

VILLAGE OF BLANCHESTER
ORDINANCE NO. 2024.022

**ORDINANCE TO AMEND ORDINANCE 90.017, TITLED “ZONING ORDINANCE OF
BLANCHESTER”**

WHEREAS, the Village of Blanchester passed Ordinance No. 90.017 to establish the zoning plan for the Village of Blanchester; and

WHEREAS, the plan proposed in Ordinance No. 90.017 no longer serves to preserve the health, safety, and welfare of the public; and

WHEREAS, the Village of Blanchester desires to amend Ordinance No. 90.017 pursuant to Ohio Revised Code Section 713.12 and 731.19; and

WHEREAS, the Village of Blanchester held a public hearing on December 12, 2024 in accordance with Ohio Revised Code § 713.12.

NOW THEREFORE BE IT RESOLVED, by the Council of the Village of Blanchester, Clinton County, Ohio that:

SECTION 1.

Ordinance No. 90.017, titled “Zoning Ordinance”, is hereby amended as shown in the attached Exhibit A.

SECTION 2.

The Village of Blanchester finds and determines that all formal actions of this Village concerning and relating to the adoption of this Ordinance were taken in an open meeting of the Village of Blanchester and that all deliberations of this Village of Blanchester that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION 3.

This Ordinance shall be read three times and shall be in full force and effect from and after the first date provided by law. This requirement may be suspended by a three-fourths vote of council.

Mr. Hopkins moved the adoption and Mr. Parks seconded the motion and the roll being called upon its adoption the vote resulted as follows:

The following members of council voted:

Mr. Garner- yes
Mr. Gephart- yes
Mr. Hill- yes
Mr. Hopkins- yes
Mrs. Lewis- yes
Mr. Parks- yes

Adopted this 30th of December, 2024.

John M. Carman
Mayor John Carman

Attest: Fiscal Officer

Regina Johnson

I, Regina Johnson, Fiscal Officer of the Village of Blanchester, Clinton County, and in whose custody the Files, Journals, and Records are required by the law of the State of Ohio to be kept, do hereby certify that the foregoing Ordinance is taken and copied from the original Ordinance now on file with said Village, that the foregoing Ordinance has been compared by me with the said original and that the same is a true and correct copy therefor, and has been posted as required by law.

Witness my signature, this 30 day of December 2024.

Regina Johnson

Fiscal Officer of the Village of Blanchester, Clinton County, Ohio

First Reading 12.12.2024

Exhibit A

ORDINANCE NO. 90.017

1. The Village of Blanchester's Zoning Ordinance shall be amended as follows:
 - (a) "Article VI, SPECIAL PROVISIONS, Sec. 600 Public Nuisances Prohibited" shall be amended to include the following italicized and underlined language:
 1. No land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious or otherwise objectionable conditions which could adversely affect the surrounding areas or adjoining premises, except that any use permitted by this Zoning Ordinance may be undertaken and maintained if acceptable measures and safeguards to Yard (2) Yard In Feet reduce dangerous and objectionable conditions to acceptable limits as established by the following performance requirements:
 2. Fire Hazards - Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate firefighting and fire prevention equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance which is compatible with the potential danger involved.
 3. Radioactivity or Electrical Disturbance - No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation of any equipment at any point other than that of the creator of such disturbance.
 4. Noise - Noise shall be so controlled that at the property line on which such noise is produced it will not be at a level above that normally perceptible from other development at the street right of way line on the lot, except occasional blast required in normal operation and produced in such manner as not to create a hazard. If such blast or other noise creates an objectionable noise as determined by the Village Council such noise shall be muffled or otherwise controlled. Sirens and related apparatus used solely for public purposes are exempt from this regulation.
 5. Vibration - No vibration shall be permitted which is discernible without instruments on any adjoining lot or property.
 6. Air Pollution - No pollution of air by ash, dust, vapors, odors, smoke, or other substances shall be permitted which are harmful to health, animals, vegetation, or other property, or which can cause excessive soiling.
 7. Glare - No direct or reflected glare shall be permitted which is visible from any property outside an industrial district or from any street.

