

SECTION XV. RESIDENTIAL R-2 (Single-Family Dwellings)

(Adopted April 23, 1987 by Resolution 87-39, effective May 23, 1987)

15.01 The following uses of buildings and land and no others shall be classified as R-2 Residential:

- A. Single family detached dwellings.
- B. Fire station, police station, township hall, township cemetery or other public service facility operated by or on behalf of the Board of Trustees of Painesville Township.

15.02 Accessory Uses and Buildings

- A. Accessory uses shall be limited to uses that are clearly incidental and secondary to the main use of land and buildings in an R-2 District and shall include but shall not be limited to:
 - 1. Office or studio of a member of a recognized profession.
 - 2. Home Occupations such as, but not necessarily limited to, beauty shop, caterer or seamstress; such home occupation shall not include automotive, mechanical or electrical repair shops, nor manufacturing of any kind.
 - 3. Swimming pools as provided herein.
 - 4. Roadside stands as provided herein.
 - 5. Storage of household equipment, tools, and automobiles for use as private transportation.
 - 6. Storage of recreational vehicles as provided herein.
- B. Accessory Uses in R-2 District:
 - 1. Any person may maintain an office or may carry on a customary home occupation in the dwelling used by him as his private residence providing such use is limited to 25% of the living area and does not involve any extension or modification of said dwelling which will alter its outward appearance, said use does not involve any outward evidence of such use except not more than one (1) sign as authorized in other sections of this Resolution.
 - 2. Swimming pools are intended to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located and their guests. Such swimming pool, as regulated herein, shall be any pool, pond or open tank designed or intended to be used for swimming purposes, not located within a completely enclosed building and containing or normally capable of containing water to a depth at any point greater than two (2) feet. No such swimming pool shall be allowed in an R-2 District except as an accessory use and unless it complies with the following conditions and requirements:
 - a. A zoning certificate is first acquired:
 - b. A swimming pool, including any walks or paved areas or accessory structures adjacent thereto, may not be located closer than ten (10) feet to any rear lot line and side yard clearances shall be in accordance with those required in Section 15.03(A) of this Resolution. (Adopted July 11, 2006 by Resolution 2006-58, effective August 10, 2006)
 - c. Every swimming pool (except those four (4) feet or higher above the surrounding ground with retractable steps or ladder) shall be completely enclosed by an aesthetically neutral fence or wall of sturdy construction not less than four (4) feet in height. Such fence or wall must effectively prevent a child from crawling or otherwise passing through or under it. Fence or wall must be maintained in good condition with a gate and locking device. (Adopted October 1, 2002 by Resolution 2002-97, effective October 31, 2002)

d. No landowner or occupant of any property in this district shall use or permit to be used any swimming pool, nor fill or allow any swimming pool to be filled with water, until the fence required under this section has been constructed and the pool area secured. (Adopted April 16, 2002 by Resolution 2002-44, effective May 15, 2002)

3. A roadside stand shall consist of a removable structure used solely for the display and sale of agricultural products produced on the premises with adequate facilities maintained for off-the-road parking by customers and provided that such stand is removed during the seasons when it is not so used. Such stands shall be at least twenty (20) feet back from the traveled portion of the road.

4. The storage of not more than two (2) licensed recreational vehicles as defined in Section 4501.01 Q of the Ohio Revised Code in accordance with Section 29.11 of this Resolution.

C. Accessory buildings:

1. Accessory buildings shall not be constructed on vacant lots.

2. Accessory buildings shall be limited to buildings that house accessory uses clearly incidental and secondary to the main use of the land and buildings and shall include but not be limited to:

a. Private garages.

b. Roadside stands.

c. Storage barns and/or sheds.

3. In no event shall an accessory building be used as living quarters or for any use in violation of this Resolution.

4. The total ground coverage of all accessory buildings on any one lot shall be not more than 875 square feet or fifty (50) percent of the living area on the ground level of the main building, whichever is greater.

5. All accessory buildings shall be at least twenty (20) feet from any main building or existing residence; except on corner lots, that side line clearance shall not be less than twenty (20) feet on the side street.

