

6. Open Space.
  - a. Open spaces along the perimeter of the PUD-2 site shall be as determined by the Planning Commission, but not less than twenty five (25) feet where adjacent to an Agricultural, Suburban Residential or Urban Residential Zoning District as further described in Section 629, Item 6(a) above.
  - b. Usable open space for the needs of the residential uses shall be as provided in Section 629, Item 6(b) above.
7. Loading and Unloading Areas. Loading and unloading areas shall be as provided in Section 635.

**Sec. 631 Other Planned Unit Development Provisions and Requirements**

1. Minimum individual lot area, lot width, front yard, rear yard, and side yard requirements of this Zoning Ordinance and all similar requirements as set forth in Tables 1 and 2 shall not be mandatory requirements for Planned Unit Development Districts but shall be considered as general guidelines, the departure from which shall be clearly justified in the PUD application in terms of better design of the living, business, and working environment and similar benefits. However, front yard, rear yard and side yard requirements as set forth in Tables 1 and 2 shall apply to those yards abutting on the outside edges of the PUD site where not otherwise superseded by the Open Space requirements of the individual PUD Districts.
2. The building height regulations in Tables 1 and 2 may be increased to allow for greater heights for office buildings, multi-family dwellings and similar structures if all of the following provisions are met:
  - a. the applicant substantiates the need or desirability for such greater heights in terms of overall benefit to the Village as a whole;
  - b. the applicant provides appropriate building plans, including elevator access;
  - c. the applicant obtains written approval of its building plans by the local Fire Chief; and
  - d. the development plan indicates that the best possible location for the building(s) has been selected, relative primarily to distance from neighboring properties, and that there will be no adverse impacts on neighboring properties.
3. The total amount of required parking spaces may be reduced by up to thirty five percent if the PUD application demonstrates to the satisfaction of the Village that:
  - a. the typical demand of certain uses on the site for parking will be at such different times than other uses that the shared use of some such spaces is obviously practical; and/or

- b. residential dwelling locations, sizes, and designs are of such nature as to assure that substantially fewer than normal occupants will own or drive automobiles, and that such conditions are likely to continue indefinitely.

**Sec. 634 Off Street Parking Requirements**

1. Number of Spaces: In all instances in connection with every business, institutional, recreational, residential or other use, there shall be provided, at any time any new structure is erected, any existing structure is enlarged or increased in capacity, off-street parking spaces for automobiles for the amount of new structure or increase in capacity in accordance with Table 3, Schedule for Off-Street Parking Spaces.
2. Area: Each off-street parking space shall have an area of not less than one hundred eighty (180) square feet unless marked for small cars.
3. Location: Location of off--street parking spaces shall be provided on the premises intended to be served, or on an adjoining or nearby property within three hundred (300) feet of any part of the premises. A distance further than this shall require approval by the Board of Zoning Appeals.
4. Surfacing: Any off-street parking for more than five (5) vehicles shall be graded for proper drainage and surfaced so as to provide a durable and dustless surface.
5. Lighting: Any lighting used to illuminate any off-street parking area shall be so arranged as to reflect the light away from any adjoining residences.
6. Setback from Streets; Parking spaces shall not be located within the first 50% of the front yard space as described in Section 515
7. Exception: No off-street parking spaces are required in the Urban Commercial (UC) district until such time as it is determined by the Village Council that there does not exist sufficient space in off-street lots and in on-street spaces to meet the need.

**Table 3 - SCHEDULE FOR OFF-STREET PARKING SPACES**

Use	Off-Street Parking Spaces Required
Single-family dwellings	1 for each dwelling unit
Two-family and multiple-family dwellings	1 1/2 for each dwelling unit
Tourist homes, motels, hotels, etc.	1 for each sleeping room
Clubs, and lodges	1 for each five (5) members
Churches	1 for each five (5) seats in main auditorium
Hospital, sanitarium, convalescent home, home for the aged, nursing home or similar institution	1 for each three (3) beds

