

6. Mounding Specifications: Mounding provided in lieu of or in combination with walls, fences, and/or evergreen plantings shall consist of a strip of land as wide as necessary to obtain a maximum slope of 3 to 1 (angle or repose) for the required height. Mounding shall be planted with a ground cover suitable to prevent erosion.
7. Required Depth for Noise Screening: Screening for the purpose of absorbing or deflecting noise shall have a depth of at least fifteen (15) feet of mounding with plantings or ground cover or be a solid masonry wall in combination with decorative plantings.
8. Protection and Maintenance of Screening: Whenever required screening is adjacent to parking areas or driveways, such screening shall be protected by bumper blocks, posts or curbing to avoid damage by vehicles. All screening shall be trimmed and maintained in good condition and remain free of all advertising or other signs.
9. Required Buffers Between Zoning Districts: All development within the Beavercreek Township shall provide and maintain the required buffers between Zoning Districts as shown in Table 4.

18.18 CONVERSION OF DWELLING TO MORE UNITS

A residence may not be converted to accommodate an increased number of dwelling units unless:

1. The district is zoned for two (2) family or multi-family use as applicable.
2. The yard dimensions still meet the yard dimensions required by new structures in that district.
3. The lot area per family equals the lot area requirements for new structures in that district.
4. The floor area per dwelling unit is not reduced to less than that which is required for new construction in that district.
5. The conversion is in compliance with all other relevant codes and ordinances.

18.19 SEPTIC TANKS OR WELLS

Any residential construction utilizing wells and/or septic tanks shall be situated on a lot having a minimum area not less than one acre. The Greene County Health Department may require a larger minimum lot size for sanitary purposes.

18.20 USE, PARKING AND STORAGE OF VEHICLES AND MOBILE HOMES

1. Trucks, Trailers and Commercial Vehicles: The overnight parking or storage outside a fully enclosed building of any truck, trailer or commercial vehicle with a gross vehicle weight in excess of ten thousand (10,000) pounds is prohibited within any residential district. Trailers of any type shall not be permitted to be stored in a front yard within any residential district.
2. Recreational Vehicles: All recreational vehicles stored or parked within the Township shall be in accordance with the following regulations:
 - (a) No recreational vehicle shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot or in any district other than those districts in which such use is permitted by this Resolution.
 - (b) No recreational vehicle shall be parked or stored closer than five (5) feet to any property line.
3. Mobile Homes: All mobile homes stored, parked, and/or occupied within the Township shall be in accordance with the following regulations:
 - (a) No mobile home shall be parked or stored in any district except the "R-5" Mobile Home Residential District, the "I-1" Light Industrial District or the "I-2" Heavy Industrial District.
 - (b) No person shall occupy any mobile home in any district outside of the "R-5" Mobile Home Residential District.

18.21 DRIVE-IN SERVICE ESTABLISHMENTS

Establishments that by their nature create periodic lining up of customers in automobiles waiting to be served shall provide off-street areas for these waiting customers. This includes such activities as:

- Automobile Gasoline Pumps
- Drive-in banks
- Drive-in retail outlets
- Drive-in service and repair drop stations for such items as clothing, equipment, etc.
- Quick Auto Wash/Lubrication

Those establishments that can normally serve their customers in three minutes or less shall provide at least five (5) off-street waiting spaces from first drive-in point of service. Quick Auto Wash/Lubrication shall provide at least ten (10) off-street spaces. Where normal customer servicing time is greater than three minutes per car, additional spaces shall be provided on the basis of one additional space per additional minute of waiting time.

18.22 BARRIERS TO ENCROACHMENT BY VEHICLES

Hereafter, any lot used for parking, storage or display of vehicles for sale or rent, including boats, trailers, mobile homes or trucks, where such use is permitted to come within three (3) feet of any property line separating said lot from any property held by any other ownership including public land, such property lines shall be protected from encroachment by the installation of wheel stops, bumper guards or fencing so placed and erected as to prevent vehicles from projecting over said lines except at approved points of ingress and egress.

