CHAPTER 963
First Residential Districts

963.01 Permitted uses.
963.02 Accessory buildings or uses.

CROSS REFERENCES
Sign and billboard regulations - see ADM. 171.01, 171.02
Height regulations - see P. & Z. 987.01
Area regulations - see P. & Z. 989.01
Exterior appearance of residential structures and accessory buildings -
see BLDG. 1143.04

963.01 PERMITTED USES.
Within any First Residential District, no building or premises, shall be erected, used, arranged or
designed to be used in whole or in part for other than one or more of the following specified uses:
(a) Single-family dwellings.
(b) Public parks.
(c) Grounds for games or sports except those a chief activity of which is one customarily carried
on primarily for gain, Municipal playgrounds.
(d) Public or private golf course, except miniature golf course.
(e) Accessory uses and buildings.
   (Ord. 46-1970. Passed 11-9-70.)

963.02 ACCESSORY BUILDINGS OR USES.
The following accessory uses and buildings are permitted in a First Residential District:
(a) (1) Private unattached garages. One private garage may be erected in or on the same lot with
the main building. Such garages shall occupy no more than 800 square feet. The dimensions established
in this section shall be the outside dimensions of the walls. Where intermediate posts or columns are
provided in multiple-car garages, the minimum clear space shall be nine feet, two inches.

Space for two noncommercial motor vehicles may be rented to persons not
resident on the same lot.
(2) Attached garages. Attached private garages can be of any size as long as they conform to the
aesthetic design and do not exceed forty-five percent (45%) of the main structure.
(3) New or existing homes. New or existing homes can have either an unattached garage, as set
forth in (a)(1), or an attached garage, as set forth in (a)(2), but not both attached and unattached.
(4) Service or pedestrian door required. In new or replacement construction, private garages
must have a service or pedestrian door in addition to traditional garage doors.
(5) Accessory buildings. Other than garages, accessory buildings shall be limited to a
maximum height of twelve feet (12'). Only two (2) such buildings shall be permitted on one lot and lot
coverage rules apply. Structures in this category include greenhouses, pavilions, picnic shelters,
cabanas, gazebos, and like kinds of detached or free-standing structures.

(b) Storage Sheds.
   (1) All accessory buildings or similar outbuildings shall be erected only on a lot that contains a
habitable dwelling, but no nearer than ten (10) feet to such dwelling unless fire rated. All storage
and accessory buildings shall be located in the rear yard. No storage shed shall be constructed any nearer than five feet (5') or any further than ten feet (10') from the side lot lines. No such building shall be erected any closer than five feet (5') to a rear lot line.

2. Every accessory building shall have a foundation consisting of a four-inch concrete base with a four-inch high curb, or wood floors constructed of pressure-treated stringers four inches by four inches on two-foot minimum centers. Flooring made of a minimum of three-fourths inch exterior plywood or its equivalent in pressure-treated lumber shall be used. The floor shall cover the entire base and be adequately anchored to the floor stringers and open ends of stringers must be capped or screened. Prior to the placing of stringers, a vapor barrier or weed block material approved by the Building Commissioner must be used to prevent vegetation growth.

3. When the rear property line of a corner parcel of land abuts the side property line of the adjoining parcel fronting on the side street, the accessory building or similar outbuilding set on the corner parcel shall be set back from the side line of the side street not less than the set-back line for such side street.

4. All accessory or similar outbuildings shall be maintained in good repair and free from health, accident and fire hazards or shall be removed from the premises. Where foundations of any accessory or similar outbuilding have deteriorated or settled to the point where wall plates or studs are rotting or in disrepair, such foundations shall be anchored in accordance with this section. The Building Commissioner shall determine what repairs are necessary, if such structure is not repaired within thirty days after notice by the Building Commissioner to repair, in accordance with this section, such structure shall be completely removed.

5. Plans shall include details required by the Building Commissioner to determine compliance with this Chapter including, but not limited to a site plan drawn to scale, which shows all existing structures, swales, catch basins, easements, distances of the proposed shed to the main building and to dwelling units on abutting lots.

6. Such storage shed shall not exceed twelve (12) feet at its highest point. Shed size maximums shall be determined by the following table:

<table>
<thead>
<tr>
<th>Lot Size (Square Feet)</th>
<th>Maximum Shed Area (Outside Dimensions)</th>
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<tbody>
<tr>
<td>Under 15,750 square feet</td>
<td>144 square feet</td>
</tr>
<tr>
<td>15,750 to 18,000 square feet</td>
<td>196 square feet</td>
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<tr>
<td>18,001 to 24,999 square feet</td>
<td>256 square feet</td>
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</tbody>
</table>

(Ord. 85-2004. Passed 11-22-04.)

(c) Parking of Recreational Vehicles. EDITOR’S NOTE: Former subsection (c) was repealed by Ordinance 86-2004. See Section 1143.08 for current regulations.

(d) Residence in Accessory Building. Residence in an accessory building is permitted only:

1. If it is located in the rear of the main building already erected;

2. If it is used and occupied by persons regularly employed on the premises and their immediate families;

3. If it conforms to the provisions of the Building Code; and

4. If written approval of Council is first obtained.

(Am. Ord. 31-1983. Passed 11-28-83.)

(e) Location of Heat Pumps and Air Conditioning Units. Heat pumps and air conditioning units (excluding air conditioning window units) shall be installed and located in the rear yard no closer than within eighteen inches, nor further than three feet, of the main building and shall not be located in any
side yard or within ten (10) feet of a property line. (Ord. 9-2002. Passed 5-13-02.)