

CHAPTER 1111

Accessory and Temporary Use Regulations

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CHAPTER 1111 Accessory and Temporary Use Regulations — Chapter Overview

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Sheffield Lake Overview

Codified Ordinances of Sheffield Lake, OH

CODIFIED ORDINANCES OF THE CITY OF SHEFFIELD LAKE, OHIO

CERTIFICATION

ROSTER OF OFFICIALS

ADOPTING ORDINANCE NO. 116-84

COMPARATIVE SECTION TABLE

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OH

Sheffield Lake

Codified Ordinances of Sheffield Lake, OH

CHAPTER 1111 Accessory and Temporary Use Regulations

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CHAPTER 1111

Accessory and Temporary Use Regulations

1111.01 Accessory use regulations.

1111.02 Temporary uses and structures.

1111.01 ACCESSORY USE REGULATIONS.

(a) Purpose. This section authorizes the establishment of accessory uses that are incidental and

customarily subordinate to principal uses permitted in accordance with this code.

(b) General Provisions.

(1) Accessory structures and uses shall be incidental to and customarily found in connection with a principal building or use permitted in the district in which it is located.

(2) An accessory structure and/or use shall be located on the same lot as the principal use for which it serves. The City may allow for the placement of accessory structures or uses in open space areas or protected common space as part of a PRD when there is sufficient language on the approved plans and in covenants that define the allowable structure or use and establishes responsibility for maintenance.

(3) An owner shall be required to apply for and receive a zoning permit unless specifically exempted by this code.

(4) An accessory use or structure shall not be established unless a principal use has first been established on a lot in conformance with the applicable provisions of this code.

(5) Small accessory structures such as benches and garden decorations, etc. shall be exempt from the provisions of this section provided they do not have a footprint that exceeds twenty-four (24) square feet. Small accessory structures such as doghouses and barbeque equipment shall also be allowed without a permit but must be placed in the side or rear yard.

(6) Gardens and the raising of crops for the personal use of the residents, tenants, or property owners, may be grown in the side or rear yard, without a permit. See Section 1111.01(d) related to the raising of livestock animals.

(7) An accessory structure that is attached to the principal building shall be considered an integral part of the principal building and shall comply with the lot standards and all other development standards of the applicable zoning district. Any accessory structure shall be considered as an integral part of the principal building if it is connected to the principal building either by common walls or by a breezeway or roof.

(8) The accessory use regulations of this chapter shall not apply to any public park lands owned by the City, Lorain County, or the State of Ohio.

(c) Size Requirements and Location.

(1) Setbacks.

A. Accessory buildings, such as garages and carports, that are attached or an integral part of the principal use shall be regulated as part of the principal use and comply with all applicable setbacks.

B. Unless otherwise specified in this section, detached accessory structures and buildings shall be set back a minimum three (3) feet from all lot lines. This setback shall not apply to fences, walls, or hedges that are regulated by Section 1113.04: Fences, Walls, and Hedges.

C. No detached accessory building shall be located less than twelve (12) feet from the principal building.

D. Detached accessory buildings shall be set back a minimum of sixty (60) feet from any lot line adjacent to a street, regardless of what yard they are permitted within.

(2) Number and Size Requirements.

A. In residential zoning district, the total floor area of all accessory buildings shall not exceed thirty percent (30%) of the rear yard of the applicable lot.

B. The maximum size of any accessory storage building (e.g., sheds) shall be 192 square feet. Other accessory buildings may be larger but shall not exceed the total floor area established above and in no case shall it exceed the floor area of the footprint of the principal building.

C. A maximum of two (2) detached garages and/or storage buildings, or combination, is

permitted on any lot.

D. Unenclosed gazebos, pergolas, playsets, trampolines, and similar items shall not be considered an accessory building unless it is fully enclosed by walls and a roof.

(3) Maximum Height. Unless otherwise specified in this section, the maximum height of accessory structures or buildings shall be twelve (12) feet. Detached accessory garages may exceed twelve (12) feet but shall in no case exceeds the height of the principal building. The height shall be measured as defined in Section 1113.06(d).

(d) Permitted Accessory Uses. Table 1111-1 lists the accessory uses and structures allowed within all zoning districts. The following is an explanation of the abbreviations and columns in Table 1111-1.

(1) Permitted Use (P).

A. A "P" in a cell indicates that an accessory use or structure is permitted by-right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this code.

B. Permitted uses or structures are approved administratively by the Zoning Inspector through the zoning permit procedure, where required. Accessory structures or uses that are accessory to principal uses subject to site plan review shall be reviewed as part of the site plan review process unless the principal use has already been established, in which case, the accessory structure or use shall require only a zoning permit approval.

(2) Permitted Use with Use-Specific Standards (PS).

A. A "PS" in a cell indicates that the accessory use or structure category is allowed by-right in the respective zoning district if it meets the additional standards set forth in the last column of Table 1111-1. Permitted uses with standards are subject to all other applicable regulations of this code.

B. Uses or structures permitted with standards under this category are approved administratively by the Zoning Inspector through the zoning permit procedure, where required. Accessory structures or uses that are accessory to principal uses subject to site plan review shall be reviewed as part of the site plan review process unless the principal use has already been established, in which case, the accessory structure or use shall require only a zoning permit approval.

(3) Conditional Use (C).

A. A "C" in a cell indicates that an accessory use or structure may be permitted if approved through the conditional use review (See Section 1105.03: Conditional Uses.). Conditional uses may be subject to use-specific standards as identified in the last code.

B. The existence of additional use-specific standards in this code shall not be implied to be the only standards the use is required to meet. Any use that is permitted as a conditional use shall be subject to the general review standards for conditional uses in Section 1105.03(d).

(4) Prohibited Uses. A blank cell indicates that an accessory use or structure is prohibited in the respective zoning district.

(5) Zoning Permit Required. The "Zoning permit Required" column identifies if a zoning permit is required for the applicable accessory use or structure.

(6) Yards Permitted. The "Yards Permitted" column identifies in which yards the applicable accessory use or structure is permitted. See also Section 1113.06(c), for more information about specific yard locations for interior, corner, through, flag or panhandle, cul-de-sac, or curved street lots, etc.

(7) Numerical References (Last Column). The numbers contained in the "Use-Specific

Standards" column are references to additional standards and requirements that apply to the use and structure type listed. Standards referenced in the "Use-Specific Standards" column apply in all zoning districts unless otherwise expressly stated and may apply to a conditionally permitted use and/or a permitted use with use-specific standards.

(8) Unlisted Uses. If an application is submitted for a use that the Zoning Inspector determines is not defined or established in Table 1111-1, the applicant may choose to take one of the actions identified in Section 1107.04(c).

(9) Accessory Uses in PRD Districts. Accessory uses for development within a PRD shall be regulated based on the principal use. Accessory uses for residential principal uses shall be as regulated for residential zoning districts in Table 1111-1. Accessory uses for nonresidential principal uses shall be as regulated for nonresidential zoning districts in Table 1111-1.

TABLE 1111-1: PERMITTED ACCESSORY USE TABLE

P = Permitted Use PS = Permitted with Additional Use-Specific Standards
C = Conditional Use Blank Cell = Prohibited Use

Permitted Uses

R-1A, R-1B,
R-1C, R-2 &
R-3

B-1, B-2, B-4, B-5, I-1, & P-I

Zoning Permit Required

Yards Permitted

F = Front
S = Side
R = Rear

Use-Specific Standards
See Section

Accessibility Ramps

PS

PS

Yes

F, S or R

1111.01(e)(1)

Amateur Radio Antennas

PS

Yes

S or R

1111.01(e)(2)

Automated Teller Machines (ATM)

PS or C

Yes

S or R

1111.01(e)(3)

Basketball Hoops

PS

PS

No

F, S or R

1111.01(e)(4)

Bike and Skateboard Ramps

PS

PS

Yes

R

1111.01(e)(5)

Community Gardens

PS

PS

Yes

F, S or R

1111.01(e)(6)

Detached Accessory Buildings

PS

PS

Yes

S or R

1111.01(e)(7)

Drive-Through Facilities

PS

Yes

S or R

1111.01(e)(8)

Fleet Vehicle Storage

PS

Yes

S or R

1111.01(e)(9)

Home Occupations

PS

Yes

Inside principal building

1111.01(e)(10)

Nursery Schools or Day Care Centers

PS

PS

Yes

Inside principal building

1111.01(e)(11)

Outdoor Dining

PS

Yes

F, S or R

1111.01(e)(12)

Outdoor Display or Sales

PS

Yes

See 1111.01(e)(13)

Outdoor Storage and Bulk Sales

PS

Yes

See 1111.01(e)(14)

TABLE 1111-1: PERMITTED ACCESSORY USE TABLE

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Permitted Uses

R-1A, R-1B,
R-1C, R-2 &
R-3

B-1, B-2, B-4, B-5, I-1, & P-I

Zoning Permit Required

Yards Permitted

F = Front

S = Side

R = Rear

Use-Specific Standards

See Section

Outdoor Vending Machines and Drop Boxes

PS

No

See 1111.01(e)(15)

Playsets, Treehouses and Trampolines

PS

See 1111.01(e)(16)

Porches, Decks and Patios

PS

PS

See 1111.01(e)(17)

Raising of Livestock Animals

PS

No

S or R

1111.01(e)(18)

Satellite Dishes

See 1111.01(e)(19)

Short-Term Rentals

PS

No

Inside principal building

1111.01(e)(20)

Solar Panels

PS

PS

Yes

R

1111.01(e)(21)

Swimming Pools

PS

PS

Yes

R

1111.01(e)(22)

Type-A Day Care Homes

C

Yes

Inside principal building

1111.01(e)(23)

Type-B Day Care Homes

P

Yes

(e) Use-Specific Standards.

(1) Accessibility Ramps. Ramps that provide access to buildings for the disabled are permitted in all zoning districts and may encroach in all setbacks but shall not encroach on a public sidewalk, right-of-way, or street.

(2) Amateur Radio Antennas.

A. Towers used to support amateur radio antenna shall not exceed seventy (70) feet in height.

B. Such a tower shall be set back a minimum of one (1) foot from each lot line for every one (1) foot in height. All guy wires, if applicable, shall be set back a minimum of ten feet from all lot lines.

C. Any tower and related structures shall be installed in accordance with the instructions furnished by the manufacturer of the tower model. An antenna mounted on a tower may be modified and changed at any time so long as the published allowable load on the tower is not exceeded and the structure of the tower remains in accordance with the manufacturer's specifications.

(3) Automated Teller Machines (ATM).

A. If the ATM is part of a drive-through facility, the ATM shall be subject to the vehicle stacking requirements of Section 1117.07: Stacking Space Requirements.

B. ATMs that are located within the interior of the building shall be regulated and reviewed as part of the principal building.

C. Stand-alone ATMs that are independent from any building shall be permitted only as a conditional use with approval required by the Police Department.

(4) Basketball Hoops.

A. Basketball courts shall be regulated in the same manner as a patio. See Section 1111.01(e)(17).

B. Movable basketball hoops shall not be located in rights-of-way or be so located as to require play in any right-of-way.

(5) Bike and Skateboard Ramps. Bike ramps and skateboard ramps shall be set back a minimum of fifteen (15) feet from all lot lines.

(6) Community Gardens.

A. Community gardens may be allowed as an accessory use when associated with a public or institutional principal use (e.g., place of worship or educational institution).

B. Community gardens may be located in an open space area if the space is maintained by a homeowners' association.

C. The owner of the property shall have an established set of operating rules addressing the governance structure of the garden; hours of operation; maintenance and security requirements and responsibilities; and distribution of garden plots.

D. The name and telephone number of the owner and any person designated as the person in-charge of garden coordination along with a copy of the operating rules shall be kept on file with the Zoning Inspector.

E. The site shall be designed and maintained so that water and fertilizer will not drain onto adjacent properties.

F. There shall be no retail sales on site, except for produce grown on the site.

G. Benches, bike racks, raised/accessible planting beds, picnic tables, seasonal farm stands,

garden art, and rain barrel systems may be permitted if the community garden is located on a lot where the principal use of the lot is public, institutional, or commercial.

H. Fences and walls shall be subject to the provisions of Section 1113.04: Fences, Walls, and Hedges.

(7) Detached Accessory Buildings. The provisions of this section shall apply to any accessory building not identified elsewhere in Table 1111-1 that may include detached garages, detached storage/utility sheds, gazebos, pool houses, and other similar buildings as determined by the Zoning Inspector.

A. Detached garages shall be served by a paved driveway.

B. Detached accessory buildings shall include accessory structures that are enclosed, regardless of the materials used for enclosure including, but not limited to, screening, hoop houses and greenhouses.

C. Detached carports are prohibited.

(8) Drive-Through Facilities.

A. Drive-through facilities shall be subject to the vehicle stacking requirements of Section 1117.07: Stacking Space Requirements.

B. Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall be set back a minimum of 100 feet from any residential dwelling unit and shall be subject to all applicable noise resolutions and ordinances.

C. No service shall be rendered, deliveries made, or sales conducted within the required front yard; customers served in vehicles shall be parked to the sides and/or rear of the principal structure.

D. All drive-through areas, including but not limited to menu boards, stacking lanes, trash receptacles, loudspeakers, drive up windows, and other objects associated with the drive-through area shall be located in the side or rear yard of a property to the maximum extent feasible, and shall not cross, interfere with, or impede any public right-of-way.

