

## ARTICLE 8

### "A" AGRICULTURAL DISTRICT

#### PREAMBLE

This district has been established to provide for agricultural activity and related uses and is intended to protect and preserve areas of prime agricultural soils for continued agricultural and agriculturally related uses.

#### SECTION 801 PRINCIPAL PERMITTED USES

- A. Agriculture, including the principal dwelling unit, and the usual agricultural structures, provided that any structure in which livestock and/or hooved animals or kennels where multiple dogs are housed shall be a distance of at least three hundred (300) feet from any dwelling, other than the subject property farm dwelling, or from any lot in a Residential, Office, or Business District. No new dwelling unit can be constructed within three hundred (300) feet of an agricultural structure housing livestock and/or hooved animals on an adjacent lot.
- B. Single family dwellings located on a lot not less than twenty (20) acres in area.
- C. The following uses shall be located on a lot not less than two (2) acres in area, same as minimum lot size.
  - 1. Publicly owned and operated buildings and facilities.
  - 2. Public parks, playgrounds, and community centers.
- D. Adult Family Homes as defined in Section 201.03

#### SECTION 802 ACCESSORY USES

- A. Farm markets provided that:
  - 1. Fifty (50) percent or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year.
  - 2. The maximum area of the structure shall be one thousand (1,000) square feet.
  - 3. There shall not be more than one such stand per lot.
  - 4. The structure shall be located a minimum of fifty (50) feet from an adjacent property line.
  - 5. The minimum set back for such structure shall be seventy (70) feet from the right-

of-way as shown on the Official Thoroughfare Plan for Montgomery County, Ohio.

6. A minimum of one thousand (1,000) square feet shall be provided for off-street parking.
- B. Living quarters of persons employed on the premises and not rented or otherwise used as a separate dwelling.
- C. A private garage, parking space or stable.
- D. The keeping of animals and/or fowl as pets or for domestic use.
- E. Home Occupation as defined in Article 2, Subsection 208.02.
- F. Other accessory uses permitted for this District by Article 38.

#### SECTION 803 CONDITIONAL USE

The following Conditional Uses subject to approval in accordance with Article 4, Section 406.6

- A. Single family residential lots less than twenty (20) acres which comply with the following standards:
  1. The minimum lot area shall be two (2) acres with a minimum road frontage of two hundred and fifty (250) feet, and a maximum lot depth, from the centerline of the road, not to exceed three (3) times the lot width. At no point shall the lot width be less than 1/2 of the required frontage.
  2. The land is not considered prime farmland as defined in Section 201.05. Each lot shall have a minimum area of two (2) acres and a minimum frontage of two hundred and fifty (250) feet, however, the Board may permit less frontage if the applicant can show that, due to special conditions of the land such as topography or the proximity of land to the road, the property can be better developed using lesser frontage where front, side and rear yard requirements can be met.

In cases where the non- prime farmland does not front on an existing public road, the Board may permit development using a private drive with a minimum right-of-way width of fifty (50) feet and a minimum improved width of twelve (12) feet.

Dead-end private drives shall not exceed one thousand (1,000) feet in length and shall include a turnaround with a recommended minimum radius of 45 feet, or a "T" arrangement with 40 feet on each side of the "T".

- B. Airports and Landing Strips.
- C. Cemeteries, including mausoleums and crematoria, provided that any mausoleum or crematorium shall be a distance of at least two hundred (200) feet and burial sites at least one

hundred (100) feet from adjacent property, street and highway lines, and provided further that any new cemetery shall contain an area of twenty (20) acres or more.

