

# CHAPTER 5: ZONING DISTRICTS

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## 5.01 Purpose

In order to classify, regulate and restrict the location of trades, industries, residences, recreation and other land uses and the location of buildings designed for the specified uses: to regulate and limit the height, number of stories and size of buildings and other structures hereafter erected or altered; setback building lines, sizes of yards and other open spaces within and Surrounding such buildings, the density of population; the Village of Maineville, Warren County, Ohio is hereby divided into the following districts or “zones”. All such regulations are uniform for each class, kind of building, structure, or uses throughout each district, except in Overlay districts.

## 5.02 Comprehensive Plan

All districts must comply with the Village of Maineville Comprehensive Plan.

**5.03 Establishment of Zoning Districts**

The Zoning Districts listed on Table 5.1 are hereby established within the Village of Maineville.

<b>TABLE 5.1: MAINEVILLE ZONING DISTRICTS</b>		
<b>Chapter</b>	<b>District Designation</b>	<b>District Name</b>
<b>RESIDENTIAL DISTRICTS</b>		
6	R-1	Single Family Residential
7	R-2	Single and Two Family Residential
8	R-3	Multi-Family Residential
9	RR	Rural Residential
<b>BUSINESS DISTRICTS</b>		
10	NB	Neighborhood Business
11	M-1	Light Industry
<b>MIXED USE / HYBRID DISTRICTS</b>		
12	DC	Downtown Core
13	DS	Downtown Support
<b>OVERLAY DISTRICTS</b>		
14	PUD	Planned Unit Development Overlay
15	CDO	Conservation Design Overlay
16	FPO	Flood Plain Overlay

**5.04 Adoption of Zoning Map**

The boundaries of the Zoning Districts enumerated in Table 5.1 are hereby established as shown on the Zoning Map marked and designated “Zoning Map, Village of Maineville, Ohio.” The Zoning Map with all notations, references, and other information shown thereon shall be, and is hereby declared to be a part of this Ordinance as if fully described herein. In accordance with the provisions of this Ordinance and the Ohio Revised Code, as amended, changes made in district boundaries and other matters portrayed on the Zoning Map shall be entered on the Zoning Map promptly after the amendment has been approved in the manner provided by this Ordinance and applicable law. No changes of any nature shall be made to the Zoning Map except in conformity with the procedures set forth in this Ordinance. Regardless of the existence of copies of the Zoning Map which may from time to time be made or published, the official Zoning Map shall be located in the office of the Village Administrator and shall be the final authority with regard to the current zoning status of all land and water areas, buildings, and other structures in the Village.

## 5.05 Interpretation of Boundaries

Where there is any uncertainty, contradiction, or conflict concerning the intended location of zoning district boundaries, the Commission shall interpret the exact location of zoning district boundary lines in accordance with the following standards:

- (A) Boundaries indicated as approximately following the center lines of streets, roads, railroad rights-of-way, or alleys shall be construed to follow such center lines.
- (B) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- (C) Boundaries indicated as approximately following Village limits shall be construed as following such limits.
- (D) Boundaries indicated as approximately following the center lines of streams, rivers, or other bodies of water shall be construed to follow such center lines.
- (E) Boundaries indicated as parallel to or as extension of the features cited in Subsections 1 through 4 above shall be construed as being parallel to or an extension of the features cited. Distances not specified on the Official Zoning Map shall be determined using the scale on the map.
- (F) All streets, alleys, and railroad rights-of-way, unless specified otherwise, shall be deemed to be in the same district as the property immediately abutting upon such street, alley or railroad right-to-way. Where the centerline of a street or alley serves as a district boundary, the zoning of such street or alley, unless specified otherwise, shall be deemed to be the same as that of the abutting property up to such centerline.
- (G) The Zoning Inspector shall determine the location of any district line in question. Should the Zoning Inspector's determination not satisfy the enquirer, the exact location of the district boundary lines shall be determined by the Board of Zoning Appeals according to rules and regulations which may be adopted by it.