(9) Fleet Vehicle Storage. The storage of fleet vehicles is permitted as an accessory use to any permitted use in the I-1 or P-I Districts.

(10) Home Occupations.

A. Home occupations shall be conducted entirely within the dwelling unit or an approved accessory building.

B. No space on the premises and outside of a principal or accessory building shall be used for storage or for any home occupation use.

C. Home occupations shall not change the character of the residential use and shall not adversely affect the uses permitted in the residential district of which they are a part.

D. The nature of home occupation as an accessory use relative to its location and conduct of activity is such that the average neighbor, under normal circumstances, would not be aware of its existence.

E. Any home occupation activities on the property shall be conducted only by persons residing in the dwelling unit and up to one (1) additional employee who does not have to reside in the dwelling.

F. No building or structure shall be used to operate a business, store equipment or supplies used for a business, or serve as a location where employees meet or park prior to going to work off-site but where such employees do not work anywhere on the property.

G. No equipment or process shall be used which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. In case of electrical

interferences, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers, or which causes fluctuations in line voltage off the premises.

H. The maximum floor area the use may cover shall not exceed twenty percent (20%) of the total floor area of the dwelling unit.

I. Home occupations that provide a service to customers shall not have more than one customer (including those arriving and waiting for service) at any one time.

J. The storage of all equipment, machinery, supplies, materials, files, and the like, shall be stored completely within the residence or accessory buildings.

K. Any need for parking generated by the conduct of such home occupation shall be accommodated on off-street parking spaces or areas that are paved for the purpose of parking.

L. No traffic shall be generated by such home occupation in greater volume than is normally expected for the residential neighborhood, as determined by the Director of Public Safety.

M. The following are examples of permitted types of home occupations in the R-1A, R-1B, R-1C, and R-2 Districts:

- i. Clerical and other similar business services;
- ii. Instruction in music, dance or other type of teaching with a maximum number of two (2) students at a time;
- iii. The office of a professional accountant, attorney, broker, consultant, insurance agent, realtor, architect, engineer, sales representative, and similar office-oriented occupations;
- iv. Artists, sculptors, photographers, and other providers of home crafts;
- v. Barber shop/beauty salon with a maximum of one (1) chair;
- vi. Workshops for a tailor, dressmaker, gunsmiths, repair services, and artisans;
- vii. Caterers with no on-site catering;
- viii. A licensed massage therapist who provides massage therapy for a maximum of one (1) client at any given time; or
- ix. Any similar use as determined by the Zoning Inspector.

N. Only office, clerical, and business service uses are permitted home occupations in dwelling units within the R-3 District.

O. The following are examples of home occupations that are specifically prohibited:

- i. Animal hospital;
- ii. Barber shop or beauty salon;
- iii. Business school;
- iv. Clinic or medical center;
- v. Mortuary;
- vi. Private club;
- vii. Equipment rental;
- viii. Repair or service establishment including automobile;
- ix. Restaurant;
- x. Kennel;
- xi. Landscaping business;
- xii. Boarding house/tourist home; or
- xiii. Any similar use as determined by the Zoning Inspector.

(11) Nursery Schools or Day Care Centers. Nursery schools or day care centers may only be permitted as accessory uses to permitted and conforming nonresidential uses including places of worship, educational institutions, and businesses. Such use shall be located within the principal building.

(12) Outdoor Dining.

A. Outdoor dining areas shall be located along a sidewalk (public or private) adjacent to the principal building or between the principal building and parking areas. Outdoor dining areas shall not be located in such a manner as to require customers and employees to cross driveways or parking areas to go between the café/food service areas and the principal building.

B. A minimum of four (4) feet of clear walking space shall be maintained on the sidewalk for pedestrian traffic.

C. Umbrellas and awnings that shelter diners from the elements shall be secured so as not to create a hazard in windy conditions.

D. Enclosing outdoor dining areas either by a permanent roof or to expand the existing structure shall meet all the requirements of a principal building within the applicable zoning district and shall require the issuance of a new zoning permit.

E. Any roof designed to cover patrons, including roofs over areas for waiting, smoking, etc., shall be structurally attached to the principal building and permanent in nature.

(13) Outdoor Displays or Sales. Facilities for outdoor display or sales (e.g., garden supply sales, news and flower stands, and similar uses) that are accessory to another principal use may be permitted upon compliance with the following:

A. Outdoor display and sales areas shall require the issuance of a zoning permit after site plan approval. Such uses shall not be placed within the street right-of-way, within an interior drive, or in a location which will interfere with vehicle sight distance.

B. Outdoor displays and sales shall be related to the principal use of the site and shall clearly be accessory and incidental to the principal use. Outdoor displays and sales shall be prohibited when the principal building is vacant.

C. Any outdoor displays or sales not related to the principal use shall be regulated as a temporary outdoor sale in accordance with Section 1111.02(c)(4).

D. Outdoor display and sales areas may be permitted provided that the merchandise is displayed along the sidewalk or walkway adjacent to the building.

E. Outdoor display and sales areas may also be permitted in any side or rear yard.

F. In all cases, any areas designated for outdoor display or sales shall be set back a minimum of twenty-five (25) feet from any adjacent residential lot.

G. The placement of the use shall not result in the reduction of the number of parking spaces required to serve the principal use(s) on the site.

H. The placement of the merchandise shall not interfere with pedestrian movement on any sidewalk or walkway. A minimum of five (5) feet of the sidewalk or walkway shall be clear of merchandise to allow for safe pedestrian movement.

I. The outdoor display and sales areas shall be maintained in good order and appearance.

J. The area designated for outdoor display and sale of goods shall be limited to 400 square feet or twenty percent (20%) of the floor area of the principal building, whichever is greater, and shall be identified on the site plan.

K. The outdoor display and sale of goods and products shall be limited to those goods and products that a customer can pick up and carry into the building for purchase. Larger items may be displayed for sale if in compliance with the outdoor storage requirements of Section 1111.01(e)(14).

(14) Outdoor Storage and Bulk Sales. Outdoor storage and bulk sale activities that are accessory to another principal use may be permitted upon compliance with the following:

A. The outdoor storage of goods shall be prohibited on vacant lots.

B. The outdoor storage of materials shall include the storage of goods, materials, or products associated with the principal use.

C. Outdoor storage and bulk sales areas shall require the issuance of a zoning permit after site plan approval.

D. Areas devoted to outdoor storage shall be located in the side and rear yard only and shall comply with the building setbacks set forth in the applicable zoning district. Outdoor storage may also be located in the front yard when placed on a sidewalk area located within ten (10) feet of the front façade of the principal building.

E. No outdoor storage area shall be permitted to occupy or interfere with traffic circulation, required parking areas, sidewalks, or pedestrian access.

F. The area of the lot devoted to outdoor storage of goods and merchandise shall not exceed 400 square feet or twenty percent (20%) of the ground floor area of the principal building, whichever is greater.

G. Areas devoted to outdoor storage shall be paved with asphalt or concrete and free of dust.

H. The outdoor storage area may also be used for a sales area for the related principal use.

I. In all cases, any areas designated for outdoor storage areas shall be set back a minimum of fifty (50) feet from any adjacent residential lot.

J. Screening.

i. All aspects of outdoor operations including outdoor storage of goods and materials shall be enclosed with a solid wall or fence, including solid gates. The wall or fence shall have a height tall enough to conceal all materials therein from the view of any observer standing at the grade level at an abutting residential district line or a public street. However, in no case shall the height of the fence or wall be less than six (6) feet.

ii. If the wall or fence needs to exceed eight (8) feet in height to conceal the storage of materials, such wall or fence shall be constructed of materials similar to the principal building so that it appears to be an extension of the principal structure.

iii. All materials shall be stored in such a fashion as to be accessible to fire-fighting equipment at all times.

iv. Outdoor storage of materials shall not include a junkyard or similar storage.

(15) Outdoor Vending Machines and Drop Boxes.

A. No such use or facility shall be placed within the street right-of-way, within an interior drive, or in a location which will interfere with required site visibility requirements (See Section 1113.05: Intersection Visibility.).

B. The placement of the facility shall not result in the reduction of the number of parking spaces below the number of spaces required for the principal use by this code.

C. The facility or equipment shall be maintained in good operating order and appearance.

D. Vending machines shall only be placed along the façade of the principal building. See Figure 1111-A.

Figure 1111-A: The above is an image of a vending machine that is appropriately located along the façade of the building.

E. Drop boxes shall only be permitted in the side or rear yard.

F. A maximum of one drop box and two vending machines are permitted on any single lot. One additional drop box and one vending machine shall be permitted on a lot for each two (2)

acres of lot area in excess of an initial two (2) acre lot. This limitation on the number of boxes or machines shall not apply to dumpsters outside of the building or vending machines located within the building.

G. Signage shall be limited to a maximum of six (6) square feet on each vending machine and drop box and shall not count toward the sign area allowed in Chapter 1119: Signs.

H. The City shall have the authority to place more than one drop box on a single lot when providing recycling services to the general public.

(16) Playsets, Treehouses and Trampolines. Playsets, treehouses, and trampolines shall be permitted in any rear yard, without a zoning permit provided that the use is less than 200 square feet. Any use that has a larger footprint or that is an enclosed structure shall be regulated as a detached accessory building in accordance with Section 1111.01(d).

(17) Porches, Decks, and Patios.

A. Porches or decks that are enclosed with a roof and with walls or siding including, but not limited to, screening or other materials, and are attached to the principal building shall be considered an integral part of the principal building and shall meet the setback requirements for principal buildings in the applicable zoning district.

B. Any enclosure shall be constructed of traditional, permanent materials (e.g., no tarps or fabric covers other than traditional screening material used for screened-in porches). The enclosure of a previously unenclosed porch or deck shall require the approval of a zoning permit.

C. Patios, decks, and porches may have built-in grills, kitchen areas, or living areas but such activities shall only be permitted in the rear yard only provided such use complies with any applicable building code requirements. Living areas shall not include chairs or other seating.

D. Decks.

i. Decks shall require a zoning permit and shall be permitted in all yards subject to the standards of this section.

ii. Decks shall comply with the front and side yard setbacks for principal buildings in the applicable zoning district.

iii. Decks are permitted in any yard provided they are attached to the principal building and are designed so the walking surface is no higher than the floor height of the first floor of the building.

iv. Decks in the rear yard and decks not attached to a building shall be set back a minimum of three (3) feet from the rear lot line. Such decks shall not have a walking surface that exceeds two (2) feet above grade and shall not exceed eight (8) feet in height as measured from the ground at the base of the deck supports to the top of any railing or other elements of the deck.

v. Any deck railing that is located more than eight (8) feet above the ground shall not be solid and shall be constructed of railing to maintain a minimum of fifty percent (50%) opacity.

vi. If a pergola, gazebo, or other roofed structure is attached to a deck but not attached to the principal building, then the pergola, gazebo, or roofed structure shall still be subject to the setbacks required for decks.

vii. Decks may include stairways to the ground or other decks.

E. Porches.

i. Porches shall require a zoning permit and shall be permitted in all yards.

ii. Porches shall be included in the calculation of maximum lot coverage in Section 1113.06(f).

iii. Porches shall comply with the side and rear yard setbacks for principal buildings in the applicable zoning district.

iv. Porches with a width of less than twenty-five percent (25%) of the principal building façade width may encroach into the required front yard a maximum of six (6) feet.

F. Patios.

i. Patios shall not require a zoning permit but shall be in compliance with all applicable standards.

ii. Patios shall be included in the calculation of maximum lot coverage in Section 1113.06(f).

iii. Patios are only permitted in the rear yard.

iv. Patios may encroach into any side or rear yard provided there shall be maintained a minimum setback of three (3) feet from all lot lines to the edge of the patio.

v. If a pergola, gazebo, or other roofed structure is attached to a patio but not attached to the principal building, then the pergola, gazebo, or roofed structure shall be regulated as a detached accessory building in accordance with Section 1111.01(d).

(18) Raising of Livestock Animals.

A. Poultry and fowl may be raised and cared for on residential lots in accordance with Section 505.121 of the Codified Ordinances.

B. The raising and caring for of any livestock animals beyond what is permitted in Section 505.121 shall only be permitted on lots with a minimum lot area of five (5) acres in residential zoning districts.

(19) Satellite Dishes.

A. Satellite dishes of one (1) meter in diameter or less shall be exempt from the provisions of this section on accessory uses and shall not require a zoning permit. To the maximum extent possible, the dish should be located in the side or rear yard.

B. Dishes that exceed one (1) meter in diameter shall only be permitted in a nonresidential zoning district if approved as a conditional use. Such dish shall only be permitted in a rear yard.

(20) Short-Term Rentals.

A. Short-term rentals are only permitted in the R-2 District.

B. Short-term rentals shall comply with the standards of Section 1107.05(q).

(21) Solar Panels.

A. Freestanding solar panels shall be limited to a maximum height of ten (10) feet. Such freestanding solar panels shall be located in the rear yard where they shall be set back a minimum of twenty-five (25) feet and shall not cover more than 200 square feet in lot area.

B. Roof-mounted solar panels on the front side of a roof facing a street shall be flush-mounted to the roof.

C. Roof-mounted solar panels that do not face a street may be mounted flush or at an angle to the roof but shall not exceed thirty-six (36) inches in height from the roof plane as measured from the roof plane to the furthest point of the solar panel.

D. Roof-mounted solar panels shall require a zoning permit or may be reviewed as part of the zoning permit for the principal building.

(22) Swimming Pools.

