

AGRICULTURE EXEMPTION APPLICATION

Location of structure: _____ No. Acres: _____

1. Is this lot in a subdivision ? _____ If so, name of subdivision: _____
2. Is this building to be used for the storage of farm equipment? _____
3. Is this building to be used for storage of agriculture products? _____
4. Is this building to be used to house farm livestock? _____
5. Is this building to be used as a private garage? _____
6. Is this building to be used to train, hire, or rent spaces for horses? _____
7. Is this building to be used as a private stable? _____
8. Is this building to be used as veterinary hospital or kennel? _____
9. Is this building to be used to house chickens? _____
10. Is this building to be used to store garden and yard tools? _____
11. Is this building to be used for any commercial or industrial use? _____
12. If none of the above questions applies, what is the intended use? _____

I understand that a building to be used for agricultural purposes on land five (5) acres or more, used only for agricultural purposes, is exempt from zoning code requirements. See page two (2) for detailed Zoning Code section.

Applicant Signature: _____ Date: _____

Applicant Address: _____ Phone: _____

Zoning Inspector: _____

3.2. AGRICULTURAL EXEMPTION

3.2.1. Agricultural uses, and buildings or structures that are incidental to agricultural uses, located on lots with a lot area of five acres or more, shall be exempt from the requirements of this zoning code and property owners shall not be required to obtain a zoning certificate for such uses in accordance with ORC Section 519.21. A property owner shall complete an agriculture exemption application so that the zoning inspector can confirm the exemption status.

3.2.2. For any platted subdivision approved under ORC Sections 711.05, 711.09 or 711.10, or in any area consisting of 15 or more lots approved under ORC Section 711.131 that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road, the following regulations shall apply:

A. Buildings or structures incidental to the use of land for agricultural uses on lots less than one acre shall be set back a minimum of 85 feet from all property lines, except that houses for not more than two adult dogs or cats or combination thereof may be kept anywhere on the premises.

(1) The keeping of swine is prohibited.

(2) The keeping of poultry shall comply with Section 4.9.5.J Keeping of Chickens.

(3) Houses for more than two adult dogs or cats or combination thereof are prohibited.

(4) Dairying and animal or poultry husbandry are prohibited.

(5) Public or private stables and beasts for hire are prohibited.

B. Buildings or structures incidental to the use of land for agricultural uses on lots greater than one acre but less than five acres shall be set back a minimum of 85 feet from all property lines, except that houses for not more than two adult dogs or cats or combination thereof may be kept anywhere on the premises.

C. Dairying and animal and poultry husbandry on lots greater than one acre but not greater than five acres when at least 35 percent of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured and mobile homes under ORC Section 4503.06 shall be prohibited. After 35 percent of the lots are so developed, dairying and animal and poultry husbandry shall be considered a nonconforming use of land, buildings, or structures pursuant to ORC Section 519.19. **CHAPTER 3: Development Review Procedures Section 3.3. Exemptions for Public Utilities and Railroads HAMILTON TOWNSHIP ZONING CODE SEPTEMBER 2014**

3.2.3. Structures that are exempt from the provisions of the zoning code pursuant to this section shall not be exempt from any applicable special flood hazard area regulations established and enforced by Warren County.