

ARTICLE 1 GENERAL PROVISIONS

SECTION 1.01 AUTHORITY

The Board of Township Trustees of Troy Township, Wood County, Ohio, in accordance with enabling legislation for township zoning as provided in Chapter 519 of the Ohio Revised Code, as amended, hereby adopts the following Zoning Resolution for Troy Township, Wood County, Ohio, by regulating, in accordance with a comprehensive plan, the location, height, bulk, number of stories, and size of building and other structures, including tents, cabins, and trailer coaches, percentages of lot area which may be occupied, set back building lines, sizes of yards, courts and other open spaces, density of population, uses of buildings and their structures including tents, cabins, and trailer coaches, and the uses of land for trade, industry, residence, recreation, or other purposes in the unincorporated territory of the township, and may establish reasonable landscaping standards and architectural standards excluding exterior building materials. For all these purposes, the board may divide all or any part of the unincorporated area of the township into districts and zones of such number, shape and area as are deemed best suited to carry out said purposes, providing a method of administration and prescribing penalties and proceedings for the administration and enforcement of this Resolution. All such regulations shall be uniform for each class or kind of building or other structure or use throughout any district or zone, but the regulations in one district or zone may differ from those in other districts or zones.

SECTION 1.02 PURPOSE

This Resolution is adopted for the purpose of protecting and promoting public health, safety, convenience, comfort, prosperity, and general welfare; and facilitating adequate but economical provision of public improvements.

SECTION 1.03 INTERPRETATION AND CONFLICT

- 1.03.01 Interpretation. In interpreting and applying the provisions of this Resolution, the regulations set by this Resolution within each district shall be held to be the minimum requirements which promote the stated purposes of this Resolution and shall apply uniformly to each class or kind of structure or land, except as herein provided.
- 1.03.02 Conflict of Rules. It is not intended by this Resolution to interfere with or abrogate or annul any resolution rules or regulations previously adopted or issued and not in conflict with any of the provisions of this Resolution; nor is it intended by this Resolution to interfere with or abrogate or annul any easements, covenants, or other agreements between parties; provided however, that where this Resolution imposes a greater restriction upon the use of buildings premises or upon height of buildings, or requires larger open spaces or larger lot areas than are imposed or required by such other resolutions or agreements, the provisions of this Resolution shall control.

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SECTION 1.04 VALIDITY

If any article, section, subsection, paragraph, sentence or phrase of this Resolution is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution.

This Resolution shall become effective from and after the date of its approval and adoption as provided by law.

SECTION 1.05 APPLICATION

This Resolution shall apply to the entire portion of the unincorporated area of Troy Township, Wood County, State of Ohio.

The following uses shall be exempt from the provisions of the resolution pursuant to ORC 519:

- 1.05.01 Land Used for Agricultural Purposes. The use of land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes or land on which such buildings or structures are located is exempt from zoning districts established by this Resolution except as regulated in Section 7.01.01 (Regulation of Land Used for Agricultural Purposes).
- 1.05.02 Public Utility. The location, erection, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement of any building or structures of any public utility or railroad, whether publicly or privately owned, or the use of land by any public utility or railroads for the operation of its business or the use of land for essential services shall be permitted in all districts established by this Resolution and no Zoning Permit shall be required for any building or structure or for the use of any land essential to the operations of a public utility or railroad.
- 1.05.03 The sale or use of alcoholic beverages shall not be prohibited in areas where the establishment and operation of any retail business, hotel, lunchroom, or restaurant is permitted.
- 1.05.04 The use of land shall not be prohibited for the conduct of oil or natural gas well drilling or production activities or the location of associated facilities or equipment when such oil or natural gas is used pursuant to ORC 1509.03.

SECTION 1.06 COMPLIANCE WITH REGULATIONS REQUIRED

After the effective date of this Resolution and subject to the provisions of Article 11 (Nonconforming Lots, Structures and Uses) and any amendments hereto, the regulations set forth or referred to in the district regulations in which a building, structure or lot is located; and all other applicable regulation of this Resolution shall be complied with as follows:

- 1.06.01 No building or structure shall be located, erected, constructed, reconstructed, enlarged or structurally altered except in conformity with the area, height and yard regulations of the district in which such building or structure is located.

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- 1.06.02 No building, structure, or lot shall be used for any purpose other than that which is permitted in the district in which such building, structure or lot is located.
- 1.06.03 No yard or other open space existing about any building or structure shall be so reduced in area or dimension as to make it less than the minimum required by this Resolution.
- 1.06.04 No lot held under one ownership at the time of the effective date of this Resolution shall be reduced or subdivided in any manner below the minimum area and yard provisions required by this Resolution.
- 1.06.05 No yard or other open space provided about any building or structure for the purpose of complying with the provisions of this Resolution shall be considered as providing a yard or open space for any other building or structure, and no yard or other open space on one lot shall be considered as providing a park or open space for a building or structure on any other lot.
- 1.06.06 Every building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one principal building on one lot except as specifically provided in Section 11.03.02(g).
- 1.06.07 Variances to these regulations in specific cases may be authorized by the Board of Zoning Appeals in accordance ORC 519.14 and 519.15 with the procedures and provisions specified in Section 12.06 (Variances).