

Resolution #2024-07

**RESOLUTION AMMENDING ZONING RESOLUTION
SECTION as DEFINED**

The Board of Township Trustees of Rushcreek Township, Fairfield County, Ohio, met in regular session on the 3RD day of APRIL 2024, with the following members present:

**Chad Ashbaugh
Jim Downard
Rick Moyer**

Jim Downard

_____ moved the adoption of the following:

WHEREAS, Rushcreek Township Board of Trustees, Fairfield County has prepared this resolution, hereby amending the Zoning Resolution Section 10.1A, 10.3a3, 10.3a5, 10.3a7, 11.9 (copy attached)

WHEREAS, The Rushcreek Township Zoning Commission had adopted language for amendments to the above listed sections.

WHEREAS, The amendments were presented to Fairfield County Board of Regional Planning and approved vote.

WHEREAS, pursuant to the Ohio Revised Code, a public hearing was conducted on March 25, 2024 prior to Commission Board approval.

WHEREAS, the Rushcreek Township Board of Trustees intend that the revisions, additions be added to the Zoning text of the Township.


WHEREAS, the Rushcreek Township Board of Trustees shall cause a certified copy of this Resolution to be provided to the Fairfield County Sheriff's Department as notification.

NOW, THEREFORE, BE IT RESOLVED that the Board of Township Trustees of Rushcreek Township, Fairfield County, Ohio, pursuant to Ohio Revised Code Section hereby adopts the attached revisions, additons Rushcreek Township Zoning Resolution.

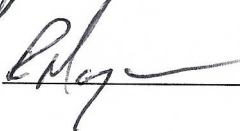
Resolution #2024-07

Rick Moyer seconded the Motion, and the roll being called upon its adoption, the resolution was carried by the following vote:

YES: 3 NO: 0 ABSTENTIONS: 0

Chad Ashbaugh, Chair , Aye

Jim Downard , Aye

Rick Moyer , Aye

This resolution represents a complete and accurate statement as to the actions taken by the Rushcreek Township Board of Trustees.

April 3, 2024 
Lisa Burnworth
Rushcreek Township Fiscal Officer

Rushcreek Township Zoning Commission

Date: March 25, 2024

To: Rushcreek Township Fiscal Officer and Trustees.

The Zoning Commission Board, in a public meeting March 25, 2024 passed 3 motions on the recommendations for text amendments to the Rushcreek Township Zoning Resolutions.

In Article X General Development Standards.

1) On page 57 regarding Building Size, changes include:

10.1 A Reduce square feet from 1,150 to 650 square feet. The entire following sentence will be deleted.

2) On page 59 regarding Accessory Structures, changes include:

10.3 A 3 Increase square feet from 2,600 to 3,200

10.3 A 5 Delete "exceed the ground floor area of the principal structure nor" Will read: "No accessory structure shall be located closer than ten (10) feet to the principal structure or other accessory structure on the same lot."

103 A 7 Increase square feet from 100 to 300.

In Article XI Conditional Use Regulations.

3) On page 80, Adding a Conditional Use under 11.9 for Transient Rentals (short term rentals). See other attachment pages.

David W. Foltz Chairman
Rushcreek Township Zoning Commission.

11.9(B) Transient Rentals

A. Intent. It is the intent of this section to create standards for Transient Rentals to ensure the uses are compatible to the surrounding neighborhood in which the use is located and the dwelling is safe for the public.

B. Applicability. These standards shall apply when a Transient Rental is proposed within a district where they are considered conditional uses.

C. Conditions. The Board of Zoning Appeals shall issue a Conditional Use permit for a Transient Rental, if the proposed use complies with the following conditions in addition to the general conditions listed in Section 7.3D.

1-5. Consists of the same five conditions listed in 11.9A

6. 7.3D4 – Specifically, a Certificate of Occupancy must be obtained from the Fairfield County Building Department and a copy given to the Zoning Inspector.

7. 7.3D7 – Site Plan must be completed with boundaries and a copy given to the Zoning Inspector.

8. Annual Safety/fire inspections must be carried out and a copy of the completed inspection given to the Zoning Inspector.

D. Transient Rental Operator Requirements.

1. All Transient Rentals shall have a notice posted WITHIN the dwelling unit containing the following information:

a. 24 hour contact information for property owner or manager.

b. The 911 address of the property (also posted at the ENTRANCE of property).

c. Site plan. All property lines, driveways and structures must be clearly shown with dimensions. Permitted areas of said property MUST be marked.

E. Renewal/Revocation of Permit. The Zoning Inspector shall deny any renewal of, or revoke, any Conditional Use Permit if any of the following are shown to have occurred:

1. Documented history of repeated conduct that endangers neighborhood safety or of conditions interfering with the use and enjoyment of property within its vicinity.

2. Noise audible beyond the boundary of the property on which the rental is located becomes a reoccurring problem.

3. Uninvited entry of Transient Rental occupants onto private property not associated with the rental location.

4. Evidence of conduct need only be that of de facto violation of law; evidence of conviction is not a prerequisite for denial.

11.9 DEFINITIONS. (These definitions will be added to the definitions already in the RTZcode.)

GUESTROOM. A room offered to the public for a fee that contains, at a minimum, provisions for sleeping.

PERMANENT OCCUPANT. Persons who reside in a dwelling more than 51% of the time during a calendar year; the dwelling in which the persons reside shall be referred to as their primary residence.

PRIMARY RESIDENCE. A residence that is the usual place of return for housing as documented by at least two of the following: motor vehicle registration, driver's license, tax documents, lease copy or a utility bill. An owner or permanent occupant can only have one primary residence.

TRANSIENT RENTAL. Any dwelling that is rented wholly or partly for a fee for less than 30 consecutive days by persons other than the permanent occupant or owner from which the permanent occupant or owner receive monetary compensation, whether such compensation is paid directly by the Transient Rental guest or is collected and remitted to the permanent occupant or owner. **TRANSIENT RENTAL** does not include a room in any hotel or motel, boarding or tourist home, as defined elsewhere in the Rushcreek Township Zoning Resolution.

TRANSIENT RENTAL GUESTS. Persons renting temporary lodging from a Transient Rental host, or through a hosting platform on behalf of the Transient Rental host, for less than 30 consecutive days.

If a Permit or its renewal has been revoked or denied, the party affected shall have the right to appeal the decision by the Zoning Inspector to the Rushcreek Zoning Board of Appeals as stated in Article 6.3 of the Zoning Code

F. Existing Transient Rentals before April 1, 2024

1. Transient Rental Operators must register their rentals with the Zoning Inspector and supply a layout of the dwelling on the property including boundaries.
2. Annual Safety/Fire Inspections must be carried out and a copy of the completed inspection given to the Zoning Inspector.
3. A copy of the Certificate of Occupancy from the Fairfield County Building Department will be requested and an order to cease operating the Transient Rental if any of the following happens.
 - a. Documented history of repeated conduct that endangers neighborhood safety or of conditions interfering with the use and enjoyment of property within its vicinity.
 - b. Noise audible beyond the boundary of the property on which the rental is located becomes a reoccurring problem.
 - c. Uninvited entry of Transient Rental occupants onto private property not associated with the rental location.

END