

CHAPTER 1271
Office Building District

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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

1271.01 INTENT.

The Office Building District and its regulations are established herein in order to achieve, among others, the following purposes:

- (a) To provide, in appropriate and convenient district, sufficient area for business activities;
- (b) To provide Office Building Districts for both local and regional offices adjacent to business and/or residential areas that will ensure compatibility with and protect adjoining residential districts; and
- (c) To promote the most desirable land uses in accordance with plans recommended or duly approved by the Village.

(Ord. 86-2007. Passed 12-27-07.)

1271.02 USE REGULATIONS.

Building and land shall be used, and buildings shall be designed, erected, altered, moved or maintained in the Office Building District only for the uses set forth respectively, in the schedules and regulations of this Zoning Code.

- (a) The main buildings and uses set forth in the schedule provided in Section 1271.03 shall be permitted by right as the principal building or use of a zoning lot.
- (b) The accessory buildings and uses set forth in the schedule provided in Section 1271.03 shall be permitted as a subordinate building or use if they are planned and developed integrally therewith, clearly incident thereto and located on the same zoning lot as the main building or use.
- (c) A building designed and constructed as a residence cannot be occupied, in whole or in part, by another use unless the entire building is redesigned and reconstructed to expressly serve the proposed use in regard to the exterior design, the building plan and the site plan. The reconstruction must be made to conform to all requirements of the Building Code pertaining to office building structures.
- (d) A lot occupied by a structure containing a dwelling unit shall not be occupied by another main use permitted herein or by an accessory use other than a use accessory to the dwelling.
- (e) Dwellings of all types shall be prohibited in the Office Building District.
- (f) Existing one- and two-family houses and multi-family dwellings within the Office Building District shall be construed as nonconforming uses.
(Ord. 86-2007. Passed 12-27-07.)

1271.03 SCHEDULE OF PERMITTED BUILDINGS AND USES.

Buildings and land shall be used, and buildings shall be designed, erected, altered, moved or maintained, in whole or in part, in the Office Building District only for the uses set forth as follows:

- (a) Office Building.
 - (1) Administrative; executive; financial; governmental; professional, including medical laboratories and clinics; public utility; real estate*****.
 - (2) Sales offices, provided that only samples are displayed or stored on the lot, and provided further, that no goods are distributed therefrom.
 - (3) Banks; savings and loan associates (excluding check cashing business or other similar business)*****.
 - (4) Veterinaries.
 - (5) Business/trade schools.
 - (6) Travel agency.
 - (7) Diet and/or weight control services.
- (b) Accessory Building and Uses.
 - (1) Off-street parking and loading.
 - (2) Signs.
 - (3) Maintenance/storage facilities.
 - (4) Approved cremation retorts when accessory to an established and existing funeral service.
 - (5) Employees' lunch rooms.
 - (6) Beauty and barber shops***.
 - (7) Restaurant, snack bar or newsstand***.
 - (8) Gift shop***.
 - (9) Pharmacy***.
 - (10) Shoe repair***.
 - (11) Copy center***.
 - (12) Exercise or physical therapy room***.
 - (13) Child care***.

- (14) Serving and consumption of food and all beverages, including alcoholic, on the premises of outdoor patios****.

*** Retail and service uses permitted as accessory uses in the Office Building District shall be limited to not more than 25% of the ground floor area of an office building. Such accessory uses shall have no exterior entrance for customers and no exterior display or advertising of these services, and shall be confined totally within the office building.

**** Provided that such outdoor patio is ancillary to a permitted building and use.

***** As regulated by the State pursuant to Ohio R.C. 1315.21 through 1315.44.

***** Including persons who practice limited branches of medicine pursuant to Ohio R.C. 4731.15 through 4731.22.

(Ord. 86-2007. Passed 12-27-07.)

1271.04 DETERMINATION OF SIMILAR USES.

(a) The determination as to whether a use is similar to uses permitted by right shall be considered as an expansion of the use regulation of the district and not as a variance applying to a particular situation. Any use found similar shall thereafter be included in the enumeration of uses permitted by right.

