TATE TOWNSHIP
ZONING RESOLUTION
ARTICLE 1
GENERAL PROVISIONS

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ARTICLE 1. GENERAL PROVISIONS

1.01. PURPOSE

This resolution is enacted for the purpose of promoting public health, safety, morals, comfort and general welfare; providing for orderly and systematic development of Tate Township; conserving and protecting property and property values; securing the most appropriate use of land, and facilitating adequate and economical provisions of public improvements all in accordance with a comprehensive plan for the desirable future development of the township; and providing a method of administration and prescribing penalties for the violations of provisions hereafter described all as authorized by the provisions of Ohio Revised Code Chapter 519. Township Zoning and the Sections thereunder of the Ohio Revised Code (ORC).

1.02. TITLE

This resolution shall be known and may be cited and referred to as the "Tate Township, Clermont County, Ohio, Zoning Resolution."

1.03. EFFECTIVE DATE

1.03.A. This Zoning Resolution became effective on October 29, 2026.

1.03.B. Any amendments to this Zoning Resolution shall be in full force and effect as provided in Section 519.12 of the Ohio Revised Code.

1.04. APPLICABILITY

This resolution has been passed under the authority granted to the township under Section 519.02 et seq. of the ORC and embraces the provisions thereof regarding enforcement and penalties for violations.

1.05. JURISDICTION

The provisions of this resolution shall apply to all land, land development, use of all structures, and uses of land within the unincorporated areas of Tate Township, Clermont County, Ohio.

1.06. INTERPRETATION AND CONFLICTS

For the purposes of interpretation and application, the provisions of this Zoning Resolution shall be held to the minimum requirements for the promotion of the purpose of this resolution.

1.06.A. When the provisions of this Zoning Resolution are inconsistent with one another or with the provisions found in another adopted resolution, the more restrictive provision shall govern.

1.06.B. Where this Zoning Resolution imposes a greater restriction than imposed or required by other provisions of law or by other rules, regulations, or resolutions, the provisions of this Zoning Resolution shall control provided it complies with the ORC.

1.07. RELATIONSHIP WITH THIRD PARTY PRIVATE AGREEMENTS

1.07.A. This Zoning Resolution is not intended to interfere with or abrogate any third-party private agreements including, but not limited to, easements, covenants, or other legal agreements between third parties. However, wherever this Zoning Resolution proposes a greater restriction upon the use of buildings or land, upon the location or height of buildings or structures, or upon requirements for open areas or larger lot areas than are imposed or required by such third-party agreements, the provisions of this Zoning Resolution shall govern.

1.07.B. In no case shall the township be obligated to enforce the provisions of any easements, covenants, or agreements between private parties, which include Homeowners' Association rules and regulations.

1.08. COMPLIANCE REQUIRED

1.08.A. Except as hereinafter specified, no land, building, structure, or premises shall hereafter be used, and no building or part thereof, or other structure, shall be located, erected, moved, reconstructed, extended, enlarged, or altered except in conformity with the regulations herein specified for the zoning district in which it is located.

1.08.B. It shall be unlawful for an owner to use or to permit the use of any structure, building or land, or part thereof, hereafter erected, created, changed, converted or enlarged, wholly or partly, until a Zoning Certificate is issued by the Zoning Inspector in accordance with Section 10.06.E. Zoning Certificates.

1.08.C. Such Zoning Certificate shall state that such building, premises, or a part thereof, and the proposed use thereof, are in conformity with the provisions of this Zoning Resolution.

1.08.D. Uses, lots, buildings, and structures that do not comply with this Zoning Resolution will be subject to the nonconforming uses provisions of Section 10.06.G. Pre-Existing Development and Non-conformities.

1.09. SEVERABILITY

1.09.A. If any court of competent jurisdiction invalidates any provision of this Zoning Resolution, then such judgement shall not affect the validity and continued enforcement of any other provision of this Zoning Resolution.

