



SURVEY • ZONING  
ENVIRONMENTAL • ASSESSMENT

Project Number: 7201700000  
Report Date: March 2, 2017

## Zoning Report

**JONES PROPERTY, INC. PROJECT**  
8918 Elmwood Ave.  
Springfield, OH

**Prepared For:**  
Client

**Prepared By:**  
Bock & Clark Zoning  
3000 S. Berry Rd., Ste. 150  
Norman, OK 73072  
800-787-8390

### Report Notes:



**Standard Zoning Comparison Report**

[bockandclark.com](http://bockandclark.com)

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## EXECUTIVE SUMMARY

Jones Property Inc. Project  
8918 Elmwood Ave.  
Springfield, OH

Jurisdiction: City of Springfield



*Quick Facts*  
(based on summary below)

**Zoning District:** CC-2  
**Use Permitted?** Yes  
**Violations? Zoning:** No; **Building:** No; **Fire:** No  
**CO's Attached?** Yes  
**Nonconformities?** No  
**Status:** Legal Conforming as noted herein

The current zoning district for the subject property is CC-2, Community Commercial.<sup>1</sup> The use of office is permitted by right in the CC-2 zoning district,<sup>2</sup> and no active zoning, building or fire code violations have been disclosed that would affect the subject property.<sup>3</sup> The property is considered to be conforming to current zoning district requirements as noted herein. No variances, special permits, exceptions or conditions have been disclosed that would affect the subject property.<sup>4</sup>

Upon comparing current applicable CC-2 zoning code requirements<sup>5</sup> to existing property conditions as noted on the survey,<sup>6</sup> no nonconformities were disclosed with regard to setback, height, lot area, floor area ratio or parking. No factors have been disclosed by this report that would preclude the property from being rebuilt to its current state and use in accordance with municipal zoning code requirements in the event of damage or destruction.

<sup>1</sup> Per City of Springfield Planning, Zoning & Code Administrator, Jane Smith, see attached zoning letter dated 03/02/2017

<sup>2</sup> Per City of Springfield Zoning Code Section 1118.01

<sup>3</sup> Per City of Springfield Planning, Zoning & Code Administrator, Jane Smith, see attached zoning letter dated 03/02/2017

<sup>4</sup> Per City of Springfield Planning, Zoning & Code Administrator, Jane Smith, see attached zoning letter dated 03/02/2017

<sup>5</sup> Per City of Springfield Zoning Code Sections 1150.01, 1151.01, 1153.02

<sup>6</sup> Survey by Simon Lockhart, RLS No. 4060, dated 02/28/2016

## Adjacent Property Zoning<sup>7</sup>

North	CC-2	Community Commercial
South	CC-2	Community Commercial
East	CC-2	Community Commercial
West	CC-2	Community Commercial



## Certificates of Occupancy

Are C.O. Copies Attached?	Yes
If C.O. copies are not on file, would the absence of of C.O. copies give rise to enforcement action?	N/A
Additional Comments:	None

## Applicable Zoning Requirements<sup>8</sup>

### Setbacks

Front	20 ft.
Side	None
Rear	None
Is property in conformance?	Yes
Existing Conditions (per provided survey)	Structure is located 79.2' from Elmwood Ave. (front) Structure located > 50 ft. from sides, 21.6 ft. from rear (shed) and > 50 ft. from rear (primary)

### Height

Maximum building height	35 ft.
Is property in conformance?	Yes
Existing Conditions (per provided survey)	27 ft.

### Lot Size

Minimum lot area	None
Minimum lot width	None
Minimum lot depth	None
Is property in conformance?	N/A
Existing Conditions (per provided survey)	Lot Area: 83,461 sq. ft. Lot Width: +/- 365 ft. Lot Depth: +/- 219 ft.

<sup>7</sup> Per City of Springfield Planning, Zoning & Code Administrator, Jane Smith, see attached zoning letter dated 03/02/2017

<sup>8</sup> Per City of Springfield Zoning Code Sections 1150.01, 1151.01, 1153.02

## Coverage

Maximum lot coverage	None
Is property in conformance?	N/A
Existing Conditions (per provided survey)	6% (Based on building footprint of 5,726 sq. ft. and 83,461 sq. ft. lot area)

## Floor Area Ratio

Maximum floor area ratio	2.0
Is property in conformance?	Yes
Existing Conditions (per provided survey)	0.06 (Based on building footprint of 5,726 sq. ft. and 83,461 sq. ft. lot area)

## Parking

Parking formula	1:350 sq. ft. FA
Required spaces	16.36
Is property in conformance?	Yes
Existing Conditions (per provided survey)	125 + 5 HC spaces noted

## Right to Rebuild Following Casualty (*in the event of nonconforming structure*)<sup>9</sup>

*“A nonconforming structure that has been destroyed or damaged by fire, explosion, act of God, or by a public enemy may be rebuilt as it existed before. However, the structure cannot be rebuilt or restored in a different form or in a way that would increase its degree of nonconformity.”*

<sup>9</sup> Per City of Springfield Zoning Code Section 1171.04 Nonconforming Structures

## Resources

### **Municipality**

Jane Smith, City of Springfield Planning Zoning & Code Admin. (937) 324-7674

### **Surveyor**

Simon Lockhart, Registered Land Surveyor No. 4060

Survey dated 02/28/2016

### **B&C Zoning**

This report was researched and produced by Julie Whitman, Bock & Clark Zoning Manager  
(800) 787-8390 x103, [jwhitman@bockandclark.com](mailto:jwhitman@bockandclark.com)

*Bock & Clark Zoning obtained the information contained in this report from governmental sources and independent land surveyors. While we believe this information is accurate, we cannot guarantee its accuracy.*

This report is for the exclusive use of client(s) as listed on report cover page and any and all holders of a note or notes secured by a mortgage, deed of trust or deed to secure debt encumbering the subject property, and their respective affiliates, designates, successors and assignees, rating agencies, prospective bond holders and bond holders, and no other party shall have any right to rely on any service provided by Bock & Clark Zoning without prior written consent.