Use	Off-Street Parking Spaces Required
Bowling alley	5 for each lane; plus one (1) additional space for each 200 square feet of area used for eating, drinking, or other recreation
Mortuary or funeral home	1 for each fifty (50) square feet of floor space in slumber rooms, parlors or individual funeral service rooms
Retail commercial or business service establishment except as otherwise specified herein	1 for each one hundred fifty (150) square feet of gross floor area
Personal or professional services; restaurants, nightclubs, cafes or similar recreation or amusement establishments, dance halls, assembly or exhibition halls without fixed seats	1 for each two hundred (200) square feet of gross floor area
Offices and institutions, furniture or appliance store, hardware store, wholesale establishments, machinery or equipment sales and service	1 for each three hundred (300) square feet of gross floor area
Printing or plumbing shop or similar service establishment	1 for each two (2) persons employed therein
Manufacturing or industrial establishment, research or testing laboratory, dairy processing, bakery, bottling plant, warehouse or similar establishment	1 for each two (2) employees on the maximum working shift plus space to accommodate all trucks and other vehicles used in connection therewith

**Sec. 635 Off-Street Loading Requirements**

- In any district in which a lot is to be occupied by a use frequently requiring the receipt or distribution by vehicle of material or merchandise, there shall be provided adequate off-street loading space plus adequate area for ingress and egress. Such spaces shall not be in the required front yard nor shall they occupy any required off-street parking space.

**Sec. 640 Private Swimming Pools**

- A private swimming pool shall be permitted as an accessory use to any permitted residential use provided the pool is intended for private accessory use only, and not for commercial or club purposes.
- All swimming pools shall be walled or fenced so as to prevent uncontrolled access by children from the street, alley, or adjacent properties.

**Sec. 645 Signs**

- No sign billboard, or exterior graphic display shall be permitted in any district except as herein provided.
- In any district a sign not exceeding four square feet in area will be permitted which announces the name and address of the occupant of the premises. In addition, home occupation signs shall be allowed not exceeding six square

feet in area and not exceeding one sign per home or business. Such signs shall not require a Zoning Permit.

3. A bulletin board or sign not exceeding 20 square feet will be permitted in connection with any church, school, or similar public facility. Such signs shall not require a Zoning Permit.
4. Temporary real estate or construction signs of reasonable size will be permitted on a property being sold, leased, or developed. Such signs shall not require a Zoning Permit.
5. Business signs will be permitted in connection with any legal commercial or industrial use on the premises of said enterprise, provided said signs shall not project over the public right-of-way, and said signs shall not be illuminated in any manner which may cause undue distraction, confusion, or hazard to vehicular traffic on public streets. No more than one business sign shall be permitted for each business located on the premises, without approval by the Board of Zoning Appeals for a variance, and no sign shall exceed an area of greater than 100 square feet of all surfaces visible to the public. Such signs shall require a Zoning Permit.
6. Outdoor advertising signs shall be permitted in commercial, industrial, and agricultural districts, provided such signs shall be located so as to maintain the minimum front, side and rear yard as required for buildings located in the same district, and said signs shall not be illuminated in any manner which may cause undue distraction, confusion or hazard to vehicular traffic on public streets. Outdoor advertising signs shall be not closer together than 200 feet and each sign shall have no one surface larger than 600 square feet and the total area surface shall not exceed 1200 square feet. Such signs shall require a Zoning Permit.
7. No outdoor advertising structure may be erected to be viewed from the Federal Primary Highway System, unless said structure conforms to the Ohio Revised Code, Section 5516 and the necessary State permit is secured.
8. No sign shall exceed the maximum building height provisions for the Zoning District in which it is located except for signs allowed under Item #7 above.

**Sec. 650 Accessory Structures and Uses**

1. Accessory structures and uses shall be considered as permitted uses in association with a principal use or structure provided they meet all of the following requirements:
  - a. Each accessory use or structure shall be thirty-five (35) percent or less of the gross floor area of the principal use or structure and in total shall be fifty (50) percent or less of the gross floor area of the principal use or structure.
  - b. Accessory uses or structures shall not contain or be used as a dwelling unit.

- c. Accessory structures shall not exceed eighteen (18) feet in height.
- d. Accessory uses or structures shall not be permitted prior to the erection of the principal building or the establishment of the principal use of the land.

