

LEGAL NOTICE

The Harrison Township Trustees will hold a Public Hearing on May 5, 2008, at 7:00 p.m. at the Township Complex located at 6750 Outville Road to act on the recommendation of the Zoning Commission's revised Article 10.17 BUFFERING AND SCREENING and revised Article 3 DEFINITION – SCREENING.

Information will be posted at the Township Administration Building and the Pataskala Public Library. The public is invited to attend.

Harrison Township Trustees

Ray Foor, Larry Kretzmann and Eric Smith

Carolyn I. Elder, Fiscal Officer

10.17 BUFFERING AND SCREENING

1. REQUIREMENTS

A buffer yard shall be required along the boundary of all neighboring properties which facilitates unlike land use and/or has a zoning classification that allows for an unlike land use.

A buffer yard as referred to in this section shall be defined as a strip of land, free from buildings, walls, fences, driveways, or other paved surfaces, which is permanently set aside by the owner. Bare ground is not permitted. A ground cover, such as grass, evergreen ground cover, mulch and/or stone is required. Screenings shall be required in all buffer yards in a density sufficient to provide contiguous properties with sufficient foliage to screen unlike land uses all year. Such foliage shall be at least six (6) feet in height and a maximum plant spacing of ten (10) feet from center of the plant. A landscape berm may also be used in an effort to achieve the goal of adequate screening. Foliage, landscape berms or a combination thereof must have a minimum height of six (6) feet from grade. All screening shall not obscure traffic visibility within fifty (50) feet of any intersection or driveway. No screening shall interfere with the natural drainage of the area.

2. INSTALLATION AND MAINTENANCE

- a. Plant materials must be installed to current nursery industry standards, within one year of the issuance of the occupancy permit. Plant materials must be properly supported to ensure survival. Support devices such as guy wires or stakes must not interfere with vehicular or pedestrian movement.
- b. The owner shall be responsible for the maintenance of all landscaping. All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include, but not limited to, mowing (of grass of six (6) inches or higher), edging, pruning, fertilizing, watering, weeding, and other such activities common to the maintenance of landscaping. Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Plant materials which die shall be replaced with plant material of similar variety and size within ninety (90) days. Trees with a trunk diameter in excess of six (6) inches measured twenty-four (24) inches above the ground shall be replaced with ones of similar variety having a trunk diameter of no less than three (3) inches measured twenty-four (24) inches above the ground.
- c. Irrigation shall be provided to ensure that plants will survive the critical establishment period when they are most vulnerable due to lack of watering. All landscaped areas shall provide a system which provides sufficient water to ensure that the plant become established. The system is not required to be permanent if the plants chosen can survive adequately on their own once established.
- d. Protection shall be provided for all landscaped areas, particularly trees and shrubs, from potential damage by adjacent development, including parking or storage areas.
- e. If the buffer materials have not been installed or maintained in accordance with the standards herein, the Zoning Inspector may issue a violation notice in accordance with the authority given in Article 4.1 - Duties of the Zoning Inspector. If the violation is not remedied according to the violation notice within the time noted in the violation notice, then fines may be implemented in accordance with Article 5.10 - Penalties for Violation.

- f. The Board of Zoning Appeals may grant a single time extension up to one year after a public meeting if substantial evidence is presented to indicate abnormal circumstances beyond the control of the owner or his agent.

Proposed correction to Definition of Screening in Article 3

Bolded wording is the proposed new definition, current verbiage is lined out.

SCREENING: ~~A buffer zones yard planted with hardy shrubs or evergreen ground cover in a density sufficient to provide contiguous properties lots of record with sufficient foliage to screen visually obstruct the view of unlike land uses all year and to mitigate negative impacts such as but not limited to glare, dust and noise of the contiguous non-compatible or more intense land use..~~ Such foliage shall be at least four (4) feet in height and ten (10) feet in planted width. ~~Wall and fences made of natural materials or materials made to look natural, that are seventy-five (75) percent opaque or landscape berm may also be used in an effort to achieve the goal of adequate screening. All screening will be well maintained and free of all advertising and other signs. All screening shall not obscure traffic visibility within fifty (50) feet of any intersection or driveway. No screening, made of either natural or man-made materials, shall interfere with the natural drainage of the area.~~

Revised definition submitted to Trustees:

SCREENING: Materials such as : trees, bushes or other living plants, earthen or stone berms that obscure the view from one side of a buffer yard to the other side.