A. Any constructed or manufactured pool, both permanent and temporary, not located within an enclosed building and which is used or intended to be used as a swimming pool in connection with residential dwellings and is available only to the residents and their private guests shall be classified as a private swimming pool and shall be regulated by this subsection.

B. These regulations shall also apply to community pools that are restricted to use by residents of a subdivision or residential development and their guests as well as outdoor pools that

serve guests of a hotel or similar nonresidential use.

C. For the purposes of this subsection, swimming pool shall include pools, spas and hot tubs and shall be defined as any in-ground, on-ground, or above-ground pool intended for swimming, wading or recreational bathing capable of containing in excess of three (3) feet of water at its deepest point as determined by manufacturer's specifications.

D. A swimming pool shall not exceed fifty-four (54) inches in height, above ground.

E. Swimming pools shall be set back a minimum of six (6) feet from all lot lines.

F. Usual and customary pool equipment and accessories (such as a pool deck a diving board or a filtration house), not exceeding five (5) feet in height, shall only be located in the rear yard and shall be set back a minimum of three (3) feet from all lot lines.

G. All swimming pool construction and operation shall be in accordance with standards and regulations established by the Board of Health having jurisdiction within the City, the Building Code and any other governmental regulations governing the construction and operation of such facilities.

H. Any outdoor swimming pool, as defined in this subsection, shall be surrounded by a barrier which shall comply with the following:

i. Every swimming pool shall be completely enclosed by a fence and/or structure of sturdy construction at least forty-eight (48) inches in height, measured from the ground level at each point along the boundary of such enclosure. The enclosure may surround the pool area or the entire yard. The enclosure shall be of such design as to prevent young children from crawling or otherwise passing through, under or over such enclosure without the use of a ladder or other implement. Openings in the barrier shall not allow passage of a four (4) inch diameter sphere.

ii. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

iii. Access gates into such enclosure shall be self-closing and have a self-latching device. The fence/barrier shall be equipped with at least one such access gate.

iv. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure and the means of access is a ladder or steps, then the ladder or steps shall be capable of being secured, locked or removed to prevent access.

v. The required barrier must be installed prior to filling the pool with water.

vi. Automatic pool covers are permitted but the fencing/barrier requirements of this section shall still apply.

vii. A spa or hot tub with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.

I. A building permit shall be obtained from the Building Department before construction of a swimming pool is begun and shall contain plans and specifications for both the pool and the fence or other protective barrier which the owner proposes to erect around the pool as well as a plot plan showing the location of the pool and barrier with reference to lot lines and other buildings on the property.

J. Proper drainage shall be provided to ensure that pool overflow does not affect adjacent properties.

K. Lighting shall be shaded so as not to be a disturbance to adjacent properties.

L. Any sound of motor or pumps in such manner as to disturb the peace, quiet and comfort of neighboring inhabitants shall be shielded to prevent such disturbances.

M. Whoever violates or fails to comply with any of the provisions of this chapter shall be fined not more than fifty dollars (\$50.00) for each offense. A separate offense shall be deemed

committed each day during or on which a violation or noncompliance occurs or continues.

(23) Type-A Day Care Homes.

A. Type-A day care homes may only be located on lots with a minimum lot area of 20,000 square feet and if approved as a conditional use.

B. There shall be a minimum of four off-street parking spaces on the same lot as the use including any parking within garages.

C. The driveway and parking shall be designed in a manner that allows for safe maneuverability of vehicles.

(Ord. 26-22. Passed 4-26-22.)

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- ordance with the manufacturer's specifications
- ordination along with a copy of the operating rules shall be kept on file with the Zoning Inspector
- order devices, and similar instruments shall be set back a minimum of 100 feet from any residential dwelling unit and shall be subject to all applicable noise resolutions and ordinanc
- ordance with Section 1111

- order and appearance
- ordinance with Section 505
- Ordinances
- ordinance with standards and regulations established by the Board of Health having jurisdiction within the City, the Building Code and any other governmental regulations governing the c
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1111.01 ACCESSORY USE REGULATIONS.

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OH

Sheffield Lake

Codified Ordinances of Sheffield Lake, OH

1111.01 ACCESSORY USE REGULATIONS.

CHAPTER 1111 Accessory and Temporary Use Regulations

CHAPTER 1111

Accessory and Temporary Use Regulations

1111.01 Accessory use regulations.

1111.02 Temporary uses and structures.

1111.01 ACCESSORY USE REGULATIONS.

(a) Purpose. This section authorizes the establishment of accessory uses that are incidental and customarily subordinate to principal uses permitted in accordance with this code.

(b) General Provisions.

(1) Accessory structures and uses shall be incidental to and customarily found in connection with a principal building or use permitted in the district in which it is located.

(2) An accessory structure and/or use shall be located on the same lot as the principal use for which it serves. The City may allow for the placement of accessory structures or uses in open space areas or protected common space as part of a PRD when there is sufficient language on the approved plans and in covenants that define the allowable structure or use and establishes responsibility for maintenance.

(3) An owner shall be required to apply for and receive a zoning permit unless specifically

exempted by this code.

(4) An accessory use or structure shall not be established unless a principal use has first been established on a lot in conformance with the applicable provisions of this code.

(5) Small accessory structures such as benches and garden decorations, etc. shall be exempt from the provisions of this section provided they do not have a footprint that exceeds twenty-four (24) square feet. Small accessory structures such as doghouses and barbeque equipment shall also be allowed without a permit but must be placed in the side or rear yard.

(6) Gardens and the raising of crops for the personal use of the residents, tenants, or property owners, may be grown in the side or rear yard, without a permit. See Section 1111.01(d) related to the raising of livestock animals.

(7) An accessory structure that is attached to the principal building shall be considered an integral part of the principal building and shall comply with the lot standards and all other development standards of the applicable zoning district. Any accessory structure shall be considered as an integral part of the principal building if it is connected to the principal building either by common walls or by a breezeway or roof.

(8) The accessory use regulations of this chapter shall not apply to any public park lands owned by the City, Lorain County, or the State of Ohio.

(c) Size Requirements and Location.

(1) Setbacks.

A. Accessory buildings, such as garages and carports, that are attached or an integral part of the principal use shall be regulated as part of the principal use and comply with all applicable setbacks.

B. Unless otherwise specified in this section, detached accessory structures and buildings shall be set back a minimum three (3) feet from all lot lines. This setback shall not apply to fences, walls, or hedges that are regulated by Section 1113.04: Fences, Walls, and Hedges.

C. No detached accessory building shall be located less than twelve (12) feet from the principal building.

D. Detached accessory buildings shall be set back a minimum of sixty (60) feet from any lot line adjacent to a street, regardless of what yard they are permitted within.

(2) Number and Size Requirements.

A. In residential zoning district, the total floor area of all accessory buildings shall not exceed thirty percent (30%) of the rear yard of the applicable lot.

B. The maximum size of any accessory storage building (e.g., sheds) shall be 192 square feet. Other accessory buildings may be larger but shall not exceed the total floor area established above and in no case shall it exceed the floor area of the footprint of the principal building.

C. A maximum of two (2) detached garages and/or storage buildings, or combination, is permitted on any lot.

D. Unenclosed gazebos, pergolas, playsets, trampolines, and similar items shall not be considered an accessory building unless it is fully enclosed by walls and a roof.

(3) Maximum Height. Unless otherwise specified in this section, the maximum height of accessory structures or buildings shall be twelve (12) feet. Detached accessory garages may exceed twelve (12) feet but shall in no case exceeds the height of the principal building. The height shall be measured as defined in Section 1113.06(d).

(d) Permitted Accessory Uses. Table 1111-1 lists the accessory uses and structures allowed within all zoning districts. The following is an explanation of the abbreviations and columns in Table 1111-1.

(1) Permitted Use (P).

A. A "P" in a cell indicates that an accessory use or structure is permitted by-right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this code.

B. Permitted uses or structures are approved administratively by the Zoning Inspector through the zoning permit procedure, where required. Accessory structures or uses that are accessory to principal uses subject to site plan review shall be reviewed as part of the site plan review process unless the principal use has already been established, in which case, the accessory structure or use shall require only a zoning permit approval.

(2) Permitted Use with Use-Specific Standards (PS).

A. A "PS" in a cell indicates that the accessory use or structure category is allowed by-right in the respective zoning district if it meets the additional standards set forth in the last column of Table 1111-1. Permitted uses with standards are subject to all other applicable regulations of this code.

B. Uses or structures permitted with standards under this category are approved administratively by the Zoning Inspector through the zoning permit procedure, where required. Accessory structures or uses that are accessory to principal uses subject to site plan review shall be reviewed as part of the site plan review process unless the principal use has already been established, in which case, the accessory structure or use shall require only a zoning permit approval.

(3) Conditional Use (C).

A. A "C" in a cell indicates that an accessory use or structure may be permitted if approved through the conditional use review (See Section 1105.03: Conditional Uses.). Conditional uses may be subject to use-specific standards as identified in the last code.

B. The existence of additional use-specific standards in this code shall not be implied to be the only standards the use is required to meet. Any use that is permitted as a conditional use shall be subject to the general review standards for conditional uses in Section 1105.03(d).

(4) Prohibited Uses. A blank cell indicates that an accessory use or structure is prohibited in the respective zoning district.

(5) Zoning Permit Required. The "Zoning permit Required" column identifies if a zoning permit is required for the applicable accessory use or structure.

(6) Yards Permitted. The "Yards Permitted" column identifies in which yards the applicable accessory use or structure is permitted. See also Section 1113.06(c), for more information about specific yard locations for interior, corner, through, flag or panhandle, cul-de-sac, or curved street lots, etc.

(7) Numerical References (Last Column). The numbers contained in the "Use-Specific Standards" column are references to additional standards and requirements that apply to the use and structure type listed. Standards referenced in the "Use-Specific Standards" column apply in all zoning districts unless otherwise expressly stated and may apply to a conditionally permitted use and/or a permitted use with use-specific standards.

(8) Unlisted Uses. If an application is submitted for a use that the Zoning Inspector determines is not defined or established in Table 1111-1, the applicant may choose to take one of the actions identified in Section 1107.04(c).

(9) Accessory Uses in PRD Districts. Accessory uses for development within a PRD shall be regulated based on the principal use. Accessory uses for residential principal uses shall be as regulated for residential zoning districts in Table 1111-1. Accessory uses for nonresidential

principal uses shall be as regulated for nonresidential zoning districts in Table 1111-1.
TABLE 1111-1: PERMITTED ACCESSORY USE TABLE

P = Permitted Use PS = Permitted with Additional Use-Specific Standards
C = Conditional Use Blank Cell = Prohibited Use

Permitted Uses

R-1A, R-1B,
R-1C, R-2 &
R-3

B-1, B-2, B-4, B-5, I-1, & P-I

Zoning Permit Required

Yards Permitted

F = Front
S = Side
R = Rear

Use-Specific Standards
See Section

Accessibility Ramps

PS

PS

Yes

F, S or R

1111.01(e)(1)

Amateur Radio Antennas

PS

Yes

S or R

1111.01(e)(2)

Automated Teller Machines (ATM)

PS or C

Yes

S or R

1111.01(e)(3)

Basketball Hoops

PS

PS

No

F, S or R

1111.01(e)(4)

Bike and Skateboard Ramps

PS

PS

Yes

R

1111.01(e)(5)

Community Gardens

PS

PS

Yes

F, S or R

1111.01(e)(6)

Detached Accessory Buildings

PS

PS

Yes

S or R

1111.01(e)(7)

Drive-Through Facilities

PS

Yes

S or R

1111.01(e)(8)

Fleet Vehicle Storage

PS

Yes

S or R

1111.01(e)(9)

Home Occupations

PS

Yes

Inside principal building

1111.01(e)(10)

Nursery Schools or Day Care Centers

PS

PS

Yes

Inside principal building

1111.01(e)(11)

Outdoor Dining

PS

Yes

F, S or R

1111.01(e)(12)

Outdoor Display or Sales

PS

Yes

See 1111.01(e)(13)

Outdoor Storage and Bulk Sales

PS

Yes

See 1111.01(e)(14)

TABLE 1111-1: PERMITTED ACCESSORY USE TABLE

P = Permitted Use PS = Permitted with Additional Use-Specific Standards

C = Conditional Use Blank Cell = Prohibited Use

Permitted Uses

R-1A, R-1B,
R-1C, R-2 &
R-3

B-1, B-2, B-4, B-5, I-1, & P-I

Zoning Permit Required

Yards Permitted

F = Front

S = Side

R = Rear

Use-Specific Standards

See Section

Outdoor Vending Machines and Drop Boxes

PS

No

See 1111.01(e)(15)

Playsets, Treehouses and Trampolines

PS

See 1111.01(e)(16)

Porches, Decks and Patios

PS

PS

See 1111.01(e)(17)

Raising of Livestock Animals

PS

No

S or R

1111.01(e)(18)

Satellite Dishes

See 1111.01(e)(19)

Short-Term Rentals

PS

No

Inside principal building

1111.01(e)(20)

Solar Panels

PS

PS

Yes

R

1111.01(e)(21)

Swimming Pools

PS

PS

Yes

R

1111.01(e)(22)

Type-A Day Care Homes

C

Yes

Inside principal building

1111.01(e)(23)

Type-B Day Care Homes

P

Yes

(e) Use-Specific Standards.

