

ZONING RESOLUTION

**For
DELHI TOWNSHIP
HAMILTON COUNTY, OHIO**

*Delhi Township Department of Development Services
697 Neeb Road, Delhi Township (Hamilton County), Cincinnati, Ohio 45233*

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TEXT AMENDMENTS

EFFECTIVE DATE	CASE #	DESCRIPTION
8-9-75	2-75	Sec. 194
10-10-75	3-75	Amend Sec. 62.14-8, 92.17-6, 112.72, 138.5, 171.9, 171.17, 195, 197; Add Sec. 102.24.1, 102.24.2, 102.24.3, 102.24.4, 102.24.5 (Signs)
12-17-76	10-76	Sec. 137.5 #1
9-3-77	4-77	Sec. 141 & Article XIV
8-26-78	6-78	Sec. 41 & Article XIII-E
8-24-79	2-79	Add Sec. 31.5-1, 31.15-1, 31.20-1, 31.38-2, 84.2-1; Amend Sec. 31.1, 31.3, 51.1, 94.3-1, 102.24, 135.4, 144#1, 144#4, 171.15, 221
2-8-80	5-79	Sec. 31.2
5-29-81	2-81	Sec. 31.2 & 53
8-7-81	4-81	Amend Sec. 161 & 162 (Community Unit Plan)
10-29-82	1-82	Amend Sec. 197 #1-18 (Fee Schedule); Amend Sec. 161 & 161.3 (Community Unit Plan); Amend Sec. 31, 31.46, 31.46-1 (Acc. Uses); Add Sec. 31.6-1, 31.22-1, 31.29-1, 21.29-2, 31.29-3, 31.29-4, 31.29-5, 31.50-1, 51.1-1, 51.1-2, 66, 102.18-1, and Add Article XVII-A (Flood Plain Management Overlay District)
3-15-85	3-84	Amend Article XXIII (Amendment Procedures)
9-28-85	1-85	Add Article XXXI; Amend 22 Previously Existing Sections Pertaining To Signs (Relocation Of Sign Regulations To New Article XXXI)
11-28-86	1-86	Amend Sec. 31.1, 31.1-1, 171.7; Add Sec. 171.7-1, 171.17 (Satellite Dishes)
7-25-86	2-86	Amend Sec. 197; Add Sec. 197.1 (Double Fee For Violation Requiring Zoning Certificate)

EFFECTIVE DATE	CASE #	DESCRIPTION
1-28-87	5-86	Amend Sec. 92.17-7, 135.5 #3, 312.7, 313.2, 314.2, 314.3, 314.4, 315.2, 315.3, 316.6, 317.2, 318.2, 318.3, 319.2, 319.3 (Ground & Pole Signs)
10-9-87	4-87	Add Sec. 57 (Oil & Gas Well Drilling, etc.)
3-22-89	7-88	Amend Sec. 31.46, 51.1-1, 51.1-2; Add Sec. 51.1-3 (Definition and Storage Regulations for Trailers)
10-27-89	2-89	Amend Sec. 140.0, 140.1, 231, 232, 233, 234, 235, 236, 237, 238 (Amendment notification deadlines; Final Development Plan Review Procedures)
9-28-90	4-89	Add Sec. 31.13-2; Amend Article XVI (Community Unit Plan definition/regulations)
5-13-94	1-94	Amend Sec. 54, 171.3, 184.8-5-1, Add Sec. 31.11-1, 54.1, 62.15, 184.8-5-2 (Cellular Telephone Communications Towers definitions/regulations)
2-24-95	7-94	Amend Sec. 139.11, 197, 197.1, Add Sec. 31.33-1, 171.18, 171.18-1, 171.18-1-1, 171.19 (Panhandle lot yard designations, removal of Zoning Fee Schedule from text of Resolution, reformat fee schedule, modify zoning fees).
5-9-97	97-1	Add Article XXXII (Delhi Pike Business Corridor Overlay District regulations)
9-12-97	97-5	Amend Sec. 151, 152, 153, 154, 155, 184.8-7, 184.8-8, 184.9, Add Sec 31.35-1, 184.8-7-1, 184.8-7-2 (Improvements to non-conforming uses)
9-7-01	01-2	Amend Sec. 312.6, 313.8, 314.14, 315.9, 316.5, 317.6, 318.8, 319.8 (Political sign regulations)
8-27-04	04-1	Amend various Sections correcting typographical & grammatical errors and redundant regulations
6-26-09	09-1	Amend Sec. 135.6, 136.6, 137.6, 138.6 (timeframe for commencement of development in planned district, extension of timeframe, reversion process); amend Sec. 166, 238 (Trustees' vote on Zoning Commission amendment recommendations); amend Sec. 231 (amendment fee justification); add Sec. 239 (procedure to record amendment approvals with County Auditor)

EFFECTIVE DATE	CASE #	DESCRIPTION
4-9-10	09-4	Add Sec. 171.7-1, amend Sec. 31.1, 31.22, 171.7, 171.7-1, delete Sec. 31.23, 92.17-2 (accessory structure size); Add Sec. 144 #4, amend Sec. 144, 144 #3, 144 #4, 145 #3 (paving materials)

**ZONING RESOLUTION
FOR
DELHI TOWNSHIP
HAMILTON COUNTY, OHIO**

A RESOLUTION to provide for dividing the unincorporated area of Delhi Township, Hamilton County, Ohio into districts (zones) and in such districts to regulate the location, use, height, number of stories and size of buildings and other structures, the percentage of lot areas which may be occupied, set back building lines, sizes of yards and other spaces, the density of population; to provide for the making of amendments or supplements to such regulations and the boundaries of the districts or zones; to provide for a Township Board of Zoning Appeals; to provide for enforcement of and to prescribe penalties for violation of the provisions hereof.

Whereas, by the provisions of Section 519.01 et seq. of the Ohio Revised Code, the Board of Trustees of Delhi Township, Hamilton County, Ohio, is empowered to establish districts (zones) within the unincorporated area of Delhi Township and to provide regulations therein for the purpose of promoting public health, safety, morals, comfort or general welfare; to conserve and protect property and property values; to secure the most appropriate use of land; and to facilitate adequate but economical provision of public improvements, all in accordance with the comprehensive plan, and

Whereas, the Board of Trustees of Delhi Township, Hamilton County, Ohio, before availing itself of the powers conferred upon it by said sections, passed a resolution declaring its intention to proceed under the provisions thereof, and

Whereas, a Township Zoning Commission has been created and established in accordance with the provisions of said sections, to submit a plan, including both text and maps, representing its recommendations for the carrying out by the Board of Trustees of Delhi Township, Hamilton County, Ohio, of the powers, purposes and provisions set forth therein, and

Whereas, the Township Zoning Commission, after a comprehensive study and mapping of present land uses and the existing zoning for the unincorporated area of Delhi Township, Hamilton County, Ohio, has prepared and recommended districts (zones), and appropriate regulations to be enforced therein, and public hearings thereon have been held, at which all owners of property in the unincorporated area of Delhi Township, Hamilton County, Ohio, were given ample opportunity, after public notice as required by law, to file their protest or criticism, if any, and

Whereas, said districting or zone plan has been before the Regional Planning Commission for study and recommendations, and its recommendations have been submitted to the Township Zoning Commission for consideration and hearings, prior to certification to the Board of Trustees of Delhi Township, Hamilton County, Ohio, and

Whereas, after certification, a public hearing was held, on the districting or zone plan by the Board of Trustees of Delhi Township, Hamilton County, Ohio, notice of which hearing was given by publication in a newspaper of general circulation as required by law,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF DELHI TOWNSHIP, of Hamilton County, as follows:

ARTICLE I
PURPOSE

Sec. 11 For the purpose of promoting public health, safety, morals, comfort or general welfare; to conserve and protect property and property values; to secure the most appropriate use of land; and to facilitate adequate but economical provision of public improvements, all in accordance with the provisions of Section 519.01 et seq. of the Ohio Revised Code, it is hereby provided as follows:

ARTICLE II
TITLE

Sec. 21 This Resolution shall be known and may be cited and referred to as the “Delhi Township Zoning Resolution” to the same effect.

ARTICLE III
DEFINITIONS

Sec. 31 General Definitions: Words terms and phrases, not otherwise defined in this Article shall have, for the purposes of this Resolution, the meaning or meanings attributed to them in current English usage. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular; the word “building” shall include the word “structure”; and the word “shall” is mandatory and not directory.

Sec. 31.1 Accessory Buildings and Uses: A subordinate building or use which is: naturally or normally incidental to the principal building or principal use; is subordinate in area and purpose to the principal building or principal use served; contributes to the comfort, convenience or necessity of the occupants or business of the principal building or principal use served; and, is located on the same lot as the principal building or principal use served, except as is otherwise expressly authorized by the provisions of this Resolution. Accessory buildings and uses include, but are not limited to: swimming pools, decks, storage buildings, gazebos, radio towers, satellite dishes, private garages; and are erected at the same time or after the construction of the principal building or principal use. An accessory building or use attached to the principal building in a substantial manner by a wall or roof shall be considered part of the principal building. (See Illustration 1).

Sec. 31.1-1 Satellite Dish: A device capable of receiving communications from a transmitter or a transmitter relay located in planetary orbit.

- Sec. 31.2 Agriculture: Agriculture purposes include farming, dairying, pasturing, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for the parking, treating, storing or selling the produce provided, however, that the operation of any such accessory uses shall be secondary to that of primary agricultural activities. Parking, treating, storing or selling of produce as a primary use shall only be permitted where otherwise provided for in the Zoning Resolution.
- Sec. 31.3 Alley: A public or private way which affords only a secondary means of access to abutting property.
- Sec. 31.4 Apartment: A room or suite of rooms in a multiple dwelling intended or designed for use as a residence by a single family.
- Sec. 31.4-1 Apartment, Efficiency: An apartment in a multiple dwelling consisting of not more than one (1) habitable room designed for living and sleeping purposes, together with kitchen or kitchenette and sanitary facilities.
- Sec. 31.5 Apartment House: See Dwelling, Multiple.
- Sec. 31.5-1 Automobile Wrecking or Salvage: The dismantling or disassembling of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.
- Sec. 31.6 Basement: A story having part but not more than one-half (1/2) its height below grade. A basement is counted as a story for the purpose of height regulations. (See illustration on page 114).
- Sec. 31.6-1 Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year.
- Sec. 31.7 Board: The Delhi Township Board of Zoning Appeals as created by this Resolution.
- Sec. 31.8 Boarding House: A building other than a hotel where, for compensation, meals, or lodging and meals, are provided for three (3) but not more than twenty (20) persons.
- Sec. 31.8-1 Buffer: A landscaped area adjoining or surrounding a land use and unoccupied in its entirety by any building, structure, paving or portion of such land use, for the purposes of screening and softening the effects of the land use, no part of which buffer is used for recreation or parking.
- Sec. 31.9 Building: Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, chattels or property and when separated, except by dividing walls, each portion of such building so separated shall be deemed a separate building.

- Sec. 31.9-1 Building Line: The line indicating the minimum horizontal distance required between the street line and the building or any projection thereof other than a step or porch.
- Sec. 31.10 Building, Height of: The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height of level between eaves and ridge for gable, hip and gambrel roofs. (See illustration on page 114).
- Sec. 31.11 Cellar: A story having more than one-half (1/2) of its height below grade. A cellar is counted as a story for the purpose of height regulation only if used for dwelling purposes other than by a janitor employed on the premises. (See illustration on page 114).
- Sec. 31.11-1 Cellular Telephone Communications Tower: A structure that is intended for transmitting or receiving cellular telephone communications.
- Sec. 31.12 Club: Building and facilities owned or operated by a corporation, association, person or persons for a social, educational or recreational purpose, but not primarily for profit which inures to any individual and not primarily to render a service which is customarily carried on as a business.
- Sec. 31.13 Commission: The Delhi Township Zoning Commission.
- Sec. 31.13-1 Day Nursery or Day Care Center: Any place which provides care for five (5) or more children for a fee, but not including overnight lodging.
- Sec. 31.13-2 Community Unit Plan: As used in Article XVI a "Community Unit Plan" means a development which is planned to integrate residential use with commercial, industrial, or any other collateral use.
- Sec. 31.14 Development Plan: A plan for the development and use of a specific parcel or tract of real estate, illustrated by a plat showing the boundaries of such parcel or tract, the location, size, height, and use of all structures, all vehicular and pedestrian ways and parking areas, both public and private, and all landscaped areas to be erected and maintained thereon; and further explained by such specifications, conditions and limitations as may be imprinted on the plat, or contained in the Amendment or Supplement to the Resolution incorporating the development plan as an integral part of the zoning regulations applicable to the real estate.
- Sec. 31.15 District: A section or sections of the unincorporated area of Delhi Township, Hamilton County, Ohio, for which the regulations governing the use of buildings and premises, the height of buildings, size of yards and the areas of lots are uniform.
- Sec. 31.15-1 Drive-In: An establishment which is designed to provide service to customers while in their automobiles parked upon the premises which may be in addition to similar services offered within the building.

- Sec. 31.16 Dwelling: Any building or portion thereof designed or intended to be used exclusively for residence purposes, but not including a tent, cabin, trailer or trailer coach.
- Sec. 31.17 Dwelling, Single-Family: A building designed for or occupied exclusively by one family.
- Sec. 31.18 Dwelling, Two-Family: A building designed for or occupied exclusively by two families.
- Sec. 31.19 Dwelling, Multiple: A building or portion thereof designed for or occupied by more than two families.
- Sec. 31.20 Family: A person or a group of persons occupying a premises and living as a single housekeeping unit, whether or not related to each other by birth or marriage, as distinguished from a group occupying a boarding house, lodging house or hotel, as herein defined.
- Sec. 31.20-1 Filling Station: A place where gasoline, kerosene, or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, including greasing and oiling on the premises, and including minor repairs.
- Sec. 31.21 Frontage: All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead ended, then all of the property abutting on one side between an intersecting street and the dead end street.
- Sec. 31.22 Garage, Private: An accessory building housing no more than four (4) motor vehicles, one of which may be a commercial vehicle not exceeding one and one-half (1 1/2) tons capacity owned or normally operated by a resident of the premises.
- Sec. 31.22-1 Development: Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.
- Sec. 31.23 DELETED
- Sec. 31.24 Grade:
- Sec. 31.24-1 For buildings having walls adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street.
- Sec. 31.24-2 For buildings having walls adjoining one street, the average of the elevation of the sidewalk at the centers of all walls adjoining the streets.
- Sec. 31.24-3 For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building.

- Sec. 31.24-4 Any wall approximately parallel to and not more than five (5) feet from a street line is to be considered as adjoining the street.
- Sec. 31.25 Highway, Major or Secondary: An officially designated state or federal numbered highway or other road designated as a major street on the official Motorway Plan of Hamilton County.
- Sec. 31.26 Home Occupation: Any occupation or profession carried on by a member of the immediate family, residing on the premises, in connection with which there is used no sign other than a name plate not more than two (2) square feet in surface area, (see Article XXXI), or no display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a dwelling; there is no commodity sold upon the premises; no person is employed other than a member of the immediate family residing on the premises; and no mechanical equipment is used except such as is customary for purely domestic or household purposes. Home occupation shall not include barber shops, beauty shops, shoe or hat repair or tailoring shops or any type of pick-up station or any similar commercial activities.
- Sec. 31.27 Hotel or Motel: A building in which lodging is provided and offered to the public for compensation and which is open to transient guests, in contradistinction to a boarding house or lodging house.
- Sec. 31.28 Institution: A building occupied by a non-profit corporation or a non-profit establishment for public use.
- Sec. 31.28-1 Junk Automobile: A motor vehicle which is so damaged, wrecked, dismantled or in other condition as to be inoperative.
- Sec. 31.29 Lodging House: A building where lodging only is provided for compensation to three (3) or more but not more than twenty (20) persons.
- Sec. 31.29-1 Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters; the unusual and rapid accumulations or runoff of surface waters from any source.
- Sec. 31.29-2 Flood Plain: Any land area susceptible to being inundated by water from any source.
- Sec. 31.29-3 Flood Plain Management Definitions: Certain terms used in this Resolution are defined as set forth in regulations governing the National Flood Insurance Program (44 CFR Section 59.1), and in Flood Plain Management Definitions (Hamilton County Regional Planning Commission, June, 1982).

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- Sec. 31.29-4 Floodway: The channel of a river or other water-course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
- Sec. 31.29-5 Floodway Fringe: The area of the base flood plain outside the floodway.
- Sec. 31.30 Lot: A parcel of land occupied or intended for occupancy by a use permitted in this Resolution and the open spaces required by this Resolution and having its principal frontage upon a street or place.
- Sec. 31.31 Lot, Corner: A lot abutting upon two (2) or more streets at their intersection or upon two parts of the same street, and in either case forming an interior angle of less than one hundred and thirty-five (135) degrees. (See illustration on page 113).
- Sec. 31.32 Lot, Depth of: The mean horizontal distance between the front and rear lot lines.
- Sec. 31.33 Lot, Double Frontage: A lot having a frontage on two (2) non-intersecting streets, as distinguished from a corner lot. (See illustration on page 113).
- Sec. 31.33-1 Lot, Panhandle: A lot utilizing a strip of land to provide access to, or legal frontage on, a public street. Such lots are also commonly referred to as "rear lots" and "flag lots". The panhandle of such lots is not considered a building site, nor is the area of such included in calculating the lot area.
- Sec. 31.34 Lot of Record: A lot which is a part of a subdivision, the map of which has been recorded in the office of the Recorder of Hamilton County; or a parcel of land, the deed to which was of record on or prior to the effective date of this Resolution. For the purpose of these regulations, any preliminary plan of a subdivision which has been approved by official action of the Regional Planning Commission of Hamilton County, Ohio, and prior to the effective date of this Resolution, shall have the same status as if the subdivision plan was officially recorded in the office of the Recorder of Hamilton County.
- Sec. 31.35 Non-Conforming Use: Any building or land lawfully occupied by a use as of November 13, 1959, which does not conform to the use regulations in the district in which it is situated or any building or land which may hereafter become non-conforming as the result of any amendments or supplements to this Resolution.
- Sec. 31.35-1 Non-Conforming Use, Compatible: Any non-conforming use determined by the Township Board of Zoning Appeals to have, or which can be made to have, no adverse impact upon adjacent properties and permitted land uses in the surrounding neighborhood.
- Sec. 31.36 Parking Lot: A parcel of land devoted to unenclosed parking spaces.

- Sec. 31.37 Parking Space: A permanently surfaced area of not less than one hundred eighty (180) square feet, either within a structure or in the open, exclusive of driveway and access drives, permanently reserved for the parking of a motor vehicle.
- Sec. 31.38 Place: An open unoccupied space at least thirty (30) feet wide, other than a street or alley, permanently reserved as the principal means of access to abutting property.
- Sec. 31.38-1 Regional Planning Commission: The Regional Planning Commission for Hamilton County, Ohio.
- Sec. 31.38-2 Shopping Center: A group of stores and/or shops primarily for retail sales and services, and offices, together with the space for parking and services designed and developed as a unit.
- Sec. 31.39 Stable, Private: A stable with a capacity of not more than two (2) animals.
- Sec. 31.40 Story: That portion of a building, other than a cellar as defined herein, included between the surface of any floor and the surface of the floor next above it or, if there be no floor above it, then the space between the floor and the ceiling next above it. (See illustration on page 114).
- Sec. 31.41 Story, Half: A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use.
- Sec. 31.42 Street: All property dedicated or intended for public or private street, highway, freeway, or roadway purposes or subject to public easements therefor.
- Sec. 31.43 Street Line: A dividing line between a lot, tract or a parcel of land and a contiguous street.
- Sec. 31.44 Structure: Anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground, including, but without limiting the generality of the foregoing, advertising signs, billboards, back stops for tennis courts, and pergolas.
- Sec. 31.45 Structural Alterations: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any increase in the area or cubical contents of the building.
- Sec. 31.46 Trailer: A structure standing on wheels, or meant to stand on wheels, that is self propelled, towed or hauled by another vehicle. For purposes of this Resolution, the term "trailer" shall include:

- a) recreational vehicles: vehicular type portable structures without permanent foundations (as opposed to a "mobile home" as defined in Sec. 31.46-1 of this Resolution), primarily designed as temporary living accommodations for recreational , camping and travel use. Such vehicles may include, but are not limited to, travel trailers, truck campers, camping trailers and self-propelled motor homes;
- b) utility trailers: those designed and intended to carry, haul or transport materials, goods, boats, motorcycles, objects, animals, equipment, etc.;
- c) construction trailers: vehicular type portable structures, without permanent foundations, primarily designed to be used as an on-site construction office and/or to store construction machinery, tools and equipment.

- Sec. 31.46-1 Mobile Home: A manufactured housing unit for permanent human habitation transportable in one or more sections, which is built on a permanent chassis, and designed to be used without a permanent foundation. It does not include recreational vehicles or travel trailers and is not a dwelling or accessory structure for the purpose of this Resolution.
- Sec. 31.47 Wall, Dividing: A wall which is common to two or more units of a building, such as a wall separating adjoining townhouses or group houses in a building group.
- Sec. 31.48 Trustees: The Board of Trustees of Delhi Township, Hamilton County, Ohio.
- Sec. 31.49 Yard: Any open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the minimum horizontal distance between the lot line and the nearest portion of the main building shall be used. (See illustration on page 113).
- Sec. 31.50 Yard, Front: A yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the street line and the main building or any projection thereof, other than the projection of the usual steps or entrance-way. (See illustration on page 113).
- Sec. 31.50-1 Special Flood Hazard Area: All that area within A1-A30 and the unnumbered A Zones on the Flood Insurance Rate Map for Unincorporated Hamilton County, Ohio, and all that area within the unincorporated territory of Delhi Township, Ohio, designated as being within the flood plain of various streams in Appendix A of the Storm Drainage and Open Space Master Plan for Hamilton County, Ohio.

- Sec. 31.51 Yard, Rear: A yard extending across the rear of a lot between the side lot lines and being the minimum horizontal distance between the rear lot line and the main building or any projection thereof, other than steps, unenclosed balconies or unenclosed porches. On corner lots the rear yard shall be considered as parallel to the street upon which the lot has its least dimension unless the building is so arranged and designed as to face on the other street and to provide the front and rear yards in relation to said side street that would otherwise be required if the building faced the street upon which the lot has its least dimension. (See illustration on page 113).
- Sec. 31.52 Yard, Side: A yard between the main building and the side line of the lot and extending from the front yard to the rear yard. (See illustration on page 113).

ARTICLE IV
DISTRICTS AND BOUNDARIES THEREOF

Sec. 41 In order to classify, regulate and restrict location of trades, industries, residences, recreation, and other land uses and the location of buildings designed for specified uses; to regulate and limit the height, number of stories and size of buildings and other structures hereafter erected or altered; to regulate and limit the percentage of lot areas which may be occupied, setback building lines, sizes of yards and other open spaces within and surrounding such buildings, the density of population; the unincorporated area of Delhi Township, Hamilton County, Ohio, is hereby divided into fifteen (15) classes of "Districts". All such regulations are uniform for each class or kind of building or structure or use throughout each class of District, and said Districts shall be known as:

"AA"	Residence District
"A"	Residence District
"A-2"	Residence District
"B"	Residence District
"B-2"	Residence District
"C"	Residence District
"D"	Residence District
"DD"	Planned Multiple Residence District
"O"	Office District
"OO"	Planned Office District
"E"	Retail Business District
"EE"	Planned Business District
"F"	Light Industrial District
"FF"	Planned Light Industrial District
"HD"	Hillside Development District (A)

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- Sec. 42 The boundaries of these Districts are indicated upon the District Maps of the unincorporated area of Delhi Township, Hamilton County, Ohio, which maps are made a part of this Resolution. The said District Maps of the unincorporated area of Delhi Township, Hamilton County, Ohio, and all the notations, references and other matters shown thereon shall be as much a part of this Resolution as if the notations, references and other matters set forth by said Maps were all fully described herein; which District Maps are properly attested and are on file in the Office of the Trustees.
- Sec. 44 Whenever any street, alley or other public way is vacated by official action of the Board of Trustees of Delhi Township or the Board of County Commissioners of Hamilton County, Ohio, the zoning Districts adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacation and all areas included in the vacation shall then and henceforth be subject to all regulations of the extended Districts.
- Sec. 45 Whenever a court declares by a judgment or decree that is final (whether because no appeal is taken or no further appeal can be taken from such judgment or decree), that the zoning of a specific lot or tract is unconstitutional or unreasonable because it is too restrictive, the property affected shall thereupon be subject to the next less restrictive District; provided, however, that where the court in such judgment or decree, declares that the property may be used for a particular use or uses because the Trustees have no right to prohibit such use or uses on the property, then such property shall be subject to the regulations applicable to the most restrictive District in which the particular use or uses, declared proper by the court, are permitted.

ARTICLE V
GENERAL PROVISIONS

- Sec. 51 Except as hereinafter provided:
- Sec. 51.1 No building shall be erected, converted, enlarged, reconstructed, or structurally altered, nor shall any building or land be used which does not comply with all of the district regulations established by this Resolution for the district in which the building or land is located except that single family dwellings located in any single family residence district may be enlarged (added on to) and structurally altered even though the existing side yards, and the lot width of said premises may not be in compliance with the district regulations. Provided, however, that the square foot lot area requirements shall be complied with. In no case, however, shall such enlargement be closer to any side lot line than the existing structure.

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- Sec. 51.1-1 Placing a boat, trailer, or mobile home in the "O" Office or any residence district shall be prohibited, except that outside the Flood Plain Management (FPM) Overlay District, one (1) trailer, as defined in Sec. 31.46 parts 'a' & 'b', may be stored:
- a) permanently in a garage, accessory building or rear yard (not less than three (3) feet from a property line) at any time during the year,
 - b) temporarily on any paved (concrete or asphalt) driveway, provided that:
 - 1) permission for such storage be granted by a Zoning Inspector,
 - 2) the trailer be stored for not more than forty-eight(48) consecutive hours within any seven (7) day period (excluding those used or owned by a not for profit organization),
 - 3) the trailer not overhang any sidewalk or street right-of-way,
 - 4) no occupancy for human habitation shall be maintained, or business or storage conducted therein,
 - 5) the trailer not be connected to water, gas or sanitary sewer facilities,
 - 6) no wheels or any similar transporting devices be removed therefrom,
 - 7) the trailer does not exceed one and one half (1.5) ton capacity.

- Sec. 51.1-2 The temporary use of one (1) trailer (as defined in Sec. 31.46 part 'b') for storage purposes may be permitted within the "E" Retail Business District and the "F" Light Industrial District provided that:
- a) permission for such storage be granted by a Zoning Inspector,
 - b) the location of the trailer is outside the Flood Plain Management (FPM) Overlay District,
 - c) the trailer is stored for not more than seven (7) consecutive days within any thirty (30) day period (excluding those used or owned by a not for profit organization),
 - d) the trailer is not stored in any yard adjacent to any residentially zoned district,
 - e) no occupancy for human habitation shall be maintained, or business conducted therein,
 - f) the trailer not be connected to water, gas or sanitary sewer facilities,
 - g) no wheels or any similar transporting devices be removed therefrom.

