

CHAPTER ONE
TITLE, AUTHORIZATION, PURPOSE

Section 100.00 Title

This resolution shall be known, cited and referred to as "The Zoning Resolution of Brimfield Township, Ohio", the "Brimfield Township Zoning Resolution", or the "Zoning Resolution."

Section 101.00 Purpose

The purposes of this Zoning Resolution are:

- A. To promote and protect the public health, safety, and welfare of the Township by regulating the use of buildings, other structures and land for residential, commercial, industrial, public, or other uses;
- B. To regulate the bulk, height, design and location of structures;
- C. To regulate population density;
- D. To divide the land within the Township into districts, according to the use of land and buildings and the intensity of such use, as may be deemed best suited to carry out the purposes of the Township Land Use Plan and this Zoning Resolution; and
- E. To provide procedures for the administration and enforcement of this Zoning Resolution.
- F. To preserve the rural and agricultural aspects of Brimfield Township.

Section 102.00 General Objectives

This Zoning Resolution is intended to achieve the following objectives:

- A. To protect and enhance the character and value of the agricultural, residential, commercial, industrial, institutional and public uses, and insure their orderly and beneficial development in accordance with Township land use policy;
- B. To protect and preserve the historical and cultural resources of the Township;
- C. To provide adequate open spaces for light, air and outdoor uses;
- D. To prevent the overcrowding of the land;
- E. To prevent uncoordinated development;
- F. To minimize congestion in the public streets and to ensure efficient and safe traffic circulation;

- G. To provide for orderly growth and development and to guide the future development of the Township in accordance with the Township Land Use Plan;
- H. To encourage land use patterns that ensure economical extensions for sewers, water supply, waste disposal and other public utilities, as well as development of recreation and other public facilities;
- I. To encourage land use patterns that conserve the natural resources of the Township;
- J. To help safeguard the public against flood damage and to prevent damage to environmentally sensitive areas;
- K. To protect ground water quality;
- L. To guide the future development of the Township so as to bring about the gradual conformity of land and building uses in accordance with the objectives of the development plan of the Township; and,
- M. To accomplish the goals and purposes set forth in each Chapter consistent with the purpose of this Resolution.

Section 103.00 Authorization

This Resolution is authorized by the Constitution and Revised Code of the State of Ohio, Chapter 519.

Section 104.00 Interpretation

The provisions of this Zoning Resolution shall be construed to achieve the purposes and objectives for which they are adopted. In interpreting and applying the provisions of this Zoning Resolution, these provisions shall be held to be the minimum requirements necessary for the promotion of public health, safety and morals. If for any reason any of these requirements are found to be incompatible or inconsistent with another requirement of this Resolution, the provision with the more restrictive requirement shall be deemed applicable.

Where this Resolution imposes a greater restriction upon the use of buildings or premises or upon the height of buildings or requires larger yards than are imposed or required by other provisions of law, rules, regulations, covenants or agreements, the provisions of the Resolution shall control, but nothing herein shall interfere with, abrogate or annul any easements, covenants, deed restrictions or agreements between parties which impose restrictions greater than those imposed by this Resolution.

Section 105.00 Compliance

After the effective date of this Zoning Resolution, no buildings, structures, uses of land, or lots of record shall be established, altered, moved, divided or maintained except in accordance with the provisions of this Zoning Resolution. Existing buildings, structures and uses of land that do not comply with the regulations of this Zoning Resolution are illegal or nonconforming pursuant to Chapter 5, Section 520.00 Nonconforming Uses and Structures.

Section 106.00 Repeal of Existing Resolution

The Zoning Resolution for Brimfield Township adopted and made effective on November 30, 1960, and as subsequently amended, together with the Zoning Districts Map that is part of that Zoning Resolution is hereby repealed and amended to read as set forth in this Zoning Resolution.

Section 107.00 Separability

Should any section or provision of this Resolution be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Resolution as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 108.00 Repealer

All existing Resolutions in conflict with this Zoning Resolution or inconsistent with the provisions of the Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

Section 109.00 Effective Date

The effective date of this Zoning Resolution is June 24, 2004 (#2014-2011).