# ZONING LETTER



## CERTIFICATE OF ZONING

Date: March 2, 2017



Application is hereby made for a "Certificate of Zoning" to use the building and/or premises at:  
**8918 Elmwood Ave., Springfield, OH 45504**

**For the following purpose(s):** Office Building

**Name of Applicant:** Bock & Clark Zoning

**Address:** 3000 S Berry Rd, Suite 150, Norman, OK 73072

**Telephone:** (800) 787-8390

**Zoning District:** CC-2 – Community Commercial District

**Current Use:** Office Building

**Comments:** The referenced property is a conforming use within the current zoning classification of CC-2 – Community Commercial District. The purpose of this district is to provide locations for the development of community shopping and business areas which serve a major segment of the community population. Offices (as allowed in the CO-1 district) are a permitted use in this district.

There are currently no Code Enforcement cases for zoning, building or fire, nor did we find evidence of applicable variances, special permits, conditions or exceptions. The site is not part of a planned development.

The surrounding zonings are:

North – CC-2, Community Commercial District

North – CC-2, Community Commercial District

North – CC-2, Community Commercial District

North – CC-2, Community Commercial District

Above application is: ☒ Approved

☐ Denied

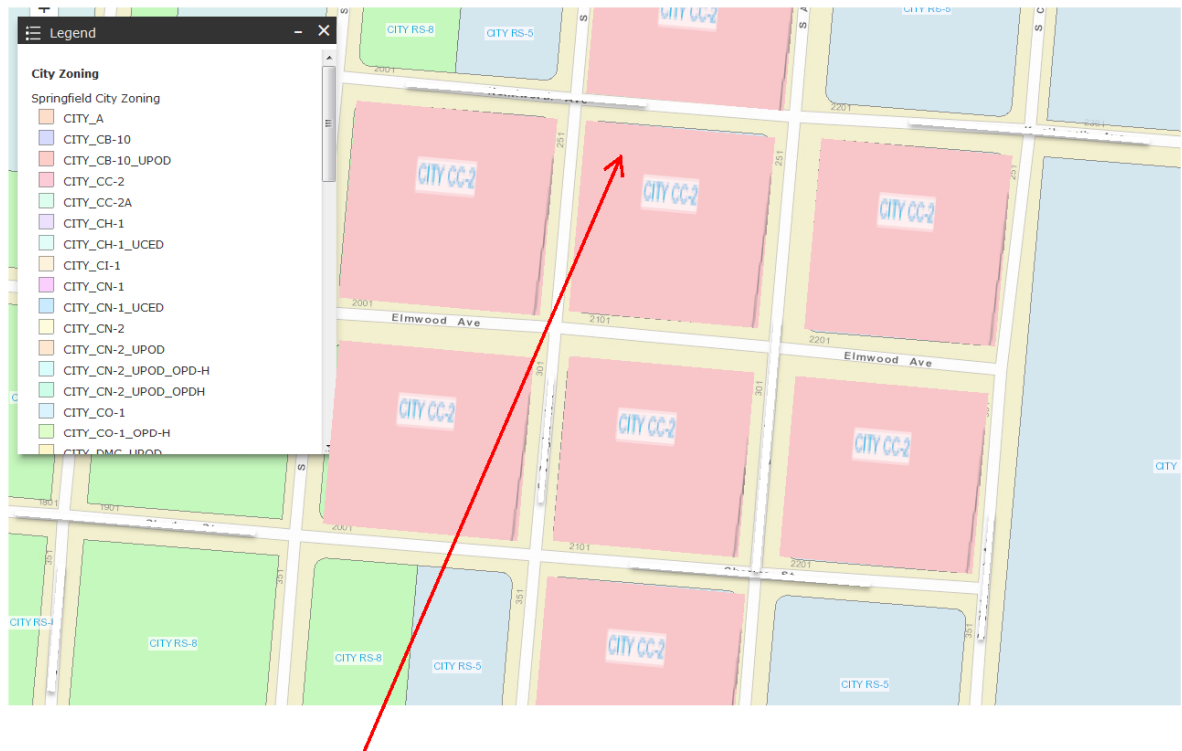
Signed: Jane Smith

Jane Smith  
Planning Zoning and Code Administrator  
Community Development Department  
City of Springfield, Ohio

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Planning and Zoning Division  
76 East High Street • Springfield, Ohio 45502 • (937) 324-7674 • fax (937) 328-3558 • [www.ci.springfield.oh.us](http://www.ci.springfield.oh.us)

# ZONING MAP PORTION



**SAMPLE**



# ZONING CODE PAGES

## CHAPTER 1118 CC-2 Community Commercial District

<b>1118.01</b>	<b>Purpose.</b>	<b>1118.05</b>	<b>Accessory uses permitted.</b>
<b>1118.02</b>	<b>Principal uses permitted.</b>	<b>1118.06</b>	<b>General provisions.</b>
<b>1118.03</b>	<b>Provisional uses permitted.</b>	<b>1118.07</b>	<b>Special provisions.</b>
<b>1118.04</b>	<b>Conditional uses permitted.</b>		

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### **1118.01 PURPOSE.**

The purpose of this district is to provide locations for the development of community shopping and business areas which serve a major segment of the community population. In addition to a variety of retail goods and services, these areas may typically feature a number of large traffic generators that require access to major thoroughfares. While these areas are usually characterized by indoor operations, certain permitted uses may have limited outdoor activities as specified. Access to this district should be directly from an arterial or collector street and not through a residential district.