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- Sec. 51.1-3 The temporary use of one (1) trailer, as defined in Sec. 31.46 part 'c', shall be permitted in all zone districts provided that:
- a) permission for such storage be granted by a Zoning Inspector,
 - b) the trailer is stored incidental to some construction,
 - c) the trailer is situated so as to be not less than five (5) feet from any lot line,
 - d) no occupancy for human habitation shall be maintained,
 - e) not be placed on a permanent foundation,
 - f) the trailer is removed upon the completion or abandonment of the construction work.
- Sec. 51.2 The minimum yards and other open spaces, including the density of population, provisions contained in this Resolution for each and every building existing on the effective date of this Resolution, or for any building hereafter erected or structurally altered, shall not be encroached upon or considered as yard or open space requirements or density of population requirements for any other building.
- Sec. 51.3 Every building hereafter erected or structurally altered shall be located on a lot as herein defined, and in no case shall there be more than one main building on a lot, except as specifically provided hereinafter in Sec. 171.15.
- Sec. 52 Outdoor advertising shall be classified as a business use and shall be permitted in all districts zoned for industry, business, trade or lands used for agriculture (see also Article XXXI).
- Sec. 53 Nothing contained in this Resolution shall prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, including buildings or structures that are used primarily for vinting and selling wine and that are located on land any part of which is used for viticulture, and no zoning certificate shall be required for any such use, building or structure.
- Sec. 54 Except as provided in Ohio Revised Code Section 519.211, Section 54.1, Article XVIII and Section 184.8-5-2 of this Resolution with respect to any tower that is owned or used by a public utility, used in the provision of cellular telephone communications service, and proposed to be located in an area zoned for residential use, nothing contained in this Resolution shall prevent the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement of any building or structures of any public utility or railroad, whether publicly or privately owned, or the use of land by any public utility or railroad for the operation of its business.

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- Sec. 54.1 (a) In the case of a public utility that plans to construct, locate, erect, reconstruct, change, alter, use or enlarge a tower in the township in an area zoned for residential use that is to be used in the provision of cellular telephone communication service, the public utility shall (i) provide evidence satisfactory to the Delhi Township Board of Trustees concerning compliance with the notice provisions of Ohio Revised Code Section 519.211(B); and (ii) comply with all application and submission requirements to obtain a special zoning certificate pursuant to Sec. 184.8-5-2 of this Resolution in the event the Delhi Township Board of Trustees shall receive a timely notice from any person entitled to object to the location under Ohio Revised Code Section 519.211(B), or if a Township Trustee has an objection as provided in Ohio Revised Code Section 519.211(B), following receipt of the required notice from the Township Clerk.
- (b) In the case any other person or entity plans to construct, locate, erect, reconstruct, change, alter, use or enlarge a tower in the township in an area zoned for residential use that is to be used in the provision of cellular telephone communications service, such person or entity shall fully comply with and satisfy all requirements herein made binding on a public utility applicant pursuant to Sec. 54.1(a) of this Resolution.
- Sec. 55 Nothing contained in this Resolution shall prohibit the sale or use of alcoholic beverages in areas where the establishment and operation of any retail business, hotel, lunchroom or restaurant is permitted.
- Sec. 56 Nothing contained in this Resolution shall require any change in the plans, construction, size or designated use of a building, for which a valid permit has been issued or lawful approval given before the effective date of this Resolution; provided, however, construction under such permit or approval shall have been started within six (6) months and the ground story framework including structural parts of the second floor shall have been completed within one (1) year and the entire building completed within two (2) years after the effective date of this Resolution.
- Sec. 57 Nothing contained in this resolution shall prohibit the use of any land owned or leased by an industrial firm for the conduct of oil or natural gas well drilling or production activities or the location of associated facilities or equipment when such oil or natural gas obtained by the industrial firm is used for the operation of its own plants.

ARTICLE VI
"A-A" RESIDENCE DISTRICT REGULATIONS

- Sec. 61 The regulations set forth in this Article, or set forth elsewhere in this resolution, when referred to in this Article, are the District Regulations in the "A-A" Residence District.

- Sec. 62 Use Regulations: A building or premises shall be used only for the following purposes:
- Sec. 62.1 Agriculture.
- Sec. 62.2 Cemeteries, including mausoleums, provided that any mausoleum shall be at least 100 feet from every property line and provided further than any new cemetery shall contain an area of 20 acres or more.
- Sec. 62.3 Churches, Sunday Schools and other places of worship.
- Sec. 62.4 Country Clubs, swimming and tennis clubs; provided that any structures, except fences, and any parking areas necessary to the operation shall be at least one hundred (100) feet from every property line.
- Sec. 62.5 Community fire houses.
- Sec. 62.6 Golf courses, except miniature courses and practice driving tees, including such buildings and uses necessary for its operation except those the chief activity of which is a service customarily carried on as a business provided the site on which the course is located shall contain at least 50 acres.
- Sec. 62.7 Greenhouses.
- Sec. 62.8 Hospitals and institutions of an educational, religious, charitable, philanthropic nature provided the site upon which such uses are located shall contain at least five acres and that such buildings shall not occupy over 10 percent of the total area of the site.
- Sec. 62.9 Public and private forests and wild life reservations or similar conservation projects, including the usual buildings therefor.
- Sec. 62.10 Publicly owned or operated properties including parks, playgrounds and community centers.
- Sec. 62.11 Riding stables, animal hospitals and stables or kennels for the boarding of animals.
- Sec. 62.12 Schools, public and private, having a curriculum equivalent to that ordinarily given in public elementary and high schools, provided no rooms are regularly used for housekeeping or sleeping rooms.
- Sec. 62.13 Single family dwellings.
- Sec. 62.14 Accessory buildings and uses customarily incident to any of the above uses, including:
- Sec. 62.14-1 Quarters for servants employed on the premises.

- Sec. 62.14-2 Private garages or parking spaces, provided that this section shall not be deemed to permit parking on the premises of a truck or other commercial vehicle other than as defined in Sec. 31.22.
- Sec. 62.14-3 Private stables.
- Sec. 62.14-4 Home occupations.
- Sec. 62.14-5 The keeping of animals and fowls as pets.
- Sec. 62.14-6 Roadside stands, offering for sale only agricultural products which are produced upon the premises, including a sign advertising such products not exceeding twelve (12) square feet in area.
- Sec. 62.14-7 Permitted signs (See Article XXXI).
- Sec. 62.14-8 DELETED
- Sec. 62.15 Cellular Telephone Communications Towers in accordance with Sec. 54, 54.1, Article XVIII and Sec. 184.8-5-2 of this Resolution and Ohio Revised Code Section 519.211.
- Sec. 63 Height Regulations: No building shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height, except as hereinafter provided in Article XVII.
- Sec. 64 Area Regulations (See illustration on page 115).
- Sec. 64-1 Front Yard:
- Sec. 64.1-1 There shall be a front yard having a depth of not less than fifty (50) feet, provided, however, no alignment setbacks or front yard depth shall be required to exceed the average minimum depths of the existing front yards on the lots adjacent on each side, if each of such lots are within the same block and within one hundred (100) feet.
- Sec. 64.1-2 Where lots have a double frontage, the required front yard shall be provided on both streets.
- Sec. 64.1-3 Where a lot is located at the intersection of two or more streets there shall be a front yard on each street side of a corner lot, except that the buildable width of a lot of record shall not be reduced to less than forty (40) feet. No accessory building shall project beyond the front yard line on either street.
- Sec. 64.2 Side Yard: Except as hereinafter provided in Article XVII, there shall be a side yard on each side of a building which yard shall have a width of not less than twenty-five (25) feet.
- Sec. 64.3 Rear Yard: Except as hereinafter provided in Article XVII, there shall be a rear yard having a depth of not less than sixty (60) feet.

Sec. 64.4 Intensity of Use: Except as hereinafter provided in Article XVII, every lot or tract of land shall have a minimum width of one hundred fifty (150) feet at the building line and an area of not less than one (1) acre.

ARTICLE VI-A
"A" RESIDENCE DISTRICT REGULATIONS

Sec. 65 The regulations set forth in this Article, or set forth elsewhere in this Resolution, when referred to in this Article, are the district regulations in the "A" Residence District.

Sec. 66 Use Regulations: A building or premises shall be used only for purposes permitted in the "A-A" Residence District.

Sec. 67 Height Regulations: The height regulations are the same as those in the "A-A" Residence District.

Sec. 68 Area Regulations: (See illustration on page 115)

Sec. 68.1 Front Yard:

Sec. 68.1-1 There shall be a front yard having a depth of not less than fifty (50) feet, provided, however, no alignment setback or front yard depth shall be required to exceed the average of the minimum depth of the existing front yards on the lots adjacent on each side, if each of such lots are within the same block and within one hundred (100) feet.

Sec. 68.1-2 Where lots have a double frontage, the required front yard shall be provided on both streets.

Sec. 68.1-3 Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of a corner lot, except that the buildable width of a lot of record shall not be reduced to less than forty (40) feet. No accessory building shall project beyond the front yard line on either street.

Sec. 68.2 Side Yard: Except as hereinafter provided in Article XVII, there shall be a side yard on each side of a building which yard shall have a width of not less than fifteen (15) feet.

Sec. 68.3 Rear Yard: Except as hereinafter provided in Article XVII, there shall be a rear yard having a depth of not less than thirty-five (35) feet.

Sec. 68.4 Intensity of Use: Except as hereinafter provided in Article XVII, every lot or tract of land shall have a minimum width of one hundred (100) feet at the building line and an area of not less than twenty thousand (20,000) square feet.

ARTICLE VI-B
"A-2" RESIDENCE DISTRICT REGULATIONS

- Sec. 69 The regulations set forth in this Article, or set forth elsewhere in this Resolution, when referred to in this Article, are the district regulations in the "A-2" Residence District.
- Sec. 70 Use Regulations: A building or premises shall be used only for the purposes permitted in the "A-A" Residence District.
- Sec. 71 Height Regulations: The height regulations are the same as those in the "A-A" Residence District.
- Sec. 72 Area Regulations: (See illustration on page 115).
- Sec. 72.1 Front Yard:
- Sec. 72.1-1 There shall be a front yard having a depth of not less than forty (40) feet, provided, however, no alignment setback or front yard depth shall be required to exceed the average of the minimum depths of the existing front yards on the lots adjacent on each side, if each of such lots are within the same block and within one hundred (100) feet.
- Sec. 72.1-2 Where lots have a double frontage, the required front yard shall be provided on both streets.
- Sec. 72.1-3 Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of a corner lot, except that the buildable width of a lot of record shall not be reduced to less than forty (40) feet. No accessory building shall project beyond the front yard line on either street.
- Sec. 72.2 Side Yard: Except as hereinafter provided in Article XVII, there shall be a side yard on each side of a building, which yard shall have a width of not less than ten (10) feet.
- Sec. 72.3 Rear Yard: Except as hereinafter provided in Article XVII, there shall be a rear yard having a depth of not less than thirty-five (35) feet.
- Sec. 72.4 Intensity of Use: Except as hereinafter provided in Article XVII every lot or tract of land shall have a minimum width of eighty (80) feet at the building line and an area of not less than fourteen thousand (14,000) square feet.

ARTICLE VII
"B" RESIDENCE DISTRICT REGULATIONS

- Sec. 73 The regulations set forth in this Article, or set forth elsewhere in this Resolution, when referred to in this Article, are the district regulations in the "B" Residence District.

- Sec. 74 Use Regulations: A building or premises shall be used only for purposes permitted in the "A-A" Residence District.
- Sec. 75 Height Regulations: The height regulations are the same as those in the "A-A" Residence District.
- Sec. 76 Area Regulations: (See illustration on page 115)
- Sec. 76.1 Front Yard:
- Sec. 76.1-1 There shall be a front yard having a depth of not less than thirty-five (35) feet, provided, however, no alignment setback or front yard depth shall be required to exceed the average of the minimum depths of the existing front yards on the lots adjacent on each side, if each of such lots are within the same block and within one hundred (100) feet.
- Sec. 76.1-2 Where lots have a double frontage, the required front yard shall be provided on both streets.
- Sec. 76.1-3 Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of a corner lot, except that the buildable width of a lot of record shall not be reduced to less than forty (40) feet. No accessory building shall project beyond the front yard line on either street.
- Sec. 76.2 Side Yard: Except as hereinafter provided in Article XVII, there shall be a side yard on each side of a building, which yard shall have a width of not less than eight (8) feet.
- Sec. 76.3 Rear Yard: Except as hereinafter provided in Article XVII, there shall be a rear yard having a depth of not less than thirty-five (35) feet.
- Sec. 76.4 Intensity of Use: Except as hereinafter provided in Article XVII, every lot or tract of land shall have a minimum width of seventy (70) feet at the building line and an area of not less than ten thousand five hundred (10,500) square feet.

ARTICLE VII-A
"B-2" RESIDENCE DISTRICT REGULATIONS

- Sec. 77 The regulations set forth in this Article, or set forth elsewhere in this Resolution, when referred to in this Article, are the district regulations in the "B-2" Residence District.
- Sec. 78 Use Regulations: A building or premises shall be used only for purposes permitted in the "A-A" Residence District.
- Sec. 79 Height Regulations: The height regulations are the same as those in the "A-A" Residence District.

- Sec. 80 Area Regulations: (See illustration on page 115).
- Sec. 80.1 Front Yard:
- Sec. 80.1-1 There shall be a front yard having a depth of not less than thirty-five (35) feet, provided, however, no alignment setback or front yard depth shall be required to exceed the average of the minimum depths of the existing front yards on the lots adjacent on each side, if each of such lots are within the same block and within one hundred (100) feet.
- Sec. 80.1-2 Where lots have a double frontage, the required front yard shall be provided on both streets.
- Sec. 80.1-3 Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of a corner lot, except that the buildable width of a lot of record shall not be reduced to less than forty (40) feet. No accessory building shall project beyond the front yard line on either street.
- Sec. 80.2 Side Yard: Except as hereinafter provided in Article XVII, there shall be a side yard on each side of a building, which yard shall have a combined width of not less than thirteen (13) feet, and provided further that neither side yard shall be less than five (5) feet wide.
- Sec. 80.3 Rear Yard: Except as hereinafter provided in Article XVII, there shall be a rear yard having a depth of not less than thirty (30) feet.
- Sec. 80.4 Intensity of Use: Except as hereinafter provided in Article XVII, every lot or tract of land shall have a minimum width of sixty (60) feet at the building line and an area of not less than seventy five hundred (7,500) square feet.

ARTICLE VIII
"C" RESIDENCE DISTRICT REGULATIONS

- Sec. 81 The regulations set forth in this Article, or set forth elsewhere in this Resolution, when referred to in this Article, are the district regulations in the "C" Residence District.
- Sec. 82 Use Regulations: A building or premises shall be used only for purposes permitted in the "A-A" Residence District.
- Sec. 83 Height Regulations: The height regulations are the same as those in the "A-A" Residence District.
- Sec. 84 Area Regulations: (See illustration on page 115)
- Sec. 84.1 Front Yard:

- Sec. 84.1-1 There shall be a front yard having a depth of not less than thirty (30) feet, provided, however, no alignment setback or front yard depth shall be required to exceed the average of the minimum depths of the existing front yards on the lots adjacent to each side, if each of such lots are within the same block and within one hundred (100) feet.
- Sec. 84.1-2 Where lots have a double frontage, the required front yard shall be provided on both streets.
- Sec. 84.1-3 Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of a corner lot, except that the buildable width of a lot of record shall not be reduced to less than thirty-two (32) feet. No accessory building shall project beyond the front yard line on either street.
- Sec. 84.2 Side Yard: Except as hereinafter provided in Article XVII, there shall be a side yard on each side of a building, which yard shall have a width of not less than five (5) feet.
- Sec. 84.2-1 Rear Yard: Except as hereinafter provided in Article XVII, there shall be a rear yard having a depth of not less than thirty (30) feet.
- Sec. 84.3 Intensity of Use: Except as hereinafter provided in Article XVII, every lot or tract of land shall have a minimum width of fifty (50) feet at the building line and an area of not less than six thousand (6,000) square feet.

ARTICLE IX
"D" RESIDENCE DISTRICT REGULATIONS

- Sec. 91 The regulations set forth in this Article, or set forth elsewhere in this Resolution, when referred to in this Article, are the district regulations in the "D" Residence District.
- Sec. 92 Use Regulations:
- Sec. 92.1 Any use permitted in the "A-A" Residence District.
- Sec. 92.2 Agriculture.
- Sec. 92.3 Single and two family dwellings.
- Sec. 92.4 Multiple dwellings.
- Sec. 92.5 Boarding and lodging houses.
- Sec. 92.6 Cemeteries, including mausoleums; provided that any mausoleum shall be at least 100 feet from every property line and provided further that any new cemetery shall contain an area of 20 acres or more.

- Sec. 92.7 Churches, Sunday Schools and other places of worship.
- Sec. 92.8 Clubs.
- Sec. 92.9 Community fire houses.
- Sec. 92.10 Fraternities, sororities, dormitories and lodges, except those the chief activity of which is a service customarily carried on as a business.
- Sec. 92.11 Golf courses, except miniature course and practice tees; including such buildings and uses necessary for its operation except those the chief activity of which is a service customarily carried on as a business.
- Sec. 92.12 Hospitals, except animal hospitals, and institutions of an educational, religious, charitable, philanthropic nature.
- Sec. 92.13 Public and private forest and wild life reservations or similar conservation projects, including the usual building therefor.
- Sec. 92.14 Publicly owned or operated properties including parks, playgrounds and community centers.
- Sec. 92.15 Rest homes, convalescent homes, day care centers, nursery schools, pre-kindergartens, kindergartens, or similar private schools; located on a site of not less than one acre.
- Sec. 92.16 Schools, public and private, having a curriculum equivalent to that ordinarily given in public elementary and high schools.
- Sec. 92.17 Accessory buildings and uses customarily incident to any of the above uses, including:
- Sec. 92.17-1 Private garages.
- Sec. 92.17-2 DELETED
- Sec. 92.17-3 Home occupations.
- Sec. 92.17-4 The keeping of animals and fowls as pets.
- Sec. 92.17-5 DELETED
- Sec. 92.17-6 Temporary buildings incidental to construction which buildings shall be removed upon the completion or abandonment of the construction work.
- Sec. 92.17-7 Permitted signs (see Article XXXI).
- Sec. 93 Height Regulations: No building shall exceed three (3) stories or forty-five (45) feet in height, except as hereinafter provided in Article XVII.
- Sec. 94 Area Regulations: (See illustration on page 115)

- Sec. 94.1 Front Yard: The front yard regulations are the same as those in the "C" Residence District.
- Sec. 94.2 Side Yard:
- Sec. 94.2-1 The side yard regulations for buildings not exceeding two and one-half (2 1/2) stories in height are the same as those in the "C" Residence District.
- Sec. 94.2-2 Except as hereinafter provided in Article XVII, there shall be a side yard on each side of a three (3) story building which yard shall have a width of not less than ten (10) feet.
- Sec. 94.3 Rear yard:
- Sec. 94.3-1 The rear yard regulations for buildings not exceeding two and one-half (2 1/2) stories in height are the same as those in the "B-2" Residence District.
- Sec. 94.3-2 Except as hereinafter provided in Article XVII, a three-story building shall have a rear yard of not less than forty (40) feet in depth.
- Sec. 94.4 Intensity of Use:
- Sec. 94.4-1 Every lot or tract of land on which there is erected a single-family dwelling, shall have a minimum width of fifty (50) feet at the building line and an area of not less than five thousand (5,000) square feet.
- Sec. 94.4-2 Every lot or tract of land on which there is erected a two-family dwelling or a multiple dwelling shall have a minimum width of fifty (50) feet at the building line and an area of not less than three thousand (3,000) square feet per family, except that the area regulation shall not apply to dormitories, fraternities or sororities where no cooking is done in individual rooms or apartments. Every lot on which there is erected a building for any other use permitted in the "D" District shall have a minimum width of sixty (60) feet and a minimum area of ten thousand (10,000) square feet.
- Sec. 94.4-3 Where a lot or tract of land has less width or area than herein required and was of record on the effective date of this Resolution, that lot or tract of land may be used only for single-family dwelling purposes, or for any other non-dwelling use permitted in this Article.

ARTICLE IX-A
"O" OFFICE DISTRICT REGULATIONS

- Sec. 95 The regulations set forth in this Article, or set forth elsewhere in this Resolution, when referred to in this Article, are the district regulations in the "O" Office District.

- Sec. 96 Use Regulations: A building or premises shall be used only for the following purposes:
- Sec. 96.1 Any use permitted in the "D" Residence District.
- Sec. 96.2 Hotels and motels, including a restaurant, provided that such restaurant is subordinate and incident to the hotel or motel, and provided further that the floor area of the restaurant does not exceed twenty five percent (25%) of the floor area of the hotel or motel.
- Sec. 96.3 Office buildings devoted exclusively to professional services, banking and other similar financial services, the management of commercial, industrial, religious, public institutions. The uses permitted by this subordinate section shall not include the manufacture or sale of commodities, unless such sale is incidental and subsidiary to the principal service rendered, but may include the display or storage of commodities incidental to the principal use provided that the gross floor area of any one tenant or occupant devoted to such display or storage shall not exceed 10% of the total floor area occupied by such tenant or occupant, and provided further that no display or commodities shall be visible from the exterior of the building.
- Sec. 96.4 Restaurants, pharmacies and other accessory services subordinate and incident to the principal uses permitted by Sec. 96.3, when conducted and entered only from within the principal building, and where there is no display or advertising pertaining to such accessory service visible from the exterior of the building.
- Sec. 96.5 Funeral homes, including the display or storage of incidental commodities, provided that the gross floor area devoted to such display or storage shall not exceed 10% of the total floor area occupied by the principal use.
- Sec. 96.6 Studios for the broadcasting of radio, facsimile and television, including rooms, spaces and aerials incident to the operation of such studios.
- Sec. 96.7 Permitted signs (see Article XXXI).
- Sec. 96.8 Storage garages and other accessory buildings devoted to uses customarily incident to the use of the principal building, when located on the same lot as the principal building and not involving the sale, display or storage of commodities.
- Sec. 97 Height Regulations: The height regulations are the same as those in the "D" Residence District.
- Sec 98 Area Regulations:
- Sec. 98.1 Yard Regulations: The yard regulations are the same as those in the "D" Residence District.

Sec. 98.2 Intensity of Use: The intensity of use shall be the same as that in the "D" Residence District.

ARTICLE X
"E" RETAIL BUSINESS DISTRICT REGULATIONS

Sec. 101 The regulations set forth in this Article, or set forth elsewhere in this Resolution, when referred to in this Article, are the district regulations in the "E" Retail Business District.

Sec. 102 Use Regulations: A building or premises may be used for any purpose except the following:

Sec. 102.1 Any use prohibited in the "F" Light Industrial District, except dwellings.

Sec. 102.3 Automobile body and fender repairing, except where incidental to a garage.

Sec. 102.4 Automobile wrecking or salvage, or the storage of junk automobiles.

Sec. 102.5 Bakeries, employing more than five (5) persons on the premises.

Sec. 102.6 Blacksmith or horse-shoeing shops.

Sec. 102.7 Bottling works, brewing or distilling of liquors.

Sec. 102.8 Building material storage yards.

Sec. 102.9 Carting, express, hauling or storage yard.

Sec. 102.10 Contractor's plant or storage yards.

Sec. 102.11 Coal, coke or wood yards of more than fifty (50) ton capacity.

Sec. 102.12 Crematories, except in a cemetery.

Sec. 102.13 Dyeing and cleaning works, employing more than five (5) persons on the premises or using a cleaning fluid that has a petroleum base.

Sec. 102.14 Laundries, employing more than five (5) persons on the premises.

Sec. 102.15 Livery stables or riding academies.

Sec. 102.16 Lumber yards or planing mills.

Sec. 102.17 Metal working or welding shops.

Sec. 102.18 Milk distributing stations, other retail business conducted on the premises.

- Sec. 102.18-1 Mobile homes as defined in Sec. 31.46-1 of this Resolution.
- Sec. 102.19 Stone or monumental works, employing more than five (5) persons on the premises.
- Sec. 102.20 Storage, baling or treatment of junk, iron, rags, bottles, or scrap paper.
- Sec. 102.21 Storage warehouses.
- Sec. 102.22 Wholesale warehouses or businesses.
- Sec. 102.23 Any kind of manufacture or treatment other than manufacture or treatment of products clearly incidental to the conduct of a retail business conducted on the premises.
- Sec. 102.24 Permitted signs (see Article XXXI).
- Sec. 102.24-1 DELETED.
- Sec. 102.24-2 DELETED.
- Sec. 102.24-3 DELETED.
- Sec. 102.24-4 DELETED.
- Sec. 102.24-5 DELETED.
- Sec. 103 Height Regulations: No building shall exceed three (3) stories or forty-five (45) feet in height, except as hereinafter provided in Article XVII.
- Sec. 104 Area Regulations:
- Sec. 104.1 Front Yard: The front yard regulations are the same as those in the "C" Residence District.
- Sec. 104.2 Side Yard: The side yard regulations for dwellings are the same as those in the "D" Residence District. In all other cases a side yard is not required except on the side of a lot adjoining Residence Districts, in which cases there shall be a side yard of not less than five (5) feet.
- Sec. 104.3 Rear Yard: The rear yard regulations for dwellings are the same as in the "B" Residence District. In all other cases, a rear yard is not required except where a lot abuts upon the "A-A", "A", "A-2", "B", "B-2", "C", or "D" Residence Districts, in which case there shall be a rear yard of not less than fifteen (15) feet.
- Sec. 104.4 Intensity of Use: The intensity of use regulations are the same as those in the "D" Residence District.

ARTICLE XI
"F" LIGHT INDUSTRIAL DISTRICT REGULATIONS

- Sec. 111 The regulations set forth in this Article, or set forth elsewhere in this Resolution, when referred to in this Article, are the district regulations in the "F" Light Industrial District.
- Sec. 112 Use Regulations: A building or premises may be used for any purpose except the following:
- Sec. 112.1 Abattoirs and slaughter houses, except for poultry incidental to retail store.
- Sec. 112.2 Acetylene gas manufacture or storage.
- Sec. 112.3 Acid manufacture or wholesale storage.
- Sec. 112.4 Ammonia manufacture or wholesale storage.
- Sec. 112.5 Asbestos manufacture.
- Sec. 112.6 Asphalt manufacturing or refining.
- Sec. 112.7 Automobile wrecking or salvage, except where the premises upon which such activities are conducted are wholly enclosed within a building or by a wooden fence not less than eight (8) feet in height and in which the openings or cracks are less than fifteen (15%) percent of the total area.
- Sec. 112.8 Babbitt metal manufacture.
- Sec. 112.9 Bag cleaning.
- Sec. 112.10 Blast furnaces or cupolas.
- Sec. 112.11 Bleaching powder or chlorine manufacture.
- Sec. 112.12 Boiler works.
- Sec. 112.13 Brick, tile, pottery, or terra cotta manufacture other than the manufacture of handcraft products only.
- Sec. 112.14 Bronze powder manufacture.
- Sec. 112.15 Carbon, lampblack, or graphite manufacture.
- Sec. 112.16 Celluloid, or pyroxyline manufacture; explosive or flammable cellulose or pyroxylin products manufacture.
- Sec. 112.17 Cement, lime, gypsum or plaster of paris manufacture.

