

ARTICLE IV

CONDITIONALLY PERMITTED USES

401 GENERAL REQUIREMENTS

- A. Board of Zoning Appeals- The Board of Zoning Appeals may allow conditionally permitted uses subject to: the general conditions as set forth in Article II, where applicable and the specific conditions set forth herein.
- B. Conditional Use Permit- A conditional use permit shall be renewed annually and a fee, as set forth in the fee schedule, shall accompany such application for said permit, unless otherwise specified herein. The following conditionally permitted uses are exempt from renewal of the permit: 404 Cemeteries; 407 Funeral Home, 408 Golf Course; Plant Nursery; and 417 Service Stations.
- C. Inspection- The Zoning Inspector may inspect the premise at any reasonable time. Failure to comply with the regulations as established herein and others as the Board of Zoning Appeals may add will be considered reason for revocation of the conditional use permit.
- D. Violations- Conditional use permits shall be revoked after thirty (30) days from date written notice of violation unless said violation has been corrected.

Amended 2-4-2008

Effective 3-5-2008

402 MOTOR VEHICLE WASH STATION (NB-1, GB-1

An area of land and/or structure with machine or hand-operated facilities used principally for the cleaning, washing, polishing or waxing of motor vehicles.

- A. Off-street reserve space for not less than three automobiles per washing lane shall be provided.
- B. Required off-street parking- one (1) space for each two (2) employees plus one (1) space for the owner or manager.
- C. All outside lighting shall be shielded from adjacent properties.
- D. The lot area shall be not less than 25,000 square feet and having a lot width and frontage of not less than one hundred (100) feet.
- E. Wastewater collection/treatment system of the best available technology (BAT) as deemed appropriate by the Ohio Environmental Protection Agency (OEPA) and the Lorain County Health Department.
- F. Retail sales of related commercial products are permitted.
- G. No repair work to motor vehicles is permitted.
- H. Hours of operation for facilities located adjacent to residential districts are between the hours of 7:00 a.m. and 10:00 p.m. only. No restrictions on facilities not located adjacent to residential districts.
- I. Building shall have a minimum setback of ten (10) feet from side and rear lot lines. Setback minimum shall be a minimum of forty (40) feet from side and/or rear lot lines where adjacent to residential districts.
- J. A permanent screening fence or wall shall be constructed along any property line, which abuts a residentially zoned district. Fence shall be three and one half feet (42") in height from road right-of-way to building line and not less than six (6) feet in height along remainder of lot lines. Fencing shall be properly maintained.
- K. Sign permitted per Section 1400.

Approved 4/5/99

Effective 5/5/99

403 MOTOR VEHICLE REPAIR GARAGE (GB-1)

A building designed and used for the storage, care, repair or refinishing of motor vehicles including both minor and major mechanical overhauling and/or paint and body work.

- A. Required off-street parking – one (1) space for each employee shall be provided in addition to one (1) space for each 250 square feet of floor space to accommodate loading and unloading of materials, customer parking and storage of vehicles.
- B. All outside lighting shall be shielded from adjacent properties.
- C. The lot area shall be no less than 25,000 square feet and having a lot width and frontage of not less than one hundred (100) feet.
- D. All motor vehicle repair work shall be conducted completely within an enclosed building.
- E. Vehicles awaiting parts for repair may be stored outside within a fenced area for a maximum of sixty (60) days. Storage area to be enclosed by a permanent screening fence or wall not less than six (6) feet in height and shall be properly maintained. Where property abuts residential zoning districts, fence or wall must be adequately buffered and properly maintained.
- F. Hours of operation for facilities located adjacent to residential zoning districts are between the hours of 7:00 a.m. and 10:00 p.m. only. No restrictions on facilities not located adjacent to residential districts.
- G. Building shall have a minimum setback of ten (10) feet from side and rear lot lines. Setback shall be a minimum of seventy-five (75) feet from side and/or rear lot line where adjacent to residential districts.
- H. Sign permitted per Section 1400.

Approved 4/4/99

Effective 5/4/99

404 CEMETERIES (RI-1)

Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

- A. The site shall not interfere with the development of a locally adopted street system or public utility and shall maintain direct ingress and egress onto a public thoroughfare.
- B. The lot area shall be not less than twenty (20) acres with a minimum road frontage of not less than two hundred (200) feet.
- C. All burial buildings, vaults, mausoleums, columbariums, and accessory buildings shall have a minimum setback of seventy-five (75) feet from any street right-of-way bounding the cemetery. There shall be two (2) side yards and a rear yard of not less than fifty (50) feet.
- D. All graves or burial lots shall have a minimum setback of forty (40) feet from any street right-of-way bounding the cemetery.
- E. Existing cemeteries may continue to operate as a nonconforming use. Any future expansion of an existing cemetery not covered by a Conditional Use Permit must comply with requirements set forth above.
- F. All outside lighting shall be shielded from adjacent properties.
- G. Sign permitted as per section 1400.

Adopted 8/17/98

Effective 9/17/98

405 DAY CARE CENTER (RI-1, GB-1)

- A. Minimum Site Size- One-half acre up to ten (10) children plus an additional two hundred (200) square feet for each additional child.
- B. Interior Floor Space- No less than one hundred (100) square feet per child.
- C. Yards required- Side and rear yards shall be a minimum of fifty (50) feet.
- D. Lot Width and Depth- A 3 ½ to 1 ratio of width to depth should be maintained.
- E. Play area- There shall be provided on the site a usable outdoor play area of seventy-five (75) square feet per child enrolled exclusive of front yard, required side yards, driveways and parking areas.
- F. Fencing- The play area shall be fenced for safety and shall be screened from any adjoining residential land by suitable plant material.
- G. Development Plan- A development plan must be submitted at the time of application for a conditional use permit.

406 EXTRACTION OF STONE, MINERALS AND TOP SOIL (GB-1, LI-1)

- A. **General requirements-** Any owner, lessee or other person having an interest in mineral land may file with the Board of Zoning Appeals, an application for authorization to mine minerals therefrom, provided, however, that he shall comply with all requirements of the District in which said property is located and with the following additional requirements.
- B. **Distance from Property Lines-** No quarrying operation shall be carried on or any stock pile planned closer than fifty (50) feet to any property line, unless a greater distance is specified by the Board of Zoning Appeals where such is deemed necessary for the protection of adjacent property, provided that his distance requirement may be reduced to twenty-five (25) feet by written consent of the owner or owners of the abutting property.
- C. **Distance from Public Right-Of-Way-** In the event that the site of the mining, quarrying or extraction operation is adjacent to the right-of-way of any public street or road, no part of such operation shall take place closer than twenty-five (25) feet to the nearest line of such right-of-way.
- D. **Fencing-** Fencing shall be erected and maintained around the entire site or portions thereof where in the opinion of the Board of Zoning Appeals, such fencing is necessary for the protection of the public safety and shall be of a type specified by the Board.
- E. **Equipment-** All equipment and machinery shall be operated and maintained in such a manner as to minimize dust, noise and vibration. Access roads shall be maintained in a dust-free condition by surfacing or other treatments as may be specified by the County Engineer.
- F. **Processing-** Crushing, washing and refining or other similar processing may be authorized by the Board of Zoning Appeals as an accessory use, provided, however that such accessory processing shall not be in conflict with the use regulations of the District in which the operation is located.
- G. **Performance Bond-** All persons or groups of persons, corporations, or private contractors wishing to extract minerals or topsoil from land within Carlisle Township shall submit to the Township Trustees, a bond for a sum to be determined by the Trustees which shall be held during the operation of the extraction process and for a period not to exceed 365 days after the removal of equipment from the site. The condition of this bond shall be that the persons or groups of persons, corporations or private contractors responsible for the extraction process shall faithfully perform all conditions of the zoning regulations as set forth and shall pay anyone who may perform cause to be performed any work or labor or furnish or cause to be furnished any skill, labor, equipment or material in the

execution of such contract and such bond shall be forfeited upon the failure of persons, groups of persons, corporations or private contractors to comply herewith.

- H. Applications- Contents, Procedure- An application for such operation shall set forth the following information:

Name of the owner or owners of land from which removal is to be made.

Name of the applicant making the request for such permit.

Name of the person or corporation conducting the actual removal is to be made.

Location of processing plant to be used.

Type of resources or materials to be removed.

Proposed method of removal and whether or not blasting or other use of explosives will be required.

Description of equipment to be used.

Method of rehabilitation and reclamation of the mined area.

- I. Public Hearing- Upon receipt of such application, the Board of Zoning Appeals shall set the matter before a public hearing.

407 FUNERAL HOME (NB-1, GB-1)

- A. Site size- Minimum site size shall be two (2) acres with a minimum width of two hundred (200) feet.
- B. Access- The proposed site shall front upon a major thoroughfare. All ingress to the site shall be directly from said thoroughfare.
- C. Yards required- Each front, side and rear yard shall be at least fifty (50) feet in width and be appropriately landscaped in trees, shrubs, and grass. No structures or parking areas shall be permitted in said yards, except that rear yards may be used for parking purposes under the requirements specified in Article XV and except for required entrance drives and those walls and/or fences used to obscure the use from abutting residential districts.
- D. Area Coverage- No more than thirty (30) percent of the grass site area shall be covered by buildings, including accessory buildings.
- E. Appearance of Buildings- All buildings shall be harmonious in appearance with any abutting surrounding residential area and shall be similar in design and appearance to any other buildings within the immediate vicinity of the proposed site.
- F. Off-Street Parking- Off-street parking shall be provided in conformance with the schedule outlined in Article XV. Adequate off-street assembly area for vehicles used in funeral processions shall be provided in addition to any required off-street parking area. Parking and assembly areas shall be screened from surrounding residential areas by a fence of at least four (4) feet in height. Shrubs or trees may be used in combination with said structural screens or walls.