18.23 SWIMMING POOLS

1. Private Swimming Pools: No private swimming pool, exclusive of portable swimming pools with a diameter less than twelve (12) feet or with an area of less than one hundred (100) square feet shall be allowed in any commercial or residential district, except as an accessory use and unless it complies with the following conditions and requirements.
 - (a) The pool is intended and is to be used solely for the enjoyment of the occupants of the property on which it is located and their guests.
 - (b) It may not be located closer than ten (10) feet to any property line including any pool apron.
 - (c) The swimming pool shall be walled or fenced to prevent uncontrolled access by children from the street or from adjacent properties. Any fence shall not be less than six (6) feet in height and any solid wall shall not be less than five (5) feet in height and maintained in good condition with a gate and a lock. Open space in the fence areas shall not be greater than the four (4) inches.
 - (d) Swimming pools shall not be located in any required front yard.
2. Community or Club Swimming Pools: Community and club swimming pools shall comply with the following conditions and requirements:
 - (a) The pool is intended solely for the enjoyment of the members and families and guests of members of the association or club under whose ownership or jurisdiction the pool is operated;

- (b) The pool and accessory structures thereto, including the areas used by the bathers, shall not be closer than two hundred (200) feet to any property line:
 - (c) The swimming pool and all of the areas used by bathers shall be walled or fenced to prevent uncontrolled access by children from the streets or adjacent properties. Said fence or wall shall not be less than six (6) feet in height and maintained in good condition.
 - (d) If the property upon which the pool is located is used for any other purpose other than open green space, and the property is adjacent to residential property, the owners of the pool shall install and maintain screening as defined in Section 18.17 within five (5) feet of the residential property.
3. Commercial or Government Operated Swimming Pools: Commercial swimming pools shall comply with the requirements of 2(b), 2(c) and 2(d) above.

18.24

NOISE

No use, operation or activity in the Business or Industrial districts shall cause or create noise in excess of the sound levels prescribed below when measured as specified herein on or beyond the boundaries of the zoning district except for those uses, operations or activities specifically exempted herein:

- 1. Exemptions: The following uses, operations and activities shall be exempt from the noise regulations:
 - (a) Noise not directly under the control of the property owners or users;
 - (b) Noises emanating from construction and non-recurring maintenance activities between 7:00 a.m. and 7:30 p.m.;
 - (c) The noises of safety signals, warning devices and emergency pressure relief valves and church bells,
 - (d) Transient noises of moving sources such as automobiles, trucks, airplanes and railroads.
- 2. Method of Measurement: For the purpose of measuring the intensity and frequency of sound, the sound level meter, the octave band analyzer and the impact noise analyzer shall be employed. The flat network and the fast meter response of the sound level meter shall be used. Sounds of short duration as from forge hammers, punch presses and metal shears which cannot be measured accurately with the sound level meter shall be measured with the impact noise analyzer. For impact sounds measured

with the impact noise analyzer, the sound pressure levels may be increased by six (6) decibels in each octave band. The sound level shall be measured in five foot (5 ft.) increments to a height of fifteen (15) feet above the ground at the lot line of any office, business, research park or industrial district if the surrounding lands are on the same level or at a declination angle from the level of the office, business, research park or industrial district. If the surrounding lands are above the level that the office, business, research park or industrial facilities are on, the measurement shall be made in five foot (5 ft.) increments up to thirty (30) feet above ground level.

