



BNA & H LLC  
Oct. 14, 2025  
Auction

[https://codelibrary.amlegal.com/codes/preblecounty/latest/preble\\_oh/0-0-0-321#JD\\_801](https://codelibrary.amlegal.com/codes/preblecounty/latest/preble_oh/0-0-0-321#JD_801)

The above link will take you to Preble County Zoning site for Agricultural regulations.

Parcel 1, 2 & 3 are all agriculturally zoned and Tract 4 & 5 are Agricultural Special Use Provision zoned

You are encouraged & advised to do your own due diligence on any use you plan for the land.  
This information is provide in good faith but is not guaranteed to be all inclusive or warranted.

## 801 A – AGRICULTURAL DISTRICT.

### § 801.01 PURPOSE.

A. This district is established for either of the following purposes:

1. To protect land best suited for agricultural use from the encroachment of incompatible land uses and to preserve valuable agricultural land for agricultural uses; and
2. To protect the open area from the encroachment of scattered urban type uses permanently or until such time as the area is ready for more intensive development and can be provided with urban services.

B. Lands within the Agricultural District are used for commercial agricultural production. Owners, residents, and other users of this property may be subjected to inconvenience, discomfort, and the possibility of injury to property and health or even death arising from normal

and accepted agricultural practices and operations, including but not limited to noise, odors, dust, the operation of machinery of any kind, including aircraft, the storage and disposal of manure, the application of fertilizers, herbicides, and pesticides.

C. Owners, residents, and users of this property should be prepared to accept these conditions and are hereby put on official notice that “right to farm” provisions within the Ohio Revised Code may bar them from obtaining a legal judgment against such normal agricultural operations.

(Res. 669-94-72, § 801.01, effective 4-5-1995; Res. 80-13-159, effective 7-5-2013)

## **§ 801.02 USES.**

### A. *Permitted uses.*

1. Agriculture;
2. One 1-family dwelling;
3. Home occupations, § [1103.02](#) AA.;
4. Sale of produce and plants raised on the premises, or seasonal sale of produce and plants not raised on the premises, provided that any structures associated with such sales shall be only those structures ordinarily used for the sale of produce and plants raised on the premises; and
5. Accessory buildings incidental to the principal use. Such facilities are subject to regulation under § [815](#);
6. Private or non-commercial wind energy systems (if conditions found in § [1103.02](#) OO. are met);
7. Ham radio towers (if conditions found in § [1103.02](#) SS. are met); and
8. Private or non-commercial solar energy systems (if conditions found in § [1103.02](#) TT. are met).

B. *Conditional uses.* The following conditional uses are subject to review and conditions in accordance with [Article XI](#):

1. Commercial animal sales lots and/or feed lots;
2. [Reserved];
3. Cemeteries, § [1103.02](#) M.;
4. Kennels, animal hospitals, and riding stables, § [1103.022](#) D.;
5. Soil removal, sand and gravel extraction operations, § [1103.02](#) W.;

6. Private sanitary landfill, § [1103.02](#) HH.;
7. Land application of sewage sludge, § [1103.02](#) II.;
8. Publicly or privately owned and operated airport or landing fields, § [1103.02](#) C.;
9. Radio, television, microwave, or other transmission towers and/or associated facilities, § [1103.02](#) LL.;
10. Churches and other buildings for the purpose of religious worship, § [1103.02](#) N.;
11. Schools and associated facilities for academic instruction, § [1103.02](#) JJ.;
12. Private and publicly owned commercial and noncommercial recreation areas, uses, and facilities, including fishing lakes, swimming pools, country clubs, golf courses, parks, forests, wildlife preserves, and similar areas and uses;
13. Airport or aircraft landing facility, § [1103.02](#) C.;
14. Guest house, § [1103.02](#) Z.;
15. Bed and breakfast homes and inns, § [1103.02](#) I.; and
16. Intensive agricultural uses, § [1103.02](#) CC.

**C. *Uses requiring special approval, special use provision.***

1. a. One single-family residence located upon a single site of more than three (3) acres, but less than forty (40) acres and not subdividable further without additional zoning approval; and

b. Permitted dwelling as specified including a noncommercial guest house, § [1103.02](#) Z.

2. a. Approval of such uses shall be subject to the following:

1) In addition to pertinent information required by the county's rezoning application, the applicant shall submit a site plan of the proposed development which shall contain the following information:

a) A sketch map drawn to scale not less than one (1) inch equals forty (40) feet, complete with north arrow, date, name and address of property owner or lessee, and name and firm address of the professional individual responsible for the preparation of the site plan (if such was involved);

b) Existing features of the site, including topography (contour intervals shall be shown at two (2) foot intervals for average slopes of ten (10) percent and under, and five (5) foot intervals for average slopes over ten (10) percent), significant wooded areas, streams, drainage ways, and any existing structures and driveways upon the site;

c) Subsurface conditions on the tract including the location and results of tests made to ascertain the conditions of subsurface soil, rock, and existing depth and adequacy of ground water, if on-site sewage disposal and water supply are proposed;

d) Plan of proposed development showing proposed location and general dimensions of structures, proposed driveway(s), and location of any wall, fencing, or landscaped screening proposed; and

e) Provision for water, sanitary, and storm water facilities.

(1) If proposal is to utilize municipal and/or county facilities, provide details of the connection including distance to nearest central utilities.

(2) If on-site facilities are proposed, indicate type of system proposed, location, and general construction plans.

b. The proposed plan shall be reviewed by the Planning Commission, Rural Zoning Board, and County Commissioners. Review will be guided by those standards established for review of conditional uses by the Board of Zoning Appeals, more specifically § [1103.01B](#) through I, of the County Rural Zoning Resolution. Approval shall be conducted in conformity with the provisions of [Article XIII](#) of the PCRZR (this code).

1) If disapproved, an application for special use cannot be resubmitted within a year of the initial submission unless evidence of significantly changed conditions is presented by the applicant.

2) If approved, the approval site plan shall be certified and filed with the County Recorder similarly to the recording of a subdivision plat. Evidence of the recording should be a prerequisite to the issuance of a building permit.

3) Failure to record the plan within twelve (12) months of its approval by the County Commissioners shall render the approval null and void.

4) The aforementioned provisions shall not alleviate any responsibilities an applicant and/or developer may incur, if subject to provisions of the County Subdivision Regulations.

This is only part of the Zoning regulations and is taken from public records.

You are advised to research any special use yourself. Information is provided in good faith, is not warranted or guaranteed.