408 GOLF COURSE (RI-1, LI-1)

- A. **Site size and Frontage-** The site shall contain a minimum of thirty-five (35) acres for a par 3-9 hole golf course, a minimum of eighty (80) acres for a nine (9) hole golf course and one hundred sixty (160) acres for an eighteen-hole golf course. Lot frontage shall be a minimum of sixty (60) feet in addition to the width needed for any desired sign.
- B. **Distance From Road Right-Of Way-** All principal and accessory buildings shall be located not less than one hundred (100) feet from the road right-of-way.
- C. **Access-** Access to and from the site shall be located so as to minimize traffic hazards and congestion. All access drives shall be a minimum of twenty (20) feet in width and constructed of hard-surfaced material.
- D. **Height-** No structure shall be erected in excess of thirty-five (35) feet in height.
- E. **Course Layout-** Course layout shall be directed away from all surrounding residential areas and roads. All detailed plans for the layout of golf courses, structures and accessory buildings shall be submitted to the Township Board of Zoning Appeals for review. The Township may request the review of the Lorain County Regional Planning Commission if desired prior to the issuance of a conditional zoning permit. Such review by the Commission shall be advisory to the Township Board of Appeals.
- F. **Distance from Residential Areas-** Buildings and parking areas shall be not less than two hundred (200) feet from any property line of abutting residentially zoned land.
- G. **Signs-** All signs shall be located at least twenty (20) feet from all road right-of-way sidelines and seventy-five (75) feet from any abutting residential property lines. No sign shall be greater than three (3) feet in height.
- H. **Lighting-** Lighting of any type shall be directed away from or shielded from any abutting properties so that said lighting will not cast light on adjoining properties.
- I. **Parking-** Ten (10) parking spaces per hole shall be provided in addition to one (1) space per thirty-five (35) square feet of floor area for public assembly. All parking spaces shall be located not less than seventy-five (75) feet from any residential district and fifty (50) feet from the road right-of-way sideline.

- J. Retail Sales- Pro-shops and sale of goods incidental to the principal use shall be permitted. The sale of food and beverages shall be permitted if contained within the principal building or structure.

Amended 1/20/92

Effective 2/20/92

409 HOME OCCUPATION (RI-1, RI-2, RI-3)

- A. Such use shall be conducted by a member(s) of the family residing on the premises with not more than one (1) employee.
- B. Such occupation shall be carried on entirely within the dwelling or an enclosed accessory building, provided that the accessory building usage is not over six hundred (600) square feet. Accessory building is not a prefabricated or movable unit. It shall be post frame construction with footer or similar type foundation. It is not living quarters and meets all current setbacks and percentage of lot coverage requirements. Usage of an attached garage shall be encouraged.
- C. Such occupation shall be clearly incidental and subordinate to its use for the residential purposes, and not more than twenty (20) per cent of the floor area of the dwelling unit shall be used in the conduct of the home occupation.
- D. No activity, materials, goods, or equipment indicative of the occupation shall be visible from the public way or adjacent property.
- E. The proposed use shall not constitute primary or incidental facilities for a business or industrial activity conducted elsewhere.
- F. No traffic shall be generated by such occupation in greater volume than would normally be expected in a residential neighborhood. Any need for parking generated by the home occupation shall meet the off street parking requirements as specified in this resolution and be provided for on site.
- G. No equipment or process shall be used in such home occupation, which would cause a nuisance to neighbors such as noise, vibration, glare, fumes, odors, or electrical interference.
- H. There may be one (1) sign advertising the home occupation. See section 1400.
- I. Home Occupation shall be permitted only after is has been approved by the Board of Zoning Appeals.
- J. Renewal of the Home Occupation permit shall require a premises inspection by the Zoning Inspector, with the consent of the property owner/user, if deemed necessary by the Zoning Inspector or the Board of Zoning Appeals. Renewal of the permit can be denied if inspection is prohibited.

Amended 7-16-2007

Effective 8-15-2007

410 MINIATURE GOLF COURSE (GB-1)

- A. Minimum Setback- One hundred (100) feet from road right-of-way, with minimum side and rear yards of at least fifteen (15) feet each. The course shall be located no closer than two hundred (200) feet from any structure used for human occupancy.
- B. Landscaping- the lot shall be so landscaped as to screen the use from adjoining properties.
- C. Noise- See Trustee Noise Resolution No. 2002-40.
- D. Access- All points of entrance or exit should be located no closer than two hundred (200) feet from the intersection of two (2) arterial streets, or no closer than one hundred (100) feet from the intersection of an arterial street and a local collector street.
- E. Signs- There shall be no more than one (1) advertisement oriented to each abutting street identifying the activity.
- F. Lighting- when lighting is provided, it shall be directed away and shielded from adjacent properties.
- G. Hours of operation- under no condition shall activities continue past 12:00 a.m.
- H. Retail Sales- the sale of prepackaged food and beverages and commercial products clearly incidental to the use shall be permitted.
- I. Prohibited Activities- No intoxicating beverages shall be sold or permitted. No mechanical or electronic devices related to games of chance shall be allowed.
- J. Parking- no parking shall be permitted on the public right-of-way.

Amended 2-4-2008

Effective 3-5-2008

411 PARKS AND PLAYGROUNDS (RI-1)

- A. Permitted Uses- field games, multiple use paved areas, landscaped areas, picnic areas, playground apparatus areas, field houses and other low impact recreational activities.
- B. Site Size- the minimum total site size shall be five (5) acres and the minimum total width shall be not less than three hundred (300) feet.
- C. Access- must meet County specifications for ingress and egress.
- D. Parking- ten (10) parking spaces shall be provided for each acre of playground area.
- E. Setback Requirements- setback requirements for all buildings and accessory structures shall be seventy-five (75) feet from side and rear lot lines and one hundred (100) feet from all bounding road right-of-way side lines. Setback areas on the site shall be appropriately landscaped to maintain a park-like atmosphere. Playground apparatus must be set back one hundred (100) feet from any bounding street right-of-way or side lot line.
- F. Lighting- all outside lighting shall be directed away and shielded from adjacent properties.
- G. Noise- see Trustee Resolution No. 2002-40.
- H. Retail Sales- the sale of food and carbonated beverages shall be permitted.
- I. Development Plan- a development plan must be submitted at the time of application for a conditional use permit.

Amended 2-4-2008

Effective 3-5-2008

412 PLANT NURSERY (RI-1, NB-1, GB-1)

- A. Minimum Site Size- Five (5) acres
- B. Parking- A minimum of five (5) off-street parking spaces shall be provided or 3.5 square feet of parking space for each square foot of floor space devoted to retailing, whichever is greater.
- C. Setback- Any building or accessory structure shall be set back one hundred (100) feet from any road right-of-way side line and seventy-five (75) feet from all other property lines.
- D. Dead Plant Material- No burning of dead plant material is allowed.
- E. Lighting- All outside lighting shall be directed away and shielded from adjacent properties.
- F. Spraying- When spraying of plant material is required, only those sprays accepted by the Department of Agriculture shall be utilized, said spraying operation shall be directed so as to not affect adjacent properties in any way.
- G. Irrigation- when irrigation is utilized, adequate drainage shall be provided to direct surface water away from adjacent properties.

413 DRILLING AND EXPLORATION FOR GAS AND OIL (ALL DISTRICTS)

All drilling and exploration for gas and oil must meet all state and federal guidelines.

- A. Define "Person" as used within this section to mean any natural person, general partnership, limited partnership, corporation, firm or common place enterprise; and "drilling operation" to mean each and every well that is drilled, reopened, or plugged back or drilled for the disposal of waste.
- B. All persons drilling and /or exploring for gas and oil must first obtain a special hauling permit from the township at least ten days prior to the initiation of such drilling or exploration. The granting of a special hauling permit is conditional upon first securing a road restoration bond under the aegis of the township trustees.
- C. No person shall erect, use, and/or operate any rotary drilling rig nearer than five hundred (500) feet, any cable rig nearer than three hundred (300) feet or storage tank nearer than one hundred fifty (150) feet from any and all inhabited dwellings without first obtaining written consent from all owners of said dwelling within that radius as measured from the center of the proposed well or storage tank. The written consent form shall specifically state that the property owner has given his consent to the erection, use and/or operation of such drilling rig or tank within such distance of said dwelling.
- D. No person shall erect, use and/or operate any rotary drilling rig nearer than five hundred (500) feet, any cable rig nearer than three hundred (300) feet or storage tank nearer than one hundred fifty (150) feet from any public building which may be used as a place of resort assembly, education, entertainment, lodging, trade, manufacture, repair, storage, or occupancy by the public without first obtaining written consent of all the owners of such buildings within that radius as measured from the center of the proposed well or storage tank. The written consent form shall specifically state the property owner has given his consent to the erection, use and/or operation of such drilling rig or tank within such distance of said public building.
- E. No person shall erect, use, and/or operate any drilling rig nearer than three hundred (300) feet from any private water supply without first obtaining written consent of the owners of the property within that radius as measured from the center of the proposed well. The written consent form shall specifically state that the property owner has given his consent to the erection, use and/or operation of such drilling rig within such distance of said private water supply.

- F. Access routes shall be established by the trustees for ingress and egress to the drilling site.
1. Primary consideration shall be given to the route or routes, which will minimize wear and tear on township roads.
 2. Entrances to and exits from the drilling site shall be at points, which will minimize traffic congestion and hazard.
 3. No such access point to the drilling site shall be located nearer than one hundred and twenty-five (125) feet from the intersection of two (2) street lines. No more than two (2) access points shall be established to any one well.
 4. The maximum width of driveways shall be twenty-four (24) feet.
 5. A suitable size culvert pipe, as specified by the trustees shall be placed in any culvert, trench, or ditch under the supervision of the road foreman over which driveway or driveways will be placed.
 6. All driveways providing ingress and egress for the drilling site shall be maintained to minimize dust and the tracking of mud and debris onto the hard surface pavement.
 7. A turnaround for all vehicles shall be provided which will accommodate the largest vehicle used in connection with the operation or the drilling site, unless otherwise approved by the Road Foreman.
 8. There shall be absolutely no on-street parking. One off-street parking space shall be provided for each worker at the site.
 9. Where lighting is used at the drilling site, said lighting shall be placed in such a manner as to shield adjacent inhabited dwellings from direct emissions of light.
 10. The process of "fracturing", dressing tools, sharpening bits, or operation of forge is prohibited between the hours of 9:00 p.m. and 6:00 a.m. where inhabited dwellings are situated within three hundred (300) feet of such process or operation unless the written consent of the residents of such dwellings is first obtained.
 11. A written drilling log is required to be kept at the drilling site. The log shall contain the drilling depth reached at each twenty-four (24) hour interval. The dates and times at which the process of "fracturing" is

conducted shall be entered in the log. The log shall be kept and made available for inspection to any township trustee upon request.