3. Standards: Octave Band Cycles per Second currently in use:

<u>FREQUENCY</u>	<u>MAXIMUM PERMITTED SOUND PRESSURE LEVEL IN DECIBELS</u>
31.5	67
63	66
125	61
250	54
500	47
1,000	39
2,000	29
4,000	20
8,000	20
16,000	20

18.25 JUNK VEHICLES

Junk vehicles stored or parked within the Township shall be in accordance with the following regulations:

1. Outdoor Storage of Junk Vehicle Prohibited: No person in charge or control of any property within the Township, whether as owner, tenant, occupant, lessee or otherwise, shall allow any junk vehicle to remain on such property outside of a completely enclosed building.
2. Business Use of Junk Vehicles: No business shall be conducted in connection with any parked or stored junk vehicle except authorized junk yards, scrap metal processing facilities and automobile repair facilities.
3. Required Screening of Junk Vehicles: Authorized junk yards, scrap metal processing facilities and automobile repair facilities shall be exempted from required building enclosure insofar as junk vehicles are completely screened from public streets and adjoining property. Such screening shall consist of mounding, fence, wall and/or vegetation. Any screening shall be in accordance with the following requirements:

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- (a) Fences or walls shall be neatly constructed of opaque material and maintained to insure their opacity.
 - (b) Vegetation and/or mounding shall be designed and grown to an opaque state and maintained as such.
 - (c) It shall not be less than six (6) feet in height above grade.
 - (d) It shall be maintained in a condition so as to insure its opacity.
 - (e) It shall not contain advertising.
4. Removal of Junk Vehicle: No junk vehicle shall remain stored or parked in violation of this section after receipt of a notice of violation.

18.26

BEEKEEPING

1. The keeping of honeybees in residential areas is permitted under the following conditions:
 - (a) No more than four (4) hives shall be kept on lots having ten thousand (10,000) square feet. Additional hives may be added at the rate of one (1) per five thousand (5,000) square feet.
 - (b) Hives shall not be located within twenty-five (25) feet of any property line; except no closer than ten (10) feet from any property line when the hive is situated eight (8) feet or more from adjacent ground level or when situated less than six (6) feet above adjacent ground level and behind a solid fence or hedge six (6) feet in height, parallel to any property line within twenty-five (25) feet of the hive and extending at least twenty (20) feet beyond the hive in both directions.
2. Colony Registration Required: All colonies must be registered with the Greene County Agricultural Extension Agent.
3. Maintenance of Colonies: The maintenance of each colony shall meet the following conditions:
 - (a) Colonies shall be maintained in movable frame hives;
 - (b) Adequate space shall be maintained in the hive to prevent overcrowding and swarming;
 - (c) Colonies shall be requeened following any swarming or aggressive behavior.

4. Enforcement: Enforcement of this provision shall commence immediately with all existing hives to be brought into conformance within twelve (12) months of the date of this Resolution.

18.27

NON-CONFORMITIES

1. Intent: Within the districts established by this Resolution or amendments that may later be adopted there exist lots, structures, and uses of land and structures which were lawful before this Resolution was passed but which would be prohibited, regulated, or restricted under the terms of this Resolution or future amendment. It is the intent of this Resolution to permit these non-conformities to continue until they are removed, but not to encourage their continuance. Such uses are declared by this Resolution to be incompatible with permitted uses in the districts involved. It is further the intent of this Resolution that non-conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district except upon application to the Board of Zoning Appeals for approval of specific plans. Expansions of existing non-conforming uses, where allowed by the Board of Zoning Appeals, may be made only on property owned by the applicant as of the effective date of this Resolution. A non-conforming use of a structure, non-conforming use of land, or a non-conforming use of a structure and land shall not be extended or enlarged after passage of this Resolution by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be prohibited generally in the district involved. To avoid undue hardship, nothing in this Resolution shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Resolution and upon which actual building construction has been diligently carried out. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner; except that where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that work shall be diligently carried on until completion of the building involved.
2. Non-Conforming Lots of Record:
 - (a) Single Non-Conforming Lots of Record: In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this Resolution, notwithstanding limitations imposed by other provisions of this Resolution. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This

provision shall apply even though such lot fails to meet the requirements for area or width or both, that are generally applicable in the district, provided that yard dimensions and requirements other than those applying to area or width, or both of the lot shall conform to the regulations for the district in which such lot is located. Variance of yard requirements shall be obtained only through action of the Board of Zoning Appeals.

