To: The Chester Township Community
Date: July 2, 2020
From: Chester Township Zoning Commission
RE: Initiation of Z2020-2

The Chester Township Zoning Commission initiated proposed amendment Z2020-2 on July 1, 2020. The public hearing for this proposed amendment is scheduled for August 5, 2020, 7:00 pm at Chester Town Hall. The public is invited to attend to voice support or opposition to this amendment.

The following documents are attached:

1. Motion to Initiate an Amendment to the Chester Township Zoning Resolution
2. Rationale for the justification of the need for this amendment; and
3. The text of the proposed amendment.
FORM NO. 22
MOTION TO INITIATE AN AMENDMENT TO THE
CHESTER TOWNSHIP ZONING RESOLUTION
O.R.C. SECTION 519.12(A)

Michael Lauro moved the adoption of the following motion:

That an amendment to the Chester Township Zoning Resolution, identified as number Z2020-2, consisting of 1 page, marked Exhibit “A” and attached hereto and incorporated herein as though fully rewritten, be hereby initiated by the Chester Township Zoning Commission this 1st day of July, 2020.

Jonathan Oswick seconded said motion. Upon the roll being called, the vote of the members of the zoning commission was as follows:

<table>
<thead>
<tr>
<th>Member</th>
<th>Signature</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andrew Chess</td>
<td>Absent</td>
<td>—</td>
</tr>
<tr>
<td>Cathy Cotman</td>
<td></td>
<td>YES</td>
</tr>
<tr>
<td>Michael Lauro</td>
<td></td>
<td>YES</td>
</tr>
<tr>
<td>Anthony Nastasi</td>
<td>Absent</td>
<td>—</td>
</tr>
<tr>
<td>Jonathan Oswick</td>
<td></td>
<td>Yes</td>
</tr>
</tbody>
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Attested to by: Administrative Assistant, Zoning Commission

Print Name: Kris Crews

July 1, 2020
Date
Regulation of Agriculture on lots < 5 acres under certain conditions

PURPOSE OF AMENDMENT: To resolve the conflict in the current zoning resolution. It infers that agriculture on some lots less than 5 acres is regulated, but the resolution doesn’t contain any rules regulating agriculture on such lots.

WHAT ARE THE MODIFICATIONS?
- Delete the reference that implies that agriculture on lots less than 5 acres is regulated.

WHY?
- To eliminate the confusion that exists in the current zoning resolution.

BACKGROUND
- Ohio Revised Code 519.21(B) gives townships authority to regulate some aspects of agriculture, under certain conditions on lots less than 5 acres. The ORC allows for the regulation of agriculture in 1) platted subdivisions; or 2) in areas with 15 or more lots that have been approved under ORC 711.131. Under these conditions, the ORC allows regulation of 1) agriculture on lots 1 acre or less; 2) setback building lines, height and size for buildings & structures normally associated with the agricultural activity for lots >1 acre and <5 acres; and 3) dairying and animal and poultry husbandry on lots > 1 acre and <5 acres.
- The zoning commission has validated that the township does not and historically, has not enforced zoning regulations related to agricultural uses on any land in the township. The commission has reasoned that since agricultural uses have been allowed to exist for decades without regulation, that any such regulation would be overly restrictive.
ARTICLE 1– GENERAL PROVISIONS

Section 1.04.0 POWERS NOT CONFERRED BY CHAPTER 519 OF THE OHO REVISED CODE OR THIS RESOLUTION

A. This resolution does not prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such building or structures are located, including buildings or structures that are used primarily for vinting and selling wine that are located on land any part of which is used for viticulture and no zoning certificate shall be required for any such building or structure. However, this resolution shall regulate the use of land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located in accordance with R.C. 519.21(B).