- Sec. 112.18 Coal yards of more than fifty (50) ton capacity, except where the coal is stored in dust-proof containers and dust controlled by means of effective devices.
- Sec. 112.19 Coke ovens.
- Sec. 112.20 Cooperage works.
- Sec. 112.21 Corrosion of aluminum, copper, iron, tin, lead or zinc.
- Sec. 112.22 Creosote manufacture or treatment.
- Sec. 112.23 Disinfectant, insecticide or poison manufacture.
- Sec. 112.24 Distillation of bones, coal or wood.
- Sec. 112.25 Dyestuff manufacture.
- Sec. 112.26 Dwellings, except those for watchmen or operators whose continued presence is necessary on the premises, and those on farms of three (3) acres or more.
- Sec. 112.27 Electroplating, except where incidental to a permitted use.
- Sec. 112.28 Emery cloth or sand paper manufacture.
- Sec. 112.29 Enameling, japanning or lacquering, except where incidental to a permitted use.
- Sec. 112.30 Excelsior or fiber manufacture.
- Sec. 112.31 Explosive or fireworks manufacture or storage.
- Sec. 112.32 Fat rendering, tallow, grease or lard refining or the manufacture of candles from fats.
- Sec. 112.33 Felt manufacture, except where the dust is controlled by means of effective devices.
- Sec. 112.34 Fertilizer manufacture.
- Sec. 112.35 Flour milling.
- Sec. 112.36 Forge plants.
- Sec. 112.37 Garbage, offal, or dead animal reduction or dumping.
- Sec. 112.38 Gas manufacture or storage.
- Sec. 112.39 Glue, size or gelatin manufacture.

- Sec. 112.40 Ice plant or ice storage houses of more than five (5) tons daily capacity.
- Sec. 112.41 Iron, steel, brass or copper foundries.
- Sec. 112.42 Junk, iron or rags storage or bailing, except where no power-driven devices are employed and where the premises upon which such activities are conducted are wholly enclosed within a building or by a wooden fence not less than eight (8) feet in height and in which the openings or cracks are less than fifteen (15%) percent of the total area.
- Sec. 112.43 Match manufacture.
- Sec. 112.44 Nitrating processes or potash refining.
- Sec. 112.45 Oil cloth or linoleum manufacture.
- Sec. 112.46 Oiled rubber goods manufacture.
- Sec. 112.47 Paint, oil, shellac, size, enamel, turpentine or varnish manufacture.
- Sec. 112.48 Paper manufacture.
- Sec. 112.49 Petroleum or its products, refining or wholesale storage.
- Sec. 112.50 Printing ink manufacture.
- Sec. 112.51 Pulp manufacture.
- Sec. 112.52 Radium extraction.
- Sec. 112.53 Rock crushing.
- Sec. 112.54 Rolling mills.
- Sec. 112.55 Rubber or gutta-percha manufacture or treatment.
- Sec. 112.56 Salt works.
- Sec. 112.57 Sand blasting or cutting, except where the dust is controlled by means of effective devices.
- Sec. 112.58 Sewage disposal plants, except those publicly owned and operated
- Sec. 112.59 Shoe polish manufacture.
- Sec. 112.60 Smelting or reduction of ores or metallurgical products.
- Sec. 112.61 Soap, soda ash, caustic soda or washing compound manufacture.
- Sec. 112.62 Starch, dexedrine or glucose manufacture.

- Sec. 112.63 Stock yards.
- Sec. 112.64 Stone mill or quarry.
- Sec. 112.65 Sugar refining.
- Sec. 112.66 Tanning, curing or storage of raw hides or skins.
- Sec. 112.67 Tar distillation or manufacture.
- Sec. 112.68 Tar or asphalt roofing or waterproofing manufacture.
- Sec. 112.69 Vinegar manufacture.
- Sec. 112.70 Yeast plants.
- Sec. 112.71 And in general those uses which may be obnoxious or offensive by reason of the emission of odor, dust, smoke, gas or noise.
- Sec. 112.72 Permitted signs (see Article XXXI).
- Sec. 113 Height Regulations: No building shall exceed six (6) stories or seventy-five (75) feet in height, except as hereinafter provided in Article XVII, and where a building is located on a lot abutting or adjoining a Residence District, or a publicly owned area, other than an alley or street, it shall not exceed three (3) stories or forty-five (45) feet in height unless it is set back one (1) foot from all required yard lines for each two (2) feet of additional height above forty-five (45) feet.
- Sec. 114 Area Regulations:
- Sec. 114.1 Front Yard:
- Sec. 114.1-1 The front yard requirement is the same as that in the "C" Residence District.
- Sec. 114.1-2 Where a lot is located at the intersection of two or more streets, the front yard requirements of Section 114.1-1 shall apply to each street side of the corner lot, except that the buildable width of such lot shall not be reduced to less than twenty-eight (28) feet. No accessory building shall project beyond the front yard line on either street.
- Sec. 114.2 Side Yard, Rear Yard and Intensity of Use: The side yard, rear yard and intensity of use regulations are the same as those in the "E" Retail Business Districts.

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ARTICLE XIII-A
"DD" PLANNED MULTIPLE RESIDENCE DISTRICT REGULATIONS

- Sec. 135 The regulations set forth in this Article, or set forth elsewhere in this Resolution, when referred to in this Article, are the district regulations in the "DD" Planned Multiple Residence District. It is the purpose of this district to provide sites for the uses permitted herein at appropriate locations in relation to the existing and potential development of their surroundings to afford an attractive setting for such uses and to harmonize with the surroundings.
- Sec. 135.1 Use Regulations: Any use permitted in the "D" residence district may be permitted in the "DD" planned multiple residence district provided, however, that the district shall be laid out and developed as a unit according to an approved development plan as defined in Sec. 31.14 in order that the specific use or uses may be properly integrated with the surrounding area, and provided further, that a service establishment such as a restaurant, a bar, barber shop, beauty shop, and the like, principally serving the residents and having no entrance except from within the building may be permitted after review by the Delhi Township Zoning Commission, after taking into consideration the recommendation of the Regional Planning Commission, and found to be warranted by the size of the development.
- Sec. 135.2 Procedure: The owner or owners of a tract of land comprising an area of two (2) acres or more or adjoining a similarly or less restricted district, may submit a plan for the use and development of such tract for the purposes of, and meeting the requirements set forth in, this Article. The development plan shall show the details defined in Sec. 31.14 in order to indicate the type and character of the proposed development and the treatment of the tract, including screening and landscaping, in relation to abutting land uses for a harmonious relationship with the surrounding property and the protection thereof.
- Sec. 135.3 Height and Area Requirements:
1. No building shall exceed three (3) stories or forty (40) feet in height unless such building is set back from the street line a distance of not less than its height and is set back from all other property lines a distance of thirty (30) feet plus two (2) feet for each foot of height in excess of forty (40) feet.
 2. No building shall be closer than forty (40) feet to any front or rear lot line, or closer than fifteen (15) feet in the case of a one or two-story building, or closer than thirty (30) feet in the case of a three-story building, to any side lot line.
 3. The lot area per apartment shall be not less than: twenty-five hundred (2500) square feet for an apartment of two bedrooms or more; two thousand (2000) square feet for one bedroom apartment and fifteen hundred (1500) square feet for an efficiency apartment.
Where part or all of the off-street parking spaces required for a multi-family dwelling are provided within the principal building or buildings, the minimum lot area per dwelling unit specified in this action may be

reduced by a maximum of twenty percent (20%) in accordance with the following formula:

$\frac{a}{b}$

$\times 20\%$, where a = the number of spaces provided within the building, b = the number of spaces required for the multi-family dwelling

4. In a case where the topography or other physical features of the tract or its relation to surrounding property may make complete compliance with the yard requirements, as prescribed in this section, unnecessary or undesirable, the Delhi Township Zoning Commission may modify such requirements to the extent warranted by such physical conditions provided the surrounding property and the public welfare are adequately protected. The Delhi Township Zoning Commission may consider the recommendation of the Regional Planning Commission at its public hearing.

Sec. 135.4 Parking requirements: Off-street parking spaces shall be provided based on the requirements of Section 144 of this Resolution.

Sec. 135.5 General Requirements:

1. The size and location of the tract in relation to surrounding property shall be such that the proposed development, including landscaping and screening and other adjustments to the abutting land uses, can be made to harmonize with the neighborhood.
2. In furthering this objective, the location and arrangement of buildings, parking structures and areas, walks, lighting, and appurtenant facilities shall be adjusted to the surrounding land uses, and any part of the site not used for buildings or other structures, or for parking, loading or access-ways shall be landscaped with grass, trees and shrubs or pedestrian walks.
3. Permitted signs (see Article XXXI). In addition, no signs or displays or advertising of merchandise and services offered in the shops shall be visible from outside the building.
4. Reasonable additional requirements as to landscaping, lighting, screening, access ways and building setbacks may be imposed by the Delhi Township Zoning Commission for the protection of adjacent property. The Regional Planning Commission may make recommendations reference such additional requirements.

Sec. 135.6 Delay in Construction: Construction of the development in accordance with the approved plan shall commence within three years after the date of approval by the Trustees becomes effective; provided, however, that the Delhi Township Zoning Commission may extend the construction commencement timeframe for one or more additional year(s) upon request by the owner or on its own motion. In the event that construction is not begun as prescribed in this Section, the Township Zoning Commission or Board of Trustees may initiate an amendment procedure in accordance with O.R.C. Section 519.12 to void the approved plan and revert the zoning classification of the subject property to the district in which it was classified before the approved plan.

Sec. 135.7 Violation of Plan: The development plan approved in accordance with this Article and Article XIII-F shall be an integral part of the Zoning Resolution and any departure from this plan or any modification thereof, except when specifically approved in accordance with Article XIII-F, shall be a violation of said Zoning Resolution and shall be subject to the provisions and penalties prescribed therefor in Article XXVIII.

ARTICLE XIII-B
"OO" PLANNED OFFICE DISTRICT REGULATIONS

Sec. 136 The regulations set forth in this Article, or set forth elsewhere in this Resolution, when referred to in this Article, are the district regulations in the "OO" Planned Office District. It is the purpose of this district to provide sites for the uses permitted herein at appropriate locations in relation to the existing and potential development of their surroundings to afford an attractive setting for such uses and to harmonize with the surroundings.

Sec. 136.1 Use Regulations: The use regulations in the "OO" Planned Office District shall be the same as those in the "O" Office District, provided, however, that the district shall be laid out and developed as a unit according to an approved development plan, as defined in Sec. 31.14, in order that the use may be properly integrated with the surrounding area.

Sec. 136.2 Procedure: The owner or owners of a tract of land comprising an area of two (2) acres or more, or adjoining a similarly or less restricted district, may submit a plan for the use and development of such tract for the purpose of, and meeting the requirements set forth in, this Article. The development plan shall show the details defined in Sec. 31.14 in order to indicate the type and character of the proposed development and the treatment of the tract, including screening and landscaping, in relation to abutting land uses for a harmonious relationship with the surrounding property and the protection thereof.

Sec. 136.3 Height and Area Requirements:

1. No building shall exceed thirty-five (35) feet in height unless such building is set back from the street line a distance of not less than one-half (1/2) its height and is set back from all other property lines a distance of ten (10) feet, plus two (2) feet for each foot of height in excess of thirty-five (35) feet.
2. No building shall be closer than forty (40) feet to any front or rear lot line, or closer than ten (10) feet to any side lot line.
3. In a case where the topography or other physical features of the tract or its relation to surrounding property may make complete compliance with the yard requirements, as prescribed in this section, unnecessary or undesirable, the Delhi Township Zoning Commission may modify such requirements to the extent warranted by such physical conditions provided the surrounding property and the public welfare are adequately protected. The Delhi Township Zoning Commission may consider the recommendation of the Regional Planning Commission at

its public hearing.

- Sec. 136.4 Parking and Loading Requirements: Off-street parking and loading spaces shall be provided in accordance with the requirements of Article XIV.
- Sec. 136.5 General Requirements:
1. The size and location of the tract in relation to surrounding property shall be such that the proposed development, including landscaping and screening and other adjustments to the abutting land uses, can be made to harmonize with the neighborhood.
 2. In furthering this objective, the location and arrangement of buildings, parking structures and area, walks, lighting, and appurtenant facilities shall be adjusted to the surrounding land uses, and any part of the site not used for buildings or other structures or for parking, loading or access-ways shall be landscaped with grass, trees and shrubs or pedestrian walks.
 3. Permitted signs (see Article XXXI).
 4. Reasonable additional requirements as to landscaping, lighting, screening, access ways and building setbacks may be imposed by the Delhi Township Zoning Commission for the protection of adjacent property. The Regional Planning Commission may make recommendations reference such additional requirements.
- Sec. 136.6 Delay in Construction: Construction of the development in accordance with the approved plan shall commence within three years after the date of approval by the Trustees becomes effective; provided, however, that the Delhi Township Zoning Commission may extend the construction commencement timeframe for one or more additional year(s) upon request by the owner or on its own motion. In the event that construction is not begun as prescribed in this Section, the Township Zoning Commission or Board of Trustees may initiate an amendment procedure in accordance with O.R.C. Section 519.12 to void the approved plan and revert the zoning classification of the subject property to the district in which it was classified before the approved plan.
- Sec. 136.7 Violation of Plan: The development plan approved in accordance with this Article and Article XIII-F shall be an integral part of the Zoning Resolution and any departure from this plan or any modification thereof, except when specifically approved in accordance with Article XIII-F shall be a violation of said Zoning Resolution and shall be subject to the provisions and penalties prescribed therefor in Article XXVIII.

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ARTICLE XIII-C
"EE" PLANNED BUSINESS DISTRICT REGULATIONS

- Sec. 137 The regulations set forth in this Article, or set forth elsewhere in this Resolution, when referred to in this Article, are the district regulations in the "EE" Planned Business District. It is the purpose of this district to provide sites for retail business uses at appropriate locations for service and in appropriate relation to their surroundings to afford an attractive setting in harmony with the environs.
- Sec. 137.1 Use Regulations: The use regulations in the "EE" Planned Business District shall be the same as those in the "E" Retail Business District, provided, however, that the district shall be laid out and developed as a unit according to an approved development plan; as defined in Sec. 31.14, in order to provide for business and retail shopping facilities properly integrated with the surrounding area and at appropriate locations for service.
- Sec. 137.2 Procedure: The owner or owners of a tract of land comprising an area of three (3) acres or more, or adjoining a similarly or less restricted district, may submit a plan for the use and development of such tract for the purposes of, and meeting the requirements set forth, in this Article. The development plan shall show the details defined in Sec. 31.14 in order to indicate the type and character of the proposed development and the treatment of the tract, including screening and landscaping, in relation to abutting land uses for a harmonious relationship with the surrounding property and the protection thereof.
- Sec. 137.3 Height and Area Requirements:
1. No building shall exceed thirty-five (35) feet in height, unless such building is located at a distance of not less than its height from all side and rear lot lines, and occupies no more than ten (10) per cent of the total area of the tract.
 2. No building shall be closer than fifty (50) feet to any street line or closer than thirty-five (35) feet to any other boundary line of the tract that abuts any more restricted district.
 3. The aggregate ground area occupied by all buildings shall not exceed twenty-five percent (25%) of the entire area of the tract.
 4. In a case where the topography or other physical features of the tract or its relation to surrounding property may make complete compliance with the yard requirements as prescribed in this section, unnecessary or undesirable, the Delhi Township Zoning Commission may modify such requirements to the extent warranted by such physical conditions provided the surrounding property and the public welfare are adequately protected. The Delhi Township Zoning Commission may consider the recommendation of the Regional Planning Commission at its public hearing.
- Sec. 137.4 Parking and Loading Requirements: Off-street parking and loading spaces shall be provided in accordance with the requirements of Article XIV.

- Sec. 137.5 **General Requirements:**
1. The size and location of the tract in relation to the surrounding property shall be such that the proposed development, including landscaping and screening and other adjustments to the abutting land uses, can be made to harmonize with the neighborhood.
 2. Adequate provision shall be made for traffic circulation into and out of the development, in addition to the provision for through traffic movements on the access street or streets, and to this end, the means of location of all ingress and egress and the provisions for traffic movement and circulation, including additional traffic lanes, where needed, shall be subjected to approval of the County Engineer. The installation of additional lanes for deceleration or turning movements may be required, and traffic controls, as needed, may be imposed to provide for safe and efficient traffic circulation by and within the development.
 3. Service drives or other areas shall be provided for off-street loading, in such a way that trucks will not block the passage of other vehicles or impede circulation on any other public or private drive or street.
 4. All drives, parking areas, loading areas, and walks shall be paved with hard surface material meeting the approval of the County Engineer.
 5. The location and arrangement of buildings, parking areas, walks, access ways, lighting and appurtenant facilities shall be adjusted to the surrounding land uses, and no part of any area for parking shall be located within twenty (20) feet of any side line of a residential lot, either existing or to be created in the future. Any part of the area not used for building or other structures or for parking, loading or accessways, shall be landscaped with grass, trees and shrubs or pedestrian walks.
 6. Permitted signs (see Article XXXI).
 7. All mechanical equipment for heating, cooling, air conditioning or similar purposes, which may create either noise or fumes, if not within the main building shall be located at least one hundred (100) feet from all property lines within or adjacent to a Residence District.
 8. Reasonable additional requirements as to landscaping, lighting, screening, access ways and building setbacks may be imposed by the Delhi Township Zoning Commission for the protection of adjacent property. The Regional Planning Commission may make recommendations reference such additional requirements.

Sec. 137.6 **Delay in Construction:** Construction of the development in accordance with the approved plan shall commence within three years after the date of approval by the Trustees becomes effective; provided, however, that the Delhi Township Zoning Commission may extend the construction commencement timeframe for one or more additional year(s) upon request by the owner or on its own motion. In the event that construction is not begun as prescribed in this Section, the Township Zoning Commission or Board of Trustees may initiate an amendment procedure in accordance with O.R.C. Section 519.12 to void the approved plan and revert the zoning classification of the subject property to the district in which it was classified before the approved plan.

Sec. 137.7 Violation of Plan: The development plan approved in accordance with this Article and Article XIII-F shall be an integral part of the Zoning Resolution and any departure from this plan or any modification thereof, except when specifically approved in accordance with Article XIII-F, shall be a violation of said Zoning Resolution and shall be subject to the provisions and penalties prescribed therefor in Article XXVIII.

ARTICLE XIII-D

"FF" PLANNED LIGHT INDUSTRIAL DISTRICT REGULATIONS

Sec. 138 The regulations set forth in this article, or set forth elsewhere in this Resolution, when referred to in this article, are the district regulations in the "FF" Planned Light Industrial District. It is the purpose of this district to provide space at appropriate locations for types of business and industry free of conflict with their surroundings so as to provide more attractive locations for such uses and to afford opportunities for employment closer to residences with a corresponding reduction of travel time between home and work.

Sec. 138.1 Use Regulations: The use regulations in the "FF" Planned Light Industrial District shall be the same as those in the "F" Light Industrial District, provided, however, that the district shall be laid out and developed as a unit according to an approved development plan, as defined in Sec. 31.14, in order that the use may be properly integrated with the surrounding area.

Sec. 138.2 Procedure: The owner or owners of a tract of land comprising an area of twenty (20) acres or more or adjoining an existing Industrial District, may submit a plan for the use and development of such tract for the purposes of, and meeting the requirements set forth in, this Article. The development plan shall show the details defined in Sec. 31.14 in order to indicate the type and character of the proposed development and the treatment of the tract, including screening and landscaping, in relation to abutting land uses for a harmonious relationship with the surrounding property and the protection thereof.

The development plan shall be accompanied by a description of the proposed operations in sufficient detail to indicate the effect of the operations with respect to traffic congestion, noise, glare, air or water pollution, and fire or safety hazards.

Sec. 138.3 Height and Area Requirements:

1. No building shall exceed thirty-five (35) feet in height, unless it is set back from all property lines a distance of not less than two times the building height.
2. No part of any building or structure shall be closer than one hundred (100) feet to any Residence District boundary or closer than fifty (50) feet to any other boundary line of the tract, other than the boundary of an existing Industrial District, or to any street line.

3. The aggregate ground area occupied by all buildings shall not exceed thirty-five (35) percent of the entire area of the tract.
4. In a case where the topography or other physical features of the tract or its relation to surrounding property may make complete compliance with the yard requirements as prescribed in this section, unnecessary or undesirable, the Delhi Township Zoning Commission may modify such requirements to the extent warranted by such physical conditions provided the surrounding property and the public welfare are adequately protected. The Delhi Township Zoning Commission may consider the recommendation of the Regional Planning Commission at its public hearing.

Sec. 138.4 Parking and Loading Requirements: Off-street parking and loading spaces shall be provided in accordance with the requirements of Article XIV.

Sec. 138.5 General Requirements: To accomplish the objectives of this district, the following requirements are prescribed:

1. Traffic and Access: In general, the development shall be related to major or secondary highways or to other industrial or business districts to avoid access over residential uses, and to this end, no "FF" Planned Light Industrial District shall be located where the main vehicular approach thereto is over a residential street (not a major or secondary highway) or through a residential district, unless the character and operation of the use are such, and it can be clearly demonstrated, that no more than fifty (50) vehicles in both directions combined would travel to and from the use daily.
2. Ingress and egress to the development and the location and arrangement of buildings, parking areas, walks, lighting and appurtenant facilities shall be adjusted to the surrounding land uses. No part of any parking and loading areas and access drives thereto shall be located within fifty (50) feet of any Residence District, and no parking or loading area shall be closer than fifty (50) feet to any street line. All drives, parking areas, loading areas, and walks shall be paved with hard surface material, and any part of the site not used for buildings or other structures, or for parking, loading or accessways shall be landscaped with grass, trees and shrubs.
3. No open storage of materials or equipment shall be permitted on the tract.
4. Permitted signs (see Article XXXI).
5. Provisions shall be made, subject to approval of the County Sanitary Engineer, for satisfactory disposal of all liquid and solid waste concomitant with the development.
6. Reasonable additional requirements as to landscaping, lighting, screening, access ways and building setbacks may be imposed by the Delhi Township Zoning Commission for the protection of adjacent property. The Regional Planning Commission may make recommendations reference such additional requirements.

- Sec. 138.6 Delay in Construction: Construction of the development in accordance with the approved plan shall commence within three years after the date of approval by the Trustees becomes effective; provided, however, that the Delhi Township Zoning Commission may extend the construction commencement timeframe for one or more additional year(s) upon request by the owner or on its own motion. In the event that construction is not begun as prescribed in this Section, the Township Zoning Commission or Board of Trustees may initiate an amendment procedure in accordance with O.R.C. Section 519.12 to void the approved plan and revert the zoning classification of the subject property to the district in which it was classified before the approved plan.
- Sec. 138.7 Violation of Plan: The development plan approved in accordance with this Article and Article XIII-F shall be an integral part of the Zoning Resolution and any departure from this plan or any modification thereof, except when specifically approved in accordance with Article XIII-F shall be a violation of said Zoning Resolution and shall be subject to the provisions and penalties prescribed therefor in Article XXVIII.

ARTICLE XIII-E
 “HD” HILLSIDE DEVELOPMENT DISTRICT REGULATIONS

- Sec. 139 The purpose of the Hillside Development (HD) District is to insure that the development of land and construction of buildings is compatible with the environment and protects the quality of the environment in those locations where the characteristics of the environment are vulnerable to damage by development permitted under conventional zoning and land use regulations. HD district regulations are required to protect the public and property owners in the district:
- (a) from blighting influences caused by the application of conventional land use regulations to properties and areas of sensitive environmental qualities,
 - (b) from significant damage to areas of high public investments which have added substantial value to the area,
 - (c) from unstable land and landslides caused by uncontrolled development,
 - (d) from significant damage or destruction of prominent hillsides and/or valleys caused by improper development thereof,
 - (e) from significant damage to the economic value and efficiency of operations of existing properties and/or new developments due to the inter-dependence of their visual and functional relationship,
 - (f) from soil erosion and stream siltation,
 - (g) from the destruction of mature and/or valuable trees and other vegetation,
 - (h) by preserving the existing hillsides,
 - (i) by encouraging innovative approaches to the delivery of housing units in hillside areas utilizing the Community Unit Plan (C.U.P.) concept where applicable.

An HD district is defined as a geographic area of the township exhibiting special and distinctive environmental characteristics of significant value to the public, including natural phenomena such as unique geologic strata, soil formations, slopes, vegetation, water flow, significant scenic views or other similar natural features and man-made qualities such as public investment including structures, parks, landscaping, streets or other public improvements.

- Sec. 139.1 Definitions: For purposes of the issuance of zoning certificates and exemptions within the Hillside Development District the words and phrases defined herein shall have the meanings therein respectively ascribed to them, unless a different meaning is clearly indicated by the context.
- Sec. 139.1-1 Architect:
"Architect" shall mean an architect registered in the State of Ohio to practice in the field of architecture.
- Sec. 139.1-2 Borrow:
"Borrow" is earth material acquired from an offsite location for use in grading on a site.
- Sec. 139.1-3 Earth Material:
"Earth Material" is any rock, fill or natural soil and/or combination thereof.
- Sec. 139.1-4 Engineering Geologist:
"Engineering Geologist" means a full member in good standing of the Association of Engineering Geologists or the American Institute of Professional Geologists.
- Sec. 139.1-5 Erosion:
"Erosion" is the wearing away of the land surface by the action of wind, water, gravity, or other natural process.
- Sec. 139.1-6 Excavating or Excavation:
"Excavating or excavation" is any artificial or mechanical act by which earth, sand, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the conditions resulting therefrom.
- Sec. 139.1-7 Fill or Filling:
"Fill or Filling" is any artificial or mechanical act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface and shall include the conditions resulting therefrom; the difference in elevation between a point on the original ground and a designated point of higher elevation on the filled grade; the material used to make a fill.

- Sec. 139.1-8 Land Use:
"Land Use" is the utilization of land for trade, industry, residence, recreation or any other purpose including, but not limited thereto, all related land development activities necessary for the preparation of a site such as excavation, filling, grading, or building construction for the aforementioned uses.
- Sec. 139.1-9 Natural Terrain:
"Natural Terrain" is existing ground as shown on the most recent topographical map for Delhi Township, Hamilton County, Ohio.
- Sec. 139.1-10 Registered Professional Engineer:
"Registered Professional Engineer" shall mean a Civil Engineer registered in the State of Ohio to practice in the field of civil engineering.
- Sec. 139.1-11 Slope:
"Slope" is an inclined ground surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance.
- Sec. 139.1-12 Sediment:
"Sediment" is solid material both mineral and organic, that is in suspension, is being transported, or has been moved from its original site or origin by air, water, or gravity as a product of erosion.
- Sec. 139.1-13 Site:
"Site" is any lot or parcel of land or contiguous combination thereof, upon which excavation or filling is, has been, or will be performed.
- Sec. 139.1-14 Soil Engineer:
"Soil Engineer" shall mean a Civil Engineer experienced and knowledgeable in the practice of soil engineering.
- Sec. 139.1-15 Soil Engineering:
"Soil Engineering" shall mean the application of the principles of soil mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and the inspection and testing of the construction thereof.
- Sec. 139.1-16 Soil Scientist:
"Soil Scientist" means a full member in good standing of the Soil Science Society of America and who has special knowledge and training in the physical, chemical, and biological sciences applicable to soil.
- Sec. 139.2 HD DISTRICTS ARE HEREINAFTER DEFINED TO CONTAIN THE FOLLOWING TWO CHARACTERISTICS:
(1) SLOPES OF 20% OR GREATER;
(2) EXISTENCE OF THE KOPE GEOLOGICAL FORMATION.

