Zoning Permit FAQ

The following guide is designed to help you identify the type of permit you need, and which form you will need to submit for approval. As well as answer some other frequently asked questions.

IS THIS PROJECT ON A HOME, BUSINESS, OR INSTITUTIONAL USE (I.E. SCHOOLS, PLACES OF WORSHIP)? .................................................. 1

IS THIS A NEW BUSINESS OR INSTITUTION OCCUPYING AN EXISTING BUILDING WITH NO EXTERIOR MODIFICATIONS TO THE SITE OR BUILDING? ........................................ 2

DO YOU WANT TO REPLACE A SIGN PANEL, OR INSTALL NEW SIGNS ON A PROPERTY? 2

WHAT IS THE CURRENT ZONING FOR MY PROPERTY? ........................................ 3

IS YOUR PROPOSED PROJECT PERMITTED OR CONDITIONALLY PERMITTED IN THE CURRENT ZONING DISTRICT? .................................................. 4

DOES YOUR PROPOSED PROJECT MEET THE DIMENSIONAL STANDARDS OF THE CURRENT ZONING DISTRICT? .................................................. 4

WILL YOU BE BUILDING ANYTHING WITH ELECTRICAL, PLUMBING, OR A FOUNDATION, OR ANY STRUCTURE MORE SUBSTANTIAL THAN A FENCE OR SHED OVER 200 SQUARE FEET? .................................................. 5

WHY DO I HAVE TO COMPLY WITH THE STANDARDS IF I’M JUST MODIFYING AN EXISTING BUILDING/STRUCTURE OR USE? .................................................. 5

Is this project on a home, business, or institutional use (i.e. schools, places of worship)?

A Home: If you are working on a project on a new or existing home you will need to file a Residential Zoning Permit Application or a Residential Accessory Structure Permit.

The following activities on residential properties require a zoning permit:

1. New construction (Residential Zoning Permit)
2. Additions or expansions that expand the footprint of the original building or add interior space to the building, such as a garage or new great room. (Residential Zoning Permit)
3. New decks, porches, or sunrooms attached to the primary structure (Residential Zoning Permit)
4. Rebuilding of existing decks, porches, or sunrooms (Residential Zoning Permit)
5. Sheds or other accessory structures such as detached garages, inground or above ground pools (Residential Accessory Structure Permit)

A Business or Institution: If you are working on a project for a new or existing business, or institutional uses you will need to file a Non-Residential Zoning Permit Application.

The following activities on non-residential properties require a zoning permit.
1. New construction,
2. Rebuilding or rehabilitating a damaged structure
3. An addition or expansion to an existing structure that changes the external dimensions of the building but does not change the occupant.
4. Reconfiguration or installation of new of outdoor elements such as parking/loading areas, drive aisles, required landscaping and buffering, fencing or walls
5. New or replacement signs (require a Sign Permit as well).

**Is this a new business or institution occupying an existing building with no exterior modifications to the site or building?**

*Yes:* You will also need to apply for a Certificate of Zoning Compliance Permit and most likely a Sign Permit if you are replacing or adding any new signs.

*No:* New structures need a Non-Residential Zoning Permit Application.

**Do you want to replace a sign panel, or install new signs on a property?**

*YES:* you will need a Sign Permit.

If you are replacing an existing sign, the existing sign may be a legal non-conforming use. This means the existing sign was approved before the current regulations were adopted. If you modify this sign you will be required to conform to the current regulations.

*NO:* You will only need your zoning permit application.
What is the current zoning for your property?
What you can do on your property is regulated by the zoning district in which it is located. You can verify the zoning for your property by reviewing the township’s Zoning Map, calling the Township’s Development Department (937) 890-5611 and requesting zoning verification (recommended), or entering your property address in the Montgomery County Auditors Website https://gis.mcohio.org/VPCore/VP.html?config=aud. The Public/Zoning layer will tell you what zoning district applies to your property.
Is your proposed project permitted or conditionally permitted in the current zoning district?

