and the soils restored and the area around the lake replanted in accordance with a reclamation plan approved as a part of the zoning approval process and consistent with ODNR reclamation regulations to provide habitat. Buildings and structures designed and constructed exclusively for mineral extraction, storage, or processing, for which no future use is contemplated and no other use is practical or feasible, shall be demolished and removed from the mined-out area within six (6) months of completions of the mining.

523.8 The reclamation plan for the entire site shall contain, at a minimum, the following information:

- a. A map at a scale of one (1) inch equals one hundred (100) feet showing the existing contours at intervals of five (5) feet or less, any existing buildings or structures, and any public utilities or easements on the property.
- b. The depth of the proposed surface soil shall be not less than 18" or at least as great as the depth of the unusable overburden which existed at the commencement of operations, but which in no event need be more than 18 inches.
- c. The angle of slope of all earthen banks, which except for mounds required under Section 523.1 S, shall be no greater than one (1) foot vertical to three (3) feet horizontal. In areas where at the commencement of excavation a greater angle existed, the angle of slope shall be no greater than that which existed at the commencement of excavation.
- d. The angle of slope of all banks consisting of rock and the required cover.
- e. The location of fences or effective plantings in those locations that such angles of slope and not physically or economically feasible to reduce.
- f. The number of trees and shrubs, and the type of ground cover to be provided. The type and number per acre of trees, shrubs, ground cover or legume to plant shall be determined in consultation with the Greene County Agricultural Extension Agent in coordination with the Ohio Department of Natural Resources Division of Wildlife, based on future land use.
- g. The location of proposed ultimate land uses, and physical improvements such as roads, drives, drainage courses, utilities and other improvements as determined in consultation with the Regional Planning and Coordinating Commission, the Zoning Commission, the County Engineer, the Sanitary Engineer, and the Greene County Soil and Water Conservation District.
- h. A statement that vegetation shall be restored by the spreading of sufficient soil and by appropriate seeding of grasses or planting of shrubs and trees in all parts of said reclamation area where the same is not submerged under water.
- i. A grading plan showing the proposed final topography of the area indicated by contour lines of no greater interval than five (5) feet.
- j. At the end of each numbered calendar year the owner/operator of any land in the AM (Agricultural/Mineral Resource Districts) on which, during the preceding 24 month period, there has been any active quarrying; shall file

with the Zoning Inspector a Reclamation status report which contains both maps and text and which shall contain the following information:

1. Divisions of the overall site into separate Reclamation Status Areas, which shall be those due to their location in relation to overall operations, are independently reclaimable.
2. A statement as to when reclamation shall commence in each of said areas after each area is no longer used or usable in the overall operation. Reclamation shall commence within two (2) years.
3. A statement as to when reclamation shall be completed in each of said areas. In no event shall said period of time be in excess of one (1) year after reclamation has commenced and, in that part of said areas within five hundred (500) feet of a residential district, said period of time shall not be in excess of two (2) weeks after reclamation has commenced.
4. The actual mineral extraction and floor areas uncovered during the preceding 24-months period.
5. As to those areas in which, under the preceding paragraphs of this section, reclamation has commenced or is required to be commenced within the succeeding 24-month period the following additional information:
 - a) The depth of the proposed soil cover, which shall be at least eighteen (18) inches.
 - b) A statement that along all boundaries of the overall ownership where no reasonable mining activities, expansion or future plans can be shown by the operator, the land shall be re-graded by slope and be built up to the grade existing at the time of the commencement of operations.
 - c) The angle of slope of all banks which shall be no greater than one (1) foot vertical to three (3) feet horizontal, except where at the commencement of quarrying a greater angle slope existed, in which case the angle of slope shall be no greater than that which existed at the commencement of quarrying.
 - d) The location of fences of at least five (5) feet in height in those locations where such angles of slope are not physically or economically feasible.
 - e) The number of trees and shrubs, and the type of ground cover to be provided.
 - f) The locations of roads, drives, draining courses and other improvements.
 - g) Vegetation shall be restored by appropriate seeding of grasses or planting of shrubs or trees in all parts of said extracted areas.
 - h) Within six (6) months after the operation of any phase is completed, all temporary structures (except fences), equipment, stockpiles, rubble, heaps, or other debris shall be removed so as to leave the premises in a neat and orderly condition.
 - i) Upon completion of quarry operations, the operator/applicant shall be required to submit a restoration report prepared by a registered Ohio Professional Engineer, certifying that the restoration plan has been fully completed as required.