8. Erosion - No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties.
9. Water pollution - No pollution of any stream, reservoir, aquifer (underground water supply), or other water body within or surrounding the Village, shall be permitted which would create a serious threat to the health, safety or welfare of the residents of the Village.
10. Litter - Litter constituting a detriment to public health which has been placed on any property shall be removed. Litter includes any garbage, waste, peelings of vegetables or fruit, rubbish, ashes, cans, bottles, wire, paper, boxes, parts of automobiles, furniture, glass or oil of an unsightly or unsanitary nature, or anything else of an unsightly or unsanitary nature.
11. Junk - Junk such as abandoned vehicles, household appliances, farm equipment, or any other matter, for which no future use is contemplated, or which has deteriorated to the point of creating a visual blight on the landscape shall be removed from the view from any public road or right of way.
12. Storage Containers - No metal storage containers of any kind, including but not limited to, metal box containers or shipping containers, shall be used as a garage or permanent storage facility or building within the Village.
13. Enforcement Provisions - The Zoning Inspector or Village Council, prior to the issuance of a Zoning Permit, may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerance. The Zoning Inspector shall investigate all complaints, if the Inspector finds a property in violation of this Article, he shall give a written notice by registered mail or in person to the owner or person in charge of the property requiring him/her to remove the nuisance within 15 days (30 days for dilapidated structures) of receipt of the notice. If the nuisance is not removed within this period, the Inspector shall hire someone to remove the nuisance and bill the owner or person in charge of the property for the cost of the labor and any materials used. If the bill is not paid, it will be added to the tax duplicate of such property.
14. Measurement Procedures Methods and procedures of the Village for the determination of the existence of any dangerous or objectionable elements which constitute a public nuisance may utilize any applicable and reliable measurement procedures or the Village may request the assistance of reputable consultants, government organizations, or other sources if authorized by the Village Council.
15. Existing Public Nuisances Subject to Discretion of Council Any public nuisance as described in this Zoning Ordinance and existing at the time of its adoption shall be subject to the discretion of Village Council prior to any action on the part of the Village to abate or take any other action against such public nuisance. In the utilization of such discretion,

the Council shall determine what reasonable action, if any, should be taken by the Village to bring about the partial or total abatement of such public nuisance in question.

- (b) "Article VII, PLANNED DEVELOPMENT REGULATIONS" shall be amended to include the following italicized and underlined language:

Sec. 735 Fees for Zoning Certificates

1. That for each application for a zoning certificate, the following sums shall be paid to and collected by the Zoning Inspector, the payment of which shall accompany the application as follows:

- a) Alterations of dwelling unit (room addition)\$ 50.00
Dwelling unit.....\$75.00
- b) Private garage\$50.00
- c) Accessory building (under 150 sq.ft)\$ 25.00
- d) Over 150 sq. ft or more outside dimensions\$ 50.00
- e) Business, industrial or public hearing or alteration or additions thereto.....\$ 100.00 PLUS 10 cent per square foot of ground Floor area, outside dimensions
- f) Underground pool or above ground pool greater than 2 feet in depth and/or 100 square foot surface area.....\$ 25.00
- g) Variances for sign\$150.00
- h) Billboards, larger commercial signs and devices.....\$ 50.00
Business advertising signs and/or permanent banners\$ 25.00
- i) Expanding of off-street parking (for each space)\$ 15.00
- j) Mineral extraction.....Fee to be set by Council
- k) Variances for subdivisions.....\$250.00
- l) Zoning violation.....1st violation permit fee plus \$100.00
2nd violation permit fee plus \$200.00
- m) Culverts (MUST be approved by a Street Department Representative for grade and drainage effect).....\$ 25.00
- n) Dumpsters (in street parking area) per week.....\$ 50.00

- o) Temporary use of trailer for use in construction of Buildings for not more than twelve months.....\$ 50.00
 - p) Cutting curbs (over 12ft., add \$2.00 each foot).....\$ 25.00
 - q) Razing, demolishing or tearing down a building over Over 200 square foot.....\$100.00
 - r) Moving building over 200 square foot (plus bond insurance)\$250.00
 - s) Open cutting of streets (plus bond insurance)
 - Core Cut up to 8"\$ 150.00
 - Core Cut 9" - 12" (no core over 12")\$225.00
 - Sawcut (over 1 sq. ft. add \$100.00 each sq. ft. rounded up)\$ 250.00
 - t) Sidewalks.....\$ 0.00
 - u) Fences.....\$25.00
 - v) Right of Ways.....\$100.00
2. That minimum culvert size for original or replacement shall not be less than twelve (12) Inches in diameter and shall require approval by the Village Street Department as to Grade and drainage effect, and
 3. No drainage ditch in front of a residence will be piped without a permit therefore, and no ditch will be allowed to be filled or covered without the installation of a Drainage pipe at least twelve (12) inches in diameter, and
 4. All applications for variances shall be required to go before public hearing, and All other variances not set forth in this Ordinance shall require a minimum fee Of \$250.00.

(c) "Article VIII, SIGN REGULATIONS" shall be amended to include the following italicized and underlined language:

Sec. 835 Business Signage Removal

1. All landowners who rent space to any business or for whatever reason place any signage as allowed by Ordinance 90.017 for the landowner's business or for a business renting from the landowner shall henceforth be required to remove said signage within thirty (30) days of the business or sign's purpose being completed.

2. A landowner may request an extension of the thirty-day deadline by making such a request in writing and delivering the written request to the planning committee of the Village within ten (10) days of the deadline and by paying a One Hundred Dollar, (\$ 100.00) fee for the additional time.
3. Any person violating this section will be fined in accordance with this Ordinance. An offense constitutes each 30-day period that a required sign removal is not completed.

