



Union Township

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ZONING COMMISSION AGENDA

Wednesday, August 23rd, 2023

7:00 P.M.

***Location:** *Trustee Meeting Hall; Union Township Civic Center*

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL
- D. ACTION ON MINUTES
- E. OLD BUSINESS – NONE TO BE RE-OPENED
- F. NEW BUSINESS

1. Item:

Case #2-23-T

Discussion(s) regarding proposed text amendments to the Union Township Zoning Resolution

Affected Articles:

- Article 5, General Provisions
- Article 7, Supplementary District Regulations

G. ADMINISTRATIVE

The July 26th, 2023 meeting of the Union Township Zoning Commission was called to order, at 7:00 PM by Chairman Daniel Campbell, with the invitation to join in the Pledge of Allegiance. Members, Bill Shannon, Eric Louis and Robert Wing II were in attendance. Craig Flaute, Planning and Zoning Manager, represented the Planning & Zoning Department.

Roll Call: Mr. Louis, aye; Mr. Shannon, aye; Mr. Wing II, aye; Mr. Campbell, aye. The minutes were approved, as distributed.

Mr. Wing called for approval of the minutes as distributed from the April 26, 2023 meeting. Mr. Louis seconded the motion.

Mr. Campbell introduced case #1-23-T, regarding proposed text amendments to the Union Township Zoning Resolution. The proposed text amendment changes specifically affect Article 6, Establishment of Districts and Article 13, Focus Area Overlay Districts. It also focuses on Appendix A, which is the definitions section.

Mr. Flaute started with some background information, stating this is the start of several text amendments that the Commission will be sing in the near future. The first text proposal in Article 6 Section 686.1 states major amendments shall include, but are not necessarily limited to, any increase in or ~~in~~ significant movement or relocation of density changes and use that result in an increased intensity, movement of primary access locations, the elimination of roadway connections to adjacent tracts or subdivisions, and the elimination or reduction of open space, recreational uses or buffer yard features. Any amendment which is not deemed to be a major amendment shall be considered a minor amendment. Mr. Flaute says this additional proposed text is proposed to further clarify and provide directions with the major and minor amendments. Mr. Flaute continues on to Article 13 starting with Section 1300 items 1 thru 6. The additional text acknowledges the requirements for each overlay districts, as set forth in the most recent version of the Union Township Comprehensive Land Use Plan. The addition of this proposed text to the resolution will make a stronger connection to the Comprehensive Land Use Plan. With so many design standards coming from the comprehensive land use plan, this reference would solidify the comprehensive plan to be a more regulatory document. Moving straight into Article 13, Section 1300, item number 8, this will add traditional building materials into the zoning resolution. Mr. Flaute states the final proposed change in Article 13 Section 1310, which reads: applications for zoning certificates in FA districts that are limited to a change in permissible use or occupancy of an existing building, accessory building, lot, or portion thereof shall be submitted on a form prescribed by the Planning and Zoning director and reviewed administratively by staff. This language is added to help the department determine which application process is to be followed. Mr. Flaute moves on to cover the proposed, new definitions. He states staff has added the high-quality materials and the traditional building use materials. These proposed definitions provide more clarity for applicants, in terms of what to expect when going through the process. The traditional building materials section outlines the acceptable materials and also adds the recommended 50% of buildings exteriors be made of high-quality materials. Lastly, the Comprehensive Land Use plan is referenced in the definition of the zoning map district, due to the establishment of policies and recommendations within the Plan.

Mr. Flaute tells the board that the action that staff is looking for tonight is that the Zoning Commission is to enter into a motion to approve, modify, or deny these text amendments to forward to the Board of Trustees.

Mr. Campbell makes note of another change in the deletion of numbers in the definition sections.

Mr. Campbell opens the room for discussion amongst the board. Mr. Louis corrects a grammar mistake in Section 1310.

Mr. Louis moves to make a motion regarding case 1-23-T, Zoning Resolution Text Amendments: The Zoning Commission finds that the proposed text amendments to the Union Township's Zoning Resolution are consistent with the intent of the Zoning Resolution and the 2030 Comprehensive Land Use Plan. The modifications being considered apply to Article 6, 13 and the Definition section of the Zoning Resolution. The amendments deal with the Plan Development District amendment process, Comprehensive Land Use Plan requirements, the Focus Area Overlay District review process, new Definitions, and administrative clarifications. The Commission therefore recommends that the text amendments be adopted. Mr. Wing seconded the motion.

Roll Call: Mr. Louis, aye; Mr. Wing II, aye; Mr. Shannon, aye; Mr. Campbell, aye. The motioned carried.

Mr. Campbell called for any new business. With none, Mr. Campbell calls to adjourn.

The meeting concluded at 7:10 p.m.

