

**CHAPTER 1181
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1181.01 PERMITTED HEIGHT EXCEPTIONS

Except as specifically stated in other parts of this Zoning Code, no building shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit established for the district in which the building is located, except that penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, stage lofts and screens, flagpoles, chimneys, smokestacks, radio and television aerials, wireless masts, water tanks or similar structures may be erected above the height limits. No such structure may be erected to exceed, by more than 15 feet, the height limits of the district in which it is located; nor shall such structure have a total area greater than 25% of the roof area of the building, nor shall such structure be used for any purpose other than a use incidental to the main use of the building.

1181.03 FRONT YARD MODIFICATIONS IN RESIDENTIAL DISTRICTS

In any residential district where the average depth of at least two existing front yards, on lots within 200 feet of the lot in question and within the same block front, is less or greater than the least front yard depth required in this Zoning Code, the required depth of the front yard on such lot may be modified. In such case this shall be not less than the average depth of such existing front yards on the two lots immediately joining, or, in the case of a corner lot, the depth of the front yard on the lot immediately adjoining. However the depth of the front yard on any lot shall not be less than 25 feet and need not exceed 100 feet.

1181.05 CORNER LOTS

Except as otherwise provided in this code corner lots in all districts shall have a setback from the side street equal to that required for the frontage street.

1181.07 NUMBER OF ONE FAMILY DWELLINGS PER LOT

No more than one single-family dwelling shall be permitted on any lot in a Residential District unless otherwise specifically stated in this Zoning Code. Every single-family dwelling shall be located on a lot having required frontage on, and access from a public street.

1181.09 PROJECTIONS INTO YARD AREAS

Every part of required yard shall be open to the sky, unobstructed, except for landscaping and accessory building, in a rear yard, and except for the ordinary projections of skylights, sill, belt courses, cornices and ornamental features projecting not more than four feet. Terraces, uncovered porches, platforms and ornamental features which do not extend more than three feet above the level of the ground (first) story may project into a required side yard, provided these projections are distant at least two feet from the side, rear and front yards. An open unenclosed porch or paved terrace may project into the front yard for a distance not to exceed ten feet.

1181.11 VISIBILITY AT CORNER LOTS

No obstruction to view in excess of two feet in height shall be placed along any corner lot within a triangular area formed by the street right-of-way lines and a line connecting them at points 30 feet from the intersection of the street lines, except that street trees are permitted which are pruned at least eight feet above the established grade of the roadway so as not to obstruct the clear view by drivers of motor vehicles.

1181.13 FENCES, WALLS AND HEDGES

Fences, walls and hedges may be permitted in any required yard, or along the edge of any yard, provided that no fence, wall or hedge along the sides or front edge of any front yard shall be over three feet in height.

Fences, walls or hedges may be permitted along the side or rear lot lines to a height of not more than six feet above the grade in residential zones, and ten feet above the grade in all other zones, provided that at least 25% of the vertical surface of any fence or wall shall be open to light and air, that any fence, wall or hedge shall be well maintained, harmonious and appropriate in appearance with the existing character of the immediate area in which it is to be located, and not be hazardous or disturbing to existing or future neighboring uses. Informal planting may be higher than six feet. Solid walls and fences shall conform to all required setback lines for yards.

1181.15 TEMPORARY BUILDINGS

Temporary buildings for uses incidental to construction work on multiple lots in the Village or for public improvement projects in the Village may be erected within the district(s) in which the work is taking place. The exact location of said temporary buildings is subject to the approval of the Zoning Inspector. However, such temporary buildings shall be removed upon completion or abandonment of the construction work.

1181.17 SWIMMING POOLS

Public or private swimming pools shall be considered as structures for the purpose of permits and this Zoning Code and shall conform to all required yard setback lines. The construction, plumbing, electrical requirements, inspection and safety facilities, including necessary fencing, shall be regulated by the Village or Summit County building codes applicable to such pools.