- k. Said plans, when filed and re-filed, shall be received for approval by the Zoning Inspector. If approved, said plans shall be binding upon said owner and shall constitute the Restoration and Reclamation Plan for the subject area.

523.9 Performance Bonds:

- a. To guarantee that ongoing operations are in accordance with the stipulations and restrictions established at the time of approval, a performance bond would be furnished and verified annually to the Clerk of Spring Valley Township, Greene County, Ohio. The amount shall be set by the Board of Zoning Appeals in an amount sufficient to offset damages in event of violations of specified conditions of operation.
- b. To guarantee the restoration, rehabilitation, and reclamation as required herein, every applicant granted permission to conduct a mineral extraction operation as herein provided shall furnish a reclamation plan and a performance bond running to the Clerk of Spring Valley Township, Greene County, Ohio. The amount of the Restoration and Reclamation performance bond shall be based upon an estimate of costs to meet the aforementioned requirements prepared by a professional civil engineer registered in the State of Ohio and submitted by the applicant. The amount of the performance bond shall be established by the Board of Zoning Appeals and approved by Resolution of the Township Trustees, depending upon the type and extent of the restoration required. The performance bond shall be a guarantee that such applicant, in restoring, reclaiming, and rehabilitating such land, shall, to the satisfaction of the Zoning Inspector, meet the requirements of this section.
- c. The Township Trustees reserve the right to periodically review and increase the amount of performance bonds for good cause based on new information, changed conditions, circumstances, or inflationary factors.

SECTION 524

TEMPORARY USES: The following regulations are necessary to govern the operation of certain uses which are non permanent in nature. Application for a Temporary Zoning Permit shall be made to the Zoning Inspector, containing a graphic description of the proposed use, and sufficient information to determine yard requirements, setbacks, sanitary facilities, and parking space for the proposed temporary use. The following uses are deemed to be temporary uses and shall be subject to the specific regulations and time limits which follow and to the regulations of any district in which such use is located:

- 524.1 Carnivals, Circuses, Tent Meetings, Bazaars, Festivals, Art Shows, or Other Similar Public Events may be permitted within any non-residential district and upon church, school or other similar sites within any residential district. No permit shall be issued unless the written consent of fifty-one percent (51%) of the owners of all residentially used property within four-hundred (400) feet of the temporary use site is first filed with the Zoning Inspector at least forty-eight (48) hours prior to commencement of the event. Such uses shall only be provided

on lots where adequate off-street parking can be provided and shall not be permitted for a period longer than fifteen (15) days.

- 524.2 Christmas Tree Sales may be permitted within any non-residential district for a period not exceeding thirty-five (35) days.
- 524.3 Real Estate Sales Offices may be permitted within any district for any new subdivision which has been approved by the Spring Valley Planning Commission under the Subdivision Regulations for Spring Valley Township. Such office shall contain no living accommodations. The permit shall be valid for one (1) year, but may be granted two (2) six-month extensions if conditions warrant such renewal. Such office shall be removed upon completion of sales of the lots therein, or upon expiration of the Temporary Zoning Permit, whichever occurs sooner.
- 524.4 Temporary office for contractors and equipment sheds incidental to a construction project may be permitted within any district. The permit shall not be valid for more than one (1) year but may be renewed for six-month extensions if construction is substantially underway. Such uses shall be removed immediately upon completion of the construction project, or upon expiration of the Temporary Zoning Permit whichever occurs sooner.
- 524.5 The temporary placement of a mobile home upon a lot which already contains a residential structure may be permitted where the Board of Zoning Appeals finds that special circumstances or conditions such as fires, windstorms, or other similar events which are fully described in the findings of the Board, exist, such that the use of a temporary residential structure is necessary in order to prevent an exceptional hardship on the applicant, provided that such a temporary structure does not represent a hazard to the safety, health, or welfare of the community.

An applicant for a Temporary Zoning Permit under 524.5 must produce a written statement for the Greene County Health Department approving the water supply and waste water disposal system of the temporary mobile home location. Such permit may be initially issued for nine (9) months, renewable for up to three (3) months time for all permits, not exceeding a total of twelve (12) months.