- (b) Non-Conforming Lots of Record in Combination: If two or more lots or a combination of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Resolution and if all or part of the lots with no buildings do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purpose of this Resolution and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this Resolution, nor shall any division of any parcel be made which creates a lot with a width or area below the requirements stated in this Resolution.
3. Non-Conforming Use of Land: Where, at the effective date of adoption of this Resolution, lawful use of land exists that is made no longer permissible under the terms of this Resolution as enacted or amended, such use may be continued, so long as it remains otherwise lawful and is not enlarged or increased nor extended beyond area designated non-conforming at the effective date of amendment of this Resolution except as elsewhere provided and in accordance with the following provisions:
- (a) Where the use of land involves a processing operation said operation may be continued in the entire area utilized thereby. Modifications in processing operations by rearrangement of facilities or changes in methods shall be considered as part of such use.
 - (b) If any such non-conforming uses of land are voluntarily discontinued for a period of more than two (2) years, any subsequent use of such land shall conform to the regulations specified by this Resolution for the district in which such land is located; and
 - (c) No additional structure not conforming to the requirements of this Resolution shall be erected in connection with such non-conforming use of land.
4. Non-Conforming Structures: Where a lawful structure exists at the effective date of this Resolution or any amendment that could not be built under the terms of this Resolution or amendment by reasons of restrictions on area, lot coverage, height, yards, its location on the lot, bulk, or other

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requirements concerning the structure, such structure may be continued as long as it remains otherwise lawful, subject to the following provisions:

- (a) No such non-conforming structure may be enlarged or altered in any way which increases its non-conformity but any structure or portion thereof may be altered to decrease its non-conformity.
 - (b) Should such non-conforming structure or non-conforming portion of structure be destroyed by any means, to an extent of more than 60 percent of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Resolution (see 22 . 07, (4).
 - (c) Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.
5. Non-Conforming Uses of Structures or Structures and Premises in Combination: If a lawful use involving individual structures, or of a structure and premises in any combination, exists at the effective date of this ordinance or any amendment that would not be allowed, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:
- (a) No existing structure devoted to a use not permitted by this Resolution or amendment in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located, except as provided in Section 22.07;
 - (b) Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of enactment of this Resolution or amendment, but no such use shall be extended to occupy any land outside such building;
 - (c) If no structural alterations are made, any non-conforming use of a structure or structure and premises, may as a conditional use, in accordance with Section 22.07, be changed to another non-conforming use provided that the Board of Zoning Appeals shall find that the proposed use is equally appropriate to the district than the existing non-conforming use. In permitting such change, the Board of Zoning Appeals may require appropriate conditions and safeguard in accord with other provisions of this Resolution;

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- (d) Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the non-conforming use may not thereafter be resumed;
 - (e) When a non-conforming use of a structure or structure and premises in combination is voluntarily discontinued or abandoned for more than two (2) years (except when government action impedes access to the premises) the structure or structure and premises in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.
 - (f) When non-conforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land.
6. Repairs and Maintenance: On any non-conforming structure or portion of a structure containing a non-conforming use, work may be done on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring or plumbing provided that the cubic content existing when it became non-conforming shall not be increased. Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.
7. Uses Under Conditional Use Provision Not Non-Conforming Uses: Any use which is permitted as a conditional use in a district under the terms of this Resolution shall not be deemed a non-conforming use in such a district, but shall without further action be considered a conforming use.
8. Restoring Buildings: When a building or structure the use of which does not conform to the provisions of this Resolution has been damaged by explosion, fire or Act of God, to the extent of sixty percent (60%) or more of its reproduction value at the time of damage, it shall not be restored or reconstructed or in any way used except in conformity with the district regulations of the district in which the building is situated. The Board of Zoning Appeals may grant an exception under the provision of Section 22.07.
9. Violations Not Rendered Non-Conforming: A use, structure or lot in violation of the provisions of a Zoning Resolution subsequently amended shall not become non-conforming upon the adoption of an amendment, but shall continue as violations.