### **1118.02 PRINCIPAL USES PERMITTED.**

A lot or building may be occupied by the following permitted uses:

- (a) Business service establishment, except a drive- in facility.
- (b) Club.
- (c) Food locker.
- (d) Meeting hall.
- (e) Museum and art gallery.
- (f) Office use allowed in the CO-1 District.
- (g) Personal service establishment, except a drive- in facility.  
(Ord. 14-113. Passed 5-13-14.)
- (h) Retail establishment (including a restaurant), except those uses listed as conditional uses.
- (i) Theater.
- (j) Financial Institution.
- (k) Hotel or motel.  
(Ord. 06-217. Passed 6-13-06.)

### **1118.03 PROVISIONAL USES PERMITTED.**

None.

#### **1118.04 CONDITIONAL USES PERMITTED.**

A lot or building may be occupied by the following conditional uses:

- (a) Animal specialty service, veterinary clinic, and animal hospital. Such uses shall be subject to the following requirements:
  - (1) The facility shall have no outside runs.
  - (2) Animals shall not be housed outside nor shall cages be stored outside.
  - (3) The building housing the facility shall be sound proofed to minimized the transmission of sound outside the walls of the building. A minimum sound transmission coefficient of 40 shall be maintained.
  - (4) All facilities shall be constructed and maintained in such a manner so as to prevent the emission of noxious or offensive odors.
  - (5) The facility shall be limited to the care of small domestic animals.
- (b) Automobile and truck oriented use.
- (c) Cemetery.
- (d) Day-care center.
- (e) Commercial recreational use.
- (f) Dwelling located above the ground floor of another principal use allowed in this district, provided the density does not exceed one (1) dwelling unit per 1,800 square feet of lot area.
- (g) Funeral home subject to the requirements of 1135.
- (h) Public utility or public use.
- (i) Religious institution.
- (j) School, specialized private instruction.
- (k) Emergency housing, provided there shall be at least 300 square feet of lot area for each permanent resident and 200 square feet for each guest.
- (l) Drive-in facility for a financial institution.
- (m) Mini-warehouse or self-storage facilities subject to the following requirements:
  - (i) Such mini-warehouse or self-storage facilities must be located at the rear of a lot used for other CC-2 purposes.
  - (ii) The lot on which such use is permitted must have frontage on a thoroughfare as the same is shown on the adopted Thoroughfare Plan of The City of Springfield, Ohio, and entrance and exit to such use shall be from such thoroughfare.
  - (iii) All drives and parking areas serving the use shall have a paved surface such as asphalt, concrete, or like material.
  - (iv) Any such use on a lot located within 150 feet of or abutting a lot having a residential use in an R district shall be screened in accordance with the requirements of Section 1161.02(h) of this Zoning Code.
  - (v) There shall be one (1) off-street parking space for each 3,000 square feet of storage and such off-street parking shall be subject to Section 1158.02(b) of this Zoning Code.
- (n) Community Center, subject to the requirements of Chapter 1135.

(Ord. 09-94. Passed 4-14-09.)

**1118.05 ACCESSORY USES PERMITTED.**

The accessory uses permitted in this district may include but are not limited to the following:

- (a) Storage space, provided the space shall not exceed 40 percent of the total floor area for the principal use and storage area.

**1118.06 GENERAL PROVISIONS.**

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

**1118.07 SPECIAL PROVISIONS.**

Development of a lot or separate tract larger than two (2) acres shall be subject to the Special Provisions of Subsection 1108.07(b).

**CHAPTER 1116**  
**CO-1 Commercial Office District**

<b>1116.01</b>	<b>Purpose.</b>	<b>1116.05</b>	<b>Accessory uses permitted.</b>
<b>1116.02</b>	<b>Principal uses permitted.</b>	<b>1116.06</b>	<b>General provisions.</b>
<b>1116.03</b>	<b>Provisional uses permitted.</b>	<b>1116.07</b>	<b>Special provisions.</b>
<b>1116.04</b>	<b>Conditional uses permitted.</b>		

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**1116.01 PURPOSE.**

The Commercial Office District (CO-1) is intended to provide specific areas where office uses, compatible businesses, apartments, and certain public and semi-public uses may be developed. The CO-1 District is useful as a transitional zone between residential and more intensive commercial or industrial areas. Access to this district should be directly from an arterial or collector street and not through a residential district.

**1116.02 PRINCIPAL USES PERMITTED.**

A lot or building may be occupied by the following principal uses:

- (a) Club.
  - (b) Copy service establishment.
  - (c) Hospital.
  - (d) Meeting Hall.
  - (e) Nursing home.
  - (f) Office use, except for the following:
    - (1) Drive-in facility.
    - (2) Animal clinic.
  - (g) Optical, prosthetics, medical and dental supply store, limited to retail sales.
  - (h) Pharmacy limited to the retail sale of drugs and pharmaceutical products.
  - (j) Photographic studio.
  - (k) Financial institution.
  - (l) Family home.
- (Ord. 03-245. Passed 7-8-03.)

**1116.03 PROVISIONAL USES PERMITTED.**

A lot or building may be occupied by the following provisional uses:

- (a) Barber shop and styling salon when located within the same building of a principal use and having its access to the main entrance or to a central corridor of the building.

TITLE FOUR--Principal Use and Structural Requirements  
Chap. 1150 Yard and Area Requirements.

**CHAPTER 1150**  
**Yard and Area Requirements**

**1150.01 General requirements.****1150.03 Front yard modifications.****1150.02 Building extensions into yards.****1150.01 GENERAL REQUIREMENTS.**

The following minimum yard and area requirements shall apply to the development of a principal use and building on a lot.

- (a) The lot area, lot area per dwelling unit, lot width, lot frontage, front yard, side yard, rear yard, building coverage of a lot, building width, and floor area ratio shall be in accordance with the table below except as required by the following Sections (b), (c), (d), (e), (f), (g), and (h) of this chapter.