(b) All applications for permits for a building or use not specifically listed in any of the permitted building or use classifications in the Office Building District shall be submitted to the Board of Zoning Appeals and, after approval by it, confirmed by the Council in compliance with the following standards:

- (1) That such use is not listed in any other classification of permitted buildings or uses;
- (2) That such a use is more appropriate and conforms to the basic characteristics of the classification to which it is to be added than to any other classification;
- (3) That such a use does not create dangers to health and safety, and does not create offensive noise, vibration, dust, heat, smoke, odor, glare or other objectionable influences to an extent greater than normally resulting from other uses listed in the classification to which it is to be added; and
- (4) That such a use does not create traffic to a greater extent than the other uses listed in the classification to which it is to be added.

(Ord. 86-2007. Passed 12-27-07.)

1271.05 LOT AREA, WIDTH AND COVERAGE REGULATIONS.

In the Office Building District, buildings and land shall be used and buildings shall be designed, erected, altered, moved or maintained in whole or in part only in accordance with the subsections contained in the Village Codified Ordinances.

(Ord. 86-2007. Passed 12-27-07.)

1271.06 SCHEDULE OF LOT AREA, WIDTH AND COVERAGE REGULATIONS.

Zoning District	Main Use	Minimum Lot Size		Maximum Lot Coverage (%)
		Area (a)	Width	
Office Building	All Uses	None	None	35

In addition to the requirements in this schedule, the minimum lot area for each of the uses permitted in the Office Building District shall be sufficient to meet the minimum requirements for yards, buffering and screening, and off-street parking.
(Ord. 86-2007. Passed 12-27-07.)

1271.07 YARD AND HEIGHT REGULATIONS.

Buildings shall be designed, erected, altered, moved or maintained in accordance with the yard, lot coverage and height regulations set forth in the following subsections:

- (a) Yards, where a formula is given in the schedule in Section 1271.08, "H" represents the height in feet of the building and "L" the length of the wall facing a side or rear lot line.
- (b) The front yard depth of a zoning shall be not less than the depth set forth in the Schedule in Section 1271.08, for the type of permitted building.
- (c) Two side yards shall be provided as set forth in Section 1271.08, the total width of both side yards of a lot and the width of two adjoining side yards on adjoining lots shall be not less than the total width set forth in the schedule for the district in which it is located.
- (d) The rear yard depth of a zoning lot for main buildings shall be not less than set forth in the schedule in Section 1271.08 for the district in which it is located. A detached accessory building or buildings shall not occupy more than 30% of the area of the rear yard and shall be located in accordance with the yard regulations set forth in Sections 1271.08 and 1271.09.
- (e) The height of a main building permitted on a zoning lot shall not exceed the number of stories as set forth in the schedule in Section 1271.08 for the district in which it is located. The height of a permitted accessory building shall not exceed one story or fifteen feet in height.
(Ord. 86-2007. Passed 12-27-07.)

1271.08 SCHEDULE OF YARD AND HEIGHT REGULATIONS.

(a) Front Yard. The front yard, including both yards of a corner lot, shall be not less than the dimension established on the Zone Map or other duly adopted plan of the Village, whichever is greater.

(b) Side Yard. Each lot or separate development shall provide at least one side yard of not less than twelve feet in width unless the on-site circulation, parking and loading facilities are coordinated with adjoining developments and set forth in a joint agreement.

(c) Rear Yard. Where any nonresidential development abuts a residence district along the rear property line, the minimum distance between such building and any property line in any residence district shall be not less than fifty feet. The side or rear distance between a parking or loading area or a driveway and the property line of the nearest residential property line in a residence district shall be not less than twelve feet.

(d) Height of Building. A main building shall not exceed two stories in height, except that a part, but not more than one-fourth of the area of the building or buildings, may exceed two stories but shall not exceed thirty-five feet in height. All parts of a building containing the mechanical and other service features of a building shall be designed and enclosed so as to be in harmony with the architectural treatment of the building. Accessory buildings or structures shall not exceed fifteen feet in height.