18.28 SOLAR ACCESS

1. Purpose: The purpose of this section is to establish the rights of those persons that have elected to use solar energy for heating/cooling their homes, heating their hot water supplies and/or heating their swimming pools.
2. Designation of Solar Access Areas: Hereafter, in new developments or sections of new developments that have been designated by the developer as being Solar Access Areas, the property owners are required to consider the effects of the location of structures and trees on their property in relation to the property of those neighbors to the east, north and west of them to insure that said structures and trees do not block the neighbors' houses from direct access to the sun's energy.
3. Determination of Field of View: For purposes of determining the location of the field of view of the house, it can be assumed that the area to be provided access to the sun's energy is an area located in elevation ten (10) feet above the normal ground level, hereafter referred to as "the plane", forty feet from the front property line, fifty (50) feet from the rear property line and ten (10) feet from the side property lines for lots one hundred (100) to one hundred forty (140) feet wide or a width not to exceed plus fifty (50) feet from a point midway between the side property lines for lots in excess of one hundred forty (140) feet wide.
4. Obstruction of Sunlight: Incident sunlight shall not be obstructed in the field of view defined in Section 18.28.3 above more than ten percent (10%) between the hours of 9:00 a.m. to 3:00 p.m. during the month of December.

18.29 NURSERY SCHOOL/DAY CARE CENTER

1. License Required: The nursery school/day care center shall secure a valid license from the Ohio Department of Human Services to operate such facility in the Township.
2. Required Outdoor Play Space: The site shall have an outdoor play space which is located behind the required front yard setback, enclosed by a fence or wall a minimum of forty-two (42) inches high, and possess a minimum area of sixty (60) square feet for each child expected to use the play space at any one time.
3. Screening of Play Space: Any part of the play space abutting an existing residential district or a parking lot shall be screened by a hedge or other screening at least four (4) feet in height acceptable to the Board of Zoning Appeals.

4. Agricultural and Residential District Locations: Nursery schools and day care centers within agricultural and residential districts shall be accessory to a church located along a major street and have immediate access to such street without requiring traffic to pass through a residential neighborhood.
5. Maximum Enrollment: The Board of Zoning Appeals may establish a maximum enrollment based upon neighborhood impact. In no instance may the maximum enrollment exceed the numbered allowed by the State-issued Child Day Care License.

18.30

ADULT ENTERTAINMENT FACILITIES

An adult entertainment facility is a conditional use within the B-4 Highway Business District. A conditional use permit shall not be authorized unless the following conditions and the provisions of Section 22.07(5), at a minimum, shall be complied with:

1. Minimum Setback from Residential District: No adult entertainment facility shall be established within one thousand (1,000) feet of any residential district.
2. Minimum Setback from Library and Schools: No adult entertainment facility shall be established within a radius of two thousand (2,000) feet from any school, library, or teaching facility, whether public or private, governmental or commercial, which school, library or teaching facility is attended by persons under eighteen (18) years of age.
3. Minimum Setback from Park or Recreation Facility: No adult entertainment facility shall be established within a radius of two thousand (2,000) feet from any park or recreational facility attended by persons under eighteen (18) years of age.
4. Minimum Setback from Churches: No adult entertainment facility shall be established within a radius of two thousand (2,000) feet from any church, synagogue, or permanently established place of religious services which is attended by persons under eighteen (18) years of age.
5. Minimum Setback from Other Adult Entertainment Facilities: No adult entertainment facility shall be established within a radius of two thousand (2,000) feet of any other adult entertainment facility.
6. Prohibited Public Display: No advertisements, displays or other promotional materials shall be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other public or semi-public areas.

7. Public View to be Prevented: All building openings, entries, windows, etc. for adult uses shall be located, covered, or serviced in such a manner as to prevent a view into the interior from any public or semi-public area, sidewalk or street. For new construction, the building shall be oriented so as to minimize any possibility of viewing the interior from public or semi-public areas.
8. External Audio and Visual Impact: No screens, loudspeakers or sound equipment shall be used for motion picture theaters (enclosed or drive-in) that can be seen or discerned by the public from public or semi-public areas.