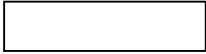
- 524.6 Temporary sales may be permitted within parking lots within any business district. A temporary Zoning Permit for such sales shall only be issued once within any four (4) month period and shall not exceed a period of seven (7) consecutive days unless otherwise approved by the Board of Zoning Appeals. A temporary use permit shall not be issued if it is determined by the Zoning Inspector that encroachment of more than twenty five percent (25%) of the required storage or parking areas will take place.
- 524.7 Garage sales may be permitted within any district in which dwellings are permitted. Garage sales may be permitted three times for any particular lot within any twelve (12) month period and shall not exceed a period of seven (7)

consecutive days. Accessory parking shall be provided upon the lot in such a manner as to not create a traffic hazard.

SECTION 525 CEMETERIES: The following standards shall apply to the development and construction of cemeteries within Spring Valley Township.

- 525.1 The site proposed for a cemetery shall not interfere with the development of a system of collector and larger streets in the vicinity of such site. In addition, such site shall have direct access to a thoroughfare which the Board of Zoning Appeals determines is adequate to serve the size of facility proposed.
- 525.2 Any new cemetery shall be located on a site containing not less than twenty (20) acres.
- 525.3 All buildings, including but not limited to mausoleums and maintenance buildings, shall respect the required yards setback of the district in which it is located.
- 525.4 All graves or burial lots shall be set back not less than twenty five (25) feet from any street right-of-way line.
- 525.5 All required yards shall be landscaped and maintained in good order in accordance with state and local regulations. A plan for perpetual care of the grounds shall be required.

SECTION 526



EXISTING FARM DWELLING ON NON-CONFORMING LOTS: In order to permit the transfer of existing dwellings which are no longer useful to a farming operation and to conserve prime farm soils for their best use, lots which do not conform to the minimum lot area and frontage requirements of a A-10 Prime Agricultural District may be permitted within such district provided the following conditions are met:

- 526.1 The lot is being created for the transfer of a farm dwelling which was issued a building permit and/or constructed prior to the effective date of this amendment. (August 19, 1982)
- 526.2 The lot size and configuration has been approved by the Greene County Health Department for the location of on-site water supply and wastewater disposal systems.
- 526.3 The lot must be approved by the Board of Zoning Appeals.

SECTION 527

TENANT FARMER DWELLING: A zoning permit is not required for the erection of a tenant farmer dwelling (s), provided the land owner/lessee states in writing to the Zoning Inspector that the purpose of the dwelling is to house a person (s) who is to be engaged in assisting them with farming the land in question and/or maintaining and protecting it in their absence.

SECTION 528

HOME OCCUPATIONS: All home occupations shall be in accordance with the following provisions:

- 528.1 No person or persons shall operate a home occupation or be employed there under other than a resident of the premises;
- 528.2 All home occupations shall be conducted entirely within the dwelling unit, and the use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants. Not more than twenty five percent (25%) of the gross floor area of any dwelling unit shall be used for a home occupation;
- 528.3 Uses permitted as home occupations include beauty services, barber services, music or other similar types of lessons, woodworking, upholstery, arts and crafts, an office for professional services, an office for the business in which the occupant is engaged, and limited repair services for domestic goods and appliances such as lawnmowers, televisions, radios, etc.;
- 528.4 Home occupations shall not be permitted in any accessory building within any district other than an Agricultural District. Any home occupation located within an accessory building exceeding six-hundred (600) square feet in floor area shall be subject to review and approval by the Board of Zoning Appeals to insure that the residential/agricultural character of the neighborhood is maintained.

- 528.5 There shall be no change on the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding two square feet in area, non-illuminated, and mounted flat against the wall of the building in which the home occupation is located;
- 528.6 There shall be no sale on the premises of commodities not produced as the result of the home occupation;
- 528.7 No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this Regulation, and shall not be located in a required front yard; and
- 528.7 Equipment or processes shall not be used in such home occupation which creates noise, vibrations, glare, fumes, odors, or electrical interference detectable outside the dwelling unit if the occupation is conducted in a single-family residence, or off the lot if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio, television receiver off the premises, or cause fluctuations in voltage off the premises.