6. No accessory building shall be erected to a height in excess of that of the main building to which it is incident.

7. All setbacks for accessory buildings and required distances between such buildings and dwellings in this section shall be determined by measurement from the nearest point of the structure or building to the lot line or to the nearest point of any dwelling. (Adopted by Resolution 2015-67, effective July 22, 2015.)

D. Accessory Structures, Leisure (Adopted May 17, 2011 by Resolution, effective June 16, 2011)

Examples of Accessory Structures, Leisure for which permits may be issued are gazebos, greenhouses, arbors, expanded trellises, and pergolas. Swing/play sets which are attached to the ground by permanent means such as anchoring in concrete are considered to be an Accessory Structure, Leisure.

1. Accessory Structures, Leisure shall not be constructed on vacant lots.

2. Accessory Structures, Leisure may not be unsightly

3. Accessory Structures, Leisure which are erected upon existing decks or are incorporated onto newly-built decks are to be considered as a part of such deck, but may not exceed a height of fifteen(15) feet above the deck surface or a height of two(2) feet less than the height of the main dwelling, whichever is less

4. Accessory Structures, Leisure may be erected to a maximum height of fifteen (15) feet, except as described in Section 15.02(D)((3))
5. Accessory Structures, Leisure having a permanent and solid roof shall have 60% of their ground coverage excluded from the calculation of the total ground coverage for Accessory Buildings permitted in Section and 15.02(C)((4))
6. Accessory Structures, Leisure having a roof which is not solid and permanently covered and walls which are not solid and are at a minimum 15% permeable by light and the elements shall be totally excluded from the calculation of the total ground coverage for Accessory Buildings permitted in Section 15.02(C)((4))
7. Accessory Structures, Leisure are not required to maintain any clearance from the main building or dwelling on the property except that swing/play sets must maintain a minimum clearance of ten (10) feet from any building or structure on the property.
8. Accessory Structures, Leisure shall maintain a minimum rear yard clearance of five (5) feet
9. Accessory Structures, Leisure shall maintain a minimum clearance from any or either sideline of five (5) feet, except on corner lots the minimum clearance from the sideline of the side-street right-of-way shall be five(5) feet.
10. Arbors, and no other Accessory Structures, Leisure, are permitted in front yards except that on corner lots they must maintain a minimum clearance from the main road right-of-way of twenty (20) feet. In no case may arbors be erected within five(5) feet of the right-of-way sideline. If there is no established right-of-way sideline for any road or street, said sideline shall be deemed to be thirty (30) feet from the center of the travelled portion of the road.
11. All setbacks for accessory structures and required distances between such structures and dwellings in this section shall be determined by measurement from the nearest point of the structure to the lot line or to the nearest point of any dwelling. (Adopted by Resolution 2015-67, effective July 22, 2015.)

15.03 Minimum Dwelling Lot Area, Dwelling Area and Location Regulations

- A. 1. No dwelling or structure nor the enlargement of any dwelling or structure shall be hereafter erected or maintained or any parcel of land divided unless the following lot areas, dwelling areas and location requirements are provided and maintained in connection with such dwelling or structure:

Lot Area	Lot Width	Front Setback	Main	Building
			Side Yard Clearance	Rear Yard Clearance
12,750 sq. ft.	75'	50'	10'	25'

2. Garages or accessory buildings attached to a dwelling by a breezeway or other permanently constructed connection shall be construed to be a part of the main building for purposes of determining setbacks and clearances.
- B. Lots Established Prior to Zoning. Where a parcel or lot was separately owned or was a lot of a recorded subdivision, and was smaller than required herein, but is the same size or larger that it was in 1960, a single family dwelling may be erected upon such parcel or lot and the minimum side clearances, rear yard clearance and setback requirements shall be reduced proportionately, based on the width of such parcel or lot in relation to a lot of minimum size under the requirements of this Resolution.
- C. Lot Area. In computing lot areas, no portion of the road right-of-way may be included regardless of whether or not the owner holds title to the same.
- D. Lot Width.
1. No dwelling in an R-2 District shall be erected on a lot having a width at the setback line of less than seventy-five (75) feet.
 2. No dwelling in an R-2 District shall be erected on a lot having a width at the right of way sideline of a dedicated road of less than seventy-five (75) feet.

