

RUSHCREEK TOWNSHIP

RESOLUTION #2025-10

The **Board of Trustees** of Rushcreek Township, Fairfield County, Ohio met in Regular session on the 16th day of April, 2025 at the office of the Board of Trustees with the following members present:

Chad Ashbaugh

James Downard

Rick Moyer

BE IT RESOLVED by the BOARD OF TRUSTEES of Rushcreek Township, Fairfield County, Ohio

WHEREAS; Amendments to Rushcreek Township Zoning Resolution **11.5 Cemeteries section;** The Rushcreek Township Zoning Commission Board, met on the matter April 3, 2025 concerning Section 11.5 of the Rushcreek Township Zoning Resolution further defining cemeteries. The issue regarding private “family” cemeteries and hearing no public comment the Commission board makes the following recommendations.

11.5 Cemeteries.

- A. Intent. The intent of this section is to create standards for cemeteries where permitted as conditional uses.
- B. Applicability. These standards shall apply to cemeteries when listed as a conditional use.
- C. Conditions. The Board of Zoning Appeals shall issue a conditional use permit for a Public or Private cemetery, if the proposed use complies with all of the conditions listed below in addition to the general conditions listed in Section 7.3D.

Public or Private Cemeteries

1. Proposed cemeteries shall be located on at least twenty (20) acres and shall have direct access to a public road that is sufficient to handle the traffic generated by the cemetery. Existing cemeteries shall be exempt from future minimum acreage limitations.
2. All buildings, including mausoleums, and all graves/burial lots shall be located no closer than twenty five (25') feet from any lot line.
3. All graves must have permanent marker flush or above ground
4. Cemeteries shall have a permanent fenced perimeter with a minimum height of three (3') feet and maximum height of six (6') feet. Fence must be constructed of either wood, woven wire, metal, vinyl, chain link or steel cable of a minimum diameter of ½". Posts must be either treated wood or steel.
5. Sufficient evidence shall be provided to the Board of Zoning Appeals ensuring that the grounds will be properly maintained.
6. Any other conditions as warranted by the Board of Zoning Appeals.

Family Cemeteries Requirements

1. Family Cemeteries are not required to apply for a conditional use.
2. Only the property owner, spouse of owner, family members of owner that are linked by a common ancestry of at least three fourths or adopted children.
3. A copy of the Burial Permit obtained by the County Health Department must be given to the Zoning Inspector.
4. A map of the location of graveyard must be supplied to the Zoning Inspector and recorded with the deed.
5. All structures and graves must be a minimum of twenty (20') feet from any property line and fifty (50') feet from utility right of ways.
6. Burial sites must be a minimum of fifty (50') feet from all structures.
7. Burial sites must be a minimum of six hundred (600') feet from any springs, streams, ponds, lakes, shorelines and drinking water wells.
8. Graves must have a minimum of four (4') feet of ground cover.
9. All graves must have a permanent marker flush or above ground.

WHEREAS; Amendments to Rushcreek Township Zoning Resolution. The Rushcreek Township Zoning Commission Board, met on the matter April 3, 2025 concerning **SOLAR ENERGY SYSTEMS** in Rushcreek Township.


WHEREAS; Rushcreek Township Zoning Commission Board recognizes their authority to regulate small solar facilities with a nameplate capacity of less than 50 megawatt under ORC 519.213

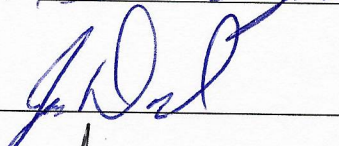
WHEREAS; Rushcreek Township Zoning Commission Board recommends adding a section and definitions to the Rushcreek Township Zoning Resolution. Attached is the final language and definitions.

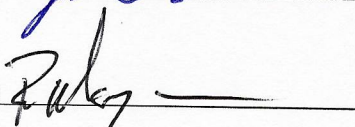
HEREBY; Rushcreek Township Trustees accept these modifications to the Rushcreek Township Zoning Resolution and direct these changes to be made effective April 3rd.

Jim Downard moved the adoption of the following Resolution:

Rick Moyer seconded the **Resolution** and the roll being called upon its adoption the vote resulted as follows:

Chad Ashbaugh, Aye 

Jim Downard, Aye 

Rick Moyer, Aye 

Adopted April 16, 2025



A handwritten signature in blue ink, reading "Lisa A. Burnworth", is written over a horizontal line.

Lisa A Burnworth, Rushcreek Township, Fiscal Officer