

ORDINANCE NO. 030-2023

AN ORDINANCE AMENDING MAUMEE CODIFIED ORDINANCE 1133.01 OF THE MAUMEE CODIFIED ORDINANCES, UPDATING THE REQUIREMENTS FOR ACCESSORY STRUCTURES WITHIN THE CITY OF MAUMEE, AND DECLARING AN EMERGENCY.

WHEREAS, Maumee has previously adopted Maumee Codified Ordinance 1133.01 and,

WHEREAS, in order to update the requirements for accessory structures within the City of Maumee, Section 1133.01 of the Codified Ordinances and all ordinances related thereto should be amended to include the following revisions, additions and deletions.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Maumee, Ohio, that:

SECTION 1. Section 1133.01 of the Maumee Codified Ordinances be, and the same hereby are amended as follows:

1133.01 ACCESSORY STRUCTURES.

(a) An accessory structure in any "R" district shall not exceed the height of the principal structure by more than forty-eight (48) inches, up to a maximum height of twenty (20) feet above grade.

(b) Decks with a platform height of less than thirty-six (36) inches shall have a maximum railing height of seventy-two (72) inches. Decks with a platform height of thirty-six (36) inches or more shall have a maximum railing height of forty-eight (48) inches.

(c) Detached accessory structures shall not be located in the front yard except as permitted under Section [1133.02](#).

(d) An accessory structure, excluding private swimming pools, shall not occupy more than forty percent (40%) of the required rear yard.

(e) If located within a required rear yard, an accessory structure shall not be located closer to a side or rear lot line or the right of way line of a rear alley, a distance that is less than three (3) feet. If located outside a required rear yard such accessory structure shall conform to setbacks for a primary structure.

(f) Accessory structures shall be located on the same lot as the main use or structure and may not be placed on a lot without a principal structure.

(g) Temporary Accessory Industrialized Units. The Zoning Administrator may at their discretion, allow a temporary industrialized unit in a residential district which is essential to the marketing of the residential development for a period of not more than one (1) year.

(h) During the months of March through October, tents and other canvas (or tarp) covered temporary structures are permitted to exist on a lot of record, **if erected by the owner or their agent**, for a period of time not exceeding five (5) consecutive days in any ninety (90) day period and may not be used for **camping, sleeping, or** storage of any kind including, but not limited to, **storage of** vehicles and recreational vehicles. Temporary tent structures under 12' x 12' and used **solely** as screened areas for outdoor dining are exempted from this regulation. **Tents and membrane structures having an area in excess of 400 square feet (37 m²) shall not be erected, operated or maintained for any purpose without first obtaining a permit from the service department and approval from the fire code official.**

Exceptions to the permit requirement:

(1) Tents used exclusively for recreational camping purposes on the owner's premises for a period not to exceed three (3) consecutive days.

(2) Tents open on all sides which comply with all of the following:

A. Individual tents having a maximum size of 700 square feet (65 m²).

B. The aggregate area of multiple tents placed side by side without a fire break clearance of 12 feet (3658 mm), not exceeding 700 square feet (65 m2) total.

C. A minimum clearance of 12 feet (3658 mm) to all structures and other tents.

(i) Pre-manufactured accessory structures that contain a metal or plastic supporting structure may not exceed fifty (50) square feet and shall in all cases compliment the ~~principle~~ **principal** structure.

(j) Accessory structures over fifty (50) square feet may not utilize a plastic or metal material for exterior wall coverings, but may use metal roofing material provided it has been manufactured for that purpose and shall in all cases compliment the ~~principle~~ **principal** structure.

(k) Accessory structures, including carports, must be constructed of like or complementing materials and design to the primary structure and comply with the requirements of Section 1136.12(a)(4)N. Design Standards. The location, materials and design of accessory structures shall be approved at the discretion of the Zoning Administrator or their designee.

(l) Enclosed detached accessory structures such as sheds and garages shall be fire-rated with a minimum of one-half (½) inch drywall on all areas within five (5) feet of a primary structure.

(m) The setback requirements of this Chapter may be varied (increased or decreased) at the discretion of the Zoning Administrator. The Zoning Administrator shall consider the design, size, and intended use of the proposed accessory structure, surrounding structures, and the impact the variance might have on the surrounding neighborhood.

SECTION 2. Any ordinances, parts of ordinances or other Chapters of the Maumee Municipal Code in conflict herewith are hereby amended and/or repealed in part to reflect the foregoing changes.

SECTION 3. This ordinance is declared to be an emergency measure immediately necessary to preserve the public interest and for the health, safety and welfare of the citizens of the City of Maumee, and more specifically to allow for the immediate update of the requirements for accessory structures which will be a benefit for the citizens of Maumee wherefore this ordinance will go into immediate effect upon its adoption by Council.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of Council's committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements of the Charter of Maumee, Ohio.

Motion to declare emergency: Barrow

Second: Puffenberger

Yeas: 6 Nays: 0

Motion to Pass: Barrow

Second: Puffenberger

Yeas: 6 Nays: 0

Passed: August 21, 2023.

ATTEST:


Municipal Clerk


Mayor

Approved as to form by:


Law Director

CERTIFICATE OF POSTING

I, Clerk of Council of the Municipality of Maumee, Ohio, do hereby certify that Ordinance/Resolution No. 030-2023 was duly posted on 8-22-2023 and remained posted for a period of fifteen days thereafter, in not less than five of the most public places in the municipality as determined by the Council of said Municipality.


Clerk of Council

Date: Sept. 16, 2023