

# City of Niles, Ohio

SPONSORED BY: SAFETY COMMITTEE  
AUTHORIZED BY: MARCHESE

DRAFT NO. 124-19

ORDINANCE NO. 41-19

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. "1131.02, "REGULATIONS FOR ACCESSORY BUILDINGS", AND, DECLARING AN EMERGENCY

Whereas, Codified Ordinance Section 1131.02 establishes procedures regarding regulations for accessory buildings; and

Whereas, Council has amended this ordinance; and,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION ONE: Codified Ordinance No. 1131.02 is hereby amended to read as follows:

## 1131.02 REGULATIONS FOR ACCESSORY BUILDINGS.

Accessory buildings shall be subject to the following regulations:

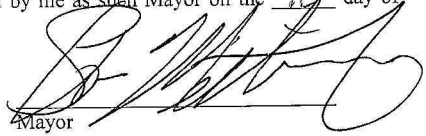
- (a) No accessory building shall be used for the conduct of a business or industry therein.
- (b) Accessory buildings shall be permitted for the following purposes:
  - (1) Detached private garage on the same lot as the principal building. No part of any such private garage shall be used for residence purposes.
  - (2) Storage building or structure, including a green house, pool house, gazebo and similar structures.
- (c) Accessory buildings may only be located in the rear yard.
- (d) The area occupied by all permitted accessory uses shall not exceed the lesser of twenty-five percent (25%) of the rear yard, or 1,152 square feet. In no instance shall the floor area of any accessory building exceed the ground floor area of the principal building of the lot.
- (e) Any permitted accessory use must be located at least two feet from any lot line.
- (f) Private garages (attached or detached) are further limited, so that total garage area shall not exceed 1,152 square feet in floor area.
- (g) Storage buildings or other permitted structures are further limited so that only one such structure can be placed per residential parcel, except that one additional structure may be added provided it is not used for storage and its purpose is part of landscaping or recreational use, such as a patio, hot tub, gazebo, green house or similar structure. Metal storage buildings permitted under this subsection may not exceed 100 square feet. Other building or structure permitted under this subsection may contain a metal roof but may not exceed 200 square feet.
- (h) The minimum pitch for the roof of an accessory building shall be 4/12. The maximum height of any accessory building shall not exceed 15 feet from floor level to the roof peak.
- (i) In the case of a corner lot, no wall of an accessory building shall be nearer to the side street line than the side wall of the main building. If the rear of a corner lot abuts on a lot with the principal frontage on the side street, the accessory building on such corner lot shall be setback from the side street line a distance of not less than twenty-five feet.
- (j) Swimming pools shall not be considered an accessory use, but shall remain five feet from any property line, and a five foot "green area" shall be maintained around them. No swimming pools may be placed in front of the building setback line.
- (k) Canvas free standing structures other than for extraordinary uses as permitted by zoning officials shall be prohibited as accessory buildings. No new metal free standing structure other than a metal storage building not exceeding 100 square feet shall be permitted as an accessory building. Existing canvas free standing structures in violation of this subsection must be removed within one year of the effective date of this section.

SECTION TWO: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety and welfare. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor. If not so passed as an emergency measure, it shall take effect from and after the earliest time provided by law.

  
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President of Council

Passed: July 10, 2019  
Attest: Nicole Barad  
Clerk of Council

Filed with the Mayor of the City of Niles, Ohio on the 10 day of July, 2019 and signed by me as such Mayor on the 10 day of July, 2019.

  
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Mayor