

CHAPTER 1181
Supplemental Site and Use Regulations

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CROSS REFERENCES

Interpretation and compliance - see P. & Z. 1123.01
Minimum requirements - see P. & Z. 1123.05
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1181.01 HEIGHT REGULATIONS.

(a) Public buildings, churches, hospitals, institutions or schools, when permitted in a single-family district, may be erected to a height not exceeding seventy (70) feet, if the building is set back from each yard line at least one (1) foot for each foot of additional building height above the height limit otherwise provided in the district in which the building is located.

(b) Chimneys, cooling towers, elevator bulkheads, fire towers, monuments, stacks, stage towers or scenery lofts, tanks, water towers, ornamental towers and spires, church steeples, radio or television towers or necessary mechanical appurtenances may be exempted by the Board of Site Arrangement from the height regulations provided that:

- (1) They are set back one (1) foot over the yards required in the district in which they are located for every one (1) foot in height above the height required in the district in which they are located,
- (2) They are complimentary to the main building/use, and
- (3) They do not create a detrimental impact upon adjoining, surrounding and nearby properties.

The construction and/or installation of any feature listed within this subsection (b) requires approval by the Board of Site Arrangement regardless of height. Storage buildings are exempt from the story limitations of the various districts, but shall not exceed the maximum height in feet.

(c) No building or structure or any portion thereof shall be erected within the approach zone of any airport runway or landing strip in excess of a height above the elevation at the end of such runway, equal to one-fortieth of the horizontal distance from the end of such runway, measured along the centerline of such runway extended. The approach zone is considered to be a trapezoidal area extending from the end of, and in the same direction as, such runway for a distance of two (2) miles. Such area is 500 feet wide at the end of the runway and 2,500 feet wide two (2) miles from the end of the runway. Further, no building or structure or any portion thereof shall be erected in the transition zones on either side of an approach zone of any such runway or landing strip in excess of a height above the elevation at the end of such runway computed as follows: one-fortieth of the horizontal distance from the end of such runway measured along the centerline of such runway extended, plus one-seventh of the horizontal distance to the near edge of the approach zone, measured perpendicular to the centerline of such

runway extended. Where an airport is bounded by a public road, the effective length of runways directed over any such public road shall be computed (using a slope of forty (40) feet horizontal to one foot vertical) to produce a height of fourteen (14) feet at the right-of-way line of such road nearest to the airport. Federal Aviation Administration regulations that exceed or supplement the above shall govern height regulations within approach and transition zones.

1181.02 AREA REGULATIONS.

(a) In the R Districts, there may be more than one (1) public, school, church, hospital or institutional building as permitted in such districts, but only when such buildings conform to all applicable open space requirements.

(b) Sills, belt courses, eaves, wingwalls, cornices and ornamental features may project only three (3) feet into a required yard.

(c) Open fire escapes, fireproof outside stairways and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into a rear yard for a distance of not more than three and one-half (3-1/2) feet when so placed as to not obstruct light and ventilation, may be permitted by the Community Development Director or a duly appointed inspector.

(d) If side yards are provided where not required, they shall be at least five (5) feet wide.

(e) Where a lot is located at the intersection of two (2) or more streets, there shall be a front yard on each street side of a corner lot, except that the buildable width of such lot shall not be reduced to less than thirty (30) feet, however a required side yard shall be provided and can reduce the 30 foot buildable width. No accessory building shall project beyond the front yard line on either street.

(f) No accessory building or courtyard shall project beyond the front yard line; and no fence shall project beyond the required side yard or the existing main building.

(g) Where lots have a double frontage, the required front yard shall be provided on both streets.

(h) Satellite dishes, not exceeding six (6) feet in height in R Districts, are permitted if located within the rear yard and screened, as determined by the Board of Site Arrangement, from adjacent residences. Upon approval of the Community Development Director or a duly appointed inspector, satellite dishes not exceeding ten (10) feet in height in C and M Districts are permitted on top of buildings forty (40) feet or more in height or if properly screened within a rear or side yard. Upon approval of the Community Development Director or a duly appointed inspector, satellite dishes and antennas not exceeding ten (10) feet in height are permitted in the D-1 District provided such dishes or antennas are not visible from the traveled roadway or are otherwise properly screened.

(i) Unless specific exceptions are provided for a district within the Zoning Code, all front yards shall be devoted to landscaped area except that use of not to exceed one-fourth of the required front yard for drives, walks, and visitor parking areas is permitted and except that the landscaped areas in the C and D Districts may be approved to be placed either along the street line or against the building.