SECTION 529

MINIMUM FLOOR AREA PER DWELLING UNIT: The minimum residential floor area per dwelling within Spring Valley Township shall be in accordance with the following table. These requirements shall be applicable to all districts.

	Single Family and Two Family Dwellings	Multiple Dwellings
0 Bedroom	1000 sq ft	600 sq ft
1 Bedroom	1000 sq ft	750 sq ft
2 Bedroom	1100 sq ft	900 sq ft
3 Bedroom	1250 sq ft	1050 sq ft
4 Bedroom	1400 sq ft	1200 sq ft
5 Bedroom	1550 sq ft	1350 sq ft
		+150 sq ft for each additional bedroom over 5
6+ Bedroom	1700 sq ft	
	+150 sq ft for each additional bedroom over 6	

SECTION 530

CHURCHES WITHIN RESIDENTIAL DISTRICTS: Churches and their accessory uses shall be permitted within residential districts only under the following requirements:

- 530.1 The minimum lot area shall be two (2) acres and the minimum lot width shall be two hundred (200) feet. The lot area shall be adequate to accommodate the required off-street parking requirements of the church.
- 530.2 The church building shall be set back from any adjacent residential property line a distance equal to or greater than the height of the structure exclusive of the steeple or spire.
- 530.3 The church lot shall be accessible to a major thoroughfare in a manner that does not require the passage of traffic through local residential streets.
- 530.4 Accessory living quarters may be provided on the church lot as a Conditional Use. The location, density, and the additional lot area required for such uses shall be subject to approval by the Board of Zoning Appeals.
- 530.5 Adequate screening shall be provided along all property lines bordering residential lots. Such screening shall be subject to approval by the Board of Zoning Appeals.

SECTION 531

AIRPORTS AND LANDING STRIPS: All airports and landing strips shall be in accordance with the following requirements:

- 531.1 In order to maintain the safety of the occupants of surrounding properties, all private helicopter landing areas shall be located a minimum of five hundred (500) feet from any adjacent property or shall be screened by a wall, solid fence, mound, or evergreen planting a minimum of six (6) feet in height. In order to maintain the safety of the occupants of surrounding properties, all such sites shall be approved by the Ohio Department of Transportation, Division of Aviation.
- 531.2 All private landing strips shall be approved by the Ohio Department of Transportation, Division of Aviation and shall be situated so as to not create a nuisance or hazard to residential dwellings or other structures within the vicinity.
- 531.3 Commercial airports may be permitted as Conditional Uses within specified districts subject to the following conditions:
 - a. The applicant shall present sufficient evidence to the Board of Zoning Appeals that the design and location of the airport satisfies all of the applicable requirements of the Federal Aviation Administration and the Ohio Department of Transportation, Division of Aviation.
 - b. The applicant shall provide proof to the Board of Zoning Appeals that all appropriate air rights and/or easements have been secured from surrounding property owners.
 - c. The location of buildings, hangars, or other structures shall meet or exceed the minimum setback requirements of the district in which the airport is located.

- d. The location and capacity of all off-street parking and loading areas and the location of vehicular access to public streets shall be subject to approval by the Board of Zoning Appeals.
- e. All airports shall have water supply and waste water disposal facilities approved by the Ohio EPA.
- f. Appropriate visual and noise screening of the hanger and terminal areas from existing surrounding development shall be provided. Such screening shall be subject to approval by the Board of Zoning Appeals.

SECTION 532 This section intentionally left blank.

SECTION 533 SURFACE AND SUBSURFACE DRAINAGE:
 In order to protect adjacent property owners and/or existing lot the Zoning Inspector shall contact Greene County Natural Resource Conservation Service (formerly SCS) or Greene County Engineer whenever surface or subsurface drainage problem is identified for review and comment.