12. A plot plan shall be prepared and shall designate in detail, and in a suitable scale drawing, the location or proposed location of all wells, shutoff valves, hearing equipment, transmission lines, electricity service entrance and circuit breakers for all electrical equipment. The plot plan shall be furnished to the township trustees prior to drilling and kept updated.
13. Suitable fire fighting equipment, as approved by the township fire chief shall be kept on the drilling site and maintained in an operable condition during drilling. Such equipment shall be placed in a location to provide ready access in the event of an emergency.
14. In connection with the operation of the drilling site, the names, mailing addresses, and telephone numbers of each of the following shall be supplied to the township trustees and kept updated.
 - a. In the case of a corporation, it's statutory agent and the managing officers.
 - b. In the case of a general or limited partnership, each of the managing partners.
 - c. In the case of any other firm or common enterprise, each individual associated therein.

In addition, the names, addresses and telephone numbers of all general contractors employed by any person in connection with the drilling operation shall also be provided to the trustees.

15. All pits used for the temporary storage of salt water and oil field waste shall be liquid tight and constructed and maintained to prevent escape of such water and waste through run-off, percolation, or otherwise. The pit shall be enclosed by a fence at least five (5) feet in height. Said fence shall be constructed and designed to prevent trespassing. A written log shall be kept detailing how, when and where salt water, oil field waste, and other noxious, harmful or hazardous discharge is disposed of and it shall not be drained into any open field, open ditch, culvert, storm sewer, running stream or other water way. At least 24 hours prior to the disposal of the above mentioned materials written notice of the method and material to be disposed of shall be furnished to the township Road Foreman for each and every well.

16. All storage tanks shall be painted and other equipment that remains at the drilling site shall be screened, by providing:

- a. An opaque wall
- b. A uniformly painted fence or
- c. A strip of land at least four (4) feet wide and densely planted with shrubs or trees or a combination thereof.

Such screening shall be at least six (6) feet in height and at least as long as that which the screening is designed to screen.

17. Written notice from the owner of the land must be given to the township trustees no later than ten (10) days prior to the commencement of drilling operations.

18. A certificate of compliance must be furnished to the township trustees at any time prior to the day on which the drilling operation is to commence. The certificate shall specifically state that:

- a. The drilling operation shall be conducted pursuant to the health and safety standards of the Township.
- b. The trustees have been furnished with all information required by condition #13.
- c. All consents required by condition #3, #4, #5 and #9 have been obtained. A copy of each consent required and received must be provided to the trustees at the time the Certificate of Compliance is required.

The certificate shall be signed by the duly authorized agent of the corporation, partnership, firm, common enterprise, or by any natural person seeking to drill.

19. A copy of the state drilling permits shall be submitted at the time the certificate of compliance required pursuant to condition #18 is filed.

20. All activities, operations, and construction, not directly governed by Ohio Revised Code Chapter 1509 and the rules and regulations adopted there under by the division of gas and oil must comply with the township zoning resolution in its entirety.

21. Any part of these conditions which is superseded by any Section of Chapter 1509 or any rule or regulation promulgated there under shall not affect the validity of any other conditions.
22. Duties of Zoning Inspector- it shall be the duty of the Zoning Inspector to consult with the Deputy Inspector of the Division of Mines relative to good practices relating to drilling, production or storage of oil and gas. Upon finding conditions, which he determines to be unsafe, unsanitary, or a menace to the health and safety of persons residing in the neighborhood of an oil or gas well, the Zoning Inspector shall order the operator of such well to cease operations until such condition is corrected.

In the event any word, phrase, sentence, or structure or portion of these conditions shall hereafter be declared invalid such invalidity shall not affect the remaining portions and parts of these conditions herein.

Amended 2/16/1987

Effective 3/16/1987

413.01 PRIVATE GAS WELLS

Private gas wells must comply with all state requirements.

414 RECREATIONAL CAMPGROUNDS (RI-1, FP-1))

- A. Area- No campground shall be developed on a lot of less than ten (10) acres. The minimum campsite shall contain 3,630 square feet. Ratio of campers to total area is based on twelve (12) units or campsites per acre. No campsite shall be located on land having a slope in excess of twenty (20) percent.
- B. Setback- Buildings shall be located no closer than three hundred (300) feet to the right-of-way and two hundred (200) feet to the side or rear lot line.
- C. Sanitation- The general criteria for sanitary facilities shall follow the Lorain County Health Department guidelines and provide:
 - Toilet Fixtures- One (1) for each 17 people
 - Showers- One (1) for each 50 people
 - One (1) restroom with six (6) toilets per campground of 25 units
 - One (1) restroom with six (6) toilets and one (1) combination building with Six (6) toilets, four (4) showers and laundry facilities per campground of 25 unitsThe campground and all permanent facilities and equipment shall be kept in a clean orderly and sanitary condition and free from any condition that will menace the health of any camper or the public or constitute a nuisance.
- D. Water Supply Requirements- Water supply requirements at campgrounds shall be fresh potable water or other commercial water supply. Distance from drinking water to unit- 300 feet maximum, 100 feet or less optimum
- E. Fire Protection- The campground shall be equipped at all times with adequate fire extinguishing equipment as determined by the fire department, which serves the area.
- F. Prohibited Activities- No intoxicating beverages may be sold on the campgrounds.
- G. Hours of Operation-Under no conditions shall supervised activities continue past 12:00 a.m. at which time all lights in hall, buildings, outside areas and all other lights accessory to the operation shall be extinguished, except necessary protection lights.
- H. Noise- See Trustee Noise Resolution No. 2002-40

- I. Retail Sales- The sale of prepackaged food and beverages shall be permitted.
- J. Parking- The following parking space must be provided:
 - Car – 300 square feet
 - Car and Trailer- 600 square feet
 - One space or hardstand per camper unit, minimum space for 2 cars, or one car and trailer
 - Optimum space for 3 cars be provided at each rest room.
- K. Hard Stand Areas- To accommodate self-contained camping trailers, all weather hard stand areas, 12 feet by 50 feet shall be provided and so designed that the car and camping trailer can be backed onto the hard stand area with the minimum amount of maneuvering.
- L. Access Roads- Shall meet County specifications on ingress and egress and be maintained in an all weather and dust-free condition.
- M. Signs- A sign shall be permitted provided the area of such sign shall not exceed thirty-two (32) square feet of surface and shall be subject to requirements found in Article XIV.
- N. Lighting- All outside lighting shall be directed away and shielded from adjacent properties.
- O. Camper Vehicles- All camper's vehicles shall display the current year license plates. No campground shall be used for permanent occupancy or as a mobile home park.
- P. Storage Areas for Recreational Vehicles- Areas set aside for storage of recreational vehicles shall be enclosed by a chain link fence six (6) feet in height.

Amended 2-4-2008

Effective 3-5-2008

415 RIDING, BOARDING AND SHOW STABLES INCLUDING A RIDING ARENA (RI-1)

- A. **Applicability-** These conditions shall apply where one or more horses are used, kept, or maintained, for commercial leasing or hiring purposes for remuneration.
- B. **General-** All riding or exercising of horses shall be conducted solely on the premises. The use of any public road or road right-of-way as a part of a stable or riding academy shall be prohibited. All horses shall be adequately housed and fenced so as not to be a nuisance to adjacent properties.
- C. **Lot Area-** The lot area required for each horse stabled in a riding stable or academy shall not be less than ½ acre and shall be not less than five (5) acres with a lot width of not less than 400 feet. Lots of five acres or more would be exempt.
- D. **Accessory Structures** such as outside bleachers shall be located no closer than seventy-five (75) feet to any property line.
- E. **Access and Parking-** Adequate off-street parking shall be provided on site to accommodate all vehicles and/or horse trailers. In determining the size of the parking area, a minimum design area of six hundred (600) square feet shall be used per horse being boarded or kept. All driveways and off-street parking areas shall be maintained in a dust-free, all-weather condition. Parking areas shall be located no less than one hundred fifty (150) feet from the street right-of-way. Entrance to the site shall be of sufficient width (not less than twenty-four (24) feet in order to facilitate entering and leaving the property at the same time.
- F. **Landscaping-** All outdoor areas including exercising and parking areas shall be adequately landscaped to screen and buffer the use from any abutting residentially zoned property.
- G. **Retail Sales-** The sale of commercial products clearly incidental to the intended conditional use shall be permitted. The sale of incidental products shall be conducted wholly within an enclosed building.
- H. **Lighting-**All outside lighting shall be shielded and directed away from adjacent properties.
- I. **Noise-** See Trustee Noise Resolution No. 2002-40.

- J. Signs- One sign which serves to identify the use on the premises shall be permitted with a surface area not to exceed sixteen (16) square feet and shall be subject to requirements found in Article XIV.
- K. Sanitation- The premises shall be maintained in a sanitary and orderly manner so as not to be harmful to adjacent properties, or create a hazard to public health, safety or general welfare.
- L. Hours of Operation- All activities shall terminate on before 11:00 p.m. each day.

All other requirements as set forth in the administration and enforcement section of the Zoning Resolution.

Amended 2-4-2008

Effective 3-5-2008

ORC.
5/19/21 C1

**416 AGRICULTURAL ROADSIDE STANDS AND MARKETS
(RI-1, RI-2, AND RI-3)**

- A. General- Roadside stands and markets shall be used for the sale of agricultural products. Roadside stands shall be portable and shall be moved back to the setback building line during the non-growing season.
- B. Setback- Roadside stands and Markets shall be setback twenty (20) feet from any right-of-way and/or side line.
- C. Parking for Roadside Stands and Markets - Adequate off-street parking shall be provided for a minimum of four (4) vehicles or more as determined by the Board of Zoning Appeals.. Off-street parking areas shall be maintained in an all-weather, dust free condition.
- D. Signs- The provisions of Article XIV shall apply.

