

Chapter 23 Accessory Uses

- 23.01 **Intent:** The intent of this chapter is to establish regulations which shall be applicable to all districts.
- 23.02 **Swimming Pools, Hot Tubs, and Spas:** A swimming pool, hot tub, or spa whether in ground or above ground, but not including farm ponds, as regulated herein, shall be any Pool, Hot tub, Spa, Pond, Lake, Open tank, not located within a completely enclosed building and containing or normally capable of containing water to a depth at any point greater than one and one-half (1½) feet. No such swimming pool shall be allowed in any residence zone except as an accessory use and unless it complies with the following conditions and requirements:
- A. The Pools, Hot Tubs, or Spa is intended and is to be used solely for the enjoyment of the occupants of the principal use of the occupant of the property on which it is located.
 - B. It may not be located closer than five (5) feet to any property line of the property on which located. They must be grounded and installed per NEC on GFI electric circuit and electrical permit applied for with Warren County Building Department.
 - C. The swimming Pool, Hot Tubs, or Spa or the entire property on which it is located shall be so fenced so as to prevent uncontrolled access by children from the street or from adjacent properties. Said fence shall be not less than four (4) feet in height and maintained in good condition.
 - D. Any Pool, Hot Tubs, or Spa for the use of the occupants of multiple family buildings, containing over three apartments shall meet the structural and sanitary requirements of the Ohio Department of Health.
 - E. All pools 18 inches or higher, shall be fenced a minimum of 4 feet in height and equipped with a self-closing, self-latching lockable gate(s).
- 23.03 **Permanent Accessory Uses / Structure:** Permanent accessory building/structures and uses customarily incidental to residential zones, including storage buildings. One accessory storage building/structure shall be permitted on each property with the following exceptions:
- 1. That when a storage building is placed on a lot of less than 12,000 sq. ft., the building shall not exceed 10' x 12' (ten x twelve) feet in size.
 - 2. Shall not be placed closer than five 5 feet to any side lot line; and 2.5 feet from any rear lot line.
 - 3. Not placed closer than 10 feet to any other structure.
 - 4. All accessory structures shall be anchored.
- 23.04 **Temporary Accessory Uses / Structure:** Temporary accessory building or storage container (see examples below) means any container intended for this purpose of storing or keeping household goods and other personal property that is intended to be filled, refilled, or emptied while located outdoors on a residential property, and later removed from the property for storage off-site.
- A. Temporary outdoor storage units (example: shipping containers/crates) shall abide by the restrictions below:
 - 1. A zoning permit application shall be submitted and a zoning permit issued prior to the temporary outdoor storage unit being placed on the property. If the temporary outdoor storage unit will be on the property over 30 days, a fee of \$ 75.00 will be assessed for an additional 30 days.

2. Only one (1) temporary outdoor storage unit will be allowed per address. Any request for more than one (1) temporary outdoor storage must first be applied for and approved by the Zoning Department.
3. Temporary outdoor storage units shall not exceed eight (8) feet in height, ten feet (10) in width and twenty (20) feet in length.
4. No flammable or explosive materials may be stored in the temporary outdoor storage units.
5. No temporary outdoor storage unit will be used to store materials related to an off premise business or a home occupation.

B. Location

1. Temporary storage units (example: shipping containers/crates) shall be placed on a hard, all weather surface, and driveway or turnaround area (This does not include areas of dirt or grass).
2. Temporary outdoor storage units will not be allowed to be stored on public access areas, sidewalks, easements, or within the Village of Maineville right-of-way.

C. Duration

1. Temporary outdoor storage units (example: shipping containers/ crates) shall not be stored on a property longer than 30 days, unless the property owner submits for an additional zoning permit application requesting a longer duration of time. The total storage of the temporary outdoor storage units with an application and permit shall not exceed 60 days unless as specified in the next condition.
2. Property owners that have applied for and received a valid building permit shall be allowed to store their temporary outdoor storage units (example: shipping containers/crates) on the property no longer than 180 days or until final occupancy is issued, whichever comes first.
3. If the project has a valid building permit, the property owner shall not be required to apply for an additional permit.
4. If the temporary outdoor storage unit is scheduled to remain on the property over 180 days, then the property owner shall apply for an extension to the zoning permit.
5. Once the project or property owner receives final occupancy and/or the building permits have been closed out and final inspected, the property owner must remove the temporary outdoor storage unit from the property within 30 days.

D. Enforcement

1. The Zoning Inspector is hereby authorized, in the exercise of reasonable discretion, to revoke any permit issued hereunder if, after due investigation, he deems that the holder thereof has violated any provisions of this ordinance, in that the storage pod is being maintained in an unsafe manner or is being maintained as a nuisance. Written notice of said revocation shall be given, either by personal service upon the person to be notified or by depositing said notice in the United States mail in a sealed envelope, postage prepaid,

addressed to such person at the address which appears on the records of the Zoning Department.

E. Size and Height

1. Non-residential accessory uses will be regulated by the Zoning Department, which includes the use, size and architecture of all accessory buildings and temporary outdoor storage units (example: shipping container/crates) in districts other than single-family residential or agricultural.

Examples:



23.05 **Permit Required:** The following accessory uses requiring a zoning permit.

- A. The following uses shall meet all front, side and rear yard setbacks of the district in which the use is located:
 1. Accessory buildings/structure;
 2. Balconies, Decks and Patios
 3. Awnings and Patio covers;
 4. Gazebos
 5. Greenhouses
 6. Fences (Sec. 22)
 7. Swimming Pools, Hot Tubs and Spas
 8. Retaining and Decorative Walls
 9. Garages, provided that they do not extend into the front yard without prior approval by the Planning Commission; and
 10. Carports, provided that the following provisions are met:
 - a. The carport is a supplement to a required attached or detached garage; and
 - b. The carport does not extend into the front yard.