

CITY OF HUBER HEIGHTS  
STATE OF OHIO

ORDINANCE NO. 2018-O-2354

TO APPROVE AN AMENDMENT TO CHAPTER 11 OF THE CITY CODE OF THE CITY OF HUBER HEIGHTS PLANNING AND ZONING CODE (ZONING CASE 18-47) AND ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION.

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission has reviewed Zoning Case 18-47 and on October 9, 2018 recommended approval by a vote of 3-0 to City Council the proposed amendment; and

WHEREAS, the City Council has considered the issue.

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

Section 1. 1181.04 of the Codified Ordinances is amended to read as follows:

1181.04 PROJECTIONS.

(a) Cornices and eaves may project not to exceed three (3) feet over any minimum required yard, provided that such projection shall not be less than two (2) feet from any lot line.

(b) Sills, leaders, belt courses and similar ornamental structures may project six (6) inches over any minimum yard or court.

(c) A bay window, entrance, balcony, vestibule or chimney may project a distance not to exceed three (3) feet in any front or rear yard and a chimney may project a distance not to exceed three (3) feet in any side yard provided that such features do not occupy in the aggregate, more than one-third (1/3) of the length of the wall on which they are located.

(d) A carport may extend up to sixteen (16) feet into any side or rear yard from the building, but shall maintain a minimum three (3) foot setback from a side lot line and ten (10) feet from a rear lot line. In any case, the carport shall not be constructed closer than twenty-five (25) feet from any thoroughfare, road or street.

(e) A patio cover or porch shall not project into the side or rear yard more than sixteen (16) feet from the building line of the dwelling provided it does not come nearer to the side or rear lot line than five (5) feet. In any case, the patio cover or porch shall not be constructed closer than twenty-five (25) feet from any thoroughfare, road or street.

(f) A front porch cover shall be constructed a minimum of nineteen (19) feet from the established or future right of way in the R-4 and R-4B Residence Districts provided it is not screened or enclosed on any of the three (3) sides. Nothing in this subsection shall be construed to affect side or rear yard setback requirements. (Ord. 2012-0-1939. Passed 2-13-12.)

(g) An enclosed patio shall not project into the rear yard more than sixteen (16) feet from the building line and further provided it does not come nearer to any side lot line than the minimum requirement set forth for the district.  
(Ord. 2016-0-2214. Passed 4-11-16.)

(h) A cover, carport, or enclosure shall not be taller than fourteen (14) feet above grade at any point.

Section 2. 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 of any of its Committees that resulted in

such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the 28<sup>th</sup> day of November, 2018;  
\_\_\_7\_\_\_ Yeas; \_\_\_0\_\_\_ Nays.

Effective Date: December 28, 2018

AUTHENTICATION:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date