

AN ORDINANCE TO AMEND ORDINANCE 32-1969, AS AMENDED, AND TO PROVIDE FOR DIVIDING THE TERRITORY OF THE VILLAGE OF RICHFIELD, SUMMIT COUNTY, OHIO, INTO ZONE DISTRICTS FOR THE PURPOSE OF REGULATING THE LOCATION, USE, HEIGHT, BULK, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE AMOUNT OF LOT AREA WHICH MAY BE OCCUPIED, BUILDING SETBACK LINES, SIZES OF YARDS, COURTS AND OTHER OPEN SPACES, AND THE DENSITY OF POPULATION; TO PROVIDE FOR MAKING AMENDMENTS OR SUPPLEMENTS TO SUCH REGULATIONS AND BOUNDARIES OF THE ZONE DISTRICTS; TO PROVIDE FOR A BOARD OF ZONING AND BUILDING CODE APPEALS AND PLANNING AND ZONING COMMISSION; TO AUTHORIZE CONDITIONAL ZONING CERTIFICATES; TO PROVIDE FOR ZONING OF NEWLY ANNEXED AREAS BY A CHANGE OF THE ZONING MAP AND BY THE CREATION OF NEW ZONING DISTRICT R-3A HIGH DENSITY RESIDENTIAL DISTRICT; TO PROVIDE FOR ADMINISTRATION OF ENFORCEMENT OF AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THE PROVISIONS OF THIS ORDINANCE AND TO REPEAL INCONSISTENT ORDINANCES.

WHEREAS, the question of amendments to the Zoning Ordinance of the Village of Richfield has been referred to the Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission has by its reports recommended certain amendments to Ordinance 32-1969, as amended, by reason of the annexation of certain lands; and

WHEREAS, the text and map of the Zoning Ordinance as amended together with the Report of the Planning and Zoning Commission have been on file for public examination in the office of the Clerk of Council for more than thirty (30) days after notice of hearing; and

WHEREAS, Council did on the 16th day of July, 1985, conduct a public hearing on the proposed amendments after notice as provided by law; and

WHEREAS, Council desires to amend Ordinance 32-1969, as amended, in accordance with the reports and recommendation of the Planning and Zoning Commission.

Now, Therefore, Be It Ordained by the Council of the Village of Richfield, Ohio:

Section 1: Ordinance 32-1969, as amended, is amended so that the text of the proposed Zoning Ordinance of the Village of Richfield as that text and map has appeared and been on file for more than thirty (30) days in the office of the Clerk of Council and which has recommended and approved by the Planning and Zoning Commission is approved, adopted and ordained to be an amendment to the Zoning Ordinance of the Village of Richfield, Ohio.

Section 2: The full and complete text and map of the proposed amendments are incorporated herein by reference as though fully and completely reproduced herein.

Section 3: That pursuant to the report and recommendation of the Planning and Zoning Commission dated September 24, 1985, there is hereby created Zoning District R-3A, High Density Residential District, which shall be numbered and indexed as Chapter 1128 of the Zoning Ordinance of this Village and shall be as follows:

1128.01 PURPOSE.

The purpose of the R-3A District is to encourage single family and multi-family dwelling in areas that may be reasonably expected to be developed with such facilities in the future. The regulations are intended to restrict the overcrowding of land and to encourage the provision of amenities of urban living in areas offering unique advantages. The stipulated densities are intended to maintain the suburban character of the community.

1128.02 USES.

(a) Permitted Uses.

- (1) Single family residential dwellings
- (2) Multi-family residential units containing units of 3 or more residential dwelling units subject to Section 1129.05(a)(16).
- (3) Accessory uses provided such uses are incidental to the principal use and do not include any activity conducted as a business. Such uses must be situated on the same lot with the principal building.
- (4) Signs as regulated by Chapter 1131.
- (5) Home occupation subject to the following conditions
 - (a) Such use shall be conducted entirely within and/or from the dwelling and no use of any accessory building or yard space shall be permitted.
 - (b) Such use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes.
 - (c) Such use shall be conducted only by persons residing in the dwelling unit.
 - (d) The use shall not involve the use of more than 33 1/3% of the floor area of the dwelling.
 - (e) Such uses shall not create a nuisance by reason of noise, odor, dust, vibration, fumes, smoke, electrical interference, or other causes.

1128.03 LOT REQUIREMENTS.

- (a) Single Family Residential Dwelling Units. The maximum density shall be 1 single family residential dwelling unit per one-half acre.
- (b) Multi-Family. The maximum density shall be 3 family units per acre.

1128.04 YARD REQUIREMENTS.

(a) Minimum Front Yard Depth. 40 feet.

(b) Minimum Rear Yard Depth. 50 feet.

(c) Minimum Side Yard Width on Each Side. 15

feet.

(d) Maximum Lot Coverage. 25%.

(e) Minimum Usable Undeveloped Open Space.

The minimum usable undeveloped open space shall be 20% of the lot area.

(f) Parking Buildings, when having no part of the building use for residence purposes directly above them, shall not be considered in computing maximum lot coverage.

1128.05 PARKING REGULATIONS.

Parking shall be as regulated by Chapter 1133.

(a) Enclosed parking. At least one facility of Section 1133.02(d) shall be in an enclosed parking building.

(b) Single family residential dwellings. One 2-car garage is required for each single family residential dwelling.

1128.06 BUILDING HEIGHT.

The maximum building height shall be 2-1/2 stories or 35 feet whichever is greater.

Section 4: The zoning district boundaries of Ordinance No. 32-1969, as amended, are amended as follows:

(1) Briarwood Condominium Area - Township R-3 to Village R-3A

(2) Buell Drive Rear - Township R-1 to Village R-1

(3) Ferro Lands Area - Township R-1 to Village R-1

(4) Lake Motel Lands Area - Township C-2 and Township I to Village C-2 and Village Industrial

with respect to the lands situated and the map attached hereto and made a part hereof.

Section 5: The Zoning District map referred to in Section 301-2 of Ordinance No. 32-1969, as amended, is amended and shall be redrawn and published in accordance with the boundaries established by Section 4 hereof.

Section 6: The clerk is authorized and directed to publish and to make available copies of this Zoning Ordinance as amended for a cost not to exceed the actual printing cost.

Section 7: Ordinance 32-1969, as amended, and other existing Ordinances or parts or sections thereof which are not consistent with the terms and provisions of this amending Zoning Ordinance No. 40-1985 are repealed. In all other respects Ordinance 32-1969, as amended, is not repealed.

Section 8: This Ordinance shall take effect and be in force from
and after the earliest date allowed by law.

Passed:

10/15/85

William A. Boyd
President of Council

E. James Eakin
Mayor

Dated: 10-15-85

Attest:

Theresa K. Kuyling
Clerk of Council