SECTION 534 BED AND BREAKFAST: In order to assist in the restoration, rehabilitation, and maintenance of older structures where the existing housing stock is viable but in need of adaptive re-use, Bed and Breakfast operations may be permitted as conditional uses in A-10, A-5, E-3 and TB Districts, subject to the following conditions:

- a. All operations hereunder must meet the definition of Bed and Breakfast in Section 202.
- b. Are operated totally within the principal dwelling and not within a garage or accessory building located on the premises.
- c. Does not have exterior evidence of operation other than four (4) square foot wall sign permitted under Article 7.
- d. Shall not involve any exterior additions or alterations for the sole purpose of expanding the operations.
- e. Shall contain no separate or additional kitchen facilities for guests.
- f. Shall provide one (1) off-street parking space for every guest room in addition to the off-street parking otherwise required for the principal structure.
- g. Shall permit access to the guest rooms only through the principal structure.
- h. Shall obtain an occupancy permit from the Zoning Inspector prior to the commencement of operations to insure compliance with applicable zoning and

safety standards and the other conditions required by this use. There after, annual permits are required with owners filing for applications for same on forms provided by the Township. Permits will become due on the last day of January in the calendar year, and will is issued only upon payment of a fee set by the Township Trustees, a completed application has been filed, and a biannual inspection has been completed by the Zoning Inspector. An inspection will also be conducted by the Zoning Inspector in June of the calendar year, and anytime it deemed necessary by the Zoning Inspector or Fire Chief of Spring Valley Township.

- i. Shall maintain in good order a minimum of one (1) operating smoke detector and one (1) carbon monoxide detector in each guest room and in all common areas, including stairways.
- j. Shall conform to the bedding requirements contained in Section 3731.12 of the Ohio Revised Code.

SECTION 535

ACCESS STANDARDS: The purpose of the Access Standards is to ensure that emergency, fire, and safety vehicles can access the property. Access standards shall be required before issuance of a zoning permit for a principal building.

- a. An access driveway must commence at a dedicated road;
- b. Shall be a minimum width of 15 feet, paved or gravel;
- c. Free from obstruction of tree limbs, etc. to a height of 13 feet 6 inches;
- d. Have an 8 inch gravel base;
- e. Any access driveway in excess of 500 feet in length shall have a pull off at the half way point, or at a point that is most feasible, and additional pull offs for every 500 feet thereafter;
- f. Any access driveway in excess of 1000 feet shall also have a turn around at the end, and will be inspected by the Spring Valley Township Fire Department, and given approval by the Zoning Inspector. A turnaround should be a 50 foot square, and a "T" should be at least 35 feet wide each direction;
- g. It is required to have the house number at the entrance to the access driveway, for visibility to emergency vehicles;
- h. There shall be no more than one principal building per access driveway, unless approved by the Spring Valley Township Board of Zoning Appeals. Then the Board of Appeals shall require all deeds include covenants and agreements indicating that the said lane or drive is a private drive and that it shall be maintained and kept in a state of good repair by the private landowners to whom the lane provides ingress and egress; further each deed will require the landowner to install and maintain a turn-around on each lot sufficient to Township fire and emergency equipment; said covenants and agreements shall clearly indicate that said private

drive and individual turn-around are not public roadway and that Spring Valley Township shall have no responsibility for maintenance of the private drive and/or turn-around.

SECTION 536

SMALL WIND TURBINES: A system consisting of a wind turbine, a tower, which has a rated capacity of less than five megawatts and which is intended to primarily reduce on-site consumption of utility power. All small wind turbines are required to obtain a zoning permit and be in compliance with the following provisions:

- 536.1 Setback: The base of the tower shall be set back from all property lines, public right of ways and public utility lines a distance equal to the total extended height (the tower height plus the length of one blade plus five feet). Buildings or other structures associated with a small wind turbine shall comply with Section 507.
- 536.2 Tower Height: So long as the total extended height meets sound and set back requirements, there shall be no specific height limitation, except as imposed by Federal Aviation Administration (FAA) regulations.
- 536.3 Requirement for Engineered Drawings: Zoning permit applications for small wind turbines shall be accompanied by standard drawings of the wind turbine structure.
- 536.4 Compliance with FAA Regulations: The applicant is responsible to assure that no wind turbine shall be constructed, altered or maintained so as to project above any of the imaginary airspace surfaces described by the FAA guidance on airspace protection.
- 536.5 Utility notification: No small wind turbine shall be installed until physical evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer owned generator. Off-grid systems shall be exempt from this requirement.
- 536.6 Abandonment: If a small wind turbine is inoperable for six consecutive months the owner shall be notified that they must, within six months of receiving the notice, restore their system to operating condition. If the owner fails to restore their system to operating condition within the six month time frame, then the owner shall be required, at their expense, to remove the small wind turbine from the tower, or provide proof that repairs are in process.
- 536.7 Signage: All signs other than the manufacturers or installers identification, appropriate warning signs, or owner identification on a wind generator, tower, building, or other structure associated with a small wind turbine visible from any public road shall be prohibited. Signs of manufacturers or installer's identification, appropriate warning signs, or owner identification on a wind generator, tower, building or other structure associated with a small wind turbine shall meet the zoning requirements as identified in Article 7.