## ARTICLE VII. ADOPTION AND AMENDMENTS

### Sec. 700 Procedure and Regulations on Adopting and Amending Zoning ordinance.

1. Before this Zoning Ordinance, or any amendments thereto, may be adopted or passed the Council shall hold a public hearing thereon, and shall give at least thirty (30) days notice of the time and place thereof in a newspaper of general circulation in the Village.

Whenever an amendment to this Ordinance intends to rezone or redistrict ten (10) or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Clerk of the Village by first class mail at least twenty (20) days before the date of the public hearing to the owners of property within and contiguous to and directly across the street from such parcel or parcels to the addresses of such owners appearing on the County Auditor's current tax list(s) or the County Treasurer's mailing list and to such other list(s) that may be specified by the Council. The failure of delivery of such notice shall not invalidate any such Ordinance.

During such thirty (30) days the text or copy of the text of such Ordinance, together with the maps or plans or copies thereof forming part of or referred to in such Ordinance and the maps, plans, and any reports submitted by the Planning Commission, Board, or Zoning Officer shall be on file, for public examination, in the office of the Clerk of the Village or in such other office as is designated by the Council.

No such Ordinance which violates, differs from or departs from the plan or report submitted by the Commission, Board or Zoning Officer shall take effect unless passed or approved by not less than three-fourths (3/4) of the membership of the Council. No such Ordinance which is in accordance with the recommendation, plan or report submitted by the Commissioner, Board or Zoning Officer shall be deemed to pass or take effect without the concurrence of at least a majority of the membership elected to the Council.

### Sec. 705 Initiation of Amendment to Re-zone

1. Amendments or supplements to the Zoning Ordinance may be initiated by:
  - a. Motion of the Planning Commission
  - b. By application of one or more owners or lessees of property within the area to be changed.
  - c. By passage of a resolution by the Village Council.
2. All zoning amendments or supplements not initially made by the Village Planning Commission shall be referred to the Planning Commission for

review and recommendation to Council before any action is taken by Council. If no recommendation is received by Council within thirty (30) days, Council may proceed without a recommendation from the Planning Commission if it so desires.

**Sec. 710**

**Fee for Zoning Amendment**

1.

There shall be a fee for Zoning Amendments, due at the time of application, to cover the cost of advertising, staff or professional review, and other expenses. The fee shall be \$50.00 for each acre of land or part thereof proposed to be rezoned by amendment. The application and fee shall be presented to the Zoning Inspector. The fee shall not be refunded unless the applicant removes such application prior to any advertising and review. In addition, the fee shall not apply to any Amendment initiated by the Planning Commission or Council. When the Council finds it necessary to require special studies to be made, the applicant shall be required to provide such special studies as a part of the application or to bear the cost of such studies.

**ARTICLE VIII. ENFORCEMENT**

**Sec. 800**

**Zoning Inspector**

1.

The position of Zoning Inspector is hereby created. He/she shall be appointed and serve at the pleasure of the Village Council and shall receive such compensation as the Council may provide.

2.

The Zoning Inspector shall have the following duties:

- a. Issue Zoning Permits when this Ordinance has been followed, or refuse to issue same in the event of non-compliance.
- b. Collect the designated fees for Zoning Permits, Amendments, Appeals, Conditional uses, and Exceptions.
- c. Make and keep records on all applications, issuance and denial of all permits, and on complaints of violations.
- d. Enforce this Zoning Ordinance and take all necessary steps to remedy any condition found in violation by ordering in writing, the discontinuance of illegal uses or illegal work in progress and request the Village Solicitor to commence appropriate legal action when necessary.
- e. Keep the Planning Commission and Council advised of all matters other than routine duties pertaining to the enforcement of this Zoning Ordinance and to transmit all applications and records pertaining to Amendments.
- f. Keep the Board of Zoning Appeals advised of all matters pertaining to Appeals, Variances, and Conditional Uses, Exceptions, and transmit all application and records pertaining thereto.

**Sec. 805**

**Zoning Permits Required**

1.