This definition is based on the finding that steep slopes in combination with the Kope Formation create a susceptibility to landsliding and that development under conventional regulations may precipitate excessive soil erosion or unstable hillsides. Additional regulations are needed to preserve prominent views to and/or from the hillsides and the natural vegetation and contours thereof.

- Sec. 139.3 **HD DISTRICTS-DESIGNATION**
The location of all Hillside Development Districts shall be shown on the zoning maps of Delhi Township, Ohio as an overlay zone superimposed in specific areas over existing zoning districts.
- Sec. 139.3-1 Except as otherwise provided herein and in all other parts of this Zoning Resolution, all regulations of the underlying zoning districts shall apply to and control the use of property, buildings and structures in an HD district; provided, however, that in case of conflict between the provisions of an underlying zoning district and an HD district, the provisions of the HD district shall prevail.
- Sec. 139.3-2 Whenever applicable by the provisions of this Article, the HD District Regulations shall supercede and supplant the administrative procedures pertaining to the issuance of zoning certificates within underlying zoning districts which require the authorization of the Zoning Inspector for Delhi Township, Hamilton County, Ohio as provided in the Zoning Resolution for Delhi Township, Ohio.
- Sec. 139.4 **Development Permission/Exemptions**
- Sec. 139.4-1 No building or addition to any building shall be erected on any land nor shall any changes be made in the existing contours of any land within the Hillside Development District until development approval is granted according to the procedures specified in Sec. 139.5 of this Article. Development permission shall be required for excavations, fills, removal or placement of any soil, foundation placement, or construction of any structures except as exempted by Sec. 139.4-2.
- Sec. 139.4-2 The following are exempt from the provisions of this Article:
- (a) All permits for plumbing, heating, air conditioning, elevators, fire alarms and extinguishing equipment, and all other mechanical and electrical equipment not involving a change of use or occupancy;
 - (b) Any permit necessary for compliance with a lawful order of the Building Commissioner for Hamilton County, Ohio.
 - (c) All permits for interior alterations and repairs;
 - (d) All permits for demolition or wrecking;
 - (e) All permits for construction of public utilities;
 - (f) All permits for fences;
 - (g) All permits for refacing, rewording, or replacement of existing signs;
 - (h) All permits for exterior alterations and repairs of dwelling structures not resulting in increase in floor area;

- (i) Temporary excavations for wells, tanks, vaults, tunnels, sign foundations and trenches for sewers, water lines, gas lines, electric lines, and other underground utilities;
- (j) Exploratory excavation under the direction of a registered professional engineer, soil engineer, engineering geologist, soil scientist, or architect where incidental to the practice of architecture, and exploratory excavations by a contractor or builder provided such exploratory excavations are made for the purposes of determining onsite geologic conditions and degree of slope and soil type existent on the property and also provided that such exploratory excavations are properly and immediately filled after the completion of such necessary work to provide required data;
- (k) Additions to structures that do not exceed 300 square feet in floor area;
- (l) Accessory buildings not greater than 100 square feet in floor area;
- (m) Porch decks, patios, and porch and patio covers;
- (n) Normal cemetery operations of opening or closing graves;
- (o) Public work performed by Delhi Township Maintenance Personnel, the State of Ohio Maintenance Personnel, or Hamilton County Maintenance Personnel.
- (p) All permits for the construction or use of buildings or structures incident to the use for agriculture purposes of the land on which such buildings or structures are located.

No excavating or filling pursuant to Paragraphs “a” through “p” hereof shall cause any slope to become unstable, impose loads which may affect the safety of structures or slopes, interfere with adequate drainage of the site area and drainage area of land tributary to the site, obstruct, damage or adversely affect lawfully existing sewerage or drainage, public or private, cause a stagnant pond of water to form, or cause erosion or sedimentation.

Sec. 139.5 Development Review: application submission requirement; review procedures; decisions; reconsideration and appeal.

Sec. 139.5-1 Application for development permission in HD districts shall be made by application for a zoning certificate to the Zoning Inspector for Delhi Township. Said applications shall be made on such forms as may be provided. The applicant shall submit five (5) copies of development plans, with the HD District application, which shall include maps or combinations of maps showing:

- (1) all existing property lines, zoning district boundaries, streets, and structures within 300 feet of the proposed development;
- (2) the proposed plan for development of the site identifying all structures, streets, parking lots, open spaces, etc.;
- (3) existing contours at 5 foot intervals or less;
- (4) slopes of 0% to 10%, 10% to 15%, 15% to 20%, and 20% and greater;

- (5) areas of excavation and fill and estimated number of cubic yards displaced;
- (6) the pattern and extent of existing tree coverage and proposed areas to be cleared;
- (7) the major soils types on the site; their pattern and extent, accompanied by a description of their limitation for development;
- (8) existing drainage on the site, the proposed method of storage and disposal of water generated by development of the tract, and calculated surface water run-off from the site before and after construction , measured in cubic feet per second;
- (9) the proposed methods and materials to be used to temporarily revegetate and permanently restore vegetation to land areas exposed during construction.

Sec. 139.5-1a If in the opinion of the Delhi Township Zoning Inspector more detailed information is required for review, the applicant shall submit an engineering report outlining:

- (1) the existing geologic conditions on the site;
- (2) the means of avoiding or correcting any hazards on the site filed by a registered engineer proficient in the field of geotechnical investigations.

Sec. 139.5-2 Review Process: When it is found by the Zoning Inspector for Delhi Township that an application for an HD zoning certificate meets the filing requirements of Sec. 139.5-1, the application shall be subject to the following process:

- (a) The Zoning Inspector for Delhi Township shall transmit the application to the following agencies (where applicable) for their review and recommendations (sufficient numbers of copies of the application and required data shall be furnished by the applicant):
 - (1) The Hamilton County Regional Planning Commission,
 - (2) Hamilton County Soil & Water Conservation District at the discretion of the Zoning Inspector,
 - (3) The Metropolitan Sewer District of Greater Cincinnati at the discretion of the Zoning Inspector,
 - (4) The Hamilton County Engineer at the discretion of the Zoning Inspector,
 - (5) Any other agency deemed appropriate by the Zoning Inspector.
- (b) After these agencies have reviewed the development plan to determine whether the application meets the intent of the regulations and the development standards listed in Sec. 139.5-3, their reports and recommendations shall be presented by the Zoning Inspector to the Delhi Township Zoning Commission.
- (c) The Delhi Township Zoning Commission shall review the application, plans, and recommendations of agencies and recommend approval or denial of the application to the Zoning Inspector, stating the reasons for such recommendation.

- (1) The following findings must be reached by the Delhi Township Zoning Commission for a recommendation of approval:
 - (i) The development conforms to the intent, purpose, and development standards of the regulations governing hillside development;
 - (ii) The applicant has adequately demonstrated that the development will not aggravate or create hillside slippage.
- (d) Upon review of the recommendation of the Delhi Township Zoning Commission and recommending agencies and the subsequent denial of the zoning certificate by the Zoning Inspector the applicant may:
 - (1) Appeal the decision of the Zoning Inspector to the Delhi Township Board of Zoning Appeals as prescribed by Sec. 183 of this Resolution and the rules for submittal of appeals adopted by said Board or
 - (2) Correct the deficiencies and resubmit an application for a zoning certificate.

Sec. 139.5-3 Development Standards

The development plans and reports submitted with the application shall be subject to review based on the following standards for hillside development.

- (1) Streets shall be designed to follow the natural contours of the land and provide the least disruption to the hillside environment.
- (2) Wherever possible, parking areas shall be placed within structures to limit the amount of paved land.
- (3) Areas not well-suited to development, as indicated by slope, soil, geologic, and engineering studies, shall be retained in open space or recreational use.
- (4) The design and location of buildings shall relate to the natural slope and contours of the land and minimize grading, excavation, and placement of fill. Construction on slopes greater than 20% is discouraged.
- (5) Wherever feasible, trees and natural vegetation shall be retained in order to minimize erosion, sedimentation, and the disruption of views to and/or from the hillsides.
- (6) Any grading performed shall be in keeping with the best engineering and soil conservation practices to avoid erosion and land sliding and to have as minimal an effect on the environment as possible.
- (7) All areas of land exposed during construction shall be temporarily re-vegetated and restored as soon as possible to blend with the surrounding terrain. All excavations shall have stable side slopes and be constructed so that re-vegetation can readily occur.

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- Sec. 139.5-4 **Maximum Review Period:**
The Commission shall render a recommendation of approval or denial of the HD District application within 30 days of the date of the receipt of the application and recommendations of the agencies listed in Sec. 139.5-2a. Within ten (10) days of the receipt of the recommendation of the Zoning Commission the Zoning Inspector shall either approve or deny the issuance of a zoning certificate.
- Sec. 139.6 **Concurrent Review:**
When an application for a zoning amendment located within the HD District is made to Delhi Township, such amendment shall be reviewed for compliance with this Article as concurrently as possible with the amendment procedure described in Sec. 231 of this Zoning Resolution.
- Sec. 139.7 **Subdivision Review:**
When an application for a subdivision improvement plan located in the Hillside Development District is submitted to the Hamilton County Regional Planning Commission the provisions of this Article shall be called to the attention of the Regional Planning Commission by the subdivider or his agent; and the subdivider or his agent shall be responsible for securing the written statement of the Regional Planning Commission that the improvement plan meets the provisions of this Article.
- Sec. 139.8 **Waiver or Modification of Submission of Plans and Specifications:**
The Delhi Township Zoning Inspector may waive or modify the requirements of this regulation for plans and specifications and field supervision and summary reports if the application for a zoning certificate contains a statement in writing of a registered professional engineer or an architect, where incidental to the practice of architecture, states, to the satisfaction of the Delhi Township Zoning Inspector that the proposed development will not, if his recommended procedures are followed:
- (a) interfere with adequate drainage for the site area and the drainage area of land tributary to the site;
 - (b) obstruct, damage or adversely affect existing sewerage or drainage, public or private;
 - (c) cause a stagnant pond of water to form;
 - (d) create slope stability problems on subject and adjacent property;
 - (e) cause detrimental erosion or sedimentation; or
 - (f) that the proposed excavation or fill is in an isolated, self-contained area and that there is no apparent danger to adjacent public or private property.
- Sec. 139.9 **Supervision by Registered Professional Engineer or Architect:**
Excavation and fill in the field shall be supervised by a registered professional engineer, or architect where the excavation or fill is incidental to the practice of architecture, or their representatives. The registered professional engineer or architect shall submit a summary report to the Zoning Inspector upon completion of operations.

- Sec. 139.10 Notification by HD Zoning Certificate Holder:
The person to whom an HD zoning certificate is issued shall notify the Zoning Inspector:
- (a) of commencement of operations under such zoning certificate, 24 hours in advance;
 - (b) when the excavation and fill operation is completed;
 - (c) of locations of any borrow sites or any disposal sites for excess materials, prior to commencement of excavation and fill operations.
- Sec. 139.11 Schedule of Fees:
A non-refundable fee shall be paid with the submission of an application for a "HD" certificate (see Sec. 197).
- Sec. 139.12 Expiration of HD Zoning Certificate:
Hillside Development District zoning certificates shall be valid for only two years.
- Sec. 139.13 Liability:
Issuance of an HD certificate or any action by the Delhi Township Zoning Inspector or the Delhi Township Zoning Commission under this Article shall not create in Delhi Township, its officers, agents, or employees any liability or responsibility for injury to persons or property caused by operations or conditions created pursuant to such certificates. Nothing in this Article shall be construed to relieve the owner or person in control of property from liability for injury to persons or property.

ARTICLE XIII-F
GENERAL DEVELOPMENT PLAN PROVISIONS

- Sec. 140.0 In any planned district, for purposes of flexibility, the plan for the use and development of the tract may be illustrated by a plat showing the areas within which buildings, structures, and parking spaces may be located and the use and maximum size and height of the building, rather than the exact location, shape, size, height and arrangement thereof, and the Amendment or Supplement of this resolution may be adopted on the basis of such initial plan; provided however, that said plan is otherwise in compliance with the development plan, as defined in Sec. 31.14, with respect to location of vehicular and pedestrian access, landscaping, and other specifications, conditions and limitations; and provided, further, that no zoning certificates shall be issued for actual construction until and unless a final Development Plan, as defined in Sec. 31.14, shall have been reviewed and approved by the Delhi Township Zoning Commission after taking into consideration the comments of the staff of the Regional Planning Commission, with a determination that the plan is consistent with the intent of this resolution and that property adjacent to the area will not be adversely affected.

- Sec. 140.1 If the final development plan is found to comply with the foregoing conditions and with the specifications of Sec. 31.14 and of the appropriate Planned District Regulations, the plan shall be approved and incorporated in the Amendment or Supplement to the Zoning Resolution as an integral part of the zoning regulations applicable to the real estate. Every such development plan shall comply with the following procedures and provisions.
1. The owner of the real estate shall execute a Deed of Acceptance of the development plan and the Amendment or Supplement, and shall attach same to the Amendment or Supplement following approval of the final development plan by the Delhi Township Zoning Commission.
 2. Following adoption of the Amendment or Supplement and approval of the final development plan, the Clerk of the Board of Trustees shall cause such Amendment or Supplement to be recorded in the land records applicable to the real estate in the office of the Recorder of Hamilton County.
 3. The Delhi Township Zoning Commission, after taking into consideration the comments of the staff of the Regional Planning Commission, may approve variations from the development plan not in violation of any of the standards and requirements prescribed in the article, provided that the variations remain completely in harmony with the general purpose and intent of the development plan and of this resolution.
 4. Any application for a substantial variation from the development plan shall be treated as an Amendment or Supplement to this Resolution and shall be governed by the provisions of law and this Resolution applicable thereto.

ARTICLE XIV
PARKING AND LOADING REGULATIONS

- Sec. 141 In all districts there shall be provided at the time any building or structure is erected or structurally altered (except as provided in Sec. 142 of this Article) off-street parking spaces in accordance with the following requirements:
1. Amusements, outdoor, such as amusement parks, carnivals, midway shows and similar uses - One parking space for each 1,000 square feet of lot area used for such purposes.
 2. Animal hospitals - Three parking spaces for the first 750 square feet or fraction thereof, plus one space for each 300 square feet of floor area in excess of 750 square feet.
 3. Appliance stores - One parking space for each 400 square feet of floor area.

4. Art galleries and similar uses - Ten parking spaces for the first 2,000 square feet or fraction thereof, plus one additional space for each 300 square feet of floor area over 2,000 square feet.
5. Art Studios - One parking space for each 300 square feet of floor area.
6. Assembly halls without fixed seats-One parking space for each 50 square feet of floor area used for assembly, exhibition, dining or dancing.
7. Automobile sales and/or repair - One parking space for each 400 square feet of floor area.
8. Bakeries - One parking space for each two employees on maximum work shift, plus one space for each four employees on any next larger work shift.
9. Banks and similar financial institutions (other than drive-in) - One parking space for each 400 square feet of floor area, plus one space for each two employees.
10. Banks, drive-in - One parking space for each 400 square feet of floor area, plus one space for each two employees, plus reservoir space (for waiting vehicles) of four car spaces per teller window.
11. Barber shop - One parking space for each 100 square feet of floor area.
12. Beauty shop - One parking space for each 100 square feet of floor area.
13. Boat harbors, boat rental establishments and the like - One parking space for each two boat berths.
14. Boat sales and service - One parking space for each 1,000 square feet of floor area.
15. Boarding and lodging houses - One parking space for each sleeping room.
16. Bottling plants and similar industrial establishments - One parking space for each two employees on maximum work shift, plus one space for each four employees on any next larger shift.
17. Bowling alleys - Five parking spaces for each alley, plus one space for each 100 square feet of floor area or for each four seats, whichever is greater in any cocktail lounge or restaurant.
18. Broadcasting studios - One parking space for each 600 square feet of floor area, plus one space for each three seats in an auditorium.
19. Car washes (except self service) - Four parking spaces, plus one parking space for each gasoline pump, plus reservoir space (for vehicles waiting to be washed) of three car spaces for each ten feet of the building length.

20. Car washes, self-service - Four parking spaces for each stall.
21. Childrens and old peoples homes - One parking space for each six beds, plus one space for each two employees.
22. Clinics, medical and dental - Six parking spaces for the first 1,000 square feet or fraction thereof, plus one parking space for each 200 square feet of floor area in excess of 1,000 square feet.
23. Churches or temples - One parking space for each eight seats or bench seating spaces in the main assembly room.
24. Clubs - One parking space for each 50 square feet of floor area used for assembly, game rooms, dancing or dining, plus one space for each sleeping room.
25. Colleges and universities - One parking space for each five classroom seats, plus one space for each three seats in an auditorium.
26. Commercial or proprietary schools - One parking space for each two students.
27. Convalescent homes - One parking space for each six beds, plus one space for each two employees.
28. Convention or exhibition halls without fixed seats - One parking space for each 50 square feet of floor area used for assembly, exhibition, dining or dancing.
29. Convents and monasteries - One parking space for each 20 resident persons.
30. Country clubs not open to the public generally - one parking space for each five members.
31. Creameries - One parking space for each two employees on maximum work shift, plus one space for each four employees on any next larger work shift.
32. Dance halls - One parking space for each 50 square feet of floor area used for assembly or dancing.
33. Dancing school - One parking space for each two students.
34. Day care centers or nurseries - Two parking spaces plus one parking space for each six children.

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35. Dwellings - Two parking spaces for each dwelling unit in a single family dwelling in the "AA", "A", and "A-2" Districts; one parking space for each dwelling unit in a single family dwelling in other Districts; one and one-half parking spaces for each dwelling unit in a two-family dwelling or a one bedroom or efficiency apartment in a multiple dwelling; two parking spaces for each apartment in a multiple dwelling of two bedrooms or more.
36. Elderly, housing for - One parking space for each two units plus one space for each two employees.
37. Floor covering stores - One parking space for each 400 square feet of floor area.
38. Food stores, retail, including groceries, delicatessens, bakery goods, meat, fruit and vegetable markets - One parking space for each 150 square feet of floor area.
39. Fraternities, sororities, dormitories - One parking space for each three residents.
40. Frozen food locker - One parking space for each 400 square feet of floor area.
41. Funeral homes and mortuaries - One parking space for each 50 square feet of floor area in assembly rooms, parlor and service rooms.
42. Furniture stores - One parking space for each 400 square feet of floor area.
43. Golf courses not open to the public generally - One parking space for each five members.
44. Golf courses, open to the public generally - 25 parking spaces, plus eight spaces for each hole, plus one space for each 100 square feet of floor area in any cocktail lounge, bar or similar facility.
45. Gymnasiums - One parking space for each five seats or seating places.
46. Hardware stores - One parking space for each 400 square feet of floor area.
47. Health spas - One parking space for each 100 square feet of floor area.
48. Hospitals and similar institutions for human care - One parking space for each bed.
49. Hotels - One parking space for each sleeping room.
50. Household equipment stores - One parking space for each 400 square feet of floor area.

51. Laboratories - One parking space for each two employees on maximum work shift, plus one space for each four employees on any next larger work shift.
52. Laundries, dry cleaning plants, and similar service establishments - One parking space for each two employees.
53. Libraries - Ten parking spaces for the first 2,000 square feet or fraction thereof, plus one additional space for each 300 square feet of floor area over 2,000 square feet.
54. Lodges - One parking space for each 50 square feet of floor area used for assembly, game rooms, dancing or dining, plus one space for each sleeping room.
55. Machinery or similar sales - One parking space for each 400 square feet of floor area.
56. Manufacturing and processing establishments and similar industrial establishments - One parking space for each two employees on maximum work shift, plus one space for each four employees on any next larger work shift.
57. Motels and tourist homes - One parking space for each sleeping unit or suite.
58. Museums - Ten parking spaces for the first 2,000 square feet or fraction thereof, plus one additional space for each 300 square feet of floor area over 2,000 square feet.
59. Music schools - One parking space for each two students.
60. Night clubs, cafes and similar recreation or amusement establishments - One parking space for each 100 square feet of floor area or one space for each four seats, whichever is greater.
61. Nursing and rest homes - One parking space for each six beds, plus one space for each two employees.
62. Offices, business, insurance and other professional (except medical and dental offices) - Three parking spaces for the first 1,000 square feet or fraction thereof, plus one space for each 400 square feet of floor area in excess of 1,000 square feet.
63. Offices, medical and dental - Six parking spaces for the first 1,000 square feet or fraction thereof, plus one parking space for each 200 square feet of floor area in excess of 1,000 square feet.
64. Photography studios - One parking space for each 300 square feet of floor area.

65. Plumbing shops - One parking space for each two employees.
66. Pool room, billiard parlor or game room - One parking space for each 100 square feet of floor area.
67. Printing shops - One parking space for each two employees.
68. Restaurants - One parking space for each 100 square feet of floor area or one space for each four seats, whichever is greater.
69. Restaurants, drive-in - One parking space for each 40 square feet of floor area.
70. Retail stores, general, including department stores, variety stores, drugs, books, flowers, jewelry, clothing, music stores and newsstands - One parking space for each 200 square feet of floor area.
71. Sanitariums - One parking space for each six beds, plus one space for each two employees.
72. Schools, elementary and junior high - One parking space for each three seats in any auditorium, or one space for each classroom, whichever is larger.
73. Schools, senior high - One parking space for each three seats in any auditorium, or three spaces for each classroom, whichever is larger.
74. Self-service establishments such as laundromats - One parking space for each 200 square feet of floor area.
75. Service establishments such as shoe or hat repair, tailoring, dressmaking, drycleaning or laundry pickup stations - One parking space for each 300 square feet of floor area.
76. Service station or filling station - Three parking spaces, plus one space for each gasoline pump or each grease rack.
77. Shopping centers - Five and one-half parking spaces for each 1,000 square feet of floor area, including storage space except basement or cellar storage.
78. Skating rinks - One parking space for each 300 square feet of floor area used for roller skating and/or one parking space for each 200 square feet used for ice skating.
79. Stadiums or sports arenas - One parking space for each five seats or seating places.
80. Swimming clubs not open to the public generally - One parking space for each five members.

81. Swimming pools open to the public for a fee - One parking space for each 50 square feet of pool area; five spaces for each outdoor tennis court; five spaces for each racquet ball and/or hand ball court.
82. Tennis clubs not open to the public generally - One parking space for each five members.
83. Tennis or racquet clubs, and similar recreation facilities open to the public for a fee - Eight spaces for each indoor tennis court; five spaces for each outdoor tennis court; five spaces for each racquet ball and/or hand ball court.
84. Theaters and other places of assembly with fixed seats - One parking space for each four seats.
85. Veterinarians - Three parking spaces for the first 750 square feet or fraction thereof, plus one space for each 300 square feet of floor area in excess of 750 square feet.
86. Warehouses - One parking space for each two employees on maximum work shift or for each 2,000 square feet of floor area, whichever is greater.
87. Wholesale establishments - One parking space for each two employees on maximum work shift or for each 2,000 square feet of floor area whichever is greater.

Sec. 142 In computing the number of parking spaces required, the following rules shall govern:

1. "Floor area" shall mean the gross floor area, measured from the exterior surface of exterior walls or from the center line of walls separating buildings, including all such space except porches, garages, or parking area, areas occupied by mechanical equipment, toilet or rest rooms, and any basement or cellar space used for storage or incidental purposes.

In hospitals, bassinets shall not be counted as beds.

In the case of benches, pews and similar seating accommodations, each 18 inches thereof shall be counted as one seat for the purpose of determining the parking requirements.

2. "Shopping Center" shall mean a group of stores or shops for retail sales and services designed and developed as a unit, where the uses of such stores or shops are not otherwise specifically designated.
3. Where fractional spaces result, the parking spaces required shall be construed to be the nearest whole number.
4. In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

5. The requirements for a use not specifically mentioned herein shall be the same as required for a use of similar nature.
6. Whenever a building or use constructed or established after the effective date of this Resolution is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase of 10 percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. Whenever a building or use existing prior to the effective date of this Resolution is enlarged or changed in use to create a need for an increase of 50 percent or more in the parking spaces required in Sec. 141 for such a building or use as it existed prior to the enlargement or change, said building or use shall then and thereafter comply with the parking regulations set forth herein.

Sec. 143 All parking spaces required herein shall be located on the same lot with the building or use served, except that where an increase in the number of spaces is required by a change or enlargement of use or where such spaces are provided collectively or used jointly by two or more buildings or establishments, the required spaces may be located not to exceed 300 feet from an institutional building served and not to exceed 500 feet from any other nonresidential building served (measured from each parking space to the nearest corner of the building served).

Sec. 143.1 Up to fifty percent of the parking spaces required for (A) theaters, public auditoriums, bowling alleys, dance halls, night clubs, cafes, and up to one hundred percent of the parking spaces required for a church may be provided and used jointly by (B) banks, offices, retail stores, repair shops, service establishments, schools, and similar uses not normally open, used or operated during the same hours as those listed in (A); provided that written agreement thereto is properly executed and filed to assure the intention of the parking spaces for such purposes. Such agreement shall be properly drawn and executed by the parties concerned, approved as to form by the township attorney or the prosecuting attorney, and shall be filed with the application for a zoning certificate.

Sec. 144 Development and Maintenance of Parking Areas. Every off-street parking space required by these regulations shall be provided with satisfactory access to a street or alley and shall be developed and maintained in accordance with the following requirements:

1. Screening. Except for single family dwellings having off-street parking areas for less than five (5) vehicles all parking areas shall be effectively screened on each side which adjoins or faces premises in any Residence District. Such screening shall consist of a solid masonry wall or solid fence not less than four and not more than six feet in height, or a tight screen of hardy evergreen shrubbery or natural or existing screening not less than four feet in height may be used. Any such screen shall be maintained in good condition. The space between such screen and the adjoining property lines shall be landscaped with grass, hardy shrubs, or evergreen ground cover and maintained in good condition.

2. Distances. No part of a parking area for five vehicles or more shall be closer than ten feet to the side lot line of any lot in a residential district, except that this limitation shall not apply within the required rear yard. No entrance to or exit from a parking area for five vehicles or more shall be closer than 50 feet to any street intersection.
3. Surfacing. All off-street parking areas, driveways and aisles shall be graded and permanently surfaced with impervious paving materials (including asphaltic or Portland cement binder, paver stones or other like materials, but not including gravel) so to provide a durable and dustless surface and proper disposal of surface water.
4. Lighting. Any lighting used to illuminate any parking area shall be arranged so to direct the light away from adjoining premises in any Residence District.
5. Parking in the Required Front Yard. Off-street parking spaces shall be prohibited in the required front yard in any Residence District and in the "O" Office District but may be permitted in the side or rear yard subject to the provisions of this section. For Single Family dwelling purposes, parking may be permitted on access drives where such drives lead to the required off-street parking spaces either within the principal building, in an accessory structure or in the side or rear yard.