1181.19 HAZARDOUS OR NOXIOUS EMISSIONS, ENVIRONMENTAL EFFECTS

- (a) No use shall be permitted or authorized to be established which, when conducted in compliance with the provisions of this Zoning Code and any additional conditions and requirements prescribed, is or may become hazardous, noxious or offensive due to the emission of odor, dust, smoke, cinders, gas, fumes, noise, vibration, electrical interference, refuse matter or water carried wastes.
- (b) Regardless of any other provision of this Zoning Code, no land shall be used and no structure erected or maintained in violation of any State or Federal pollution control or environmental protection law or regulation. In the case of a new building and use, the proponent thereof shall offer satisfactory evidence to determine that the proposal will not, if effective, result in any adverse effect on the quality of the human environment.

1181.21 TOPOGRAPHICAL SURVEY

- (a) New Residential Dwellings
Before a zoning certificate for the construction of a new residential dwelling structure is issued, the applicant for a permit therefore shall submit to the Zoning Inspector a topographical survey of the premises upon which such building or structure is to be erected. Such survey shall be performed by a registered surveyor who shall stake out the premises and the building site by offset, and such stakes shall be caused to remain in the ground until final inspection of the buildings or structure has been completed.
- (b) Additions
If the Zoning Inspector deems it appropriate when a proposed addition and/or alteration will change the present topography or if the square footage of the proposed addition will exceed the square footage of the existing structure or if the proposed addition will change the water flow between properties, then the Zoning Inspector may refer the plans for the proposed addition to the Village Engineer to determine whether a topographical survey is required.

1181.23 TRAILER COACHES, MOBILE HOMES

Trailer coaches and mobile homes used or intended to be used for residential purposes and trailer parks shall not be permitted in any zoning district.

1181.25 ESTABLISHMENT OF GRADE

Before issuing a zoning certificate for the construction of a new residential dwelling, the Zoning Inspector shall request the Village Engineer to establish a grade for such building or structure. After a building permit has been issued and construction commenced, but before proceeding beyond the completion of the pouring of footers for such building or structure, the Zoning Inspector shall request a further inspection by the Engineer. The Engineer shall at such time determine whether such footers have been constructed in accordance with the established grade. The Zoning Inspector shall not permit continuation of construction beyond the pouring of footers for any building or structure until the inspection has been made and the construction approved by the Engineer.

1181.27 FEE

The fee for the review of the topographical survey and inspections shall be established by Council and shall be collected by the Zoning Inspector prior to the issuance of a zoning certificate.

1181.29 HISTORIC DISTRICT OVERLAY

The purpose of the Historic District Overlay is to regulate new construction, additions or renovations to existing historic buildings in the Historic District of the Village (**INCLUDING PROPERTIES ZONED COMMERCIAL HISTORIC**). These regulations apply to existing buildings constructed in whole or in part prior to 100 years (e.g., 1915 if adopted in 2015) from the date of adoption of this Ordinance. These regulations also apply to new buildings constructed after the adoption of this Section. Existing non-historic buildings (less than 100 years old) may be renovated and expanded using materials, styles and architectural details consistent with the existing building design. The regulation and guidelines in this Section are based on a 2014 study conducted by the Village Planning Commission and adopted in September 2015.

- (a) The following applies to all historic homes that are at least 100 years of age and located within the Historic District of the Village (as identified on the Official Zoning Map of Richfield) and within the Commercial Historic Zoning District. The Historic District boundaries were created by Village Council in February 1995 by Resolution 62-1994.
 - (1) **Style of Buildings:** The style of buildings shall be compatible to or match the building styles of the historic structures existing within the Richfield Historic District which is substantially “Western Reserve” in character made up of primarily Federal, Greek Revival and Colonial Revival (Georgian) styles. Other historic styles evident in the district include: Queen Anne, Italianate and Vernacular (Victorian and Stick).
 - (2) The distinguishing original qualities of an historic building or structure shall not be destroyed. The removal or alteration of any historic materials or distinctive architectural features shall not occur whenever possible.
 - (3) Existing houses which are converted to commercial uses shall retain the residential character and general construction design of the period of the structure.

