

Article 12

Telecommunication Towers

1200 Telecommunication towers

The construction, location, erection, reconstruction, alternation, change, use or enlargement of telecommunication towers upon application and compliance with the Ohio Revised Code Section 519.211 and this Resolution, shall be permitted if the Jackson Township Board of Zoning Appeals finds that the applicant has satisfied all of the following standards.

- A. The applicant shall demonstrate by clear and convincing evidence that its tower antennae cannot be located on any other communication tower, building or structure in the geographic area to be served and that all reasonable means have been undertaken to avoid any undue negative impact caused by the clustering of towers within an area.
- B. An application shall be disapproved unless the applicant demonstrates that technically suitable and feasible sites are not available in a nonresidential district and that the site is located in the least restrictive district that includes a technically suitable and feasible site.
- C. Monopole installations are required. It is required that any building constructed to service a telecommunication tower be of masonry construction.
- D. The pole, tower, and/or structure placement, shall be on one (1) acre with a maximum height of one hundred fifty (150) feet. Minimum set back is from the right of way and all property lines.

District	Setback	Minimum screening
Any	1.5 times the height, minimum Of 75 feet	20 feet from the base of the tower

- E. For reasons of aesthetics and public safety, such facilities shall be effectively screened on each side of any residence.

Screening shall consist of a solid masonry wall or solid fence six (6) feet in height; a tight screen of hardy evergreen shrubbery or natural or existing screening not less than four (4) feet in height. The use of razor or barbed wire shall be prohibited. Screening walls and fences shall meet the minimum setback requirement as indicated in the table in subsection D. Space between any screening device and adjacent property lines shall be included but not limited to grass, hardy shrubs, evergreen ground cover, etc.

- F. In the case of a public utility that plans to construct, locate, erect, reconstruct, change, alter, use or enlarge a cellular or wireless telecommunication tower in an area zoned for residential use, the public utility shall provide evidence

satisfactory to the Township Board of Trustees concerning compliance with the notice provisions of Ohio Revised Code Section 519.211 (B). When constructing the tower in any other zoning district the applicant must comply with Ohio Revised Code Section 519.211 Paragraph F relating to the requirement that all owners and occupants of residential dwellings within 100 feet of a proposed tower must be notified in writing, of the intent to construct the tower.

The applicant, or its successors shall, within thirty (30) days of ceasing operation of a telecommunication tower, give notice of the cessation to the Jackson Township Zoning Department. Facilities shall be removed from the site within twelve (12) months of the cessation. Resale or renting of facilities is permissible only to other telecommunication systems and requires the buyer or lessee to obtain a zoning certificate from the Jackson Township Zoning Department.

- G. Any special zoning certificate issued under this section shall be revocable and may be revoked after notice and hearing if any continuing conditions of the certificate have been violated and are not remedied within thirty (30) days of written notice from the Zoning Administrator.
- H. The permit application shall list the location of every tower, building or structure, within a half-mile radius, that could support the proposed antenna and allow it to perform its intended function.
- I. An antenna or tower may not be illuminated nor may lighting fixtures or advertising signs be attached to the structure, except such lighting as may be required by law.