



## Miami Township Zoning FAQ's

### FAQ Index

1. Checking my zoning
2. Backyard chickens
3. Farm animals
4. Dogs and cats
5. Fences
6. Trees
7. Temporary signs
8. Sheds and garages
9. Nonprofit event signs
10. Decks
11. Home businesses
12. Swimming pools

1. Zoning Districts. How do I check the zoning of my property?

A: Miami Township has an automated "zone checker" program. Just add your address number and then select your street from the drop down menu. For certain newly created lots or lots with two different zoning districts, you will receive a message to check with the Community Development Department for help. Here's the zone checker link: [MiamiTwpOH.gov/zoning.html](http://MiamiTwpOH.gov/zoning.html)

2. Backyard chickens. Am I allowed to have chickens on my property in Miami Township?

A. Generally, no. In the usual circumstance, unless your property is zoned Agricultural or is greater than five acres in size, only household pets are allowed. Household pets are defined in Chapter 28 of the Zoning Resolution and include dogs, cats, birds and other listed animals.

Here is a link to that page: <http://MiamiTwpOH.gov/PDF/CD/ZoningResolution/chapters/CH28.pdf>

You can check the zoning of your property at this link: <http://MiamiTwpOH.gov/zoning.html>

3. Farm animals. Am I allowed to have ducks or other farm animals on my property in Miami Township, such as pigs, horses or goats?

A: Generally no. See 2 above.

4. Dogs and cats. How many dogs may I have at my house in Miami Township?

A: The Miami Township Zoning Resolution limits a household to a maximum three adult dogs and cats, or combination thereof. Check out the rule at this link under "Household Pets." <http://MiamiTwpOH.gov/PDF/CD/ZoningResolution/chapters/CH28.pdf>

5. Fences. I'm replacing a fence with the exact same type of fence and in the same location, do I need a permit.

A: Yes, new fences require a permit, even when replacing the same type of fence and in the same location. The reason is because a fence previously allowed may be affected by new rules adopted subsequently. A site plan is needed to show the location of the new fence, along with a brochure or photograph of the fence type and a completed application. The application for a new fence can be found at this link: <http://MiamiTwpOH.gov/certificates.html>

An aerial photo works well for a site plan base map. You can print out an aerial photo of your location from the Clermont County Auditor at this link: <http://www.clermontauditor.org/web/search/commonsearch.aspx?mode=address>

Except for larger lots, fences in residential districts generally are allowed only in the side and rear yard areas of the lot, with a maximum height of six feet. Privacy fences must be installed with the finished side of the fence facing outward. The entirety of the length of fence must be made of the same materials. If you are on a corner lot, please contact the

Community Development office for assistance as special rules apply. For all fences, please include an application fee of \$50 with your application (cash or check payable to "Miami Township"). To see the regulations applicable to most residential fences, check out Section 5.08L at this link: <http://MiamiTwpOH.gov/PDF/CD/ZoningResolution/chapters/CH5.pdf>

6. Trees. My neighbor has a tree or tree limb that is in poor condition and I would like to have it removed, can the township require it to be taken down?

A. No. Township regulations do not require the removal trees that may be damaged, dead or overhanging a neighboring property. The property owner may contact the owner's attorney or insurance carrier for assistance through a private civil action. The owner may also consult with the owner's attorney regarding any ability to remove limbs from a neighboring tree that hang over the property line. If a tree is affecting the public road, please contact the Miami Township Services Department.

7. Temporary signs. I would like to have a temporary or special message sign for my business, what are the rules for that?

A: The Zoning Resolution provides an opportunity for a limited amount of temporary signage several times per year for your business. Check the business temporary sign regulations under Sections 24.18B4 and 28.18B5 at this link: <http://MiamiTwpOH.gov/PDF/CD/ZoningResolution/chapters/CH24.pdf>

Here is a summary for most business temporary signs: maximum sign area 32 sq. ft.; must be at least 10 ft. from any right of way line or adjoining property; may not exceed 5 ft. in height; may not create a site distance problem for traffic; may not be internally lit; a maximum of 2 signs may be displayed per road frontage; may be displayed after a permit is issued for a maximum of 3 display periods not exceeding 10 days per period for each calendar year. For grand openings, after a permit is issued, up to two banners may be displayed not to exceed 32 sq. ft. for a period of not more than 7 days. Please note that mobile signs on wheels and on parked vehicles are not allowed. See the above link Section 24.06 for more detail on prohibited signs.

8. Sheds and stand alone garages ("accessory buildings"). Do I need a permit for an accessory building for my residence and what is the process?

A: Yes. A zoning permit is required prior to the installation of a shed, garage or similar structure on your residential property. To apply, complete the following:

I. Site plan showing:

a. the boundary lines of your lot;

i. An aerial photo works well for a base map—you can obtain one at this link: <http://www.clermontauditor.org/web/search/commonsearch.aspx?mode=address>

b. the location of the accessory building;

c. the setback distance of the building's location from the side and rear property lines;

d. the square footage and dimensions of the new structure; and

e. the location and dimension of any other accessory structures already existing (more than one may be allowed, but total area may not exceed 30% of the rear yard area).

II. Drawing of the accessory building:

a. Provide a picture or brochure of the new accessory building showing how tall it will be. The height of the building will be measured at the midpoint of the

roof pitch.

