

RESOLUTION # 698

This resolution was approved by the Zoning and Planning Committee at their meeting on September 27, 2005 and recommended to the Tuscarawas Village Council for approval.

This resolution was returned to the Zoning and Planning Committee for further consideration and was amended and recommended to the Tuscarawas Council for approval on October 25, 2005.

BE IT RESOLVED THAT;

The following revisions to the current Village Zoning Ordinance are hereby adopted by The Tuscarawas Village Council on a temporary basis until the Zoning and Planning Commission has recommended and Village Council has adopted formal amendments to the Zoning Ordinance

Section 201 Definitions.

REVISED LANGUAGE TO REPLACE "ACCESSORY STRUCTURE."

Accessory Building or Accessory Structure. A separate building or structure which is used for purposes which are incidental and subordinate to the main use of the land and on the same premises as the main use building. Examples include, but are not limited to, unattached garage, barn, unattached deck, fence, gardening shed, gazebo, landscaping fountain, pond or other water feature, storage building, swimming pool, or storage tank.

REVISED LANGUAGE TO REPLACE "STRUCTURAL ALTERATION."

Structural Alteration. Any change which would tend to prolong the life of a support member of a structure such as the foundation, bearing wall, column, beam or girder, without increasing significantly the dimensions of the original structure.

NEW DEFINITION

Structural Enlargement. Any procedure which will increase the physical dimensions of the current structure.

REVISED LANGUAGE TO REPLACE "STRUCTURE."

Structure. Any building, dwelling, accessory building, or accessory structure constructed or erected with a fixed location on or in the ground or attached to something having a fixed location on or in the ground.

REVISE SECTION 500 TO ELIMINATE REFERENCE TO "STRUCTURES ACCESSORY TO DWELLINGS BY DISTRICT."

REPLACES SECTION 503 WITH EXCEPTION OF MAIN USE BUILDING IN "S", "A", "M", AND "B" DISTRICTS.

Section 503. Setbacks, Lot Coverage, and Height Requirement for an Accessory Building or Accessory Structure are as follows:

1. The minimum setbacks for an accessory building or accessory structure, excluding a fence, in all districts shall be six (6) feet from the rear lot line and three (3) feet from any side lot line.
2. The maximum height of an accessory building or accessory structure in a "B" or "R" district shall be twenty-four (24) feet.
3. The maximum height of an accessory building or accessory structure in an "S", "A" or "M" district shall be forty-five (45) feet.
4. The maximum percentage of lot coverage shall be 50% in any "R" district.

Section 504. Deleted

REPLACES SECTION 505.1.

Section 505.1. Accessory Building in Rear Yard. An accessory building shall be located only in a rear yard.

ORDINANCE No. 600 is null and void with the adoption of the above revision.

REVISED LANGUAGE TO REPLACE SECTION 1107.

Section 1107. Swimming Pools.

Swimming pools may be placed, at the owner's risk, in the rear yard of any "B" or "R" district as an accessory building or structure and shall comply with the following conditions:

1. The pool is subject to the 6' rear and 3' side setbacks of Section 503.
2. A Zoning Certificate is necessary for both a permanent "in ground" or "above ground" pool.
3. A permanent pool and deck combination, including a privacy fence, may be built under one Zoning Certificate.
4. A Zoning Certificate is NOT necessary for temporary pools such as, but not limited to: inflatable pools and hard plastic wading pools.
5. All pools are subject to a separate water permit to fill the pool.
6. All pools must be maintained in a safe and sanitary condition.

Ordinance No 640 is null and void with the adoption of the above revision to Section 1107.

REVISED LANGUAGE TO REPLACE SECTION 1601.1

Section 1601.1. New or Enlarged Structure Requires a Separate Zoning Certificate.

It shall be unlawful for an owner to construct, create, erect, enlarge, or relocate on the current premises, any structure (as defined in Section 201) or part thereof, until a Zoning Certificate has been issued by the Zoning Inspector.

Passed at a regular meeting of the Tuscarawas Village Council on the 27th day of October, 2005.

Rick Spaar, Mayor

Kim Lyons, Fiscal Officer