

CHAPTER 1130. ACCESSORY STRUCTURES AND USES

1130.01. Purpose.

Accessory Structures and Uses regulations are established to regulate structures and uses which are accessory to the principal structures and uses on a property.

11XX.02. Applicability.

- (a) This section applies to any subordinate use of a building or other structure, or use of land that is:
 - (1) Conducted on the same lot as the principal use to which it is related.
 - (2) Clearly incidental to and generally in connection with the principal use or structure.
- (b) Where a principal use or structure is permitted, such use shall include accessory uses and structures subject to this section.
- (c) Accessory structures and uses shall be permitted in all residential Planned Unit Developments (R-PUDs) unless otherwise noted in relevant PUD approvals.

11XX.03. Accessory structure and use regulations for all districts.

- (a) Principal structure required. No lot shall contain an accessory structure without also containing a principal structure.
- (b) Permit required. All new and expanded accessory structures shall require a Certificate of Building and Zoning Compliance except for those noted below:
 - (1) Accessory structures in residential districts with a footprint of less than 100 square feet.
 - A. Regardless of size, accessory structures must adhere to all requirements specified in this chapter.
 - (2) Utility boxes and equipment.
 - (3) Mechanical equipment including air conditioning units.
 - (4) At-grade patios/driveways, except where right-of-way permits are required.
 - A. All requirements of 11XX.04 (l) must be met.
 - (5) Fences and walls not requiring a certificate of building and zoning compliance:
 - A. Temporary fencing used to enclose gardens or other temporary installations.
 - i. Non-welded wire (including chicken wire) shall only be used in rear yards.
 - B. Snow fencing between the months of November and March.
 - C. Retaining Walls. Retaining walls intended to serve as a barrier to the down slope movement of rock, earth, or water shall be exempt from any location and height standard in this chapter.
 - D. Construction Fences. Fences necessary for construction and development shall be exempt from the provisions of this chapter provided such fences are temporary and are removed within thirty (30)

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days following the completion of the construction or development for which the fence was intended.

- (c) Design. All new and expanded accessory structures shall be designed to be compatible with and subordinate to the principal structure in terms of scale, color, and material selection.
- (d) Installation. All new and expanded accessory structures shall be tied down or secured as required by the **then-current** Ohio Building Code.
- (e) Maintenance and repair. All accessory structures shall be maintained in good repair and be structurally sound. General maintenance activities, including paint, siding, cleaning, and minor repairs shall not require a certificate of building and zoning compliance.
 - (1) Repairs which involve the setting of new permanent posts or other major alterations shall require a certificate of building and zoning compliance.
- (f) Each property owner shall determine property lines and ascertain that all accessory structures do not deviate from the plans as approved by the Director of Planning and Community Development, or designee, and do not encroach upon another lot. The issuance of a permit by the City shall not be construed to mean the City has determined an accessory structure is not encroaching upon another lot, nor shall it relieve the property owner of the duty imposed herein.

11XX.04. Supplemental accessory structure and use regulations for residential districts.

- (a) Encroaching additions.
 - (1) For the purposes of this chapter, decks, sunrooms, gazebos, pavilions, and other non-habitable structures located within two feet of the rear wall of a principal structure shall be considered additions to the principal structure.
 - (2) These additions shall be permitted to encroach up to 12-feet into the required rear yard setback as outlined in Section **1113.XX**.
 - (3) Any addition encroaching into the required rear yard setback shall not be converted into habitable living space at any time.
- (b) Accessory structures connected to principal structures. If an accessory structure is connected to a principal structure by a roofed structure with a width of not less than 10-feet, it shall only be considered part of the principal structure if all criteria 11XX.04(b)(1-4) are met:
 - (1) The accessory structure and principal structure are separated by no more than 12-feet.
 - (2) Both the roofed structure and accessory structure are fully enclosed **habitable** space.
 - (3) The roofed structure and accessory structure are constructed of building materials and color consistent with the principal structure.
 - (4) The roofed structure and accessory structure are designed to be consistent with the principal structure (including in height and roof pitch).
 - (5) Connected structures that do not meet the above criteria shall be considered an accessory structure and will be counted toward the maximum accessory structure square footage.
- (c) Maximum size.
 - (1) Height. Accessory structures shall not exceed 20-feet in height.