- 536.8 Lighting: No illumination of the turbine or tower shall be allowed unless required by the FAA.
- 536.9 Access: Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing. For lattice or guyed towers, sheets or metal or wood may be fastened to the bottom tower section such that it cannot readily be climbed.

Section 537 AGRITOURISM- This activity will be a Conditional Use in all zoning districts for any property which is enrolled in the CAUV program for the preceding three years. In the interest of the public health and safety, no agritourism operation shall be permitted unless the following conditions have been satisfied:
Effective 8-17-16

- 537.1 The agritourism provider shall provide evidence the farm on which the agritourism operation is proposed is ten (10) acres or more in area. If such farm is less than ten (10) acres and more than five (5) acres in size, evidence shall be provided that such farm is currently enrolled in the Current Agricultural Use Value (CAUV) program for a minimum of three years or produces an average yearly gross income of at least twenty-five hundred dollars (\$2,500) from agricultural production.
- 537.2 The agritourism provider shall identify the educational, entertainment, historical, cultural and/or recreational relationship of the agritourism operation to the existing agricultural use of the property and the surrounding agricultural community in general.
- 537.3 The agritourism provider shall submit a floor plan of the structure to be used for agritourism activities and a site plan of the property illustrating all structures, setbacks from property lines for all structures and any existing or proposed well and/or on-site wastewater disposal system area(s) on the property.
- 537.4 The size and setback for any structure used primarily for agritourism activities shall be determined by the Board of Zoning Appeals per township regulations.
- 537.5 The agritourism operator shall provide off-street parking as determined by the Board of Zoning Appeals per township regulations
- 537.6 The agritourism operator shall provide ingress and egress in a manner necessary to protect public safety.
- 537.7 The following definitions apply to this section:
 - a. AGRITOURISM: An agriculturally related educational, entertainment, historical, cultural, or recreational activity, including you-pick operations or farm markets, conducted on a farm that allows or invites members of the general public to observe, participate in, or enjoy that activity
 - b. AGRITOURISM PROVIDER: A person who owns, operates, provides, or sponsors an agritourism activity or an employee of such a person who engages in or provides agritourism activities whether or not for a fee.
 - c. FARM: Land that is composed of tracts, lots, or parcels totaling not less than ten (10) acres devoted to agricultural production or totaling less than ten (10) acres devoted to agricultural production if the land produces an average yearly gross income of at least twenty-five hundred dollars (\$2,500) from agricultural production.
 - d. AGRICULTURAL PRODUCTION: Commercial animal or poultry husbandry, aquaculture, algaculture meaning the farming of algae, apiculture, animal husbandry, or poultry husbandry; the production for a commercial purpose of timber, field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, or sod; the growth of timber for a noncommercial purpose if the land on which the timber is grown is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use; or any combination of such husbandry, production, or growth; and includes the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with such husbandry,

production, or growth; land devoted to biodiesel production, biomass energy production, electric or heat energy production, or biologically derived methane gas production if the land on which the production facility is located is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use, provide that at least fifty per cent of the feedstock used in the production was derived from parcels of land under common ownership or leasehold. Agricultural production includes conservation practices, provided that the tracts, lots, or parcels of land or portions thereof that are used for conservation practices comprise not more than twenty-five per cent of tracts, lots, or parcels of land that are otherwise devoted exclusively to agricultural use and for which an application is filed under Section 929.02 of the Revised Code.

- e. CONSERVATION PRACTICES: Practices used to abate soil erosion as required in the management of the farming operation, and include, but are not limited to, the installation, construction, development, planting, or use of grass waterways, terraces, diversions, filter strips, field borders, windbreaks, riparian buffers, wetlands, ponds, and cover crops for that purpose.