

SECTION XVII. RESIDENTIAL R-4 (Multiple Unit Dwellings)

(Adopted April 23, 1987 by Resolution 87-41, effective May 23, 1987)

17.01 For purposes of R-4 Residential uses, the words "Apartment Building", "Townhouse", "Multiple Family Dwelling" and "Attached Single Family Dwelling Unit" shall be synonymous.

17.02 The following uses of buildings and land and no others shall be classified as R-4 Residential:

A. Multiple-Family Dwellings.

17.03 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 and shall include but shall not be limited to:

1. Swimming pools.

2. A general service building for the storage, collection or accumulation of maintenance equipment or machinery for use of the complex. (Adopted July 11, 2006 by Resolution 2006-58, effective August 10, 2006)

3. Facilities for shuffleboard, croquet, tennis, badminton and similar recreational uses.

B. 1. Swimming pools and other recreational facilities 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 and not operated for profit.

2. 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. Any swimming pool in an R-4 District shall comply with the following conditions and regulations:

a. A zoning certificate is first acquired:

b. A swimming pool shall be located on the same lot as the building served.

c. A swimming pool, including any walks or paved areas or accessory structures adjacent thereto, may not be located closer than fifty (50) feet to any rear or side lot line. (Adopted July 11, 2006 by Resolution 2006-58, effective August 10, 2006)

d. A swimming pool shall be situated at least thirty (30) feet from any main building.

e. A swimming pool shall be enclosed within a wall or fence not less than four (4) feet in height to prevent access to the pool except through a controlled point.

f. Facilities for shuffleboard, croquet, tennis, badminton and similar recreational uses shall not require a zoning certificate but shall be located not closer than fifty (50) feet to any rear or side lot line and thirty (30) feet to any main building.

3. 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)

17.04 Lot Area

A. No apartment building in an R-4 District shall be erected or maintained on any parcel of land divided unless the following lot areas are provided and maintained in connection with such building:

1. For the first three (3) dwelling units, 30,000 square feet.
 2. Each additional dwelling unit, 6,000 square feet.
- B. No building shall be altered into apartments unless such apartment building shall have the same minimum lot area as required in an R-4 District.
- C. Computation of lot area for apartment buildings shall be based upon the total number of dwelling units where more than one apartment building is located upon the same parcel of land.
- D. Computation of lot area shall include no portion of the road right-of-way regardless of whether or not the owner holds title to the same.

17.05 Lot Width

- A. No apartment building or structure in an R-4 District shall be erected or maintained on any parcel of land divided unless the following lot widths at the right of way sideline of a dedicated road are provided and maintained in connection with such apartment building or structure:
1. For one (1) or more buildings having a total of not more than ten (10) dwelling units - 200 feet.
 2. For three (3) or more buildings having a total of more than ten (10) dwelling units - 250 feet. (Adopted November 18, 2014 by Resolution 2014-135, effective December 18, 2014)
- B. The minimum frontage on the right-of-way sideline of a dedicated road shall not be reduced in size from the right-of-way sideline to the building set-back line.

17.06 Set-back Building Line

- A. No building or structure in an R-4 District, shall be erected or located within fifty (50) feet of the right of way sideline of any dedicated road and such area shall be landscaped and maintained.
- B. If there is no established right of way sideline for a road, said sideline shall be deemed to be thirty (30) feet from the center of the traveled portion of the road.

17.07 Side and Rear Yards

- A.
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 applicable 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. 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 applicable 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.)
 3. In regards to structures other than dwellings, all setbacks for such structures and required distances between such structures and dwellings in this section shall be the nearest point of any dwelling. (Adopted by Resolution 2015-67, effective July 22, 2015.)
- B. Multiple Family buildings, accessory buildings and structures shall have a minimum side and rear yard clearance of not less than fifty (50) feet.

17.08 Supplementary Regulations

- A. Garages attached to the main building by a breezeway or other permanently constructed connection shall be construed to be a part of the main building. (Adopted July 11, 2006 by Resolution 2006-58, effective August 10, 2006)
- B. Tenable buildings shall be separated from each other and from any accessory buildings or structures by space of at least twenty (20) feet. (Adopted by Resolution 2015-67, effective July 22, 2015.)
- C. All R-4 uses shall provide surfaced private access driveways of not less than eighteen (18) feet of surfaced width. Each such access driveway shall have unobstructed access to a public street, alley, or highway.
- D. Trash and garbage collection area shall be on a concrete pad and enclosed by a fence or wall at least four (4) feet in height if such area is not within an enclosed building or structure.
- E. Each multiple family dwelling building shall contain no less than two nor more than six dwelling units or apartments. (Adopted by Resolution 99-60 effective August 5, 1999.)
- F. A minimum of fifteen percent of the gross land area of the R-4 use shall be open space consisting of a combination of grass and agricultural plantings, nature sights or unpaved recreational areas. (Adopted by Resolution 99-60 effective August 5, 1999.)
- G. All developments shall be designed, including the proposal for access drives providing ingress to and egress from the development, for proper traffic circulation and emergency vehicle access. (Adopted November 18, 2014 by resolution, effective December 18, 2014).

17.09 Maximum Height of Buildings

- A. 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.
- B. No accessory building or structure to a multiple family building shall exceed eighteen (18) feet in height.

17.10 Minimum Dwelling Area

Every multiple family dwelling shall contain the following minimum residential floor area per dwelling unit:

- A. Single bedroom or efficiency dwelling unit - 850 square feet. (Adopted by Resolution 99-60 effective August 5, 1999.)
- B. Two bedroom dwelling unit - 900 square feet.
- C. Three or more bedroom dwelling unit - 1200 square feet.

17.11 Drive and Buildings Identification

- A. All buildings and units shall be identified by letter and/or number of the exterior of each building, which letter or number shall be clearly distinguishable from the access drive to said building.
- B. All private drives shall be clearly identified by name and said name shall be displayed on an identification sign which shall be in conformance with the street identification signs for public streets and roads in Painesville Township. Naming of drives shall be consistent with the Lake County Subdivision Regulations as to duplication of names and names sounding the same.
- C. A map clearly identifying the drives and buildings shall be provided to the Zoning Inspector prior to the issuance of the zoning certificate.

17.12 Parking

- A. Required in plot plan - See Section 29.01.
- B. Parking Space - See Section 29.02 and 29.11.
- C. Off-street Parking and Access Drives - See Section 29.03.
- D. Minimum Parking Spaces - See Section 29.04.
- E. Access - See Section 29.05.
- F. Surfacing - See Section 29.06.
- G. Lighting, Screening and Striping - See Section 29.08.
- H. Drainage - See Section 29.07.
- I. Loading and Servicing - See Section 29.09.
- J. Required Distances from Boundary or Right-of-way - See Section 29.10A.
- K. Buffering from Single Family and Duplex Dwellings - See Section 29.10B.

17.13 Signs

- A. General Requirements - See Section 28.01.
- B. Construction, Entrance and Exit Signs - See Section 28.03B and C.
- C. Identification Signs - See Section 28.04A-2.
- D. Real Estate Signs - See Section 28.04B and D.
- E. See Section XXVIII for other applicable regulations.

17.14 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.