

**ORDINANCE NO. 10-03 AC CMS**

**AN ORDINANCE APPROVING AN AMENDMENT TO THE CITY OF OBERLIN  
ZONING CODE RELATED TO ACCESSORY BUILDINGS IN  
RESIDENTIAL ZONING CLASSIFICATIONS**

**WHEREAS**, the Oberlin Planning Commission has reviewed the subject of accessory buildings and regulations related thereto; and

**WHEREAS**, the Oberlin Planning Commission has recommended to City Council that the Zoning Code be amended to permit accessory buildings in all residential zoning classifications and to establish regulations related to their location, height, etc; and

**WHEREAS**, an amendment to Chapters 1331, 1333, 1335 and 1337 is considered to be desirable to establish use and regulations associated with accessory buildings in residential zoning classifications.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Oberlin, County of Lorain, State of Ohio, a majority of all members elected thereto concurring:


**SECTION 1.** That the proposed amendments to Chapters 1331, 1333, 1335 and 1337 of the Codified Ordinances of the City of Oberlin, Ohio, related to accessory buildings, and the regulations applicable thereto, as set forth in "**Exhibit A**" attached hereto and incorporated herein by reference, are hereby approved and adopted by the City of Oberlin.


**SECTION 2.** It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 3.** That this ordinance shall take effect at the earliest date allowed by law.

PASSED: 1<sup>st</sup> Reading – January 19, 2010  
2<sup>nd</sup> Reading – February 01, 2010  
3<sup>rd</sup> Reading – February 16, 2010 (Effective in 30 days)

ATTEST:

  
\_\_\_\_\_  
BELINDA B. ANDERSON  
CLERK OF COUNCIL

  
\_\_\_\_\_  
SHARON F. SOUCY  
VICE PRESIDENT OF COUNCIL

POSTED: 2/17/2010

EFFECTIVE DATE: 2/16/2010

**EXHIBIT “A”**

**RECOMMENDED AMENDMENTS**  
**ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS**

**“R-1A” District:**

Section 1331.02(a) Permitted Uses  
Add: (8) Accessory Buildings.

Section 1331.05 Area Regulations  
Delete: Last sentence of Section 1331.05(a)  
Delete: Last sentence of Section 1331.05(b)

**“R-1B” District:**

Section 1333.02(a) Permitted Uses  
Add: (9) Accessory Buildings.

Section 1333.05 Area Regulations  
Delete: Last sentence of Section 1333.05(a)  
Delete: Last sentence of Section 1333.05(b)

**“R-1” District:**

Section 1335.02(a) Permitted Uses  
Add: (10) Accessory Buildings

Section 1335.05 Area Regulations  
Delete: Last sentence of Section 1335.05(a)  
Delete: Last sentence of Section 1335.05(b)

**“R-2” District:**

Delete: Last sentence of Section 1337.05(a)  
Delete: Last sentence of Section 1337.05(b)

**For All Residential Districts (R-1A, R-1B, R-1 and R-2):**

The following “Area Regulations” are to be added:

(a) Accessory Buildings in Residential Districts. An accessory building may be erected detached from the principal building. No accessory building shall be erected in any required yard except a rear yard, and shall not occupy more than thirty-five percent (35%) of the

rear yard. Accessory buildings shall be distant at least six (6) feet from any dwelling situated on the same lot.

(b) Accessory Buildings in Residential Districts: Corner Lots. In any residential district where a corner lot adjoins the rear of a lot fronting on the side street and located in a residential district, no part of an accessory building on such corner lot shall be nearer the side street lot line than the least depth of the front yard required along such side street for a dwelling on such adjoining lot.

(c) Accessory Buildings in Residential Districts: Side Yard Setbacks. In any residential district, no accessory building or structure shall be located closer to the side lot line than permitted in that district.

(d) Accessory Buildings in Residential Districts: Rear Yard Setback. In any residential district, no accessory building or structure shall be located closer to the rear lot line than four (4) feet.

(e) Accessory Buildings in Residential Districts: Maximum Height. In any residential district, no accessory building shall exceed one story or fifteen (15) feet in height.

(f) Accessory Buildings in Residential Districts: Without Main Building. In any residential district, no accessory building or structure shall be erected or constructed prior to the erection or construction of the principal building.