

CHAPTER 1268
Residential Districts

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CROSS REFERENCES

- Division of municipal corporation into zones - see Ohio R.C. 713.06
- Notice and hearing on municipal zoning regulations - see Ohio R.C. 713.12
- Effect of zoning on laws and charters - see Ohio R.C. 713.14
- Retroactive zoning ordinances prohibited - see Ohio R.C. 713.15
- Landscaping and environmental preservation - see P. & Z. Ch. 1280
- Off-street parking - see P. & Z. Ch. 1282
- Signs - see P. & Z. Ch. 1284
- Nonconforming uses - see P. & Z. Ch. 1286
- Wireless telecommunications facilities - see P. & Z. Ch. 1288
- Supplementary regulations - see P. & Z. Ch. 1290

1268.01 INTENT.

Residential Districts and their regulations are established in order to achieve, among others, the following purposes:

- (a) To regulate the bulk and location of buildings in relation to the land in order to obtain proper light, air, privacy and usable open spaces on each zoning lot appropriate for the District;
- (b) To regulate the density and distribution of population in accordance with the objectives of the residential plan to avoid congestion and to maintain adequate services;
- (c) To provide protection from noxious fumes, odors, dust, excessive noises, invasion of abnormal vehicular traffic and other objectionable influences; and
- (d) To protect the desirable characteristics of existing residential development, the promotion of stability, the most desirable and beneficial use of the land, and bringing about the eventual conformity with the adopted or officially accepted Comprehensive Plan and other plans of the Village.

(Ord. 73-94. Passed 10-4-94.)

1268.02 SCHEDULE OF MAIN USES.

In a Residential District, no land shall be used or any building erected which is arranged, intended or designed to be used for any other use than is set forth in the following schedule:

DISTRICT	MAIN USE
One-Family 100	One-Family Dwelling
One-Family 80	One-Family Dwelling
One-Family 60	One-Family Dwelling
One-Family 50	One-Family Dwelling

(Ord. 73-94. Passed 10-4-94.)

1268.03 CONDITIONAL USES.

Because of their uncommon characteristics, infrequent occurrences, large area requirements, or for any other reason they should not be permitted as a matter of right without special requirements, the following conditional uses are permitted in all Residential Districts only when the same are approved by the Board of Zoning Appeals, after a public hearing in accordance with the regulations hereinafter set forth.

- (a) Municipal and public buildings;
 - (b) Public parks and playgrounds;
 - (c) Public and private schools;
 - (d) Churches, synagogues, parish houses, rectories, and convents;
 - (e) Cemeteries;
 - (f) Type A and child day care centers;
 - (g) Nursing homes, convalescent homes, and homes for the aged;
 - (h) Group homes; and
 - (i) Public utilities.
- (Ord. 73-94. Passed 10-4-94.)

1268.04 ACCESSORY USES.

No accessory use shall be permitted to the main uses set forth in Section 1268.02, other than the following:

- (a) A private garage shall be permitted as regulated under Section 1268.09.
- (b) Private gardens, private recreational uses, yard structures, pools, fences and walls, where the landscaping and garden features, such as hedges, trees and shrubs, and the structures, include fences, trellises and walls, and these do not interfere with the reception of sun, light and air on the adjacent residential lots.
- (c) Fireplaces may be located in the rear yard if the nearest part thereof is 5 feet from the lot lines and 8 feet from adjacent buildings, and provided the chimney is screened to arrest sparks.
- (d) Private swimming pools shall be permitted under the condition they comply with Chapter 1484.
- (e) Signs, nameplates and bulletin boards shall be permitted as regulated in Chapter 1284.
- (f) Home professional offices of any recognized profession, including accountants, attorneys, engineers, musicians and physicians, shall be permitted, provided:
 - (1) The profession is conducted solely by the resident or members of the resident's family that reside therein.
 - (2) The profession employs no assistants other than a secretary, who need not reside within the dwelling.
 - (3) No equipment shall be used which will create objectionable disturbances beyond the premises.
 - (4) The number of automobiles attracted to the premises at any one time does not exceed two.
 - (5) No motor vehicle used in the profession is parked in an open yard.

