



Danbury Township, Ohio

AGRICULTURAL EXEMPTION APPLICATION

Date Filed: _____ Application #: _____

Action: _____

5972 E. Port Clinton Rd.
Marblehead, Ohio 43440
☎: (419) 734-6120 F: (419) 734-3137
🌐: www.danburytownship.com

1. **Property Location:** _____

Parcel ID# _____ Zoning District _____

Acreage: _____ Size of Agricultural Building(s): _____

Existing Use _____ Proposed Use _____

2. **Owner:** _____ Address _____

City _____ State _____ Zip _____ Phone _____

Email: _____

3. **Agricultural Use:** I claim the Agricultural Use Exemption from zoning regulation based on the following use(s):

<input type="checkbox"/> Animal husbandry, including but not limited to, the care and raising of livestock	<input type="checkbox"/> Pasturage
<input type="checkbox"/> Apiculture	<input type="checkbox"/> Poultry husbandry and the production of poultry and poultry products
<input type="checkbox"/> Aquaculture	<input type="checkbox"/> Ranching
<input type="checkbox"/> Dairy production	<input type="checkbox"/> Sod
<input type="checkbox"/> Equine	<input type="checkbox"/> Timber
<input type="checkbox"/> Farming	<input type="checkbox"/> Tobacco
<input type="checkbox"/> Field crops, production of	<input type="checkbox"/> Vegetables
<input type="checkbox"/> Flowers	<input type="checkbox"/> Viticulture
<input type="checkbox"/> Fruits	<input type="checkbox"/> any combination of the foregoing;
<input type="checkbox"/> Fur bearing animals	marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.
<input type="checkbox"/> Horticulture	
<input type="checkbox"/> Mushrooms	
<input type="checkbox"/> Nursery stock	
<input type="checkbox"/> Ornamental shrubs	
<input type="checkbox"/> Ornamental trees	

I am the owner of the property that is the subject of this application and acknowledge that the property and the buildings identified above, and any proposed buildings, are being used for a legitimate agricultural purpose. I also affirm that the majority of revenue (if any) generated from sales on this property is derived from agricultural items produced or grown on this property.

I understand any change in use for the buildings or land to a non-agricultural use will require compliance with the Danbury Township Zoning Regulations and that falsification of this application to avoid zoning and/or building regulations is punishable under 2921.13(A) of the Ohio Revised Code.

Signed: _____

Date: _____

Printed: _____



Ohio Revised Code

Section 519.01 Township zoning - agriculture defined.

Effective: June 4, 2012

Legislation: House Bill 276 - 129th General Assembly

As used in sections 519.02 to 519.25 of the Revised Code, "agriculture" includes farming; ranching; algaculture meaning the farming of algae; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; and the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.



Ohio Revised Code

Section 519.21 Powers not conferred on township zoning commission by chapter.

Effective: August 16, 2016

Legislation: House Bill 523, Senate Bill 75 - 131st General Assembly

(A) Except as otherwise provided in divisions (B) and (D) of this section, sections 519.02 to 519.25 of the Revised Code confer no power on any township zoning commission, board of township trustees, or board of zoning appeals to prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, including buildings or structures that are used primarily for vinting and selling wine and that are located on land any part of which is used for viticulture, and no zoning certificate shall be required for any such building or structure.

(B) A township zoning resolution, or an amendment to such resolution, may in any platted subdivision approved under section 711.05, 711.09, or 711.10 of the Revised Code, or in any area consisting of fifteen or more lots approved under section 711.131 of the Revised Code 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 regulate:

(1) Agriculture on lots of one acre or less;

(2) Buildings or structures incident to the use of land for agricultural purposes on lots greater than one acre but not greater than five acres by: set back building lines; height; and size;

(3) Dairying and animal and poultry husbandry on lots greater than one acre but not greater than five acres when at least thirty-five per cent 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 section 4503.06 of the Revised Code. After thirty-five per cent of the lots are so developed, dairying and animal and poultry husbandry shall be considered nonconforming use of land and buildings or structures pursuant to section 519.19 of the Revised Code.



Division (B) of this section confers no power on any township zoning commission, board of township trustees, or board of zoning appeals to regulate agriculture, buildings or structures, and dairying and animal and poultry husbandry on lots greater than five acres.