APPROVED BY:

Mr. Campbell, Chairman



AUGUST 23RD, 2023

ZONING COMMISSION MEETING

*All proposed, new ordinance text has been highlighted and is depicted boldly...
Text that is ~~stricken~~ is proposed to be removed or replaced.*

RE: PARKING OF COMMERCIAL VEHICLES

ISSUE IDENTIFICATION:

The Trustees have expressed that there are certain circumstances that they may find vehicles that are used—at least partially if not substantially—for commercial purposes are acceptable on residential property for a length of time. Additionally, there are currently no explicit references for the parking / keeping of commercial vehicles on commercial or industrial-zoned property. Therefore, the Planning & Zoning staff has prepared the proposed amendments to Article 5, Section 532 of the Union Township Zoning Resolution to define / distinguish major amendments from minor amendments.

Staff Report:

Please refer to Article 5, Section 532 of the Zoning Resolution:

“532. Parking and Storage of Vehicles and Trailers.

1. ~~No commercial vehicles, including commercial tractors, automobiles, trucks, buses, house trailers, or semi-trailers, shall be parked or stored on any property within a residential zoning district other than in a completely enclosed building, except those commercial vehicles conveying the necessary tools, materials, and equipment to a premises where labor using such tools, materials, and equipment is to be performed during the actual time of parking.~~
1. **Parking of vehicles accessory to a residential use shall be limited to those vehicles actually used by the resident for personal use, agricultural use, or temporary parking for guests. Vehicles not in keeping with residential character shall not be permitted.**



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2. ***No truck, van, construction equipment, or other vehicle of a business or industrial nature shall be parked upon a residential lot except:***
 - i. ***A vehicle that is owned by the resident of a property—or the resident’s business or place of employment—and is used by the resident on the job as well as a source of transportation to and from work;***
 - ii. ***A pickup truck not to exceed fourteen-thousand (14,000) pounds of Gross Vehicle Weight Rating (GVWR) tons and twenty (20) feet in length with a standard bed, special tool boxes, or cap not to exceed a total height of eight (8) feet in height. No tow truck, stake body, or dump truck may be parked on a residential lot;***
 - iii. ***A passenger van not to exceed one ton and twenty (20) feet in length. No step van or chassis van shall be parked on a residential lot without approval from the Board of Zoning Appeals. This subsection is not applicable for vans that are for persons with disabilities.***
3. ***In no case shall a residential zoned parcel be used for the parking or storing of a semi-trailer or tractor.***
4. No vehicles or trailers of any type without current license plates shall be parked or stored on any residential property other than in a completely enclosed building, or on any commercial property not authorized for such use.
5. No inoperable vehicle shall be parked or stored on any residential property, or on any commercial property not authorized for such use, other than in a completely enclosed building.
6. A maximum of one (1) boat, one (1) non-commercial all-purpose trailer, or one (1) recreational vehicle may be stored on a paved driveway or in the rear yard of any residentially zoned property if the boat, trailer, or recreational vehicle has a current license, appears to be operable and otherwise meets requirements for travel on any public or private street or thoroughfare, meets the setback requirements of this Resolution for accessory structures, and is screened according to the requirements of this Resolution.



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7. *No boat, trailer, or recreational vehicle may be parked on a commercially or industrially zoned property for a period of more than twenty-four (24) hours unless that property is an approved, permitted use within a commercial or industrial district as regulated herein that permits the short-term or long-term storage of boats, trailers, or other recreational vehicles.*

8. *No commercial vehicle, including but not limited to, commercial tractors, trucks, automobiles, buses, house trailers, or semi-trailers, shall be parked or stored on any commercial or industrially zoned property except for vehicles owned, operated, stored, and/or maintained in conjunction with approved, lawfully-permitted business use(s) on the commercially or industrially zoned property. Nothing in this Resolution shall prevent the parking or storage of commercial vehicle(s) that are conveying the necessary tools, inventory, materials, and/or equipment to a location where inventory is sold or stored in conjunction with the business use(s), or where labor using such tools, materials, and equipment is to be performed during the actual time of parking.*



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ZONING COMMISSION MEETING

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RE: REQUIREMENTS FOR ACCESSORY STRUCTURES

ISSUE IDENTIFICATION:

Based on recurring issues in association with the location and size of accessory structures on residential property, particularly on properties larger than a half-acre, the Planning & Zoning staff has prepared the proposed amendments to Article 7, Section 711 of the Union Township Zoning Resolution.