Amended 7-2-20108

Effective 8-3-2018

417 SERVICE STATIONS, FUEL MARTS & CONVENIENCE PLAZAS (GB-1)

- A. Frontage- A minimum frontage on the primary street of one hundred twenty-five (125) feet is required.
- B. Building Setback- A minimum setback of one hundred (100) feet from all street right-of-way lines is required. A fifteen (15) foot unobstructed buffer strip shall be provided next to the right-of-way and parking in this strip shall be established.
- C. Rear Yard- A minimum rear yard of seventy-five (75) feet is required where the use abuts a residential area or forty (40) feet where the use abuts a nonresidential area.
- D. Site- A minimum of one (1) acre is required.
- E. Lot Coverage- maximum lot coverage of thirty (30) percent shall be permitted.
- F. Access- Maximum width of curb openings for stations.
- G. Lighting- All outside lighting shall be directed away and shielded from adjacent properties.
- H. Signage- The provisions of Article XIV shall apply
- I. Parking- The provisions of Article XV shall apply.

Amended 2-4-2008

Effective 3-5-2008

418 VETERINARY HOSPITAL OR CLINICS (RI-1 AND GB-1)

- A. **Parking and Access-** Parking shall be provided for a minimum of four (4) car and trailer combinations. Five hundred (500) square feet shall be the minimum required parking and access area for each car and trailer or van combination. Three hundred (300) square feet shall be required for parking and access space for each vehicle.
- B. **Runways, Exercise Areas-** All riding or exercising of animals shall be enclosed by a six (6) foot woven, chain link fence or an escape proof fence, maintained in clean orderly and sanitary condition free from any condition that would menace the health of the animals enclosed therein, the public or constitute a nuisance.
- C. **Buildings and Enclosures-** The main building and any buildings housing animals shall be no closer than one hundred (100) feet from any other lot in any direction. Enclosed runways and kennels or outside exercise areas shall be no closer than one hundred (100) feet from any property line.
- D. **Manure Piles-** Manure piles shall be disposed of daily in a sanitary, non-odorous condition. Open manure piles shall not be permitted.
- E. **Lighting-** All outside lighting shall be directed away and shielded from adjacent properties.
- F. **Retail Sales-** The sale of incidental products is permitted.

DEFINITION- Kennel or Cattery - Any lot or premises on which four (4) or more dogs or cats more than four (4) months of age are housed, groomed, bred, boarded, trained or sold.

Amended 2-4-2008

Effective 3-5-2008

421 MOBILE HOME AND RECREATIONAL VEHICLE STORAGE, SALES AND SERVICE (GB-1)

- A. **Minimum Area, Minimum Frontage-** The minimum area required shall be five (5) acres. Minimum frontage shall be not less than three hundred (300) feet.
- B. **Related Commercial Activity-** Commercial activity shall be directly related to those sales, transactions or exchanges, which are directly related to storage, sales, or services, offered on the premises. Nothing in this section shall be interpreted in such a manner as to supersede or nullify the commercial zoning provisions found elsewhere in these regulations.
- C. **Parking Requirements-** At least one (1) parking space shall be provided for each four hundred (400) square feet of building space. All other provisions of Article XV shall be complied with.
- D. **Enclosure-** All mobile home and recreational vehicle repairs shall be conducted in an enclosed building. Outside storage and sales are permitted provided the area is properly fenced and landscaped.
- E. **Fencing and Buffering Requirements-** All mobile home and recreational vehicle storage and sales areas shall be enclosed at the property line with a farm fence with gate where appropriate. Said fence shall be maintained in good repair. In addition to fencing, the commission may recommend and the Township Trustees may require suitable landscape plantings or screenings along those sides or portions of lot lines that adjoin residential areas.
- F. **Sideyard Setback Requirements-** All structures and activity areas shall be located no closer than fifty (50) feet from any RI-1 property line and ten (10) feet from any GB-1 property line.

Rear Yard Setback- No closer than fifty (50) feet from any RI-1 property line and no closer than ten (10) feet from a GB-1 property line.

Front Yard Setback- One hundred (100) feet from any road right-of-way.
- G. **Signs, Advertising Devices-** No more than one (1) sign or advertising device oriented to each abutting public road identifying the nature of the special use shall be permitted. Signs and advertising must be set back at least fifty (50) feet from the edge of the road right-of-way, and may not exceed fifty (50) square feet in area. All other provisions of Article XIV shall be complied with.

422 TRANSITION PROVISIONS AND REQUIREMENTS, FOR EXISTING BUILDINGS ONLY

A. Intent of Transition Provisions:

In order to provide an added measure of reasonableness and flexibility to the regulations set forth in this resolution, and in order to accommodate a natural tendency for gradual transition between two distinctly different kinds of land use activities, there are hereby provided transition zones at the periphery of certain commercial and industrial districts. Within these transition zones, restrictions for residential districts are progressively modified within a specified distance to the less restrictive requirements of a commercial or industrial district.

**B. Limits of Transition Zones: (See zoning map for permitted locations)
Certain GB-1 and LI-1 structures and uses, as specified herein, within one hundred (100) feet of the GB-1 (General Business), and LI-1 (Light Industrial) Districts, PROVIDED that any nonresidential use allowed within the transition zone shall be permitted only by the application for the issuance of a conditional use permit, and meets the following additional requirements:**

1. In reviewing any such proposed use, the Board of Zoning Appeals shall take every precaution in granting authorizations to achieve the maintenance of the essential residential character and appearance of that portion of a residential district in which transition uses are allowed.
2. The Board of Zoning Appeals may impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual rights, and for insuring that the spirit and objectives of this resolution will be observed.

C. Uses permitted:

Only the following uses shall be permitted in any Residential transition zone.

1. All uses permitted by right in the Residential Districts.
2. Lodges and Clubs, excepting such lodges or clubs, the chief activity of which is a service customarily carried on as a business or primarily for gain.
3. Tourist homes and or Bed and Breakfast homes for the accommodation of transient guests with no more than six (6) rooms for lodging purposes.
4. Personal services and sales of products related to principal business such as dressmaking, millinery, hairdressing, hair cutting,

beautician and massage service, PROVIDED such activity is carried on completely within the principal building.

5. Offices for occupancy of physicians, surgeons, dentists, attorneys, architects or engineers, PROVIDED that there are no resident patients.
6. Off-street parking lots, public or private, PROVIDED that all setbacks and other requirements stated in Article XV (Off Street Parking Requirements) are met.

The uses permitted by right in the GB-1 and LI-1 Districts shall be allowed as transitional uses in either district.

D. Site Development Requirements:

1. Yards- All yard dimensions, height, area and bulk requirements for the particular district in which the transitional use is proposed, shall be complied with.
2. Off-Street parking and loading facilities as required for the particular nonresidential use shall be provided.
3. Sign regulations for the particular district in which the transitional use is proposed shall be complied with.

E. Additional Transition Requirements for Business Districts or Industrial Districts that Adjoin a Residential District:

In order to mitigate the detrimental effect on residential properties immediately adjacent to business and industrial activities, the following regulations shall be complied with:

1. Any of the following land and structure uses shall be no closer than one hundred (100) feet to any residential district:
 - a. Gasoline, Service Station, Fuel Mart/Convenience Plazas shall be no closer than one hundred fifty (150) feet to any residential district.
 - b. Automobile Repair and Public Garages shall be no closer than one hundred (100) feet to any residential district.
 - c. Drive-in food or drink dispensing facilities shall be no closer than one hundred (100) feet to any residential district.
 - d. Drive-in golf ranges shall be no closer than one hundred (100) feet to any residential district.
 - e. Music or dancing schools and studios shall be no closer than one hundred (100) feet to any residential district.
 - f. Laundry, dry-cleaning establishments shall be no closer than one hundred (100) feet from any residential district.

g. Animal Hospital, clinic or kennel shall be no closer than one hundred (100) feet from any residential district.

F. The Conditional Permit shall be in effect until the transitional use terminates, there is a change in the use, or the property is transferred to a new owner, or the conditions and requirements as set forth are not complied with.

Amended 2-5-2008

Effective 3-5-2008

423 NURSING HOMES (RI-1, GB-1)

- A. The proposed site shall be at least four (4) acres.
- B. The proposed site shall have at least one (1) property line abutting a major thoroughfare. Must meet County specifications for ingress and egress.
- C. All two (2) story structures shall be at least one hundred (100) feet from all boundary lines or street lines. Buildings less than two (2) stories shall be no closer than fifty (50) feet to all property or street lines. For buildings above two (2) stories, the building shall be set back from the initial one hundred (100) foot setback and additional one (1) foot for each foot of additional height above two (2) stories.
- D. No more than twenty-five (25) percent of the gross site shall be covered with buildings.
- E. Ambulance and delivery areas shall be obscured from all residential view by a solid masonry wall six (6) feet in height. Access to and from the delivery and ambulance area shall be directly from a major thoroughfare.
- F. All signs shall be in accordance with the schedule outline in Article XIV.
- G. Off-street parking and loading space shall be provided in accordance with the schedule outlined in Article XV.

424 MOBILE HOME PARK SUBDIVISION (deleted)

425 WIRELESS TELECOMMUNICATIONS FACILITY (RI-1, RI-2 AND RI-3)

A Wireless Telecommunications Facility shall be a Conditionally Permitted Use in a General Business (GB-1) District and a Light Industrial (LI-1) District.

PURPOSE

The purpose of the Wireless Communications Facility section is to accommodate transmitters, towers, and antennas for use in providing public and/or personal wireless service in a variety of zoned districts, contingent upon having met specified requirements, conditions, and design criteria. This section will help minimize the visual impact of the towers and associate facilities through landscape buffering, selective design and construction, setbacks for location and the removal of such facilities when no longer in use. This section encourages collocation of installations on common towers whenever feasible, minimizing the need for additional towers. This process is directed at maintaining a balance between the Township's right to preserve its land use policies for health, safety, welfare and aesthetics, while allowing the Federal government to provide for and spur competition in the telecommunication industry.

425.01 SOLE USE ON LOT

A Wireless Telecommunications Facility is a Conditionally Permitted Use as a sole use on a lot, subject to the following conditions:

A. Tower

1. The minimum lot size for a telecommunication tower shall meet the requirements of said zoning district.
2. The minimum distance to any neighboring zoned district lot line shall be three hundred (300) feet.
3. The maximum height of the tower, including antenna, shall be two hundred eight-five (285) feet.

