

CHAPTER 1

PURPOSE, TITLE, APPLICABILITY, INTERPRETATION & LEGAL EFFECT

1-1 AUTHORITY AND PURPOSES

This Resolution is adopted pursuant to the authority granted to the Township by Chapter 519 of the Ohio Revised Code for the following purposes (without indicating order or priority): To promote the public health, safety, morals, and general welfare of the Township;

- (a) To help secure safety from fire, flood, panic and other dangers;
- (b) To enable the Township to implement adopted objectives and policies related to land use;
- (c) To facilitate implementation of Township land use plans duly adopted by the Sycamore Township Zoning Commission;
- (d) To facilitate revitalization and redevelopment of blighted areas by zoning for more appropriate uses;
- (e) To encourage compatibility between different proposed land uses in the Township and to protect the character of existing residential, office, commercial and industrial development areas of the Township from the encroachment of incompatible uses.
- (f) To conserve and protect property and property values.
- (g) To secure the most appropriate use of land.
- (h) To facilitate adequate but economical provision of public improvements.

1-2 TITLE

This resolution shall be known and may be cited and referred to as the "Sycamore Township Zoning Resolution," "Zoning Resolution" or "Resolution."

1-3 JURISDICTION

These provisions shall apply to all land areas of Sycamore Township. Those areas are indicated on the Official Zoning District Map(s) on file with the office of Sycamore Township.

1-4 INTERPRETATION

The provisions of this Resolution shall be construed to achieve the purposes for which they are adopted. In interpreting and applying the provisions of this Resolution, these provisions shall be held to be the minimum requirements for the promotion of public health, safety, morals, convenience, comfort, prosperity and general welfare. It is not intended by this Resolution to interfere with or abrogate or annul any easements, covenants, building restrictions or other agreements between parties. However, where this Resolution imposes a greater restriction upon the use of buildings or premise or upon the height of buildings, or requires larger open spaces than are imposed or required by other laws, rules, regulations or permits, or by easements, covenants, building restrictions or agreements, the provisions of this Resolution shall govern. For the purposes of this Resolution, the following additional rules of interpretation shall apply:

- (a) In the event of a conflict between the text of these provisions and any caption, figure, illustration, table, or map, the text of these provisions shall control.
- (b) The words "shall", "must," and "will", as used in these provisions, are mandatory and indicate an obligation to comply with the particular provisions to which they apply.
- (c) The word "may" as used in these provisions is permissive.
- (d) Words used or defined in one tense or form shall include other tenses and derivative forms.
- (e) Words used in the singular shall include the plural and words used in the plural shall include the singular unless the context of the particular usage clearly indicates otherwise.
- (f) The masculine gender shall include the feminine, and the feminine gender shall include the masculine.
- (g) Headings and captions used throughout this resolution are for convenience and reference only and shall in no way be held to explain, modify, amplify, or aid in the interpretation or meaning of any provision in this resolution. Statements of intent or purpose statements used throughout this resolution are for general information only and shall in no way be held to be requirements or standards.

1-5 SEVERABILITY

It is hereby declared to be the intent of the Township that nothing in this Resolution shall be construed to conflict with the laws of the State of Ohio or to limit additional requirements, if any, imposed by law. This Resolution and the various articles, sections, paragraphs, sentences, clauses or phrases are severable. If any article, section, paragraph, sentence, clause or phrase of this Resolution shall be declared unconstitutional by the decree of any court of competent jurisdiction, such constitutionality shall not affect any of the remaining articles, sections, paragraphs, sentences, clauses or phrases of this Resolution.