(C) Such sections confer no power on any township zoning commission, board of township trustees, or board of zoning appeals to prohibit in a district zoned for agricultural, industrial, residential, or commercial uses, the use of any land for:

(1) A farm market where fifty per cent 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. However, a board of township trustees, as provided in section 519.02 of the Revised Code, may regulate such factors pertaining to farm markets as size of the structure, size of parking areas that may be required, set back building lines, and egress or ingress, where such regulation is necessary to protect the public health and safety.

(2) Biodiesel production, biomass energy production, or electric or heat energy production if the land on which the production facility is located qualifies as land devoted exclusively to agricultural use under sections 5713.30 to 5713.37 of the Revised Code for real property tax purposes. As used in division (C)(2) of this section, "biodiesel," "biomass energy," and "electric or heat energy" have the same meanings as in section 5713.30 of the Revised Code.

(3) Biologically derived methane gas production if the land on which the production facility is located qualifies as land devoted exclusively to agricultural use under sections 5713.30 to 5713.37 of the Revised Code for real property tax purposes and if the facility that produces the biologically derived methane gas does not produce more than seventeen million sixty thousand seven hundred ten British thermal units, five megawatts, or both.

(4) Agritourism. However, a board of township trustees, as provided in section 519.02 of the Revised Code, may regulate such factors pertaining to agritourism, except farm markets as described in division (C)(1) of this section, as size of a structure used primarily for agritourism, size of parking areas that may be required, setback building lines for structures used primarily for agritourism, and egress or ingress where such regulation is necessary to protect public health and safety.



Nothing in division (C)(4) of this section confers power on a township zoning commission, board of township trustees, or board of zoning appeals to require any parking area to be improved in any manner, including requirements governing drainage, parking area base, parking area paving, or any other improvement.

Nothing in division (C)(4) of this section confers power on a township zoning commission, board of township trustees, or board of zoning appeals to prohibit the use of any land or the construction or use of buildings or structures that are used primarily for vinting and selling wine that are located on land any part of which is used for viticulture as provided in division (A) of this section.

(D) Nothing in this section prohibits a township zoning commission, board of township trustees, or board of zoning appeals from regulating the location of medical marijuana cultivators, processors, or retail dispensaries or from prohibiting such cultivators, processors, or dispensaries from being located in the unincorporated territory of the township.

(D)(1) As used in division (C)(3) of this section, "biologically derived methane gas" has the same meaning as in section 5713.30 of the Revised Code.

(2) As used in division (C)(4) of this section, "agritourism" has the same meaning as in section 901.80 of the Revised Code.

The Legislative Service Commission presents the text of this section as a composite of the section as amended by multiple acts of the General Assembly. This presentation recognizes the principle stated in R.C. 1.52(B) that amendments are to be harmonized if reasonably capable of simultaneous operation.

**Ottawa County Department
Of
Building Inspection**

OTTAWA COUNTY COURT HOUSE, ROOM 104
315 MADISON STREET
PORT CLINTON, OHIO 43452
1-800-788-8803
(Ottawa County Residents Only)

Telephone
(419) 734-6767

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(419) 734-6853

APPLICATION FOR AGRICULTURAL USE BUILDINGS

Name of owner _____

Street Address _____

Village/City _____

Size of agricultural use building _____ X _____

Building location address _____

Township _____

Description of use _____

Approval for the local zoning inspector and the following departments must be obtained prior to final approval and building permit exemption for agricultural use buildings per OBC Section 101.2.

1. Local Zoning Inspector – verify intended use of building for agricultural purposes.

Comments _____

Signed _____ Date _____

Zoning Inspector

2. Ottawa County Regional Planning – Room 107 – Court House – Port Clinton, Ohio

Within 100 year floodplain - Yes No If yes, a Special Flood Hazard Area Development

Permit must be obtained from the Ottawa County Building Inspection Department prior to construction of the building.

Signed _____ Date _____

Regional Planning

3. Ottawa County Health Department – 1856 E. Perry St., Port Clinton, Ohio

Agricultural buildings used as stables or other areas used for animals where manure may accumulate, must maintain at least 50 feet from any private water source.

Signed _____ Date _____

Ottawa County Health Department

Owner's Responsibility

I, as a property owner, accept responsibility for the structural elements of the building construction and will maintain the agricultural use of the structure or report any change of occupancy to the Ottawa County Building Inspection Department.

Signed _____ Date _____

Property Owner