B. Accessory Building/Shelter

1. Minimum setbacks for equipment accessory building/shelter(s) shall meet requirements of said zoning district.
2. Maximum size shall not exceed three hundred (300) square feet per accessory building/shelter. Maximum of one accessory building/shelter per provider if collocation of antennas exist.

425.02 COMBINED WITH ANOTHER USE

A Wireless Telecommunications Facility shall be a Conditionally Permitted Use on a lot with an existing use subject to the following conditions:

- A. The existing use on the property may be any permitted use in the district or any lawful nonconforming use, and need not be affiliated with the wireless telecommunications provider. The wireless telecommunications facility will not be considered a structural addition to a nonconforming use.
- B. Minimum yard requirements:
 - 1. Tower- The minimum distance to any neighboring zoned district lot line shall be three hundred (300) feet
 - 2. Accessory Building/Shelter(s)-shall comply with the minimum setback requirements for the primary lot.
- C. Access:
 - 1. The service access to the equipment accessory building/shelter(s) shall, whenever feasible, be provided along the circulation driveways of the existing use.
 - 2. The distance between tower, accessory building/shelter(s) and any existing structure(s) shall comply with Fire Department requirements and/or requests.
- D. Maximum height of tower, including antenna, shall be two hundred eighty-five (285) feet.
 - 1. Maximum size of equipment accessory building/shelter(s) shall not exceed three hundred (300) square feet. Maximum of one accessory building/shelter per provider if collocation of antennas exists.

425.03 COMBINED WITH AN EXISTING STRUCTURE

Where possible, an antenna for a Wireless Telecommunication Facility shall be attached to an existing structure or building subject to the following conditions:

- A. The maximum height of the antenna shall be twenty feet above the existing building or structure, with the maximum total combined height of antenna and structure not to exceed two hundred eighty-five (285) feet.
- B. Accessory building/shelter(s) shall meet all setback requirements for primary lot.

425.04 LOCATED WITHIN AN ELECTRIC HIGH TENSION POWER LINE EASEMENT

A Wireless Telecommunications Facility is a Conditionally Permitted Use within an electric high tension power line easement, provided the tower is incorporated into an existing high tension power line tower structure. A Wireless Telecommunications Facility is conditionally permitted in the electric high tension power line easement when the tower is not incorporated into existing high tension power line structure provided that no tower shall be located closer than one half mile from any other such tower and subject to the following conditions:

1. The maximum height of the tower, including antenna, shall be two hundred eighty-five (285) feet.

2. The maximum size of equipment accessory building/shelter(s) shall not exceed three hundred (300) square feet. Maximum of one (1) accessory building/shelter per provider if collocation of antennas exist.

A Wireless Telecommunication Facility is subject to the following conditions:

- A. The applicant shall demonstrate that the telecommunications tower must be located where it is proposed in order to service the applicant's service area. There shall be in writing an explanation of why a tower and this proposed site is technically necessary and that the wireless telecommunication antenna(s) reasonably service the purpose for which it is intended within the band width of frequencies for which the owner or operator of the antenna(s) has been licensed by the FCC to operate without a significant loss of communication capability within the developed areas of the Township.
- B. When a tower is modified, or additional equipment is to be located on an existing tower, the applicant shall provide written documentation from an Ohio Registered Engineer that the existing structure is capable of holding the modified or additional equipment and that the tower is structurally sound.
- C. All applicants shall be required to construct or locate on a base tower structure and structure foundation that is designed to be a buildable up to, but not including, two hundred eighty-five (285) feet above the finished grad. Such structure shall be designed to have sufficient structural loading to allow for at least three (3) antennae platforms of equal loading for three (3) separate providers of service to be located on the structure when constructed to the maximum allowable height. The Wireless Telecommunications Facility shall also be designed to show that the

applicant has enough space on its site plan for an equipment shelter large enough to accommodate at least three (3) users of the facility. If an equipment shelter is initially constructed to accommodate only one (1) user, space shall be reserved on site for equipment shelter expansions to accommodate up to at least three (3) users. Agreement to this provision must be included in the applicant's lease with the landowner, if different from the owner/operator of the tower. Written documentation must be presented to the Board of Zoning Appeals evidencing that the landowner of the property on which the tower is to be located has agreed to the terms of this section. As an additional condition of issuing a Conditional Use Permit, the owner/operator/applicant agrees to respond to any inquiries regarding collocation within thirty days after receipt of a written inquiry.

In all circumstances owners of existing towers shall promptly respond in writing to requests for collocation, but in no event shall they respond more than thirty (30) days from the date of a written request for collocation. Copies of all written requests to collocate and all written responses shall be sent to the Zoning Inspector.

- D. The applicant requesting permission to install a new tower shall provide evidence there is no technically suitable space for the applicant's antenna(s) and related facilities reasonably available on an existing tower within the geographic area to be served. With the application for Conditional Use Permit, the applicant shall list the location of every tower, building or structure that could support the proposed antenna(s) or area where it would be technically suitable to locate so as to allow it to serve its intended function. The applicant must demonstrate that a technically suitable location is not reasonably available on an existing tower. If another existing tower is technically suitable, the applicant must demonstrate that written request to collocate on the existing tower was made and the collocation request was rejected by the owner of the tower. In all circumstances, owners of existing towers shall promptly respond in writing to requests for collocation, but in no event shall they respond more than thirty (30) days from the date of receipt of a written request for collocation. If another telecommunications tower is technically suitable, the applicant must further show that it has offered to allow the owner of that other tower to collocate an antenna(s) on another tower within the Township which is owned or controlled by the applicant on reciprocal terms and the offer was not accepted. In all cases, the Township shall use its best efforts to encourage collocation, but in no case shall a tower be located closer than one-half (1/2) mile to any existing tower.
- E. Where the Wireless Telecommunication Facility is located on a property with another principal use, the applicant shall present documentation that

the owner of the property has granted an easement or entered into a lease for the proposed facility and that the vehicular access is provided to the facility.

- F. The Wireless Telecommunications Facility shall be fully automated and unattended on a daily basis, and shall be visited only for periodic and necessary maintenance except during construction or an emergency.
- G. The applicant shall provide a plot plan by a registered surveyor at a scale of 1" = 20' of the entire site and shall indicate all buildings and building uses, driveways, roadways, utilities, power lines, water wells and elevations within five hundred (500) feet of the proposed facility. Aerial photos and/or renderings may augment plot plan. The applicant shall provide a vicinity map showing the location of all towers within a three (3) mile radius of the site.
- H. Security fencing shall be a minimum of eight feet in height and shall surround the tower, equipment shelter, and guy wire anchor points.
- I. The applicant shall provide at a scale of 1"=20' a landscaping plan of the entire site and shall indicate how the Wireless Telecommunications Facility will be screened from adjoining uses.
- J. A buffer area of not less than ten feet in depth shall be placed between the Wireless Telecommunications Facility and the public right-of-way, and any property lines. The ten (10) foot buffer area shall consist of rows of evergreen trees planted five (5) feet on center with a minimum height of six (6) feet or other plantings as deemed appropriate by the Board of Zoning Appeals.
- K. Existing vegetation (trees and shrubs) shall be preserved to the maximum extent possible.
- L. The applicant must provide written certification from an Ohio Registered Engineer that the antenna(s) and/or tower(s) to be constructed are in compliance with all applicable Federal, State and Local regulations pertinent to the construction. The applicant shall provide a soil report showing compliance and verifying the design specifications of the foundation for the tower. Towers and antennas shall be designed to withstand sustained winds and ice accumulation as required by the most restrictive portions of the Ohio Basic Building Code.
- M. The tower shall be painted a non-contrasting gray or blend in with the surrounding environment, minimizing the visibility.

- N. No advertising is permitted anywhere on the facility. One identification sign, which is non-illuminating and no larger than two (2) square feet, is permitted. Four (4) "No Trespassing" signs, one per side, to be posted.
- O. Any tower one hundred (100) feet in height or more shall require lighting. The lighting for the tower shall be a red fading light or the most visually non-obtrusive lighting of the best available technology (BAT), unless otherwise required by the FAA.
- P. The owner/operator shall provide an Emergency Procedure Plan identifying who will be notified and what remedy processes will be used in case of an emergency. A copy shall be kept on file at the Carlisle Township Town Hall and with the Carlisle Township Emergency Dispatcher.
- Q. The owner/operator shall provide a plan for periodic maintenance, which details maintenance, repair and dismantling procedures that comply with good industry practices.
- R. Any decision to deny a request to place, construct, or modify a wireless telecommunications antenna and/or tower shall be in writing and supported by evidence contained in a written record of proceedings of the Board of Zoning Appeals.
- S. Outdoor storage of any supplies, vehicles or equipment is prohibited, except during the initial construction period or to supply emergency power during a power outage.
- T. The owner/operator of the Wireless Telecommunications Facility shall remove a non-functioning facility within one (1) year of ceasing its use. The owner/operator of the facility shall annually, along with renewal of a Conditional Use Permit, file a declaration with the Zoning Inspector as to the continuing operation of every facility installed on the tower. The owner/operator of the facility shall annually file with the Zoning Inspector proof of inspections and compliance with current codes and standards for the tower and facility as prepared and performed by an Ohio Registered Engineer.
- U. The owner/operator of the Wireless Telecommunications Facility shall be required to post a cash or surety bond acceptable to the Trustees of not less than \$300,000.00. Said bond shall insure that an abandoned, obsolete or destroyed wireless telecommunications antenna or tower shall be removed within one (1) year of cessation of use and abandonment, and that property be restored to its original condition to a minimum of eight (8) feet below finished grade. Any successor-in-interest or assignee of the owner/operator shall be required to additionally execute such bond,

as principal, to insure that the bond will be in place during the period of time that the successor -in-interest or assignee occupies the tower.

PERMIT FEES

Shall be set by the Carlisle Township Trustees and are subject to change without notice.