Before constructing, changing the use of, or structurally altering any building or sign, including accessory buildings, or changing the use of any premises,

application shall be made to the Zoning Inspector for a Zoning Permit. The Zoning Permit requirement shall not include interior remodeling if the type of use is not changed and shall not include exterior upkeep and maintenance. The applications shall include the following information:

- a. A plot plan drawn to scale showing the exact dimensions of the lot to be built upon.
  - b. The location, dimensions, height and bulk of structure to be erected.
  - c. The intended use.
  - d. The yard, open areas and parking dimensions.
  - e. Any other pertinent data as may be necessary to determine and provide for the enforcement of this Zoning Ordinance.
2. Before construction or altering any sign or outdoor advertising device requiring a Zoning Permit (See Sign Regulations) a Zoning Permit shall be secured.
  3. Within ten (10) days after a receipt of application, the Zoning Inspector shall issue a Zoning Permit if the application complies with the requirements of this Zoning Ordinance and the application is accompanied by the proper fee.
  4. The Zoning Permit shall become void at the expiration of six (6) months after date of issuance unless construction is started. If no construction is started or use changed within six (6) months of date of Permit, a new Permit is required upon application.

**Sec. 810 Fee for Zoning Permit**

1. The fee for a Zoning Permit shall be \$20.00 per sign, \$20.00 per dwelling unit, and/or \$20.00 for each 5,000 square feet of gross floor area or part thereof for commercial, industrial or other buildings.

**Sec. 815 Violations**

1. Buildings, structures or signs erected, altered, moved, razed or converted, or any use of land or premises carried on in violation of any provision of this Zoning Ordinance are declared to be a nuisance per se and shall be subject to the Penalties stated in this Zoning Ordinance. Any building or land use activities considered possible violations of the provisions of this Ordinance which are observed by the residents of the Village shall be reported to the Zoning Inspector.

**Sec. 820 Inspection**

1. The Zoning Inspector shall inspect each alleged violation and shall, in writing, order correction of all conditions which are found to be in violation of this Ordinance.

**Sec. 825 Correction Period**

1. All violations shall be corrected within a period of thirty days after the written order is issued or for a longer period of time as indicated by the Zoning Inspector. Any violations not corrected within the specified time period shall be reported to the Village Solicitor who shall initiate prosecution procedures.

**Sec. 830**

**Penalties**

1.

The owner or owners of any building or premises or part thereof where anything in violation of this Ordinance shall be placed or shall exist, and any tenant or occupant of such building or premises, and any architect, builder or contractor, or any other person who shall assist in the committing of any such violation, and any person who shall violate any of the provisions of this Ordinance or fail to comply therewith shall for each violation or non-compliance be deemed guilty of a misdemeanor and upon conviction thereof, be fined not more than one hundred (100) dollars. Each day such violation or failure to comply shall exist shall constitute a separate offense.

**ARTICLE IX. BOARD OF ZONING APPEALS**

**Sec. 900**

**Establishment and Composition of Board of Zoning Appeals**

1.

There is hereby established a Board of Zoning Appeals which shall consist of five members appointed by the Mayor and approved by the Village Council. The five members first appointed shall serve for terms of one (1), two (2), three (3), four (4), five (5) years respectively; beginning January 1st. Each member shall serve until his successor is appointed. Vacancies shall be filled by the Mayor and shall be for the respective unexpired term. The members of the Board may receive such compensation as the Council provides. The Planning Commission may serve as the Board of Zoning Appeals if so designated by the Mayor and approved by Council.

**Sec. 905**

**Organization**

1.

The Board of Zoning Appeals shall elect a chairman and a vice-chairman from its membership, and shall appoint a secretary and shall prescribe rules for the conduct of its affairs.

**Sec. 910**

**Quorum**

1.

The Board of Zoning Appeals shall require a quorum of three (3) members at all of its meetings, and the concurring vote of three (3) members shall be necessary to affect any order.

**Sec. 915**

**Powers and Duties of Board of Zoning Appeals**

1.

**Appeals:** The Board of Zoning Appeals shall hear and decide Appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Inspector in the enforcement of this Zoning Ordinance.

There shall be a fee of ten dollars (\$10) for any Appeal of actions by the Zoning Inspector. If such appeal is won by the applicant, the fee for the required Zoning Permit which must be obtained after winning any Appeal shall be waived, and the Zoning Permit shall be issued by the Zoning Inspector.

