

AN ORDINANCE AMENDING VILLAGE ZONING ORDINANCE #19-97 IN RELATION TO THE DEFINITION OF ACCESSORY BUILDINGS AND ADDING SECTION 5.03: ACCESSORY BUILDINGS.

WHEREAS, Weston's current zoning ordinance does not clearly define "Accessory Buildings" in terms that prevent or allow the utilization of temporary storage unit

WHEREAS, the Council of the Village of Weston does not wish to prevent residents utilizing temporary storage units or parking structures.

WHEREAS, the Council of the Village of Weston wishes to regulate the use of Accessory Buildings to promote the safety and use of such "Accessory Buildings"

WHEREAS, the Village of Weston Planning Commission has recommended the amending of the definition of Accessory Buildings in Residential Districts (R1 and R2), Manufactured (Mobile) Home District, Commercial District, Industrial Districts (I-1 and I-2) in the Village Zoning Ordinance; and

WHEREAS, the Planning Commission and Council of the Village of Weston have conducted appropriate proceedings and hearings regarding the proposed amendment of creating specifications for Accessory Buildings in Residential Districts (R1 and R2), Manufactured (Mobile) Home District, Commercial District, Industrial Districts (I-1 and I-2) within the Village of Weston.

NOW THEREFORE, BE IT ORDAINED BY COUNCIL OF THE VILLAGE OF WESTON, COUNTY OF WOOD AND STATE OF OHIO:

Section 1: That the definition of "Accessory Building", found in Section 3 of Zoning Ordinance 19-97, which currently reads:

*"(Accessory building) A subordinate building or portion of main building, the use of which is incidental to that of the main building."*

is hereby removed and replaced with the following:

*"(Permanent Accessory Building) Any building or structure in which activities are carried out which are accessory to or supportive of those activities in the primary structure. A permanent accessory building may not contain other primary activities carried out in the primary structure itself. The term permanent accessory building is meant to include structures which are constructed for permanent existence on the lot and not for temporary use and storage. This term would include the common definition of the word shed. "*

AND

*"(Temporary Accessory Building) Any building or structures in which activities are carried out which are accessory to or supportive of those activities in the primary structure. A temporary accessory building may not contain other primary activities carried out in the primary structure itself. The term temporary accessory building is meant to include structures that are not constructed in a manner for permanent existence on the lot and for temporary use and storage. This term is intended to include temporary parking structures and movable storage units."*

Section 2: That Section 5.03 of Zoning Ordinance 19-97, is hereby added to include the following:

**"SECTION 5.03: ACCESSORY BUILDINGS**

- 1.) *Permanent Accessory Buildings under One Hundred Sixty Square Feet or less (<160')*

- a. *Must have a five (5) foot set-back from the from the rear and side property line.*
- b. *Must be placed in the rear yard in relation to the closest building on the same lot that occupied by persons.*
- 2.) *Permanent Accessory Buildings One Hundred Sixty Feet and over (>160')*
  - a. *Must have a five (5) foot set-back from the from the rear property line.*
  - b. *Must have a ten (10) foot set-back from the from the side property line.*
  - c. *Must be placed in the rear yard in relation to the closest building on the same lot that occupied by persons.*
  - d. *A permit must be obtained using the procedure laid out in section 9 of the Zoning Ordinance.*
- 3.) *Temporary Accessory Buildings*
  - a. *Must not be longer than eighteen (18) feet in length.*
  - b. *Must not exceed one hundred sixty (160) square feet.*
  - c. *A temporary accessory building shall not exist on the lot for a period exceeding six (6) months.*
  - d. *Must be placed in the rear yard in relation to the closest building on the same lot that occupied by persons.*
  - e. *A permit must be obtained before the use of a temporary accessory building via the procedure laid out in Section 9 of the Zoning Ordinance, however:*
    - i. *The fee for a temporary accessory building shall be waived if the use of the temporary accessory building is less than thirty (30) days.*
    - ii. *The fee shall be thirty dollars (\$30.00) if the temporary accessory building exists on the lot for a period over thirty (30) days to six (6) months.*

Section 3: That the Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of the Council and that all deliberations of the council and its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: That this Ordinance shall be effective from and after its passage at the earliest period allowed by law and shall not affect any preexisting Permanent Accessory Buildings.

Passed: \_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
CLERK

CERTIFICATION

I hereby certify that there is no newspaper printed in said municipality, and that the publication of the foregoing Ordinance No. \_\_\_\_\_ was duly made by posting a true copy thereof on [www.westonohio.org](http://www.westonohio.org) and five (5) of the most public places in said Weston, Ohio, as determined by Council, as follows:

Weston Public Library	Weston Post Office	Weston Marathon
Weston Market	Village Administrative Offices	

for period \_\_\_\_\_ through \_\_\_\_\_.

\_\_\_\_\_  
 CLERK