

ORDINANCE NO. 2023-05
INTRODUCED BY: Mayor Bodnar

**AN ORDINANCE AMENDING
MAYFIELD VILLAGE CODIFIED ORDINANCE SECTION 1157.06
ACCESSORY BUILDINGS & STRUCTURES.**

WHEREAS, Mayfield Village maintains certain provisions in its Codified Ordinances pertaining to accessory structures in residential districts which has been amended over the years, most recently in 1994; and

WHEREAS, Section 1157.06 was recently reviewed for consideration and recommended amendments from the Building Department and Administration were submitted to the Planning Commission for their review; and

WHEREAS, the Mayfield Village Council deems it in the best interest and for the health, safety and welfare of Mayfield Village and its residents to amend Section 1157.06 of the Codified Ordinances to update the regulations to avoid unnecessary variance requests and include additional requirements regarding the placement of accessory structures.

NOW, THEREFORE, BE IT ORDAINED by the Council of Mayfield Village, Cuyahoga County, State of Ohio, that:

SECTION 1. Section 1157.06 of the Village's Codified Ordinances is amended to read as fully set forth in Exhibit "A", a copy of which is attached hereto and incorporated herein by reference.

SECTION 2. Any sections of the Codified Ordinances in conflict herewith, including but not limited to MVCO 1181.07(c)(2), are hereby and herein repealed and amended accordingly. All other provisions of the Village Codified Ordinances not inconsistent herewith shall remain in full force and effect.

SECTION 3. The Clerk of Council is authorized and directed to forward a certified copy of this Ordinance to the Codifier of Mayfield Village.

SECTION 4. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council and

that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance shall take effect after adoption and at the earliest time allowed by law.



STEPHEN SCHUTT
Council President

First Reading: March 20, 2023

Second Reading: April 17, 2023

Third Reading: May 15, 2023

PASSED: May 15, 2023



BRENDA T. BODNAR, Mayor

APPROVED AS TO FORM:



DIANE A. CALTA, ESQ.
Director of Law

ATTEST: 

MARY E. BETSA, MMC
Clerk of Council

EXHIBIT A

1157.06 ACCESSORY BUILDINGS & STRUCTURES.

(a) In General: An accessory building or structure, as defined by Section 1113.06 of this Code and including those buildings or structures less than two hundred (200) square feet, customarily incident to a Class U-1 or U-2 use shall also be permitted in, respectively, a Class U-1 or U-2 District, provided such accessory building or structure is located in the rear yard and upon the same lot with the building to which it is accessory. Buildings and structures two hundred (200) square feet or larger shall also require a building permit from the Building Department.

(b) Not Habitable: No accessory building or structure shall be designed, constructed, arranged or used as a habitable dwelling in whole or in part.

(c) Height: No accessory building or structure in a Class U-1 or U-2 District shall exceed fifteen (15) feet in height.

(d) Location: No accessory building or structure shall be located within a recorded utility easement or drainage swale, or in such a manner that hinders the free flow of storm water or hinders the maintenance of storm water control, as determined by the Village Engineer. Any accessory building or structure shall conform to the applicable setback requirements set forth in Section 1181.07 of this Code. Swimming pools shall be regulated by Section 1341.04 of this Code.

(e) Total Number and Area: In a U-1 or U-2 District, no more than two (2) accessory buildings or structures, which shall include a detached garage, shall be permitted. The total area of any above ground accessory buildings or structures erected separately from the main use structure on any one lot in total area shall not exceed eight hundred (800) square feet or ten percent (10%) of the rear lot area, whichever is less, subject to all other applicable setbacks and use requirements.

1157.06 ACCESSORY USES, BUILDINGS & STRUCTURES.

(a) In General: An accessory use building or structure, as defined by Section 1113.06 of this Code and including those buildings or structures less than two hundred (200) square feet, customarily incident to a Class U-1, U-2 or U-32 use shall also be permitted in, respectively, a Class U-1, U-2 or U-32 District, provided such accessory use building or structure is located in the rear yard and upon the same lot with the building or use to which it is accessory. Buildings and structures two hundred (200) square feet or larger shall also require a building permit from the Building Department.

(b) Not Habitable: No accessory building or structure shall be designed, constructed, arranged or used as a habitable dwelling in whole or in part.

(c) Height: No accessory building or structure in a Class U-1 or U-2 District shall exceed fifteen (15) feet in height.

(d) Location: No accessory building or structure shall be located within a recorded utility easement or drainage swale, or in such a manner that hinders the free flow of storm water or hinders the maintenance of storm water control, as determined by the Village Engineer. Any accessory building or structure shall conform to the applicable setback requirements set forth in Section 1181.07 of this Code. Swimming pools shall be regulated by Section 1341.04 of this Code.

(e) Total Number and Area: In a U-1 or U-2 District, theno more than two (2) accessory buildings or structures, which shall include a detached garage, shall be permitted. The total area of any above ground structure, not including swimming pools or buildings directly related to the use or operation of swimming pools; accessory buildings or structures erected separately from the main use structure on any one lot shall not exceed; in total area shall not exceed eight hundred (800) square feet or ten percent (10%) of the rear lot area, whichever is less, subject to all other applicable setbacks and use requirements.

(1) 480 square feet if its use is for storage of a motor vehicle, recreational vehicle or other vehicle;

(2) 675 square feet if its use is for storage of a motor vehicle, recreational vehicle or other vehicle but also includes a tool shed or other storage area;

(3) 192 square feet if its use is as a tool shed or other storage building;

(4) No accessory use referred to herein shall exceed 15 feet in height.

(b) In any Class U-3 apartment development, at least one and one-half automobile storage spaces shall be provided accessory to each apartment suite, plus at least one-half space for each bedroom by which any suite exceeds one bedroom in size; at least one of the required automobile storage spaces for each apartment suite shall be in an enclosed building.