- (4) The design elements of a building addition shall match the design elements of the principal structure, in particular, building materials and color, rooflines and shapes, and window proportions and alignment.
- (5) The scale of an addition shall be compatible with the principal structure and surrounding structures and context.
- (6) Original materials shall be repaired, restored and reused whenever possible. Original materials shall not be removed or covered whenever possible. Where necessary, missing or deteriorated materials shall be replaced with appropriate recycled or new materials, which match the original as closely as possible.
- (7) Building form: The building form shall be rectangular or a series of attached rectangular forms of 1 story, 1.5 story or 2 stories in height.
- (8) Additions and wings: Attached wings shall be at 90 degrees to the main structure and typically of a lower height in stories and/or roof peak. For example a two story main building might have a 1.5 story side addition and a 1.5 story structure might have a one story addition or multiple additions. The typical form would be a "T" or "L" floor plan, but may have additional wings in "I" or "H" forms.
- (9) Roofs: Roofs of buildings shall generally be in gable form with a front or side orientation. In the case of multiple wings, the gables would be combination of side and front gable forms. Typically the addition roof gables are lower than the gable of the main structure due to the lower story height of the wing additions. Hip form roof can be an acceptable alternative roof style.
- (10) Building Details: Building details shall include those elements that are appropriate to the style of the structure to embellish the structure and promote the historic nature of the district. The elements to be included depending upon style are: deep cornices under gable ends and eaves, cornice returns (open pediments) or full pediment gables, pedimented window and entrance door frames, multi-pane windows with appropriate muntins, millwork, cornice brackets, railing and porch spindles, entrance features including porches or pilasters, entablature and/or side lights, fanlight windows or vents.
- (11) Windows: Windows shall be double hung with panes of one over one, two over two or six over six depending upon the style of building. For example the Federal and Greek Revival would generally have six over six panes or more. Windows should be equally and symmetrically spaced across the entire front façade and side facades visible from a street. Second floor windows should be inline and evenly spaced to match the window pattern on the first floor. There should be no blank wall visible from the street without a consistent pattern of window openings. Windows shall have side moldings and lintels which may be pedimented depending on building style. Windows can have shutters if appropriate to the building style. If shutters are used they shall be provided for windows on both the front and sides of the building. Shutters, if installed, shall be

sized to match the width and height of the windows so they are in the same dimension as one half the width of the window opening and the full length of the window opening.

(12) Building Materials:

Walls: The materials for facades shall generally be horizontal siding in wood clapboard or fiber cement board to appear as clapboard. Depending on the building style, Victorian shingle siding (such as fish scale or square) can be used as a secondary material. Architectural vinyl (thickness equal to 0.046" or greater) to duplicate wood clapboard and shingles can also be used. Red fired-brick and stone may also be used for building facades.

Trim Materials: Trim material shall be wood or fiber cement board simulating wood. Molding, brackets, cornices, spindles and railings should be wood or synthetic material (such as rigid PVC) simulating wood details.

Window Materials: Windows shall be constructed of wood, vinyl or metal clad wood, full vinyl or fiberglass.

Roof Materials: Roofs shall be limited to shingles including asphalt, architectural fiberglass, slate or synthetic slate and standing seam. Shingle roofs should be black, grey or a dark color such as dark brown or dark green. Standing seam roofs shall be limited to greys, browns, dark green or a pale green simulating a copper patina color.

(13) Façade colors: The primary color on building facades shall be white, if siding is used. Alternative colors can include grey or earth tones (including beige, cream, yellow, ochre or tan). In addition, Vernacular, Victorian, Stick and Italianate styles may include dark colors such as green, blue and ochre. Brick facades shall be in standard red fired-brick to match the existing brick in the district.