(1) Accessibility Ramps. Ramps that provide access to buildings for the disabled are permitted in all zoning districts and may encroach in all setbacks but shall not encroach on a public sidewalk, right-of-way, or street.

(2) Amateur Radio Antennas.

A. Towers used to support amateur radio antenna shall not exceed seventy (70) feet in height.

B. Such a tower shall be set back a minimum of one (1) foot from each lot line for every one

(1) foot in height. All guy wires, if applicable, shall be set back a minimum of ten feet from all lot lines.

C. Any tower and related structures shall be installed in accordance with the instructions furnished by the manufacturer of the tower model. An antenna mounted on a tower may be modified and changed at any time so long as the published allowable load on the tower is not exceeded and the structure of the tower remains in accordance with the manufacturer's specifications.

(3) Automated Teller Machines (ATM).

A. If the ATM is part of a drive-through facility, the ATM shall be subject to the vehicle stacking requirements of Section 1117.07: Stacking Space Requirements.

B. ATMs that are located within the interior of the building shall be regulated and reviewed as part of the principal building.

C. Stand-alone ATMs that are independent from any building shall be permitted only as a conditional use with approval required by the Police Department.

(4) Basketball Hoops.

A. Basketball courts shall be regulated in the same manner as a patio. See Section 1111.01(e)(17).

B. Movable basketball hoops shall not be located in rights-of-way or be so located as to require play in any right-of-way.

(5) Bike and Skateboard Ramps. Bike ramps and skateboard ramps shall be set back a minimum of fifteen (15) feet from all lot lines.

(6) Community Gardens.

A. Community gardens may be allowed as an accessory use when associated with a public or institutional principal use (e.g., place of worship or educational institution).

B. Community gardens may be located in an open space area if the space is maintained by a homeowners' association.

C. The owner of the property shall have an established set of operating rules addressing the governance structure of the garden; hours of operation; maintenance and security requirements and responsibilities; and distribution of garden plots.

D. The name and telephone number of the owner and any person designated as the person in-charge of garden coordination along with a copy of the operating rules shall be kept on file with the Zoning Inspector.

E. The site shall be designed and maintained so that water and fertilizer will not drain onto adjacent properties.

F. There shall be no retail sales on site, except for produce grown on the site.

G. Benches, bike racks, raised/accessible planting beds, picnic tables, seasonal farm stands, garden art, and rain barrel systems may be permitted if the community garden is located on a lot where the principal use of the lot is public, institutional, or commercial.

H. Fences and walls shall be subject to the provisions of Section 1113.04: Fences, Walls, and Hedges.

(7) Detached Accessory Buildings. The provisions of this section shall apply to any accessory building not identified elsewhere in Table 1111-1 that may include detached garages, detached storage/utility sheds, gazebos, pool houses, and other similar buildings as determined by the Zoning Inspector.

A. Detached garages shall be served by a paved driveway.

B. Detached accessory buildings shall include accessory structures that are enclosed,

regardless of the materials used for enclosure including, but not limited to, screening, hoop houses and greenhouses.

C. Detached carports are prohibited.

(8) Drive-Through Facilities.

A. Drive-through facilities shall be subject to the vehicle stacking requirements of Section 1117.07: Stacking Space Requirements.

B. Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall be set back a minimum of 100 feet from any residential dwelling unit and shall be subject to all applicable noise resolutions and ordinances.

C. No service shall be rendered, deliveries made, or sales conducted within the required front yard; customers served in vehicles shall be parked to the sides and/or rear of the principal structure.

D. All drive-through areas, including but not limited to menu boards, stacking lanes, trash receptacles, loudspeakers, drive up windows, and other objects associated with the drive-through area shall be located in the side or rear yard of a property to the maximum extent feasible, and shall not cross, interfere with, or impede any public right-of-way.

(9) Fleet Vehicle Storage. The storage of fleet vehicles is permitted as an accessory use to any permitted use in the I-1 or P-I Districts.

(10) Home Occupations.

A. Home occupations shall be conducted entirely within the dwelling unit or an approved accessory building.

B. No space on the premises and outside of a principal or accessory building shall be used for storage or for any home occupation use.

C. Home occupations shall not change the character of the residential use and shall not adversely affect the uses permitted in the residential district of which they are a part.

D. The nature of home occupation as an accessory use relative to its location and conduct of activity is such that the average neighbor, under normal circumstances, would not be aware of its existence.

E. Any home occupation activities on the property shall be conducted only by persons residing in the dwelling unit and up to one (1) additional employee who does not have to reside in the dwelling.

F. No building or structure shall be used to operate a business, store equipment or supplies used for a business, or serve as a location where employees meet or park prior to going to work off-site but where such employees do not work anywhere on the property.

G. No equipment or process shall be used which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. In case of electrical interferences, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers, or which causes fluctuations in line voltage off the premises.

H. The maximum floor area the use may cover shall not exceed twenty percent (20%) of the total floor area of the dwelling unit.

I. Home occupations that provide a service to customers shall not have more than one customer (including those arriving and waiting for service) at any one time.

J. The storage of all equipment, machinery, supplies, materials, files, and the like, shall be stored completely within the residence or accessory buildings.

K. Any need for parking generated by the conduct of such home occupation shall be accommodated on off-street parking spaces or areas that are paved for the purpose of parking.

L. No traffic shall be generated by such home occupation in greater volume than is normally expected for the residential neighborhood, as determined by the Director of Public Safety.

M. The following are examples of permitted types of home occupations in the R-1A, R-1B, R-1C, and R-2 Districts:

- i. Clerical and other similar business services;
- ii. Instruction in music, dance or other type of teaching with a maximum number of two (2) students at a time;
- iii. The office of a professional accountant, attorney, broker, consultant, insurance agent, realtor, architect, engineer, sales representative, and similar office-oriented occupations;
- iv. Artists, sculptors, photographers, and other providers of home crafts;
- v. Barber shop/beauty salon with a maximum of one (1) chair;
- vi. Workshops for a tailor, dressmaker, gunsmiths, repair services, and artisans;
- vii. Caterers with no on-site catering;
- viii. A licensed massage therapist who provides massage therapy for a maximum of one (1) client at any given time; or
- ix. Any similar use as determined by the Zoning Inspector.

N. Only office, clerical, and business service uses are permitted home occupations in dwelling units within the R-3 District.

O. The following are examples of home occupations that are specifically prohibited:

- i. Animal hospital;
- ii. Barber shop or beauty salon;
- iii. Business school;
- iv. Clinic or medical center;
- v. Mortuary;
- vi. Private club;
- vii. Equipment rental;
- viii. Repair or service establishment including automobile;
- ix. Restaurant;
- x. Kennel;
- xi. Landscaping business;
- xii. Boarding house/tourist home; or
- xiii. Any similar use as determined by the Zoning Inspector.

(11) Nursery Schools or Day Care Centers. Nursery schools or day care centers may only be permitted as accessory uses to permitted and conforming nonresidential uses including places of worship, educational institutions, and businesses. Such use shall be located within the principal building.

(12) Outdoor Dining.

A. Outdoor dining areas shall be located along a sidewalk (public or private) adjacent to the principal building or between the principal building and parking areas. Outdoor dining areas shall not be located in such a manner as to require customers and employees to cross driveways or parking areas to go between the café/food service areas and the principal building.

B. A minimum of four (4) feet of clear walking space shall be maintained on the sidewalk for pedestrian traffic.

C. Umbrellas and awnings that shelter diners from the elements shall be secured so as not to create a hazard in windy conditions.

D. Enclosing outdoor dining areas either by a permanent roof or to expand the existing

structure shall meet all the requirements of a principal building within the applicable zoning district and shall require the issuance of a new zoning permit.

E. Any roof designed to cover patrons, including roofs over areas for waiting, smoking, etc., shall be structurally attached to the principal building and permanent in nature.

(13) Outdoor Displays or Sales. Facilities for outdoor display or sales (e.g., garden supply sales, news and flower stands, and similar uses) that are accessory to another principal use may be permitted upon compliance with the following:

A. Outdoor display and sales areas shall require the issuance of a zoning permit after site plan approval. Such uses shall not be placed within the street right-of-way, within an interior drive, or in a location which will interfere with vehicle sight distance.

B. Outdoor displays and sales shall be related to the principal use of the site and shall clearly be accessory and incidental to the principal use. Outdoor displays and sales shall be prohibited when the principal building is vacant.

C. Any outdoor displays or sales not related to the principal use shall be regulated as a temporary outdoor sale in accordance with Section 1111.02(c)(4).

D. Outdoor display and sales areas may be permitted provided that the merchandise is displayed along the sidewalk or walkway adjacent to the building.

E. Outdoor display and sales areas may also be permitted in any side or rear yard.

F. In all cases, any areas designated for outdoor display or sales shall be set back a minimum of twenty-five (25) feet from any adjacent residential lot.

G. The placement of the use shall not result in the reduction of the number of parking spaces required to serve the principal use(s) on the site.

H. The placement of the merchandise shall not interfere with pedestrian movement on any sidewalk or walkway. A minimum of five (5) feet of the sidewalk or walkway shall be clear of merchandise to allow for safe pedestrian movement.

I. The outdoor display and sales areas shall be maintained in good order and appearance.

J. The area designated for outdoor display and sale of goods shall be limited to 400 square feet or twenty percent (20%) of the floor area of the principal building, whichever is greater, and shall be identified on the site plan.

K. The outdoor display and sale of goods and products shall be limited to those goods and products that a customer can pick up and carry into the building for purchase. Larger items may be displayed for sale if in compliance with the outdoor storage requirements of Section 1111.01(e)(14).

(14) Outdoor Storage and Bulk Sales. Outdoor storage and bulk sale activities that are accessory to another principal use may be permitted upon compliance with the following:

A. The outdoor storage of goods shall be prohibited on vacant lots.

B. The outdoor storage of materials shall include the storage of goods, materials, or products associated with the principal use.

C. Outdoor storage and bulk sales areas shall require the issuance of a zoning permit after site plan approval.

D. Areas devoted to outdoor storage shall be located in the side and rear yard only and shall comply with the building setbacks set forth in the applicable zoning district. Outdoor storage may also be located in the front yard when placed on a sidewalk area located within ten (10) feet of the front façade of the principal building.

E. No outdoor storage area shall be permitted to occupy or interfere with traffic circulation, required parking areas, sidewalks, or pedestrian access.

F. The area of the lot devoted to outdoor storage of goods and merchandise shall not exceed 400 square feet or twenty percent (20%) of the ground floor area of the principal building, whichever is greater.

G. Areas devoted to outdoor storage shall be paved with asphalt or concrete and free of dust.

H. The outdoor storage area may also be used for a sales area for the related principal use.

I. In all cases, any areas designated for outdoor storage areas shall be set back a minimum of fifty (50) feet from any adjacent residential lot.

J. Screening.

i. All aspects of outdoor operations including outdoor storage of goods and materials shall be enclosed with a solid wall or fence, including solid gates. The wall or fence shall have a height tall enough to conceal all materials therein from the view of any observer standing at the grade level at an abutting residential district line or a public street. However, in no case shall the height of the fence or wall be less than six (6) feet.

ii. If the wall or fence needs to exceed eight (8) feet in height to conceal the storage of materials, such wall or fence shall be constructed of materials similar to the principal building so that it appears to be an extension of the principal structure.

iii. All materials shall be stored in such a fashion as to be accessible to fire-fighting equipment at all times.

iv. Outdoor storage of materials shall not include a junkyard or similar storage.

(15) Outdoor Vending Machines and Drop Boxes.

A. No such use or facility shall be placed within the street right-of-way, within an interior drive, or in a location which will interfere with required site visibility requirements (See Section 1113.05: Intersection Visibility.).

B. The placement of the facility shall not result in the reduction of the number of parking spaces below the number of spaces required for the principal use by this code.

C. The facility or equipment shall be maintained in good operating order and appearance.

D. Vending machines shall only be placed along the façade of the principal building. See Figure 1111-A.

Figure 1111-A: The above is an image of a vending machine that is appropriately located along the façade of the building.

E. Drop boxes shall only be permitted in the side or rear yard.

F. A maximum of one drop box and two vending machines are permitted on any single lot. One additional drop box and one vending machine shall be permitted on a lot for each two (2) acres of lot area in excess of an initial two (2) acre lot. This limitation on the number of boxes or machines shall not apply to dumpsters outside of the building or vending machines located within the building.

G. Signage shall be limited to a maximum of six (6) square feet on each vending machine and drop box and shall not count toward the sign area allowed in Chapter 1119: Signs.

H. The City shall have the authority to place more than one drop box on a single lot when providing recycling services to the general public.

(16) Playsets, Treehouses and Trampolines. Playsets, treehouses, and trampolines shall be permitted in any rear yard, without a zoning permit provided that the use is less than 200 square feet. Any use that has a larger footprint or that is an enclosed structure shall be regulated as a

detached accessory building in accordance with Section 1111.01(d).

(17) Porches, Decks, and Patios.

A. Porches or decks that are enclosed with a roof and with walls or siding including, but not limited to, screening or other materials, and are attached to the principal building shall be considered an integral part of the principal building and shall meet the setback requirements for principal buildings in the applicable zoning district.

B. Any enclosure shall be constructed of traditional, permanent materials (e.g., no tarps or fabric covers other than traditional screening material used for screened-in porches). The enclosure of a previously unenclosed porch or deck shall require the approval of a zoning permit.