Amended 2-4-2008

Effective 3-5-2008

426 JUNK YARDS (LI-1)

All outdoor storage areas shall be screened or fenced with a solid fence at least eight (8) feet in height. Said fence shall be maintained in sound condition, painted and presenting a neat and in conspicuous appearance. In addition, the use of trees and shrubs shall be encouraged to enhance the outward appearance of said enclosed area. Storage between the street and such fence is strictly prohibited.

A minimum of two (2) parking spaces plus one (1) parking space per employee in addition to one space for each one hundred (100) square feet of retail floor areas shall be provided.

All outside salvage or stored material shall be located no closer than seventy-five (75) feet to the side and rear property lines when located adjacent to a nonresidential district and a two hundred (200) foot transition area measured from the fence to any residential district boundary shall be maintained. Such strip shall be planted with trees, grass and shrubs.

Junk yards shall be established and maintained according to all applicable State of Ohio statutes. The stricter regulations, either State or local shall prevail

A minimum of five (5) acres shall be provided.

A front yard of one hundred (100) feet from the right-of-way shall be maintained. Said front yard shall be planted with trees, grass and shrubs.

No open burning shall be permitted and all industrial processes involving the use of equipment for cutting, compressing, or packing shall be conducted within a completely enclosed building.

A development plan shall be submitted at the time of application showing: building location, accessory buildings or structure locations, fence locations, fence type and specifications, planting plan, parking area, street access point or points and drawn to scale.

A junk yard operation will be permitted to operate in an approved location within only a Light Industrial (LI-1) District in Carlisle Township, provided that said use does not adversely affect the public health, safety, and general welfare.

Amended 2-4-2008

Effective 3-5-2008

427 SEWAGE AND SLUDGE APPLICATION

Any land application regarding sewage and sludge must meet requirements of Lorain County Health Department. All Districts must follow general provisions.

Amended 1-15-1988

Effective 2-15-1988

**428 LIVING QUARTERS FOR SECURITY GUARD/GROUNDSKEEPER IN
MINI-U -STORE WAREHOUSE AND WAREHOUSES (GB-1, LI-1)**

- A. Minimum of 850 square feet.
- B. Fire proof building that is well insulated with smoke detector.
- C. Sanitation facilities must meet EPA and/or Lorain County Health Department approval.
- D. A project-by-project evaluation of future proposals will be necessary.

Amended 2-4-2008

Effective 3-5-2008

429 AUTOMOTIVE DISMANTLING & RECYCLING OPERATION (GB-1, LI-1)

DEFINITION

Automotive dismantling and recycling is defined as the use of land with the sole purpose of dismantling motor vehicles for the sale of useable parts. This use does not include a junkyard or overnight outside storage of vehicles. This operation will be permitted with the following conditions:

CONDITIONS

- A. This use shall not adversely affect the public health, safety and general welfare.
- B. A development plan shall be submitted at the time of application. The plan shall include scale drawings showing buildings and structure locations, fence type, location and specifications, buffering plan, parking areas, and street access points.
- C. The site for this use shall be a single lot or contiguous lots consisting of a minimum of five (5) acres with a maximum of ten (10) acres.
- D. The use of trees and shrubs shall be required to buffer and enhance the outward appearance of this conditional use to ensure the compatibility with neighboring property, homes and roads.
- E. Removal of usable parts from automobiles for resale will be done within an enclosed building.
- F. Recycling of any other metals and materials will be done within an enclosed building.
- G. Unusable parts will be crushed for recycling within an enclosed building.
- H. Recycler will comply with all requirements of local, state, and federal law and agencies. All current licenses or permits will be updated and displayed in a conspicuous place at all times.
- I. The maximum amounts of storage for all reclaimed liquids shall be set by the Board of Zoning Appeals and shall comply with State of Ohio guidelines for such storage.
- J. Tire storage shall be confined to an enclosed container.
- K. Any other outside storage shall be containerized.

- L. Overnight outside storage of vehicles to be dismantled will not be permitted.
- M. Vehicles to be dismantled will not be stacked outside
- N. Containerized storage and equipment used in the operation of the Automotive Dismantling & Recycling use shall be stored in the rear yard area only and shall be enclosed by an eight (8) foot fence. Said fence shall comply with district setback requirements.
- O. Outdoor storage areas, driveways and parking areas shall be maintained in a dust free condition.
- P. The area of the building used for retail sales shall be used to calculate the minimum parking requirement.
 - 1. One (1) space for each 100 square feet of floor area.
 - 2. One (1) space for each employee.
- Q. All outside lighting will be shielded from adjacent properties.
- R. Hours for dismantling and recycling, loading and unloading of vehicles shall be:
 - 1. 8:00 a.m. to 5:00 p.m. (Monday thru Friday)
 - 2. 9:00 a.m. to 3:00 p.m. (Saturday)
 - 3. No Sunday operation.
- S. The Township will keep a record of all complaints filed by residents and other interested parties. They will be reviewed with the applicant at time of permit renewal.
- T. A performance bond, the amount to be determined by the Township Trustees, in the form of cash, letter of credit or other bonafide guarantee shall be provided to the Township Trustees at the time of issuance or renewal of the conditional use permit. This performance bond will be reviewed by the Township Trustees at permit renewal time and may be adjusted up or down as needed.
 - 1. The performance bond will be used for restoring the property to its previous state.
 - 2. The performance bond will be used to pay for any needed clean up.
 - 3. The performance bond will be used in the event of any default of the owner/operator.

4. The performance bond will remain in force for one (1) year after cessation of operations to guarantee proper closing of facility.

U. Recycler will submit written quarterly reports listing the number of vehicles processed. The reports shall contain the make, model, year and serial number of each vehicle. The quarterly reports will be reviewed by the Zoning Inspector at permit renewal time

Additional sections related to this conditional use that should be amended at the same time:

Section 903 Conditionally Permitted Uses for GB-1

Add Automotive Dismantling & Recycling (see section 429)

Section 1103 Conditionally Permitted Uses for LI-1

Add Automotive Dismantling & Recycling (see section 429)

Amend table of contents to include:

Section 429 Automotive Dismantling & Recycling

Add definitions to section 2002

DEFINITION:

Automotive Dismantling & Recycling: The use of land with the sole purpose of dismantling motor vehicles for the sale of usable parts. This use does not include a junkyard or overnight outside storage of vehicles.

430 COMMERCIAL COMPOSTING FACILITY (SW-1)

DEFINITION

A composting site which is operated by any business, corporation, municipality, or governmental agency for the purpose of handling yard waste. The compost operation shall be in compliance with all rules and /or regulations developed by this Township and the Ohio Environmental Protection Agency and shall comply with any changes and/or directives that are adopted by this Township, the Ohio EPA, the Ohio Revised Code, and/or the Federal government.

LOT AND YARD REQUIREMENTS

- A. The site for this use shall be a single lot or contiguous lots consisting of a minimum of ten (10) acres, in ten (10) acre increments up to, but not less than one hundred (100) feet from any County, State or Township road.
- B. Front Yard- The minimum setback shall be one hundred (100) feet from the street right-of-way and shall be appropriately buffered. Such minimum space shall remain open and unoccupied by any use other than driveway and sidewalks.
- C. Side Yards- There shall be two (2) side yards, each with a width of not less than one hundred (100) feet as measured from the side lot line. Where the lot abuts any Residential or General Business district it shall be buffered with an earthen mound (see 430E). Such side yard setback shall remain open and excluded from use.
- D. Rear Yard- There shall be a rear yard of not less than one hundred (100) feet as measured from the rear lot line. Where the lot abuts any Residential or General Business district it shall be buffered with an earthen mound (see 430E). Such rear yard setback shall remain open and shall be excluded from use.
- E. Earthen Mound- Where it is required, it shall be a minimum of six (6) feet in height, properly contoured and graded, with proper drainage. Planted with grass and properly mowed and maintained. Additional landscaping optional (trees, shrubs, evergreens, etc)

CONDITIONS:

- A. This use shall not adversely affect the public health, safety or general welfare.

- B. For controlling and policing all air and ground based litter and trash emanating from the facility and all transport vehicles, commercial and non-commercial, and said vehicle's routing through the Township. All litter and trash that may accumulate must be removed at least weekly and may not be allowed to accumulate over weekends and holidays. The facility may, at its option, contract with the Carlisle Township Trustees to provide service on a reasonable fee basis.
- C. Carlisle Township, in conjunction with the county Road Department, County Sheriff and other related state and local agencies, shall designate specific roads within Carlisle Township to be used for ingress and egress from the facility.
- D. Ingress and egress shall not be closer than two hundred (200) feet from any adjacent property.
- E. Ingress and egress shall be asphalt paved or concrete for a distance of not less than one hundred (100) feet from any County, State or Township road.
- F. Carlisle Township may, at its discretion, construct a limited access road into the facility and levy a toll on incoming traffic in addition to establishing reasonable per ton fee.
- G. The Commercial Composting Facility shall be required to provide all necessary and required traffic lights, stop signs, directional signs and turning lanes at all entrances and exits where deemed necessary by any local, state or federal agency to insure the health, safety and welfare of all motorists and pedestrian traffic.
- H. Assessed fees, if imposed by Carlisle Township, must be reviewed and updated yearly and will be based on the Urban Consumer Price Index.
- I. Carlisle Township may access the Commercial Composting Facility a user fee based on the axle weights of trucks traveling on the designated access roads within Carlisle Township.
- J. The Commercial Composting Facility shall be operated in such a manner as to keep all dust, fumes, odors, smoke and debris to a bare minimum. All conflicts between Carlisle Township residents and the Commercial Composting Facility relative to dust, fumes, odors, smoke and debris may be arbitrated by a local board instituted by Carlisle Township Trustees so as to arrive at the most favorable resolution of the matter. Legal avenues shall be pursued if matter cannot be resolved amicably to the satisfaction of all parties.