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(2) Footprint. The sum of the footprint of all accessory structures shall not exceed 50% of the footprint of the principal structure, with a maximum of 900 square feet on any lot. On lots where the principal structure has a footprint of less than 1,200 square feet, an up to 600 square foot accessory structure shall be permitted, but the maximum footprint of all accessory structures shall not exceed 600 square feet.

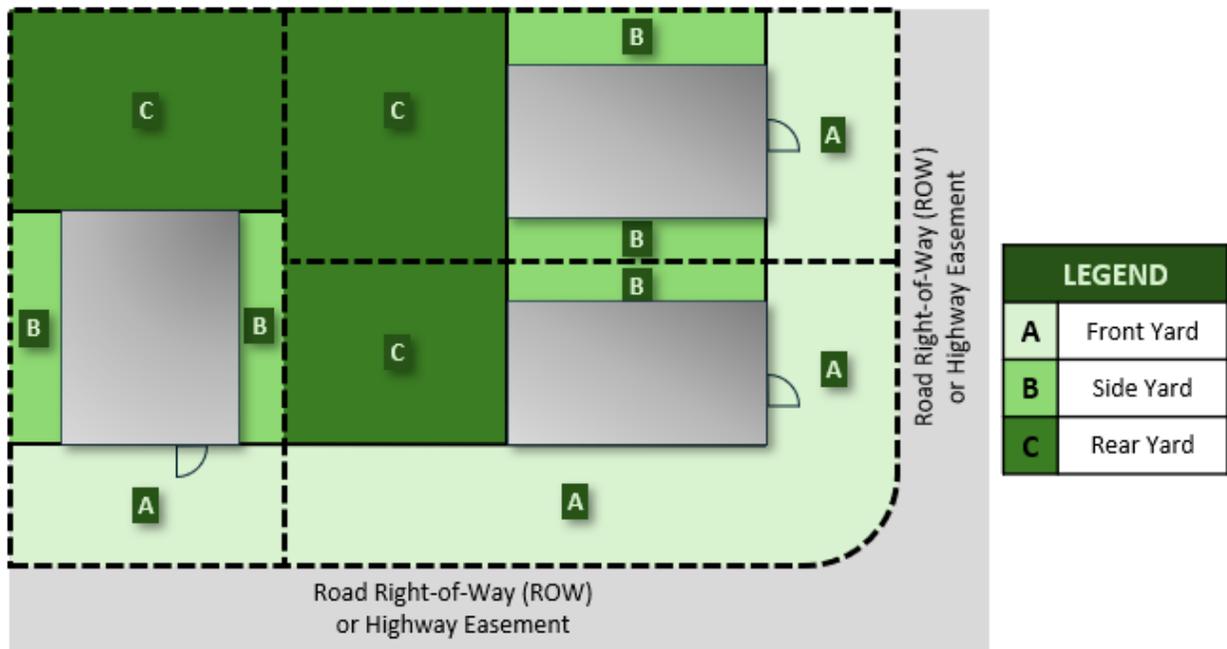
A. There is no maximum footprint of accessory structures in the Agricultural District.

(3) Lot coverage. The sum of the footprint of all impervious surfaces on any lot, including the principal structure, accessory structures, pavement, and/or gravel surfaces, shall not exceed 50%.

A. At no time shall the lot coverage in a front yard exceed 50%.

(d) For the purposes of this chapter, yard designations shall be as shown in Figure 11XX.04(a).

Figure 11XX.04(a)



(e) Fences and walls.

(1) Permitted locations. Fences and walls are permitted in front, side, and rear yards.

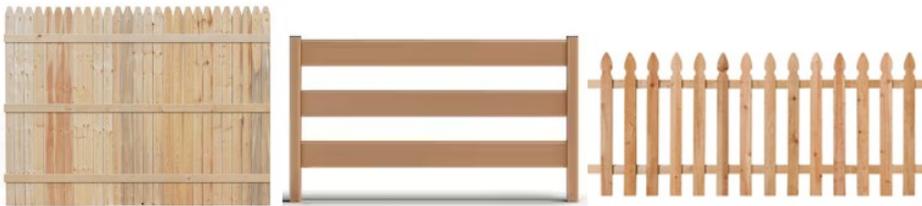
- A. Fences in front yards shall be setback at least one (1) foot from the right-of-way. The City Engineer may require fences in front yards to be set back farther from the right-of-way to preserve clear sight distance.
- B. Fences in side and rear yards may either be placed on the property line or setback at least three (3) feet. To the extent possible, two fences or walls shall not be placed back-to-back along a common property line. Every effort shall be made to utilize the existing fence or wall.
- C. Any fence or wall located in a utility or drainage easement shall be located and designed to the specifications of the City. The City reserves the right to prohibit any fence or wall from being placed in a utility or drainage easement.

