

**FAIRFIELD TOWNSHIP  
RESOLUTION NO. 23-49**

**RESOLUTION TO APPROVE, AS RECOMMENDED BY THE FAIRFIELD TOWNSHIP  
ZONING COMMISSION, TEXT AMENDMENTS TO THE FAIRFIELD  
TOWNSHIP ZONING RESOLUTION.**

**WHEREAS:** The Fairfield Township Board of Trustees (the “Board”) passed a resolution authorizing initiation of the Fairfield Township Zoning Resolution Amendment Process (Res. No. 23-018) on January 10, 2023; and

**WHEREAS:** The Butler County Planning Staff reviewed the proposed text amendments and recommended approval; and

**WHEREAS:** A public hearing was held on February 8, 2023, and the case for the proposed text amendments to the Zoning Resolution was presented to the Fairfield Township Zoning Commission; and

**WHEREAS:** On February 8, 2023, the Fairfield Township Zoning Commission recommended approval of the text amendments; and

**WHEREAS:** The Board desires to adopt the text amendments to the Fairfield Township Zoning Resolution as recommended by the Fairfield Township Zoning Commission.

**NOW, THEREFORE, BE IT RESOLVED,** by the Board of Trustees of Fairfield Township, Butler County, Ohio, as follows;

**SECTION 1:** The Board hereby adopts the text amendments to the Fairfield Township Zoning Resolution, incorporating Exhibit “A.”

**SECTION 2:** The Board hereby dispenses with the requirement that this resolution be read on two separate days, pursuant to RC 504.10, and authorizes the adoption of this resolution upon its first reading.

**SECTION 3** This resolution is the subject of the general authority granted to the Board of Trustees through the Ohio Revised Code and not the specific authority granted to the Board of Trustees through the status as a Limited Home Rule Township.

**SECTION 4:** That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

**SECTION 5:** This resolution shall take effect at the earliest period allowed by law.

**Adopted:** March 14, 2023

**Board of Trustees**

**Vote of Trustees**

Michael Berding: \_\_\_\_\_

*[Handwritten signature]*

yes

Shannon Hartkemeyer: \_\_\_\_\_

*[Handwritten signature]*

yes

Joe McAbee: \_\_\_\_\_

*[Handwritten signature]*

yes

**AUTHENTICATION**

This is to certify that this is a resolution which was duly passed and filed with the Fairfield Township Fiscal Officer this 14<sup>th</sup> day of March, 2023.

**ATTEST:**

*[Handwritten signature]*

Shelly Schultz, Fairfield Township Fiscal Officer

**APPROVED AS TO FORM:**

*[Handwritten signature]*

Lawrence E. Barbieri, Township Assistant Law Director

**Proposed Text Amendments: Sections in bold represent areas of change in the text.**

711. Accessory Buildings/ Storage Sheds.

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

1. Accessory buildings in all residential districts on parcels containing five (5) acres or more shall be limited to two (2) accessory buildings not to exceed 1,500 square feet in size and 20 feet in height for each. Parcels containing one (1) to five (5) acres shall be limited to one (1) accessory building not to exceed 1,500 square feet in size and **20** feet in height. parcels containing 0.5 acres to 1 acres shall be limited to one (1) accessory building not to exceed 1,000 square feet in size and **20** feet in height. parcels containing less than 0.5 acres shall be limited to one (1) accessory building not to exceed 750 square feet in size and **20** feet in height.
2. No residential storage shed shall exceed two-hundred square feet in area.
3. Accessory structures in residential zones shall not contain or be used as dwelling units, home occupations, or for commercial or industrial purposes.
4. No accessory structure shall be located within the front yard. Accessory buildings shall be located within the side or rear yard. Storage sheds shall be located within the rear yard.
5. Accessory structures **15 feet in height or less** shall be located no closer than five feet to any property line or right-of-way. **Accessory structures between 15 and 20 feet in height shall be located no closer than the minimum side yard setback requirement for principal buildings based on the zoning district it is located in.**

611.5 REQUIRED CONDITIONS.

(a) Height Regulations: No principal structure shall exceed two and one-half (2 1/2) stories or thirty (30) feet in height. ~~No accessory structure shall exceed fourteen (14) feet in height.~~

612.5 REQUIRED CONDITIONS.

(a) Height Regulations: No principal structure shall exceed two and one-half (2 1/2) stories or thirty (30) feet in height. ~~and no accessory structure shall exceed one and one-half (1 1/2) stories or twenty (20) feet in height.~~

613.5 REQUIRED CONDITIONS.

(a) HEIGHT REGULATIONS. No principal structure shall exceed two and one-half (2 1/2) stories or thirty (30) feet in height. ~~and no accessory structure shall exceed one and one-half (1 1/2) stories or twenty (20) feet in height.~~

619.5 REQUIRED CONDITIONS.

(a) HEIGHT REGULATIONS. No principal structure shall exceed two and one-half (2 1/2) stories or thirty (30) feet in height. ~~and no accessory structure shall exceed one and one-half (1 1/2) stories or twenty (20) feet in height, except as provided in Section 505.~~

532. Parking and Storage of Vehicles and Trailers.

Parking and/or storing of any vehicle on a lawn or dirt surface shall be prohibited. On all tracts in residential districts, all open off-street parking areas shall be graded, and surfaced with bituminous concrete (asphalt), Portland cement concrete, brick, cobblestone or similar hard surface approved by the Zoning Inspector.

1. No commercial vehicles or commercial equipment, (including but not limited to commercial tractors, commercial trucks, buses, box trucks and 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.
2. No vehicles or trailers of any type without current license plates shall be parked or stored in any Zoning District other than in a completely enclosed building.
3. No recreational vehicle, utility trailer, camper or watercraft shall be parked in any front yard, unless such item is a minimum of fifty (50) feet from any Right of Way. Recreational vehicles and trailers in the front, rear or side yards must follow setback requirements for accessory structures in this Resolution.
4. No living quarters shall be maintained, or any business conducted, in said vehicle, while vehicle is so parked
5. **Recreational vehicles shall be permitted to be parked on a paved driveway for the purpose of loading and/or prepping the recreational vehicle for no more than 72 hours within a 30-day period.**

Definitions

30. COMMERCIAL VEHICLE, means any motor vehicle that has motor power and is designed to transport more than 15 persons and/or used for carrying merchandise or freight, commercial equipment hazardous material, or that is used as a tractor. OR any motor vehicle **with a Gross Vehicle Weight Rating (GVWR) of class 4** or greater that has motor power and is designated and used for occupational, employment or enterprise purposes that is carried for by the owner, lessee, or licensee. (This includes but is not limited to, box trucks, buses, pole trailers, semi-trucks, semi-trailers.)