District	Lot									
	Lot Area	Area /DU (sq ft)	Lot Width (ft)	Lot Front (ft)	Front Yard (ft)	Side Yard (ft)	Rear Yard (ft)	Bldg Cvrgr (%)	Bldg Width	FAR
A-1	10A	NA	330	60	*2	*3	20	NA	*4	NA
RR-1	1A	NA	105	35	*2	*3	20	NA	*4	NA
RS-5	8400	NA	70	35	25	*5	20	36	*4	NA
RS-8	5000	NA	40	25	25	*6	20	40	*4	NA
RFBH	5000	NA	40	25	25	*6	20	40	NA	NA
RM-12	*7	*7	*7	*7	25	*7	20	50	*4	NA
RM-20	5000	2000	50	35	25	10	20	45	*4	NA
RM-44	5000	1000	50	35	25	10	20	*8	NA	NA
RM-44A	5000	1000	50	35	25	10	20	25	NA	NA
CO-1	NA	NA	NA	NA	20	NA	NA	NA	NA	1
CN-1	NA	NA	NA	NA	20	NA	NA	NA	NA	1
CN-2	NA	NA	NA	NA	20	NA	NA	NA	NA	1

District	Lot Area	Lot Area /DU (sq ft)	Lot Width (ft)	Lot Front (ft)	Front Yard (ft)	Side Yard (ft)	Rear Yard (ft)	Bldg Cvrg (%)	Bldg Width	FAR
CC-2	NA	NA	NA	NA	20	NA	NA	NA	NA	2
CB-10	NA	NA	NA	NA	NA	NA	NA	NA	NA	10
CH-1	NA	NA	100	NA	20	NA	NA	NA	NA	1
CI-1	NA	NA	NA	NA	20	NA	NA	NA	NA	1
RDP	1A	NA	NA	NA	*9	*9	*9	50	NA	NA
M-1	NA	NA	NA	NA	20	NA	NA	NA	NA	1
M-2	NA	NA	NA	NA	100	NA	NA	NA	NA	2
P	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

(Ord. 06-234. Passed 6-27-06.)

Notes:

\*1 In square feet, except where noted in acres.

\*2 According to the following table:

Thoroughfare Plan  
Street Classification

Setback

Major arterial street

90 ft. from the center line of the street at an  
existing or projected width of 100 ft.

Secondary arterial

65 ft. from the centerline of the street at an  
existing or projected width of 80 ft.

Collector Street

50 ft. from the center line of the street at an  
existing or projected width of 60 ft.

\*3 Five (5) feet for the first two (2) stories plus two (2) feet for each additional story.

\*4 Twenty (20) feet for a minimum of 75 percent of the building's length. This provision shall not apply to zero lot line dwellings.

\*5 Five (5) feet, except lots platted after the effective date of this code that do not have at least nine (9) feet of access to the rear yard shall have one (1) at nine (9) feet.

\*6 Five (5) feet or 10 percent of the lot width, whichever is less; for zero lot line or attached single-family dwellings, one at zero feet and others at 10 feet.

\*7 As listed in the following table:

	Single-Family (non 0-lot line)	Single-Family (0-lot line)	Town House	Duplex & Other Uses	Multi-Family
Lot area (sq ft)	4000	3000	3000	6000	8175
Lot area/DU (sq ft)	4000	3000	3000	3000	2725
Lot width (ft)	35	30	18	45	60
Lot frontage (ft)	20	20	18	35	40
Side yard (ft)	*6	*6	*6	*3	10

\*8 For low-rise dwellings: 40 percent; for high-rise dwellings: to be determined by the Board of Zoning Appeals.

\*9 Front yard shall equal 50 feet, side and rear yards none required, provided where a lot abuts or is across a street, alley or railroad right-of-way from an R district, no building, parking or loading area shall be closer to the district boundary than 150 feet. However, if screened as provided in Chapter 1161, a parking area may be located to within 50 feet of an R district. (Ord. 03-244. Passed 7-8-03.)

- (b) In an R district, lots abutting a primary or secondary arterial street, as designated on the Land Use Plan map, shall have a front yard line established 90 feet from the centerline of a primary arterial street and 65 feet from the centerline of a secondary arterial street.
- (c) Lots that front on two (2) or more streets shall be provided with a front yard along all streets.
- (d) Where a frontage is divided amongst districts with different front yard requirements, the deepest front yard required shall apply to the entire frontage.
- (e) Where a lot in a C, RDP or M district abuts an R district, a yard at least equal to the abutting yard required in the R district shall be provided along the C, RDP, or M district boundary line.
- (f) In an R district where more than one (1) principal building is permitted on a lot, the required yards shall be as follows:
  - (1) The required front, side and rear yards shall be maintained around all of the principal buildings as if the buildings were considered as one building on the lot, and
  - (2) Each principal building shall be separated from any other principal building by a horizontal distance equal the height of the taller
- (g) Residential uses (not including motels and hotels) located at ground level in a C district, shall be provided with the yards required in the RS-5 district.
- (h) In all districts, if a side or rear yard is provided where not required, the side or rear yard shall be at least five (5) feet wide.
- (i) In the DMC district, lots abutting a public street shall have a front yard line established 50 feet from the right-of-way.

(Ord. 06-91. Passed 3-14-06.)

**1150.02 BUILDING EXTENSIONS INTO YARDS.**

The following building extensions or attachments to buildings may be located within the required yards specified, subject to the special conditions indicated.