All accessory uses are subject to the regulations hereinafter provided.

(Ord. 13-95. Passed 3-21-95; Ord. 111-2002. Passed 12-17-02.)

1268.05 AREA, YARD AND HEIGHT REGULATIONS FOR ONE-FAMILY RESIDENTIAL DISTRICTS.

For One-Family Residential Districts, land and buildings shall be used in accordance with the lot area regulations, and buildings shall be designed, erected, altered, moved or maintained in accordance with the yard and building height regulations set forth in the following subsections.

(a) The area, yard and height shall not be less than the size in feet or stories as set forth in Section 1268.06.

(b) For purposes of this section, yard measurements in the One-Family District shall be measured at right angles from the side of the street, road, or sideline of the lot, as the case may be, to the foundation wall of the main building.

(c) The main building height shall be measured at the front building line from the finished grade to the ridge line or highest point of the main roof.

(d) The rear yards in the One-Family District shall conform to the schedule set forth in Section 1268.06, but at no time be less than the height of the main building.

(Ord. 73-94. Passed 10-4-94.)

1268.06 SCHEDULE OF AREA, YARD AND HEIGHT REQUIREMENTS IN ONE-FAMILY RESIDENTIAL DISTRICTS.

District	Minimum Front-Yard Depth (Ft.)	Minimum Single Side Yard Width (Ft.)	Minimum Combined Side Yard Width (Ft.)	Minimum Rear Yard Depth (Ft.)	Maximum Height-Main Building	Minimum Building Area (Sq. Ft.)
One-Family 100	75	10	25	50	2-1/2 stories or 40 ft.	1350, or 1620 without a basement
One-Family 80	60	8	20	50	2-1/2 stories or 40 ft.	1200, or 1400 without a basement
One-Family 60	60	5	17	50	2-1/2 stories or 40 ft.	1000, or 1200 without a basement
One-Family 50	35	5	12	50	2-1/2 stories or 30 ft.	840*, or 1800 without a basement

* Of the 840 sq. ft., 500 sq. ft. shall be on the first floor.

(Ord. 73-94. Passed 10-4-94; Ord. 80-2006. Passed 10-3-2006)

1268.07 NUMBER OF DWELLINGS PER LOT, LOT AREAS, AND LOT FRONTAGES IN ONE-FAMILY RESIDENTIAL DISTRICTS.

(a) In all One-Family Districts, for a main use, only one dwelling shall be located upon a lot, and no dwellings shall be located to the rear of another dwelling on the same lot.

(b) All lots in a One-Family District must have a frontage upon a duly dedicated and accepted street.

(c) The lot frontage shall be measured at the established front building setback line, or as shown on the Zoning Map or as shown on the subdivision plat.

(d) The number of dwellings, lot areas and lot frontages shall not be less than those set forth in Section 1268.08.

(Ord. 73-94. Passed 10-4-94.)

1268.08 SCHEDULE OF NUMBER OF DWELLINGS PER LOT, LOT AREAS, AND LOT FRONTAGES IN ONE-FAMILY RESIDENTIAL DISTRICTS.

DISTRICT	DWELLING UNITS PER LOT	MINIMUM LOT FRONTAGE (FT.)	MINIMUM SIZE OF LOT (SQ. FT.)
One-Family 100	1	100	20,000
One-Family 80	1	80	14,000
One-Family 60	1	60	9,000
One-Family 50	1	50	6,500

(Ord. 73-94. Passed 10-4-94.)

1268.09 PRIVATE GARAGES.

A private garage, either attached or detached, shall be required for all dwellings in all Residential Districts. All detached garages in a Residential District shall conform to the following regulations:

(a) A detached garage, permitted as an accessory use under Section 1268.04 may occupy part of such rear yard.