(j) For irregular shaped lots the following interpretation shall be used:

- (1) The required minimum side yards shall be the average of the distance from the front and rear of the building to the side lot line, measured perpendicular to the building, with the minimum side yard not less than two-thirds the required side yard.
- (2) The rear yard depth shall be the average depth from each corner of the building to the rear lot line, measured perpendicular to the building, with the minimum depth not less than two-thirds the required depth.

(k) The required minimum front setback for all residential main buildings is as specified in the zoning district in which the property is located, except that where the average existing front setback of all principle structures on the same side of the street and within three hundred (300) feet of planned construction is less than the district requirement, the required minimum front setback is the average so established. This shall not apply to panhandle lots.

(l) Where a new residential main building is within 100 feet of adjacent existing residential main buildings, the front setback of the new building shall be no more than twenty (20) feet greater than or (20) feet less than the average front setback of the adjacent existing buildings. This shall not apply to panhandle lots.

(m) The finished grade for all new residential main buildings shall be no more than one (1) foot above the natural grade as determined by the City Engineer, except in a subdivision or Large Scale Residential Development as approved by Council.

(n) The finished floor height of all new residential construction shall be no more than one (1) foot above the finished grade. This shall not apply to additions to existing residential structures.

1181.03 PARKING REGULATIONS.

(a) Parking in Multifamily Developments. In multiple-family developments, parking spaces may be located, and vehicles authorized to park in R Districts may be parked, only where provisions for such parking are an integral part of the plan as approved by the City in accordance with the Zoning Code.

(b) Joint Uses of Parking Facilities. Up to 50 percent of the parking spaces required for (a) theaters, public auditoriums, bowling alleys, private clubs or lodges, and up to 100 percent of the parking spaces required for a church or school auditorium may be provided and used jointly by (b) retail sales and services, offices and similar uses not normally open, used or operated during the same hours as those listed in (a) provided, however, that a deed restriction or other enforceable written agreement assuring their retention for such purposes shall be properly drawn and executed by the parties concerned and a copy of such document shall be filed with the application for building permit.

(c) Parking Lots on Separate Locations. All parking spaces required herein shall be located on the same lot with the building or use served; provided, however, that where an increase in the number of spaces is required by a change or enlargement of use or where such spaces are provided collectively by two (2) or more establishments, the required spaces may be located within 300 feet (500 feet in the D-1 District) from the nonresidential building served. A deed restriction or other enforceable written agreement assuring their retention for such purpose shall be properly drawn and executed by the parties concerned and a copy of such document shall be filed with the application for a building permit.

(d) Computation of Required Parking Spaces. In computing the number of required parking spaces, the following rules shall govern:

- (1) "Floor area" means the gross floor area of the specific use, as defined.
- (2) Where fractional spaces result, the parking spaces required shall be rounded to the whole number.
- (3) The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of a similar nature.
- (4) Whenever a building or use is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase of less than fifty percent (50%) in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. Whenever a building or use is enlarged to the extent of fifty percent (50%) or more in floor area or in the area used, such building or use shall then and thereafter comply with the parking requirements set forth herein for the entire building or use.
- (5) In the case of mixed or joint uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

(e) Waiver of Paving Required Parking Spaces A temporary waiver of the paving of some of the required spaces may be permitted by the Community Development Director. A total of up to fifteen (15) percent of the required parking spaces may be landscaped with grass or ground cover. Should the Community Development Director determine that the spaces are needed, the owner shall pave these required parking spaces within six (6) months.

(f) Temporary Permits for Vehicle Storage. Temporary permits may be issued by the City Manager or his designee to park, store or occupy for living purposes or store for maintenance related purposes a vehicle or recreational vehicle not in conformity with this Zoning Code for a period not to exceed fourteen (14) days when it appears that a substantial hardship or injustice will prevail in refusing to issue such temporary permit. No fee shall be charged for such permit.

(g) Off-street parking spaces shall be connected with a street by a surfaced driveway not less than twenty-four (24) feet in width for cars parked at a ninety (90) degree angle, nor less than eighteen (18) feet in width for cars parked at an angle of forty-five (45) degrees or less, to afford satisfactory ingress and egress for such parked vehicles. In parking structures, one-half of the area occupied by supporting columns may be included in determining the width and area of each adjacent parking space, and the minimum height of such space shall be seven (7) feet.

(h) In the D-1 District, drive aisles shall be a minimum of twenty (20) feet in width for automobiles and a minimum of twenty-four (24) feet in width for trucks and dumpster access.