18.31 OUTDOOR AND TEMPORARY SALES AT BUSINESS ESTABLISHMENTS

18.31.01 INTENT

It is the intent of this section to permit and regulate two types of retail sales not conducted in permanent buildings or structures which are part of a business establishment, as follows:

1. Outdoor Sales
2. Temporary Sales conducted from within a tent, any other temporary structure, truck, trailer, or similar vehicle or structure.

18.31.02 PERMIT REQUIRED

Neither an outdoor nor a temporary sale may be conducted without a permit having been issued for that particular sale by the Zoning Enforcement Officer. An application for a permit shall be made upon a standard form provided by the Township and shall contain the information required in that form. This shall include written, notarized permission of the property owner to conduct the sale during the specific days involved.

At outdoor sales, the permit shall be displayed clearly so as to be easily visible from the nearest adjoining public street. Temporary sale permits shall be displayed clearly on part of the tent, vehicle or other enclosure and in such a manner as to be easily visible from the nearest adjoining public street.

18.31.03 GENERAL REQUIREMENTS

The following requirements shall apply to all outdoor and temporary sales:

1. Permitted Uses: Outdoor and temporary sales shall be deemed to be permitted uses within any business zoning district, but only to the extent the products or services sold fall within a use that is specifically permitted for the business zoning district in question under this Zoning Resolution.

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- A further restriction, outdoor sales shall be permitted only for seasonal, non-manufactured items typically sold out-of-doors.
2. Permitted Sale Period: Outdoor sales permits shall be granted for a period not to exceed forty-five (45) days. Temporary sale permits shall be granted for a period not to exceed ten (10) days. No person or entity may obtain more than two such permits in any calendar year, nor may any lot be used for outdoor sales or temporary sales more than twice in any calendar year. Further, both the opening and closing days of any outdoor sale and of any temporary sale must be separated by at least ninety (90) days from any other outdoor or temporary sale conducted by the same person or entity within Beavercreek Township or conducted on the same lot.
 3. Other Permits Required: Before any person or entity is issued a permit for an outdoor or temporary sale, all state, county health and other applicable permits, licenses, and vendor numbers shall have been issued for that specific use and location and shall have been submitted to the Zoning Enforcement Officer.
 4. Setback and Yard Requirements: All outdoor and all temporary sales shall conform to the setback and yard requirements of the zoning district in which the site is located.
 5. Signs: Each outdoor and each temporary sale shall be permitted one (1) sign not more than twenty-four (24) square feet in area. The sign for a temporary sale must be attached to the tent, structure or vehicle in which the sale is conducted.
 6. No Parking Encroachment: No outdoor nor temporary sale may occupy any of the required off-street storage or parking spaces of the principal use(s) on the business zoned lot.
 7. Traffic Obstruction Prohibited: No outdoor nor temporary sale shall obstruct or impede the movement of traffic within the established right-of-way, or obstruct or impede traffic movement on private property going to or from such public street.
 8. Traffic Pattern on the Business Lot: The lanes of travel, turning radius, parking locations and other aspects of the traffic pattern on the business lot that will result from outdoor or temporary sales must conform to requirements applicable to other off-street parking lots.

18.31.04 COMPLIANCE WITH LAW

Both the person holding the permit for an outdoor or temporary sale and the owner of the business zoned lot will be responsible to the Township for compliance by such sale with all applicable laws, ordinances and regulations, including but not limited to health code and property maintenance requirements. The application shall require the permit holder and the property owner to acknowledge such responsibility.