Staff Report:

Please refer to Article 7, Section 711 of the Zoning Resolution:

“Accessory Structures, ***Permit Required.***”

Except as otherwise provided in this Resolution, accessory structures shall be permitted in association with principal structures provided that:

1. In ***any Residential*** zone, no accessory building shall exceed ***the following floor area limitations (determined by measuring the floor area plus the overhang):***
 - a) ***Lots greater than one (1) acre of net lot area: two-thousand square feet (2,000 sq. ft.) square feet, plus 500 square feet for every additional acre up to five (5) acres of net lot area—allowing up to a maximum of four thousand (4,000 sq. ft.) square feet.***
 - b) ***Lots greater than twenty-five thousand (25,000 sq. ft.) square feet but less than one (1) acre of net lot area: one thousand and five hundred (1,500 sq. ft.) square feet.***



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c) *Lots greater than ten thousand (10,000 sq. ft.) square feet but less than twenty-five thousand (25,000 sq. ft.) square feet of net lot area: one thousand (1,000 sq. ft.) square feet.*

d) *For all other existing pre-existing, non-conforming ER, R-1, or R-2 lots of record, lots with less than ten thousand (10,000 sq. ft.) square feet of net lot area: seven hundred and fifty (750 sq. ft.) square feet.*

~~1. One thousand (1,000 sq. ft.) square feet in area if the lot size is greater than twenty-five thousand (25,000 sq. ft.) square feet. If the lot area is less than twenty-five thousand (25,000 sq. ft.) square feet the accessory building shall not exceed nine hundred (900 sq. ft.) square feet in area.~~

~~2. In an "R-2" residential zone no accessory building shall exceed seven-hundred fifty (750 sq. ft.) square feet in area.~~

2. No residential storage shed shall exceed one hundred twenty (120 sq. ft.) square feet in area, *nor shall any residential storage shed exceed fourteen (14') feet in height.*

3. *A maximum of not more than three (3) accessory buildings, including storage sheds, as regulated within Section 711 of this Resolution shall be permitted on any Residential zone lot, provided that the combined floor area of the three (3) structures does not exceed the maximum combined permissible floor area for an accessory structure as defined in Section 711.1 through 711.3 of this Resolution.*

4. Accessory structures in residential zones shall not contain or be used as dwelling units, home occupations, or for commercial or industrial purposes.

5. *They Accessory buildings not otherwise classified as a residential storage shed pursuant to Section 711.2,* shall not exceed *fourteen (14) twenty (20') feet* in height in residential zones.



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6. ***Residential decks, if attached to the principal structure, shall be set back not less than five (5') from the side or rear property line(s), and can be situated in the front yard if the proposed setback is equal to, or greater than, the required front yard setback for the applicable zoning district. Residential decks, if attached to the principal structure, shall be excluded from the size, area, and number restrictions established by Section 711.3 of this Resolution.***
7. ***Freestanding decks, platforms, or other similar structures or installations that are not attached to the principal structure shall be considered to be accessory buildings, regulated pursuant to Section 711.1 through 711.3 of this Resolution, and shall be subject to the size, area, and number restrictions established in Section 711.3 of this Resolution. Such structures shall be located entirely within the rear yard, and shall be set back not less than five (5') feet from any side or rear property line. Such structures shall be limited to a height not greater than four (4') as measured from finished grade.***
8. No accessory structure shall be located within the front yard. Accessory buildings shall be located within the side or rear yard. ***Residential*** storage sheds shall be located ***entirely*** within the rear yard.
9. Accessory structures shall be located no closer than five (5') feet to any property line or right-of-way, as measured from the overhang of the eaves or any architectural projection, as applicable, ***unless otherwise defined in this Resolution.***
10. ***For accessory buildings exceeding fourteen (14)' feet in height pursuant to Section 711.5 of this Resolution, the required minimum setback shall be equal to the height of the wall of the structure, as measured from finished grade to the top of the wall plate where the roof trusses are attached.***
11. Accessory structures in nonresidential zones are permitted as regulated in the appropriate zone.
12. ***A permit shall be required for any accessory structure regulated under this Section of the Zoning Resolution."***



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AUGUST 23RD, 2023
ZONING COMMISSION MEETING

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RE: PERMITTED ACCESS. USES IN RES. DISTRICTS, NO PERMIT

ISSUE IDENTIFICATION:

There are currently a number of common accessory uses, typically considered incidental in nature, that are not recognized by the Township Zoning Resolution. Therefore, the Planning & Zoning staff has prepared the proposed new section to Article 7 of the Union Township Zoning Resolution—specifically to acknowledge these uses.

Staff Report:

Please refer to ***PROPOSED, NEW*** Section 718 (of Article 7) of the Zoning Resolution:

“718. Permitted Accessory Uses in Residential Districts; No Permit Required.