(i) No vehicle may be parked outside for more than forty-eight (48) hours at any auto repair garage, filling station or car wash.

1181.04 GARAGE REGULATIONS.

In the R districts, garages shall not provide space for more than four (4) automobiles.

1181.05 SIGN REGULATIONS.

(a) Temporary signs pertaining to the sale or lease of real property have been determined by Council to unnecessarily create clutter and to be harmful to the public health,

safety, and general welfare and are, therefore, regulated in this Section. All temporary signs shall be at least ten (10) feet from the right-of-way. No permit is required.

- (1) Residential.
 - A. Single-family, two-family, and three-family residential buildings, vacant lots, and individual dwelling units within condominium developments for sale or for lease shall be limited to one sign not to exceed 10 square feet in area.
 - B. Multiple-family buildings, subdivisions, and large scale residential developments for sale or lease shall be limited to one sign not to exceed 8 feet in height or 64 square feet in area and shall not remain for more than 24 months from the date that the first development permit is issued for the project.
 - C. Vacant land in excess of one acre for sale or lease shall be limited to one sign not to exceed 25 square feet in area.
- (2) Nonresidential.
 - A. Existing nonresidential buildings and land uses for lease shall not have any freestanding or wall mounted temporary signs. Individual tenant spaces within an existing building are permitted one sign inside of a window.
 - B. Vacant commercial land and existing nonresidential buildings that are for sale in a C or M district may have one sign per street frontage no larger than 32 square feet in area.
 - C. Existing nonresidential buildings that are for sale in a D or R district may have one sign per street frontage no larger than 25 square feet in area.
 - D. In addition to all other signs permitted by this Chapter, nonresidential developments in C or M districts may install no more than 8 square feet of permanent sign area to advertise owner and leasing information; nonresidential developments in D and R districts may install no more than 4 square feet of permanent sign area. The additional area may be added to an existing ground sign or may be installed as a separate sign. If added to an existing sign, the additional area may exceed the maximum area permitted in the district, but all other applicable Code provisions apply. If a separate ground sign is installed, the bottom of the sign shall be no more than 2 feet from the ground, the face of the sign shall be rectangular, and it shall have a solid base that does not count as a part of the allowable sign area. This is not a temporary sign; a permit is required.
- (3) All signs that are in violation of this ordinance shall be removed within 6 months of the passage of this ordinance.

(b) Signs relating to public elections and expressions of viewpoints concerning public issues shall not exceed ten (10) square feet in area in the R-1, R-2, and R-3 Districts, ten (10) square feet in the R-4, R-5, and D-1 Districts and ten (10) square feet in area in the C and M Districts. Signs relating to public elections shall be removed within seven (7) days following the date of said election and be placed no more than 45 days before the election. No permit is required.

(c) Churches, public facilities and institutions may have one (1) sign per lot or premises, not to exceed twenty-five (25) square feet in area, and in R Districts shall not be

internally illuminated. On corner lots, or when exceptional conditions exist, the Board of Zoning Appeals may allow a second sign.

- (d) Permanent signs pertaining to a residential subdivision or residential project:
 - (1) May have two (2) faces not to exceed twenty-five (25) square feet in message area on each face;
 - (2) Shall not be more than six (6) feet in height;
 - (3) Shall not visually interfere with motorist or pedestrian safety; and
 - (4) Shall include permanent ground landscaping around such sign, with lighting limited to ground lights.

(e) The following sign regulations shall apply to all uses in the D-1 District. Each lot or premises shall be subject to the following limitations:

- (1) There shall be a maximum of one (1) ground sign per lot per street frontage, except that developments with separate driveways more than 250 feet apart on the same street may have one (1) sign adjacent to each driveway, subject to the following regulations:
 - A. Building identification signs (or tenant identification if single tenant building) without identification signs:

LOT STREET FRONTAGE (FEET)	MAXIMUM HEIGHT (FEET)	MAXIMUM WIDTH (FEET)	MAXIMUM SIGN SIZE (SQUARE FEET)
100 or more	6	12	40
75-99	6	10	30
Less than 75	6	8	25

B. Building identification signs with tenant identification signs:

LOT STREET FRONTAGE (FEET)	MAXIMUM HEIGHT (FEET)	MAXIMUM WIDTH (FEET)	MAXIMUM SIGN SIZE FOR BUILDING IDENTIFICATION (SQUARE FEET)	MAXIMUM SIGN SIZE FOR TENANT IDENTIFICATION (SQUARE FEET)
100 or more	6	12	40	25
75-99	6	8	30	25
Less than 75	6	6	20	20