18.31.05 REQUIRED PLOT PLAN

The permit applicant shall submit a plot plan for each proposed outdoor or temporary sale location containing, at a minimum, the following information:

1. The exact location of each building already existing on the business zoned lot, showing the number of feet involved in measurements of setbacks and in the distance from all property lines.
2. Type and size of enclosure to be used for temporary sales, location of the area to be used for outdoor sales, and the number of feet involved as measurements of yard and setbacks from those locations and to the right-of-way and property lines from those locations.
3. Size, type and location of the sign.
4. Parking layout and internal traffic circulation pattern for the existing principal use on the lot and also for the outdoor or temporary sale operation, showing calculations of required parking needs for both the principal use and such sales.
5. The plot plan shall be accurate, and shall be drawn to the same scale as the property maps maintained for the subject property by the Auditor of Greene County, Ohio.

18.31.06 EXEMPTION FOR SPECIAL FIVE (5) DAY EVENTS

The provisions of this Section 18.31 shall not apply to special outdoor or temporary sales events to the extent that:

1. No part of any such special event, including the set-up and clean-up, extends for more than five (5) consecutive days.
2. No person or entity may hold more than two such special events in any calendar year, nor may any business zoned lot be used for such special events more than twice in any calendar year. Further, both the opening and closing days of any such special event must be separated by at least ninety (90) days from any other such event conducted by the same person or entity within Beavercreek Township or conducted on the same lot.

18.32 Agriculture use limitations

Based on authority granted in 519.21 (B), the Township shall regulate the agricultural use of lots created under Section 711.05, 711.09 or 711.10 of the Revised Code and in areas consisting of fifteen or more lots approved under Section 711.131 of the Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road where:

- A. on lots of one acre or less, dairying and animal and poultry husbandry shall be prohibited.
- B. Buildings or structures incident to the use of land for agriculture purposes on lots greater than one acre but not greater than five acres shall observe district requirements for set back building lines, height and size.
- C. Dairying and animal and poultry husbandry on lots greater than one acre but not greater than five acres may be permitted as a conditional use at a ratio of one animal per 2 acres of pasture after all district requirements for set back building lines, height and size have been observed. When at least thirty-five percent of the lots in the subdivision are developed with at least one building, structure or improvement that is subject to real property taxation or that is subject to the tax on manufactured homes under Section 4503.06 of the Revised Code. After thirty-five percent of the lots are so developed, dairying and animal and poultry husbandry shall be considered non-conforming use of land and building or structures pursuant to Section 519.19 of the Revised Code.

18.33 Farm Market

Farm markets may be permitted in any agricultural, residential, industrial or commercial district to provide an retail outlet for farm products. In order to protect the public health and safety the following is required:

- A. Fifty (50) percent or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year;
- B. The maximum size of the farm market structure shall not be greater than:
 - 1. Permitted size requirements in the industrial and commercial district.
 - 2. One-half the minimum dwelling square footage in a residential district.
 - 3. In an agriculture district, shall not be greater than 1000 square feet.

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- C. Based on the size of the structure, parking shall be provided as required in Article 18.16 for similar and like uses;
- D. All set back lines as stipulated in the zoning district shall be observed, and at a minimum, the front yard setback shall be 50 feet from the right-of-way. Where there is no established right-of-way, the front yard setback shall be 75 feet from the center line of the abutting road.
- E. Ingress and egress locations shall be approved in number and location based on traffic safety and optimal sight distance based on posted speed limits. An on site turn around shall be provided such that no vehicle will back out onto a traveled roadway.

18.34 Wetland Protection

This section is under development

18.35 Township Facilities

Township Facilities shall be permitted in all zoning districts only as specified and in accordance with the following conditions:

- a. Township Facilities are permitted only on sites having primary access to roads other than local residential streets.
- b. All Road Department, Outdoor Storage, and Township Garage Facilities shall not be permitted closer than 500 feet to a residential district and shall be subject to the screening requirements of Article 18.17.
- c. All parking lots shall be designed and screened in accordance with the provisions of Article 18.16.
- d. The erection or expansion of a Township Facility shall be preceded by a public hearing in accordance with the notification procedures of Article 24.12 and Article 24.13.