Sec. 145 Off-Street Loading Requirements. Every building or part thereof erected or occupied for retail business, service, manufacturing, storage, warehousing, hotel, mortuary or any other use similarly involving the receipt or distribution by vehicles of materials or merchandise, shall provide and maintain on the same premises loading space in accordance with the following requirements:

1. In any district where permitted, for public buildings, educational, religious and philanthropic institutions, hospitals or other institutions, places of assembly or for sports or athletics, clubs, lodges, multiple dwellings and similar uses, one loading space, plus one additional loading space for each 100,000 square feet, or major fraction thereof, of floor area in excess of 100,000 square feet.
2. In the "E" Retail Business District, for banks and financial institutions, medical or dental clinics, business or professional offices, business, dancing or other commercial schools, theaters, bowling alleys, skating rinks or other places of amusement, one loading space plus one additional loading space for each 100,000 square feet, or major fraction thereof, of floor area in excess of 100,000 square feet.

For retail and wholesale stores, eating and drinking places and all other commercial uses, one loading space plus one additional loading space for each 20,000 square feet, or major fraction thereof, of floor area in excess of 10,000 square feet, up to 50,000 square feet, plus one additional space for each 100,000 square feet of floor area or major fraction thereof in excess of 50,000 square feet.

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3. In the "F" Light Industrial District, one loading space plus one additional loading space for each 20,000 square feet or major fraction thereof, of floor area in excess of 20,000 square feet up to 60,000 square feet, plus one additional space for each 100,000 square feet or major fraction thereof in excess of 60,000 square feet.

Each loading space shall be at least 10 feet in width, 25 feet in length and 14 feet in height and shall be located on the same lot as the use served. All loading spaces shall be permanently surfaced with impervious paving materials (including asphaltic or Portland cement binder, paver stones, or other like materials, but not including gravel) so to provide a durable and dustless surface and proper disposal of surface water and shall be located so as to be accessible from a street or alley without interfering with traffic.

ARTICLE XV NON-CONFORMING USES

- Sec. 151 The lawful use of any building, structure, land or premises as existing and lawful at the time of enactment of this Resolution or amendment thereto, may be continued although such use does not conform with the provisions of this Resolution or amendment. If no structural alterations are made (other than as provided for in Sec. 184.8-7 of this Resolution), a non-conforming use of a building may be changed to another non-conforming use of the same or of a more restricted classification. Whenever a non-conforming use has been changed to a more restricted use or a conforming use, such use shall not thereafter be changed to a less restricted use.
- Sec. 152 Whenever the use of any building, structure, land or premises becomes non-conforming through an amendment to this Resolution or Maps, such use may be continued and, if no structural alterations are made (other than as provided for in Sec. 184.8-7 of this Resolution), it may be changed to another non-conforming use of the same or of a more restricted classification.
- Sec. 153 In the event that the non-conforming use of any building, structure, land or premises is voluntarily discontinued for two (2) years or more, any future use thereof shall be in conformity with the regulations of the district in which it is located.
- Sec. 154 Except as hereinafter provided in Sec. 184.8-7, no existing building or premises devoted to a non-conforming use, except when required to do so by law or order, shall be enlarged, extended, reconstructed, or structurally altered, unless the use thereof is changed to a use permitted in the District in which such building or premises is located.
- Sec. 155 When a building, the use of which is considered a non-conforming use, is damaged by fire, explosion, Act of God, or the public enemy, to the extent of more than sixty (60%) percent of its reproduction value, it shall not be restored, unless the restoration of such use shall have been authorized by the Board in the manner provided in Sec. 184.8-7.

ARTICLE XVI
COMMUNITY UNIT PLAN

- Sec. 160 The purpose of the CUP Overlay District is to encourage the efficient use of land and resources, promoting greater efficiency in providing public and utility services, and encouraging innovation in the planning and building of all types of development and renewal by accommodating developments which are planned so as to integrate residential use with collateral uses, and in which lot size, setback lines, yard areas, and dwelling types may be varied and modified to achieve particular design objectives and make provision for open space, common areas, utilities, public improvements, and collateral uses.
- Sec. 161 The owners of any tract of land comprising an area of not less than five acres may submit to the Commission a plan for the use and development of the tract of land for residential and related purposes as hereinafter provided in Section 162.3.
- Sec. 162 Within five days after the official filing of the plan, the Township Zoning Commission shall transmit a copy of the plan and any supporting documentation to the Regional Planning Commission for report and recommendation. The Regional Planning Commission shall recommend the approval or denial of the plan or some modification thereof and shall submit such recommendation to the Township Zoning Commission. Such recommendation shall be considered at the Township Zoning Commission's hearing. The report of the Regional Planning Commission shall state the reasons for the recommendation and shall evaluate such plan based upon compliance with the following conditions:
- Sec. 162.1 That the location and planning of building sites and the amount, arrangement and treatment of open space will ensure a satisfactory living environment and will be carried out in consideration of property adjacent to the area included in the plan and insure that such adjacent property will not be adversely affected.
- Sec. 162.2 That the plan is consistent with the objectives of this Article to further the best use of the land in relation to its size, configuration, location and physiography, and to produce a residential environment of sustained desirability.
- Sec. 162.3 That the buildings shall be used only for single family detached dwellings and such accessory buildings and uses customarily incident to such use if the area of the community unit plan is less than 10 acres; or only for detached or attached single family, two family or multiple dwellings, or other residentially related activities and customary accessory uses if the area of the community unit plan is more than 10 acres in area and if approved by the Township Zoning Commission for such use. In the case of a community unit plan of 30 acres or more, one (1) area may be approved in such a plan as a shopping center for parking and commercial buildings and uses as regulated in "E "Retail Business District not to exceed one (1) acre for each one hundred (100) lots or

dwelling units or fraction thereof.

Sec. 162.3-1 In a case where the topography or other physical features of the tract or its relation to surrounding property make complete compliance with the minimum area requirements, as prescribed in Section 162.3, unnecessary or undesirable, the Township Zoning Commission may modify such requirements to the extent warranted by such physical conditions provided the surrounding property and the public welfare are adequately protected.

Sec. 162.4 That the average lot area per family contained in the site, excluding rights-of-way and access easements, will not be less than the lot area per family required in the District in which the development is located.

Sec. 163 Upon the official filing of such plan, the Township Zoning Commission shall set a date for a hearing on the plan. The date of the public hearing shall not be less than twenty nor more than forty days from the date of the official filing of the plan. Notice of the hearing shall be given by the Township Zoning Commission by one publication in one or more newspapers of general circulation in the Township at least ten (10) days before the date of such hearing. Written notice of the hearing shall be mailed by the Township Zoning Commission, by first class mail, at least ten (10) days before the date of the public hearing to all owners of property within and contiguous to, directly across the street from, and within 200' of such tract, to the addresses of such owners appearing on the County Auditor's current tax list. The failure of delivery of such notice shall not invalidate these proceedings.

The published and mailed notices shall set forth the time and place of the hearing, a brief summary of the plan, and a statement that the plan will be referred to the Board of Trustees for further determination.

Sec. 164 Within thirty (30) days of the conclusion of its hearing, the Township Zoning Commission shall recommend the approval, denial, or modification of the plan and submit such recommendation together with the plan and all documentation thereon to the Board of Trustees for public hearing as provided for amendments or supplements to the Township Zoning Resolution in accordance with Sec. 519.12 of the Ohio Revised Code, provided, however, that no approval of a community unit plan as being in compliance with the standards of approval established under this Article shall be considered to be an amendment or supplement to the Township Zoning Resolution for the purpose of Section 519.12 of the Ohio Revised Code.

Sec. 165 The Board of Trustees, upon official receipt of such recommendation, shall set a date and time for a hearing on the proposed plan, which date shall not be more than thirty (30) days from the date of the official receipt of the recommendation of the Township Zoning Commission. Notice of the hearing shall be given by the Board by one publication in one or more newspapers of general circulation in the township at least ten (10) days before the date of such hearing.

- Sec. 166 Within twenty (20) days after such public hearing the Board of Trustees shall either approve or deny the recommendation of the Commission or adopt some modification thereof. In the event that the Board of Trustees deny or modify the recommendation of the Township Zoning Commission the majority vote of the Board of Trustees shall be required.
- Sec. 167 If the Board of Trustees approve the plan, then zoning certificates may be issued even though the use of land, the location of the buildings to be erected in the area, and the yards and open spaces contemplated by the plan do not conform in all respects to the District Regulations of the District in which it is located. The Board of Trustees may also by the same procedure, authorize the revision or remodeling of any existing community unit plan that does not conform in all respects with the District Regulations of this Resolution.
- Sec. 167.1 No zoning certificate shall be issued for actual construction of any development that does not conform in all respects with the underlying residence District Regulation in which the site is located until and unless a Final Development Plan, as defined in Section 31.14, shall have been reviewed and approved by the Township Zoning Commission with the determination that such plan is consistent with the approved plan and the purposes and intent of this Article. The Township Zoning Commission may approve variations in the Final Development Plan not in violation of any standards and requirements prescribed in this Article, and provided that the variations remain completely in harmony with the approved plan and in the spirit of the Resolution. The Township Zoning Commission may take into consideration the recommendation of the staff of the Regional Planning Commission.
- Sec. 168 Application may be filed for amendment of the underlying Residence District map coincidentally with the Community Unit Plan Overlay District in accordance with the Article. In this case, the application for amendment of the zoning classification and the plan for the use and development of the tract of land may be considered together and the hearings and recommendation therefor may be combined.
- Sec. 169 The development plan approved in accordance with this Article and Article XIII-F shall be an integral part of the Zoning Resolution and any departure from the plan or any modification thereof except when specifically approved in accordance with Article XIII-F shall be a violation of said Zoning Resolution and shall be subject to the provisions and penalties prescribed therefor in Article XXVIII.

ARTICLE XVII
 ADDITIONAL USE, HEIGHT AND AREA REGULATIONS AND EXCEPTIONS

- Sec. 171 The district regulations hereinafter set forth in this Article qualify or supplement, as the case may be, the district regulations appearing elsewhere in this Resolution.

- Sec. 171.1 Public or public service buildings, hospitals (except as otherwise provided), institutions, or schools, when permitted in a District, may be erected to a height not exceeding sixty (60) feet, and churches and temples may be erected to a height not exceeding seventy-five (75) feet if the building is set back from each required yard line at least one (1) foot for each foot of additional building height above the height limit otherwise provided in the District in which the building is built.
- Sec. 171.2 Single-family dwellings in the "AA", "A", "A-2", "B", "B-2" and "C" Residence District may be increased in height by not more than ten (10) feet when the side and rear yards are increased over the yard requirements of the District in which they are located by not less than ten (10) feet, but they shall not exceed three (3) stories in height. In the "A-2" and "B" Residence Districts an enclosed garage when attached to the main building may extend into the required side yard but shall not be closer than five (5) feet to the side lot line, provided further that there shall be no living quarters above or behind said garage.
- Sec. 171.3 Church spires, domes, flagpoles, aerials, antennas, private radio transmitters and towers, cellular telephone communications towers, telephone transmitters and towers, television transmitters and towers, windmills, chimneys, cooling towers, elevator bulkheads, fire towers, belfries, monuments, stacks, derricks, conveyors, stage towers for scenery, lofts, tanks, water towers, silos, farm buildings, or necessary mechanical appurtenances, may be erected to any lawful and safe height.
- Sec. 171.4 Any lot of record on the effective date of this Resolution may be used for any single-family dwelling irrespective of the width or area of said lot; the width of the side yard of any such lot need not exceed ten (10%) percent of the width of the lot; the depth of the rear yard of any such lot need not exceed twenty (20%) percent of the depth of the lot, provided, however, that in no instance shall the minimum dimensions of the side and rear yards be less than three (3) feet and ten (10) feet respectively.
- Sec. 171.5 Buildings on through lots and extending through from street to street may waive the requirements for a rear yard by furnishing an equivalent open space in lieu of such required rear yard.
- Sec. 171.6 In computing the depth of a rear yard or the width of a side yard where the rear or side yard opens on an alley, one half of the alley width may be included as a portion of the rear or side yard as the case may be.
- Sec. 171.7 Accessory buildings and/or uses which are not a part of the main building shall be situated and/or constructed in the rear yard, not less than three feet (3') feet from the rear and side lot lines, and not exceed one and one-half (1.5) stories and twenty-five feet (25') in height.. Accessory buildings and/or uses cumulatively shall not exceed or occupy more than thirty percent (30%) of the rear yard of the premises upon which they are located.

- Sec. 171.7-1 In addition to the above specified provisions private garages in residence districts are permitted subject to the following provisions: not more than one such garage per lot and have a maximum building footprint of not more than one thousand and thirty-two (1,032) square feet.
- Sec. 171.7-2 Satellite dishes may be situated and/or constructed upon a roof provided that the following conditions are adhered to:
- a.) A site analysis, prepared by a satellite dish installation company, be submitted indicating that a rear yard location would result in less than one hundred (100) percent reception of those satellites in planetary orbit located in an arc ranging from a point 175 degrees southeast westerly to a point 243 degrees southwest (also described as lying between the Satcom I and Satcom II satellites).
 - b.) A roof mounted satellite dish shall:
 - 1.) be perforated (mesh)
 - 2.) if located on a building having a "hip", "mansard", "gable", or "gambrel" roof be situated on the rear slope of the roof, and not exceed five (5) feet in height above the roof's crest;
 - 3.) if located on a building having a "flat" roof, not exceed sixteen (16) feet in height from the roof
 - 4.) not overhang the roof upon which it is situated into any yard except the rear yard.
- Sec. 171.8 Accessory buildings which are to be used for storage purposes only may be erected upon a lot prior to the construction of the main building, but no accessory building shall be used for dwelling purposes except by servants employed on the premises as provided in the "AA" Residence District.
- Sec. 171.9 Every part of a required yard shall be open to the sky unobstructed, except as otherwise provided in Sec. 171.2 and except for accessory buildings in a rear yard, and except for the ordinary projections of skylights, sill, belt courses, cornices and ornamental features projecting not to exceed thirty (30) inches in "AA", "A", "A-2", or "B" Residence Districts and not to exceed twelve (12) inches in all other Districts. This requirement shall not prevent construction of fences not exceeding six (6) feet in height in the rear yard, or fences more than 75 percent open and not exceeding four (4) feet in height in front and side yards; nor shall this requirement prevent the construction of any sign which meets or exceeds those regulations for signs as set forth in Article XXXI of this Resolution.
- Sec. 171.10 Terraces, uncovered porches, platforms and ornamental features which do not extend more than three (3) feet above the floor level of the ground (first) story may project into a required front or rear yard, but shall not be closer to any side lot line than the side yard requirements.

- Sec. 171.11 Open or lattice enclosed fire escapes, fireproof outside stairways, and balconies opening upon fire towers projecting into a yard not more than five (5) feet and the ordinary projections of flues may be permitted by the Delhi Township Zoning Inspector or upon the recommendation of the Hamilton County Building Inspector to the Delhi Township Zoning Inspector when placed so as not to obstruct light and ventilation but not closer than two feet to any lot line in any case.
- Sec. 171.12 For the purpose of the yard requirements, a two-family or multiple dwelling shall be considered as one building occupying a single lot.
- Sec. 171.13 An open unenclosed or screened porch, or paved terrace may project into a front yard for a distance not exceeding ten (10) feet.
- Sec. 171.14 Where forty (40%) percent or more of the frontage is occupied by buildings, the minimum front yard on any lot shall not be less than the average depths of the front yards of the two buildings on each side and within one hundred (100) feet of such lot, or where there is a building within one hundred (100) feet of the lot on one side only, the minimum front yard shall be the same as that of such adjacent building, provided, however, that no yard shall be required to exceed seventy-five (75) feet in the "AA" or "A" Residence Districts or to exceed fifty (50) feet in any other district requiring a front yard.
- Sec. 171.15 Where a lot is used for institutional, commercial or industrial purposes, or, where a site plan is specifically approved therefor by the Delhi Township Zoning Commission after taking into consideration the recommendation of the Regional Planning Commission, for multiple dwelling purposes, more than one building may be located on the lot, but only when such buildings conform to all open space requirements around the lot for the district in which the lot is located.
- Sec. 171.16 No lot on which there is located a nonconforming use shall be reduced in area or width so as not to conform with the lot area per family and lot width requirements for the district in which such lot is located, nor shall any existing yard be reduced so as not to conform with the yard requirements thereof.
- Sec. 171.17 To assure public safety and to reduce visual impact from surrounding properties at street level and public streets satellite dishes shall be situated and constructed in accordance to the following regulations:
- a) adhere to those regulations specified in Sec. 171.7 (and not exceed twenty (20) feet in height from grade) or 171.7-1.
 - b) constructed and installed in conformance with the Hamilton County Building and Electric Code regulations and requirements.
 - c) notwithstanding this Section, any satellite dish situated and/or constructed prior to October 29, 1986 shall be exempt from these regulations provided, however, any modifications to an existing satellite dish must comply with these regulations.

- Sec. 171.18 Private drives providing access to two or more panhandle lots shall be considered as streets for purposes of establishing yard requirements and setbacks. Non-panhandle lots adjacent to such a private drive at its intersection with a public street shall not be included in the calculation for determining the number of lots served by same.
- Sec. 171.18-1 The front yard setback on such lots shall be the minimum horizontal distance between the pavement of the private drive and the main building. Such setback shall not be less than the minimum front yard setback of the zone district located within. Further, such setback from the property line shall not be less than the minimum side yard setback of the zone district located within.
- Sec. 171.18-1-1 In the event that the private drive, or easement therefore, does not extend into such a lot the front yard will be that yard nearest to and most parallel to the private drive serving the lot, unless such would result in incompatible alignment and spacing between buildings as determined by the Zoning Inspector.
- Sec. 171.19 All plats of proposed lot splits, subdivisions, and consolidations shall indicate the developers' proposed front, rear and side yard designations for each panhandle, pie shaped, or other irregularly shaped lots where the front of the lot is not apparent within the definitions of this Resolution. Determinations of yard designations shall be made by the Zoning Inspector based upon a compatible alignment and spacing between buildings. Such yard designations shall be indicated on the improvement and record plats of the lot split, subdivision, consolidation.

ARTICLE XVIII

"FPM" FLOOD PLAIN MANAGEMENT OVERLAY DISTRICT REGULATIONS

- Sec. 173 The regulations set forth in this Article, or set forth elsewhere in this Resolution, when referred to in this Article, are the District Regulations for the "FPM" Flood Plain Management Overlay District.
- Sec. 174 District Map Boundaries and Elevations.
- Sec. 174.1 The boundaries of the "FPM" Flood Plain Management Overlay District shall include all that territory within the jurisdiction of this Resolution, which is defined as being within the Special Flood Hazard Areas of Unincorporated Hamilton County, Ohio by Sec. 31.50-1 of this Resolution, as are indicated upon the District Maps of the unincorporated area of Delhi Township, Ohio.
- Sec. 174.2 The following scientific and engineering reports, and accompanying maps and profiles, identify, in whole or in part, Special Flood Hazard Areas within unincorporated Delhi Township, Ohio, and shall be used to determine the elevation and planar extent of the "FPM" Flood Plain Management Overlay District, and are hereby adopted by reference and declared to be a part of this Resolution.

- i) Storm Drainage and Open Space Master Plan for Hamilton County Ohio (Consoer, Townsend, and Associates, December, 1966);
- ii) Flood Insurance Study for the County of Hamilton, Ohio (Federal Emergency Management Agency, December, 1981, and as amended);
- iii) Flood Boundary and Floodway Map for Unincorporated Hamilton County, Ohio, June 1, 1982, and as amended;
- iv) Flood Insurance Rate Map for Unincorporated Hamilton County, Ohio, June 1, 1982, and as amended.

Sec. 174.3 Where the Flood Insurance Study and the Storm Drainage and Open Space Master Plan provide information for the same reaches of streams, the information which is most restrictive as to elevation and planar extent shall be used.

Sec. 175 Use Regulations:
A structure or premises shall only be used for the purposes permitted by the applicable underlying Zone District, except that when a proposed use, structure or premises is also located within the "FPM" Flood Plain Management Overlay District, Sec. 176 of this Resolution shall take precedence.

Sec. 176 General Conditions:
It shall be unlawful to use any land or structure, or to locate, extend, convert, substantially improve, structurally alter, or otherwise develop any land or structure within the "FPM" Flood Plain Management Overlay District unless such development meets all the applicable conditions and standards set forth in regulations governing the National Flood Insurance Program (44 CFR Section 591 et seq.).

ARTICLE XVIII
TOWNSHIP BOARD OF ZONING APPEALS

Sec. 181 A Township Board of Zoning Appeals is hereby created. Such Board shall consist of five (5) members, to be appointed by the Trustees, who shall be residents of the unincorporated area of Delhi Township, Hamilton County, Ohio. The terms of all members shall be of such length and so arranged that the term of one member will expire each year. Each member shall serve until his successor is appointed and qualified. Members of the Board shall be removable for nonperformance of duty, misconduct in office or other cause by the Trustees upon written charges having been filed with the Trustees and after a public hearing has been held regarding such charges, a copy of the charges having been served upon the member so charged at least ten (10) days prior to the hearing, either personally, or by registered mail, or by leaving the same at his usual place of residence. The member shall be given an opportunity to be heard and answer such charges. Vacancies shall be filled by the Trustees and shall be for the unexpired term.

- Sec. 182 The Board shall organize, and adopt rules in accordance with the provisions of this Resolution. Meetings of the Board shall be held at the call of the Chairman, and at such other times as the Board may determine. The Chairman, or in his absence the acting Chairman, may administer oaths and the Board may compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Trustees and shall be a public record.
- Sec. 183 Appeals to the Board may be taken by any person aggrieved or by any Officer of Delhi Township affected by any decision of the Administrative Officer. Such appeal shall be taken within twenty (20) days after the decision by filing with the Officer from whom the appeal is taken and with the Board a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall transmit to the Board all the papers constituting the record upon which the action appealed from was taken. The Board shall fix a reasonable time for the hearing of the appeal, give at least ten (10) days notice in writing to the parties of interest, give notice of such public hearing by one publication in one or more newspapers of general circulation in the Township at least ten days before the date of hearing, and decide the same within a reasonable time after it is submitted. Upon the hearing, any party may appear in person or by attorney. Any party adversely affected by a decision of the Board may appeal to the Court of Common Pleas of Hamilton County on the ground that such decision was unreasonable or unlawful. The court may affirm, reverse, vacate or modify the decision complained of in the appeal.
- Sec. 184 The Board shall have the following powers:
- Sec. 184.1 To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative Official in the enforcement of this Resolution.
- Sec. 184.2 To authorize, upon appeal, in specific cases, such variance from the terms of the Zoning Resolution, as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the Resolution will result in unnecessary hardship, and so that the spirit of the Resolution shall be observed and substantial justice done.
- Sec. 184.3 To permit the extension of a District where the boundary line of a District divides a tract of not more than one acre in area and held in a single ownership on the effective date of this Resolution, provided such extension shall not exceed 100 feet.

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- Sec. 184.4 To permit, where the boundary line of a District divides a tract of more than ten (10) acres under a single ownership, adjustment of such a line to conform with the topography of the ground where such a tract is being subdivided and when a preliminary subdivision plan for such a tract has been approved by the Regional Planning Commission of Hamilton County, provided such a variation does not extend for a distance of more than five hundred (500) feet and does not come closer than three hundred (300) feet to any boundary of the tract.
- Sec. 184.5 To interpret the provisions of this Resolution in a way to carry out the intent and purpose of the plan, as shown upon the Maps fixing the several Districts accompanying and made a part of this Resolution, where the street layout actually on the ground varies from the street layout as shown on the maps aforesaid.
- Sec. 184.6 To permit a variation in the yard requirements of any District where there are practical difficulties or unnecessary hardships in the carrying out of those provisions due to an irregular shape of the lot, topographic or other conditions, provided such variations will not seriously affect any adjoining property or the general welfare.
- Sec. 184.8 To authorize by the grant of a special zoning certificate after public hearing, the location of any of the following uses, including such buildings and structures as are necessary for their operation, in a District from which they are prohibited by this Resolution.
- Sec. 184.8-1 The extraction of raw materials such as rock, gravel, sand, clay and the like, including the necessary buildings and structures for grading, separating, washing and storage.
- Sec. 184.8-2 Private airports or landing fields.
- Sec. 184.8-3 Feeding or disposal, either publicly or privately, of garbage, rubbish or offal within the "AA" Residence or Light Industrial Districts.
- Sec. 184.8-4 Parking lots on land, the farthest point of which shall not be more than 200 feet from the boundary of an Office, Commercial or Light Industrial District.
- Sec. 184.8-4-1 To authorize by the grant of a special zoning certificate after public hearing, the ingress and egress to an Office, Commercial or Light Industrial District through a more restricted district.
- Sec. 184.8-5 Riding stables or fishing lakes, including the sale of food and refreshments.
- Sec. 184.8-5-1 Private radio transmitters and towers other than cellular telephone communications towers as provided in Sec. 184.8-5-2.

Sec. 184.8-5-2 The construction, location, erection, reconstruction, alteration, change, use or enlargement of a cellular telephone communications tower, upon application and compliance with Ohio Revised Code Section 519.211 and this Resolution, including Sec. 54.1, if the Board finds that the applicant has satisfied all of the following standards:

- (1) Proof shall be provided by the applicant in a form satisfactory to the Board that the proposal has been approved by all agencies and governmental entities with jurisdiction, including but not limited to the Ohio Department of Transportation, the Federal Aviation Administration, the Federal Communication Commission, or the successors to their respective functions.
- (2) The applicant shall demonstrate by clear and convincing evidence that its tower antennae cannot be located on any other communication tower or facility in the vicinity, and that all reasonable means have been undertaken to avoid any undue negative impact caused by the "clustering" of towers within an area. In the event of the construction of new facilities by the applicant, the applicant shall agree to the use of such facilities by other cellular communication companies, telephone, radio, television companies, etc. upon payment of reasonable fees for such use.
- (3) An application shall be disapproved unless the applicant demonstrates that technically suitable and feasible sites are not available in a nonresidential district and that the site is located in the least restrictive district that includes a technically suitable and feasible site.
- (4) The applicant shall demonstrate that the proposed tower is the least aesthetically intrusive facility for the neighborhood and function. Monopole installations are recommended. It is further recommended that all buildings and structures be architecturally compatible with the architecture of the adjacent buildings and structures.
- (5) Pole, tower and/or structure placement be only on a lot meeting not less than the square footage requirements of the zone district located within, and a minimum of one hundred (100) feet from every property line.
- (6) For reasons of aesthetics and public safety such facilities shall be effectively screened on each side which adjoins premises in any residence zone district. Screening shall consist of a solid masonry wall or solid fence, not less than four nor more than six feet in height, a tight screen of hardy evergreen shrubbery, or natural or existing screening not less than four feet in height. The use of razor or barbed wire shall be prohibited. Screening walls and fences shall be located not less than thirty feet from each property line. Spaces between any screening device and adjacent property lines shall be buffered by use of landscape plant materials including, but not limited to, grass, hardy shrubs, evergreen ground cover, etc. All screening devices and landscape materials shall be maintained in good condition.

