

# VILLAGE OF DENNISON, OHIO

## ZONING CODE

ORDINANCE NO. 2052

ADOPTED BY VILLAGE COUNCIL SEPTEMBER 3, 1998

### ARTICLE VIII

#### GENERAL AND LOCAL BUSINESS DISTRICT B-2

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#### 800 **Business District Objectives**

District regulations are established in this section to carry out the purposes which are stated in the preamble to this Zoning Code especially to achieve the following objectives:

- 800.1 To provide sufficient but not excessive land area for the business and commercial needs of the Village of Dennison.
- 800.2 To foster the continuation of existing business and commercial establishments and to provide appropriate space for their expansion and for development of new business and commercial establishments.
- 800.3 To encourage the tendency of business and commercial establishments to group in centers for the mutual advantage of each establishment and its customers.
- 800.4 To prohibit development which would create detrimental or blighting influences upon the premises or the neighborhood or which would be incompatible or impair the enjoyment of neighboring premises.
- 800.5 To insure the availability of suitable areas for business and commercial uses by prohibiting unrelated uses in such areas.
- 800.6 To promote in accordance with the Comprehensive Plan of The Village of Dennison the most desirable and beneficial uses of land and structures in order to stabilize and protect the character and value of land development within the Village.

#### 801 **Permitted Principal Uses**

To carry out the general purposes of this Zoning Code and specifically the objectives of the B-2 DISTRICT, the following principal uses are permitted in B-2 Districts:

- 801.1 Offices: The same as would be permitted under CENTRAL BUSINESS DISTRICT principal uses - Offices.
- 801.2 Retail Sales: The same as would be permitted under CENTRAL BUSINESS DISTRICT principal uses - Retail Sales, with the addition of:

- (1) The sale of motor vehicle and recreational vehicle parts and accessories.
- (2) The sale of new and used motor vehicles and recreational equipment including: automobiles, trucks, motorcycles, motor homes, boats and outboard motors.
- (3) The sale of nursery stock, garden supplies and equipment and cemetery memorial and monuments.

801.3 Services: The same as would be permitted under CENTRAL BUSINESS DISTRICT principal uses - Services, with the addition of:

- (1) Repair shops for motor vehicles and recreational equipment, gasoline stations (provided they meet the supplementary regulations established below), automobile washing facilities.
- (2) Motor vehicle, recreational vehicle and trailer leasing.
- (3) Radio and television stations, transmittal towers, telephone exchanges and utility distribution substations,
- (4) Hotels and motels.
- (5) Amusement and recreation services including: billiard halls, bowling alleys, dance halls, theaters, ice and roller skating rinks, indoor racquet sport facilities, miniature golf courses.
- (6) Mortuaries.
- (7) Rental equipment and sales related to rental equipment for supplies, tools, appliances, furniture and party supplies

801.4 Civic: The same as would be permitted under CENTRAL BUSINESS DISTRICT principal uses - Civic.

801.5 Recreational: Parks

801.6 Dwelling Units: The same as would be permitted under CENTRAL BUSINESS DISTRICT principal uses - Dwelling Units

## 802 **Yard Requirements For Permitted Principal Uses**

In B-2 Districts, the minimum required yards for permitted principal uses shall be as follows:

- 802.1 The minimum front yard depth shall be twenty-five (25) feet or equal to the narrowest front yard depth of any building located on a contiguous lot and facing the same street, whichever is less.
- 802.2 The minimum front yard depth shall be ten (10) feet or equal to the narrowest front yard depth of any building located on a contiguous lot and facing the same alley, whichever is less.
- 802.3 On a corner lot, the front yard requirements as stated in subsection (.1) hereof shall apply to each side of the lot adjacent to a street.
- 802.4 On a through lot, the front yard requirements as stated in subsection (.1) hereof shall apply to each side of the lot adjacent to a street.
- 802.5 All corner lots shall be subject to a more restrictive setback requirement than provided for by subsections (.1), (.2), (.3) and (.4) hereof, if the Mayor determines that a site distance problem is present.
- 802.6 At the intersection of two (2) streets, nothing exceeding the height of three and one-half (3 1/2) feet above the respective centerline elevations of each street shall be erected, placed, planted, or allowed to grow within the setback area as previously defined. This restriction will apply only for a distance of twenty-five (25) feet from the right-of-way

line of each street regardless of the size of the parcel.

**803 Height Regulations For Permitted Principal Uses**

803.1 Buildings located in B-2 Districts shall not exceed a height of sixty (60) feet. This height regulation does not apply to spires, belfries, cupolas, antennae, ventilators, chimneys or other appurtenances, usually required to be placed above the roof level and not intended for human occupancy.