C. Tenant identification signs without building identification:

LOT STREET FRONTAGE (FEET)	MAXIMUM HEIGHT (FEET)	MAXIMUM WIDTH (FEET)	MAXIMUM SIGN SIZE (SQUARE FEET)
100 or more	6	6	25
75-99	6	6	25
Less than 75	6	6	20

- (2) There shall be a maximum of one (1) wall sign per tenant space except that the tenant space at the corner of a building may also have one (1) sign on the side of the building that is no larger than the sign on the front

of the building. The maximum sign width is sixty (60) percent of running front foot of tenant space. For multi-tenant structures, variances shall be allowed so long as the total length of all wall signs does not exceed sixty (60) percent of the total front tenant space of the building. In no event shall the total length of any tenant sign exceed one hundred (100) percent of the front footage of the tenant space. Total height of all tenant identification wall signs shall not exceed thirty (30) inches. Tenant identification wall signs shall all be of equal height. If a tenant is a major building "anchor" and/or occupies fifty (50) percent or more of the building's available space, said tenant sign may be larger if approved by the Board of Zoning Appeals.

- (3) Entrance and Exit Signs. Maximum of three (3) feet in height and four (4) square feet in size.
- (4) Sign Lighting. Internally illuminated or landscaped flood lighting only. No flashing, blinking or moving signs are permitted.
- (5) There shall be compatibility of tenant identification signs, including shapes and colors, for all tenants within a building or development.

(f) The following sign regulations shall apply to all uses in the C and M Districts. Each lot or premises shall be subject to the following limitations:

- (1) Wall signs shall be mounted flat against the wall of a building with the exposed face of the sign in a plane parallel to the face of the wall, not projecting more than one (1) foot from the wall, and not extending above any part of the roof or an eave. Above the first story, multi-story buildings shall have no more than one (1) wall sign. The total area of all signs on a wall shall not exceed 0.5 times the linear foot frontage of wall face.
- (2) Ground signs shall not exceed eight (8) feet in height, the bottom of the sign shall be no more than two (2) feet from the ground, and the face of the sign shall be rectangular unless an alternative shape is approved by the Board of Zoning Appeals or as otherwise provided for in this Zoning code. Ground signs may have a masonry base that does not count as a part of the allowable sign area, provided the base is not larger than an area equal to the allowable sign area. Ground signs shall be set back at least ten (10) feet from all property lines. The total maximum area of a ground sign shall not exceed 0.5 times the linear foot frontage of the lot. Ground signs shall not exceed one hundred (100) square feet in area, nor exceed fifteen (15) feet in width on any one (1) face. Ground signs may be double-faced, with the distance between faces not to exceed eighteen (18) inches.
- (3) Legal nonconforming pole signs that are removed may be replaced with a new ground sign, 1.25 times the face area of the existing pole sign, even if the area of the existing pole sign exceeds the allowable area under this ordinance. The new replacement sign(s) may be used for any other types of permitted signs.
- (4) There shall be only one ground sign for each lot, provided that on lots of more than ten (10) acres, the Board of Zoning Appeals may grant one (1) additional ground sign if needed to satisfactorily identify the business.

(g) The area of a sign face shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing,

representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets Zoning Ordinance regulations and is clearly incidental to the display itself.

(h) Promotional window signs in commercial buildings such as retail sales, restaurants and gasoline stations shall not be placed so as to interfere with a clear view of the cash register area from a passing police vehicle.

(i) In the D-1 District, temporary window promotional signs shall not exceed the lesser of ten percent (10%) of the glass surface area or thirty (30) square feet for each store or office.

(j) Electronic message signs shall be allowed only by approval of the Planning Commission. The Commission may permit such a sign only where it would not detract from adjoining and nearby properties and the public welfare. No portion of the electronic message, including the color or other background elements, shall be permitted to change more than once per hour.

(k) A permit for a temporary or promotional sign not in conformity with these sections may be issued when it appears that use of such proposed sign will not be detrimental to the public peace, health, safety or general welfare or when it appears that a substantial hardship or injustice will prevail in refusing to issue a permit for use of such proposed sign for a period not to exceed fourteen (14) days and a period of sixty (60) days must elapse before another such permit is issued for the same premises.