## 5.06 Existing Structures

- (A) When a tract contains existing structures deemed to be of historic, cultural or architectural significance, and where these structures are suitable for rehabilitation, the structures shall be retained. Any determination of historical, cultural or architectural significance will be made by the Village Council prior to plan submission.
- (B) Adaptive reuse of existing structures for residential use or permitted accessory residential uses shall be permitted.

## 5.07 Temporary Building

Temporary buildings and signs incidental to construction and pre-approved by the Zoning Inspector that shall be removed upon the completion or abandonment of the construction work.

## 5.08 Wastewater

- (A) In all districts except “RR”; a building or lot shall be connected to a central sewage system.
- (B) In the “RR” district, a building or lot shall be connected to a non-sewered private septic system approved by the Warren County Combined Health District and/or Ohio Environmental Protection Agency

## 5.09 Required Trash Areas

All commercial, industrial, and multi-family residential use that provide an area for trash and/or garbage collection (i.e., dumpster) must enclose that collection area on four (4) sides with a solid fence or wall. Said enclosure must have a gate or door with a lockable latch and must be at least eighteen (18) inches above the highest part of any container housed therein.

## 5.10 Fire Safety

The following requirements shall apply to all government and public institutions, commercial and/or industrial buildings and multifamily dwellings that contain a security door. Any deviation of the following requirements can only be approved by the Fire Chief of the Hamilton Township Fire Department.

- (A) **Knox Box Required:**
  - (1) **Access:** Where access to or within a structure or an area is restricted because of secure openings or where immediate access is necessary for life saving or firefighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved and shall contain keys to gain necessary access as required by the fire code official.
  - (2) **Locks:** An approved lock shall be installed on gates or similar barriers when required by the fire code official
  - (3) **Key box maintenance.** The operator of the building shall immediately notify the fire code official and provide the new key when a lock is changed or rekeyed. The key to such lock shall be secured in the key box.
- (B) **Sprinkler System:** On all structures five thousand (5,000) square foot or greater, a fire sprinkler system is required
- (C) **Sprinkler Connections:** All fire department connections shall be located forty (40) feet from the structure.
- (D) **Fire Hydrant:** A fire hydrant must be located within 40 feet of the fire department sprinkler connection.
- (E) **Fire Lanes:** The Fire Chief may require and designate fire lanes on public property and on private property for the efficient and effective use of fire and other emergency apparatus. Fire lanes may be required by the Fire Chief to extend on any or all sides of the building perimeter.
- (F) **Landscaping:** See Chapter 29.05, Landscaping and Screening.

### 5.11 Premises Identification

- (A) Address Numbers. New and existing buildings shall have approved address numbers, building numbers, or approved building identification numbers placed in a position that is plainly legible and visible from the street or road fronting of the property. These numbers shall contrast with their background. Numbers shall be a minimum of 4" (102 mm) high.
- (B) Street and Road signs. Streets and road shall be identified with approved signs. Temporary signs shall be installed at each intersection when construction of new roadways allows passage of vehicles. Signs shall be of an approved size weather resistant and maintained until replaced by permanent signs.

### 5.12 Fire Hydrants

- (A) Obstruction. Post, fences, vehicles, growth, trash, storage, and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernable. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.
- (B) Clear space around hydrants. A 3 foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

### 5.13 Allowed Uses

Table 5.2 and 5.3 list the uses allowed within all zoning districts. The following is an explanation of the abbreviations and columns in Tables 5.2 and 5.3.

- (A) Permitted Uses (P): A "P" in a cell indicates that a building or use is permitted by-right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this ordinance, including the use-specific standards set forth in Chapter 27, Other Use-Specific Regulations.
- (B) Conditional Uses (C): A "C" in a cell indicates that, in the respective zoning district, a building or use is permitted if reviewed and approved as a conditional use pursuant to Chapter 26.02 E (Conditional Use). Conditional Uses are subject to all other applicable regulations of this ordinance, including the use-specific standards set forth in Chapter 27, Other Use-Specific Regulations.
- (C) Prohibited Uses (Shaded Cells): A shaded cell indicates that the listed building or use is prohibited in that respective zoning district.
- (D) Zoning Permit Required: Any use listed in Tables 5.2 and 5.3 require the issuance of a Zoning Permit.