- (7) The applicant (or its successors) shall, within thirty days of ceasing operation at the site of a cellular telephone communications service tower, give notice of such ceasing of operation to the Delhi Township Department of Development Services. Facilities shall be removed from the site within twelve months of ceasing operations. Resale or renting of facilities is permissible only to other cellular communications systems subject to the obtainment of a zoning certificate from the Delhi Township Department of Development Services.
- (8) Any special zoning certificate issued under this section shall be revocable and may be revoked after notice and hearing if any continuing condition of the certificate has been violated and is not remedied within thirty (30) days of written notice from the zoning inspector.

Sec. 184.8-6 The alteration and conversion of single-family dwelling to a two-family dwelling, provided, however, the dwelling was in existence at the time of the adoption of this resolution, that there be no enlargement of the existing building, that no living unit contain a total of less than three hundred (300) square feet of floor area and that the minimum lot area contained in the lot or tract of land will be twenty (20%) percent greater than the lot area required in the District in which they are located.

Sec. 184.8-7 Improvements to non-conforming uses, as listed below, provided the owner of such use submits a development plan in accordance with Sec. 184.8-7-1 and can demonstrate that such improvements will have no adverse impact upon adjacent property owners and other permitted uses in the surrounding neighborhood or can be made compatible with the adjacent properties and uses in the surrounding neighborhood.

- (1) The restoration of a non-conforming use damaged by fire, explosion, Act of God, or the public enemy to the extent of more than sixty (60%) percent of its reproduction value.
- (2) An increase in or improvement to the useable area of a compatible non-conforming use, where such increase or improvement is necessarily incident to the existing use, provided, however, that the floor area of such increase or improvement shall not exceed in all fifty (50%) percent of the floor area of the existing building or buildings devoted to a lawful non-conforming use as defined in Sec. 31.35 of this Resolution . Any building or land lawfully occupied which may hereafter become non-conforming as a result of amendments or supplements to this Resolution shall likewise be covered as set forth above.

Sec. 184.8-7-1 The owner shall submit to the Board of Zoning Appeals an application for special zoning certificate, on a form provided by the secretary of the Board, and a development plan. The application and development plan shall address site plan features and considerations, including but not limited to:

- (1) The location and size of the property including setbacks and lot dimensions;
- (2) The use of the property on the effective date of this resolution;

- (3) All uses adjacent the property and within the surrounding neighborhood;
- (4) All existing structures, yards, utility easements, right-of-ways, flood plains and wooded areas on and adjacent to the property;
- (5) The density (in terms of dwelling units per acre) and the intensity (in terms of impervious surface ratio or gross square footage) of the nonconforming use;
- (6) Landscaping;
- (7) Architectural treatments;
- (8) Traffic impact;
- (9) The reasons why the nonconforming use is compatible with, and will have no adverse impact on the land uses permitted in the district in which it is located;
- (10) Nature and extent of additional protection from adverse impacts afforded to the adjacent property owners.

Sec. 184.8-7-2 In permitting such improvements, the Board of Zoning Appeals may require appropriate conditions and safeguards to assure that the nonconformity does not adversely affect orderly development and the value of nearby property including, but not limited to: required improvement of, or modifications to existing improvements on, the property; limitations on hours of operation; and limitations on the nature of operations.

Sec. 184.8-8 In granting such special zoning certificates, the Board of Zoning Appeals may impose such special conditions as it deems necessary, to reduce the adverse effect of the above uses upon and for the preservation of the character of properties neighboring such uses.

Sec. 185 In exercising the above-mentioned powers, the Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all powers of the Officer from whom the appeal is taken.

Sec. 186 The Board shall act by resolution, in which three (3) members concur and every variation granted or denied shall be accompanied by a written finding of fact, based on testimony and evidence and specifying the reason for granting or denying the variance.

ARTICLE XIX ZONING CERTIFICATES

Sec. 191 Except as provided in Article V, no building shall hereafter be located, constructed, reconstructed, enlarged or structurally altered nor shall any work be started upon same until a zoning certificate for same has been issued by the Delhi Township Zoning Inspector, which certificate shall state that the proposed building and use comply with all the provisions of this Resolution.

- Sec. 192 Except as provided in Article V, no land shall be occupied or used and no building hereafter located, constructed, reconstructed, enlarged or structurally altered shall be occupied or used in whole or in part for any purpose whatsoever until a zoning certificate is issued by the Delhi Township Zoning Inspector, stating that the building and use comply with the provisions of this Resolution. No change of use shall be made in any building or part thereof, now or hereafter located, constructed, reconstructed, enlarged or structurally altered, except for single-family dwelling purposes, without a zoning certificate being issued therefor by the Delhi Township Zoning Inspector. No zoning certificate shall be issued to make a change unless the changes are in conformity with the provisions of this Resolution.
- Sec. 193 Nothing in this Article shall prevent the continuance of a non-conforming use as hereinbefore authorized unless a discontinuance is necessary for the safety of life or property.
- Sec. 194 A zoning certificate shall be applied for prior to or coincidentally with the application for a construction permit with the exception of re-roofing, re-siding, replacement furnaces, and add on air conditioning which shall not require the issuance of a zoning certificate. A record of all zoning certificates shall be kept on file in the office of the Delhi Township Zoning Inspector, and copies shall be furnished on request to any person having a proprietary or tenancy interest in the building affected.
- Sec. 195 All signs and outdoor advertising (as permitted and regulated in Article XXXI of this Resolution) shall require the issuance of a zoning certificate prior to said sign for outdoor advertising being placed, located, erected, constructed, reconstructed, or installed. This requirement shall not apply to political candidacy signs and signs advertising public functions so long as those requirements as set forth in Article XXXI of this Resolution as they pertain to these signs have been adhered to. (see also Article XXXI).
- Sec. 196 A zoning certificate shall be required of all non-conforming uses. Application for the zoning certificate for non-conforming uses shall be filed within twelve (12) months from the effective date of this resolution.
- Sec. 197 A non-refundable fee shall be paid with the submission of any requested authorization or application. Fees shall be determined by the Board of Trustees from time to time and presented via an adopted "fee schedule", copies of which shall be available from the Department of Development Services. No fee shall be required to be paid by any public agency.
- Sec. 197.1 A fee equal to double that required by the "fee schedule" shall be charged for any requested authorization or application submitted in response to any written order of the Zoning Inspector.

ARTICLE XX
PLATS

Sec. 201 Each application for a zoning certificate shall be accompanied by a plat and plan in quadruplicate, drawn to scale, showing the actual shape and dimensions of the lot to be built upon or used, the exact size and location on the lot of the buildings, structures, and accessory buildings existing, and the lines within which the proposed building or structure shall be erected or altered, the existing and intended use of each building or part of a building, the number of families or housekeeping units the building is designed to accommodate, and such other information with regard to the lot and neighboring lots as may be necessary for enforcement of the Resolution. Three (3) copies of such plats and plans shall be returned to the applicant when such plats and plans shall have been approved by the Delhi Township Zoning Inspector. All dimensions shown on these plats and plans relating to the location and size of the lots to be built upon shall be based on an actual survey. The lot and location of the building or structure thereon shall be staked out on the ground before construction is started.

ARTICLE XXI
BOUNDARIES OF DISTRICTS

- Sec. 211 Rules Where Uncertainty May Arise: Where uncertainty exists with respect to the boundaries of the various Districts as shown on the Maps accompanying and made a part of this Resolution, the following rules apply:
- Sec. 211.1 The District boundaries are the center line of streets or alleys, unless otherwise shown, and where the Districts designated on the Maps, accompanying and made a part of this Resolution are bounded approximately by street or alley center lines, such center lines shall be construed to be the boundary of the District.
- Sec. 211.2 Where the District boundaries are not otherwise indicated, and where the property has been or may hereafter be divided into blocks and lots, the District boundaries shall be construed to be the lot lines, and where the Districts designated on the Maps accompanying and made a part of this Resolution are bounded approximately by lot lines, the lot lines shall be construed to be the boundary of the Districts unless the boundaries are otherwise indicated on the Maps.
- Sec. 211.3 In un-subdivided property, the District boundary lines on the Maps accompanying and made a part of this Resolution shall be determined by dimensions or the use of the scale appearing on the Maps.

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ARTICLE XXII
INTERPRETATION, PURPOSE AND CONFLICT

Sec. 221 In interpreting and applying the provisions of this Resolution and any amendments thereto, they shall be held to be the minimum requirements for the promotion of the public health, safety, morals, comfort and general welfare. Wherever the regulations of this Resolution require a greater width or size of yards or other open spaces or require a lower height of building or less number of stories or require greater percentage of lot to be left unoccupied or require a lower density of population, or require a more restricted use of land, or impose other higher standards than are required in any other resolution or regulation, private deed restrictions or private covenants, these regulations shall govern.

ARTICLE XXIII
AMENDMENTS

Sec. 231 Amendments to the zoning resolution may be initiated by motion of the Township Zoning Commission, by the passage of a resolution therefore by the Board of Township Trustees, or by the filing of an application therefore by one or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment with the Township Zoning Commission. The Board of Township Trustees may require that the owner or lessee of property filing an application to amend the zoning resolution pay a fee therefore to defray the cost of advertising, mailing, filing with the County Recorder, and other expenses. If the Township Trustees require such a fee, it shall be required generally, for each application. The Board of Township Trustees shall upon the passage of such resolution certify it to the Township Zoning Commission.

Upon the adoption of such motion, or the certification of such resolution or the filing of such application, the Township Zoning Commission shall set a date for a public hearing thereon, which date shall not be less than twenty nor more than forty days from the date of the certification of such resolution or the date of adoption of such motion or the date of the filing of such application. Notice of such hearing shall be given by the Township Zoning Commission by one publication in one or more newspapers of general circulation in the township at least ten days before the date of such hearing.

Sec. 232 If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land, as listed on the County Auditor's current tax list, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least ten days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from and within two-hundred (200) feet of such area proposed to be rezoned or redistricted to the addresses of such owners appearing on the County Auditor's current tax list. The failure of delivery of such notice shall not invalidate any such amendment.

- Sec. 233 If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land as listed on the County Auditor's current tax list, the published and mailed notice shall set forth the time, date, and place of the public hearing and it shall include all of the following:
- (1) The name of the Zoning Commission that will be conducting the public hearing;
 - (2) A statement indicating that the motion, resolution, or application is an amendment to the zoning resolution;
 - (3) A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and of the names of owners of these properties, as they appear on the County Auditor's current tax list;
 - (4) The present zoning classification of property named in the proposed amendment and the proposed zoning classification of such property;
 - (5) The time and place where the motion, resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the public hearing;
 - (6) The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail;
 - (7) Any other information requested by the Zoning Commission;
 - (8) A statement that after the conclusion of such hearing the matter will be submitted to the Board of Township Trustees for its action.

- Sec. 234 If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land, as listed on the County Auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:
- (1) The name of the Zoning Commission that will be conducting the public hearing on the proposed amendment;
 - (2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;
 - (3) The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the public hearing;
 - (4) The name of the person responsible for giving notice of the public hearing by publication;
 - (5) A statement that after the conclusion of such hearing the matter will be submitted to the Board of Township Trustees for its action;
 - (6) Any other information requested by the Zoning Commission.

- Sec. 235 Within five days after the adoption of such motion or the certification of such resolution or the filing of such application the Township Zoning Commission shall transmit a copy thereof together with text and map pertaining thereto to the Hamilton County Regional Planning Commission.

The Hamilton County Regional Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit such recommendation to the Township Zoning Commission. Such recommendation shall be considered at the public hearing held by the Township Zoning Commission on such proposed amendment.

The Township Zoning Commission shall, within thirty days after such hearing, recommend the approval or denial of the proposed amendment or the approval of some modification thereof and submit such recommendation together with such application or resolution, the text and map pertaining thereto and the recommendation of the Hamilton County Regional Planning Commission thereon to the Board of Township Trustees.

The Board of Township Trustees shall, upon receipt of such recommendation, set a time for a public hearing on such proposed amendment which date shall not be more than thirty days from the date of the receipt of such recommendation from the Township Zoning Commission. Notice of such public hearing shall be given by the Board by one publication in one or more newspapers of general circulation in the township at least ten days before the date of such hearing.

Sec. 236

If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land as listed on the County Auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing and shall include all of the following:

- (1) The name of the Board that will be conducting the public hearing;
- (2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;
- (3) A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and of the names of owners of these properties, as they appear on the County Auditor's current tax list;
- (4) The present zoning classification of property named in the proposed amendment and the proposed zoning classification of such property;
- (5) The time and place where the motion, application, or resolution proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the public hearing;
- (6) The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail;
- (7) Any other information requested by the Board.

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Sec. 237

If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the County Auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:

- (1) The name of the Board that will be conducting the public hearing on the proposed amendment;
- (2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;
- (3) The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the public hearing;
- (4) The name of the person responsible for giving notice of the public hearing by publication;
- (5) Any other information requested by the Board.

Sec. 238

Within twenty days after such public hearing the Board shall either adopt or deny the recommendations of the Commission or adopt some modification thereof. In the event the Board deny or modify the recommendation of the Township Zoning Commission the majority vote of the Board shall be required.

Such amendment adopted by the Board shall become effective in thirty days after the date of such adoption unless within thirty days after the adoption of the amendment there is presented to the Board of Township Trustees a petition, signed by a number of registered electors residing in the unincorporated area of the Township or part thereof included in the zoning plan equal to not less than eight percent of the total vote cast for all candidates for Governor in such area at the last preceding general election at which a Governor was elected, requesting the Board of Township Trustees to submit the amendment to the electors of such area for approval or rejection at a special election to be held on the day of the next primary or general election. Each part of this petition shall contain

the number and the full and correct title, if any, of the zoning amendment resolution, motion, or application, furnishing the name by which the amendment is known and a brief summary of its contents. In addition to meeting the requirements of this section, each petition shall be governed by the rules specified in section 3501.38 of the Revised Code.

The form of a petition calling for a zoning referendum and the statement of the circulator shall be substantially as set forth in the Ohio Revised Code.

The petition shall be filed, accompanied by an appropriate map of the area affected by the zoning proposal, with the Board of Township Trustees, which shall then transmit the petition within two weeks of the receipt to the Board of Elections, which shall determine the sufficiency

and validity of the petition. The petition shall be certified to the Board of Elections not less than seventy-five days prior to the election at which the question is to be voted upon.

No amendment for which such referendum vote has been requested shall be put into effect unless a majority of the vote cast on the issue is in favor of the amendment. Upon certification by the Board of Elections that the amendment has been approved by the voters it shall take immediate effect.

Sec. 239 Within five (5) working days after an amendments' effective date, the Board of Trustees shall file the text and maps of the amendment in the office of the County Recorder and with the Regional Planning Commission.

The failure to file any amendment, or any text and maps, or duplicates of any of these documents, with the office of the County Recorder or the Regional Planning Commission as required by this Section does not invalidate the amendment and is not grounds for an appeal of any decision of the Board of Trustees.

ARTICLE XXIV REPEAL

Sec. 241 The Zoning Resolution may be repealed in the following manner: the Trustees (a) may adopt a resolution upon its own initiative, and (b) shall adopt a resolution if there is presented to it a petition signed by a number of qualified voters residing in the unincorporated area of the Township included in the zoning plan equal to not less than eight (8%) percent of the total vote cast for all candidates for Governor in such area at the last preceding general election at which a Governor was elected, requesting the question of whether or not the plan of zoning in effect in the Township shall be repealed to be submitted to the electors residing in the unincorporated area of the Township included in the zoning plan, at the next primary or general election. In the event a majority of the vote cast on said question in the Township is in favor of repeal of zoning, then said regulations shall no longer be of any force or effect in the Township. No more than one such election shall be held in any two calendar years.

ARTICLE XXV ENFORCEMENT

Sec. 251 It shall be the duty of the Delhi Township Zoning Inspector to enforce this Resolution.

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ARTICLE XXVI
APPLICABLE PROVISIONS

Sec. 261 This Resolution has been passed under the authority of Section 519.01 et seq. of the Ohio Revised Code and embraces the provisions thereof regarding enforcement and penalties for violation.

ARTICLE XXVII
VALIDITY

Sec. 271 If any section, subsection, sentence, clause, or phrase of this Resolution is for any reason adjudged to be unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected thereby. All resolutions or parts of resolutions of Delhi Township, in conflict with any regulations, provisions, amendment or supplement of this resolution, are to the extent of such conflict hereby repealed.

ARTICLE XXVIII
VIOLATIONS AND PENALTIES

Sec. 281 It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain or use any building or to use any land in violation of any regulation in or any provision of this Resolution or any amendment or supplement thereto.

Sec. 282 Any person, firm or corporation violating any regulation, provision, amendment or supplement to this Resolution, or failing to obey any lawful order of the Delhi Township Zoning Inspector issued in pursuance thereof, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than one hundred (100.00) dollars. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use continues may be deemed a separate offense.

ARTICLE XXIX
REMEDIES

Sec. 291 In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used or any land is or is proposed to be used in violation of any regulation, provision, amendment or supplement of this Resolution, the Trustees, the Prosecuting Attorney for Hamilton County, Ohio, the Delhi Township Zoning Inspector, or any adjacent or neighboring property owner who would be specially damaged by such violation, in addition to other remedies provided by law, may institute injunctive, mandamus, abatement, or any other appropriate action, actions, proceeding, or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

ARTICLE XXX
WHEN EFFECTIVE

Sec. 301 This Resolution shall be in full force and effect from and after the earliest period allowed by law.

Adopted this 29th day of November, 1974,

Board of Trustees of Delhi Township
Hamilton County, Ohio

Attest: John R. Artmayer, Clerk

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ARTICLE XXXI
SIGNS

- Sec. 310 General Provisions:
- Sec. 310.1 This Article establishes the minimum regulations for the display of signs in order to encourage an attractive visual environment for businesses to inform and direct the general public, protect and enhance the physical appearance of the Township, insure public safety along major streets, and provide businesses with a format for on premises street advertising.
- Sec. 310.2 Temporary signs constructed in such a manner which permits such sign to move on wheels and/or be pushed or pulled by a motor vehicle, and/or contain a marquee type sign on a trailer, and/or be a marquee type sign affixed to a trailer or other such apparatus as to permit it to be towed or moved in such other manner from place to place on a premises, and which may or may not be internally illuminated and may or may not contain flashing type lighting is hereby prohibited.
- Sec. 310.3 Non-Conforming signs:
- Sec. 310.3-1 The lawful use of any sign as existing and lawful at the time of enactment of this resolution or amendment thereto, may be continued although such sign does not conform with the provisions of this resolution or amendment.
- Sec. 310.3-2 Whenever a sign becomes non-conforming through an amendment of this resolution or maps, the use of such sign may be continued as long as it is kept in good repair and maintained in safe condition.
- Sec. 310.3-3 It shall be the responsibility of the Delhi Township Zoning Department to register and keep records of all non-conforming signs, and advise the owners of such signs of their being classified as non-conforming signs.
- Sec. 310.3-4 A non-conforming sign shall immediately lose its non-conforming designation if: the sign is altered in any way in structure or copy (except for changeable marquee signs and normal maintenance); the sign is relocated; the sign is replaced; the sign is part of an establishment which discontinues its operation for a period of two (2) years; the sign is structurally altered or enlarged; the sign is reprinted (excluding normal touchup, repainting, or routine maintenance repainting); or the sign is damaged to an extent of greater than sixty percent (60%) of the estimated replacement value.

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- Sec. 310.4 All signs and outdoor advertising as herein permitted shall be constructed and maintained and illuminated in a reasonable, workmanlike manner. The owner of such signs and/or outdoor advertising, as well as the owner of the premises where such signs and/or outdoor advertising are located, shall maintain said signs and/or outdoor advertising free from dust, dirt, and other such debris. All lettering, illustrations, and other such art work contained on said signs and/or outdoor advertising shall be constructed and maintained in a reasonable, workmanlike manner, free from faded, illegible, and incomplete designs. No such sign and/or outdoor advertising shall be constructed, maintained, or illuminated in such a manner so as to create or allow the obstruction of vision of drivers, pedestrians, or the general public, or a fire or safety hazard.
- Sec. 311 General definitions:
- Sec. 311.1 Words, terms or phrases, not otherwise defined in this section, or in Article III of this Resolution, shall have, for the purposes of this Resolution, the meaning or meanings attributed to them in current English usage. Words used in the present tense shall include the future; the word "building" shall include the word "structure"; and the word "shall" is mandatory and not directory.
- Sec. 311.2 Advertising Sign: A sign, billboard, or sign board which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered.
- Sec. 311.2-1 Off-site advertising sign: Any sign, billboard, advertisement, logo, or symbol which directs attention to any business, professional service, or similar activity which is conducted at a location other than where the sign is located.
- Sec. 311.2-2 On-site advertising sign: Any sign, advertisement, announcement, logo, or symbol attached to, painted, or illuminated, directly or indirectly upon any land or building which directs attention to any business, professional service, or similar activity which is conducted on the premises where the sign is located.
- Sec. 311.3 Agricultural sign: An advertising sign directing attention to a business, commodity or service conducted, sold or offered upon the premises where such sign is located, and which premises meets the definition of the term "Agriculture" as defined in this Resolution (See Sec. 31.2 "Agriculture").
- Sec. 311.4 Building: (See Section 31.9 "Building")
- Sec. 311.5 Bulletin board sign: Any sign or structure located on the property of a public, institutional, religious, or charitable organization which is used to identify the name of the institution or organization and to announce their activities.

- Sec. 311.6 Construction sign: A sign which, by symbol or name, identifies a development (a new residence, a residential commercial alteration or addition, a subdivision, neighborhood, shopping center or commercial or industrial park, etc.) and which is located on a lot where construction is in progress, which may indicate the name of the project, the architect, engineer, contractor, or other similar information concerning the project.
- Sec. 311.7 Corner parcel sign: An advertising sign directing attention to a business, commodity or service conducted, sold or offered upon a parcel which fronts more than one dedicated street right-of-way as depicted on the maps of the Hamilton County Auditor's Plat Book. Such signs shall not exceed a number of one (1) for each street frontage.
- Sec. 311.8 Credit card sign: An identification and/or advertising sign which displays any credit card which is accepted to be used at the premises upon which such sign is displayed.
- Sec. 311.9 Directional sign: Any sign which serves solely to provide special information such as direction and/or warning.
- Sec. 311.10 Facade: Any exterior wall of a building.
- Sec. 311.11 Free Standing Pole: (See Section 31.44 "Structure").
- Sec. 311.12 Free standing sign: A sign which is supported by one or more columns or other type of base, and/or upon the ground.
- Sec 311.12-1 Free standing ground sign: Any free standing sign, other than a pole mounted sign, independently supported by and anchored to the ground or mounted on a decorative wall or fence.
- Sec 311.12-2 Free standing pole sign: A sign mounted on a free standing pole or other similar support.
- Sec. 311.13 Grade level: A practically horizontal surface of land area around, adjacent to, and upon which a sign or light stanchion rests.
- Sec. 311.14 Ground sign: (see Section 311.12-1 "Free standing ground sign")
- Sec. 311.15 Home occupation sign: An advertising sign pertaining to an occupation or profession carried on within a residential premises. (See also Section 31.26 "Home Occupation").
- Sec. 311.16 Identification sign: A sign which displays only the same address and/or use of the premises upon which the sign is located or the product or service offered therein.
- Sec. 311.17 Illuminated sign: A sign which is lighted by one of the following means:
- Sec 311.17-1 Back lit: The sign's light is shielded and/or completely enclosed by the sign face.

- Sec 311.17-2 Indirectly lit: A sign which is neither lighted internally nor has an external source of light specifically directed at it, but which depends on the general illumination of the area (e.g. parking lot, traffic or pedestrian areas) for its illumination.
- Sec 311.17-3 Internally lit: A sign which is made of translucent material with internal lights.
- Sec. 311.18 Interior parcel sign: An advertising and/or identification sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at or upon an interior parcel as defined by the Hamilton County Auditor's Plat Book.
- Sec. 311.19 Light stanchion: A structure (See section 31.44 "Structure") whose primary function is the support of some light source. Such light stanchion does not include utility poles or other such poles utilized by a utility company (or other such company).
- Sec. 311.20 Logo: An identifying statement (i.e.: motto, trademark, symbol, etc.).
- Sec. 311.21 Marquee sign: A sign designed to allow frequent message changes, which may be controlled electronically (e.g. time and temperature sign), or manually controlled (utilizing changeable letters or words).
- Sec. 311.22 Motion or intermittence: Changing of physical position by any movement or rotation or visual impression of such movement or rotation.
- Sec. 311.23 Non-Conforming sign: A sign in existence prior to the effective date of this Resolution (and any pertinent amendment thereto) which does not conform with the provisions of this Resolution and must also comply with sections 310.3 through 310.3-4 of this Resolution. (See also Article XV: "Non-Conforming Uses").
- Sec. 311.24 Notification sign: A sign which issues a warning, announcement, attention, or notice relating to a public, charitable, or religious institutional use.
- Sec. 311.25 Pole sign: (See Section 311.12-2 "Free standing pole sign")
- Sec. 311.26 Political sign: A sign which announces the candidacy of a person or slate of persons running for elective office, or a political party or an issue.
- Sec. 311.27 Real estate sign: A sign which advertises or announces the sale, rental, or lease of the premises on which the sign is located.
- Sec. 311.28 Sign: A name, identification, description, display, illustration, or logo which is affixed to or painted upon or represented directly or indirectly upon a building, structure, or piece of land, and which directs attention to an object, product, place, activity, person, institution, organization, or business.

- Sec. 311.29 Sign face: The surface of the sign upon or against which any message of the sign is exhibited.
- Sec. 311.30 Square footage: The sum of multiplying the height of the surface area times the width of the surface area of a sign. In the event that independent letters, logos, symbols, etc., are utilized the above formula shall determine such signs' square footage by computing the minimum area of a polygon which completely encloses the sign face and in which polygon no interior angle is greater than 180 degrees.
- Sec. 311.31 Street frontage: That facade (See section 311.10 "Facade") which fronts a dedicated street right-of-way, or that facade upon which the main entrance to the premises is situated.
- Sec. 311.32 Surface area: The entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, logo, or any figure or similar character together with any frame or other material or color forming an integral part of a display. The area of such sign shall be determined by computing the minimum area of a polygon which completely encloses the sign face and in which polygon no interior angle is greater than 180 degrees.
- Sec. 311.33 Temporary sign: Any sign which is movable and which is not permanently attached to the ground, a structure, or other sign, and is designed or constructed in such a manner that it can be moved or relocated without involving any structural or support changes.
- Sec 311.33-1 "A-Frame" type sign: A one or two sided sign which is constructed in the figuration of a capital "A" or an inverted "V".
- Sec 311.33-2 "Thomas" type sign: A one or two sided sign constructed so that the sign face is supported by springs, or other similar support, attached to a wood or metal base which prevents said sign from toppling easily, and which may or may not flex when pressure is applied to the sign face.
- Sec. 311.34 Wall sign: A sign which is fixed to, painted on, or carved into any exterior wall of a premises which carries the name of the business, person, firm, or corporation occupying the premises and the principal goods or services rendered.
- Sec. 312 Signs in the "A-A", "A", "A-2", "B", "C", and "D" Residence District.
- Sec. 312.1 Real Estate Sign: Advertising signs shall be permitted provided that the following requirements are adhered to. Such signs shall: relate solely to the lease, hire, or sale of the building or premises; not be situated in any street right-of-way; not exceed twelve (12) square feet in surface area for any one side; be removed as soon as the premises are leased, hired, or sold (See figure 1).

