

## **Article 1: Intent, Interpretation, & Enforcement**

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**Section 1 Title**

This Resolution shall be known as the "Washington Township Zoning Resolution", originally adopted February 11, 1957 and amended December 17, 1985, June 21, 1999, January 8, 2001, February 12, 2001, August 5, 2002, December 2, 2002, July 17, 2006, January 22, 2007, January 7, 2008, June 15, 2009, April 5, 2010, September 20, 2010, December 6, 2010, March 21, 2011, September 12, 2011, March 12, 2012, July 16, 2012, September 17, 2013, December 15, 2014, November 7, 2016, and December 18, 2017.

**Section 2 Purpose**

This Resolution is enacted by, and for, the citizens of the unincorporated area of Washington Township, Montgomery County, Ohio. Its purpose is:

To secure and promote the public health, safety and morals of the citizens;

To secure the most appropriate use of land for the area;

To preserve and protect individual property rights;

To preserve and protect the collective economic interests of the community, as represented by the citizens' investment in land and improvements; and,

To facilitate adequate and economical provisions for public improvements, all in accordance with a comprehensive plan.

Additionally, this resolution is enacted to specify the method by which it is to be administered and to prescribe penalties for the violations of provisions hereinafter described. [Revised June 21, 1999]

**Section 3 Interpretation of Standards**

In their interpretation and application, the provisions of the Resolution shall be held to be minimum requirements. Where this Resolution imposes a greater restriction than is imposed or required by other provisions of law or by other rules or regulations or resolutions, the provisions of this Resolution shall control.

**Section 4 Extension of Essential Services**

It is recognized that essential services are not presently available to all parcels of land zoned for agricultural and/or residential use.

Maintenance of viable zoning plans may require amendments from time to time, to reflect changes brought about by the extension of essential services into newly developing urban areas.

**Section 5 Township Zoning Inspector**

For the purpose of enforcing the zoning regulations, the Board of Township Trustees may provide for a system of zoning certificates, and for this purpose may establish and fill the position of Township Zoning Inspector, together with such assistants as the board deems necessary, fix the compensation for such positions, and make disbursements for them. (Revised June 21, 1999)

**Section 6            Zoning Certificates**

- A. When required. No person shall locate, erect, construct, reconstruct, enlarge, or structurally alter any building or structure within the unincorporated area of Washington Township without obtaining a zoning certificate, and no such zoning certificate shall be issued unless the plans for the proposed building or structure or alterations thereto fully comply with the zoning regulations then in effect. (Revised June 21, 1999)
  
- B. When to obtain. A Zoning Certificate shall be obtained from the Zoning Inspector by the owner or his agent prior to the beginning of any use, work on the land or building or structure. The Zoning Certificate shall state that the proposed project as shown by the plans and specifications filed with the Zoning Inspector conforms with all the provisions of this Resolution. (Revised June 21, 1999)
  
- C. Application for Zoning Certificate. Every application for a Zoning Certificate shall be signed by the owner or his agent and shall include the following: (Revised January 22, 2007)
  - 1. Plans and drawings in duplicate, drawn to scale, in black or blue line print, showing: (Revised June 21, 1999)
    - a. The actual shape and dimensions of the lot to be built upon or to be changed in its use, in whole or in part, including the width of the lot at the setback line.
    - b. The exact location and size of any building or structure to be erected or altered, and the location and dimensions of all yards, driveways and off-street parking spaces; and if required, parking area diagrams, district buffer strips, drainage, landscaping, lighting, and the location and dimensions of refuse areas.
    - c. The front, side and rear elevations of the building or structure as it will appear when completed.
    - d. When no buildings or structures are involved, the location of the present use and proposed use to be made of the lot.
    - e. Any other requirements listed under General Regulations.
  - 2. The existing and the intended use of each building or structure or part thereof, and a statement that the proposed use will meet every requirement of this Resolution.
  - 3. If a residential building, the number of dwelling units the building is designed to accommodate.
  - 4. Any other information as requested by Washington Township. (Revised January 22, 2007)
  
- D. Granting of a Zoning Certificate. The Township Zoning Inspector shall issue a Zoning Certificate after he/she has approved the application. One copy of plans furnished by the applicant shall be returned to him. The lot and the location of the building thereon shall be staked out on the ground before construction is started.
  
- E. Fees. There shall be a fee for all Zoning Certificates. Fees shall be set by the Township Trustees.
  
- F. Period of Validity. A Zoning Certificate shall become null and void twelve (12) months after the date on which it is issued, unless within such twelve (12) month period, construction,

building, moving, remodeling, or reconstruction of the integral portions of the foundations, floor, supporting walls and/or roof for the building or structure is commenced.

**Section 7 Certificate of Zoning Compliance**

It shall be unlawful to use or occupy any land, building or structure or portion of any land, building or structure for which a Zoning Certificate is required unless a Certificate of Zoning Compliance has been issued to the owner or his agent. Said permit shall state that the building, structure, proposed use, or land complies with the provisions of the Resolution, and shall be issued by the Township Zoning Inspector after he/she has inspected the premises and determined that said provisions have been complied with. (Revised June 21, 1999 and January 22, 2007)

**Section 8 Temporary Certificates and Permits**

Temporary Zoning Certificates and Certificates of Zoning Compliance for a period of sixty (60) days or less with specific expiration dates may be issued by the Zoning Inspector for any permitted use of a temporary nature upon payment of a fee and after data is furnished as required by the Zoning Inspector. Such Certificates and Permits for more than sixty (60) days, but not more than twelve (12) months, shall be authorized by the Board of Zoning Appeals. (Revised June 21, 1999 and January 22, 2007)

**Section 9 Violations and Penalties**

No land, building, structure or premises shall hereafter be used, and no building or part thereof or other structure shall be located, erected, constructed, maintained, used, moved, reconstructed, extended, enlarged or altered except in conformity with the regulations herein specified for the district in which it is located and in conformity with all other regulations herein. Each day's continuation of a violation of this section may be deemed a separate offense. Any person, firm or legal entity violating any regulation in or any provision of this Resolution or of any amendment, shall be deemed in violation of the Zoning Resolution of Washington Township, Montgomery County, Ohio and, upon conviction thereof, shall be fined the maximum amount allowable by the Ohio Revised Code each and every day during which such violation continues. (Revised June 21, 1999; January 22, 2007; and December 15, 2014)

**Section 10 Action to Prevent Violations**

In case any building, sign, or other structure 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 this Resolution or any amendment or supplement thereto, the Board of Trustees of Washington Township, the Prosecuting Attorney of Montgomery County, Township Zoning Inspector, or any adjacent or neighboring property owner who would be especially damaged by such violation in addition to other remedies provided by law, may institute injunction, 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. (Revised June 21, 1999)