Appeals to the Board of Zoning Appeals may be taken by any person, firm or corporation, or by any officer or Board of the Village, deeming himself or itself to be adversely affected by the decision of the Zoning Inspector respecting the interpretation of the Ordinance. Appeals shall be made no later than thirty (30) calendar days after the date of the grievance.

after approval of any Variance shall be waived, and the Zoning Permit issued by the Zoning Inspector.

3. **Conditional Uses:** The Board of Zoning Appeals shall hear and determine all Conditional Uses that are specifically listed within the various districts. Conditional Uses, although often desirable, may more intensely affect the surrounding area in which they are located or they may tend to disrupt the character or development potential of the area. Since this is the case, the Board of Zoning Appeals shall approve an application for a Conditional Use only when the following conditions are met.
- a. The Conditional Use is specifically listed or interpreted as listed in the district in question.
  - b. The Conditional Use is in general accord with any adopted Village Plans.
  - c. The proposed development will be in keeping with the existing land use character and physical development potential of the area and will not have undesirable effects on the surrounding area.

In granting a Conditional Use the Board of Zoning Appeals may impose such conditions as it may deem necessary to protect the public health, safety, or welfare and to further the purpose and intent of this Zoning Ordinance.

The fee for a Conditional Use shall be twenty (20) dollars which shall be paid at the time of application. The fee for the Zoning Permit which must be obtained after approval of any Conditional Use shall be waived, and the Zoning Permit issued by the Zoning Inspector.

4. **Nonconforming Uses:** The Board of Zoning Appeals shall have the power to permit changes and extensions of nonconforming uses as follows:
- a. A nonconforming use of a less objectionable nature may be substituted for an existing nonconforming use.
  - b. An existing, legal nonconforming use which occupies only a portion of an existing structure or premises may be extended throughout such structure or premises.
  - c. The alteration or reconstruction of a nonconforming use or building provided that such will make the nonconforming use substantially more in character with its surrounding.
  - d. The extension of a nonconforming use when such extension will substantially make the nonconforming use more in character with its surroundings. Such extensions shall not be greater than 50% of the size of the nonconforming use that existed at the time of passage of this Zoning Ordinance.

The Board may impose such requirements and conditions as they may deem necessary for the protection of adjacent properties and the public interests. The fee for a Nonconforming Use change shall be twenty (20) dollars which shall be paid at the time of application. The fee for the Zoning Permit which

must be obtained after approval of any Nonconforming Use change shall be waived, and the Zoning Permit issued by the Zoning Inspector.

## ARTICLE X. DEFINITIONS

### Sec. 1000 Definitions

1. For the purposes of the Zoning Ordinance, certain words or terms used herein shall be interpreted according to the definitions presented in the Article. Except as defined below, all words used in this Ordinance shall carry their customary meaning.

**Accessory Use or Structure:** A use or structure (such as garage) incidental to the main use of the land or building. In buildings restricted to residence use, the office of a professional man and workshops not conducted for compensation shall be deemed accessory uses. Offices or workshops conducted for compensation shall be deemed home occupations.

**Agriculture:** The use of land for farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetable, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; and the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production; provided however that:

1. The operation of any accessory uses shall be secondary to that of normal agricultural activities; and
2. The above uses shall not include the feeding or sheltering of animals or poultry in penned enclosures, or the processing of agricultural products, within 500 feet of any residential zoning district. Agriculture does not include the feeding of garbage to animals or the operation or maintenance of a commercial stockyard or feedyard.

**Board:** The Board of Zoning Appeals (See Article IX)

**Building:** See Structure

**Building Line:** A boundary fixed at a specified distance from the front of a lot beyond which a building cannot lawfully extend.

**Conditional Use:** A use, such as offices or public facilities, that is allowed in a specified zoning district only upon approval by the Board of Zoning Appeals.

