

RECORD OF ORDINANCE

ORDINANCE 25-2023

AN ORDINANCE AMENDING CHAPTER 1155 OF THE GENOA CODIFIED ORDINANCES, TITLED 'R-2 RESIDENTIAL DISTRICT'; AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission held a Public Hearing on December 14, 2021 relative to amending Chapter 1155 R-2 Residential District; and

WHEREAS, the Village Council held a Public Hearing on February 22, 2022;

NOW THEREFORE, BE IT ORDAINED BY VILLAGE OF GENOA, OTTAWA COUNTY, OHIO, THAT:

SECTION 1. That Chapter 1155 R-2 Residential District is hereby amended as attached hereto as Exhibit A.

SECTION 2. Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, that all deliberations of this Council and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Section 121.22 of the ORC.

SECTION 3. This ordinance shall take effect as an emergency measure because updating of the Village Zoning Code is necessary to protect the health, safety and welfare of our citizens.

Vote to suspend rules: For: 6 Against: 0

Vote on emergency clause: For: 6 Against: 0

Vote on final adoption: For: 6 Against: 0

ADOPTED 4-3-23 As an emergency measure.

ATTEST:

Graciela D. Barrios
Council Fiscal Officer

John C. Lewis Clerk of
President of Council

APPROVED AS TO FORM:

[Signature]
Attorney

APPROVED:

Brent H. Nester Village
Mayor

RECORD OF ORDINANCE

FISCAL OFFICER'S CERTIFICATE AS TO PUBLICATION

This is to certify that publication was duly made as provided in Ordinance 67-2017 adopted by the following method:

By posting certified copies thereof in the six (6) public places specified in Section 105.01 of the Codified Ordinances of the Village of Genoa, and by Ordinance 67-2017, said posting having been accomplished on the following date: 4-6, 2023



Fiscal Officer

TITLE SEVEN – ZONING USE DISTRICT REGULATIONS

CHAPTER 1157 “R-2” Residential District

- 1157.01 Permitted Uses.
 - 1157.02 Conditionally Permitted Uses.
 - 1157.03 Building Height.
 - 1157.04 Required Lot Area and Lot Width.
 - 1157.05 Yards Required.
 - 1157.06 Percentage of Lot Coverage.
 - 1157.07 Permitted signs.
 - 1157.08 Off-Street Parking and Loading Requirements.
 - 1157.09 General Regulations.
 - 1157.10 Wind Generator(s): Low and High Impact Regulations.
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CROSS REFERENCES

- Computation of required yards - See P. & Z. 1133
 - Rear Dwellings - See P. & Z. 1133
 - General Regulations - See P. & Z. 1181
 - Off-Street Parking and Loading Requirements - See P. & Z. 1183
 - Signs - See P. & Z. 1185
 - Special provisions - See P. & Z. 1187
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1157.01 PERMITTED USES.

In a “R-2” Residential District, no land or building shall be used or changed in use and

No building shall be located, erected, or structurally altered,

Unless otherwise provided herein, except for one or more of the following:

Public uses

Semipublic uses

Single-family dwelling

Two-family dwelling

Accessory uses

(Ord. 5-97. Passed 2-4-97.)

1157.02 CONDITIONALLY PERMITTED USES.

Ord. 25-2023 Amending Chapter 1157 R-2 Residential District
Effective: April 3, 2023

In a "R-2" District, the following uses shall be classed as conditionally permitted uses and may be permitted by the Board of Zoning Appeals,

Subject to the general conditions as set forth in Chapter 1137, and

Subject to the conditions noted:

- A. Cemetery. (see Chapter 1151).
- B. Recreational Facility. (see Chapter 1151).
- C. Home Occupation. (see Chapter 1131).
- D. Child Day Care Center/Type A Family Day-Care Home.
 - 1. Outdoor playgrounds, tot lots, exercise areas, etc. shall be fully enclosed by a fence, the height and design which shall be approved by the Board of Zoning Appeals.
 - 2. The design, location, and surface of the parking area shall be subject to approval of the Board of Zoning Appeals, so as to
 - Reduce congestion,
 - Promote safety, and
 - Reduce the impact on the residential character of the neighborhood.
 - The plan shall provide for the separation of incoming and outgoing vehicles during high volume periods, and
 - Shall provide a safe drop off point for children that will not impede other traffic.
 - 3. One (1) sign shall be permitted, not to exceed four (4) square feet in area and mounted flush against the building,
- E. Multiple Dwelling.
 - 1. Lot area.
Minimum lot area per dwelling unit shall be three thousand, six hundred (3,600) square feet.
 - 2. Lot width.
Minimum lot width shall be one-hundred (100') feet for the first

four (4) units, and two and a half (2.5') feet for each additional unit.