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(2) Design.

- A. The finished side of all fences shall face outward.
- B. Permitted materials include stone, brick, finished wood, iron, welded wire, or synthetic look-a-like products as approved by the Director of Planning and Community Development.
 - i. Welded wire fences shall require, at minimum, a frame on all sides of each panel constructed of wood or a similar synthetic material.
- C. Permitted fence styles include, but are not limited to, those in Figure 11XX.04(e)(2)

Figure 11XX.04(e)(2)



- (3) Prohibited fences and fence materials include above-ground electric, barbed wire, or other sharp-edged fences; chain link fences with weave inserts or fabric coverings/screens; chicken wire and other similar non-welded wire.
 - A. Chain link fences are prohibited in front yards
- (4) Height. Fences in front yards shall have a maximum height of four (4) feet and shall be, at minimum, 50% transparent.. Fences in side or rear yards shall have a maximum height of six (6) feet.
- (f) Decks, Sunrooms, Gazebos, Pavilions.
 - (1) Permitted locations. Decks, sunrooms, gazebos, pavilions, or other similar accessory structures not considered to be additions to the principal structure pursuant to 11XX.04(a)(1) shall be permitted in rear yards and setback at least three (3) feet from side and rear property lines.
- (g) Sheds or Greenhouses.
 - (1) Permitted locations. Sheds or greenhouses shall be permitted in rear yards and located at least three (3) feet from side and rear property lines.
- (h) Garages.
 - (1) Permitted locations. Garages shall be permitted in side yards no closer to the property line than the required side yard setback for the zoning district or in rear yards setback at least three (3) feet from side and rear property lines.
- (i) Carports.
 - (1) Permitted locations. Carports attached to the primary structure pursuant to 11XX.04(a)(1) shall be permitted in side yards no closer to the property line than the required side yard setback for the zoning district or in rear yards setback at least three (3) feet from side and rear property lines. Detached carports shall be permitted in rear yards only and setback at least three (3) feet from side and rear property lines.
 - (2) Design. Carports must be constructed of a rigid material. Carports attached to the existing principal structure must be architecturally compatible with said principal structure.

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(j) Pools.

- (1) Permitted locations. Swimming pools shall be permitted in rear yards and setback at least ten (10) feet from side and rear property lines.
- (2) Fence required. All swimming pools shall be enclosed by a fence or wall at least four (4) feet in height.
 - A. All fences and other pool enclosures shall be constructed to have no openings, holes, or gaps larger than the current State of Ohio Building Code permits, except for doors, gates or windows which shall be equipped with suitable locking devices to prevent unauthorized access. Access-secured accessory buildings and walls of principal buildings may be used in place of, or as part of, the enclosure.
 - B. Above-ground pools with sides or railings taller than four-feet and a locking ladder shall not require a fence.
 - C. Auto-covers shall be permitted in place of a fence when a pool is setback at least fifty (50) feet from all property lines.

(k) Accessory Dwelling Units. See Chapter 11XX.

(l) At-grade patios and driveways.

- (1) Permitted locations. At-grade patios and driveways are permitted in front, side, or rear yards. Other than an extension of a driveway from a designated curb cut and/or driveway apron, all at-grade patios and driveways shall be setback at least three (3) feet from all property lines. Existing driveways or parking areas may be expanded in accordance with criteria (i)-(iii) as shows in Figure 11XX.05(l)(1).
 - A. Driveway aprons or curb cuts shall not be expanded except with approved Right-Of-Way permit.
 - B. A driveway or parking area shall taper to the driveway apron or curb cut.
 - C. A driveway or parking shall not be expanded towards the front door of the dwelling unit.

Figure 11XX.05(l)(1)



- (m) Prohibited accessory structures. Steel arch buildings, temporary, portable, or inflatable garages or carports, converted shipping containers, and semi tractor trailers used for storage (with or without wheels) are prohibited in all residential districts.

