

RECORD OF ORDINANCE

ORDINANCE 26-2023

AN ORDINANCE AMENDING CHAPTER 1155 OF THE GENOA CODIFIED ORDINANCES, TITLED 'R-3 RESIDENTIAL DISTRICT'; AND DECLARING AND EMERGENCY.

WHEREAS, the Planning Commission held a Public Hearing on December 14, 2021 relative to amending Chapter 1155 R-3 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-3 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 4-5-2023 As an emergency measure.

ATTEST:

Julia A. Van Nest
Council Fiscal Officer

John C. Lewis Clerk of
President of Council

APPROVED AS TO FORM:

[Signature]
Attorney

APPROVED:
Brant H. Neuber 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

John A. Santucci

Fiscal Officer

TITLE SEVEN – ZONING USE DISTRICT REGULATIONS

CHAPTER 1159 “R-3” Residential District

- 1159.01 Permitted Uses.
 - 1159.02 Conditionally Permitted Uses.
 - 1159.03 Building Height.
 - 1159.04 Required Lot Area and Lot Width.
 - 1159.05 Yard Required.
 - 1159.06 Percentage of Lot Coverage.
 - 1159.07 Permitted signs.
 - 1159.08 Off-Street Parking and Loading Requirements.
 - 1159.09 General Regulations.
 - 1159.10 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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1159.01 PERMITTED USES.

In a “R-3” 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:

Multiple dwelling, subject to the conditions listed in Chapter 1157.

Public uses.

Semipublic uses.

Single-family dwelling.

Two-family dwelling.

Accessory uses.

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

1159.02 CONDITIONALLY PERMITTED USES.

In a "R-3" Residential 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. Bed & Breakfast Inn (see Chapter 1151).
- B. Cemetery (see Chapter 1151).
- C. Child Day Care/Type A Family Day Care Home (see Chapter 1157).
- D. Home Occupation (see Chapter 1131).
- E. Nursing Home (see Chapter 1157).
- F. Professional Services (see Chapter 1157).
- G. Recreational Facility (see Chapter 1151).
- H. Mortuaries/Funeral Homes.
 - 1. The property and building shall conform to the following:
 - a. The percentage of lot covered by buildings shall not exceed thirty (30%) percent.
 - b. Minimum lot area: One (1) acre.
 - c. Minimum lot width: One-hundred (100') feet.
 - d. Minimum front yard setback: Seventy-five (75') feet.
 - e. Minimum side yard setback: Twenty-five (25') feet each side.
 - f. Minimum rear setback: Twenty-five (25') feet.
 - g. Building height limit: Same as specified in the applicable

zone.

2. All buildings shall be:
 - a. Harmonious in appearance with any abutting surrounding residential area and
 - b. Similar in design and appearance to any other buildings within the immediate vicinity of the proposed site.
3. The proposed site shall front upon a major thoroughfare. All ingress and egress to the site shall be directly from said thoroughfare.
4. Off-street parking shall be provided in conformance with the schedule outlined in Chapter 1183.
 - a. Adequate off street assembly area for vehicles used in funeral processions shall be provided in addition to any required off-street parking area.
 - b. Parking and assembly areas shall be screened from surrounding residential areas by a fence at least four (4') feet in height.

Shrubs or trees may be used in combination with said structural screens or walls.

I. Plant Nursery.

1. A minimum site size shall be five (5) acres.
2. A minimum five (5) off-street parking spaces shall be provided, or
Three and a half (3.5) square feet of parking space for each square foot of floor space devoted to retailing,

Whichever is greater.
3. Any building or accessory structure shall be setback:
 - a. One hundred (100') feet from any road right-of-way side line, and
 - b. Seventy-five (75') feet from all other property lines.

4. No burning or storage of dead plant material is allowed.
5. All outside lighting shall be directed away and shielded from adjacent properties.
6. When irrigation is utilized, adequate drainage shall be provided to direct surface water from adjacent properties.
7. When spraying of plant material is required, only those sprays accepted by the Department of Agriculture shall be utilized and further,

Said spraying operation shall be directed so as to not affect in any way adjacent properties.

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

1159.03 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.)

1159.04 REQUIRED LOT AREA AND LOT WIDTH.

A. Single Family Dwelling.

1. Minimum lot area shall be ten thousand, five hundred (10,500) square feet.
2. Minimum lot width shall be seventy (70') feet.

B. Two-Family Dwelling.

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

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

1159.05 YARDS REQUIRED

The following minimum yard requirements shall apply to all yards in an "R-3" District.

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

(Ord. 26-2023. Passed 4-3-2023.)

1159.06 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.)

1159.07 PERMITTED SIGNS.

The provisions of Chapter 1185 shall apply in this district.

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

1159.08 OFF-STREET PARKING AND LOADING REQUIREMENTS.

The provisions of Chapter 1183 shall apply to this district.

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

1159.09 GENERAL REGULATIONS.

The provisions of Chapter 1181 shall apply to this district.

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

1159.10 WIND GENERATOR(S): LOW AND HIGH IMPACT REGULATIONS.

The provisions of Chapter 1187 shall apply.

(Ord. 26-2023. Passed 4-3-2023.)

