

ORDINANCE NO. 16-02

ORDINANCE AMENDING SECTION 1106.03 OF THE CODIFIED ORDINANCES OF NORTH PERRY VILLAGE

WHEREAS, the Village Council has determined that Section 1106.03 of the Codified Ordinances of the Village of North Perry must be amended to address rental issues in the R1, Residential Single Family, ¾ Acre Zone.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF NORTH PERRY VILLAGE, COUNTY OF LAKE AND STATE OF OHIO, AS FOLLOWS:

Section 1. Section 1106.03 of the Codified Ordinances of the Village of North Perry is amended to read as follows:

1106.03 R-1, RESIDENTIAL SINGLE FAMILY, 3/4 ACRE

The regulations set forth in this section or set forth elsewhere in this Zoning Ordinance where referred to in this section are the district regulations in the R-1 Single Family 3/4 Acre Lot residential district.

- (a) Use Regulations. A building or premises shall be used only for the following purposes:
- (1) One family dwelling, limit one dwelling or principal building per lot.
 - (2) Agriculture.
 - (3) Home occupation.
 - (4) Accessory building or use including a garage customarily incident to the above uses and any other similar use which is deemed by the Planning Commission to be of the same nature and character as these uses.
 - (5) Churches. (Ord. 94-419. Passed 2-3-94; Ord. 99-106. Passed 8-5-99.)
 - (6) Rentals. The rental of any building or premises used for purposes permitted by this Section is allowed.
 - (7) Buildings, structures or uses that are not allowed:
 - A. Public garage
 - B. Public parking facilities
 - C. Apartments, two-family, multi-family dwellings and mobile
 - D. Boarding house, motel, hotel, congregate living facility.
 - E. Clubs, entertainment facilities.
 - F. Clinic.
 - G. Industrial use and commercial use other than home occupation agriculture.
 - H. And any other similar use which is deemed by the Planning Commission to be of the same nature and character as these uses. (Ord. 01-015. Passed 7-12-01.)
- (b) Floor Area. A building, premises or dwelling shall contain the minimum square footage total floor area as shown by building type:
- (1) One (1) level, 1,800 minimum square feet total floor area.
 - (2) Bi-level or split-level, 1,800 minimum square feet total floor area, 1,000 minimum square feet on first level, excluding any basement. (Ord. 99-018. Passed 8-5-99.)
 - (3) Two levels or more, 1,800 minimum square feet total floor area. 1,000 minimum square feet on first level, excluding any basement.
- (c) Minimum Dimensions and Limitations.
- (1) Minimum lot size: 33,000 square feet in area.
 - (2) Minimum road frontage excepting cul-de-sac or curved road: 100 feet. (Ord. 94-419. Passed 2-3-94.)
 - (3) Minimum cul-de-sac or curved road frontage shall be fifty (50) feet measured along the right-of-way line. On lots wholly fronting on the circular portion of a cul-de-sac, the lot shall have a minimum width at the building line of one hundred and twenty-five (125) feet when measured along the arc. Lots on curved road frontages shall have a minimum lot width of one hundred (100) feet at the front and rear

building lines, when measured along the outside chord or perpendicular to the lot side lines.

(Ord. 00-021. Passed 7-6-00.)

- (4) Minimum building setback from the right of way: 75 feet.
- (5) Minimum lot width at the building line: 100 feet.
- (6) Minimum lot rear yard depth from principal building: 75 feet.
- (7) Minimum side yard width from principal building: 15 feet.
- (8) Maximum principal building height from finished grade: 35 feet.
- (9) Maximum accessory building height from finished grade: 24 feet.
- (10) Minimum accessory building side yard width: 15 feet.
(Ord. 99-419. Passed 2-3-94.)
- (11) Minimum accessory building rear yard depth: 10 feet, but no less than 20 feet of separation from the face of an existing building in the side or rear yard of an adjacent lot.
(Ord. 99-002. Passed 1-7-99.)
- (12) Maximum accessory building total area to be 1,000 square feet for up to one acre of lot size. An additional 200 square feet of total area to be allowed for each additional one-half acre lot size. Agricultural structures shall not be limited in total area.
(Ord. 94-433. Passed 11-3-94.)

Section 2. Upon the effective date of this Ordinance, the Clerk of Council of the Village of North Perry, Ohio shall make available to all members of Council, and any members of the public, when required, copies of this amendment to the Codified Ordinances of the Village of North Perry, Ohio.

Section 3. The severability provisions of the Codified Ordinances Section 101.08 shall be applicable to this Ordinance.

Section 4. That all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and all deliberations of this Council, or any of its committees, which result in formal actions, were in meeting open to the public, in compliance with all requirements included in Section 121.22 of the Ohio Revised Code.

Section 5. This Ordinance shall be in full force and effect upon the earliest date allowable by law.

MAYOR

ADOPTED: 2-4-2016

ATTEST: _____
FINANCE DIRECTOR

1st Reading

2nd Reading

Tabled 7-2-2015

Motion by Reichard, second by Cutler to remove from table.

Council members Callahan, Cutler, L. Klco, Reichard and Shreve voted in favor of the motion.

Motion by Reichard, second by Cutler to amend the legislation by moving (d) Rental to (a)(6) Rental.

Council members Callahan, Cutler, L. Klco, Reichard and Shreve voted in favor of the motion.

3rd Reading 2-4-2016

Motion by Reichard, second by Callahan to adopt.

Council members Callahan, Cutler, L. Klco, Reichard, Siegel and Thompson voted in favor of the ordinance.