C. Patios, decks, and porches may have built-in grills, kitchen areas, or living areas but such activities shall only be permitted in the rear yard only provided such use complies with any applicable building code requirements. Living areas shall not include chairs or other seating.

D. Decks.

i. Decks shall require a zoning permit and shall be permitted in all yards subject to the standards of this section.

ii. Decks shall comply with the front and side yard setbacks for principal buildings in the applicable zoning district.

iii. Decks are permitted in any yard provided they are attached to the principal building and are designed so the walking surface is no higher than the floor height of the first floor of the building.

iv. Decks in the rear yard and decks not attached to a building shall be set back a minimum of three (3) feet from the rear lot line. Such decks shall not have a walking surface that exceeds two (2) feet above grade and shall not exceed eight (8) feet in height as measured from the ground at the base of the deck supports to the top of any railing or other elements of the deck.

v. Any deck railing that is located more than eight (8) feet above the ground shall not be solid and shall be constructed of railing to maintain a minimum of fifty percent (50%) opacity.

vi. If a pergola, gazebo, or other roofed structure is attached to a deck but not attached to the principal building, then the pergola, gazebo, or roofed structure shall still be subject to the setbacks required for decks.

vii. Decks may include stairways to the ground or other decks.

E. Porches.

i. Porches shall require a zoning permit and shall be permitted in all yards.

ii. Porches shall be included in the calculation of maximum lot coverage in Section 1113.06(f).

iii. Porches shall comply with the side and rear yard setbacks for principal buildings in the applicable zoning district.

iv. Porches with a width of less than twenty-five percent (25%) of the principal building façade width may encroach into the required front yard a maximum of six (6) feet.

F. Patios.

i. Patios shall not require a zoning permit but shall be in compliance with all applicable standards.

ii. Patios shall be included in the calculation of maximum lot coverage in Section 1113.06(f).

iii. Patios are only permitted in the rear yard.

iv. Patios may encroach into any side or rear yard provided there shall be maintained a minimum setback of three (3) feet from all lot lines to the edge of the patio.

v. If a pergola, gazebo, or other roofed structure is attached to a patio but not attached to the principal building, then the pergola, gazebo, or roofed structure shall be regulated as a detached accessory building in accordance with Section 1111.01(d).

(18) Raising of Livestock Animals.

A. Poultry and fowl may be raised and cared for on residential lots in accordance with Section 505.121 of the Codified Ordinances.

B. The raising and caring for of any livestock animals beyond what is permitted in Section 505.121 shall only be permitted on lots with a minimum lot area of five (5) acres in residential zoning districts.

(19) Satellite Dishes.

A. Satellite dishes of one (1) meter in diameter or less shall be exempt from the provisions of this section on accessory uses and shall not require a zoning permit. To the maximum extent possible, the dish should be located in the side or rear yard.

B. Dishes that exceed one (1) meter in diameter shall only be permitted in a nonresidential zoning district if approved as a conditional use. Such dish shall only be permitted in a rear yard.

(20) Short-Term Rentals.

A. Short-term rentals are only permitted in the R-2 District.

B. Short-term rentals shall comply with the standards of Section 1107.05(q).

(21) Solar Panels.

A. Freestanding solar panels shall be limited to a maximum height of ten (10) feet. Such freestanding solar panels shall be located in the rear yard where they shall be set back a minimum of twenty-five (25) feet and shall not cover more than 200 square feet in lot area.

B. Roof-mounted solar panels on the front side of a roof facing a street shall be flush-mounted to the roof.

C. Roof-mounted solar panels that do not face a street may be mounted flush or at an angle to the roof but shall not exceed thirty-six (36) inches in height from the roof plane as measured from the roof plane to the furthest point of the solar panel.

D. Roof-mounted solar panels shall require a zoning permit or may be reviewed as part of the zoning permit for the principal building.

(22) Swimming Pools.

A. Any constructed or manufactured pool, both permanent and temporary, not located within an enclosed building and which is used or intended to be used as a swimming pool in connection with residential dwellings and is available only to the residents and their private guests shall be classified as a private swimming pool and shall be regulated by this subsection.

B. These regulations shall also apply to community pools that are restricted to use by residents of a subdivision or residential development and their guests as well as outdoor pools that serve guests of a hotel or similar nonresidential use.

C. For the purposes of this subsection, swimming pool shall include pools, spas and hot tubs and shall be defined as any in-ground, on-ground, or above-ground pool intended for swimming, wading or recreational bathing capable of containing in excess of three (3) feet of water at its deepest point as determined by manufacturer's specifications.

D. A swimming pool shall not exceed fifty-four (54) inches in height, above ground.

E. Swimming pools shall be set back a minimum of six (6) feet from all lot lines.

F. Usual and customary pool equipment and accessories (such as a pool deck a diving board or a filtration house), not exceeding five (5) feet in height, shall only be located in the rear yard and shall be set back a minimum of three (3) feet from all lot lines.

G. All swimming pool construction and operation shall be in accordance with standards and regulations established by the Board of Health having jurisdiction within the City, the Building Code and any other governmental regulations governing the construction and operation of such facilities.

H. Any outdoor swimming pool, as defined in this subsection, shall be surrounded by a barrier which shall comply with the following:

i. Every swimming pool shall be completely enclosed by a fence and/or structure of sturdy construction at least forty-eight (48) inches in height, measured from the ground level at each point along the boundary of such enclosure. The enclosure may surround the pool area or the entire yard. The enclosure shall be of such design as to prevent young children from crawling or otherwise passing through, under or over such enclosure without the use of a ladder or other implement. Openings in the barrier shall not allow passage of a four (4) inch diameter sphere.

ii. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

iii. Access gates into such enclosure shall be self-closing and have a self-latching device. The fence/barrier shall be equipped with at least one such access gate.

iv. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure and the means of access is a ladder or steps, then the ladder or steps shall be capable of being secured, locked or removed to prevent access.

v. The required barrier must be installed prior to filling the pool with water.

vi. Automatic pool covers are permitted but the fencing/barrier requirements of this section shall still apply.

vii. A spa or hot tub with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.

I. A building permit shall be obtained from the Building Department before construction of a swimming pool is begun and shall contain plans and specifications for both the pool and the fence or other protective barrier which the owner proposes to erect around the pool as well as a plot plan showing the location of the pool and barrier with reference to lot lines and other buildings on the property.

J. Proper drainage shall be provided to ensure that pool overflow does not affect adjacent properties.

K. Lighting shall be shaded so as not to be a disturbance to adjacent properties.

L. Any sound of motor or pumps in such manner as to disturb the peace, quiet and comfort of neighboring inhabitants shall be shielded to prevent such disturbances.

M. Whoever violates or fails to comply with any of the provisions of this chapter shall be fined not more than fifty dollars (\$50.00) for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

(23) Type-A Day Care Homes.

A. Type-A day care homes may only be located on lots with a minimum lot area of 20,000 square feet and if approved as a conditional use.

B. There shall be a minimum of four off-street parking spaces on the same lot as the use including any parking within garages.

C. The driveway and parking shall be designed in a manner that allows for safe maneuverability of vehicles.

(Ord. 26-22. Passed 4-26-22.)

1111.02 TEMPORARY USES AND STRUCTURES.

(a) Purpose. This section allows for the establishment of certain temporary uses and structures of limited duration, provided that such uses and structures do not negatively affect adjacent properties, and provided that such uses or events are discontinued upon the expiration of a set time period. Temporary uses and structures shall not involve the construction or alteration of any permanent building or structure.

(b) General Standards Applicable to All Temporary Uses and Structures.

(1) All temporary uses and structures shall be reviewed in accordance with this section and all other applicable sections of this code.

(2) All temporary uses and structures shall:

- A. Require the issuance of a zoning permit, unless otherwise specifically stated;
 - B. Not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare;
 - C. Be compatible with the principal uses taking place on the site;
 - D. Not have substantial adverse effects or noise impacts on nearby residential neighborhoods;
 - E. Not include permanent alterations to the site;
 - F. Not maintain temporary signs associated with the use or structure after the activity ends;
 - G. Not violate the applicable conditions of approval that apply to a site or use on the site;
 - H. Not interfere with the normal operations of any permanent use located on the property;
- and

I. Contain sufficient land area to allow the temporary use, structure, or special event to occur, as well as adequate land to accommodate the parking and traffic movement.

(3) Temporary tents, seasonal covers, and temporary carports are prohibited with the exception that a temporary tent may be permitted as part of a special event. See Section 1111.02(c)(4).

(c) Permitted Temporary Uses and Use-Specific Standards.

(1) Gravel Surface Parking Lot.

A. A gravel surface parking lot may be permitted while a site is under construction but shall only be permitted in areas for parking as established in the approved plans associated with the site plan approval or zoning permit, as applicable.

B. The gravel parking area must be paved in accordance with Section 1117.03(h) or the approved plans prior to the issuance of a certificate of occupancy. The applicant may also remove the temporary gravel surface parking lot as an alternative to paving but in such case, the area that was used as a gravel lot shall be returned to its previous state or as a landscaped area.

C. A solid surface or gravel driveway shall be provided so vehicles may access the parking lot from a public street.

(2) Temporary Structures for Construction Purposes. Temporary structures for construction operations may be permitted in any district if such structures are deemed necessary, provided:

A. The use of such structures shall be limited to offices, buildings for the storage of lumber, equipment, and other building material, temporary toilets, and construction dumpsters.

B. All temporary structures shall be set back a minimum of twenty-five (25) feet from the nearest occupied residential dwelling.

C. No structure may be placed on the site any sooner than two (2) weeks before the start of grading or construction.

D. The structure shall not be located within a floodplain, in the right-of-way, or in any other location that will obstruct drainage or traffic flow.

E. The structure shall not block or prevent access to any fire hydrant.

F. All temporary structures for construction operations shall be removed within thirty (30) days after the completion of work on the premises or in the subdivision for which a certificate has been issued or if construction is not pursued diligently. In no instance, shall the zoning permit for the construction structure allow for its placement for longer than three years.

G. For real estate offices and/or model homes, the following shall apply:

i. The office or model home shall be identified on the improvement plans approved by City Council.

ii. One (1) temporary real estate sales office or model home, per builder or developer, shall be permitted in a section or phase of a new residential or nonresidential development.

iii. The office or home shall be located on a lot approved as part of the subject development or subdivision.

iv. The office or homes shall be operated by a developer or builder active in the same phase or section where the use is located.

v. The office shall be removed, if not within a home, or the model home shall be converted into a permanent residential use once eighty percent (80%) occupancy in the section or phase of the development is reached. For the purposes of these standards, occupancy shall include both the physical occupancy of buildings by the resident or tenant or sale of a completed building to a private party beyond the builder or developer.

(3) Portable Storage Units. The placement and use of portable storage units shall comply with the following:

A. Only one (1) portable storage unit shall be permitted on a single lot at any one time.

B. Portable storage units shall be permitted on any one lot for a total period of thirty (30) days per calendar year.

C. Portable storage units shall be placed on a paved surface.

D. Portable storage units shall not be located in the floodplain, block a drainage path, and shall not block sidewalks, fire lanes, or bike paths.

E. No part or former part of a semi-trailer or trailer shall be utilized as a portable storage unit or permanent accessory structure in any zoning district. A trailer or semi-trailer with all wheels and tires and valid license may be utilized as a portable storage unit, but shall conform to all requirements for portable storage units.

(4) Temporary Events. A temporary event may be permitted in compliance with the following:

A. The following activities shall be exempt from these temporary use regulations but may still be subject to other sections of this code.

i. Any event sponsored in whole or in part by the City, Lorain County, State of Ohio, or United States government or the school district.

ii. Any organized activities conducted at sites or facilities typically intended and used for such activities including, but not limited to, sporting events such as golf, soccer, softball, and baseball tournaments conducted on courses or fields intended and used for such activities and religious services, wedding services, and funeral services conducted at places of worship.

B. Garage sales are permitted in accordance with Chapter 730 of the Codified Ordinances. (Ord. 26-22. Passed 4-26-22.)

C. Temporary outdoor sales of agricultural products are subject to the provisions of this section.

(Ord. 52-24. Passed 12-3-24.)

D. Temporary Event (Limited Impact).

i. A temporary event with limited impact may be permitted with a special event permit, approved by the Mayor, for a maximum of two (2) times per calendar year on any single lot. Such events shall be subject to the general standards for all temporary uses.

ii. The authorization of a temporary event with limited impact shall not exceed forty-five (45) consecutive days per occurrence.

iii. Any temporary event that involves the sale of alcoholic beverages, attendance of over fifty (50) people at one time, overnight stays, or that exceeds forty-five (45) consecutive days in length shall only be permitted if approved as a temporary use with extensive impact.

E. Temporary Event (Extensive Impact). Any temporary event that is not classified as a temporary event with limited impact or that is not specifically exempted or prohibited by this code, shall be classified as a temporary event with extensive impact and shall require a conditional use approval in accordance with Section 1105.03: Conditional Uses and the following standards:

i. The temporary event shall not create an unreasonable risk of significant:

- a. Damage to public or private property, beyond normal wear and tear;
- b. Injury to persons;
- c. Public or private disturbances or nuisances;
- d. Unsafe impediments or distractions to, or congestion of, vehicular or pedestrian

travel;

e. Additional and impracticable or unduly burdensome police, fire, trash removal, maintenance, or other public services demands; and

f. Other adverse effects upon the public health, safety, or welfare.

ii. The temporary event shall not be of such a nature, size, or duration that the particular location requested cannot reasonably accommodate the event.

iii. The temporary event shall not occur at a time and location that has already been permitted or reserved for another permitted temporary event.

iv. In approving the temporary event, the Planning Commission is authorized to impose such conditions as may be necessary to reduce or minimize any potential adverse impacts upon other property in the area. Such conditions may include, but are not limited to, conditions that address the following:

a. Provision of adequate vehicular ingress and egress;

b. Control of nuisance factors, such as but not limited to, the prevention of glare or direct illumination of adjacent properties, noise, vibrations, smoke, dust, dirt, odors, gases, and heat;

c. Regulation of temporary buildings, structures, and facilities, including placement, height and size, location of equipment and open spaces, including buffer areas and other yards; and

d. Modification or elimination of certain proposed activities.

