

**ORDINANCE NO. 2013-076**

**AN ORDINANCE AMENDING SECTIONS 1123.05, 1133.02, 1161.01.1(C)(2), 1161.12.13(B) AND 1162.05(C) OF CHAPTER 1100 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE OF THE CITY OF FINDLAY, OHIO, AS AMENDED.**

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Findlay, State of Ohio a majority of members elected thereto concurring:

SECTION 1: That Section 1123.05 of the Codified Ordinances of the City of Findlay, Ohio which currently reads as follows:

**1123.05 REQUIRED BUILDING SETBACKS**

- A. FRONT YARD SETBACK  
Major & secondary thoroughfares: fifteen feet (15')  
All other streets: ten feet (10')
- B. SIDE YARD SETBACK  
Three feet (3')
- C. STREET SIDE YARD SETBACK  
Ten feet (10')
- D. REAR YARD SETBACK  
Thirty feet (30')
- E. AVERAGE FRONT YARD SETBACK  
Available for use on lots not able to comply with requirements herein. See CHAPTER 1174 DEFINITIONS.

Be and the same hereby is amended to read as follows:

**1123.05 REQUIRED BUILDING SETBACKS**

- A. FRONT YARD SETBACK  
Major & secondary thoroughfares: fifteen feet (15')  
All other streets: ten feet (10')
- B. SIDE YARD SETBACK  
Three feet (3')
- C. STREET SIDE YARD SETBACK  
Ten feet (10')
- D. REAR YARD SETBACK  
Fifteen percent (15%) of the lot depth or thirty feet (30'), whichever is less
- E. AVERAGE FRONT YARD SETBACK  
Available for use on lots not able to comply with requirements herein, yet not have less than a five foot (5') yard setback.
- F. OVERHANGS  
Overhangs may not encroach into any setbacks by more than two feet (2').

SECTION 2: That Section 1133.02 of the Codified Ordinances of the City of Findlay, Ohio which currently reads as follows:

**1133.02 PERMITTED USE – CERTIFICATE REQUIRED.**

All uses permitted in O-1 are permitted in this district, in addition to which the following uses are also permitted: Retail Business (except conditions per Section 1161.15).

- A. PROFESSIONAL ACTIVITIES
- B. LIBRARIES
- C. RESTAURANTS
- D. ART AND ANTIQUE SHOPS
- E. BAKERIES – RETAIL
- F. BED & BREAKFASTS
- G. BOOK STORES
- H. BUSINESS SERVICES
- I. COFFEE SHOPS
- J. CONVENIENCE STORES
- K. CRAFT SUPPLIES
- L. DANCE STUDIOS
- M. DAY CARE CENTERS
- N. DRY CLEANERS
- O. FLOWER SHOPS
- P. FOOD RETAILING
- Q. HARDWARE STORES
- R. HEALTH SERVICES
- S. ICE CREAM SHOPS
- T. BEAUTY SALONS
- U. BARBER SHOPS
- V. BODY CLINICS
- W. VETERINARY CLINICS (NO KENNEL)
- X. PAWN SHOPS
- Y. ACCESSORY USES

Be and the same hereby is amended to read as follows:

**1133.02 PERMITTED USE – CERTIFICATE REQUIRED.**

All uses permitted in O-1, except residential uses, are permitted in this district, in addition to which the following uses are also permitted: Retail Business (except conditions per Section 1161.15).

- A. PROFESSIONAL ACTIVITIES
- B. LIBRARIES
- C. RESTAURANTS
- D. ART AND ANTIQUE SHOPS
- E. BAKERIES – RETAIL
- F. BED & BREAKFASTS
- G. BOOK STORES
- H. BUSINESS SERVICES
- I. COFFEE SHOPS
- J. CONVENIENCE STORES
- K. CRAFT SUPPLIES
- L. DANCE STUDIOS
- M. DAY CARE CENTERS

- N. DRY CLEANERS
- O. FLOWER SHOPS
- P. FOOD RETAILING
- Q. HARDWARE STORES
- R. HEALTH SERVICES
- S. ICE CREAM SHOPS
- T. BEAUTY SALONS
- U. BARBER SHOPS
- V. BODY CLINICS
- W. VETERINARY CLINICS (NO KENNEL)
- X. PAWN SHOPS
- Y. ACCESSORY USES

SECTION 3: That Section 1161.01.1(C)(2) of the Codified Ordinances of the City of Findlay, Ohio which currently reads as follows:

- 2. Maximum Floor Area: The combined building footprint of all accessory buildings on site shall not exceed eight hundred (800) square feet. This does not include the structures exempted in the residential districts. Example: the 50 sq ft allowable accessory building permitted in all residential districts.

Be and the same hereby is amended to read as follows:

- 2. Maximum Floor Area: The combined building footprint of all accessory buildings on site shall not exceed nine hundred square feet (900 sq ft). One accessory building that is fifty square feet (50 sq ft) or less shall be exempt from this requirement. In no instance shall any separate accessory building be larger than nine hundred square feet (900 sq ft). All accessory buildings are subject to maximum lot coverage requirements as prescribed in each zoning district. The following stipulations apply to properties without attached garage:
  - a. Any detached garage up to five hundred seventy-six square feet (576 sq ft) shall not count against the total allowable accessory building area. Any detached garage greater than five hundred seventy-six square feet (576 sq ft) will have that area in excess of five hundred seventy-six square feet (576 sq ft) deducted from the maximum allowable accessory building area.
  - b. An existing primary garage less than five hundred seventy-six square feet (576 sq ft) can be increased in area so the total building area does not exceed five hundred seventy-six square feet (576 sq ft), even if the property contains other accessory buildings that exceed the nine hundred square foot (900 sq ft) limit.

SECTION 4: That Section 1161.12.13(B) of the Codified Ordinances of the City of Findlay, Ohio which currently reads as follows:

B. Size

Electronic Message Centers shall not exceed twenty-five percent (25%) of the total sign area permitted on site.

Be and the same hereby is amended to read as follows:

B. Size

Electronic Message Centers shall not exceed twenty-five percent (25%) of the total area of the sign as approved and constructed.

SECTION 5: That Section 1162.05(C) of the Codified Ordinances of the City of Findlay, Ohio which currently reads as follows:

**1162.05 NONCONFORMING STRUCTURES**


C. LOCATION OF NONCONFORMITY. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the District in which it is located after it is removed. This does not preclude the elevation of structures to comply with the flood damage reduction ordinance.

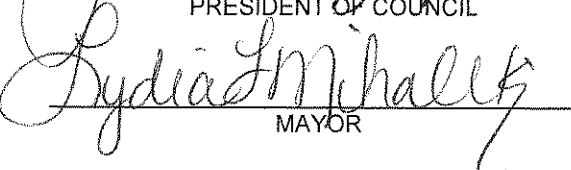
Be and the same hereby is amended to read as follows:

**1162.05 NONCONFORMING STRUCTURES**

C. LOCATION OF NONCONFORMITY. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the District in which it is located after it is removed. This does not preclude the elevation of structures to comply with the flood damage reduction ordinance. Portions of nonconforming buildings such as porches, attached garages or other appurtenances may be replaced so long as the replacement does not increase the degree of nonconformity of the structure.

SECTION 6: That this Ordinance shall be in full force and effect at the earliest period provided by law.

  
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 PRESIDENT OF COUNCIL

  
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 MAYOR

PASSED December 3, 2013

ATTEST Denise DeVore  
CLERK OF COUNCIL

APPROVED December 3, 2013