- D. Kennels, animal hospitals and veterinary clinics for the raising, breeding, treatment, and boarding of dogs, or other small animals, provided that all outside runs be at least two hundred (200) feet from any Residential District.
- E. Riding academies, provided that such building or stable shall be distant two hundred (200) feet from any lot in any Residential District.
- F. Golf courses, swimming pools, tennis courts, gun clubs and similar recreational uses and accessory uses, but not including driving ranges, miniature golf courses and pitch and putt courses, subject to the requirements of Article 46.
- G. Agriculturally based meeting halls.
- H. Radio, television or other transmission towers or masts, and the usual accessory building, only after their height and location have been approved by the governmental agency charged with the responsibility for maintaining air safety and provided there is a yard area with a radius equal to the height of the tower or mast.
- I. Extraction of sand, gravel and other minerals, but not including concrete mixing plants, subject to the provisions of Chapter IX, Article 45.
- J. Campgrounds, provided sanitary facilities have been approved by the State and/or local Board of Health. Accessory uses, including an office; a public facilities building wherein the basic food needs of the transient guests can be purchased.
- K. Rodeos and accessory uses including retail and service uses, provided such retail and service uses are accessory to the principal use.
- L. Agricultural services (commercial activity that primarily serves the farming community) including but not limited to, tractor and farm implement sales, welding shops, grain elevators, doctor and dentist offices, saw sharpening, farming machinery and repair including automobiles and trucks, and grocery stores (where the Board of Zoning Appeals determined that such uses are needed and appropriate).
- M. Halfway Houses as defined in Section 208.01 and pursuant to the standards listed in Article 49 Halfway Houses.
- N. Dumping and/or spreading of sludge.
- O. Churches, chapels, temples, synagogues or other buildings for religious worship not including a rescue mission or temporary revival activity, provided that:
  - 1. Shall be located on a lot not less than ten (10) acres in area, with a minimum lot frontage of 500 feet. The Board may approve lesser lot area and/or frontage if the use complies with all setback and parking requirements.

2. Such use shall have direct vehicular access to and from a collector street or arterial street and shall not be located so as to interfere with any proposed public right-of-way extension or realignment.
  3. All buses, structures, parking and active outdoor recreation uses shall be set back a minimum of 100 feet from all adjacent property lines.
  4. Parking spaces for church buses shall be located as far distant from any adjacent property line as possible.
  5. All exterior lighting fixtures shall be shaded wherever necessary to avoid casting direct light upon any adjoining residence or property in a Residential District or on any street.
- P. Schools, primary, intermediate and secondary, both public and private.
1. For the purposes of this section, schools are deemed to include both public and private schools. Accessory uses and buildings necessary for carrying out the school program are permitted.
  2. Minimum lot size shall be ten (10) acres with a minimum frontage of 500 feet. The Board may approve lesser lot area and/or frontage if the use complies with all setback requirements, however, no school shall be located on a lot less than two (2) acres in area.
  3. Locations: An elementary school shall be located on a street designated as a collector street or higher. Junior High and High Schools shall be located on a street designated as a major collector or minor arterial street.
  4. Minimum setback lines of at least 100 feet shall be provided along all street right-of-way lines and adjoining property lines.
- Q. Telecommunications towers as defined in Article 2, Subsection 220.01 and subject to the conditions in Article 52.

## SECTION 804 DEVELOPMENT STANDARDS

In addition to the provisions of Chapters VIII and IX, General Regulations and Special Regulations, the following standards for arrangement and development of land and building are required in the "A" Agricultural Residential District.

### 804.01 HEIGHT REGULATIONS

No structure shall exceed forty (40) feet in height.

SECTION 804.02 LOT AREA, FRONTAGE, WIDTH AND YARD REQUIREMENTS.

A. The following minimum requirements shall be observed.

1. Lot Area-Twenty (20) acres except as otherwise regulated herein.
2. Lot Frontage Minimum-Frontage requirements shall vary with the lot size as follows:
  - a. Eight (8) acres or more - 450 feet
  - b. More than four (4) acres but less than eight (8) acres - 300 feet
  - c. Less than four (4) acres - 250 feet unless lesser frontage as permitted by the Board.

3. Lot Width

The width of the lot at any point shall not be less than one half of the required lot frontage or 125 feet, whichever is greater.

4. Yards (minimum)

Front Yard Depth\* - 70 Feet

Side Yard Depth - 30 Feet

Rear Yard Depth - 50 Feet

\* The front yard depth shall be measured from the established right-of-way lines as shown on the Official Thoroughfare Plan for Montgomery County.