- K. Base line ground water core samples are to be taken at the facility's expense (depth, number of samples and locations where samples are to be taken from will be determined by the proper governmental agency) and turned over to Carlisle Township Trustees. Additional samples are to be taken every year under same guidelines as above and forwarded, at the facility's expense, to an independent consulting agency retained by Carlisle Township for comparison with the base line core sample test results. The results of these tests will be made available to Carlisle Township's consulting engineer for review and evaluation. In addition, random sampling of not less than six (6) residential wells in Carlisle Township, within a three (3) mile radius of the Commercial Composting Facility, will be obtained at the expense of the facility by an independent consulting agency for comparison to initial base line core sample test results.
- L. Facility will be responsible for costs incurred in testing the well of any Carlisle Township resident with complaint of foul taste, smell, etc. Residents will be responsible for obtaining and retaining initial certified baseline well water sample result to be used for comparison obtained prior to site preparation.
- M. In the event that a well is found to be contaminated, the composting facility owner/operator will be responsible for providing that residence with water from the nearest available municipal water system (i.e. city, village, Lorain County Rural Water Authority) at the composting facility owner/operator's expense.
- N. No river, stream, brook, marsh or local pond in Carlisle Township shall be contaminated with run off, drainage, or seepage from the Commercial Composting Facility. All effluent from the site must be hauled to a proper waste treatment facility to be treated on site in a state of the art wastewater treatment facility.
- O. Carlisle Township officials shall conduct at least one (1) on site inspection per year.
- P. The Carlisle Township Fire Chief and/or his agent shall be permitted entry at any time during normal business hours of operation into the Commercial Compost Facility, as well as the County Sheriff and/or his agent, the County Health Services Director and/or his agent and the EPA and/or its agent.
- Q. Fire access roads along with necessary fire control devices shall be installed, maintained, inspected and updated periodically to reflect the best available technology (BAT).

- R. Daily operation logs shall be maintained by the Commercial Composting Facility indicating tonnage, traffic, and the general nature of all material received at the facility.
- S. No biohazardous/ medical waste shall be permitted in the Commercial Composting Facility.
- T. The contract with the Commercial Compost Facility shall be renegotiated at the Township's pleasure, but not less than every five (5) years unless default in said contract occurs. Carlisle Township shall contract with an independent consulting firm knowledgeable in such areas to act on its behalf. The consultant shall be a professional Environmental Sciences Engineer registered in the State of Ohio. The usual, customary and reasonable fee of the independent consulting firm retained by the Township shall be paid by the Commercial Composting Facility.
- U. Height of the final rest of the pile shall be a maximum of eight (8) feet but not to extend above the earthen mound.
- V. In addition to the earthen mound, a fence with a minimum height of four (4) feet shall be required surrounding all Commercial Composting Facilities and be properly maintained.
- W. A performance bond, the amount to be determined by the Township Trustees, in the form of cash, letter of credit, or other bonafide guarantee shall be provided to the Carlisle Township Trustees at the time of issuance or renewal of the conditional use permit. This performance bond will be reviewed by the Township Trustees at permit renewal time and may be adjusted up or down as needed.
 - 1. The performance bond will be used for restoring the property to its previous state.
 - 2. The performance bond will be used for any needed cleanup.
 - 3. The performance bond will be used in the event of any default of the owner/operator.
- X. Hours of operation to be determined at the time of application for Conditional Use Permit.
- Y. Site plan review to be conducted by the Carlisle Township Zoning Commission.

431 COMMERCIAL LANDFILL FACILITY (SW-1)

DEFINITION

A landfill is a facility incorporating the best available technology (BAT) specifically designed for collection and storage of non-hazardous refuse, trash, rubbish and other waste materials. The landfill operation shall be in compliance with all rules and regulations developed by this Township and the Ohio Environmental Protection Agency and shall comply with any changes and/or directives that are adopted by this Township, the Ohio EPA, the Ohio Revised Code and/or the Federal Government.

Lot and Yard Requirements:

- A. The site for this use shall be a single lot or contiguous lots consisting of a minimum of one hundred (100) acres, in fifty (50) acre increments up to, but not to exceed four hundred (400) acres with a minimum road frontage of four hundred fifty (450) feet.
- B. Front Yard- The minimum setback shall be one hundred (100) feet from street right-of-way and shall be appropriately buffered. Such minimum space shall remain open and unoccupied by any use other than driveway and sidewalks.
- C. Side Yards- There shall be two (2) side yards, each with a width of not less than one hundred (100) feet as measured from the side lot line. Where the lot abuts any Residential or General Business district it shall be buffered with an earthen mound (see 431E). Such side yard setback shall remain open and shall be excluded from use.
- D. Rear Yard- There shall be a rear yard of not less than one hundred (100) feet as measured from the rear lot line. Where the lot abuts any Residential or General Business district it shall be buffered with an earthen mound (see 431E.). Such rear yard setback shall remain open and shall be excluded from use.
- E. Earthen Mound- Where it is required, it shall be a minimum of six (6) feet in height, properly contoured and graded, with proper drainage. Planted with grass and properly mowed and maintained. Additional landscaping optional (trees, shrubs, evergreens, etc.).

CONDITIONS:

- 1. This use shall not adversely affect the public health, safety or general welfare.

2. This landfill facility shall be responsible for controlling and policing all air and ground based litter and trash emanating from the facility and all transport vehicles, commercial and non-commercial, and said vehicles routing through the Township. All litter and trash that may accumulate must be removed at least weekly and may not be allowed to accumulate over weekends or holidays. The facility may, at its option, contract with Carlisle Township to provide this service on a reasonable fee basis.
3. Carlisle Township, in conjunction with the county Road Department, County Sheriff and other related state and local agencies, shall designate specific roads within Carlisle Township to be used for ingress to the facility and egress from the facility. These restricted roads do not apply to normal local pickup routes with Carlisle Township.
4. Ingress and egress shall not be closer than two hundred (200) feet from any adjacent property.
5. Ingress and egress shall be asphalt paved or concrete for a distance of not less than one hundred (100) feet from any County, State or Township road.
6. Carlisle Township may, at its discretion, construct a limited access road into the facility and levy a toll on incoming traffic in addition to establishing reasonable per ton fees.
7. The landfill facility shall be required to provide all necessary and required traffic lights, stop signs, directional signs and turning lanes at all entrances and exits where deemed necessary by any local, state or federal agency to insure the health, safety and welfare of all motorists and pedestrian traffic.
8. Assessed fees, if imposed by Carlisle Township, must be reviewed and updated yearly and will be based on the Urban Consumer Price Index.
9. Daily operation logs shall be maintained by the landfill facility indicating tonnage, traffic and the general nature of all rubbish and trash received at the facility.
10. Carlisle Township may, at its discretion, require that a Township employee who will be compensated by the Commercial Landfill Facility, be positioned at the landfill weigh station so as to provide independent verification of said incoming logs.
11. Carlisle Township Trustees may access the landfill facility a user fee based on the axle weights of trucks traveling on the designated access roads within Carlisle Township. Fees shall not be assessed on vehicles

engaged in local pickup of trash and rubbish within the geographical boundaries of Carlisle Township.

12. The landfill facility shall be operated in such a manner as to keep all dust, fumes, odors, smoke, and debris to a bare minimum. All conflicts between Carlisle Township residents and the landfill facility relative to dust, fumes, odors, smoke, debris, etc., may be arbitrated by a Solid Waste Review Board instituted by Carlisle Township Trustees so as to arrive at the most favorable local resolution of the matter. Legal avenues shall be pursued if the matter cannot be resolved amicably to the satisfaction of all parties.
13. Base line ground water core samples are to be taken or test wells drilled at the facility's expense (depth, number of samples and locations where samples are to be taken from will be determined by the proper government agency) and turned over to the Carlisle Township Trustees. Additional samples are to be taken every year under the same guidelines as above and forwarded, at the facility's expense, to an independent consulting agency retained by Carlisle Township for comparison with the base line core sample last results. The results of these tests will be made available to Carlisle Township's consulting engineer for review and evaluation. In addition, random sampling of not less than six (6) residential wells in Carlisle Township, within a three (3) mile radius of the Commercial Landfill Facility will be obtained at the expense of the facility by an independent consulting agency for comparison to initial base line core sample test results.
14. Facility will be responsible for costs incurred in testing the well of any Carlisle Township resident with a complaint of foul taste, smell, etc. Residents will be responsible for obtaining and retaining initial certified baseline well water sample results to be used for comparison obtained prior to site preparation.
15. In the event that a well is found to be contaminated, the landfill owner/operator will be responsible for providing that residence with water from the nearest available municipal water system (i.e. city, village, Lorain County Rural Water Authority) at the landfill owner/operator's expense.
16. No river, stream, brook, creek, marsh, local pond or lake in Carlisle Township shall be contaminated with runoff, drainage, or seepage from the landfill facility. All effluent from the site must be hauled to a proper waste treatment facility or be treated on site in a state of the art wastewater treatment facility.

17. Carlisle Township officials shall conduct at least one (1) site inspection per year.
18. The Carlisle Township Fire Chief and/or his agent shall be permitted entry at any time during normal hours of operation into the Commercial Landfill Facility as well as the County Sheriff and/or his agent, and the EPA and/or its agent.
19. Fire access roads along with necessary fire control devices shall be installed, maintained, inspected and updated periodically to reflect the best available technology (BAT).
20. Daily operation logs shall be maintained by the Commercial Landfill Facility indicating tonnage, traffic, and the general nature of all material received at the facility.
21. No biohazardous/medical waste shall be permitted in the Commercial Landfill Facility.
22. The contract with the Commercial Landfill Facility shall be renegotiated at the Township's pleasure, but not less than every five (5) years unless default in said contract occurs. Carlisle Township shall contract with an independent consulting firm knowledgeable in such areas to act on its behalf. The consultant shall be a professional Environmental Sciences Engineer registered in the State of Ohio. The usual, customary and reasonable fee of the independent consulting firm retained by the Township shall be paid by the Commercial Landfill Facility.
23. Height of the pile-finished grade of the pile shall be no more than twelve (12) feet from existing topographical grade.
24. In addition to the earthen mound, a chain link fence with a minimum height of eight (8) feet shall be required surrounding all Commercial Landfill Facilities and be properly maintained.
25. A performance bond, the amount to be determined by the Township Trustees, in form of cash, letter of credit or other bonafide guarantee shall be provided to the Township Trustees at the time of issuance or renewal of Conditional Use Permit. This performance bond will be reviewed by the Township Trustees at permit renewal time and may be adjusted up or down as needed.
 - a. The performance bond will be used to restore the property to its previous state.