- Sec. 312.2 Bulletin Board Sign: Notification signs shall be permitted provided that the following requirements are adhered to. Such signs shall: relate solely to a public, charitable, or religious institutional use of the premises; not exceed twelve (12) square feet in surface area for any one side (See figure 2). Permit required.
- Sec. 312.3 Agricultural Sign: Advertising signs shall be permitted provided that the following requirements are adhered to. Such signs shall, not be situated in any street right-of-way (See figure 1).
- Sec. 312.4 Construction Sign: Signs incidental to construction shall be permitted provided that the following requirements are adhered to. Such signs shall: be situated no less than ten (10) feet from any street right-of-way (in any direction); be removed upon completion or abandonment of the construction work; be placed at the discretion of the Delhi Township Zoning Inspector (See figure 1). Permit required.
- Sec. 312.5 Home Occupation Sign: Signs pertaining to an occupation or profession carried on within a residential premises shall be permitted provided that the following requirements are adhered to. Such signs shall: be attached to the main structure on the premises; not extend beyond the boundaries of the facade upon which it is attached, and not project more than eighteen (18) inches therefrom in an outward direction (See figure 5); not exceed two (2) square feet in surface area.
- Sec. 312.6 Political Sign: Political signs shall be permitted provided that the following requirements are adhered to. Such signs shall be situated not less than ten (10) feet from any street right-of-way (in any direction) and not be displayed more than ninety (90) consecutive days without being removed or replaced (See figure 1).
- Sec. 312.7 Ground Sign: Identification signs may be attached to a free standing ground sign provided that the following requirements are adhered to. Such signs shall: not exceed the number of one (1) per lot (see also Section 311.7); relate solely to the name and use of the premises; not exceed ten (10) feet in height; be situated not less than ten (10) feet from any street right-of-way (in any direction); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from any adjacent property or any dedicated street right-of-way); employ no motion or intermittence; not exceed fifty (50) square feet in surface area for any one side (See figure 2). Permit required.
- Sec. 313 Signs in the "O" Office District.
- Sec. 313.1 Wall Sign: Identification signs may be attached to a building provided that the following requirements are adhered to. Such signs shall: relate solely to the name and business of the occupant of the premises; be attached to a facade facing a street frontage; not exceed beyond the boundaries of the facade upon which it is attached, and not project more than eighteen (18) inches therefrom in an outward direction (see figure 5); if illuminated, back lit, internally lit, or indirectly lit (the light source

of which is not visible from adjacent property or any dedicated street right-of-way); employ no motion or intermittence; not exceed fifty (50) square feet in surface area for any one side (See figure 5). Permit required.

- Sec. 313.2 Ground Sign: Identification signs may be attached to a free standing ground sign provided that the following requirements are adhered to. Such signs shall: not exceed the number of one (1) per lot (see also Section 311.7); relate solely to the name and/or business of the occupant(s) of the premises; not exceed ten (10) feet in height; be situated not less than ten (10) feet from any street right-of-way (in any direction); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from adjacent property or any dedicated street right-of-way); employ no motion or intermittence; not exceed fifty (50) square feet in surface area for any one side (See figure 2). Permit required.
- Sec. 313.3 Real Estate Sign: Advertising signs shall be permitted provided that the following requirements are adhered to. Such signs shall: relate solely to the lease, hire, or sale of the building or premises; not be situated in any street right-of-way; not exceed twelve (12) square feet in surface area for any one side; be removed as soon as the premises are leased, hired, or sold (See figure 1).
- Sec. 313.4 Bulletin Board Sign: Notification signs shall be permitted provided that the following requirements are adhered to. Such signs shall: relate solely to a public, charitable, or religious institutional use of the premises; not exceed twelve (12) square feet in surface area for any one side (See figure 2). Permit required.
- Sec. 313.5 Agricultural Sign: Advertising signs shall be permitted provided that the following requirements are adhered to. Such signs shall: not be situated in any street right-of-way (See figure 1).
- Sec. 313.6 Construction Sign: Signs incidental to construction shall be permitted provided that the following requirements are adhered to. Such signs shall: be situated no less than ten (10) feet from any street right-of-way (in any direction); be removed upon the completion or abandonment of the construction work; be placed at the discretion of the Delhi Township Zoning Inspector (See figure 1). Permit required.
- Sec. 313.7 Home Occupation Sign: Signs pertaining to an occupation or profession carried on within a residential premises shall be permitted provided that the following requirements are adhered to. Such signs shall: be attached to the main structure on the premises; not extend beyond the boundaries of the facade upon which it is attached, and not project more than eighteen (18) inches therefrom in an outward direction (See figure 5); not exceed two (2) square feet in surface area.

- Sec. 313.8 Political Sign: Political signs shall be permitted provided that the following requirements are adhered to. Such signs shall be situated not less than ten (10) feet from any street right-of-way (in any direction) and not be displayed more than ninety (90) consecutive days without being removed or replaced (See figure 1).
- Sec. 314 Signs in the "E" Retail Business District.
- Sec. 314.1 Wall Sign: Advertising and/or identification signs may be attached to a building provided that the following requirements are adhered to. Such signs shall: relate solely to the name (trade name, business name, corporate name) or use of the premises; not extend beyond the boundaries of the facade upon which it is attached, and not project more than eighteen (18) inches therefrom in an outward direction (see figure 5); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from adjacent property or any dedicated street right-of-way). Permit required.
- Sec. 314.2 Pole Sign: Advertising and/or identification signs may be mounted on a free standing pole, or other such support, provided that the following requirements are adhered to. Such signs shall: be permitted at a premises as an alternative to the utilization of a ground sign; not exceed the number of one (1) per lot (see also Section 311.7); relate solely to the name (trade name, business name, corporate name) or use of the premises; not exceed forty-five (45) feet in height; have no sign face less than ten (10) feet from grade level; be situated not less than ten (10) feet from any street right-of-way (in any direction); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from adjacent property or any dedicated street right-of-way); not exceed one hundred fifty (150) square feet in surface area for any one side (See figure 3). Permit required.
- Sec. 314.3 Ground Sign: Identification signs may be attached to a free standing ground sign provided that the following requirements are adhered to. Such signs shall: be permitted at a premises as an alternative to the utilization of a pole sign; not exceed the number of one (1) per lot (see also Section 311.7); relate solely to the name (trade name, business name, corporate name) or use of the premises, or its products and services; not exceed ten (10) feet in height; be situated not less than fifteen (15) feet from any street right-of-way (in any direction); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from any adjacent property or any dedicated street right-of-way); employ no motion or intermittence; not exceed fifty (50) square feet in surface area for any one side (See figure 2). Permit required.
- Sec. 314.4 Marquee Sign: Advertising and/or identification signs, when mounted on a free standing pole sign, may include a marquee provided that the following requirements are adhered to. Such signs shall: follow the requirements established and described in Section 314.2 or 314.3; may reference an item of public interest (See figure 3). Permit required.

- Sec. 314.5 Directional Sign: Directional signs may be mounted on a free standing pole, or other such support, provided that the following requirements are adhered to. Such signs shall: be situated not less than ten (10) feet from any street line (in any direction); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from adjacent property or any dedicated street right-of-way; not exceed ten (10) square feet in surface area for any one side (See figure 4). Permit required.
- Sec. 314.6 DELETED
- Sec. 314.7 DELETED
- Sec. 314.8 Credit Card Sign: Advertising and/or identification signs shall be permitted provided that the following requirements are adhered to. Such signs shall: not exceed a number of two (2) for each street frontage; have no sign face less than ten (10) feet from grade level; be attached to an existing sign or light stanchion; not exceed a dimension of twelve (12) inches by eighteen (18) inches for any one side of each such sign.
- Sec. 314.9 Real Estate Sign: Advertising signs shall be permitted provided that the following requirements are adhered to. Such signs shall: relate solely to the lease, hire, or sale of the building or premises; not be situated in any street right-of-way (in any direction); not exceed twelve (12) square feet in surface area for any one side; be removed as soon as the premises are leased, hired or sold (See figure 1).
- Sec. 314.10 Bulletin Board Sign: Notification signs shall be permitted provided that the following requirements are adhered to. Such signs shall: relate solely to a public charitable, religious institutional use of the premises; not exceed twelve (12) square feet in surface area for any one side (See figure 2).
- Sec. 314.11 Agricultural Sign: Advertising signs shall be permitted provided that the following requirements are adhered to. Such signs shall: not be situated in any street right-of-way (See figure 1).
- Sec. 314.12 Construction Sign: Signs incidental to construction shall be permitted provided that the following requirements are adhered to. Such signs shall: be situated no less than ten (10) feet from any street right-of-way (in any direction); be removed upon the completion or abandonment of the construction work; be placed at the discretion of the Delhi Township Zoning Inspector (See figure 1). Permit required.
- Sec. 314.13 Home Occupation Sign: Signs pertaining to an occupation or profession carried on within a residential premises shall be permitted provided that the following requirements are adhered to. Such signs shall: be attached to the main structure on the premises; not extend beyond the boundaries of the facade upon which it is attached, and not project more than eighteen (18) inches therefrom in an outward direction (See figure 5); not exceed two (2) square feet in surface area.

- Sec. 314.14 Political Sign: Political signs shall be permitted provided that the following requirements are adhered to. Such signs shall be situated not less than ten (10) feet from any street right-of-way (in any direction) and not be displayed more than ninety (90) consecutive days without being removed or replaced (See figure 1).
- Sec. 315 Signs in the "F" Light Industrial District.
- Sec. 315.1 Wall Sign: Identification signs may be attached to a building provided that the following requirements are adhered to. Such signs shall: relate solely to the name (trade name, business name, corporate name) or its products or services; not extend beyond the boundaries of the facade upon which it is attached, and not project more than eighteen (18) inches therefrom in an outward direction (see figure 5); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from adjacent property or any dedicated street right-of-way); not exceed one hundred fifty (150) square feet in surface area for any one side. Permit required.
- Sec. 315.2 Pole Sign: Advertising and/or identification signs may be mounted on a free standing pole, or other such support, provided that the following requirements are adhered to. Such signs shall: be permitted at a premises as an alternative to the utilization of a ground sign; not exceed the number of one (1) per lot (see also Section 311.7); relate solely to the name (trade name, business name, corporate name) or use of the premises; not exceed forty-five (45) feet in height; have no sign face less than ten (10) feet from grade level; be situated no less than ten (10) feet from any street right-of-way (in any direction); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from adjacent property or any dedicated street right-of-way); not exceed one hundred fifty (150) square feet in surface area for any one side (See figure 3). Permit required.
- Sec. 315.3 Ground Sign: Identification signs may be attached to a free standing ground sign provided that the following requirements are adhered to. Such signs shall: be permitted at a premises as an alternative to the utilization of a pole sign; not exceed the number of one (1) per lot (see also Section 311.7); relate solely to the name (trade name, business name, corporate name) or use of the premises, or its products and services; not exceed ten (10) feet in height; be situated not less than fifteen (15) feet from any street right-of-way (in any direction); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from any adjacent property or any dedicated street right-of-way); employ no motion or intermittence; not exceed fifty (50) square feet in surface area for any one side (See figure 2). Permit required.

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- Sec. 315.4 Directional Sign: Directional signs may be mounted on a free standing pole, or other such support, provided that the following requirements are adhered to. Such signs shall: not exceed a number of two (2) for each parcel; if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from adjacent property or any dedicated street right-of-way); not exceed ten (10) square feet in surface area for any one side (See figure 4). Permit required.
- Sec. 315.5 Real Estate Sign: Advertising signs shall be permitted provided that the following requirements are adhered to. Such signs shall: relate solely to the lease, hire, or sale of the building or premises; not be situated in any street right-of-way (in any direction); not exceed twelve (12) square feet in surface area for any one side; be removed as soon as the premises are leased, hired, or sold (See figure 1).
- Sec. 315.6 Bulletin Board Sign: Notification signs shall be permitted provided that the following requirements are adhered to. Such signs shall: relate solely to a public, charitable, or religious institutional use of the premises; not exceed twelve (12) square feet in surface area for any one side (See figure 2). Permit required.
- Sec. 315.7 Agricultural Sign: Advertising signs shall be permitted provided that the following requirements are adhered to. Such signs shall: not be situated in any street right-of-way (See figure 1).
- Sec. 315.8 Construction Sign: Signs incidental to construction shall be permitted provided that the following requirements are adhered to. Such signs shall: be situated no less than ten (10) feet from any street right-of-way (in any direction); be removed upon completion or abandonment of the construction work; be placed at the discretion of the Delhi Township Zoning Inspector (See figure 1). Permit required.
- Sec. 315.9 Political Sign: Political signs shall be permitted provided that the following requirements are adhered to. Such signs shall be situated not less than ten (10) feet from any street right-of-way (in any direction) and not be displayed more than ninety (90) consecutive days without being removed or replaced (See figure 1).
- Sec. 316 Signs in the "DD" Residence District.
- Sec. 316.1 Real Estate Sign: Advertising signs shall be permitted provided that the following requirements are adhered to. Such signs shall: relate solely to the lease, hire, or sale of the building or premises; not be situated in any street right-of-way (in any direction); not exceed twelve (12) square feet in surface area for any one side; be removed as soon as the premises are leased, hired, or sold (See figure 1).
- Sec. 316.2 Agricultural Sign: Advertising signs shall be permitted provided that the following requirements are adhered to. Such signs shall: not be situated in any street right-of-way (See figure 1).

- Sec. 316.3 Construction Sign: Signs incidental to construction shall be permitted provided that the following requirements are adhered to. Such signs shall: be situated no less than ten (10) feet from any street right-of-way (in any direction); be removed upon completion or abandonment of the construction work; be placed at the discretion of the Delhi Township Zoning Inspector (See figure 1). Permit required.
- Sec. 316.4 Home Occupation Sign: Signs pertaining to an occupation or profession carried on within a residential premises shall be permitted provided that the following requirements are adhered to. Such signs shall: be attached to the main structure on the premises; not extend beyond the boundaries of the facade upon which it is attached, and not project more than eighteen (18) inches therefrom in an outward direction (See figure 5); not exceed two (2) square feet in surface area.
- Sec. 316.5 Political Sign: Political signs shall be permitted provided that the following requirements are adhered to. Such signs shall be situated not less than ten (10) feet from any street right-of-way (in any direction) and not be displayed more than ninety (90) consecutive days without being removed or replaced (See figure 1).
- Sec. 316.6 Ground Sign: Identification signs may be attached to a free standing ground sign provided that the following requirements are adhered to. Such signs shall: not exceed the number of one (1) per lot (see also Section 311.7); relate solely to the name and use of the premises; not exceed ten (10) feet in height; be situated not less than ten (10) feet from any street right-of-way (in any direction); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from any adjacent property or any dedicated street right-of-way); employ no motion or intermittence; not exceed fifty (50) square feet in surface area for any one side (See figure 2). Permit required.
- Sec. 317 Signs in the "OO" Office District.
- Sec. 317.1 Wall Sign: Identification signs may be attached to a building provided that the following requirements are adhered to. Such signs shall: relate solely to the name (trade name, business name, corporate name) or use of the premises; be attached to a facade facing a street frontage; not extend beyond the boundaries of the facade upon which it is attached, and not project more than eighteen (18) inches therefrom in an outward direction (See figure 5); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from adjacent property or any dedicated street right-of-way); not exceed fifty (50) square feet in surface area. Permit required.

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- Sec. 317.2 Ground Sign: Identification signs may be attached to a free standing ground sign provided that the following requirements are adhered to. Such signs shall: not exceed the number of one (1) per lot (see also Section 311.7); relate solely to the name and/or business of the occupant(s) of the premises; not exceed ten (10) feet in height; be situated not less than ten (10) feet from any street right-of-way (in any direction); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from any adjacent property or any dedicated street right-of-way); employ no motion or intermittence; not exceed fifty (50) square feet in surface area for any one side (See figure 2). Permit required.
- Sec. 317.3 Real Estate Sign: Advertising signs shall be permitted provided that the following requirements are adhered to. Such signs shall: relate solely to the lease, hire, or sale of the building or premises; not be situated in any street right-of-way; not exceed twelve (12) square feet in surface area for any one side; be removed as soon as the premises are leased, hired, or sold (See figure 1).
- Sec. 317.4 Agricultural Sign: Advertising signs shall be permitted provided that the following requirements are adhered to. Such signs shall: not be situated in any street right-of-way (See figure 1).
- Sec. 317.5 Construction Sign: Signs incidental to construction shall be permitted provided that the following requirements are adhered to. Such signs shall: be situated no less than ten (10) feet from any street right-of-way (in any direction); be removed upon completion or abandonment of the construction work; be placed at the discretion of the Delhi Township Zoning Inspector (See figure 1). Permit required.
- Sec. 317.6 Political Sign: Political signs shall be permitted provided that the following requirements are adhered to. Such signs shall be situated not less than ten (10) feet from any street right-of-way (in any direction) and not be displayed more than ninety (90) consecutive days without being removed or replaced (See figure 1).
- Sec. 317.7 Home Occupation Sign: Signs pertaining to an occupation or profession carried on within a residential premises shall be permitted provided that the following requirements are adhered to. Such signs shall: be attached to the main structure on the premises; not extend beyond the boundaries of the facade upon which it is attached, and not project more than eighteen (18) inches therefrom in an outward direction (See figure 5); not exceed two (2) square feet in surface area.

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- Sec. 318 Signs in the "EE" Retail Business District.
- Sec. 318.1 Wall Sign: Advertising and/or identification signs may be attached to a building provided that the following requirements are adhered to. Such signs shall: relate solely to the name (trade name, business name, corporate name) or use of the premises; not extend beyond the boundaries of the facade upon which it is attached, and not project more than eighteen (18) inches therefrom in an outward direction (see figure 5); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from adjacent property or any dedicated street right-of-way). Permit required.
- Sec. 318.2 Pole Sign: Advertising and/or identification signs may be mounted on a free standing pole, or other such support, provided that the following requirements are adhered to. Such signs shall: be permitted at a premises as an alternative to the utilization of a ground sign; not exceed the number of one (1) per lot (see also Section 311.7); relate solely to the name (trade name, business name, corporate name) or use of the premises; not exceed forty-five (45) feet in height; have no sign face less than ten (10) feet from grade level; be situated not less than ten (10) feet from any street right-of-way (in any direction); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from adjacent property or any dedicated street right-of-way); not be situated less than two hundred (200) feet from any Residence District; not exceed one hundred fifty (150) square feet in surface area for any one side (See figure 3). Permit required.
- Sec. 318.3 Ground Sign: Identification signs may be attached to a free standing ground sign provided that the following requirements are adhered to. Such signs shall: be permitted at a premises as an alternative to the utilization of a pole sign; not exceed the number of one (1) per lot (see also Section 311.7); relate solely to the name (trade name, business name, corporate name) or use of the premises, or its products and services; not exceed ten (10) feet in height; be situated not less than fifteen (15) feet from any street right-of-way (in any direction); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from any adjacent property or any dedicated street right-of-way); employ no motion or intermittence; not exceed fifty (50) square feet in surface area for any one side (See figure 2). Permit required.
- Sec. 318.4 Directional Sign: Directional signs may be mounted on a free standing pole, or other such support, provided that the following requirements are adhered to. Such signs shall: be situated not less than ten (10) feet from any street line (in any direction); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from adjacent property or any dedicated street right-of-way); not exceed ten (10) square feet in surface area for any one side (See figure 4). Permit required.

- Sec. 318.5 Real Estate Sign: Advertising signs shall be permitted provided that the following requirements are adhered to. Such signs shall: relate solely to the lease, hire, or sale of the building or premises; not be situated in any street right-of-way (in any direction); not exceed twelve (12) square feet in surface area for any one side; be removed as soon as the premises are leased, hired, or sold (See figure 1).
- Sec. 318.6 Agricultural Sign: Advertising signs shall be permitted provided that the following requirements are adhered to. Such signs shall: not be situated in any street right-of-way (See figure 1).
- Sec. 318.7 Construction Sign: Signs incidental to construction shall be permitted provided that the following requirements are adhered to. Such signs shall: be situated no less than ten (10) feet from any street right-of-way (in any direction); be removed upon the completion or abandonment of the construction work; be placed at the discretion of the Delhi Township Zoning Inspector (See figure 1). Permit required.
- Sec. 318.8 Political Sign: Political signs shall be permitted provided that the following requirements are adhered to. Such signs shall be situated not less than ten (10) feet from any street right-of-way (in any direction) and not be displayed more than ninety (90) consecutive days without being removed or replaced (See figure 1).
- Sec. 319 Signs in the "FF" Light Industrial District.
- Sec. 319.1 Wall Sign: Identification signs may be attached to a building provided that the following requirements are adhered to. Such signs shall: relate solely to the name (trade name, business name, corporate name) or its products or services; not extend beyond the boundaries of the facade upon which it is attached, and not project more than eighteen (18) inches therefrom in an outward direction (see figure 5); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from adjacent property or any dedicated street right-of-way); not exceed one hundred fifty (150) square feet in surface area for any one side. Permit required.
- Sec. 319.2 Pole Sign: Advertising and/or identification signs may be mounted on a free standing pole, or other such support, provided that the following requirements are adhered to. Such signs shall: be permitted at a premises as an alternative to the utilization of a ground sign; not exceed the number of one (1) per lot (see also Section 311.7); relate solely to the name (trade name, business name, corporate name) or use of the premises; not exceed forty-five (45) feet in height; have no sign face less than ten (10) feet from grade level; be situated no less than ten (10) feet from any street right-of-way (in any direction); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from adjacent property or any dedicated street right-of-way); not exceed one hundred fifty (150) square feet in surface area for any one side (See figure 3). Permit required.

- Sec. 319.3 Ground Sign: Identification signs may be attached to a free standing ground sign provided that the following requirements are adhered to. Such signs shall: be permitted at a premises as an alternative to the utilization of a pole sign; not exceed the number of one (1) per lot (see also Section 311.7); relate solely to the name (trade name, business name, corporate name) or use of the premises, or its products and services; not exceed ten (10) feet in height; be situated not less than fifteen (15) feet from any street right-of-way (in any direction); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from any adjacent property or any dedicated street right-of-way); employ no motion or intermittence; not exceed fifty (50) square feet in surface area for any one side (See figure 2). Permit required.
- Sec. 319.4 Directional Sign: Directional signs may be mounted on a free standing pole, or other such support, provided that the following requirements are adhered to. Such signs shall: be situated not less than ten (10) feet from any street line (in any direction); if illuminated, back lit, internally lit, or indirectly lit (the light source of which is not visible from adjacent property or any dedicated street right-of-way); not exceed ten (10) square feet in surface area for any one side (See figure 4). Permit required.
- Sec. 319.5 Real Estate Sign: Advertising signs shall be permitted provided that the following requirements are adhered to. Such signs shall: relate solely to the lease, hire, or sale of the building or premises; not be situated in any street right-of-way (in any direction); not exceed twelve (12) square feet in surface area for any one side; be removed as soon as the premises are leased, hired or sold (See figure 1).
- Sec. 319.6 Agricultural Sign: Advertising signs shall be permitted provided that the following requirements are adhered to. Such signs shall: not be situated in any street right-of-way (See figure 1).
- Sec. 319.7 Construction Sign: Signs incidental to construction shall be permitted provided that the following requirements are adhered to. Such signs shall: be situated no less than ten (10) feet from any street right-of-way (in any direction); not exceed twenty four (24) square feet in surface area for any one side; be removed upon the completion or abandonment of the construction work; be placed at the discretion of the Delhi Township Zoning Inspector (See figure 1). Permit required.
- Sec. 319.8 Political Sign: Political signs shall be permitted provided that the following requirements are adhered to. Such signs shall be situated not less than ten (10) feet from any street right-of-way (in any direction) and not be displayed more than ninety (90) consecutive days without being removed or replaced (See figure 1).

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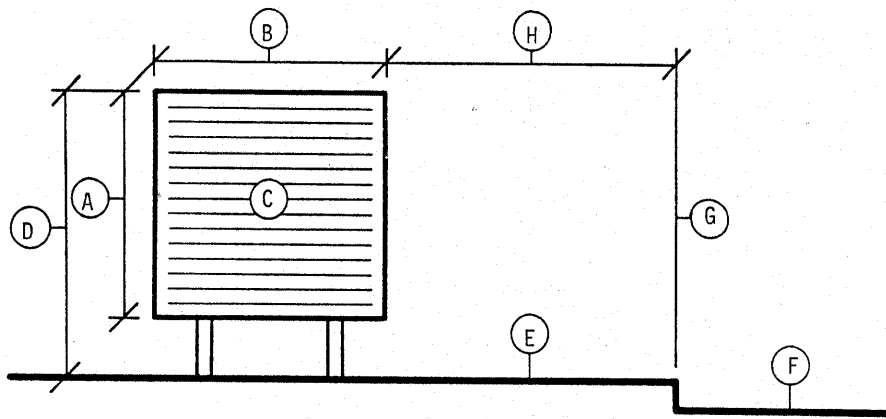
ARTICLE XXXII
DELHI PIKE CORRIDOR OVERLAY DISTRICT

- Sec. 320.0 Purpose:
It is the purpose of the Delhi Pike Corridor Overlay District to permit alternative, compatible uses so as to maintain the integrity and viability of the Delhi Pike Business Corridor beyond those permitted in the standard zoning districts of this resolution, while also requiring features that protect against negative impacts to neighboring land uses or harm to the environment. The Delhi Pike Corridor Overlay District shall constitute a planned unit development as authorized by Section 519.021 of the Ohio Revised Code (ORC).
- Sec. 321.0 Designation:
The Delhi Pike Corridor Overlay District shall be designated by the abbreviation “DPCO” on the official zoning map of the Township. All property so classified is subject to the provisions of this article.
- Sec. 322.0 Applicability:
The DPCO District shall operate as an overlay zone with the existing, underlying zoning districts remaining intact. This article shall apply only at the election of the property owner to additional permitted uses as identified in this overlay district. All uses permitted within the underlying zoning districts in the DPCO District shall not be subject to the regulations and standards of this article. All other provisions of the underlying zoning districts shall apply, except as provided for in this article.
- Sec. 323.0 Exemptions from the Delhi Pike Corridor Overlay District:
Unless specifically addressed in the DPCO District, the following must only meet the requirements of the Zoning Resolution or other applicable codes as adopted by the Township:
- Sec. 323.1 The use, construction, expansion, alteration or change of occupancy of a building or premises for a use permitted by underlying zoning districts;
- Sec. 323.2 Any permit for interior alterations;
- Sec. 323.3 Any permit for mechanical or electrical systems;
- Sec. 323.4 Any permit for the construction or repair of fences; or
- Sec. 323.5 Any permit necessary for the alteration or construction of signs.
- Sec. 324.0 Use Regulations
In addition to those uses permitted in the underlying zoning districts, a building or premises may be used for the following purposes subject to approval pursuant to this article:

- Sec. 324.1 Wholesale Business.
Wholesale business shall mean a place for the sale of goods, products or merchandise stored within the premises to persons who are intermediaries between the producer and the consumer.
- Sec. 324.2 Light Assembly.
Light assembly shall mean the assembly of goods and materials.
- Sec. 324.3 Research and development laboratory and/or facility.
Research and development laboratories and facilities shall mean a facility equipped for experimentation, testing, analysis, observation and study for scientific research in the natural, physical or social sciences which may include engineering and product development.
- Sec. 324.4 Distribution center.
Distribution center shall mean an establishment engaged in the receipt, storage, and distribution of goods, products, cargo and materials.
- Sec. 324.5 Electronics service and repair facility.
Electronics service and repair facility shall mean an establishment where electronic equipment is repaired, reconditioned, reconstructed or restored. Electronic equipment shall include, but is not limited to televisions, radios, computers, copiers, scientific instruments, and corporate or industrial electronic machinery.
- Sec. 324.6 Corporate or business training facility.
Corporate or business training facility shall mean a place utilized for educational, vocational or technical training.
- Sec. 324.7 Similar uses to those established above, as approved by the Township Zoning Commission based on traffic generated, intensity of use, materials and processes utilized in the business, compatibility with surrounding uses, impact on the DPCO District as a whole as well as adjoining properties outside the DPCO District.
- Sec. 325.0 Height Regulations
No building shall exceed three (3) stories or forty-five (45) feet in height except as hereinafter provided in Article XVII.
- Sec. 326.0 Area Regulations
- Sec. 326.1 Lot area and width: The lot area and width requirements for properties in the DPCO District, incorporating those uses in Section 324.0, shall be determined by the underlying zoning district in which individual parcels are located.
- Sec. 326.2 Front yard: The minimum front yard setback for properties in the DPCO District, incorporating those uses in Section 324.0, shall be determined by the underlying zoning district in which individual parcels are located.