3. Yards Required.

The following minimum yards setback requirements shall apply:

- a. Front Yard: - Forty (40') feet
- b. Rear Yard: - Thirty (30') feet
- c. Side Yard: - Fifteen (15') feet (each side)

4. No building shall be erected, reconstructed, or converted for use as a dwelling unless the following minimum gross floor area per dwelling unit is provided:

- a. Efficiency Suite: Five-hundred (500) square feet;
- b. One Bedroom Dwelling Unit: Five hundred, seventy-five (575) square feet;
- c. Two Bedroom Dwelling Unit: Seven-hundred, fifty (750) square feet;
- d. Three Bedroom Dwelling Unit: Nine-hundred, fifty (950) square feet;
- e. Four or more Bedroom Dwelling Unit: One thousand, five-hundred (1,500) square feet;

The Board of Zoning Appeals may allow a less stringent requirement in the case of a development which is confined strictly to senior citizens (sixty-two (62) years of age or older).

5. All accessory structures not attached to the principal structure shall be set back

A minimum of twenty (20') feet from the principal building,
and

Not less than five (5') feet from the side and/or rear lot
lines.

6. All buildings including accessory buildings shall not cover more than forty (40%) percent of the area of the lot.

7. A minimum of forty-five (45%) percent of the gross land area shall be livable open space for the use and enjoyment of the residents of the project.

Livable open space is the minimum non-vehicular open space unobstructed to the sky, generally in lawn areas (including required yard areas that are left as lawn area) or paved areas for recreation.

The minimum recreation space performance standard listed shall be included as a part of the livable open space.

No parking spaces, loading areas or access drives can be included as a part of the livable open space.

No parking spaces, loading area or access drives can be included as part of the livable open space to be provided on the lot.

8. A minimum of ten (10%) percent of the gross land area shall be usable recreation space. The recreation space shall be counted as a part of the livable open space.

Recreation areas shall be located a minimum distance of twenty (20') feet from all principal buildings.

The recreation space can include open space for both passive and active recreation.

Passive recreation facilities might include common sitting areas in the form of sun decks or garden areas.

Active recreation areas may include swimming pools, tennis courts, pickleball courts, shuffleboard courts, playgrounds and playfields, or tot lots.

9. No principal building shall be closer to any other principal building than the average of the heights of said buildings.
10. The off-street parking requirements of Chapter 1183 shall be met.

The exception to this requirement shall be in the case of development which is confined strictly to senior citizens, (sixty-two (62) years of age or older), in which case the requirement shall be one-half of the above.

F. Professional Services.

1. Parking spaces shall be provided as required in this Ordinance, Provided that the Board of Zoning Appeals may increase the number of required spaces on the basis of

The nature of the office, and

Generally known parking conditions in the neighborhood.

2. The design, location, and surface of the parking area shall be subject to approval of the Board of Zoning Appeals so as to
Reduce congestion,

Promote safety, and

Reduce the impact on the residential character of the neighborhood.

3. One (1) sign shall be permitted, not to exceed four (4) square feet in area and mounted flush against the building.

G. Nursing Home.

1. The minimum lot size shall be two (2) acres.
2. Yards Required: The following minimum yards setback requirements shall apply for the main and accessory buildings:
 - a. Front Yard: - Seventy-five (75') feet
 - b. Rear Yard: - Twenty (20') feet
 - c. Side Yard: - Fifteen (15') feet (each side)
3. The facility shall be designed to provide a minimum of five-hundred (500') square feet of open space for every bed used or intended to be used.

This open space shall include landscaping, and may not include

Off-street parking areas,

Driveways,

Required yard setbacks, and

Accessory uses.

(Ord. 25-2023. Passed 4-3-2023.)

1157.03 BUILDING HEIGHT LIMIT.

No building shall hereafter be erected or structurally altered to a height exceeding thirty-five (35') feet.

(Ord. 5-97. Passed 2-4-97.)

1157.04 REQUIRED LOT AREA AND LOT WIDTH.

A. Single Family Dwelling.

1. Minimum lot area shall be twelve thousand (12,000) square feet.
2. Minimum lot width shall be eighty (80') feet.

B. Two-family Dwelling.

1. Minimum lot area shall be fifteen thousand (15,000) square feet.
2. Minimum lot width shall be one hundred (100') feet.

(Ord. 5-97. Passed 2-4-97.)

1157.05 YARDS REQUIRED.

The following minimum yard requirements shall apply to all yards in an "R-2" District.

- A. Front Yard: - Twenty (20') feet
- B. Rear Yard: - Twenty (20') feet
- C. Side Yard: - Ten (10') feet (each side)

(Ord. 25-2023. Passed 4-3-2023.)

1157.06 PERCENTAGE OF LOT COVERAGE.

All buildings including accessory buildings shall not cover more than forty (40%) percent of the lot area.

(Ord. 5-97. Passed 2-4-97.)

1157.07 PERMITTED SIGNS.

The provisions of Chapter 1185 shall apply in this district.

(Ord. 5-97. Passed 2-4-97.)

1157.08 OFF-STREET PARKING AND LOADING REQUIREMENTS.

The provisions of Chapter 1183 shall apply to this district.

(Ord. 5-97. Passed 2-4-97.)

1157.09 GENERAL REGULATIONS.

The provisions of Chapter 1181 shall apply to this district.

(Ord. 5-97. Passed 2-4-97.)

1157.10 WIND GENERATOR(S), LOW AND HIGH IMPACT REGULATIONS.

The provisions of Chapter 1187 shall apply.

(Ord. 25-2023. Passed 4-3-2023.)