**804 Off-Street Parking Requirements For Permitted Principal Uses**

In B-2 Districts, off-street parking shall be provided for all permitted principal uses as follows:

804.1 Off-street parking spaces for permitted principal uses shall be provided in quantities not less than as set forth in the following schedule:

<u>Principal Use</u>	<u>Required Spaces</u>
Administrative and professional offices and services except for medical and dental services	One (1) for each 300 SF of gross floor area.
Medical and dental services	One (1) for each 150 SF of gross floor area.
Eating and drinking places	One (1) for each 50 SF of gross floor area plus
General retail sales (except furniture, floor covering, and wall coverings sales)	One (1) for each 250 SF of gross floor area plus one (1) for each two (2) employees
Furniture, floor coverings and wall coverings sales	Two (2) plus one (1) for each 1,500 SF of gross floor area over 1,000 SF
Motor vehicle and recreational equipment sales	One (1) for each 1,500 SF of sales and display area
Nursery stock, garden supplies and equipment and memorial and monument sales	One (1) for each 1,500 SF of sales and display area.
Wholesale offices and showrooms	One (1) for each 700 SF of gross floor area.
Personal services, custom work shop, laundry and Laundromats, repair services	One (1) for each 300 SF of gross floor area.
Repair shops for motor vehicles and recreational equipment	One (1) for each 500 SF of gross floor area.
Hotels and motels	Five (5) plus one (1) for each guest room
Skating Rinks	One (1) for each 250 SF of gross floor area
Bowling Alleys	Five (5) for each alley

Indoor Racquet sports facilities	Three (3) for each court
Theaters	One (1) for each five (5) seats
Other amusement or recreational services	One (1) for each 300 SF of gross floor area
Mortuaries	One (1) for 100 SF of floor area in slumber rooms, parlors or individual funeral service rooms
Church or other place of worship	One (1) for each five (5) seats in the main auditorium or assembly room
Art galleries, libraries, museums	Ten (10) plus one (1) additional for each 300 SF of floor area in excess of 2,000SF
Fraternal organizations, private clubs	One (1) for each five (5) seats in the main auditorium of assembly room. If eating and drinking are provided on site, then the requirement set forth above for such establishments would be applicable.
Rental supplies, tools, appliances, furniture and party supplies	One (1) for each 400 SF of gross floor area

A building occupied by one use shall provide off-street parking spaces as required for that specific use. A building or a group of buildings occupied by two or more uses shall provide spaces for not less than the sum of the spaces required for each use.

References to employees refer to the number of employees on duty during normal peak periods of business activity.

- 804.2 Each permitted use shall be permitted one (1) two-way access driveway or two (2) one-way access driveways for each seventy-five (75) feet of street and alley frontage of the lot occupied by that use. Such access driveways shall be at least ten (10) feet, but not more than eighteen (18) feet, in width for each direction, and shall not be located less than fifteen (15) feet from the right-of-way line of an alley which intersects the same street or alley as the proposed access driveways, or less than twenty-five (25) feet from the right-of-way line of a street which intersects the same street or alley as the proposed access driveways. No access driveway shall be located less than fifteen (15) feet from any other access driveway which intersects the same street or alley as the proposed access driveway.
- 804.3 Off-street parking areas shall be so designed that all required parking spaces are accessible and that no parking or maneuvering incidental to parking shall be on any street, alley or sidewalk.
- 804.4 Adequate area shall be provided on each lot for the accumulation of snow which is removed from the off-street parking areas located on that lot.
- 804.5 If a lot is already built upon, the required off-street parking spaces for any new use built upon the same lot shall be provided only within the area remaining after all applicable yard, lot coverage, lot area and off-street parking requirements have been applied to the existing use and provided that this lot has not been designated for parking provided

under subsection (.7) hereof or otherwise restricted.

804.6 The minimum setback for a parking garage or carport which faces a dedicated street, alley, lane or drive shall be twenty (20) feet.

804.7 All required off-street parking spaces shall be provided on the same lot as the use served, or on a contiguous lot under legal control by the same party operating the permitted use.

**805 Screening Requirements For Businesses Located Adjacent To Residential Areas**

805.1 Each side of an occupied lot or parcel in a B-2 District which is contiguous to a lot or parcel located in a Residential District shall be provided with effective screening. Such screening shall consist of a dense evergreen hedge or a solid, natural finish wooden fence, and shall not be less than four (4) feet, nor more than six (6) feet in height.

**806 Special Regulations For Gasoline Stations**

In addition to all applicable regulations, each gasoline station shall conform to the following additional regulations:

806.1 All regulations of the State of Ohio, from whatever agency, department, bureau, office, etc. which may promulgate such regulations.