Look in the Zoning Code under the Article for the district your property is currently zoned. It will tell you the permitted and conditionally permitted uses in that district. Chapter III, Articles 8-16 (Residential Districts), Chapter IV, Articles 17-22 (Office Districts), Chapter V, Articles 23-25 (Industrial Districts), Chapter VI, Articles 26-30 (Special Districts), Chapter VII, Articles 31-35 (Planned Development Districts).

**YES it is a Principally Permitted Use:** You will need a residential or nonresidential zoning permit application, or

**YES it is a Conditionally Permitted Use:** You will need to file a conditional use permit application, conditional uses are approved by the Board of Zoning Appeals and your application must demonstrate how your use will meet the prescribed conditional use standards as required by the zoning district regulations.

**NO:** If you file a permit for a use that is not principally or conditionally permitted in the district your property is zoned, your application will be denied. However, if you feel the existing zoning is inappropriate, you can request a zone change if your property is contiguous to another zoning district that would permit your proposed use. If you need to request a change in the zoning designation for a property you will need a Zone Change Request Application. The Zone Change Request is heard by the Township Zoning Commission and may not be approved. The Zone Change will have to be approved by the Township Trustees before your permit application is submitted. If a zone change is approved by the Trustees, then you can apply for a zoning permit for your use. Both applications can be filed simultaneously but the zoning permit cannot be processed until after the zone change is approved. The project would have to conform to the dimensional and use standards of the new zoning district to be issued a zoning permit.

Does your proposed project meet the dimensional standards of the current zoning district?

Look in the Zoning Code under the Article for the district your property is currently zoned. It details the dimensional standards for that district. Chapter III, Articles 8-16 (Residential Districts), Chapter IV, Articles 17-22 (Office Districts), Chapter V, Articles 23-25 (Industrial Districts), Chapter VI, Articles 26-30 (Special Districts), Chapter VII, Articles 31-35 (Planned Development Districts).

**YES:** You will need a residential or nonresidential zoning permit application only!

**NO:** If you have a special hardship that limits your ability to build within the district standards (i.e. your lot is smaller than the minimum requirements, your lot is hilly or has a stream, your existing building is a legal non-conforming structure or use and you want to modify or expand your use or building) you will need a Zoning Variance Application, to submit along with your Zoning Permit Application. Your Variance request must be heard by the Board of Zoning Appeals and may not be approved. The Variance must be approved before your permit can be issued.
Will you be building anything with electrical, plumbing, or a foundation, or any structure more substantial than a fence or shed over 200 square feet?

YES: You will also need to file for building permits with Montgomery County.

NO: You only need approval from the Township.

Why do I have to comply with the standards if I’m just modifying an existing building/structure or use?

Harrison Township has adopted updated zoning standards, (See Chapter VIII, Article 36) and since much of the development in the township predates these standards, many properties are classified as legal non-conforming uses or structures. The code states that if a legal non-conforming use or structure is modified that it must comply with the current standards. This often impacts signs, additions, landscaping, and parking.

The Development Department Staff will let you know if your use is a legal non-conforming use and point out any modifications that may be necessary to be found conforming once they conduct a preliminary review of your application. You can determine if you are legally non-conforming by reviewing the dimensional, use, sign, and parking standards for the district in which your property is located. If what exists does not match these standards it likely predates the current regulations, and is a non-conforming use or structure.

To get approval for modifications in these circumstances, the redevelopment would have to bring the site into compliance or you can apply for a Variance from the requirements based on the unique circumstances of your site which would not allow for conformance.

How can I determine if my application will be approved or if I need to file additional applications?

We strongly recommend scheduling a pre-application meeting with Development and Zoning Staff. If you come prepared with a conceptual site plan, uses, and verified zoning, township staff can help you navigate the permitting process and indicate which forms and documents you should submit. This will help ensure your applications are complete and can be processed in a timely fashion. If your application is incomplete, or does not include the necessary conditional uses permits or variance requests, it may take longer to have your case heard by the Board of Zoning Appeals.