

ORDINANCE NO. 2018-22
INTRODUCED BY: Mayor Bodnar

**AN ORDINANCE
AMENDING CODIFIED ORDINANCE SECTION 1157.09
RELATING TO HOME OCCUPATIONS**

WHEREAS, it has become necessary to revise Codified Ordinance Section 1157.09 regarding the home occupations permitted in residential zone districts; and

WHEREAS, Village Council deems it in the best interest of the Village and its residents to amend Codified Ordinance Section 1157.09 as set forth below.

NOW, THEREFORE, BE IT ORDAINED by the Council of Mayfield Village, Cuyahoga County, State of Ohio that:

SECTION 1. Section 1157.09 of the Village’s Codified Ordinances as enacted be amended to read as fully set forth in Exhibit “A” attached hereto and incorporated herein by reference.

SECTION 2. All other provisions of the Village Codified Ordinances not inconsistent herewith shall remain in full force and effect.

SECTION 3. The Clerk of Council is authorized and directed to forward a certified copy of this Ordinance to the Codifier of Mayfield Village.

SECTION 4. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council and that deliberations of this Council and of its committees, resulting in such formal action, took place in meeting open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance shall take effect after adoption and at the earliest time allowed by law.

JOSEPH M. SAPONARO
Council President

First Reading: _____, 2018
Second Reading: _____, 2018
Third Reading: _____, 2018
PASSED: _____, 2018

BRENDA T. BODNAR, Mayor

APPROVED AS TO FORM:

ANTHONY J. COYNE, ESQ.,
Director of Law

ATTEST: _____
MARY E. BETSA, MMC
Clerk of Council

EXHIBIT A

1157.09 HOME OCCUPATIONS.

(a) Purpose and Intent. It is the purpose of this Zoning Code to maintain and preserve the residential character of its neighborhoods and to further promote the public health, safety and welfare through the regulation of home occupations. It is further the intent of the Zoning Code to allow limited non-residential uses in residential structures which are compatible with the residential character of their surrounding neighborhood. A home occupation per this Zoning Code is considered an accessory use which is any occupation or business activity that is incidental and subordinate to the residential use of the dwelling unit and is conducted from the property without any adverse effect upon the surrounding neighborhood.

~~(a) Home occupations as permitted in subparagraph (b) hereafter but are not limited to, the following:~~

- ~~(1) — Accounting office.~~
- ~~(2) — Attorney office.~~
- ~~(3) — Architect office.~~
- ~~(4) — Adjuster office.~~
- ~~(5) — Advertising office.~~
- ~~(6) — Answering service.~~
- ~~(7) — Appraisers office.~~
- ~~(8) — Bail bonds.~~
- ~~(8) — Brokers.~~
- ~~(9) — Building contractor office.~~
- ~~(10) — Cleaning service.~~
- ~~(11) — Consultation.~~
- ~~(12) — Crafts.~~
- ~~(13) — Financial planning consultants.~~
- ~~(14) — Floral arrangements.~~
- ~~(15) — Gift baskets.~~
- ~~(16) — Grocery shopping services.~~
- ~~(17) — Landscape services.~~
- ~~(18) — Newspaper services.~~
- ~~(19) — Referral services.~~
- ~~(20) — Sewing services.~~
- ~~(21) — Mail services.~~
- ~~(22) — Typing services.~~

(b) Home Occupation as Permitted Use. A home occupation shall be permitted as an accessory use in residential districts Home occupations as listed in (a) above, or if they meet the following standards, are permitted in residential zone districts only if in conformance with the following standards:

- (1) Employment. The occupation is conducted only by members of the family residing in the dwelling.
- (2) Area. The occupation is conducted wholly within the dwelling and any space used for such occupation occupies no more than 300 square feet of floor area.
- (3) Sales. No physical storage, sale or transfer of goods is permitted from the premises.
- (4) Advertising. No advertising signs or displays are permitted on the premises.
- (5) Environmental impact. No noise, or odors, vibrations, electrical interferences, or other such nuisance is created that changes the character of the residence.
- (6) Traffic. Vehicular traffic or pedestrian traffic does not change the residential character of the neighborhood.
- (7) Exterior appearance. The residential character of the dwelling is not diminished.
- (8) Vehicles. Vehicles displaying business name or advertising shall not be parked/stored on site except within a fully enclosed garage.
- (9) Firearms. The commercial sale of firearms, firearm components, and/or ammunition for firearms is expressly prohibited in all areas zoned for residential use, pursuant to the authority granted in O.R.C. §9.68(B)(1), as the same may be amended.
- (10) Inspection. Permitted home occupations are subject to periodic, unannounced inspections and review by the Building Commissioner to ensure compliance with all sections of the Zoning Code.

(c) Except for the prohibitions set forth in subsection (b)(9) above, a home occupation which is not in accordance with the standards listed in Section 1157.09 (b)(1)-(10) may be permitted in residential zone districts by the granting of a Special Use Permit pursuant to Section 1149.02(c)(3). The Planning and Zoning Commission shall not recommend the granting of a Special Use Permit unless the proposed home occupation is in conformance with the guidelines established by the Planning and Zoning Commission under Section 1149.02(e).