(e) Front Yards. For every building there shall be a setback of not less than twelve feet from the front property line. Required front yards may be used for entrance or exit driveways and shall be landscaped appropriately and well maintained. They shall not be used for off-street parking or loading facilities.

(f) Side Yards. Side yards are only required for buildings in this district which are located on a lot adjoining a side lot of a residence district and, in such case, shall be not less than twelve feet in width. Where side yards in this district adjoin a road, the side yard shall not be less than setbacks established for buildings on that road, and any truck loading spaces on such a side yard shall be of such size that trucks normally using the loading space will be inside the sidewalk line.

(g) Rear Yards. Rear yards are only required for buildings in this district which are located on a lot adjoining a residence district and, in such case, they shall be not less than twelve feet in depth.

(h) All Required Yards. All side and rear yards adjoining a residence district must have a solid fence or wall not less than six feet in height on or near the lot line. Any area between the fence or wall and the lot line shall be landscaped appropriately and well maintained, and the fence itself shall be maintained in good condition and have a uniform appearance.

(i) Side Yards. Where side yards in this district adjoin a road, the side yard shall not be less than setbacks established for buildings on that road.
(Ord. 86-2007. Passed 12-27-07.)

1271.09 SUPPLEMENTARY LANDSCAPING REGULATIONS.

In the Office Building District, all parking areas with a capacity of more than fifty parking spaces shall provide landscaped islands which shall be at least 7% of the total area of the parking spaces, driveways and walkways. Plant material shall be provided and properly maintained in such landscaped islands.
(Ord. 86-2007. Passed 12-27-07.)

1271.10 TEMPORARY STRUCTURES.

Temporary offices, storage, signs and other structures of contractors are permitted in any Office Building District, provided such uses are deemed necessary to the development of the premises and provided a building permit has been obtained for the principal work. Such structures shall be removed within thirty days after the completion of work on the premises or if construction is not pursued diligently.
(Ord. 86-2007. Passed 12-27-07.)

1271.11 REMOVAL OF SOIL.

Soil, sand or gravel shall not be stripped or removed in any Office Building District, except excess soil, sand or gravel resulting from excavations or grading in connection with the construction or alteration of a building or other improvements of the lot.
(Ord. 86-2007. Passed 12-27-07.)

1271.12 PERFORMANCE STANDARDS FOR CERTAIN USES.

Main and accessory buildings and uses enumerated in this chapter shall comply with the following performance standards as a condition precedent to their occupancy and use, in addition to the requirement that a conditional use permit be approved for buildings or uses adjacent to a residence district.

- (a) All building operations shall be conducted, and all materials used in their operations shall be contained, wholly within enclosed buildings, or enclosed by a solid wall or fence of such nature and height as to conceal completely all operations thereof and all materials therein from any observer's view, if that observer is standing at the grade level on an adjacent residential premises.
- (b) Storage of all materials in yards or buildings must comply with fire protection standards in effect at the time.
- (c) Waste products resulting from all aforesaid operations shall be either disposed of or stored in buildings or enclosed within a wall or fence.
- (d) All operations shall be of a type that will not disseminate any dust, smoke, fumes, gas, flare or noxious odors, or that possess other equally objectionable characteristics.
- (e) No noise and vibrations shall be produced at the boundary of the district exceeding the average intensity of street noise at the farther point along that boundary.
(Ord. 86-2007. Passed 12-27-07.)

1271.13 OFF-STREET PARKING AND LOADING FACILITIES.

Off-street parking and loading in any of the Office Building Districts shall be in accordance with the regulations set forth in the Village Code of Ordinances.
(Ord. 86-2007. Passed 12-27-07.)

1271.14 DEVELOPMENT PLANS REQUIRED.

Preliminary and final development plans are required for all proposed developments in the Office Building District. These development plans shall be provided by the developer and reviewed by the Village. After such a plan is approved, no substantial alterations shall be made thereto unless an amended or revised plan is approved in accordance with the same procedures.
(Ord. 86-2007. Passed 12-27-07.)