III. Completed application form and application fee.

- a. The application fee is \$50 dollars, payable to Miami Township. Here is a link to the application form: <http://MiamiTwpOH.gov/certificates.html>

In most zoning districts (“R-1” or “R-2”), the accessory building must be in the rear or side yard of the property and placed at least 10 feet from any property line. Also in the “R-1” and “R-2” districts, for lots one acre or less, the maximum allowed size is

900 square feet and 15 feet in height. To see what the zoning of your property is, see “How do I check the zoning of my property” under FAQ 1 above. If you are in a

different zoning district, just give the Community Development office a call for help. If your building exceeds 200 square feet, you will need a separate permit from the Clermont County Building Department as well.

9. Signs for a nonprofit event. I would like to put some signs out advertising an upcoming event for my nonprofit organization, can I do that?

A: Yes. The Zoning Resolution provides for limited advertising for a nonprofit event on the premises where the event is to be located. One sign up to 32 square feet and a maximum of

five feet in height may be displayed per road frontage, for a period of 60 days. For additional details, see Section 27.18B3 under this link: <http://MiamiTwpOH.gov/PDF/CD/ZoningResolution/chapters/CH24.pdf>

10. Decks. I am planning to install a new or replacement deck, do I need a permit?

A: Yes. A permit is required for decks, including a replacement deck of the same dimension. In most zoning districts, decks must maintain the same minimum setbacks as the home, which is 10 ft on the side yard and 35 ft to the rear property line. To apply, complete the application form, and provide an accurate site plan showing the location of the new deck and the distance from the edge of the deck to the side and rear property lines. The application fee is \$50 dollars, payable to Miami Township. Here is a link to the application form: <http://MiamiTwpOH.gov/certificates.html>

An aerial photo works well for a base map—you can obtain one at this link: [http://www.clermontauditor.org/\\_web/search/commonsearch.aspx?mode=address](http://www.clermontauditor.org/_web/search/commonsearch.aspx?mode=address)

You will also need to obtain a separate permit from the Clermont County Building Department, that phone number is 513.732.7231.

11. Home business. May I conduct a business out of my home?

A: On a limited basis, yes if your business activity is a “Home Occupation.” Take a look at the definition of Home Occupation under Chapter 28 Definitions, here is a link: <http://MiamiTwpOH.gov/PDF/CD/ZoningResolution/chapters/CH28.pdf>. If you believe you may qualify for Home Occupation approval, complete the application for a zoning certificate. A copy of the application may be found at this link: <http://MiamiTwpOH.gov/certificates.html>

Complete the requested information, and on the application in the “Other” section, write “Home Occupation”. In addition to the completed application, provide the following:

Include a site plan of your property, and if applicable, identify on the exterior any areas that may be used for purposes of the home occupation including customer parking. Aerial photo may work well for you site plan. An aerial photo may be obtained from the Clermont County Auditor’s office at this link. [http://www.clermontauditor.org/\\_web/search/commonsearch.aspx?mode=address](http://www.clermontauditor.org/_web/search/commonsearch.aspx?mode=address)

Provide a floor plan of your home and identify those areas that will be used for the home occupation. Include the square footage of the area that will be used within the home.

- On a separate sheet, provide the following
  - o. The number of employees, their relationship to you and where they live;
  - o. An estimate of the number of visits to your home by customers or clients you expect on a daily and monthly basis;
  - o. Whether you plan to expand your business;
  - o. How you will be advertising your business
    - Include website and social media connection information;
  - o. A description of your home occupation and activities you expect to conduct.

Submit your information to the Community Development Department, along with a check payable to Miami Township in the amount of \$ 25.00 (cash is accepted as well). Staff will then determine if the Home Occupation may be allowed.

12. Swimming Pools. What are the rules concerning swimming pools, and how do I apply for a permit?

A: Go to this link and print out the application form for a zoning certificate and go ahead and complete the application: <http://MiamiTwpOH.gov/certificates.html>

Create an accurate site plan showing the location of the edge of the pool and the distances of the pool edge from the rear and side property lines. The pool must be located behind the front of the house and at least 15 ft from side and rear property lines. Here’s a link where you can get an aerial photo that will work well as a base map. [http://www.clermontauditor.org/\\_web/search/commonsearch.aspx?mode=address](http://www.clermontauditor.org/_web/search/commonsearch.aspx?mode=address) (At the auditor’s website, type in your address number and street name, select your parcel when it comes up, and then select “Tax Map” (on the side menu near the bottom of the page) which will give you an aerial shot of your property);

- Pools must be surrounded by at secure fence at least 4 ft. high with a self closing and self latching gate. Show on the site plan where the fence is (or will be) located, and provide a picture or brochure showing what the fence does or will look like, as well as depicting the self closing self latching gate.
  - o The walls of an above ground pool may serve as the fencing if tall enough; however, the entrance point to the pool still must be surrounded by a 4 ft tall fence including the self closing self latching gate.

- Provide the completed application, site plan, brochures and pictures to the Community Development Department, along the review fee of \$50 (cash or check payable to Miami Township). A zoning certificate will then be issued after a determination of conformance to the regulations.
- Please note that the total area of all accessory structures on a property, including the pool area, may not exceed more that 30% of the total rear yard area of the lot.