3. Notwithstanding anything contained herein to the contrary, a dwelling in an R-2 District may be erected on a lot with frontage on the vehicular turn-around portion of a cul-de-sac having a width at the right-of-way sideline of a dedicated road of not less than 40.98 feet. (Adopted by Trustee Resolution 89-42 effective April 8, 1989.)

E. Set-back Lines.

1. No building or structure or any portion thereof in an R-2 District, except steps, fences, and underground tanks shall be erected within fifty (50) feet of the right of way sideline of any dedicated road or street or eighty (80) feet of the center of the traveled portion of the road, whichever is greater.
2. If there is no established right of way sideline for any road or street, said sideline shall be deemed to be thirty (30) feet from the center of the traveled portion of the road.

F. Side Yards.

1. In regards to structures which constitute dwellings, side yard clearance as in this section shall be determined by measurement from the nearest point of the foundation of said dwelling to the side property line. No part of any dwelling, including but not limited to, overhangs, exterior chimneys, bay or bow windows, or cantilevered walls, shall extend more than twenty four (24) inches into any required setback. (Adopted by Resolution 2015-67, effective July 22, 2015.)
2. For every dwelling, accessory building or accessory structure in an R-2 District, there shall be a minimum side yard clearance as shown in Section 15.03-A of this Resolution, which space shall remain open and unoccupied by any building or structure.

G. Rear Yards.

1. In regards to structures which constitute dwellings, rear yard clearance as in this section shall be determined by measurement from the nearest point of the foundation of said dwelling to the rear property line. No part of any dwelling, including but not limited to, overhangs, exterior chimneys, bay or bow windows, or cantilevered walls, shall extend more than twenty four (24) inches into any required setback. (Adopted by Resolution 2015-67, effective July 22, 2015.)
2. For every dwelling erected in an R-2 District, there shall be a minimum rear yard clearance of twenty-five (25) feet for a main building.
3. For every accessory building or structure in an R-2 District, there shall be a minimum rear yard clearance of ten (10) feet, which space shall be open and unoccupied by any building or structure.

H. Minimum Dwelling Area.

1. In an R-2 District, one (1) story dwellings shall have a minimum living area, exclusive of basements, porches, breezeways, patios, accessory buildings, or garages of 1,200 square feet.
2. In an R-2 District, dwellings of more than one (1) story shall have a minimum of 875 square feet of living area on the ground level, exclusive of basements, porches, breezeways, patios, accessory buildings or garages, and shall have a total living area of not less than 1,200 square feet.
3. In an R-2 District, on any parcel existing prior to 1960, a single-family dwelling may be erected and the minimum living area shall be 900 square feet and the minimum living area on the ground floor shall be 676 square feet, and no garage shall be required.
4. Each dwelling on any other lot shall have an attached two car garage. (Adopted July 11, 2006 by Resolution 2006-58, effective August 10, 2006)

15.04 Maximum Height of Buildings

No building or structure or the enlargement of any building or structure shall be erected or maintained which is in excess of thirty-five (35) feet in height except the following when erected upon and as an integral part of a building: belfries, clock towers, wireless towers, chimneys, water towers or other mechanical appurtenances.

15.05 Parking

- A. Each single family dwelling shall have a minimum of two (2) off-street parking spaces.
- B. See Sections 29.01, 29.02, 29.04, 29.10 and 29.11 inclusive for additional requirements.
- C. See Section 29.11 for special parking provisions for recreational vehicles in residential districts.

15.06 Signs

- A. Identification Sign: See Section 28.04-A-1.
- B. Sale, Rental or Lease Sign: See Section 28.04-B.
- C. Open House Sign - One: See Section 28.04-D.
- D. Political Sign - One: See Section 28.04-C.
- E. Temporary Sign (Construction): See Section 28.03-B.

15.07 Storage of Equipment

No premises or portion thereof shall be used for the storage, collection or accumulation of equipment, machinery or building materials, except as incident to proposed construction upon, maintenance or repair of said premises.