(Ord. 73-94. Passed 10-4-94.)

- (b) A detached garage shall be at least five feet from the side lot line, and at least three feet from the rear lot line, except in cases of lots which are less than fifty feet in width at the building line where a detached garage shall be at least three feet from the side lot line and at least three feet from the rear lot line.
(Ord. 44-95. Passed 7-5-95.)
- (c) In the case of a corner lot where such rear lot line is also the side lot line of an adjoining residential lot, the detached garage shall not be located nearer than ten feet to such rear lot line and shall not be located nearer to the street line than the setback building line provided for such butt lot, minus three feet.
- (d) A detached garage shall not be located nearer to the dwelling than twenty-five feet, provided that where there has been established a uniform location at the time of adoption of this Zoning Code, then the garage shall conform to such uniform location.
- (e) No private garage shall be larger than twenty-seven feet in depth, twenty-seven feet in width, and greater in height than one story.
- (f) Paved driveways to a garage are permitted in a required yard.
- (g) No person shall rebuild, overhaul or dismantle an automobile or truck, or store motor vehicle or body parts in an open yard.
- (h) The parking of automobiles or trucks on any lot shall be permitted only on paved or improved parking areas as permitted in a required yard.
(Ord. 73-94. Passed 10-4-94.)

1268.10 OFF-STREET PARKING.

Off-street parking in all Residential Districts shall be in accordance with the regulations set forth in Chapter 1282.

(Ord. 73-94. Passed 10-4-94.)

1268.11 RECREATIONAL VEHICLE DEFINED; PARKING OR STORAGE OF RECREATIONAL VEHICLES.

(a) As used in this Zoning Code, "recreational vehicle" means and includes the following, which are defined as follows:

- (1) "Travel trailer," which means a vehicular portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses, permanently identified as a travel trailer by the manufacturer;
- (2) "Pick-up camper," which means a structure designed primarily to be mounted on a pick-up or truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational and vacation uses;

- (3) "Motor home," which means a self-propelled recreational vehicle constructed with permanently installed facilities for cold storage, cooking and consumption of food, and for sleeping;
- (4) "Folding tent trailer," which means a canvas folding structure, mounted on wheels and designed for travel and vacation uses;
- (5) "Boats" and "boat trailers," which mean and include boats, floats, snowmobiles and rafts, plus the normal equipment to transport the same on the streets and highways;
- (6) "Trailer," which means a cart or wagon designed to be pulled by an automobile, van, truck or tractor, for hauling boats, floats, rafts, canoes, snowmobiles, motorcycles and other recreational equipment and devices, as well as a cart or wagon used for utility purposes, i.e., hauling landscaping materials, furniture and household goods, plus the normal equipment to transport the same on the highway.

(b) In order to minimize any deteriorating or adverse impact on adjacent properties, no recreational vehicle shall be parked or stored on any street or highway, or public or private property within the Village, except as hereinafter provided. Any owner of a recreational vehicle may park or store such vehicle on property owned by him or her in accordance with the following conditions:

- (1) The recreational vehicle parked or stored shall not have fixed connections to electricity, water, gas, or sanitary sewer facilities, and at no time shall said vehicle be used for living or housekeeping purposes.
- (2) If the camping and recreational equipment is parked or stored in the open, it shall be parked or stored only in the rear yard of the property if there is usable room for such and if such an area can be reached without damage to buildings, terrain, trees or any permanent obstacle that is in the way.
- (3) All recreational vehicles must be kept in good repair and carry a current year's license and/or registration.
- (4) No person shall make or cause to be made major repairs, alterations or conversions of recreational vehicles unless such repair, alteration or conversion is done in a completely screened area. Repairs of a major type are herein defined to include, but are not limited to, spray painting, body, plumbing, heating, spring and frame repairs, radiator repair, major overhauling of engines requiring the removing of the engine cylinder head or crankcase pan or removing the motor. The conversion of any vehicle is expressly prohibited.
- (5) No materials of any nature may be stored beneath such recreational vehicle.

