SECTION 1612. MISCELLANEOUS SPECIAL USES

A. **Special Uses That May Be Permitted.**

1. Junkyards.

2. Sewage treatment and disposal installations as an integral design of a park as permitted within a zoning district, and designed only for service to that mobile home park development.

   Sewage treatment and disposal installation may also be allowed when designed only for and as part of a planned unit development as permitted within a Residential Zoning District.

3. Drive-in Facilities.

4. Drive-in theaters, racetracks, golf driving ranges and miniature golf courses or similar uses.

5. Special open space uses, such as private resorts, recreational camps and other open space uses operated for profit or public purposes by a municipality or other local unit of government.

6. Institutions for the mentally and/or physically disabled, drug or alcoholic patients and camps or correctional institutions.

7. Mining and Excavation

8. Open Air Business

9. Bars and Taverns

10. Kennels.

11. Adults only businesses.

B. **Drive-In Theaters, Race Tracks, Golf Driving Ranges and Miniature Golf Courses or Similar Uses:**

1. All sites shall be located on a principal arterial road.

2. Whenever any use that may be permitted in this subsection abuts property within a residential or agricultural district, a transition strip at least one hundred (100') feet in width shall be provided between all operations and structures, including fences, and the residential or agricultural property. Grass, plant materials and structural screens of a type approved by the Planning Commission shall be placed within said transition strip.

3. A minimum yard of one hundred (100') feet shall separate all uses, operations and structures permitted herein, including fences, from any public street or highway used for access or exit purposes. This yard shall be landscaped in accordance with plans approved by the Planning Commission

4. Racetracks and drive-in theaters shall be enclosed for the entire used site for their full periphery with a solid screen fence at least eight (8') feet in height. Fences shall be of sound construction, painted or otherwise finished, attractively and in harmony with the surrounding environment.

5. Drive-in theater ticket gates shall be provided in accordance with the following ratios: One (1) ticket gate for three hundred (300) car capacity theaters; two (2) ticket gates for six hundred (600) car capacity theaters; three (3) ticket gates for eight hundred (800) car capacity theaters; four (4) ticket gates for one thousand (1,000) car capacity theaters. Vehicle standing space shall be provided between the ticket gates and the street or highway right-of-way line equal to at least thirty (30%) percent of the vehicular capacity of the theater.

6. Drive- in theater picture screens shall not be permitted to face any public street and shall be so located as to be out of view from any major thoroughfare. The picture screen tower shall not exceed sixty-five (65') feet in length and forty (40') feet in height.

C. **Special Open Space Uses.**

1. The proposed site shall be at least two (2) acres in area.

2. The proposed site shall have at least one (1) property line abutting a major thoroughfare or principal collector. All ingress and egress to the site shall be directly from said thoroughfare or collector street.

3. All buildings and structures shall be setback at least two hundred (200') feet from any property or street lines. Whenever the installation abuts upon property within a residential district, this two hundred (200') foot set back shall be landscaped with trees, grass and structural screens of a type approved by the Planning Commission to effectively screen the installation from surrounding residential properties.

4. No more than twenty-five (25%) percent of the gross site shall be covered by buildings.

5. Accessory uses for a permitted use shall be construed to include restaurant and other eating or drinking establishments and such retain sales directly connected with the principal open space use.

D. **Institutions for the Mentally and/or Physically Disabled, Drug or Alcoholic Patients and Camps or Correctional Institutions.**

1. The proposed site shall be at least five (5) acres in area.

2. All two (2) story structures shall be at least one hundred (100') feet from boundary lines or street lines. Buildings less than two (2) stories shall be no closer than fifty (50') feet to any property or street line. No more than twenty-five (25%) percent of the gross site shall be covered by buildings.

3. Any outdoor recreational space or gathering space must be screened from surrounding uses by a size foot solid fence, masonry wall or opaque vegetation or a combination thereof.

E. **Mining and Excavation.**

F. **Open Air Business.**

1. Each site shall be a minimum of ten thousand (10,000) square feet with a minimum street frontage of one hundred (100') feet.

2. There shall be provided around all sides of the site, except at entrances, exits and along sides of premises enclosed by buildings, a fence or wall, six (6') feet in height in order to intercept wind blown trash and other debris. This requirement may be waived by the Township Board where it can be shown that a fence is not needed to protect adjacent properties from the effects of the open air business use.

3. Off street parking areas and aisles as required, shall be properly marked and dust free

4. Lighting shall be installed in a manner which will not create a driving hazard on abutting streets or which will cast direct illumination on adjacent properties.

5. All open air business uses shall comply with all County Health Regulations regarding sanitation and general health condition.

G. **Bars and Taverns.**

1. The proposed site shall be at least five hundred feet from any residential use or residentially zoned parcel.

2. The proposed site shall be at least five hundred feet from any other bar or tavern.

3. All parking required for the use shall be provided on site.

4. The use shall not be injurious to the surrounding neighborhood in terms of noise, traffic, or other such issues.

H. **Kennels.**

1. A minimum lot size of ten (10) acres shall be maintained.

2. Any building or fenced area where animals are kept shall be located a minimum of five hundred (500') feet from any property line.

3. The kennel shall be established and maintained in accordance with all applicable State, County and Township sanitation regulations. Odor, dust, noise, drainage or insects shall not constitute a nuisance to adjoining properties.

I. **Adults Only Business.**

1. **Intent** in the development and execution of this Ordinance, it is understood there are some uses which, because of their very nature, have serious objectionable operational characteristics, particularly when several of them are concentrated in certain circumstances, a deleterious effect on adjacent areas results. Special regulation of these uses is necessary to insure that these adverse effects will not contribute to the blighting or downgrading of surrounding neighborhoods. These special regulations are itemized in this section. Primary control or regulation is for the purpose of preventing a concentration of these uses in any one area or next to residential zoning or certain institutional uses.

2. **Distance Restrictions.**

a. The following listed uses shall not be permitted to be established within one thousand five hundred (1,500') feet of each other:

i. Adult-related businesses

ii. Adult book stores

iii. Adult motion picture theaters

iv. Adult mini motion picture theaters

v. Exotic cabarets

vi. Massage parlors

vii. Public baths

3. It shall be unlawful hereafter to establish an adult-related business within one thousand (1,000') feet of any residentially zoned property, or within one thousand (1,000') feet of any religious or educational institution, public park, or recreational land use.

J. **Signage and Exterior Display.** Window displays, signs, or decorative or structural elements of buildings shall not include or display examples of actual adult uses, and are limited to the signage provisions stated in Chapter 15 of this Ordinance.

1. No adult use shall be conducted in any manner that permits the observation of any material depicting, describing, or relating to specific sexual activities or specified anatomical areas from any public way or from any property not registered as an adult use. This provisions shall apply to any display, decoration, sign, show window, structural element, or other opening.

K. **Precautionary Note to the Board of Appeals.** When considering any appeal from an adult-only business for reduction of spacing or separation standards established herein, the Board of Appeals shall address each of the following issues and include the findings regarding each point in their minutes.

1. **Ordinance Intent.** The proposed use shall not be contrary to the intent and purpose of this Ordinance, or be injurious to nearby properties.

2. **Blighting Influence.** The proposed use shall not enlarge or encourage the development of a concentration of such uses or blighting influences.

3. **Neighborhood Conservation.** The proposed use shall not be contrary to any program of neighborhood conservation, revitalization, or renewal.

4. **Other Standards.** The proposed use and its principal building shall comply with all other regulations and standards of this Ordinance.