(Ord. 26-22. Passed 4-26-22.)

F. Food Truck Operations. Food Truck Operations shall be considered Temporary Special Events (Limited Impact) regardless of the duration and frequency, and be subject to the fee schedule set forth as Section 1361.16(d).

(Ord. 52-24. Passed 12-3-24.)

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- ORDINANCES OF THE CITY OF SHEFFIELD LAKE, OHIO
- ORDINANCE NO. 116-84
- ORDINANCES OF SHEFFIELD LAKE
- ordinate to principal uses permitted in accordance with this code
- ordance with the instructions furnished by the manufacturer of the tower model
- ordance with the manufacturer's specifications
- ordination along with a copy of the operating rules shall be kept on file with the Zoning Inspector
- order devices, and similar instruments shall be set back a minimum of 100 feet from any residential dwelling unit and shall be subject to all applicable noise resolutions and ordinanc
- ordance with Section 1111
- order and appearance
- ordance with Section 505
- Ordinances
- ordance with standards and regulations established by the Board of Health having jurisdiction within the City, the Building Code and any other governmental regulations governing the c
- Ord. 26-22
- ordance with this section and all other applicable sections of this code
- ordance with Section 1117
- ordance with Chapter 730 of the Codified Ordinances
- Ord. 52-24
- ordance with Section 1105

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1111.02 TEMPORARY USES AND STRUCTURES.

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OH

Sheffield Lake

Codified Ordinances of Sheffield Lake, OH

1111.02 TEMPORARY USES AND STRUCTURES.

CHAPTER 1111 Accessory and Temporary Use Regulations

1111.01 ACCESSORY USE REGULATIONS.

(a) Purpose. This section authorizes the establishment of accessory uses that are incidental and customarily subordinate to principal uses permitted in accordance with this code.

(b) General Provisions.

(1) Accessory structures and uses shall be incidental to and customarily found in connection with a principal building or use permitted in the district in which it is located.

(2) An accessory structure and/or use shall be located on the same lot as the principal use for which it serves. The City may allow for the placement of accessory structures or uses in open space areas or protected common space as part of a PRD when there is sufficient language on the approved plans and in covenants that define the allowable structure or use and establishes responsibility for maintenance.

(3) An owner shall be required to apply for and receive a zoning permit unless specifically exempted by this code.

(4) An accessory use or structure shall not be established unless a principal use has first been established on a lot in conformance with the applicable provisions of this code.

(5) Small accessory structures such as benches and garden decorations, etc. shall be exempt

from the provisions of this section provided they do not have a footprint that exceeds twenty-four (24) square feet. Small accessory structures such as doghouses and barbeque equipment shall also be allowed without a permit but must be placed in the side or rear yard.

(6) Gardens and the raising of crops for the personal use of the residents, tenants, or property owners, may be grown in the side or rear yard, without a permit. See Section 1111.01(d) related to the raising of livestock animals.

(7) An accessory structure that is attached to the principal building shall be considered an integral part of the principal building and shall comply with the lot standards and all other development standards of the applicable zoning district. Any accessory structure shall be considered as an integral part of the principal building if it is connected to the principal building either by common walls or by a breezeway or roof.

(8) The accessory use regulations of this chapter shall not apply to any public park lands owned by the City, Lorain County, or the State of Ohio.

(c) Size Requirements and Location.

(1) Setbacks.

A. Accessory buildings, such as garages and carports, that are attached or an integral part of the principal use shall be regulated as part of the principal use and comply with all applicable setbacks.

B. Unless otherwise specified in this section, detached accessory structures and buildings shall be set back a minimum three (3) feet from all lot lines. This setback shall not apply to fences, walls, or hedges that are regulated by Section 1113.04: Fences, Walls, and Hedges.

C. No detached accessory building shall be located less than twelve (12) feet from the principal building.

D. Detached accessory buildings shall be set back a minimum of sixty (60) feet from any lot line adjacent to a street, regardless of what yard they are permitted within.

(2) Number and Size Requirements.

A. In residential zoning district, the total floor area of all accessory buildings shall not exceed thirty percent (30%) of the rear yard of the applicable lot.

B. The maximum size of any accessory storage building (e.g., sheds) shall be 192 square feet. Other accessory buildings may be larger but shall not exceed the total floor area established above and in no case shall it exceed the floor area of the footprint of the principal building.

C. A maximum of two (2) detached garages and/or storage buildings, or combination, is permitted on any lot.

D. Unenclosed gazebos, pergolas, playsets, trampolines, and similar items shall not be considered an accessory building unless it is fully enclosed by walls and a roof.

(3) Maximum Height. Unless otherwise specified in this section, the maximum height of accessory structures or buildings shall be twelve (12) feet. Detached accessory garages may exceed twelve (12) feet but shall in no case exceeds the height of the principal building. The height shall be measured as defined in Section 1113.06(d).

(d) Permitted Accessory Uses. Table 1111-1 lists the accessory uses and structures allowed within all zoning districts. The following is an explanation of the abbreviations and columns in Table 1111-1.

(1) Permitted Use (P).

A. A "P" in a cell indicates that an accessory use or structure is permitted by-right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this code.

B. Permitted uses or structures are approved administratively by the Zoning Inspector through the zoning permit procedure, where required. Accessory structures or uses that are accessory to principal uses subject to site plan review shall be reviewed as part of the site plan review process unless the principal use has already been established, in which case, the accessory structure or use shall require only a zoning permit approval.

(2) Permitted Use with Use-Specific Standards (PS).

A. A "PS" in a cell indicates that the accessory use or structure category is allowed by-right in the respective zoning district if it meets the additional standards set forth in the last column of Table 1111-1. Permitted uses with standards are subject to all other applicable regulations of this code.

B. Uses or structures permitted with standards under this category are approved administratively by the Zoning Inspector through the zoning permit procedure, where required. Accessory structures or uses that are accessory to principal uses subject to site plan review shall be reviewed as part of the site plan review process unless the principal use has already been established, in which case, the accessory structure or use shall require only a zoning permit approval.

(3) Conditional Use (C).

A. A "C" in a cell indicates that an accessory use or structure may be permitted if approved through the conditional use review (See Section 1105.03: Conditional Uses.). Conditional uses may be subject to use-specific standards as identified in the last code.

B. The existence of additional use-specific standards in this code shall not be implied to be the only standards the use is required to meet. Any use that is permitted as a conditional use shall be subject to the general review standards for conditional uses in Section 1105.03(d).

(4) Prohibited Uses. A blank cell indicates that an accessory use or structure is prohibited in the respective zoning district.

(5) Zoning Permit Required. The "Zoning permit Required" column identifies if a zoning permit is required for the applicable accessory use or structure.

(6) Yards Permitted. The "Yards Permitted" column identifies in which yards the applicable accessory use or structure is permitted. See also Section 1113.06(c), for more information about specific yard locations for interior, corner, through, flag or panhandle, cul-de-sac, or curved street lots, etc.

(7) Numerical References (Last Column). The numbers contained in the "Use-Specific Standards" column are references to additional standards and requirements that apply to the use and structure type listed. Standards referenced in the "Use-Specific Standards" column apply in all zoning districts unless otherwise expressly stated and may apply to a conditionally permitted use and/or a permitted use with use-specific standards.

(8) Unlisted Uses. If an application is submitted for a use that the Zoning Inspector determines is not defined or established in Table 1111-1, the applicant may choose to take one of the actions identified in Section 1107.04(c).

(9) Accessory Uses in PRD Districts. Accessory uses for development within a PRD shall be regulated based on the principal use. Accessory uses for residential principal uses shall be as regulated for residential zoning districts in Table 1111-1. Accessory uses for nonresidential principal uses shall be as regulated for nonresidential zoning districts in Table 1111-1.

TABLE 1111-1: PERMITTED ACCESSORY USE TABLE

P = Permitted Use PS = Permitted with Additional Use-Specific Standards
C = Conditional Use Blank Cell = Prohibited Use

Permitted Uses

R-1A, R-1B,
R-1C, R-2 &
R-3

B-1, B-2, B-4, B-5, I-1, & P-I

Zoning Permit Required

Yards Permitted

F = Front

S = Side

R = Rear

Use-Specific Standards

See Section

Accessibility Ramps

PS

PS

Yes

F, S or R

1111.01(e)(1)

Amateur Radio Antennas

PS

Yes

S or R

1111.01(e)(2)

Automated Teller Machines (ATM)

PS or C

Yes

S or R

1111.01(e)(3)

Basketball Hoops

PS

PS

No

F, S or R

1111.01(e)(4)

Bike and Skateboard Ramps

PS

PS

Yes

R

1111.01(e)(5)

Community Gardens

PS

PS

Yes

F, S or R

1111.01(e)(6)

Detached Accessory Buildings

PS

PS

Yes

S or R

1111.01(e)(7)

Drive-Through Facilities

PS

Yes

S or R

1111.01(e)(8)

Fleet Vehicle Storage

PS

Yes

S or R

1111.01(e)(9)

Home Occupations

PS

Yes

Inside principal building

1111.01(e)(10)

Nursery Schools or Day Care Centers

PS

PS

Yes

Inside principal building

1111.01(e)(11)

Outdoor Dining

PS

Yes

F, S or R

1111.01(e)(12)

Outdoor Display or Sales

PS

Yes

See 1111.01(e)(13)

Outdoor Storage and Bulk Sales

PS

Yes

See 1111.01(e)(14)

TABLE 1111-1: PERMITTED ACCESSORY USE TABLE

P = Permitted Use PS = Permitted with Additional Use-Specific Standards

C = Conditional Use Blank Cell = Prohibited Use

Permitted Uses

R-1A, R-1B,
R-1C, R-2 &
R-3

B-1, B-2, B-4, B-5, I-1, & P-I

Zoning Permit Required

Yards Permitted

F = Front

S = Side

R = Rear

Use-Specific Standards

See Section

Outdoor Vending Machines and Drop Boxes

PS

No

See 1111.01(e)(15)

Playsets, Treehouses and Trampolines

PS

See 1111.01(e)(16)

Porches, Decks and Patios

PS

PS

See 1111.01(e)(17)

Raising of Livestock Animals

PS

No

S or R

1111.01(e)(18)

Satellite Dishes

See 1111.01(e)(19)

Short-Term Rentals

PS

No

Inside principal building

1111.01(e)(20)

Solar Panels

PS

PS

Yes

R

1111.01(e)(21)

Swimming Pools

PS

PS

Yes

R

1111.01(e)(22)

Type-A Day Care Homes

C

Yes

Inside principal building

1111.01(e)(23)

Type-B Day Care Homes

P

Yes

(e) Use-Specific Standards.

(1) Accessibility Ramps. Ramps that provide access to buildings for the disabled are permitted in all zoning districts and may encroach in all setbacks but shall not encroach on a public sidewalk, right-of-way, or street.

(2) Amateur Radio Antennas.

A. Towers used to support amateur radio antenna shall not exceed seventy (70) feet in height.

B. Such a tower shall be set back a minimum of one (1) foot from each lot line for every one (1) foot in height. All guy wires, if applicable, shall be set back a minimum of ten feet from all lot lines.

C. Any tower and related structures shall be installed in accordance with the instructions furnished by the manufacturer of the tower model. An antenna mounted on a tower may be

modified and changed at any time so long as the published allowable load on the tower is not exceeded and the structure of the tower remains in accordance with the manufacturer's specifications.

(3) Automated Teller Machines (ATM).

A. If the ATM is part of a drive-through facility, the ATM shall be subject to the vehicle stacking requirements of Section 1117.07: Stacking Space Requirements.

B. ATMs that are located within the interior of the building shall be regulated and reviewed as part of the principal building.

C. Stand-alone ATMs that are independent from any building shall be permitted only as a conditional use with approval required by the Police Department.

(4) Basketball Hoops.

A. Basketball courts shall be regulated in the same manner as a patio. See Section 1111.01(e)(17).

B. Movable basketball hoops shall not be located in rights-of-way or be so located as to require play in any right-of-way.

(5) Bike and Skateboard Ramps. Bike ramps and skateboard ramps shall be set back a minimum of fifteen (15) feet from all lot lines.

(6) Community Gardens.

A. Community gardens may be allowed as an accessory use when associated with a public or institutional principal use (e.g., place of worship or educational institution).

B. Community gardens may be located in an open space area if the space is maintained by a homeowners' association.

C. The owner of the property shall have an established set of operating rules addressing the governance structure of the garden; hours of operation; maintenance and security requirements and responsibilities; and distribution of garden plots.

D. The name and telephone number of the owner and any person designated as the person in-charge of garden coordination along with a copy of the operating rules shall be kept on file with the Zoning Inspector.

