

## **SECTION 640 EXCEPTIONAL USE DISTRICT REGULATIONS**

**640.02 SPECIAL USES.** The following listed uses shall be subject to these EXCEPTIONAL USE DISTRICT REGULATIONS, except as they may be permitted by other provisions of this Zoning Resolution.

**640.021 Recreation and Amusement.** Golf Country Club and similar accessory structures and uses, including, but not limited to, restaurant, swimming pools, pickle ball and tennis courts. All accessory uses and structures shall be those normally associated with the operation of a Golf Country Club.

**640.03 PROCEDURE.** The following procedure shall be followed in placing land in the EXCEPTIONAL USE DISTRICT.

**640.031 Development Plan.** Three (3) copies of a Development Plan shall be submitted with the application for amendment of the Zoning District Map and such plan shall include in text or map form:

- 1) The proposed location and size of areas of use, indicating size, location and type of structure.
- 2) The proposed location, size and use of all open areas landscaped and other open space with suggested ownership of such areas.
- 3) The proposed provision of water, sanitary sewer and surface drainage facilities including engineering feasibility or other evidence of reasonableness.
- 4) The proposed circulation pattern including streets, both public and private, parking areas, walks and other accessways including their relation to topography, existing streets and other evidence of reasonableness.
- 5) The proposed schedule of site development and construction of buildings and associated facilities including sketches or other documentation indicating design principles or concepts for site development, buildings, landscapes or other features. Such schedule shall include the use or redevelopment of existing features such as structures, streets, easements, utility lines and land use.
- 6) The relationship of the proposed development to the existing and future land use in the surrounding area, the street system, community facilities and services and other public improvements.
- 7) Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan within three (3) years. Such control includes property rights, economic resources and engineering feasibility as may be necessary.

**640.032 Basis of Approval.** The basis of approval for an amendment to the EXCEPTIONAL USE DISTRICT shall be:

- 1) That the proposed development is consistent in all respects to the purpose, intent and applicable standards of this Zoning Resolution;
- 2) That the proposed development is in conformity with a Comprehensive Plan or a portion thereof as it may apply;
- 3) That the proposed development advances the general welfare of the Township and that the benefits to be derived from the proposed use justifies the change in the land use character of the area.

**640.033 Effect of Approval.** The Development Plan as approved by the Perry Township Trustees shall constitute an amendment of the Special District Map and a supplement to the EXCEPTIONAL USE DISTRICT REGULATIONS as they apply to the land included in the approved amendment.

The approval shall be for a period of three (3) years to allow the preparation of the Subdivision Plat, submitted in accordance with the Subdivision Regulations for Franklin County, Ohio, if required; or if no plat is required for the completion of plans for application for a Certificate of Zoning Compliance. If the plat is not submitted and filed nor such Certificate applied for and used within the three (3) year period, the approval shall become voided and the Board of Trustees or Zoning Commission may institute a zoning amendment to rezone the property to its previous Zoning District or another comparable District, except if an application for time extension is submitted and approved in accordance with 640.034.

**640.034 Extension of Time.** An extension of the time limit on an approved Development Plan may be approved by the Board of Township Trustees. Such approval shall be given upon a finding of the purpose and necessity for such extension and evidence of reasonable effort toward the accomplishment of the original Development Plan, and that such extension is not in conflict with the general health, safety and welfare of the public or the Development Standards of the EXCEPTIONAL USE DISTRICT.

**640.035 Development Plan Requirement.** No property currently zoned Exceptional Use shall make any modification or alteration to any structure or land unless a Development Plan has been filed with and approved by the Board of Township Trustees. The Board of Trustees shall render a decision on a proposed Development Plan within thirty (30) days from the date of the closing of the Board of Trustees' hearing on the matter.

**640.036 Approval of Initial Development Plan or Modification to Existing Development Plan.** In determining whether or not to approve a Development Plan or modification to an existing Development Plan, the Board of Trustees shall consider the following:

- 1) If the proposed Development Plan is consistent in all aspects with the purpose, criteria, intent, and standards of this Zoning Code and whether any divergence is warranted

by the design and amenities incorporated in the Development Plan.

- 2) If the proposed Development Plan meets all of the design features required in this Code.
- 3) If the proposed Development Plan is in keeping with the existing land use character and physical development potential of the area.
- 4) If the proposed Development Plan will be compatible in use and appearance with surrounding land uses.
- 5) If the proposed Development Plan will be adequately served by essential public facilities and services including, without limitation, roads, walkways and bike paths, police and fire protection, drainage structures, potable water and centralized sanitary sewers or other approved sewage disposal systems.
- 6) If the proposed Development Plan promotes greater efficiency in providing public and utility services and encouraging innovation in the planning and building of all types of development.
- 7) If the proposed Development Plan can be made accessible through existing Township roadways or roadways and lane improvements actually being constructed and opened prior to the opening without creating unreasonable traffic congestion in the immediate vicinity of the proposed development or elsewhere in the Township.
- 8) If the proposed Development Plan is compatible with any adjacent residential areas and is designed in such a way as to minimize any unreasonable adverse impact on existing residential areas of the Township.
- 9) Such other considerations which may be deemed relevant by the Board of Trustees.

The Board of Trustees may impose additional conditions relating to the Development Plan with regard to the type and extent of the public improvements to be installed; landscaping; improvements and maintenance of Open Space areas; and other development characteristics.

**640.04 DEVELOPMENT STANDARDS.** The provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, shall pertain to the EXCEPTIONAL USE DISTRICT. Because of the unique nature and requirements of these uses, and because their locations cannot be readily predetermined, appropriate Development Standards cannot be set forth, but full usage of Development Standards, requirements, and other provisions of this Zoning Resolution as they may be appropriate, shall be used.