- (a) **Building features.** Eaves, cornices, marquees, awnings, canopies, belt courses, sills, buttresses, or other similar building features which extend beyond the wall of a principal building may project into any yard provided that such projections from a building shall not be closer than three (3) feet to a side or rear lot line.
- (b) **Canopy, gas pump island.** Unenclosed canopies over gas pump islands shall be no closer than 10 feet to a street.
- (c) **Chimneys.** Chimneys may project into any yard not more than two (2) feet.
- (d) **Fire escapes and unenclosed stairways.** Fire escapes and unenclosed stairways may extend into any yard, provided they shall not extend into a side yard more than four and one-half (4-1/2) feet.
- (e) **Porches, balconies, decks, ramps and stoops, uncovered.** Porches, balconies, decks, ramps for handicapped persons and stoops which are uncovered, may extend into any yard, provided that such projections shall not extend into a front yard more than eight (8) feet and a minimum distance of three (3) feet from all lot lines for porches, etc. Stoops may extend into a side yard not more than two (2) feet.  
(Ord. 03-244. Passed 7-8-03.)
- (f) **Windows.** Bay windows and similar projecting windows may extend into any yard, provided in an R district, they shall not be closer than three (3) feet to a side lot line.

**1150.03 FRONT YARD MODIFICATIONS.**

The only front yard exceptions shall be:

- (a) In any District where a block has 20 percent of the lot frontage on one side of the street improved with buildings, the minimum front yard for each lot along the frontage shall be established in the following manner:

At the option of the owner, the front yard shall be established as the front yard required in the district in which the lot is located or otherwise as follows:

- (1) The minimum front yard for a vacant lot within 100 feet of existing buildings on each side of the lot shall be established as that space in front of a line drawn between the closest front corners of the two adjacent existing buildings.
- (2) The minimum front yard of a vacant lot within 100 feet of an existing building on only one side of the lot shall be established as an average of the setback of the closest front corner of the adjacent existing



- building and the depth of the front yard required for the district in which the lot is located.
- (3) The minimum front yard of a vacant lot which is not within 100 feet of an existing building on either side of the lot shall be the front yard required for the district in which the lot is located.
  - (4) The minimum front yard for a proposed addition to an existing principal building or accessory building shall be equivalent to the setback of the closest front corner of the principal building or accessory building. For corner lots and double frontage lots, this modification (4) shall apply to each street and the closest front corner that the principal building or accessory building setback from that particular street. For corner lots, this modification (4) shall not allow an addition to be constructed within a visibility triangle at all street intersections including at least the area within the first fifty (50) feet along the intersecting right-of-way lines (projected if rounded) and a line connecting the ends of such fifty foot lines. Similar visibility triangles shall be provided at intersections of alleys with streets, driveways with streets and alleys with alleys; however, the measurement along the intersecting lines shall be ten (10) feet instead of fifty (50).
  - (5) The minimum setback for a proposed detached accessory building within 100 feet of an existing building on an adjacent lot shall be established as that area in front of a line drawn between the closest front corners of the adjacent existing building and the principal building on the lot of the proposed accessory building. No garage, however, shall be located closer than 18 feet to the front lot line unless the garage is entered from the side.
  - (6) The minimum front yard for a proposed detached accessory building which is not located within 100 feet of an existing building on an adjacent lot shall be established as an average of the closest front corner of the principal building on the lot of the accessory building and the depth of the front yard required in the district in which the lot is located. No garage, however, shall be located closer than 18 feet to the front lot line unless the garage is entered from the side.
- (b) A variance may be granted by the Board of Zoning Appeals modifying yard requirements when the owner of a lot demonstrates practical difficulty in complying with the yard requirements of this code. To grant a variance, only the conditions indicated below shall be applied. In no case, however, may a variance be granted for more than a 28 percent reduction of the required yard without applying other conditions of Chapter 1172.06.
- (1) The essential character of the neighborhood, i.e., adjacent properties, will not be substantially altered or suffer detriment as a result of the reduction;

- (2) There is no other feasible method of solving the property owner's plight;
- (3) The spirit and intent behind the yard requirements will be observed and substantial justice done by granting variance; and
- (4) The owner's plight is unique or peculiar to the property in question, not shared with other landowners in the area, and not due to general conditions in the neighborhood.

**CHAPTER 1151**  
**Height Requirements**

**1151.01 General requirements.**

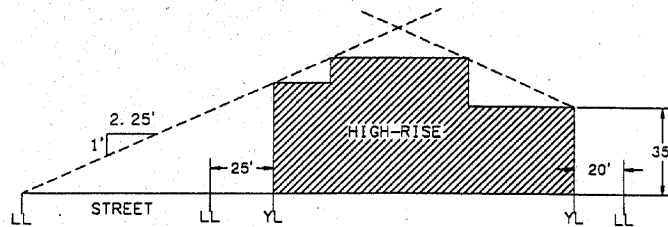
**1151.02 Height exceptions.**

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**1151.01 GENERAL REQUIREMENTS.**

The following maximum height requirements shall apply to the development of a principal building on a lot.

- (a) Except as otherwise provided, the height shall be as follows:
  - (1) Residential low-rise buildings: 35 feet
  - (2) Residential high-rise buildings: according to the requirements of Subsection 1151.01(b)
  - (3) Commercial buildings in R, CO-1 and CN-1 districts: 35 feet
  - (4) Commercial buildings in CC-2 and CI-1 districts: 35 feet
  - (5) Commercial and manufacturing buildings in all other districts: not applicable
  - (6) All buildings in the DMC district: according to the requirements of Subsection 1151.01(b)  
(Ord. 06-91. Passed 3-14-06.)
- (b) For all buildings for which a height is required, the maximum height may be increased, provided no portion of the building shall project through imaginary planes leaning inward at a 24 degree angle from horizontal and commencing 35 feet above ground level at the yard lines. (See illustration below.) This angle represents an increase of one (1) foot of height for each two and one-quarter (2.25) feet of horizontal distance perpendicular to the lot lines. Where existing land abutting the lot is developed or preserved with permanent open space (such as street right-of-way), the imaginary plane may commence from the opposite side of the open space at ground level. This subsection need not apply to that side of a building along the boundary of another district which permits buildings to be higher than 35 feet.