**Development Plan:** A detailed and accurate site plan showing the proposed land use, building sizes, heights, and locations, utility lines and easements, traffic circulation pattern including streets, sidewalks and parking areas, recreational and court spaces, and any other similar information necessary to

evaluate the conformity of a Planned Unit Development of the Zoning Ordinance, as determined by the Village Council

**Dwelling:** A building or portion thereof occupied or intended to be occupied for a residence purposes.

- a. Mobile Home - A detached residential dwelling unit designed for transportation after fabrication on streets or highways on its own wheels or on a flatbed or other trailer, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, locations on jacks or other temporary or permanent foundations, connections to utilities and the like. For the purposes of this Ordinance a similar unit meeting the requirements of the Federal Manufactured Housing Construction and Safety Standards Act of 1974 shall likewise be considered as a mobile home. A mobile home is not intended to be considered as a single family or part of a two-family or multi-family dwelling and is not listed or intended to be listed in this Ordinance as a permitted use or a conditional use within the Village limits.

A factory built dwelling having at least one thousand (1,000) square feet of living area and bolted or securely set on a permanent foundation which has footers below the frost line shall not be considered a house trailer or mobile home. Such a dwelling shall be considered a single-family dwelling, or if assembled with others, they shall be considered two-family dwellings or multifamily dwellings.

- b. Single-family Dwelling - A detached residential dwelling unit, other than a house trailer or mobile home, designed for and occupied by one family only.
- c. Two-family Dwelling - A detached residential building designed for or occupied by two families only.
- d. Multi-family Dwelling - A residential building designed for or occupied by three or more families, with the number of families in residence not exceeding the number of dwelling units provided.
- e. Mixed Use Dwelling - A dwelling which is located in a building having another primary use, such as a shop with

apartments on the second floor or any similar combination of dwelling(s) and other uses.

**Home Occupation:** Any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof for compensation, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. A home occupation includes, but is not limited to: real estate offices, barber shops, beauty shops, child day care of not more than six children, and offices in the home of doctors.

**Land Use, Parks and Thoroughfare Plan for Jeffersonville, Ohio:** A plan adopted by the Planning Commission and available for reference from the Village Zoning Inspector.

**Lot:** A parcel of land occupied or capable of being occupied by one or more buildings and the accessory buildings or uses customarily incidental to it, including such yards or open spaces as are required by this Zoning Ordinance.

**Lot of Record:** Any lot which individually or as a part of a subdivision has been recorded in the office of the Recorder of Deeds of the county.

**Lot Area:** The total area of the lot not including any area in the street or alley right-of-way.

**Lot Depth:** The average horizontal distance between the front and rear lot lines.

**Lot Width:** The average horizontal distance between the side lot lines.

**Manufacturing:** Any production or industrial process, including food processing, research and testing, which combines one or more raw materials or components into a product, or which changes the nature of the materials entering the process.

**Mining and Extraction:** Any mining, quarrying, storage or processing of limestone, sand, gravel, oil or gas, or other mineral resources.

**Nonconforming Use:** A legal use of a building or structure and/or of land that antedates the adoption of this Zoning Ordinance or any amendments thereto, and does not conform to the regulations for the Zoning district in which it is located.

**Offices:** Establishments engaged primarily in activities such as administration, business services, and professional services and which do not produce or sell a product. Offices which sell a product, provide services with heavy equipment, or otherwise more closely resemble retail sales and services, manufacturing, wholesale and warehousing, transport and trucking, research and testing or public facilities shall be considered as one of the latter categories.

**Off Street Parking:** See Section 630

**Outdoor Recreation:** Recreational facilities or land not using enclosed structures or large open structures. Outdoor recreation might include such uses as golf

courses, horse riding paths, court games, hunting and fishing, picnicking, and ball fields.

**Permitted Use:** A use, such as offices or public facilities, that is allowed in a specified zoning district without approval by the Board of Zoning Appeals.

**Planned Unit Development:** Well-planned and designed group or mixed development which might require more latitude and flexibility than normally provided in the Zoning Ordinance which nevertheless fulfills the intent of the Zoning Ordinance. Planned unit development might include large residential subdivisions, shopping centers, industrial parks, or similar uses.,

**Principal Use or Structure:** The main or primary use or structure of a lot, if in doubt to be determined by the Board of Zoning Appeals.