11XX.05. Supplemental accessory structure and use regulations for commercial uses.

(a) Fences and walls.

- (1) Permitted locations. Fences and walls are permitted in front, side, and rear yards.
 - A. Fences in front yards shall be setback at least one (1) foot from the right-of-way. The City Engineer may require fences in front yards to be set back farther from the right-of-way to preserve clear sight distance.
 - B. Fences in side and rear yards may be placed on the property line or setback at least three (3) feet. To the extent possible, two fences or walls shall not be placed back-to-back along a common property line. Every effort shall be made to utilize the existing fence or wall.
 - C. Any fence or wall located in a utility or drainage easement shall be located and designed to the specifications of the City. The City reserves the right to prohibit any fence or wall from being placed in a utility or drainage easement.
- (2) Design.
 - A. The finished side of all fences shall face outward.
 - B. Permitted materials include stone, brick, finished wood, iron, welded wire, vinyl-coated chain link, or synthetic look-a-like products as approved by the Director of Planning and Community Development.
 - i. Welded wire fences shall require, at minimum, a frame on all sides of each panel constructed of wood or a similar synthetic material.
 - C. Prohibited fences and fence materials include above-ground electric, barbed wire, or other sharp-edged fences; chain link fences with weave inserts or fabric coverings/screens; chicken wire and other similar non-welded wire.
 - D. Height. Fences shall have a maximum height of six (6) feet. Fences in front yards shall be, at minimum, 50% transparent.

(b) Sheds.

- (1) Permitted locations. Sheds are permitted in rear yards and shall be setback at least three (3) feet from side and rear property lines.
- (2) Each lot in a commercial district shall be permitted one (1) 100 square foot shed or storage building. In lieu of a shed, the dumpster enclosure may be expanded by 100 square feet to accommodate storage.
- (3) Design. The shed shall be designed to complement the architecture of the principal structure.

(c) Outdoor seating.

- (1) Permitted locations. Outdoor seating shall be permitted in front, side, or rear yards within the setbacks established for primary structures according to Schedule **1114.XX**.
- (2) Design. Outdoor seating areas shall be designed to complement the architecture of the principal structure. All outdoor seating areas shall require a patio, deck, or other solid surface. Gravel is prohibited.

(d) Prohibited accessory structures. Steel arch buildings, carports, converted shipping containers, and semi tractor trailers used for storage (with or without wheels) are prohibited in all commercial districts.

11XX.06. Supplemental accessory structure and use regulations for industrial uses.

Accessory uses are permitted in any Industrial District according to Schedule **1115.02** and shall conform to the regulations of this section.

(a) Accessory Buildings and Structures. All accessory buildings and structures shall comply with the development standards established for principal buildings and uses in Sections **1115.04 and 1115.05**, except:

(1) Fences pursuant to subsection (b).

(b) Fences.

(1) Permitted locations. Fences and walls are permitted in front, side, and rear yards.

- A. Fences in front yards shall be setback at least one (1) foot from the right-of-way. The City Engineer may require fences in front yards to be set back farther from the right-of-way to preserve clear sight distance.
- B. Fences in side and rear yards may be placed on the property line or setback at least three (3) feet. To the extent possible, two fences or walls shall not be placed back-to-back along a common property line. Every effort shall be made to utilize the existing fence or wall.
- C. Any fence or wall located in a utility or drainage easement shall be located and designed to the specifications of the City. The City reserves the right to prohibit any fence or wall from being placed in a utility or drainage easement.

(2) Design.

- A. The finished side of all fences shall face outward.
- B. Permitted materials include stone, brick, finished wood, iron, welded wire, chain link, or synthetic look-a-like products as approved by the Director of Planning and Community Development.
 - i. Welded wire fences shall require, at minimum, a frame on all sides of each panel constructed of wood or a similar synthetic material.
 - ii. Fences at least seven (7) feet in height may be topped with barbed wire or other sharp-edged materials
- C. Prohibited fences and fence materials include chain link fences with weave inserts or fabric coverings/screens; chicken wire and other similar non-welded wire; electrified fences.
- D. Height. Fences shall have a maximum height of six (8) feet. Fences in front yards shall be, at minimum, 50% transparent.