

Title, Purpose and Scope

**Chapter
1103**

City of Hilliard Zoning Code



Section 1103-1 Title

This code and all its provisions, codified as Part Eleven, the Hilliard Code, shall be known and may be cited as “The Zoning Code of the City of Hilliard, Ohio;” or by its shorter titles, “City of Hilliard Zoning Code” or “Zoning Code.”

Section 1103-2 Purpose of Zoning

The purpose of this Zoning Code is to promote the public health, safety, morals, comfort and general welfare of the City and its residents; to conserve and preserve the value of property; to facilitate the provision of roads, public utilities, water, sewerage, parks, and other public requirements; and decrease or avoid congestion on public streets and highways.

Section 1103-3 Scope

The provisions of this code shall apply to all lands within the municipal boundaries of the City of Hilliard, including all lands annexed into the City after the effective date of this code.

Section 1103-4 Compliance with Regulations

- A. Buildings and structures shall only be located, erected, constructed, reconstructed, enlarged or structurally altered in conformity with the area, height and yard regulations of the district in which the building or structure is located.
- B. Buildings, structures and lots shall be used only for the purposes which are permitted in the district in which they are located.
- C. Yards and other open spaces existing around any building or structure shall meet the minimum area and dimensional requirements of this Zoning Code. Vacant property may only be used in conformity with the uses permitted in the district wherein that parcel is located.
- D. Lots shall only be reduced or subdivided in a manner that meets minimum area and yard provisions required by this Zoning Code.

Section 1103-5 Interpretation and Conflict

In interpreting and applying this Zoning Code, the provisions shall be held to be minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity and general welfare. This Zoning Code is not intended to interfere with, abrogate or annul any ordinance, rule, regulation or permit which was previously adopted or issued, if a use has been established, and which is not in conflict with any of the provisions of this Zoning Code, or any ordinance, rule, regulation or permit which shall be adopted or issued pursuant to law relating to the use of buildings or premises and which is likewise not in conflict with this Zoning Code. Nor is this chapter intended to interfere with, abrogate or annul any easement, covenant or other agreements between parties. However, where this Zoning Code imposes a greater restriction on the use of buildings or premises or the height of buildings, or requires larger open spaces or larger lot areas than are imposed or required by such other ordinances or agreements, the provisions of this Zoning Code shall control.

Section 1103-6 Rules Applicable to Text

- A. *Meaning.* The words, terms and phrases used in this code shall have the meanings assigned to them in Chapter 1105, except where the context clearly indicates a different meaning.
- B. *Rules of Construction.* The following rules of construction apply to this code:
1. The particular shall control the general and the use of a general term shall not be taken to have the same meaning as another specific term. For example, a “dry cleaning retail establishment” shall not be interpreted to be the same as a “retail business supplying commodities on the premises,” if each term is listed as a separate and distinct use.
 2. In case of any difference of meaning or implication between the text of this code and any caption or illustration, the text shall control.
 3. A building or structure includes any and all of its parts.
 4. The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for" and "occupied for."
 5. The word “shall” is always mandatory and not discretionary. The word “may” is permissive.
 6. The word “person” includes any individual, corporation, partnership, incorporated association, Limited Liability Company or any other similar entity.
 7. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunctions "and," "or" or "either . . . or," the conjunction shall be interpreted as follows:
 - a. "And" indicates that all of the connected items, conditions, provisions or events apply.
 - b. "Or" indicates that the connected items, conditions, provisions or events may apply singly or in any combination.
 - c. "Either . . . or" indicates that the connected items, conditions, provisions or events apply singly but not in combination.
- C. *Terms not defined.* Terms not defined in this code shall have the meaning customarily assigned to them.