#### 1151.02 HEIGHT EXCEPTIONS.

The following structures or parts thereof shall be exempt from the general height limitations set forth above.

- (a) In all districts, the following structures shall be exempt:
  - (1) Chimney or flue.
  - (2) Church spire.
  - (3) Cupola, dome, skylight or other similar roof protrusion not used as habitable floor space.
  - (4) Electronic receiving antenna.
  - (5) Farm structure, including a barn, silo, storage bin or similar structure when associated with a farm.
  - (6) Flag pole.
  - (7) Parapet or fire wall extending not more than three (3) feet above the permitted height of the building.
  - (8) Pole, tower or similar structure necessary for essential services.
  - (9) Roof structure, including elevator bulkhead, stairway, ventilating fan, cooling tower or similar necessary mechanical and electrical appurtenance required to operate and maintain the building.
- (b) In the C and I districts, the following structures shall be exempt:
  - (1) Radio and television tower.
  - (2) Storage tank.

TITLE SEVEN--Nonconformities  
Chap.1171 Nonconformities

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**CHAPTER 1171**  
**Nonconformities**

**1171.01 Purpose.**

**1171.02 General provisions.**

**1171.03 Nonconforming uses.**

**1171.04 Nonconforming structures.**

**1171.05 Nonconforming lots.**

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**1171.01 PURPOSE.**

It is the purpose of this code to regulate nonconforming uses and structures because they are incompatible with permitted uses and structures in the district in which they are located. The lawful use of any building or land existing on the effective date of this code may continue even though such use or land does not conform with the provisions of this code. Nonconforming structures shall be regulated to prevent an increase in the degree of nonconformity.

**1171.02 GENERAL PROVISIONS.**

(a) The lawful use of any structure or premises existing and lawful at the time of enactment of or an amendment to this code, may be continued, even though such use does not conform with the provisions of this code. However, nothing in this code shall be interpreted as authorization for continued use of a structure or land established in violation of the zoning regulations in effect prior to the enactment of this code and in continued violation of this code.

(b) Regardless of any other provision of this code, a nonconforming use shall be treated as a conforming use for as long as the use is in existence. Accordingly, the following rights shall be granted:

- (1) If a nonconforming use is damaged by fire, explosion, act of God, or by a public enemy, it may be restored.
- (2) If a structure or structures for a nonconforming use is destroyed or damaged by fire, explosion, act of God, or by a public enemy, they may be reconstructed.
- (3) A nonconforming use shall be permitted to have the same amount and type of signage as would be allowed for such use in the most restrictive district in which such nonconforming use is allowed.
- (4) A nonconforming use may be converted to another nonconforming use first permitted in the same or more restrictive district as the existing use, provided

it is not converted to a use permitted in a more restrictive district than the district in which the nonconforming use is located.

#### **1171.03 NONCONFORMING USES.**

Except as otherwise provided in this code, nonconforming uses and structures for nonconforming uses shall be regulated as follows:

- (a) No nonconforming use shall be relocated on a lot. However, if the building is nonconforming, it may be relocated meeting the requirements of Section 1171.04 below.
- (b) A nonconforming use may be enlarged as a conditional use authorized by the Board of Zoning Appeals, provided the following limitations shall apply:
  - (1) The enlargement may not exceed 25 percent of the total floor area of the use when it first became nonconforming.
  - (2) The enlargement may not violate the yard and area requirements of Chapter 1150 nor the height requirements of Chapter 1151.
- (c) A nonconforming use that has become abandoned for one (1) year or more shall revert to a conforming use. However, a nonconforming use may be reestablished as a conditional use authorized by the Board of Zoning Appeals, provided the following limitations shall apply:
  - (1) The conditional use shall be for one of the following uses:
    - A. The nonconforming use that previously existed.
    - B. Another nonconforming use first permitted in the same or more restrictive district as the previous use and that is not a use permitted in a more restrictive district than the district in which the nonconforming use is located.
    - C. Any use that has been granted an exemption from federal taxes under the Internal Revenue Code as a Section 501(c)(3) organization.
  - (2) The Board shall determine that the building in which the previous nonconforming use was located is not suitable as a building for a conforming use.
  - (3) The building in which the previous nonconforming use was located shall be brought into compliance with other city and state regulations.

#### **1171.04 NONCONFORMING STRUCTURES.**

Except as otherwise provided in this code, nonconforming buildings and structures shall be regulated as follows:

- (a) Changes, including structural alterations, may be made to a nonconforming structure or to a structure for a nonconforming use to meet the minimum requirements of other city and state regulations.
- (b) A nonconforming structure that has been destroyed or damaged by fire, explosion, act of God, or by a public enemy may be rebuilt as it existed before. However, the structure cannot be rebuilt or restored in a different form or in a way that would increase its degree of nonconformity.  
(Ord. 02-177. Passed 4-16-02.)
- (c) A nonconforming building in a Historic Preservation District that has been damaged by fire, act of God, or by a public enemy regardless of the extent of damage, may be

restored as a conditional use authorized by the Board of Zoning Appeals. However, the building may not be restored except in compliance with the following requirements:

- (1) The building shall be placed upon its original foundation or the site of the original foundation or in a location that lessens the degree of the building's nonconformity.
  - (2) The building shall be reconstructed as nearly as possible to the original historic appearance of the building or as regulated by the Landmarks Commission.
  - (3) The Landmarks Commission shall give authorization to the manner in which the building is reconstructed.
  - (d) Any nonconforming structure containing a conforming use may be converted to another conforming use.
  - (e) Except as otherwise provided, a nonconforming structure may be structurally enlarged, provided it is structurally enlarged in a way that does not increase or extend the manner in which the structure is nonconforming.
  - (f) Any nonconforming structure that is relocated on the same lot shall conform to the provisions of this code.
- (Ord. 02-177, passed 4-16-02; Ord. 13-79, passed 4-2-13.)

