



Jack Bradley
Mayor

CITY OF LORAIN

ZONING BOARD OF APPEALS

04.2026

WRITTEN NOTICE OF APPEAL

02-01-003-111-052

Address of Property: PPN 0201003111026

Date of Appeal: 12/10/2025

Name: Kathleen M. Wise

Address: 4325 Liberty Ave.

City: Vermilion State: OH Zip: 44089 Phone Number: 440-687-4829

Please describe in detail the reason for your appeal:

I am appealing two denials, one for the, Fence and the other the, Shed. Dated November 21st, 2025.

As current zoning of R2, Section 3.01 Zone Districts Established, along with but not limited too,

Section 4.01 District Purpose., see attachments, along with but not limited too,

Table 4-2, Schedule of Use, Residential Districts , R2 tansional residential properties are lawfully zoned, for conditional use of dwelling units, in my case conditional primitive residential use for myself

only, and primary use of property for community garden , to improve the neighborhood by providing

a safe and beautiful space in which to nurchase unity among residents in a common goal of

a sustainable life and way of living, that will bring the comunity closer and tigher in bond so that

encouraging a deeper sence of pride not only in there own neighborhoods but in that of also their

surrounding neighborhoods, thus improving blight and improving the value of the surrounding remainder of

homes already erected.

Thus falling with in the lawful right established by code, of use of acessory uses and structures as

the permitted primary principle use of the land making the shed and fence permitted accessory structures.

- Please return the completed Notice of Appeal form, along with any supplemental materials or documentation to:

Building, Housing, & Planning, 200 W. Erie Ave., 5th Floor, Lorain, OH 44052

- Filing Fee (due at the time of submission) = \$100

Current zoning of PPN 0201003111020 Delaware Ave., Lorain, OH 44052, of R2 transitional residential, or transitioning from a primarily residential single family neighborhood to a permanent parcel for non-residential neighborhood uses. Allowing uses that are compatible and traditional to single family neighborhoods, such as fences that protect property from trespass, vandalism and other crimes, and are traditionally consistent in all neighborhoods, including R2., along with sheds and gardens (non-residential uses)(Sec 4.01 District purpose, Lorain Zoning Code.).

Where attached and detached structures and uses are permitted, such as sheds, fences, and gardens and are compatible, consistent, and traditional to the city neighborhoods walkable characteristics and permitted by current zoning of PPN 0201003111020, R2 transitional residential. (Sec 4.01 (D)(R2) District Purpose). specifically.

Further -more Sec. 4.02 Schedule of allowed uses, of the Lorain Zoning code, states.

The land on PPN 0201003111020, has permitted uses of Accessory uses, accessory structures to the those uses, such as sheds, fences and gardens, and accessory dwelling units. Sec. 21.01 of the Lorain Zoning Code states, an accessory use is incidental to and subordinate to the **principle use of the land**/PPN, or building. (not only a principle building.).

Thus per section 4.01(D)(R-2), Section 4.02(A), Table 4-2, and Sec. 21.01 (A-B), of the Lorain Zoning Code, the current zoning already allows these uses of PPN 0201003111020. These uses are consistent and traditional to the walkable character of these traditionally single family neighborhoods, now transitioning to non-residential neighborhoods, which have

always included sheds, fences, gardens, and other traditional neighborhood uses and structures, but not limited to.

As PPN 0201003111020, has a current zoning of R-2 transitional residential use and purposes, detached dwellings, buildings, and or structures consistent with the walkable neighborhood character, which again include fences, sheds, gardens, etc., but not limited to and are well suited as a buffer and are normally part of these neighborhoods characteristics, and buffers this transitioning time to the PPN's final stage from normally a single family neighborhood to non-residential neighborhood uses and purposes. (Sec. 21.01 A-B, Definitions)

Furthermore also backed by the 2024 Ohio Building Code, Sec. 101.2 Scope, specifically sections (1)(26), along with 102.9 non required work, 102.10 work exempted from approval (or permit not needed), building (1)(2)(5), allow these accessory uses and structures per board of building codes standards.