(14) Trim colors: Trim shall be complimentary to the building main color and is typically white or black in the case of traditional Western Reserve styles. In addition earth tone colors (including beige, cream, yellow, ochre or tan) can be used as well as contrasting colors in the case of a Vernacular Victorian building style. Shutters if used shall be black or a dark color such as dark green or a dark earth tone. Vernacular and Victorian style may include two contrasting colors in shutters, doors and trim.

(15) Garages: Garages were not part of historic homes until the beginning of the last century and afterwards automobile garages were detached until mid-century. Garages and especially garage doors should not be seen as part of the main building. Garages shall be detached (in the rear of the house) or attached such that the entrance doors are on the rear or side of the building not facing the street. Any walls of an attached garage shall appear as an integral form of the building with identical siding material, colors and have evenly spaced windows matching the style and spacing of the remainder of the house. No garage doors of an attached

garage shall face the street on the front façade of the building. On a house on a corner lot the garage doors may face a street on the side street or side wall of a building. In general, accessory buildings shall be compatible in design and material as the main structure.

- (16) Lighting: Lighting shall be human scale and compatible with the architectural period of the home. Lighting shall not produce glare and unnecessary diffusion onto adjoining properties.

(b) The following regulations and guidelines apply to institutional or other large non-single family buildings in the residential portions of the Historic District.

- (1) All new construction, building renovations and additions shall be compatible with and contribute to the historic character of the district.
- (2) Buildings shall promote the “Western Reserve” style and limited to Federal, Greek Revival and Georgian (Colonial Revival) styles of building. The current institutional buildings in the district all fit this description and while large in area are primarily low in impact due to their typical one-story height, vast land areas and mimicking the historic styles.
- (3) The percentage of building footprint to land area shall be no more than that found on residential properties at 15% building coverage for one-story buildings and 10% for a two-story buildings.
- (4) Buildings shall be limited to no more than two-stories in height and preferably one-story in height due to the roof heights required for a larger building footprint. Large buildings should have lower one-story wings or additions in order to reduce the perceived mass of the building and incorporate a primary design of the Western Reserve style.
- (5) Building setbacks shall be not less than 100 feet from a public street and not less than as may be required for a Conditional Use in Section 1173.09.
- (6) Roof forms shall be limited to gable roofs with deep cornices and finished in shingles (colors of black, grey or a dark color such as dark brown) or standing seam (colors limited to grey, dark brown, dark green or a pale green simulating a copper patina color).
- (7) The materials used shall be high quality and primarily faced in red fired brick especially on the street façade. A secondary material can include clapboard siding, stone, or synthetic wood or stone.
- (8) Windows should be federal style windows and details with multi-paned (6 over 6 or greater) evenly and symmetrically spaced around the entire perimeter of the building, where practical.
- (9) Entrances shall have substantial features such as porch, porte-cochere, or entrance with pilasters, entablature, side-lights and/or pediment.

- (10) Parking lots shall be placed in the rear of the building. They shall be screened with dense landscaping from view to street and any adjacent residential properties.
- (11) Site features such as service entrances and loading zones shall be screened from adjacent properties and the public right-of-way and located in the side or rear of the lot.
- (12) Lighting fixtures shall be architectural period style matching the building style with night or dark sky optics. Lighting shall further be minimized through the use of timers and lighting shall be restricted to the exact space being illuminated. The use of bollard fixtures not exceeding four feet in height shall be utilized whenever applicable.
- (13) Utility services on private property shall be placed underground for all new services.
- (14) Mechanical equipment shall be located so as not to be visible from any public ways or adjacent residential areas. Where such limitation is not possible, the facilities shall be screened from public view with materials compatible with those used in the building.
- (15) All trash containers and trash storage areas shall be screened with a six-foot high enclosure on three sides and a solid gate on the front. The enclosure shall be similar to the main structure as to materials and color.