806.2 No main building or accessory structure that would be used to dispense, store or sell volatile liquids shall be located less than fifty (50) feet from any lot in a Residential District.

806.3 Each gasoline station shall be permitted a total storage of 40,000 gallons of fuel, lubricating oil and/or gasoline provided, however, that the installation and maintenance of the storage facilities must conform to the laws of the State of Ohio pertaining thereto.

806.4 The owner or operator of any gasoline station which becomes vacant and remains vacant for a period of ninety (90) days, shall at the discretion of the Fire Chief and the Mayor, either remove all fuel storage tanks located on the premises or fill them with an appropriate substance after all fuel or other volatile liquids have been properly removed therefrom. Notice to remove or fill such storage tanks shall be given by certified mail, return receipt requested to the owner and the operator of the premises and such work shall be completed within thirty (30) days of notification. The owner of the premises is responsible under this Zoning Code to comply with this subsection if the operator fails for any reason to comply. Such responsibility cannot be assigned by lease or any other agreement to a party not the owner of the premises.

**807 Special Regulations For Drive-In Businesses**

807.1 Five (5) vehicle waiting spaces shall be expressly designed and provided for each bay of a drive-in banking facility, drive-through food and beverage store or automobile washing facility, or each serving window of a restaurant which serves food and beverages to customers in motor vehicles for consumption outside the premises.

**808 Permitted Accessory Uses**

In B-2 Districts, accessory uses, buildings or structures may be established provided such uses are customarily accessory and clearly incidental and subordinate to the permitted principal use. Accessory uses are limited to the following:

808.1 Garages, or carports, storage sheds or other incidental structures

808.2 The placement, number and nature of signs shall be governed by the

following regulations:

- (1) A single, non-illuminated real estate sign advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed, during the period of active effort to sell, rent or lease such premises shall be permitted provided such sign is removed promptly after an agreement to sell, rent or lease is entered into.
  - (2) Political signs shall be permitted provided they are not erected more than thirty (30) days prior to the election for which they are intended and are removed within forty-eight (48) hours after such election.
  - (3) A single non-illuminated construction sign shall be permitted on the site of a building under construction, remodeling or renovation provided such sign is used for identification purposes only and does not exceed forty (40) SF in area.
  - (4) Directional signs shall be permitted provided they do not exceed four (4) SF in area.
  - (5) Temporary signs related to a specific holiday, religious event or historical observance, or to an event conducted by a church or by a public or private non-profit school or college, or to a community event, or to a porch, garage or yard sale, shall be permitted. Such signs shall not be erected more than thirty (30) days prior to an event, holiday or observance for which they are intended and shall be removed forty-eight (48) hours after such event, holiday or observance.
  - (6) Temporary signs related to a sale to be held on the premises shall be permitted.
  - (7) The maximum total area of all the on-site signs located on the premises of a permitted principal use shall not exceed forty (40) SF.
  - (8) No sign, or any part thereof, shall be located on or extend above a public right-of-way.
- 808.3 Fences, walls, and hedges shall be permitted provided they are not electrified and that barbed wire does not constitute any part of such fences, walls and hedges. No fence, wall or hedge shall exceed a height of six (6) feet above finished grade. Any and all gates in such fence, wall or hedge shall be no greater in height than the rest of the fence, wall or hedge. Any such gate shall open from the inside.
- 808.4 Private swimming pool that is incidental to a permitted principal use. Under this subsection a "Private Swimming Pool" means any pool, be it ground level or elevated, where swimming is normally permitted, not located within a completely enclosed building, and containing or normally capable of containing water to a depth at any point greater than one and one-half (1 1/2) feet. No such swimming pool shall be allowed unless it complies with the following conditions and requirements:
- (1) The pool is intended to be used solely for the enjoyment of the occupant and guests of the permitted principal use of the property on which it is located.
  - (2) The pool, accessory building, patio or other structures shall not be located in any front yard or within any side or rear yard setbacks.
  - (3) The swimming pool of ground level pools, an area five (5) feet beyond and surrounding elevated pools, or the entire rear or side property on which the pool is located shall be enclosed within a permanent fence not less than five (5) feet in height. Such a fence shall be erected around a swimming pool before it is filled with water.
  - (4) No lighting used on or with respect to any swimming pool shall be directed or reflected outside the premises on which the swimming pool is located to such an extent that it interferes materially with the use and enjoyment of any other premises.
  - (5) The area of the pool, elevated decks and accessory buildings will be included as part of the total lot coverage permitted in the Zoning District where the pool is located.