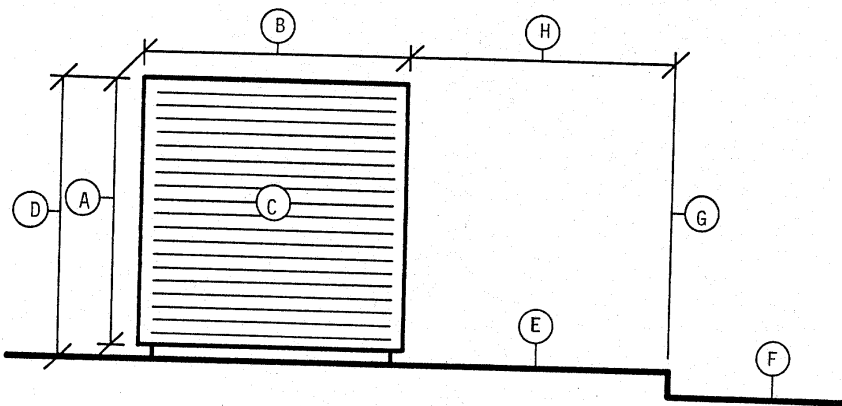
- Sec. 326.3 Side yard: The minimum side yard setbacks for properties in the DPCO District, incorporating those uses in Section 324.0, shall be determined by the underlying zoning district in which individual parcels are located.
- Sec. 326.4 Rear yard setback: The minimum rear yard setback for properties in the DPCO District, incorporating those uses in Section 324.0, shall be determined by the underlying zoning district in which individual parcels are located.
- Sec. 326.5 Existing buildings: Existing buildings that do not meet the lot area, width or yard requirements, which are utilized pursuant to this article, may be utilized for the uses as indicated in Section 324.0, provided that such use will not further increase the non-conformity of the lot.
- Sec. 327 General development requirements:
The following general development requirements shall apply to all uses specifically referenced in Section 324.0, in the DPCO District:
- Sec. 327.1 Businesses shall maintain a building entrance fronting on the street R.O.W. or parking lot, whichever is deemed most appropriate by the Zoning Commission. The building facade of all businesses facing the street R.O.W. or parking lot shall be of a design and be finished and maintained with materials in character with neighboring buildings.
- Sec. 327.2 All businesses, services or operations shall be conducted wholly within a completely enclosed building. All loading/unloading activities shall be conducted to the rear of the building. Commercial vehicle/trailer storage shall be limited to the rear yard. Outdoor storage of materials is prohibited.
- Sec. 327.3 No equipment, process, materials or chemicals shall be used which create noises, vibration, smoke, glare, dust, odor, fumes, heat, x-rays, health or safety hazards, radiation or electrical disturbances above and beyond that which is typically generated by the uses permitted by the underlying zone districts.
- Sec. 327.4 All sites incorporating a use permitted by Section 324.0, which abut a more restrictive zoning district, shall provide buffering which will provide an effective opaque screen. The buffer may incorporate a decorative wall, decorative fence, or berms of at least four feet, but not more than six feet in height, or by way of a buffer yard twenty (20) feet in width consisting of shade trees, evergreen trees, shrubs, hedges, ground cover and grass. Said buffer shall be approved by the Township Zoning Commission.
- Sec. 327.5 All ground mounted mechanical equipment, including, but not limited to heating, ventilating and air conditioning machinery; accessory communication equipment; solid waste disposal facilities and public utility service fixtures shall be screened from public view and shall be prohibited in buffer yards. Such screening may include any combination of buffering materials as specified in Sec. 327.4 and shall be approved by the Township Zoning Commission.

- Sec. 327.6 The developer of the site shall provide vehicular and/or pedestrian access to adjoining properties where appropriate.
- Sec. 327.7 Off street parking regulations shall be as indicated in Article XIV of this Zoning Resolution.
- Sec. 327.8 Additional regulations: Reasonable additional requirements as to landscaping, lighting, buffering, access and building setbacks may be imposed by the Township Zoning Commission for the protection of adjacent properties.
- Sec. 328.0 Development Plan approval procedures.
A development plan, in accordance with this article shall be prepared by the developer for submission to and approval by the Township Zoning Commission for any use established in this article. A preliminary development plan shall be submitted with the application. A final development plan shall be submitted as approved prior to the issuance of any zoning certificate. The final development plan shall be recorded in the office of the Hamilton County Recorder.
- Sec. 328.1 The Township Zoning Commission may request input and comments from the Hamilton County Regional Planning Commission on a proposed development plan, or revision thereof, submitted in accordance with this article.
- Sec. 328.2 In the event any property located within the DPCO, subject to an existing development plan, elects to further amend such plan pursuant to this article, such amendment shall be processed pursuant to this article unless the proposed, revised plan violates or conflicts with any condition of the existing development plan in which case such proposed, revised plan amendment shall be treated as an amendment or supplement to this Resolution and shall be governed by the provisions of law and this Resolution applicable thereto.
- Sec. 328.3 No approval of any development plan as being in compliance with the standards of approval established under this article XXXII shall be considered to be an amendment or supplement to this Resolution for the purposes of Section 519.12 ORC.
- Sec. 328.4 Violation of plan: The development plan approved in accordance with this article shall be an integral part of the Zoning Resolution and any departure from this plan or any modification thereof, except when specifically approved, shall be a violation of said Zoning Resolution and shall be subject to the provisions and penalties prescribed therefore in Article XXVIII.



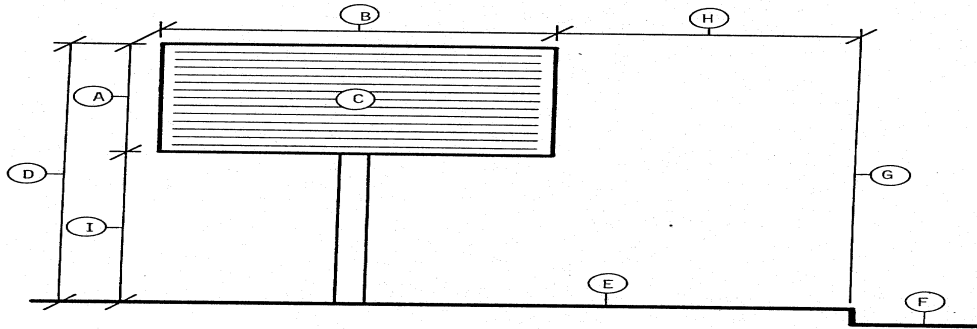
- (no scale)
- A: sign face height
 - B: sign face width
 - C: sign face
 - D: sign height
 - E: grade level
 - F: right-of-way
 - G: right-of-way line
 - H: distance of sign face from right-of-way

Figure 1: Real Estate/Agriculture/Political/Construction Signs



- (no scale)
- A: sign face height
 - B: sign face width
 - C: sign face
 - D: sign height
 - E: grade level
 - F: right-of-way
 - G: right-of-way line
 - H: distance of sign face from right-of-way

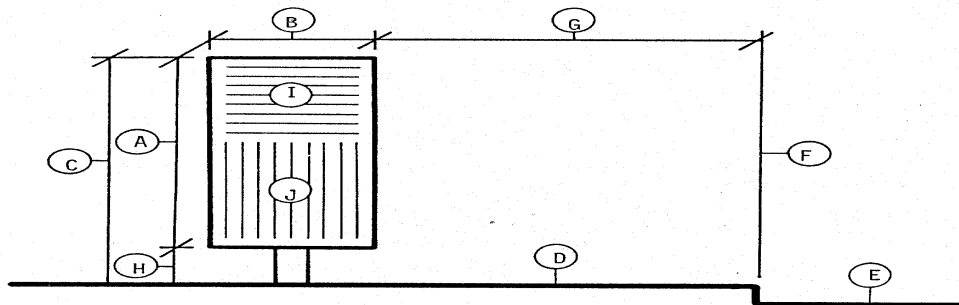
Figure 2: Ground/Bulletin Board/Development Signs



(no scale)

- A: sign face height
- B: sign face width
- C: sign face
- D: sign height
- E: grade level
- F: right-of-way
- G: right-of-way line
- H: distance of sign face from right-of-way
- I: distance of sign face from grade level

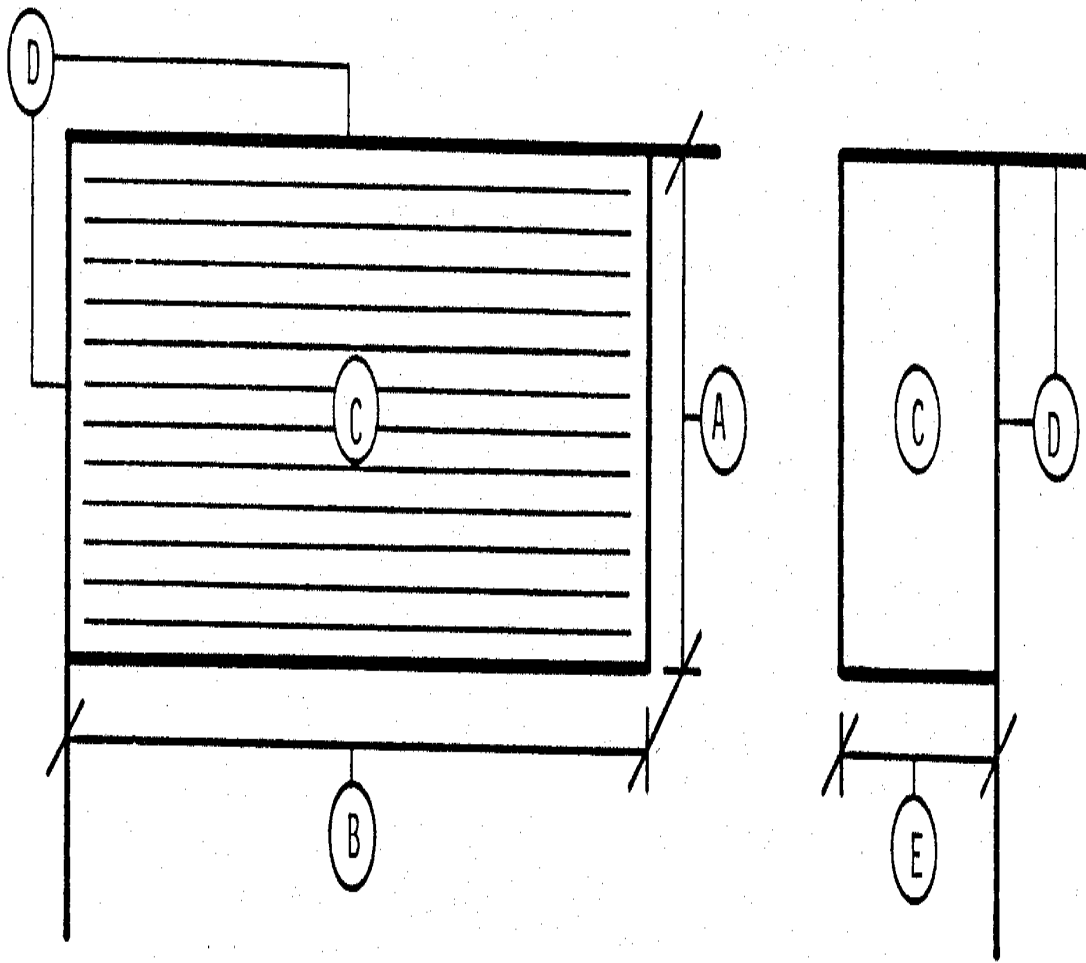
Figure 3: Pole/Marquee Signs



(no scale)

- A: sign face height
- B: sign face width
- C: sign height
- D: grade level
- E: street
- F: street line
- G: distance of sign face from street line
- H: distance of sign face from grade level
- I: percentage of sign devoted to logo on recognized trademark
- J: percentage of sign devoted to directional information

Figure 4: Directional Sign

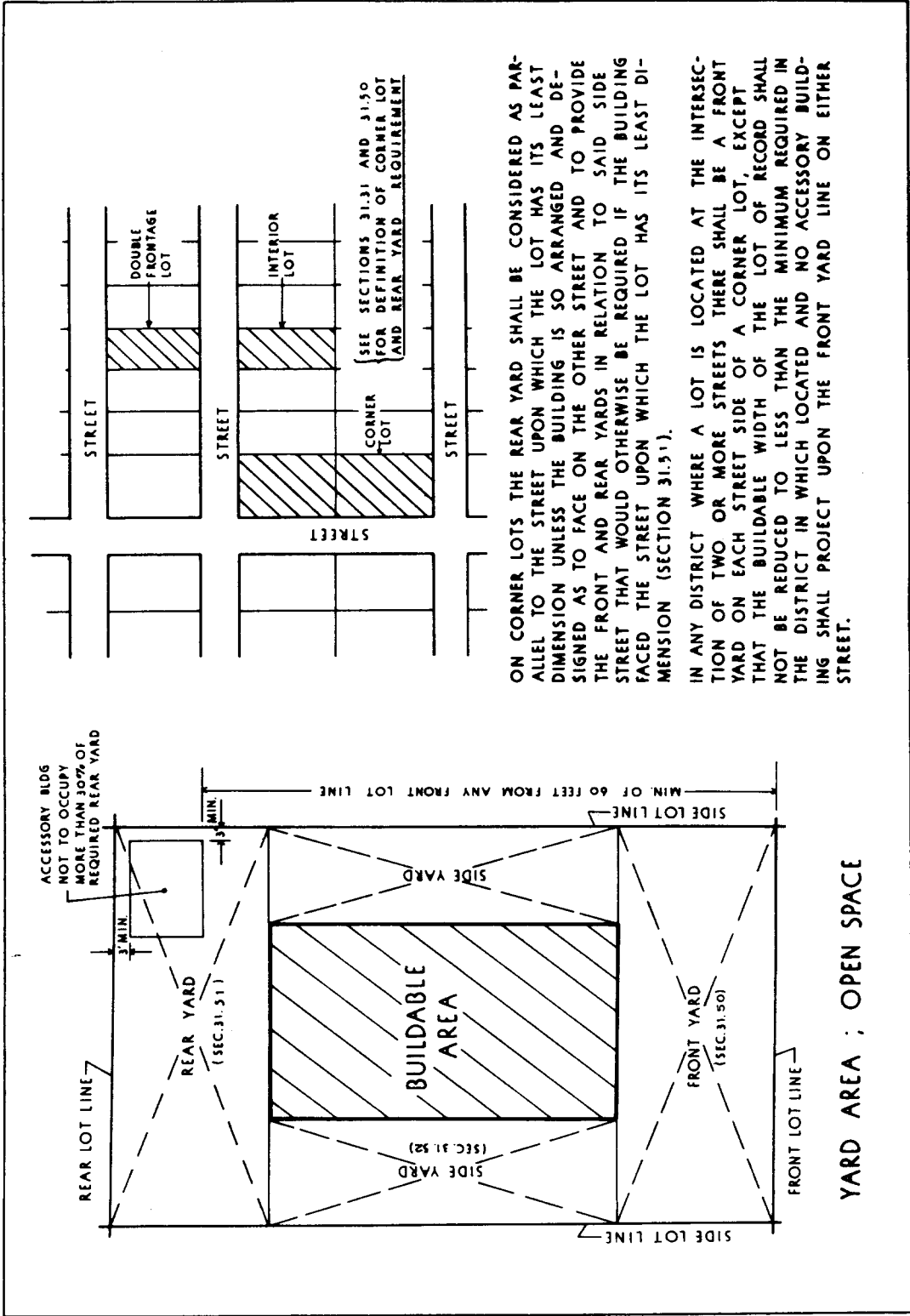


Front Elevation
(no scale)

Side Elevation
(no scale)

- A: sign face height
- B: sign face width
- C: sign
- D: extent of building facade
- E: distance sign projects from building facade

Figure 5: Wall/Home Occupation Signs

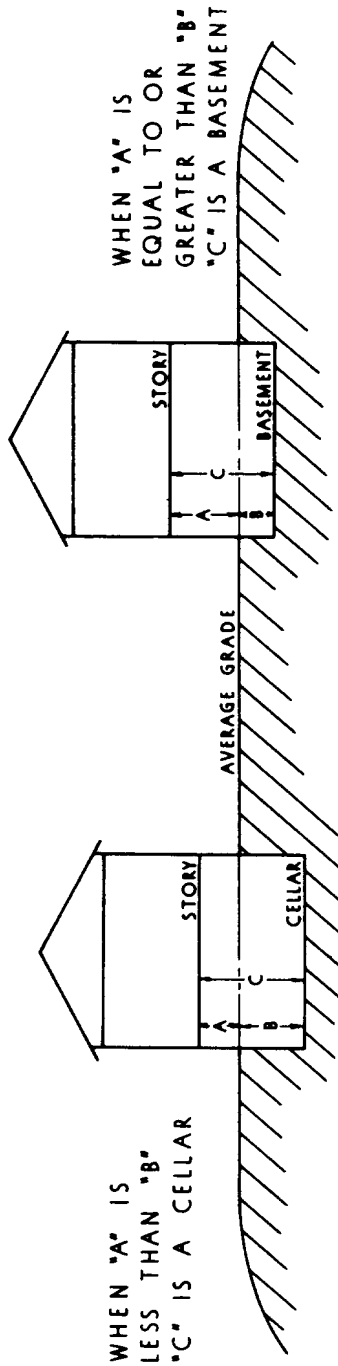


ON CORNER LOTS THE REAR YARD SHALL BE CONSIDERED AS PARALLEL TO THE STREET UPON WHICH THE LOT HAS ITS LEAST DIMENSION UNLESS THE BUILDING IS SO ARRANGED AND DESIGNATED AS TO FACE ON THE OTHER STREET AND TO PROVIDE THE FRONT AND REAR YARDS IN RELATION TO SAID SIDE STREET THAT WOULD OTHERWISE BE REQUIRED IF THE BUILDING FACED THE STREET UPON WHICH THE LOT HAS ITS LEAST DIMENSION (SECTION 31.51).

IN ANY DISTRICT WHERE A LOT IS LOCATED AT THE INTERSECTION OF TWO OR MORE STREETS THERE SHALL BE A FRONT YARD ON EACH STREET SIDE OF A CORNER LOT, EXCEPT THAT THE BUILDABLE WIDTH OF THE LOT OF RECORD SHALL NOT BE REDUCED TO LESS THAN THE MINIMUM REQUIRED IN THE DISTRICT IN WHICH LOCATED AND NO ACCESSORY BUILDING SHALL PROJECT UPON THE FRONT YARD LINE ON EITHER STREET.

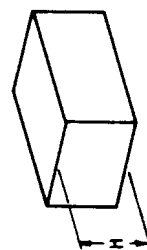
YARD AREA ; OPEN SPACE

CELLAR, BASEMENT, AND STORY

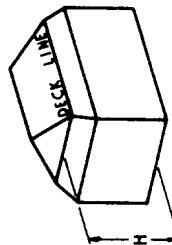


FOR DEFINITION OF CELLAR SEE SEC. 31.11

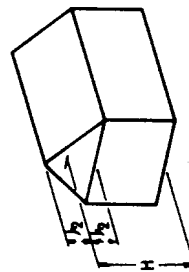
FOR DEFINITION OF BASEMENT SEE SEC. 31.6



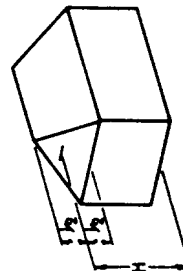
"FLAT"



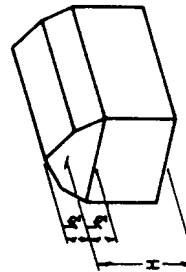
"MANSARD"



"GABLE"



"HIP"



"GAMBREL"

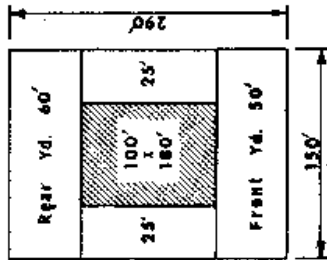
TYPE OF ROOF

"H" = HEIGHT OF BUILDING

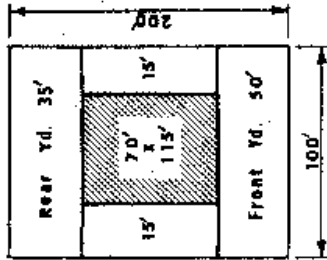
BUILDING HEIGHTS
SEE SEC. 31.10 FOR DEFINITION

SINGLE FAMILY RESIDENCE DISTRICT REQUIREMENTS

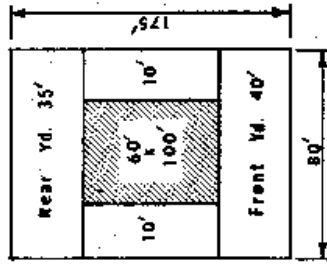
Res. A-A
43,560 sq. ft.



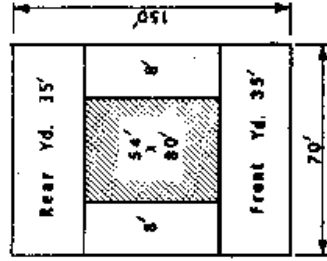
Res. A
20,000 sq. ft.



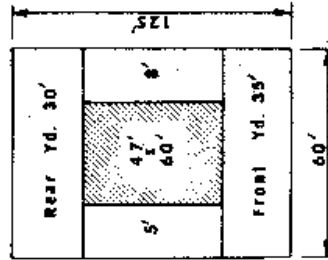
Res. A-2
14,000 sq. ft.



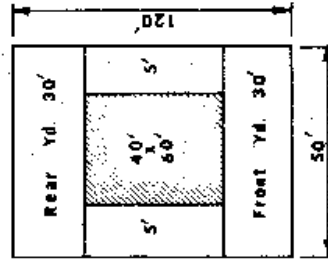
Res. B
10,300 sq. ft.



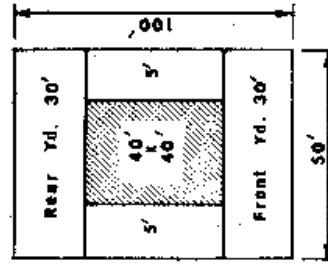
Res. B-2
7,500 sq. ft.



Res. C
6,000 sq. ft.



Res. D
5,000 sq. ft.



NOTE:

In A-2 and B an enclosed garage when attached to the main building may extend into the required side yard but shall not be closer than five (5) feet to the side lot line provided further that there shall be no living quarters above or behind said garage (Sec. 171.2).

SUMMARY OF ZONING REGULATIONS

USE	DISTRICT	HEIGHT		FRONT YARD	SIDE YARD	REAR YARD	LOT WIDTH	LOT AREA PER FAMILY	
		STYS.	FT.						
RESIDENCE: AGRICULTURE, SINGLE FAMILY HOMES, CHURCHES, SCHOOLS, RECREATION, ETC.	"A-A"	2½	35'	50'	25'	60'	150'	ONE (1) ACRE	
RESIDENCE: USES SAME AS IN "A-A" DISTRICT	"A"	2½	35'	50'	15'	35'	100'	20,000 SQ. FT.	
RESIDENCE: USES SAME AS IN "A-A" DISTRICT	"A-2"	2½	35'	40'	10'	35'	80'	14,000 SQ. FT.	
RESIDENCE: USES SAME AS IN "A-A" DISTRICT	"B"	2½	35'	35'	8'	35'	70'	10,500 SQ. FT.	
RESIDENCE: USES SAME AS IN "A-A" DISTRICT	"B-2"	2½	35'	35'	5' ONE 13' COMBINED	30'	60'	7,500 SQ. FT.	
RESIDENCE: USES SAME AS IN "A-A" DISTRICT	"C"	2½	35'	30'	5'	30'	50'	6,000 SQ. FT.	
RESIDENCE: USES PERMITTED ABOVE & MULTIPLE DWELLINGS, INSTITUTIONS, ETC.	"D"	3	45'	30'	5', 2½ STY 10', 3 STY	30', 2½ STY 40', 3 STY	DWELLING 90'	5,000 SQ. FT. SINGLE-FAMILY 3,000 SQ. FT. OTHER DWELLINGS	
OFFICE: PROFESSIONAL AND BUSINESS SERVICES	"O"	3	45'	30'	5', 2½ STY 10', 3 STY	30', 2½ STY 40', 3 STY	DWELLING 90'	5,000 SQ. FT. SINGLE-FAMILY 3,000 SQ. FT. OTHER DWELLINGS	
RETAIL BUSINESS: RETAIL SHOPS, SMALL BAKERIES, GARAGES, ETC.	"E"	3	45'	30'	NON-RES NONE	NON-RES NONE	DWELLING 50'	5,000 SQ. FT. SINGLE-FAMILY 3,000 SQ. FT. OTHER DWELLINGS	
LIGHT INDUSTRIAL: INDUSTRIAL USES WITHOUT OFFENSIVE EMISSIONS	"F"	6	75'	30'	NON-RES NONE	NON-RES NONE	DWELLING 50'	DWELLINGS PROHIBITED (SEE EXCEPTIONS)	
PLANNED MULTIPLE RESIDENCE: USES SAME AS "O" DISTRICT	"D-D"	PRECISE PLAN OF DEVELOPMENT IS REQUIRED WHICH SHOWS USE, LOCATION, HEIGHT AND SIZE OF STRUCTURE, VEHICULAR PARKING, CIRCULATION AND LANDSCAPED AREAS. DEED OF ACCEPTANCE MUST BE EXECUTED BY OWNER.							
PLANNED OFFICE DISTRICT: USES SAME AS "O" DISTRICT	"O-O"								
PLANNED RETAIL BUSINESS: USES SAME AS "E" DISTRICT	"E-E"								
PLANNED LIGHT INDUSTRIAL: USES SAME AS "F" DISTRICT	"F-F"								
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