#### **1171.05 NONCONFORMING LOTS.**

Except as otherwise provided in this code, nonconforming lots shall be regulated as follows:

- (a) Any use or structure for a use permitted in the district in which the nonconforming lot is located, may be established or built, provided the use or structure meets all other requirements of this code. However, if a lot in a residential district does not have sufficient area for any residential use, only a single-family dwelling may be constructed on the lot subject to building setback and parking requirements.
- (b) If two or more abutting lots are purchased by one person and either one or both lots are nonconforming, the lots involved shall be deemed a single lot for the purposes of this code and no portion of the combined lots shall be sold or used that diminishes compliance with lot frontage, width, and area requirements.

# PARKING SPACE REQUIREMENT

Development Director or Director's designee may issue a temporary Zoning Certificate in those instances where he/she finds that the paving cannot be installed due to adverse weather conditions or settling of the site after demolition or filling. A temporary Zoning Certificate shall be effective only to a date specific.

- (g) The property owner is responsible to maintain and replace, as determined by the Community Development Director or the Director's designee, landscaping required by the provisions of this chapter.
- (h) Parking spaces may be provided either in a parking garage or open area.
- (i) Non-compliance with any section of this Chapter 1153 will result in code enforcement action and the property owner will be subject to civil fines pursuant to Chapter 1324 of the Codified Ordinances of the City of Springfield, Ohio.  
(Ord. 15-42. Passed 2-17-15.)

## 1153.02 NUMBER OF PARKING SPACES.

In all districts, except the Unified Plan Overlay District or Eastern Edge Corridor Plan Overlay District, there shall be provided prior to the occupation of a building or commencement of a use the minimum number of off-street parking and stacking spaces as indicated in the following tables. For properties located in the Unified Plan Overlay District and Eastern Edge Corridor Plan Overlay District, please refer to Chapter 1141 and Chapter 1142, respectively.

### (a) Residential Uses.

Principal Use	Number of Spaces
Family day-care home – type B	4 parking spaces
Mobile and modular home	2 parking spaces per home
Multi-family dwelling, except high-rise and elderly housing	1.5 spaces per dwelling unit for up to 800 sq. ft.; 2 parking spaces per dwelling unit for over 800 sq. ft.
Multi-family dwelling – high-rise	1 parking space per dwelling unit
Multi-family dwelling – elderly housing	1 parking space per 4 dwelling units
Rooming house	1 parking space per 200 apartment sq ft of floor area
Fraternity and sorority	1 parking space per 2 residents
Single family dwelling and duplex	2 parking spaces per dwelling unit
Homeless shelter	¼ parking space per occupant load

### (b) Commercial Uses.

Principal Use	Number of Spaces
Automobile gasoline and service station	1 parking space per service station island of pumps and service stall plus 1 stacking space per 4 pumps and service stall. Parking spaces shall be provided in lieu of stacking spaces in instances where egress from a facility would require a motor



	vehicle waiting for entry to be moved.
Automobile repair garage	1.5 parking spaces per 500 sq ft of floor area
Beauty Parlor and/or Barber Shop	2 parking spaces per barber or beauty parlor chair
Car Wash	Stacking spaces equal in number to 5 times the maximum capacity of the car wash per wash rack (bay or tunnel) or 3 times the maximum capacity for a coin operated car wash per wash rack; in addition, 1 parking space per 2 wash racks.
Financial Institution	1 parking space per 300 sq ft of floor area. For drive-in establishments, an additional 6 stacking spaces per external teller or customer service window designed for drive-in service shall be provided but need not exceed 18 total stacking spaces
Funeral home	1 parking space per 4 seats
Furniture, major appliance, and floor covering store	1 parking space per 500 sq ft of floor area
Grocery Store/Supermarket	1 parking space per 300 sq ft of floor area
Hotel and motel	1.15 parking spaces for guest room
Laundry/dry cleaning establishment (self-service)	1 parking space per 2 laundry and dry cleaning machines
Laundry/dry cleaning establishment (full-service)	1 parking space per 500 sq ft of floor area. For drive-in establishment, an additional 2 stacking spaces per external teller or customer service window designed for drive-in service shall be provided.
Machinery sales	1 parking space per 800 sq ft of floor area
Motor vehicle sales and rental	1 parking space per 800 sq ft of floor area
Office	1 parking spaces per 350 sq ft of floor area
Office – Medical	1.5 parking space per office, examining and treatment room, provided there shall not be less than 5 spaces
Personal service establishment – other than listed	1 parking space per 300 sq ft of floor area
Photographic studio	2 parking spaces per office, studio, and reception area, provided there shall not be less than 5 spaces
Rental agency – equipment and supplies	1 parking space per 500 sq ft of interior and exterior storage area
Restaurant and establishment dispensing food or beverage for consumption on the premises	1 parking space per 4 seats

Restaurants – drive-in and carry-out	1 parking space per 4 seats, but not less than 5 spaces, plus 6 stacking spaces per external teller or customer service window designed for drive-in service
Retail store – 0 – 60,000 square feet	3 parking spaces per 1000 sq ft of floor area
Retail store – more than 60,000 square feet	2 parking spaces per 1000 sq ft of floor area
Studio and station (radio/television)	1 parking space per 400 sq ft of floor area

