

**ORDINANCE NO. 03-24-02
(AS AMENDED)**

**AN ORDINANCE
AMENDING CERTAIN SECTIONS OF TITLE FIVE, ZONING
ORDINANCE OF THE CODIFIED ORDINANCES OF THE VILLAGE
OF KIRTLAND HILLS, WHICH SECTIONS REGULATE ACCESSORY
STRUCTURES.**

WHEREAS, this Council has been advised of certain necessary amendments that need to be made to the Village's Zoning Code; and

WHEREAS, Council desires to amend the regulations and definitions in the Zoning Code which regulate residential accessory structures within the Village; and

WHEREAS, this Ordinance had been referred to the Planning and Zoning Commission for a report and recommendation; and

WHEREAS, Council has held a public hearing on this Ordinance after giving notice by publication once a week for two consecutive weeks in a newspaper of general circulation in the Village and the first publication of the notice was made at least thirty days prior to the hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF KIRTLAND HILLS, LAKE COUNTY, STATE OF OHIO:

SECTION 1. That existing subsection (b)(1) of Section 1137.01, Definitions, of the Codified Ordinances of Kirtland Hills is amended to provide as follows:

“1137.01 DEFINITIONS.

(b) For purposes of this Zoning Ordinance the following words, terms or phrases shall be defined as follows:

(1) “Accessory building” means a building or structure that is secondary to or incidental to, ~~and~~ detached from the main building on the property, **and not attached to, the main building.**

A. **For purposes of this definition, “detached” means physical separation of at least twenty (20) feet from the main building or structure, with no connection of any kind, including but not limited to connections by means of a fence, breezeway, above-ground deck, or other structure.**

B. **For the purposes of this definition, “attached” means an addition to the main structure on a lot connected to the main structure by means of interior space enclosed by a connecting roof, walls, and floor**

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SECTION 2. That existing Section 1145.01, Farm And Residence District, subsection (j) of the Codified Ordinances of Kirtland Hills is amended to provide as follows:

“1145.01 FARM AND RESIDENCE DISTRICT.

(j) Accessory uses with a conditional use permit.”

SECTION 3. That existing subsection (b) of Section 1153.02, Accessory Structures, subsection (b) of the Codified Ordinances of Kirtland Hills is amended to provide as follows:

“1153.02 ACCESSORY STRUCTURES.

(b) The total area of all accessory buildings or structures on any lot shall not exceed twenty-five percent (25%) of the floor area of the main structure or building provided that the total of the floor area of all accessory buildings on any lot may be up to one thousand (1,000) square feet regardless of the floor area of the main building.

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SECTION 4. That existing subsection (b)(1) of Section 1137.01, Definitions, subsection (j) of Section 1145.01, Farm and Residence District, and subsection (b) of 1153.02, Accessory Structures, of Part Eleven, Planning And Zoning Code, of the Codified Ordinances of the Codified Ordinances of the Village of Kirtland Hills, and any part of any Ordinance that conflicts with this Ordinance, are repealed to the extent of the conflict.

SECTION 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. That this Ordinance shall take effect and be in force at the earliest time permitted by law.

PASSED: June 24 2024

Berne Schrab
CLERK/TREASURER

John E. Tuben
MAYOR