

# City of Deer Park, Ohio

## Planning and Zoning Code

### Excerpt

#### **Chapter 1153 - Business A District**

- 1153.01 Application of chapter.
- 1153.02 Use regulations.
- 1153.03 Prohibited Uses.
- 1153.04 Height Regulations.
- 1153.05 Area Regulations.
- 1153.06 Accessory Buildings
- 1153.07 Courts.
- 1153.08 Parking.
- 1153.09 Signs.
- 1153.10 Projection

#### CROSS REFERENCES:

Height regulations of buildings by Council - see Ohio R.C. 713.08; Deer Park P & Z 1123.01  
Additional regulations: height, yards, fence, walls, - see Deer Park P & Z Ch 1123  
Parking - see Deer Park P & Z Ch 1161

#### **1153.01 APPLICATION OF CHAPTER.**

The regulations set forth in this chapter, or set forth elsewhere in the Zoning Ordinance, when referred to in this chapter, shall be the Business A District Regulations (Ord 69-16. Passed 4-10-1969.)

#### **1153.02 USE REGULATIONS.**

Building or premises shall be used only for the following purposes:

- (a) Any use permitted in the Residence A District or the O Office District provided all regulations of the chapter governing occupancy also shall apply.
- (b) Stores or stands where goods are sold or service is rendered primarily at retail or to the ultimate consumer.
- (c) Sale of food and beverages of all kinds including sale for consumption on the premises.
- (d) Hotels.
- (e) Office, Banks.
- (f) Restaurants, except as prohibited.
- (g) Service establishments, except as prohibited.
- (h) Printing shops employing not more than ten persons.
- (i) Automotive services, public garages, service stations, except as prohibited elsewhere in the Zoning Ordinance.
- (j) Amusement and Recreation: Armory, hall, bowling alley, theater, skating rink, or other social, sport, or recreation center operated as a business provided that noise shall be confined to the premises.
- (k) Parking lots, except as prohibited elsewhere in the Zoning Ordinance.
- (l) Auto laundries, except as prohibited elsewhere in the Zoning Ordinance.

(Ord. 69-16. Passed 4-10-1969.)

(City of Deer Park Zoning/Business A/Con't)

**1153.03 PROHIBITED USES.**

The following uses shall be prohibited in the Business A District:

- (1) Automobile body and fender repairing, except where incidental to a garage.
  - (2) Automobile wrecking or salvage
  - (3) Bakeries employing more than ten persons on the premises.
  - (4) Bottling works, brewing works, and liquor distilleries.
  - (5) Building materials, storage yards.
  - (6) Carting, express, hauling or storage yards.
  - (7) Contractors plant or storage yards.
  - (8) Coke or wood yards of more than fifty tons capacity.
  - (9) Crematories, except in a cemetery.
  - (10) Dyeing and cleaning works, employing more than ten persons on the premises or using a cleaning fluid that has a petroleum base.
  - (11) Laundries employing more than ten persons on the premises.
  - (12) Livery stables or riding academies.
  - (13) Lumber yards or planing mills.
  - (14) Metal working or welding shops.
  - (15) Milk distributing stations, other than retail business conducted on the premises.
  - (16) Stone or monumental works
  - (17) Storage warehouses.
  - (18) Storage bailing or treatment of junk, iron, rags, bottles, or scrap paper.
  - (19) Wholesale warehousing
  - (20) Second hand clothing shops.
  - (21) Pawn shops.
  - (22) Second hand furniture stores.
  - (23) Drive-In theatres
  - (24) Tourist parks, camps, or auto tourist parks.
  - (25) Service establishments where more than twenty persons are engaged in such work at one time.
  - (26) Service establishments using explosive or flammable material.
  - (27) Service establishments doing work for retail outlets elsewhere.
  - (28) Veterinary Hospitals
  - (29) Pet shops
  - (30) Trade and vocation schools.
  - (31) Used car lots.
  - (32) Manufacturing, treatment, packaging, fabricating, etc, unless clearly incidental to a primary retail business on the premises. Any power equipment operated on the premises shall not aggregate more than five horsepower total.
  - (33) Auto laundry buildings less than fifty feet from residence district. Waiting lines must be confined to the premises.
  - (34) Automotive service stations, public garages, automotive repair shops and commercial parking lots are prohibited when any portion of the property so occupied is less than one hundred feet in any direction from a residence district, and less than two hundred feet in any direction from the property of any State accredited school, public playground, church, hospital, public library, or any institution for dependent or children. No automotive service establishments shall have any oil draining pits within twelve feet of any street lot lone, except when such appliance or pit is within a building and distant at least twelve feet from any vehicular entrance or exit to the premises.
  - (35) Curb service eating establishments.
  - (36) Drive-in eating establishments designed for the consumption of food in parked vehicles.
  - (37) Any other trade, industry, or use that will be injurious, hazardous, noxious, or offensive to an extent equal to or greater than those enumerated.
- (Ord. 69-16. Passed 4-10-1969.)