1-6 REPEAL OF PREEXISTING ZONING RESOLUTION AND ESTABLISHMENT OF ZONING DISTRICTS

- (a) The Zoning Resolution previously in effect in Sycamore Township, together with all Zoning District Maps which are a part of such Resolution, is hereby superseded and amended to read as set forth in this Resolution. However, this Resolution, including the Zoning District Maps, shall be deemed a continuation of the previous Resolution and not a new enactment, insofar as the substance of revisions of the previous Resolution are included in this Resolution, whether in the same or different language. This Resolution shall be so interpreted upon all questions of construction relating to tenure of officers and boards established by the previous Resolution, to questions of conforming and nonconforming uses, buildings and structures, and to questions as to the dates upon which such uses, buildings or structures become conforming or nonconforming.
- (b) To the extent that this Resolution reestablishes zoning districts of the same land use category and with the same district designation and names, these districts and their boundaries as indicated on the Zoning District Maps under the preexisting Zoning Resolution shall be deemed as continuing until such time as they may be amended pursuant to the provisions of this Resolution. Zoning districts, which are not reestablished by this Resolution, as indicated on Table 1-6, are hereby repealed and shall be indicated as repealed on the Zoning District Maps as of the effective date of this Resolution.
- (c) To the extent that this Resolution establishes zoning districts of the same land use category, but different names from those under the preexisting Resolution, these new district names shall replace the old zoning district names on the Zoning District Maps in accordance with Table 1-6, but shall retain their existing boundaries.
- (d) Zoning districts established by this Resolution in addition to the zoning districts established under the preexisting Zoning Resolution are indicated in Table 1-6 and shall become effective upon the adoption of such Zoning District Map amendments by the Board of Township Trustees as are necessary to give effect to the new districts.
- (e) The Planned Unit Development (PUD) Overlay District as provided for in Chapter 18 is hereby adopted as a zoning district map amendment to the official zoning map and is applicable to all land within the jurisdiction of these regulations in accordance with the provisions of Chapter 18 and Section 3-2.
- (f) Any restrictions, covenants, agreements, easements or any other conditions which were placed on any parcels of real property under the prior Zoning Resolution by any person, board, commission, court or otherwise, prior to the effective date of this Resolution, whether in the granting of a variance, conditional use permit, or for any other reason, shall continue in effect and be retained. Adjustments and revisions shall be administered in accordance with procedures provided for in this Resolution.

**TABLE 1-6
DISTRICT EQUIVALENCIES, DELETIONS AND ADDITIONS**

ZONING RESOLUTION DISTRICTS REESTABLISHED AND ESTABLISHED		PREEXISTING ZONING RESOLUTION DISTRICTS	
Residential Districts		Residential Districts	
AA	Residential	"AA"	Residential District
A	Residential	"A"	Residence District
A-2	Residential	"A-2"	Residence District
A-35	Residential	"A-35"	Residential District
B	Residential	"B"	Residence District
B-2	Residential	"B-2"	Residence District
C	Residential	"C"	Residence District
D	Residential, Multi-Family	"D"	Residence District
Commercial Districts		Office and Commercial Districts	
O	Office	"O"	Office District
E	Retail Business	"E"	Retail Business District
Industrial Districts		Industrial Districts	
F	Industrial, Light	"F"	Light Industrial District
Overlay Districts		Overlay Districts	
SPI-NR	Special Public Interest-Natural Resource	"FPM"	Flood Plain Management District (Repealed)
SPI-NQ	Special Public Interest-Neighborhood Quality		
SPI-SC	Special Public Interest-Suburban Center/Corridor		
SPI-SV	Special Public Interest-Suburban Village		
PUD	Planned Unit Development		
Special Purpose Districts		Special Purpose Districts	
Specific Plan Districts		Planned Districts (see Section 3-4)	
CUP	Community Unit Plan Overlay District	"CUP"	Community Unit Plan Overlay District
DD	Planned Multiple Residence District	"DD"	Planned Multiple Residence District
OO	Planned Office District	"OO"	Planned Office District
EE	Planned Business District	"EE"	Planned Business District
FF	Planned Light Industrial District	"FF"	Planned Light Industrial District

1-8 INITIAL EFFECTIVE DATE

This Resolution shall be in full force and effect from and after the earliest period allowed by law.