1.09.B. If any court of competent jurisdiction invalidates the application of any provision of this Zoning Resolution to a particular property, structure, or situation, then such judgement shall not affect the application of that provision to any other building, structure, or situation not specifically included in that judgement.

1.09.C. If any court of competent jurisdiction invalidates any condition attached to the approval of a development review application, then such judgement shall not affect any other conditions or requirements attached to the same approval that are not specifically included in that judgement.

1.09.D. Whenever a condition or limitation is included in an administrative action authorizing

regulatory activity, then it shall be conclusively presumed that the authorizing officer, commission, or board considered such condition or limitation necessary to carry out the spirit and intent of this Zoning Resolution, and that the officer, commission, or board would not have granted the authorization to which the condition or limitation pertained except in belief that the condition or limitation was lawful.

1.10. TRANSITIONAL RULES

1.10.A. Violations Continue

Any violations under the previous Zoning Resolutions that applied to the township prior to the adoption of this Zoning Resolution shall continue to be a violation under this Zoning Resolution and is subject to penalties and enforcement under Section 10.07. Violations and Penalties, unless the use, development, construction, or other activity complies with the provisions of this Zoning Resolution.

1.10.B. Nonconformities Continue

1.10.B.1. Any legal nonconformity under any previous Zoning Resolution that applied to the township prior to the adoption of this Zoning Resolution shall continue to be a legal nonconformity under this Zoning Resolution, as long as the situation that resulted in the nonconforming status under the previous resolutions continues to exist.

1.10.B.2. If a legal nonconformity under any previous resolutions that applied to the township prior to the adoption of this Zoning Resolution becomes conforming because of the adoption of this Zoning Resolution, then the situation will be considered conforming and shall no longer be subject to the regulations pertaining to nonconformities.

1.10.C. Approved Projects

1.10.C.1. Any building, structure, or development for which a building permit was issued prior to the effective date of this Zoning Resolution may, at the applicant's option, be completed in conformance with the issued permit and any other applicable permits and conditions, even if such building, structure, or development does not fully comply with the provisions of this Zoning Resolution. If such building structure, or development does not fully comply with this Zoning Resolution, such building, structure, or development shall be considered a legal non-conforming use upon the issuance of a certificate of occupancy from the Clermont County Building Department or final Zoning Certificate from Tate Township.

1.10.C.2. If the building, structure, or development is not completed within the time allowed under the original building permit or any extension granted thereof, then the building, structure, or development may be constructed, completed, or occupied only in compliance with this Zoning Resolution.

1.10.C.3. Any application for a project where the Zoning Certificate has expired shall meet the standards in effect at the time the application is resubmitted.

1.10.D. Vested Rights

The transitional rule provisions of Section 1.10.A through 1.10.C of this resolution are subject to Ohio's vested rights laws.

1.11. RESTORATION OF UNSAFE BUILDINGS

Except as provided in Section 10.06.G. Pre-Existing Development and Non-conformities, nothing in this resolution shall prevent the strengthening or restoring to a safe condition of any part of any building or structure declared unsafe by the proper authority.

1.12. REPEAL

This Zoning Resolution may be repealed in accordance with the provisions established in ORC Section 519.25.

1.13. USE OF TABLES, GRAPHICS, FIGURES, AND CROSS REFERENCES

1.13.A. Tables**,** graphics, and figures are provided for illustrative purposes only and shall not be construed as regulations. Where a conflict may occur between the text and any graphic, illustration, or figure, the text shall control.

1.13.B. In some instances, cross references between articles, sections, and subsections are provided that include the article, section, or subsection number along with the name of the reference in parenthesis. Where a conflict may occur between the given cross reference number and name, the name shall control.

1.14. HOW TO USE THIS DOCUMENT

The structure of the text of this Resolution is as follows: Article (indicated by a 1, etc.), Section (indicated by a 1.01), and subsequent Subsections (indicated by A, 1, a, i, etc.).