- (6) When such vehicle is parked or stored outside of a garage in such approved or permitted location, the wheels shall be left on such vehicle or vehicle conveyance so that it may be moved in case of an emergency.
- (7) No recreational vehicle shall be parked or stored unless it is titled to or leased or used exclusively by one of the permanent occupants of the residence where the recreational vehicle is located.
- (8) No recreational vehicle shall be stored outside of a garage until the adequacy of screening has been determined by the Building Inspector based upon a screening plan submitted to the Building Inspector and upon the following factors:
 - A. Location of screened area to adjacent residences.
 - B. Size and condition of the vehicle.
 - C. View of screened area from the street.
 - D. Size, quantity and quality of screening. Adequate screening shall consist of building walls, fencing or evergreen planting.

At least five days before the Building Inspector makes any determination as to the adequacy of screening, notices shall be sent to the owners of contiguous properties. After such determination has been made, notice thereof shall be promptly given to the applicant and to the owners of continuous properties. Such determination shall not become effective for ten days thereafter and, if an appeal is filed with the Board of Zoning Appeals, such determination shall not become effective until such appeal has been decided by said Board or for sixty days, whichever is earlier. The applicant will be charged a fee, as established by the Village, at the time of submittal of the screening plan to the Building Inspector.

- (9) The temporary parking of recreational vehicles shall be permitted in the front yard for a period not to exceed a total of seventy-two hours in any consecutive fourteen day period. An extension of the seventy-two hour time period may be granted for special circumstances as determined appropriate by the Village Building Inspector.

(Ord. 73-94. Passed 10-4-94.)

1268.12 PROJECTIONS.

For a main use, projections of structures into required yards are only permitted in accordance with the provisions of Section 1290.12.

(Ord. 73-94. Passed 10-4-94.)

1268.13 REGULATIONS AS TO CONDITIONAL USES.

All buildings that are conditional uses listed in Section 1268.03 shall conform to the following regulations:

- (a) Buildings as conditional uses may be erected to a height not exceeding sixty feet, measured at the front building line from the finished grade line to the highest point of the main roof, provided that the front, side and rear yards shall not be less than the height of the building abutting or facing such yard.
- (b) All driveways and parking areas for such conditional use shall not be located nearer than twenty feet to an adjoining residential lot and shall be properly screened with a fence, wall, or landscaping so as to minimize the impact on the adjacent residential property as regulated by Chapter 1280.
- (c) Accessways to parking spaces shall be designed with due regard to traffic safety and the maintenance of a smooth and efficient flow of traffic in the area.
- (d) Each use shall be located, planned and designed to be compatible with the surrounding development pattern, intensity and character of the area, and shall not create a condition which is noxious, disturbing, offensive, or otherwise impairs the general safety and welfare.
- (e) Outdoor storage of goods or equipment shall not be permitted.
- (f) Outdoor storage of vehicles shall be permitted provided that the vehicles are normally associated with the main use of the property.
- (g) For Type A day care and child day care centers, outdoor play areas shall be screened from adjacent residential properties with a sight obscuring fence, wall or landscaping as allowed under Chapter 1280.
- (h) The design of a public utility structure shall be compatible with the design, bulk and general landscaping of the residential area in which it is located.
(Ord. 73-94. Passed 10-4-94.)

1268.14 PARKING OF COMMERCIAL VEHICLES AND TRUCKS ON PRIVATE RESIDENTIAL PROPERTY.

No person shall park a commercial trailer, pull trailer, semitrailer, trailer or dump truck, other than on a temporary basis in a driveway or elsewhere on private property zoned residential, otherwise than in an enclosed structure. This section shall not prohibit the parking of vans and pick-up trucks on private residential property.

(Ord. 72-95. Passed 11-8-95.)