

ORDINANCE: 13-09

AN ORDINANCE TO AMEND SECTION 13.01 AND CREATE SECTION 17 OF THE 2008 VILLAGE OF THORNVILLE PLANNING AND ZONING CODE (ZONING DISTRICTS) AS SET FORTH IN ORDINANCE 08-12

WHEREAS, on October 27, 2008, Council for the Village of Thornville adopted Ordinance 08-12 and established the Village of Thornville Planning and Zoning Code; and

WHEREAS, Council for the Village of Thornville believes it is necessary to update Section 13.01 and create Section 17 of the Village's Planning and Zoning Code, by adding a regulated agriculture district to the list of established zoning districts within the Village, in order to better protect the general health, safety, and welfare of all Village residents.

NOW, **THEREFORE, BE IT ORDAINED** by the Council of the Village of Thornville, County of Perry, State of Ohio:

SECTION 1: Section 13.01 of the 2008 Village of Thornville Planning and Zoning Code, as set forth in Ord. 08-12, shall be amended to read as follows:

Section 13.01 Zoning Districts Established

The following zoning districts are hereby established for the Village of Thornville:

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<i>(R-1, R-2)</i>	<i>Suburban Residential Districts</i>
<i>(R-3)</i>	<i>Old Village Residential Districts</i>
<i>(R-4)</i>	<i>Urban Residential Districts</i>
<i>(OTC)</i>	<i>Old Town Center District</i>
<i>(CB)</i>	<i>Community Business District</i>
<i>(OTI)</i>	<i>Old Town Industrial District</i>
<i>(GE)</i>	<i>General Employment District</i>
<i>(PUD)</i>	<i>Planned Unit Development District</i>
<i>(SU)</i>	<i>Special Use District</i>
<i>(AG)</i>	<i>Agricultural District</i>

SECTION 2: Part III, Article 17 of the 2008 Village of Thornville Planning and Zoning Code, as set forth in Ord. 08-12, is hereby established and created to read as follows:

ARTICLE XVII

(AG) AGRICULTURAL DISTRICT

Section 17.01 Purpose

The Agricultural District is established within the Village of Thornville for the following purposes:

- A. to promote the continuance of agriculture and farm-based uses, and
- B. to provide areas for low density single family residential environments not normally served by public water and/or sewer and reflecting a rural lifestyle, and
- C. to physically conserve such areas as needed for future more intensive development.

Section 17.02 Permitted Uses

- A. Agricultural uses limited to the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such production,

- along with customary agricultural buildings and structures incidental to the carrying out of the principal agricultural activity, and/or no more than one single-family detached dwelling.
- B. One-family detached nonfarm dwelling.
- C. Public parks and nature preserves.
- D. Projects specifically designed for watershed protection, conservation of water or soils for flood control.
- E. Greenhouses and nurseries, including tree farms and woodlots.

Section 17.03 Accessory Structures/Buildings Allowed

- A. Accessory buildings or structures customarily associated with single-family residential use, including detached garages or carports, tool or garden sheds, playhouses, swimming pools and/or similar facilities for primary use by occupants of the principal use of the property on which the facility is located, subject to the requirements of this Ordinance.
- B. Temporary seasonal roadside stands offering for sale primarily agricultural products grown on the premises

Section 17.04 Conditional Uses

- A. Golf courses, only after a Development Plan showing the location of all facilities, features, and other items related to, and needed for operating, the golf course is submitted to, and approved by, the Planning and Zoning Commission.

Section 17.05 Development Standards

17.05.01 Minimum Lot Area

For permitted and conditional uses, the lot area shall be not less than five (5) acres, or such size as determined by the Perry County Health Department, whichever is larger.

17.05.02 Minimum Lot Width

All lots shall have a minimum lot width of 200 feet, or such distance as is required by the Perry County Engineer, Ohio Department of Transportation or other applicable agency for obtaining a permit for driveway installation, whichever is larger.

17.05.03 Minimum Front Yard Depth

All structures shall be located not less than 100 feet from the center line of any roadway.

17.05.04 Minimum Side Yard Width

Fifty (50) feet.

17.05.05 Minimum Rear Yard Depth

Fifty (50) feet.

17.05.06 Maximum Building Height

Forty-five (45) feet for buildings. Silos, windmills, or other structures listed as permitted, accessory or conditional uses may exceed this height provided such structures maintain a distance equal to their height to any adjacent property.

17.05.07 Agricultural Crop Set-Back for Lots Adjacent to Residential Districts

Field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, mushrooms, timber, pasturage, or any combination of the foregoing, or the processing, drying, and storage of any of the foregoing shall be set back 25' from any adjacent lot, that is zoned residential and contains a primary dwelling. This setback is not required if the primary dwelling or accessory structure(s), on the adjacent residential lot, are more than 250' from the property line of the lot zoned AG.

SECTION 3: All other original and amended sections and sub-sections of the Village's 2008 Planning and Zoning Code, as set forth in Ordinance 08-12 shall remain unchanged, in effect, and enforceable.

SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the Village of Thornville which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION 5: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

SECTION 6: This Ordinance shall take effect at the earliest time allowed by law.

Passed in Council this _____ day of _____, 2013.

Gavin Renner, Mayor

ATTEST:

Sharon Brussee, Clerk of Council

APPROVED:

Approved as to form this 4th day of April 2013.



Brian M. Zets, Esq.
Village Solicitor