

ORDINANCE 2025-07

AN ORDINANCE AMENDING TITLE XV: LAND USE, CHAPTER 150: ZONING CODE, ARTICLE 150.27 BUSINESS AND INDUSTRIAL DISTRICT REGULATIONS, SECTION 150.278 ACCESSORY BUILDINGS OF THE CODIFIED ORDINANCES OF THE VILLAGE OF SWANTON, OHIO AND DECLARING AN EMERGENCY

WHEREAS, The Village of Swanton's Planning Commission has made a recommendation to the Village of Swanton Council to amend Title XV: Land Use, Chapter 150: Zoning Code, Article 150.27 Business and Industrial District Regulations. Section 150.278 Accessory Buildings of the Codified Ordinances which set forth certain definitions and regulations within the Village of Swanton; and

WHEREAS, Council desires to amend Title XV: Land Use, Chapter 150: Zoning Code, Article 150.27 Business and Industrial District Regulations. Section 150.278 Accessory Buildings of the Village of Swanton Codified Ordinances; and

NOW, THEREFORE, BE IT ORDAINED by Council of the Village of Swanton, Fulton County, Ohio, that:

Section 1. That, Title XV: Land Use, Chapter 150: Zoning Code, Article 150.27 Business and Industrial District Regulations. Section 150.278 Accessory Buildings Codified Ordinances of the Village of Swanton shall be amended to read as follows:

See Exhibit A attached hereto and incorporated herein by reference.

Section 2. That it is found and determined that all formal actions of this Village Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Village Council, and that all deliberations of this Village 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.

First Reading: February 10, 2025

Second Reading: February 24, 2025

Third Reading: March 10, 2025

Vote on Passage

Moved: Kania

Second: Westhoven

YEAS: 6

NAYS: 0

Date of Passage: March 10, 2025


Neil Toeppe, Mayor

Attest:

I, Holden Benfield, Fiscal Officer of the Village of Swanton, do hereby certify that this is a true and accurate copy of Ordinance 2025-07, passed on March 10, 2025


Holden Benfield, Fiscal Officer

Exhibit A

§ 150.278 ACCESSORY BUILDINGS.

(A) Accessory structures, including but not limited to sheds, garages, and similar buildings, shall be permitted within the Business District (B2, B3) and Industrial District (M1, M2) subject to the following conditions:

1. *Location and Setbacks.* Accessory structures must be located behind the principal building on the property. A minimum setback of 5 feet from any property line, and a minimum of 10 feet from any adjacent structure shall be required for all accessory structures. Accessory structures may not be located within easement areas or obstruct access to utilities.
2. *Size and Height Limitations.* The height of the accessory building shall not exceed twenty (20) feet. Accessory buildings that have a gross floor area of 200 square feet or less may be located in a side or rear yard and shall comply with the applicable parking setbacks set forth in Schedule 150.274(B). All other accessory buildings shall be considered principal buildings and shall conform to all lot and setback regulations and development plan review for the appropriate zoning district. Any structure exceeding these dimensions require approval through a conditional use permit or variance application.
3. *Design and Aesthetics.* The exterior of the accessory structure must be constructed of materials consistent with or complementary to the principal building on the property. Acceptable materials may include [list of acceptable materials, e.g., wood, brick, metal, etc. The structure should maintain a design that is visually harmonious with the surrounding environment, ensuring it does not detract from the character or appearance of the Business or Industrial District.
4. *Permitting and Inspections.* A building permit is required for the construction of any accessory structure within the Business or Industrial District. The applicant must submit detailed plans indicating the location, dimensions, and materials of the proposed structure. All accessory structures must comply with applicable building codes and undergo inspection upon completion to ensure compliance with safety standards.
5. *Use Restrictions.* Accessory structures in the Business or Industrial District may only be used for purposes of accessory to the principal business use. These may include storage, maintenance, or office space but may not be used for residential purposes, habitation, or other non-permitted activities.

6. *Maintenance and Removal.* The property owner is responsible for maintaining accessory structures in good condition. Structures that become dilapidated, unsafe, or otherwise non-compliant with zoning or safety regulations must be repaired or removed.

(B) **Special Considerations for Certain Business Uses.** In cases where the proposed accessory structure is intended for retail sales, signage, or displays, a special use permit must be obtained to ensure it aligns with the overall goals and aesthetics of the Business or Industrial District.

(C) **Enforcement and Penalties.** Any accessory structure constructed in violation of these provisions may be subject to penalties, fines, or removal at the discretion of the Zoning Administrator or the Village Council.