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<b>TABLE 5.2: PERMITTED USES IN RESIDENTIAL DISTRICTS</b>							
Use	Zoning District						Additional Regulations
	R-1	R-2	R-3	RR	DC	DS	
<b>AGRICULTURAL USES</b>							
Raising of Crops	P	P	P	P	P	P	
Raising of Livestock				P			
<b>RESIDENTIAL USES</b>							
Multi-Family			P			P	
Two Family		P	P			P	
Single Family	P	P	P	P	p*	p*	
<b>COMMERCIAL / OFFICE USES</b>							
Banks					P		
Bars					P		
Bed and Breakfast					P	P	
Day Care / Nursery School						P	
Executive / Professional Offices					P	P	
Funeral Homes						P	
Garden Store				P	P		
Medical / Professional Offices					P	P	
Retail Sales					P	P	
Places of Worship	C	C	C	P	P	P	
Restaurants					P		
Taverns					P		
<b>PUBLIC AND INSTITUTIONAL USES</b>							
Cemeteries				P			
Community Center	P			P	P		
Fire / Police Station	P			P	P	P	
Government Offices	P			P	P	P	

VILLAGE OF MAINEVILLE ZONING ORDINANCE

**TABLE 5.2: PERMITTED USES IN RESIDENTIAL DISTRICTS (CONT.)**

Use	Zoning District						Additional Regulations
	R-1	R-2	R-3	RR	DC	DS	
<b>PUBLIC AND INSTITUTIONAL USES</b>							
Natural and wildlife sanctuaries				P			
Private Schools				P			
Public Schools	P			P			
Public Parks / Playground	P			P	P	p*	

**TABLE 5.3: PERMITTED USES IN BUSINESS / INDUSTRIAL DISTRICTS**

Use	Zoning District				Additional Regulations
	NB	M-1	DC	DS	
<b>RESIDENTIAL USES</b>					
Multi Family Dwelling					
Two Family Dwelling					
Single Family Dwelling	p*		p*	p*	
<b>COMMERCIAL / OFFICE USES</b>					
Adult Entertainment	P				See Chapter 24
Automotive Service / Sales / Rental Repair (Indoor)	P				See Chapters 10 and 24
Automobile Storage	P				
Automobile Gas Stations	P				
Banks	P		P		
Baseball Fields	P				
Bed and Breakfast	P		P	P	See Chapter 24
Bowling Alleys / Skating Rinks	P				
Commercial Swimming Pool	P				
Convenience Stores	P		p*		

VILLAGE OF MAINEVILLE ZONING ORDINANCE

**TABLE 5.3: PERMITTED USES IN BUSINESS / INDUSTRIAL DISTRICTS (CONT.)**

Use	Zoning District				Additional Regulations
	NB	M-1	DC	DS	
<b>COMMERCIAL / OFFICE USES</b>					
Day Care / Nursery School	P			P	
Drive Thru Facilities	P				See Chapter 24
Executive / Professional Offices	P		P	P	
Funeral Homes	P		P		
Garden Store	P				
Golf Driving Range / Mini Golf	P				
Hotel / Motel	P				
Medical / Professional Offices	P		P	P	
Places of Worship			P	P	
Pool Hall	P				
Personal Service Establishments	P		P	P	
Public and Institutional Uses			P	P	
Restaurants / Bars / Taverns	P		P		
Retail Sales	P		P	P	
Theaters	P				
Veterinary Services	P				
Wholesale Commercial Uses	P				
<b>INDUSTRIAL USES</b>					
Heavy Industrial Uses		P			
Industrial Vehicle and Equipment Sales or Service	C	P			
Light Industrial Uses		P			
Self-Storage Units		P			See Chapter 24
Telecommunications Towers	C	C			See Chapter 24
Warehouses		P			