The following accessory uses shall be permitted in all Residential Districts with no permit required to establish such accessory use, provided that such use is not located within a front yard and is situated not less than five (5') feet from any side or rear property line:

- 1. Gardens;***
- 2. Firewood/wood piles, provided that no pile of wood may exceed four (4') in height, and shall be stacked in an orderly and neat manner;***
- 3. Patios that are not enclosed with a roof, wall(s), or other architectural projection;***
- 4. Walkways, stone or concrete stairs, or fire pit areas;***
- 5. Swing sets, trampoline sets, or outdoor recreational gym sets;***



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6. *Children's outdoor play structures, tree houses, or play houses; no play structure may be converted to storage without first obtaining a permit;*
7. *Compost piles or compost bins, provided that any compost pile or bin shall not exceed twenty-four (24 sq. ft.) square feet in area, or a height of four (4') feet;*
8. *Beekeeping, provided that the beehives are kept in the following manners:*
 - a) *No more than two (2) hives may be permitted on lots less than one (1) acre.*
 - b) *Beehives shall only be kept in the rear yard, and shall be no closer than 20 feet to any lot line and no closer than 25 feet to any residential structure on an adjacent lot.*
 - c) *A solid fence or dense hedge, known as a flyaway barrier, at least five (5) feet in height shall be placed around the beehive. A boundary fence or hedge at least five feet in height may be used to meet this requirement. No such flyway barrier shall be required if all beehives are located at least 25 feet from all property lines.*
 - d) *No Africanized bees may be kept on a property.*
 - e) *Beekeeping that does not meet the specifications and terms noted herein shall require a Variance from the Board of Zoning Appeals, as well as a zoning permit for approved Variances.*



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RE: CHICKENS AS ACCESSORY USES

ISSUE IDENTIFICATION:

The Township Zoning Resolution currently does not allow the keeping of chickens, other than in areas defined as Agricultural by the Ohio Revised Code. Therefore, the Planning & Zoning staff has prepared the proposed new section to Article 7 of the Union Township Zoning Resolution—specifically to acknowledge the manner(s) in which this use can occur.

Staff Report:

Please refer to ***PROPOSED, NEW*** Section 719 (of Article 7) of the Zoning Resolution:

“719. Chickens as Accessory Uses.

- 1. On any lot located within any residential zone, the keeping of chickens is a permitted accessory use to any single-family dwelling, provided that such accessory uses meet the following requirements:***
- 2. The sole purpose of keeping chickens on any residentially zoned lot is for the private consumption of their eggs by members of the household, and not for commercial purposes. In no case shall any product produced or made as a result of the keeping of chickens as provided in this section be offered for sale on any property zoned for residential use.***
- 3. A maximum of five (5) hens is permitted. The keeping of roosters is prohibited.***



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4. *All chickens shall be housed in a coop with a maximum of five (5) square feet per chicken, and an enclosed run area no larger than one hundred (100 sq. ft.) square feet. Chicken coops shall be considered to be accessory buildings, and as such shall require a zoning permit, and shall be subject to the size, area, and numerical restrictions established in Section 711.4 of this Resolution.*
5. *The maximum allowable height of the coop shall be six (6') feet above the elevation of the surface of the ground.*
6. *The coop and the run shall be set back not less than twenty (20') feet from all property lines and not less than ten (10') feet from the principle structure.*
7. *All chickens, the coop, and the run area shall be located entirely within the rear yard, subject to the following additional conditions:*
 - a. *On a corner lot, the chickens, coop, and run area shall be located entirely within the rear yard of the structure and shall not be placed beyond the building setback line of the principal structure to any public or private street, or right of way.*
 - b. *For double-frontage lots other than corner lots as described herein, the chickens, coop, and run area shall be located entirely within the designated rear yard, as determined by the orientation of the principal structure to the public or private street or right-of-way where the primary access (driveway, front door) is located.*
 - c. *On panhandle lots, the chickens, coop, and run area shall be located entirely within the rear yard of the structure.*
8. *In addition to the requirements for an enclosed coop and run area, the rear yard of property where the chickens are located must be enclosed by a solid wall or wood/vinyl privacy fence, not less than six (6') feet in height. Such fencing shall be installed prior to the establishment of chickens as an accessory use. Properties exceeding one (1) acre in net lot area shall be exempt from the privacy fencing requirement stated herein.*
9. *The chickens shall be kept in the coop from sunset to sunrise.*



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- 10. All food and waste material shall be stored in tight fitting containers and located a minimum of twenty (20') feet from all property lines, and placed entirely within the rear yard.**
- 11. The slaughtering of chickens in residential districts is prohibited.**
- 12. Chickens and their enclosures shall be kept in neat, clean, and sanitary condition, free from offensive odors, excessive noise, or any other condition that would constitute a nuisance. Any condition in violation of this subsection shall constitute a violation under Section 720 of this Resolution.**