(l) All signs not expressly permitted under these regulations are prohibited. Such signs include, but are not limited to: beacons, pennants, streamers, ribbons, spinners, wind signs, bench signs; strings of lights not permanently mounted to a rigid background; flashing or rotating signs; inflatable signs and tethered balloons; signs posted on utility poles, trees, benches, support pylons, fences and light standards (except for permitted banner signs); signs with shapes, contents or words imitating official traffic control signs or devices (containing such words as "stop", "go slow", "caution", "danger", "warning", or similar words); signs that hide, obstruct or conceal traffic and street signs and signals; signs at or near intersections that obstruct free and clear vision of any streets; signs on unoccupied buildings/structures; signs that advertise or identify any activity, business, organization, product or service no longer conducted on the premises on which the sign is located; any sign mounted on or affixed to a vehicle or trailer for the purpose of attracting public attention or directing the public to a use, business, event, product or service offered in close proximity to where the vehicle is parked; and signs illuminated with floodlights that shine into the public right-of-way and constitute a traffic safety hazard.

(m) The following signs are exempt from regulation:

- (1) On-premise, non-illuminated, incidental signs on private property that contain no commercial messages, such as traffic and direction signs, parking regulations, limited access signs;
- (2) Public notices or other governmental signs required by local, county, state or federal law or regulation;
- (3) On-premise, non-illuminated, street address numbers, not to exceed twelve inches in height;

- (4) One (1) sign advertising the architect, engineer, project name, source of financing, and contractor when displayed during the construction period on a construction site provided that the sign does not exceed fifty (50) square feet;
- (5) Signs inside buildings not legible from a distance of more than three (3) feet beyond the lot line or parcel on which the sign is located;
- (6) Non-illuminated signs in business lots directing attention of persons within the lot to the location, product information or price of sale items, services or facilities available on premises;
- (7) Scoreboards on athletic fields, providing that the lighting does not negatively impact adjoining residential properties;
- (8) Works of art that do not include a commercial message;
- (9) Holiday lights and decorations with no commercial message, but only between November 1 and January 15 in C, D and M Districts; and
- (10) Menu boards for drive-up windows at fast food restaurants that meet the following conditions: limited to two (2) boards not exceeding thirty-five (35) square feet of each area; located at least ten (10) feet from the nearest property line; the copy displayed on the board is limited to photos/graphics of the menu items and their respective prices; the copy, illustrations or logos are not legible to a person of average eyesight standing on any property line.

(n) All modifications to a non-conforming sign or to its message, other than changes in copy or routine maintenance, are prohibited. All non-conforming signs must be removed or brought into compliance with the regulations before any existing conforming signs may be modified, other than changes in copy, or any new signs may be added to any lot, building or use, with the exception of permitted temporary signs or incidental signs. No non-conforming sign that is damaged to the extent of twenty-five percent (25%) or more of its current replacement value may be repaired, restored, renovated, reconstructed or replaced and must be removed or brought into compliance with the regulations. All non-conforming temporary signs shall be removed or modified so as to conform to the provisions of these regulations within three (3) months of the effective date of this Ordinance.

(o) All applications for sign permits shall be accompanied by a sketch or drawing showing the size, manner of anchoring and the location of the sign to be erected on the premises. If in the judgment of the City Manager or his duly delegated agent it appears that a proposed sign, even though it otherwise meets the provisions of Section 1181.05, would create a hazard, promote blight, or adversely affect health, safety or morals, he may deny a permit. In such a case, the applicant may appeal the denial to the Board of Zoning Appeals.

(p) Deteriorating signs are not permitted. Maintenance of signage is the responsibility of the property owner. Signs that are deteriorating must be removed or replaced upon notice to the property owner by the City.

(q) The base of all ground signs including temporary signs shall be effectively landscaped with living plant material and maintained in good condition at all times. The minimum landscaped area shall not extend at least three (3) feet beyond all faces or supporting structures in all directions. Exposed foundations must be constructed with a finished material such as brick, stone, or wood, or be screened with evergreens to the top of the anchor bolts. The landscaped supports attach to the ground.

- (r) Pole signs are prohibited in all zoning districts.
- (s) Off-premises signs are prohibited in all zoning districts.

1181.06 FENCE REGULATIONS.

(a) In the C Districts, fences shall not exceed six (6) feet in height and shall not be located in the front yard or in front of the main building.

(b) In the C Districts, wire or steel mesh fence shall only be used for security purposes and shall be permitted only as permitted by the Board of Site Arrangement.

(c) No fences more than thirty percent (30%) solid or more than three (3) feet high may be located within thirty (30) feet of the street intersection.