**(c) Manufacturing Uses.**

<b>Principal Use</b>	<b>Number of Spaces</b>
Contractor and construction yard	The sum total of parking spaces shall be determined on the basis of the parking spaces required for uses individually such as office area and warehouse space
Junk Yard	The sum total of parking spaces shall be determined on the basis of the parking spaces required for uses individually such as office area and garage space
Laboratory – research, development and testing	1 parking space per 600 sq ft of floor area
Manufacturing or establishments engaged in production, processing packing and crating, cleaning, servicing or repair of materials, goods, or products.	1 parking space per 600 sq ft of floor area
Motor and railroad freight terminal – cartage, express and parcel delivery	1 parking space per 800 sq ft of floor area
Printing and publishing establishment	1 parking space per 300 sq ft of floor area
Warehouse – less than 25,000 square feet	1 parking space per 1,000 sq ft to a maximum of 5
Warehouse – more than 25,000 square feet	5 parking spaces plus 1 additional parking space per 5,000 sq ft above 25,000 sq ft

**(d) Institutional Uses.**

<b>Principal Use</b>	<b>Number of Spaces</b>
Home – children's, aged, convalescent, rest and nursing home, and group care facility	For a group care facility and children's home, 1.5 parking spaces per 2 occupants. For other uses, 1 parking space per 3 beds
Hospital – sanitarium and asylum	1 <sup>3</sup> / <sub>4</sub> parking spaces per hospital bed
School – generalized instruction, elementary and junior high, and specialized	2 parking spaces per public or private classroom

public or private instruction	
School – generalized instruction, senior high	10 parking spaces per public and private classroom
Daycare Center, adult or child	1 parking space per 6 clients (children or adults)

(e) **Places of assembly, worship, recreation, entertainment and/or amusement.**

Principal Uses	Number of Spaces
Bowling Center	4 parking spaces per lane
Club and lodge	Parking spaces equal in number to 1/3 of the occupant load of the largest room in the building
Establishments or enterprises of a recreational or an entertainment nature – spectator type (auditorium, sports arena, theater, stadium and meeting hall)	Parking spaces equal in number to 1/4 the occupant load in the seating area
Establishments or enterprises of a recreational or an entertainment nature – participatory type (skating rink, dance hall, tennis court, swimming pool, archery range, gymnasium, pool hall)	Parking spaces equal in number to 2/3 the occupant load of the area used for the participatory sport or activity. For outdoor activities, the number of parking spaces shall be based upon the maximum number of persons the facility can or is expected to accommodate
Golf course	3 parking spaces per hole
Golf driving range	1 parking space for each 20 ft of range width
Library, museum and art gallery	1 parking space per 300 sq ft of floor area
Religious institution and community center	Parking spaces equal in number to 1/6 the occupant load of the main auditorium or the largest room in the building, which ever is greater

- (f) **Other Uses.** For uses not listed, parking spaces shall be provided on the same basis as required for the most similar listed use as determined by the Community Development Director or his/her designee.
- (g) **Parking Reduction.** A lawful use can receive a reduction of five (5) percent of required parking spaces for permanently retaining onsite the first quarter (1/4) inch of every storm event. Every additional quarter inch (1/4) retained onsite per storm event will result in an additional reduction of five (5) percent of the required parking spaces up to a maximum of twenty (20) percent of the total number of required parking spaces. Practices used to retain stormwater onsite may also be used to satisfy the stormwater management requirements in Codified Ordinance 961. Examples of stormwater retention practices include, but are not limited to

# CERTIFICATE OF OCCUPANCY

## Certificate of Occupancy City of Springfield, Ohio - Office of the Building Official

<b>Property Address:</b> 8918 Elmwood Ave.		<b>Owner/Tenant:</b> Office Building	
<b>Approved As:</b>		<b>Pre-existing Condition (?) Change)</b>	
New Structure		Alteration	
Change of Occupancy		Temporary Occupancy	
<b>Use Groups:</b>	<b>Occupancy Description</b>	<b>Occ. Load</b>	
Primary: 1-2	Office	68 350	
Accessory: B	BUSINESS	20	
Accessory:			
Mixed Uses:			
Attached Floor Plan dated _____ indicates the design occupancy loads and how areas are approved			
Construction Type: 5A EXISTING			
<b>Fire Detection</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
<b>ALARM</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
<b>Fire Sprinkler Systems</b>			
System Type: NFPA 13	Location: THROUGHOUT		
Hazard Classification: LIGHT			
Storage Height:			
Aisle Width: 96 INCHES			
Sprinkler System Demand @ Base of Riser: EXISTING SPRINKLER SYSTEM INSERVICE			
Standpipe System Demand @ Base of Riser:			
<p><b>Stipulations, Conditions, Variances:</b></p> <p>THIS CERTIFICATE REPRESENTS AN APPROVAL THAT IS VALID ONLY WHEN THE BUILDING AND ITS FACILITIES ARE USED AS STATED AND IS CONDITIONAL UPON ALL BUILDING SYSTEMS BEING MAINTAINED AND TESTED IN ACCORDANCE WITH THE APPLICABLE OHIO BOARD OF BUILDING STANDARDS RULES AND APPLICABLE EQUIPMENT OR SYSTEM SCHEDULES.</p> <p>This certifies conformance with Chapters 3781 and 3791 of the Revised Code and the applicable provisions of the rules of the Ohio Board of Building Standards.</p>			
<p><b>Application/Permit No:</b> 1500061</p> <p>Approved pursuant to the 2011 edition of the OHIO BUILDING CODE</p> <p>This approval is limited to the following portion of the building:</p>			
<p><b>Building Official:</b> <i>Rosa Mack</i></p> <p><b>Date:</b> 1/27/14</p>			

**SAMPLE**

WARNING - THE STRICTION MAY NOT BE OCCUPIED UNTIL THE BACK OF THE DOCUMENT IS DROPPED & EMBOSSED