E. The site shall be designed and maintained so that water and fertilizer will not drain onto adjacent properties.

F. There shall be no retail sales on site, except for produce grown on the site.

G. Benches, bike racks, raised/accessible planting beds, picnic tables, seasonal farm stands, garden art, and rain barrel systems may be permitted if the community garden is located on a lot where the principal use of the lot is public, institutional, or commercial.

H. Fences and walls shall be subject to the provisions of Section 1113.04: Fences, Walls, and Hedges.

(7) Detached Accessory Buildings. The provisions of this section shall apply to any accessory building not identified elsewhere in Table 1111-1 that may include detached garages, detached storage/utility sheds, gazebos, pool houses, and other similar buildings as determined by the Zoning Inspector.

A. Detached garages shall be served by a paved driveway.

B. Detached accessory buildings shall include accessory structures that are enclosed, regardless of the materials used for enclosure including, but not limited to, screening, hoop houses and greenhouses.

C. Detached carports are prohibited.

(8) Drive-Through Facilities.

A. Drive-through facilities shall be subject to the vehicle stacking requirements of Section 1117.07: Stacking Space Requirements.

B. Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall be set back a minimum of 100 feet from any residential dwelling unit and shall be subject to all applicable noise resolutions and ordinances.

C. No service shall be rendered, deliveries made, or sales conducted within the required front yard; customers served in vehicles shall be parked to the sides and/or rear of the principal structure.

D. All drive-through areas, including but not limited to menu boards, stacking lanes, trash receptacles, loudspeakers, drive up windows, and other objects associated with the drive-through area shall be located in the side or rear yard of a property to the maximum extent feasible, and shall not cross, interfere with, or impede any public right-of-way.

(9) Fleet Vehicle Storage. The storage of fleet vehicles is permitted as an accessory use to any permitted use in the I-1 or P-I Districts.

(10) Home Occupations.

A. Home occupations shall be conducted entirely within the dwelling unit or an approved accessory building.

B. No space on the premises and outside of a principal or accessory building shall be used for storage or for any home occupation use.

C. Home occupations shall not change the character of the residential use and shall not adversely affect the uses permitted in the residential district of which they are a part.

D. The nature of home occupation as an accessory use relative to its location and conduct of activity is such that the average neighbor, under normal circumstances, would not be aware of its existence.

E. Any home occupation activities on the property shall be conducted only by persons residing in the dwelling unit and up to one (1) additional employee who does not have to reside in the dwelling.

F. No building or structure shall be used to operate a business, store equipment or supplies used for a business, or serve as a location where employees meet or park prior to going to work off-site but where such employees do not work anywhere on the property.

G. No equipment or process shall be used which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. In case of electrical interferences, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers, or which causes fluctuations in line voltage off the premises.

H. The maximum floor area the use may cover shall not exceed twenty percent (20%) of the total floor area of the dwelling unit.

I. Home occupations that provide a service to customers shall not have more than one customer (including those arriving and waiting for service) at any one time.

J. The storage of all equipment, machinery, supplies, materials, files, and the like, shall be stored completely within the residence or accessory buildings.

K. Any need for parking generated by the conduct of such home occupation shall be accommodated on off-street parking spaces or areas that are paved for the purpose of parking.

L. No traffic shall be generated by such home occupation in greater volume than is normally expected for the residential neighborhood, as determined by the Director of Public Safety.

M. The following are examples of permitted types of home occupations in the R-1A, R-1B, R-1C, and R-2 Districts:

- i. Clerical and other similar business services;
- ii. Instruction in music, dance or other type of teaching with a maximum number of two (2) students at a time;
- iii. The office of a professional accountant, attorney, broker, consultant, insurance agent, realtor, architect, engineer, sales representative, and similar office-oriented occupations;
- iv. Artists, sculptors, photographers, and other providers of home crafts;
- v. Barber shop/beauty salon with a maximum of one (1) chair;
- vi. Workshops for a tailor, dressmaker, gunsmiths, repair services, and artisans;
- vii. Caterers with no on-site catering;
- viii. A licensed massage therapist who provides massage therapy for a maximum of one (1) client at any given time; or
- ix. Any similar use as determined by the Zoning Inspector.

N. Only office, clerical, and business service uses are permitted home occupations in dwelling units within the R-3 District.

O. The following are examples of home occupations that are specifically prohibited:

- i. Animal hospital;
- ii. Barber shop or beauty salon;
- iii. Business school;
- iv. Clinic or medical center;
- v. Mortuary;
- vi. Private club;
- vii. Equipment rental;
- viii. Repair or service establishment including automobile;
- ix. Restaurant;
- x. Kennel;
- xi. Landscaping business;
- xii. Boarding house/tourist home; or
- xiii. Any similar use as determined by the Zoning Inspector.

(11) Nursery Schools or Day Care Centers. Nursery schools or day care centers may only be permitted as accessory uses to permitted and conforming nonresidential uses including places of worship, educational institutions, and businesses. Such use shall be located within the principal building.

(12) Outdoor Dining.

A. Outdoor dining areas shall be located along a sidewalk (public or private) adjacent to the principal building or between the principal building and parking areas. Outdoor dining areas shall not be located in such a manner as to require customers and employees to cross driveways or parking areas to go between the café/food service areas and the principal building.

B. A minimum of four (4) feet of clear walking space shall be maintained on the sidewalk for pedestrian traffic.

C. Umbrellas and awnings that shelter diners from the elements shall be secured so as not to create a hazard in windy conditions.

D. Enclosing outdoor dining areas either by a permanent roof or to expand the existing structure shall meet all the requirements of a principal building within the applicable zoning district and shall require the issuance of a new zoning permit.

E. Any roof designed to cover patrons, including roofs over areas for waiting, smoking, etc., shall be structurally attached to the principal building and permanent in nature.

(13) Outdoor Displays or Sales. Facilities for outdoor display or sales (e.g., garden supply sales, news and flower stands, and similar uses) that are accessory to another principal use may be permitted upon compliance with the following:

A. Outdoor display and sales areas shall require the issuance of a zoning permit after site plan approval. Such uses shall not be placed within the street right-of-way, within an interior drive, or in a location which will interfere with vehicle sight distance.

B. Outdoor displays and sales shall be related to the principal use of the site and shall clearly be accessory and incidental to the principal use. Outdoor displays and sales shall be prohibited when the principal building is vacant.

C. Any outdoor displays or sales not related to the principal use shall be regulated as a temporary outdoor sale in accordance with Section 1111.02(c)(4).

D. Outdoor display and sales areas may be permitted provided that the merchandise is displayed along the sidewalk or walkway adjacent to the building.

E. Outdoor display and sales areas may also be permitted in any side or rear yard.

F. In all cases, any areas designated for outdoor display or sales shall be set back a minimum of twenty-five (25) feet from any adjacent residential lot.

G. The placement of the use shall not result in the reduction of the number of parking spaces required to serve the principal use(s) on the site.

H. The placement of the merchandise shall not interfere with pedestrian movement on any sidewalk or walkway. A minimum of five (5) feet of the sidewalk or walkway shall be clear of merchandise to allow for safe pedestrian movement.

I. The outdoor display and sales areas shall be maintained in good order and appearance.

J. The area designated for outdoor display and sale of goods shall be limited to 400 square feet or twenty percent (20%) of the floor area of the principal building, whichever is greater, and shall be identified on the site plan.

K. The outdoor display and sale of goods and products shall be limited to those goods and products that a customer can pick up and carry into the building for purchase. Larger items may be displayed for sale if in compliance with the outdoor storage requirements of Section 1111.01(e)(14).

(14) Outdoor Storage and Bulk Sales. Outdoor storage and bulk sale activities that are accessory to another principal use may be permitted upon compliance with the following:

A. The outdoor storage of goods shall be prohibited on vacant lots.

B. The outdoor storage of materials shall include the storage of goods, materials, or products associated with the principal use.

C. Outdoor storage and bulk sales areas shall require the issuance of a zoning permit after site plan approval.

D. Areas devoted to outdoor storage shall be located in the side and rear yard only and shall comply with the building setbacks set forth in the applicable zoning district. Outdoor storage may also be located in the front yard when placed on a sidewalk area located within ten (10) feet of the front façade of the principal building.

E. No outdoor storage area shall be permitted to occupy or interfere with traffic circulation, required parking areas, sidewalks, or pedestrian access.

F. The area of the lot devoted to outdoor storage of goods and merchandise shall not exceed 400 square feet or twenty percent (20%) of the ground floor area of the principal building, whichever is greater.

G. Areas devoted to outdoor storage shall be paved with asphalt or concrete and free of

dust.

H. The outdoor storage area may also be used for a sales area for the related principal use.

I. In all cases, any areas designated for outdoor storage areas shall be set back a minimum of fifty (50) feet from any adjacent residential lot.

J. Screening.

i. All aspects of outdoor operations including outdoor storage of goods and materials shall be enclosed with a solid wall or fence, including solid gates. The wall or fence shall have a height tall enough to conceal all materials therein from the view of any observer standing at the grade level at an abutting residential district line or a public street. However, in no case shall the height of the fence or wall be less than six (6) feet.

ii. If the wall or fence needs to exceed eight (8) feet in height to conceal the storage of materials, such wall or fence shall be constructed of materials similar to the principal building so that it appears to be an extension of the principal structure.

iii. All materials shall be stored in such a fashion as to be accessible to fire-fighting equipment at all times.

iv. Outdoor storage of materials shall not include a junkyard or similar storage.

(15) Outdoor Vending Machines and Drop Boxes.

A. No such use or facility shall be placed within the street right-of-way, within an interior drive, or in a location which will interfere with required site visibility requirements (See Section 1113.05: Intersection Visibility.).

B. The placement of the facility shall not result in the reduction of the number of parking spaces below the number of spaces required for the principal use by this code.

C. The facility or equipment shall be maintained in good operating order and appearance.

D. Vending machines shall only be placed along the façade of the principal building. See Figure 1111-A.

Figure 1111-A: The above is an image of a vending machine that is appropriately located along the façade of the building.

E. Drop boxes shall only be permitted in the side or rear yard.

F. A maximum of one drop box and two vending machines are permitted on any single lot. One additional drop box and one vending machine shall be permitted on a lot for each two (2) acres of lot area in excess of an initial two (2) acre lot. This limitation on the number of boxes or machines shall not apply to dumpsters outside of the building or vending machines located within the building.

G. Signage shall be limited to a maximum of six (6) square feet on each vending machine and drop box and shall not count toward the sign area allowed in Chapter 1119: Signs.

H. The City shall have the authority to place more than one drop box on a single lot when providing recycling services to the general public.

(16) Playsets, Treehouses and Trampolines. Playsets, treehouses, and trampolines shall be permitted in any rear yard, without a zoning permit provided that the use is less than 200 square feet. Any use that has a larger footprint or that is an enclosed structure shall be regulated as a detached accessory building in accordance with Section 1111.01(d).

(17) Porches, Decks, and Patios.

A. Porches or decks that are enclosed with a roof and with walls or siding including, but not limited to, screening or other materials, and are attached to the principal building shall be

considered an integral part of the principal building and shall meet the setback requirements for principal buildings in the applicable zoning district.

B. Any enclosure shall be constructed of traditional, permanent materials (e.g., no tarps or fabric covers other than traditional screening material used for screened-in porches). The enclosure of a previously unenclosed porch or deck shall require the approval of a zoning permit.

C. Patios, decks, and porches may have built-in grills, kitchen areas, or living areas but such activities shall only be permitted in the rear yard only provided such use complies with any applicable building code requirements. Living areas shall not include chairs or other seating.

D. Decks.

i. Decks shall require a zoning permit and shall be permitted in all yards subject to the standards of this section.

ii. Decks shall comply with the front and side yard setbacks for principal buildings in the applicable zoning district.

iii. Decks are permitted in any yard provided they are attached to the principal building and are designed so the walking surface is no higher than the floor height of the first floor of the building.

iv. Decks in the rear yard and decks not attached to a building shall be set back a minimum of three (3) feet from the rear lot line. Such decks shall not have a walking surface that exceeds two (2) feet above grade and shall not exceed eight (8) feet in height as measured from the ground at the base of the deck supports to the top of any railing or other elements of the deck.

v. Any deck railing that is located more than eight (8) feet above the ground shall not be solid and shall be constructed of railing to maintain a minimum of fifty percent (50%) opacity.

vi. If a pergola, gazebo, or other roofed structure is attached to a deck but not attached to the principal building, then the pergola, gazebo, or roofed structure shall still be subject to the setbacks required for decks.

vii. Decks may include stairways to the ground or other decks.

E. Porches.

i. Porches shall require a zoning permit and shall be permitted in all yards.

ii. Porches shall be included in the calculation of maximum lot coverage in Section 1113.06(f).

iii. Porches shall comply with the side and rear yard setbacks for principal buildings in the applicable zoning district.

iv. Porches with a width of less than twenty-five percent (25%) of the principal building façade width may encroach into the required front yard a maximum of six (6) feet.

F. Patios.

i. Patios shall not require a zoning permit but shall be in compliance with all applicable standards.

ii. Patios shall be included in the calculation of maximum lot coverage in Section 1113.06(f).

iii. Patios are only permitted in the rear yard.

iv. Patios may encroach into any side or rear yard provided there shall be maintained a minimum setback of three (3) feet from all lot lines to the edge of the patio.

v. If a pergola, gazebo, or other roofed structure is attached to a patio but not attached to the principal building, then the pergola, gazebo, or roofed structure shall be regulated as a detached accessory building in accordance with Section 1111.01(d).