(d) In the M Districts, fences no more than thirty percent (30%) solid and no more than six (6) feet in height may be installed in any yard so long as they do not present a visual hazard at street or driveway intersections. Fences exceeding these dimensions may be installed in a side or rear yard upon approval of the Community Development Director or duly appointed inspector. Fences exceeding these dimensions may be installed in a front yard so long as they do not present a visual hazard at street or driveway intersections upon approval by the Board of Site Arrangement.

(e) Upon approval by the Board of Site Arrangement, a fence no more than four (4) feet high and no more than thirty percent (30%) solid may be located in a front yard in the R Districts provided that the Board determines that the adjoining and neighborhood properties will not be negatively affected. Provided, however, that partial (not more than twenty-five percent (25%) of the front yard frontage) fencing of an ornamental or decorative purpose and not more than thirty percent (30%) solid may be permitted without Board of Site Arrangement approval.

(f) In any district where a privacy fence may be installed, the more attractive or finished side of the fence shall face outward (i.e., in view of neighboring properties).

(g) A fence (open or solid to any degree) or wall of any height may be erected along a lot or buffer area line or interstate highway upon approval of the Board of Site Arrangement if necessary for the preservation of the public peace, health, safety or general welfare or the protection of residential uses.

1181.07 HOME OCCUPATION REGULATIONS.

(a) Home occupation as an accessory use may be conducted in a single-family dwelling provided it is (1) clearly incidental and secondary to the use of the dwelling, and does not change the character of the dwelling; and (2) there is no indication from the exterior that the dwelling is being utilized in whole or in part for any purpose other than a dwelling and further that:

- (1) The home occupation is conducted wholly within the dwelling or off the premises;
- (2) There is no outside storage or display of materials in connection with the home occupation;
- (3) The home occupation is conducted only by a member of the family residing on the premises;

- (4) No signs other than a nonilluminated one (1) square foot sign descriptive of the home occupation only and attached to the dwelling or mail box post only;
- (5) The home occupation will not create more than six (6) trips a day to and from the dwelling by all customers of the home occupation;
- (6) The area used for the home occupation shall not exceed ten (10) percent of the floor area of the dwelling, including basements, and no part of a garage or accessory building shall be used.
- (7) There is no stock or materials other than the type or quantity normally found in the home;
- (8) The delivery of any materials for the home occupation will not exceed two (2) trips per day by any vehicle not owned by a family member;
- (9) If some product is made as a part of the activity, only this product may be sold; and
- (10) The mechanical equipment used for the home occupation is of a size and type that is similar to domestic mechanical equipment or is customarily found in a business office.

(b) Home occupation shall include the use of premises by a physician, surgeon, dentist, lawyer, clergyman or other professional person for consultation or emergency treatment but not for the general practice of his profession. Garage, yard and house sales shall not exceed two (2) per calendar year, and each sale shall be limited to two (2) concurrent days. Home occupation shall exclude the use of the premises for the use of barbershops, beauty shops, massage parlors, a doctor's office for the treatment of patients, auto repair shops, or any use that exceeds the foregoing conditions. Any home occupation that does not conform to subsection (a) hereof shall be relocated and removed from the residence.

(Ord. 2003-1. Passed 3-13-03.)

1181.08 ACCESSORY BUILDING REGULATIONS

(a) Accessory buildings shall be complimentary to the main building and surrounding properties.

(b) Accessory buildings in the R Districts shall not exceed a height of sixteen (16) feet and the eave of any wall shall not exceed twelve (12) feet.

(c) Accessory structures in residential zones shall not contain or be used as dwelling units, home occupations, or for commercial or industrial purposes.

(d) The main building must be constructed and approved for occupancy prior to the construction of an accessory building.

(e) No accessory structure shall be located within the required front yard. Accessory buildings shall be located within the side or rear yard. Storage sheds shall be located within the rear yard.

(f) Accessory structures shall be located no closer than five (5) feet to any side or rear property line.

(g) No accessory building shall project beyond a required yard line along any street.

(h) Accessory structures in nonresidential zones are permitted as regulated in the appropriate zone.

(i) No more than two (2) temporary structures may be allowed to exist on any lot at the same time. No temporary structure may be allowed to remain for more than twenty-one (21) days and a period of sixty (60) days must elapse before it or any other temporary structure is permitted.

1181.09 ENFORCEMENT AND PENALTY.

This Chapter is subject to enforcement and penalty as specified in Chapter 1129.