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#### **1153.04 HEIGHT REGULATIONS**

No building shall exceed three stories, or sixty feet in height.  
(Ord. 69-16. Passed 4-10-1069.)

#### **1153.05 AREA REGULATIONS.**

- (a) Front Yards. No front yard shall be required in connection with any building erected in a territory zoned Business A, except those lots which adjoin a lot zoned in the Residence District or Office District with their side lot line or lines, in which case the properties shall have a front yard of fifteen feet and a minimum width of twenty-five feet. Set back shall also apply to merchandise displayed, signs, lights, and other structures.
- (b) Side Yards. All corner lots zoned in the Business A District on the side adjoining a side street shall have a ten foot side yard along the side street. Side yard regulations shall also apply to merchandise displayed, signed, lights, or other structures.
- (c) Rear Yards. In Business A District, no rear lot shall be required, unless required by applicable building codes, or unless abutting a residence district in which case there shall be a rear yard of not less than twenty feet.

(Ord. 69-16. Passed 4-10-1969.)

#### **1153.06 ACCESSORY BUILDINGS.**

No accessory building shall be permitted in any rear yard required for a business occupancy.  
(Ord. 69-16. Passed 4-10-1969.)

#### **1153.07 COURTS.**

In any business district, the required court which serves no rooms used for residence purposes, shall conform to the following requirements:

- (a) Outer Courts. An outer court shall be at least two and one-half inches wide at any given level for each foot of height above the level of the sill of the lowest windows served by it, but not less than four feet wide in any case. No outer court shall be longer than six times its width unless the width conforms to the prescribed inner court width.
- (b) Inner Courts. An inner court shall be at least four inches wide for each foot of height above the level of the sill of the lowest window served by it, but not less than six feet in any case.

(Ord. 69-16. Passed 4-10-1969.)

#### **1153.08 PARKING**

- (a) Ratio. For any structure erected, or converted for a business occupancy, off street parking shall be provided at a ratio of two and one-half square feet of usable parking area for every square foot of floor space in the structure so used. When any business occupancy utilizes outdoor area for the purpose of merchandising or display as a permanent adjunct to the occupancy, off street parking shall be provided at a ratio of one square foot of parking space for each square foot of outdoor area so used.
- (b) Regulations. Regulations shall be those applicable as contained in Chapter 1161.

(Ord. 69-16. Passed 4-10-1969.)

(City of Deer Park Zoning/Business A/Con't)

1153.09. SIGNS

Advertising signs shall be permitted, subject to the following restrictions:

- (a) Signs may advertise only the name of the proprietor, the name of the business, or goods sold, or services rendered on the premises.
- (b) The total area of signs along any street shall not exceed two square feet for each foot of street frontage of the property occupied, further provided such total sign area shall not exceed 200 square feet. Signs consisting of letters or other devices individually mounted on a building so that the building serves as the background, shall be considered to have the area of a rectangle which will enclose all letters or devices so mounted.
- (c) Illuminated signs for business occupancies abutting residence district on a side lot line may cast no annoying glare, and may not employ motion or intermittence.
- (d) Signs attached to or hung from the building shall not extend more than six feet above the coping or cornice of the building
- (e) Signs over sidewalks shall have a minimum clearance of ten feet.
- (f) Decals or signs affixed to display windows shall not be considered to be signs within the meaning of this section.
- (g) No cloth, paper, or other temporary advertising sign, or outdoor banner, shall be displayed for a period of more than forty-five days in a given six month period.

(Ord. 69-16. Passed 4-10-1969.)

**1153.09 PROJECTION**

- (a) Signs attached to a building, or independently supported, may project over a sidewalk a distance of not more than two-thirds the width of the sidewalk, and not more than six feet beyond the property line. Any such sign shall have a minimum clearance of ten feet above the sidewalk. No portion of any supporting structure for such sign shall be permitted in the public right of way.
- (b) Awnings of the winding or temporary pipe stand type may project over the sidewalk a distance of not more than two-thirds the width of the sidewalk. Any such awning shall have a minimum clearance of eight feet above the sidewalk.
- (c) Marquees or awnings of the permanent type may project over a sidewalk a distance of not more than two-thirds the width of the sidewalk. Any such marquee or awning shall have a minimum clearance of twelve feet above the sidewalk.

(Ord. 69-16. Passed 4-10-1969.)

End of excerpt.

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Note: All zoning goes through the City of Deer Park, 7777 Blue Ash Rd, Deer Park, Ohio 45236, phone (513)-794-8860. After zoning approval, permits and inspections (for commercial property) go through the Hamilton County Building Department.