(18) Raising of Livestock Animals.

A. Poultry and fowl may be raised and cared for on residential lots in accordance with Section 505.121 of the Codified Ordinances.

B. The raising and caring for of any livestock animals beyond what is permitted in Section 505.121 shall only be permitted on lots with a minimum lot area of five (5) acres in residential zoning districts.

(19) Satellite Dishes.

A. Satellite dishes of one (1) meter in diameter or less shall be exempt from the provisions of this section on accessory uses and shall not require a zoning permit. To the maximum extent possible, the dish should be located in the side or rear yard.

B. Dishes that exceed one (1) meter in diameter shall only be permitted in a nonresidential zoning district if approved as a conditional use. Such dish shall only be permitted in a rear yard.

(20) Short-Term Rentals.

A. Short-term rentals are only permitted in the R-2 District.

B. Short-term rentals shall comply with the standards of Section 1107.05(q).

(21) Solar Panels.

A. Freestanding solar panels shall be limited to a maximum height of ten (10) feet. Such freestanding solar panels shall be located in the rear yard where they shall be set back a minimum of twenty-five (25) feet and shall not cover more than 200 square feet in lot area.

B. Roof-mounted solar panels on the front side of a roof facing a street shall be flush-mounted to the roof.

C. Roof-mounted solar panels that do not face a street may be mounted flush or at an angle to the roof but shall not exceed thirty-six (36) inches in height from the roof plane as measured from the roof plane to the furthest point of the solar panel.

D. Roof-mounted solar panels shall require a zoning permit or may be reviewed as part of the zoning permit for the principal building.

(22) Swimming Pools.

A. Any constructed or manufactured pool, both permanent and temporary, not located within an enclosed building and which is used or intended to be used as a swimming pool in connection with residential dwellings and is available only to the residents and their private guests shall be classified as a private swimming pool and shall be regulated by this subsection.

B. These regulations shall also apply to community pools that are restricted to use by residents of a subdivision or residential development and their guests as well as outdoor pools that serve guests of a hotel or similar nonresidential use.

C. For the purposes of this subsection, swimming pool shall include pools, spas and hot tubs and shall be defined as any in-ground, on-ground, or above-ground pool intended for swimming, wading or recreational bathing capable of containing in excess of three (3) feet of water at its deepest point as determined by manufacturer's specifications.

D. A swimming pool shall not exceed fifty-four (54) inches in height, above ground.

E. Swimming pools shall be set back a minimum of six (6) feet from all lot lines.

F. Usual and customary pool equipment and accessories (such as a pool deck a diving board or a filtration house), not exceeding five (5) feet in height, shall only be located in the rear yard and shall be set back a minimum of three (3) feet from all lot lines.

G. All swimming pool construction and operation shall be in accordance with standards and regulations established by the Board of Health having jurisdiction within the City, the Building Code and any other governmental regulations governing the construction and operation of such facilities.

H. Any outdoor swimming pool, as defined in this subsection, shall be surrounded by a

barrier which shall comply with the following:

i. Every swimming pool shall be completely enclosed by a fence and/or structure of sturdy construction at least forty-eight (48) inches in height, measured from the ground level at each point along the boundary of such enclosure. The enclosure may surround the pool area or the entire yard. The enclosure shall be of such design as to prevent young children from crawling or otherwise passing through, under or over such enclosure without the use of a ladder or other implement. Openings in the barrier shall not allow passage of a four (4) inch diameter sphere.

ii. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

iii. Access gates into such enclosure shall be self-closing and have a self-latching device. The fence/barrier shall be equipped with at least one such access gate.

iv. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure and the means of access is a ladder or steps, then the ladder or steps shall be capable of being secured, locked or removed to prevent access.

v. The required barrier must be installed prior to filling the pool with water.

vi. Automatic pool covers are permitted but the fencing/barrier requirements of this section shall still apply.

vii. A spa or hot tub with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.

I. A building permit shall be obtained from the Building Department before construction of a swimming pool is begun and shall contain plans and specifications for both the pool and the fence or other protective barrier which the owner proposes to erect around the pool as well as a plot plan showing the location of the pool and barrier with reference to lot lines and other buildings on the property.

J. Proper drainage shall be provided to ensure that pool overflow does not affect adjacent properties.

K. Lighting shall be shaded so as not to be a disturbance to adjacent properties.

L. Any sound of motor or pumps in such manner as to disturb the peace, quiet and comfort of neighboring inhabitants shall be shielded to prevent such disturbances.

M. Whoever violates or fails to comply with any of the provisions of this chapter shall be fined not more than fifty dollars (\$50.00) for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

(23) Type-A Day Care Homes.

A. Type-A day care homes may only be located on lots with a minimum lot area of 20,000 square feet and if approved as a conditional use.

B. There shall be a minimum of four off-street parking spaces on the same lot as the use including any parking within garages.

C. The driveway and parking shall be designed in a manner that allows for safe maneuverability of vehicles.

(Ord. 26-22. Passed 4-26-22.)

1111.02 TEMPORARY USES AND STRUCTURES.

(a) Purpose. This section allows for the establishment of certain temporary uses and structures of limited duration, provided that such uses and structures do not negatively affect adjacent properties, and provided that such uses or events are discontinued upon the expiration of a set time period. Temporary uses and structures shall not involve the construction or alteration of any

permanent building or structure.

(b) General Standards Applicable to All Temporary Uses and Structures.

(1) All temporary uses and structures shall be reviewed in accordance with this section and all other applicable sections of this code.

(2) All temporary uses and structures shall:

- A. Require the issuance of a zoning permit, unless otherwise specifically stated;
 - B. Not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare;
 - C. Be compatible with the principal uses taking place on the site;
 - D. Not have substantial adverse effects or noise impacts on nearby residential neighborhoods;
 - E. Not include permanent alterations to the site;
 - F. Not maintain temporary signs associated with the use or structure after the activity ends;
 - G. Not violate the applicable conditions of approval that apply to a site or use on the site;
 - H. Not interfere with the normal operations of any permanent use located on the property;
- and

I. Contain sufficient land area to allow the temporary use, structure, or special event to occur, as well as adequate land to accommodate the parking and traffic movement.

(3) Temporary tents, seasonal covers, and temporary carports are prohibited with the exception that a temporary tent may be permitted as part of a special event. See Section 1111.02(c)(4).

(c) Permitted Temporary Uses and Use-Specific Standards.

(1) Gravel Surface Parking Lot.

A. A gravel surface parking lot may be permitted while a site is under construction but shall only be permitted in areas for parking as established in the approved plans associated with the site plan approval or zoning permit, as applicable.

B. The gravel parking area must be paved in accordance with Section 1117.03(h) or the approved plans prior to the issuance of a certificate of occupancy. The applicant may also remove the temporary gravel surface parking lot as an alternative to paving but in such case, the area that was used as a gravel lot shall be returned to its previous state or as a landscaped area.

C. A solid surface or gravel driveway shall be provided so vehicles may access the parking lot from a public street.

(2) Temporary Structures for Construction Purposes. Temporary structures for construction operations may be permitted in any district if such structures are deemed necessary, provided:

A. The use of such structures shall be limited to offices, buildings for the storage of lumber, equipment, and other building material, temporary toilets, and construction dumpsters.

B. All temporary structures shall be set back a minimum of twenty-five (25) feet from the nearest occupied residential dwelling.

C. No structure may be placed on the site any sooner than two (2) weeks before the start of grading or construction.

D. The structure shall not be located within a floodplain, in the right-of-way, or in any other location that will obstruct drainage or traffic flow.

E. The structure shall not block or prevent access to any fire hydrant.

F. All temporary structures for construction operations shall be removed within thirty (30) days after the completion of work on the premises or in the subdivision for which a certificate has been issued or if construction is not pursued diligently. In no instance, shall the zoning permit for

the construction structure allow for its placement for longer than three years.

G. For real estate offices and/or model homes, the following shall apply:

i. The office or model home shall be identified on the improvement plans approved by City Council.

ii. One (1) temporary real estate sales office or model home, per builder or developer, shall be permitted in a section or phase of a new residential or nonresidential development.

iii. The office or home shall be located on a lot approved as part of the subject development or subdivision.

iv. The office or homes shall be operated by a developer or builder active in the same phase or section where the use is located.

v. The office shall be removed, if not within a home, or the model home shall be converted into a permanent residential use once eighty percent (80%) occupancy in the section or phase of the development is reached. For the purposes of these standards, occupancy shall include both the physical occupancy of buildings by the resident or tenant or sale of a completed building to a private party beyond the builder or developer.

(3) Portable Storage Units. The placement and use of portable storage units shall comply with the following:

A. Only one (1) portable storage unit shall be permitted on a single lot at any one time.

B. Portable storage units shall be permitted on any one lot for a total period of thirty (30) days per calendar year.

C. Portable storage units shall be placed on a paved surface.

D. Portable storage units shall not be located in the floodplain, block a drainage path, and shall not block sidewalks, fire lanes, or bike paths.

E. No part or former part of a semi-trailer or trailer shall be utilized as a portable storage unit or permanent accessory structure in any zoning district. A trailer or semi-trailer with all wheels and tires and valid license may be utilized as a portable storage unit, but shall conform to all requirements for portable storage units.

(4) Temporary Events. A temporary event may be permitted in compliance with the following:

A. The following activities shall be exempt from these temporary use regulations but may still be subject to other sections of this code.

i. Any event sponsored in whole or in part by the City, Lorain County, State of Ohio, or United States government or the school district.

ii. Any organized activities conducted at sites or facilities typically intended and used for such activities including, but not limited to, sporting events such as golf, soccer, softball, and baseball tournaments conducted on courses or fields intended and used for such activities and religious services, wedding services, and funeral services conducted at places of worship.

B. Garage sales are permitted in accordance with Chapter 730 of the Codified Ordinances. (Ord. 26-22. Passed 4-26-22.)

C. Temporary outdoor sales of agricultural products are subject to the provisions of this section.

(Ord. 52-24. Passed 12-3-24.)

D. Temporary Event (Limited Impact).

i. A temporary event with limited impact may be permitted with a special event permit, approved by the Mayor, for a maximum of two (2) times per calendar year on any single lot. Such events shall be subject to the general standards for all temporary uses.

ii. The authorization of a temporary event with limited impact shall not exceed forty-five

(45) consecutive days per occurrence.

iii. Any temporary event that involves the sale of alcoholic beverages, attendance of over fifty (50) people at one time, overnight stays, or that exceeds forty-five (45) consecutive days in length shall only be permitted if approved as a temporary use with extensive impact.

E. Temporary Event (Extensive Impact). Any temporary event that is not classified as a temporary event with limited impact or that is not specifically exempted or prohibited by this code, shall be classified as a temporary event with extensive impact and shall require a conditional use approval in accordance with Section 1105.03: Conditional Uses and the following standards:

- i. The temporary event shall not create an unreasonable risk of significant:
 - a. Damage to public or private property, beyond normal wear and tear;
 - b. Injury to persons;
 - c. Public or private disturbances or nuisances;
 - d. Unsafe impediments or distractions to, or congestion of, vehicular or pedestrian travel;
 - e. Additional and impracticable or unduly burdensome police, fire, trash removal, maintenance, or other public services demands; and
 - f. Other adverse effects upon the public health, safety, or welfare.
- ii. The temporary event shall not be of such a nature, size, or duration that the particular location requested cannot reasonably accommodate the event.
- iii. The temporary event shall not occur at a time and location that has already been permitted or reserved for another permitted temporary event.
- iv. In approving the temporary event, the Planning Commission is authorized to impose such conditions as may be necessary to reduce or minimize any potential adverse impacts upon other property in the area. Such conditions may include, but are not limited to, conditions that address the following:
 - a. Provision of adequate vehicular ingress and egress;
 - b. Control of nuisance factors, such as but not limited to, the prevention of glare or direct illumination of adjacent properties, noise, vibrations, smoke, dust, dirt, odors, gases, and heat;
 - c. Regulation of temporary buildings, structures, and facilities, including placement, height and size, location of equipment and open spaces, including buffer areas and other yards; and
 - d. Modification or elimination of certain proposed activities.

(Ord. 26-22. Passed 4-26-22.)

F. Food Truck Operations. Food Truck Operations shall be considered Temporary Special Events (Limited Impact) regardless of the duration and frequency, and be subject to the fee schedule set forth as Section 1361.16(d).

(Ord. 52-24. Passed 12-3-24.)

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- ORDINANCES OF THE CITY OF SHEFFIELD LAKE, OHIO
- ORDINANCE NO. 116-84
- ORDINANCES OF SHEFFIELD LAKE
- ordinate to principal uses permitted in accordance with this code
- ordance with the instructions furnished by the manufacturer of the tower model
- ordance with the manufacturer's specifications
- ordination along with a copy of the operating rules shall be kept on file with the Zoning Inspector
- order devices, and similar instruments shall be set back a minimum of 100 feet from any residential dwelling unit and shall be subject to all applicable noise resolutions and ordinanc
- ordance with Section 1111
- order and appearance
- ordance with Section 505
- Ordinances
- ordance with standards and regulations established by the Board of Health having jurisdiction within the City, the Building Code and any other governmental regulations governing the c
- Ord. 26-22
- ordance with this section and all other applicable sections of this code
- ordance with Section 1117
- ordance with Chapter 730 of the Codified Ordinances
- Ord. 52-24
- ordance with Section 1105
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