- b. The performance bond will be used to pay for any needed clean up.
 - c. The performance bond will be used in the event of any default of the owner/operator.
26. Hours of operation to be determined at time of application for Conditional Use Permit.
27. Site plan review to be conducted by the Carlisle Township Zoning Commission.

Amended 2-4-2008

Effective 3-5-2008

432 WIND ENERGY CONVERSION SYSTEMS (GB-1, LI-1, RI-1 AND RI-2)

A. INTENT AND APPLICABILITY

This resolution establishes minimum requirements for Wind Energy Conversion Systems and regulates the placement of such systems within Carlisle Township. This does not apply to roof mounted vertical axis wind turbines. See Article XX.

Wind energy is a recognized, renewable and nonpolluting energy resource and its conversion to electricity may reduce dependence on renewable energy sources.

The requirements of this regulation shall apply to all Wind Energy Conversion Systems proposed after the effective date of this resolution with the exception of those systems that are identified in Article XX of this resolution. No preexisting system shall be altered in any manner that would increase the degree of nonconformity to the requirements of this resolution. No alterations shall be made to a nonconforming system during its life that exceeds 50% of the fair market value of the system immediately prior to its alteration unless said alteration allows it to become a conforming system. If such system is destroyed or damaged to the extent of more than 50% of its fair market immediately prior to the time of destruction or damage, it shall not be reconstructed except in conformity with this resolution.

B. DEFINITIONS

1. **Wind Energy Conversion System:** a machine that converts kinetic energy in the wind into a usable form. The Wind Energy Conversion System includes all parts of the system including but not limited to, the tower, transmission equipment, the turbine and rotor, or propeller, which may be on a horizontal or vertical axis.
2. **Site:** The physical location of a Wind Energy Conversion System, including the related tower and transmission equipment.
3. **Swept Area:** The largest area of the Wind Energy Conversion System, which extracts energy from the wind stream. In a conventional propeller-type Wind Energy Conversion System, there is a direct relationship between the swept area and the rotor diameter.
4. **Total Height:** The height of the tower and the furthest vertical extension of the Wind Energy Conversion System.
5. **Over speed Control:** A mechanism used to limit the speed of the blade rotation to below the design limits of the Wind Energy Conversion System.

6. **Windmill Rotor:** Means the portion of the windmill, which includes the blades, hub, and shaft.
7. **Windmill Tower:** Means the supporting structure on which the rotor, turbine and accessory equipment are mounted.

C. DISTRICTS

A Wind Energy Conversion System shall be conditionally permitted in the following zoning districts: GB-1, LI-1, on parcels of more than one (1) acre. It will also be conditionally permitted in the RI-1 and RI-2 districts with parcels in excess of two (2) acres.

A Wind Energy Conversion System shall not be permitted in the following zoning districts: RI-3 and in RI-1 with parcels less than two (2) acres and in any other zoning districts with one acre or less of land.

D. APPLICATION REQUIREMENTS

1. Site plan to scale showing the location of the proposed Wind Energy Conversion System and the locations of all existing buildings, structures and property lines along with distances.
2. Site plan to scale showing the property lines and physical dimensions of the site.
3. Elevations of the site to scale showing the height, design and configuration of the Wind Energy Conversion System and the height and distance to all existing structures, buildings, electrical lines and property lines.
4. Standard drawings and an engineering analysis of the system's tower including weight capacity and wind resistance.
5. A standard foundation and anchor design along with soil conditions and specifications for the soil conditions at the site.
6. Location of all above ground and underground utility lines on site or within one radius of the total height of the Wind Energy Conversion System.
7. Location and size of structures above 35 feet within a 500 -foot radius of the proposed Wind Energy Conversion System. For purposes of this requirement, electrical transmission and distribution lines, antennas and slender or open lattice towers are considered structures.
8. Specific information on the type, size, rotor material, rated power output,

performance, safety and noise characteristics of the system including the name and address of the manufacturer and model number.

9. Show the zoning designations of adjacent sites and the locations of any buildings or improvements that are within the fall zone of the proposed tower.
10. Identify the anticipated shadow flicker pattern (shadow or sunlight flicker that might be objectionable to adjacent properties).
11. Evidence that the provider of the electrical service of the property has been notified of the intent to install an interconnected electrical generator unless the system will not be connected to the electricity grid.
12. A description of the emergency and normal shutdown procedures.
13. All Wind Energy Conversion Systems shall be required to meet all fire, electrical and zoning codes.

E. SETBACK DISTANCES

1. Wind Energy Conversion Systems shall be set back from property line above ground utility line or other Wind Energy Conversion System, a distance not less than 1.5 times its total height, including blades.
2. No Wind Energy Conversion System shall be located in the front yard. At no time will it be located any closer than the clear fall zone to any road right-of-way.
3. No Wind Energy Conversion System shall be erected on any parcel less than one (1) acre in size.

F. DESIGN STANDARDS AND GENERAL PROVISIONS

1. Monopole or Freestanding Design: The Wind Energy Conversion System shall be of a monopole or freestanding design without any guy wires. A variance would be required for guy wires.
2. Access: No tower shall have a climbing apparatus within twelve (12) feet of the ground.
3. Signs: At least one (1) sign shall be posted at the base of the tower warning of electrical shock or high voltage.
4. Over speed Controls: Every Wind Energy Conversion System shall be equipped with both manual and automatic over speed controls to limit the rotational speed of the blade below the design limits of the rotor. The

application must include a statement by a registered professional engineer certifying that the rotor and over speed controls have been designed and fabricated for the proposed use in accordance with good engineering practices. This certification would normally be supplied by the manufacturer and include the distance and trajectory of the thrown blade from an exploding wind turbine or propeller.

5. **Minimum Blade Height:** The minimum blade height of the lowest part of the swept area shall be twenty-five (25) feet. The overall height of the Wind Energy Conversion System shall be equal to or less than ninety (90) feet.
6. **Engineering Certification:** The engineer should also certify the structural compatibility of the proposed tower and rotor system. This certification would normally be supplied by the manufacturer. Approval from a state certified electrician or state of Ohio registered engineer of choice to be provided to Carlisle Township Zoning Department prior to operation of the wind turbine.
7. **Noise:** The operation of the Wind Energy Conversion System shall be conducted in a manner that does not create noise measured at the nearest residential boundary that exceeds the A weighted decibel (db(A) sound level of the street traffic noise at the location and no sound shall be objectionable due to intermittence, beat, frequency, or shrillness. The level determined shall not exceed 65 decibels.
8. **Electromagnetic or signal interference:** No Wind Energy Conversion System shall cause interference with television or other communication systems.
9. **Lighting of the Tower:** Lighting of the tower for aircraft and helicopters will conform with the Federal Aviation Administration standards for wattage and color, when required.
10. **Advertising:** No advertising signs of any kind or nature whatsoever shall be permitted on any Wind Energy Conversion System. Small incidental signs listing manufacturer of the equipment will be permitted. A sign listing the owner of the facility and the responsible person will be required.
11. **Electrical Connections:** All electrical connections or distribution lines shall be underground and comply with all applicable codes and public utility requirements. All turbine units shall be equipped with anti-islanding control with two pole breaker or physical disconnect and must be within site line of the tower. Only if connection to the public utility is desired, no Wind Energy Conversion System shall be installed until evidence has been given of a signed interconnection agreement, or letter of intent with the interconnecting utility company. Approval from a state certified electrician or state of Ohio registered engineer of choice to be provided to Carlisle Township Zoning Department prior to operation of wind turbine.

G. DECOMMISSIONING AND RESTORATION

1. The applicant shall include the following information regarding decommissioning of the project and restoring the site:
 - a. The anticipated life of the project;
 - b. The estimated decommissioning costs in current dollars;
 - c. The method and schedule for updating the costs of decommissioning and restoration
 - d. The anticipated manner which the project will be decommissioned and the site restored.

H. NON USE:

1. Any Wind Energy Conversion System, which complies with the terms of this resolution, which is not used for two years, excluding repairs, shall be removed within sixty (60) days. Failure to remove the system shall be deemed a violation of this resolution.
2. Any Wind Energy Conversion System, which is nonconforming and which is not used for one (1) year, excluding repairs, shall be removed.
3. Within sixty (60) days, failure to remove the system shall be deemed a violation of this resolution.

Amended 9-13-2011

Effective 10-13-2011

433 INTERNET SWEEPSTAKES CAFE'S (LI-1, GB-1)

DEFINITION: INTERNET SWEEPSTAKES CAFE: A business enterprise, whether principal or accessory, where persons utilize electronic machines, including but not limited to computers and gaming terminals; to conduct games of odds or skill, including sweepstakes; and where cash, merchandise, or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. Internet Sweepstakes Cafes do not include any lottery approved by the State of Ohio.

SETBACKS: Determined by the zoning district (LI-1 or GB-1) the establishment is located in.

PARKING: See Article XV (One parking space per terminal plus one parking space for each employee) and based upon occupancy determined by the Carlisle Township Fire Chief.

PROXIMITY TO SCHOOLS, CHURCHES AND DAYCARE FACILITIES: Minimum 500 feet away from established schools, churches, and daycare facilities.

PROXIMITY TO OTHER INTERNET SWEEPSTAKES CAFES: Must be a minimum of fifteen hundred (1,500) feet.

SIGNAGE: Refer to Article XIV on signage regulations

ALCOHOL PERMITTED: Alcohol service is only allowed in facilities that have an established State of Ohio liquor license.

MINIMUM AGE LIMIT OF PATRONS: 18 years of age with valid driver's license or State of Ohio I.D.

If during the course of this conditionally permitted use, sweepstakes games are deemed to be illegal by the State of Ohio, such use shall cease immediately and no refund of permit fees will be refunded.

In the event any word, phrase, sentence, or structure or portion of these conditions shall hereafter be declared invalid such invalidity shall not affect the remaining portions and parts of these conditions herein.

***SPECIAL CONSIDERATIONS FOR CONDITIONAL USE PERMIT:** Fee for an application to be considered is \$1,500.00 with a yearly renewal of \$750.00

Adopted 3/19/2012

Effective 3/19/2012