**Public Facility, Type I:** Public and quasi-public owned facilities and land for uses such as parks, elementary schools, churches and cemeteries which are intended and designed to be compatible within most residential neighborhoods.

**Public Facility, Type II:** Public and quasi-public owned facilities and land for uses such as fire stations, jails, vehicle maintenance garages, communication towers, and trade schools which are similar in size, appearance, traffic generation, safety hazards and/or nuisance characteristics to commercial and/or industrial land uses.

**Retail Sales and Services:** Establishments engaged in retailing merchandise for personal or household consumption , and/or rendering services to the consumer. Establishment include personal and repair services, amusement and recreation service, general merchandise sales, food sales, vehicle dealers, service stations, auto repair, apparel sales, home furnishing sales, restaurants and taverns, motels, and similar establishments.

**Rooming House:** A building other than a hotel or motel where lodging for three or more unrelated persons is provided for compensation, and where no cooking facilities are provided in individual rooms. Group residential facilities, including shelters, group homes, half-way houses, private nursing homes, or similar residential facilities serving the homeless, physically or mentally handicapped persons, delinquent children, adult offenders or other special populations shall also be considered as rooming houses for the purposes of this Ordinance. In no case shall such uses be permitted if they have failed to meet all licensing requirements under the Ohio Revised Code.

**Sign:** Any device or display designed to inform or convey messages to the public.

- a. Business Sign - Any outdoor sign, display, device, figure, painting drawing, message, placard, poster, billboard, or any other contrivance designed, intended, or used to advertise or to give information in the nature of advertising for a product or service located on the premises.
- b. Outdoor Advertising Sign - Any outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard

or any other contrivance designed, intended, or used to advertise or to give information in the nature of advertising for a product or service not located on the premises on which the sign is located or any part thereof, which advertisement is visible by persons walking or riding in a motor vehicle. All other permitted signs shall not be considered outdoor advertising displays and/or billboards.

**Story:** That part of a building, included between the upper surface of any floor and the upper surface of the floor next above; or, if there be no floor next above, the ceiling or roof next above such floor. A basement shall be considered a story if it is used for living quarters or if two-thirds (2/3) of its volume is above the average level of the adjacent ground.

**Story, Half:** A partial story under a gable, hip, gambrel, or similar roof, the wall plates of which at least two opposite exterior walls are not more than four (4) feet above the floor of such story.

**Street or Road Right-of-Way:** All property dedicated or intended for public or private highway, freeway, or roadway.

**Structure or Building:** Anything constructed or erected with a fixed location on the ground, or attached to something have a fixed location on the ground. Among other things, structures include buildings, mobile homes or house trailers, billboards, and signs.

**Transport and Trucking:** Establishments engaged in passenger or goods transportation, or in furnishing services related to transportation, including railroad yards, terminal and lines, bus terminals, trucking terminals, and airports.

**Village Planning Commission, or Commission:** The Jeffersonville Village Planning Commission.

**Wholesale and Warehousing:** Establishments engaged primarily in the storage, distribution, or wholesale of merchandise, materials, and other goods, even if the establishment also provides retail goods or services. This shall also include lumber and other building material dealers, junk yards, construction yards, and other establishments with large outdoor storage activities.

**Yard:** An open space at grade between a building and the adjoining lot lines unoccupied and unobstructed by the 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 main building shall be used.

**Zoning Amendment or Supplement:** Any change to the Zoning Ordinance text or Zoning Map. (See Article VII)

**Zoning Inspector or Officer:** The zoning inspector as established in Section 800.

**Zoning Permit:** The document issued by the Zoning Inspector authorizing the use of the land or buildings.

**Zoning Map:** The Jeffersonville, Ohio Zoning Map.

**Zoning Ordinance:** The Jeffersonville, Ohio Zoning Ordinance.

## ARTICLE XI. WHEN EFFECTIVE

**Sec. 1100 Effective Date**

1. This Ordinance shall become effective from and after the date of its approval and adoption, as provided by law.

PASSED: March 21, 1996 (Date)

ATTEST:

Carol Roush  
Clerk of Council

Steve Buenside  
President of Council

Janet G. McCarty  
Mayor