Attachments provided

CHAPTER 3 ZONE DISTRICTS AND MAP

Section 3.01 Zone Districts Established

The following zone districts are established:

Table 3-1, Zone Districts Established		
Category	Designation	District Name
Residential Districts	R-1A	Low Density Single Family
	R-1B	Moderate Density Single Family
	R-1C	Medium Density Single Family
	R-2	Transitional Residential
	R-3	High Density Residential
	R-4	Manufactured Home Residential
Commercial Districts	B-1	Neighborhood Commercial
	B-2	General Commercial
	B-3	Downtown Commercial
Industrial Districts	I-1	Light Industrial
	I-2	Heavy Industrial
Special Purpose Districts	HMD	Hospital/Med Center
	MU	Mixed Use
	PUD	Planned Unit Development
	OS	Open Space
	DR-O	Design Review Overlay

Section 3.02 Official Zoning Map

- A. The official zoning map shall be identified by the signature of the mayor and attested by the clerk of council, shall show the date of adoption of this zoning ordinance, and shall be further defined as being the zoning districts as shown on the set of Lorain County Tax Maps maintained by the city building department.
- B. If, in accordance with the provisions of this zoning ordinance and Ohio R.C. Chapter 713, changes are made in district boundaries or other matters portrayed on this zoning map, such changes shall be duly-noted on the zoning map no later than seven (7) days after the effective date of the amendment. No changes shall be made in the zoning map except in conformity with the amendment procedures set forth in this ordinance.
- C. Regardless of the existence of copies of the zoning map, the official zoning map bearing the original signature of the mayor shall be recognized as the official map as to current zoning status.
- D. In the event that the official zoning map becomes damaged, destroyed, or difficult to interpret because of changes, council may, by resolution, adopt a new zoning map which shall supersede the prior map. The new map may correct drafting or other errors or omissions, but no such correction shall have the effect of amending the zoning ordinance.

CHAPTER 4 RESIDENTIAL ZONING DISTRICTS

Section 4.01 District Purpose.

- A. **R-1A, Low Density Single-Family.** This district is intended to create a single-family neighborhood environment on relatively large lots, while retaining the urban character of the community. It is most appropriate near the outer perimeter of the city, especially the west end. Net densities of just over two (2) units per acre can be achieved.
- B. **R-1B, Moderate Density Single-Family.** This is an urban residential district intended to create cohesive, single family, walkable neighborhoods at a net density of approximately four (4) units per acre. The principal use of land is for single-family dwellings and related recreational, religious, and educational facilities needed to provide the basic elements of a balanced, safe, and attractive living environment.
- C. **R-1C, Medium Density Single-Family.** This residential district is intended to reinforce the traditional single-family neighborhood pattern prevalent throughout much of the city. It supports cohesive, walkable neighborhoods along a grid street network at a net density of approximately six (6) units per acre. The principal use of land is for single-family dwellings and related recreational, religious, and educational facilities contributing to a rich neighborhood fabric.
- D. **R-2, Transitional Residential.** A variety of housing options are permitted within this district consistent with the walkable, neighborhood character intended for single-family neighborhoods. Attached and detached dwellings are permitted at densities compatible with traditional city neighborhoods and well suited as a buffer to transition from single-family neighborhoods to non-residential uses.
- E. **R-3, High Density Residential.** This district provides for development of a range of housing types, including multiple-family units at densities up to 18 units per acre, in order to accommodate open space and recreational amenities within each development. Consistent with the city's comprehensive plan, the district provides for housing choice in the community where increased density would be compatible with existing development and promote economically viable development on infill and redevelopment sites. The district may also be established as a transition zone between lower density residential districts and nonresidential or mixed use districts.
- F. **RM, Manufactured Home Community.** This district provides for a single family residential environment within planned communities to accommodate manufactured homes. The principal use of land is for manufactured single-family dwellings and related recreational, religious, and educational facilities needed to provide the basic elements of a balanced, safe, and attractive residential area.

Section 4.02 Schedule of Allowed Uses.

Buildings or land shall not be used and buildings shall not be erected, except for the following specified uses, unless otherwise provided for in this ordinance. Land and/or buildings in the districts indicated at the top of Table 4-2 may be used for the purposes denoted by the following abbreviations:

- A. **Permitted Use (P).** Land and/or buildings with this designation may be used for these purposes by right.

City of Lorain Zoning Code

- B. Conditional Use (C).** Land and/or buildings with this designation may be used for these purposes if conditional approval is granted by the planning commission upon a finding that all applicable requirements in Chapter 11 are satisfied.
- C. Specific Conditions.** Indicates that conditions related to the specific use must be satisfied in addition to the review procedures and general criteria of Sections 11.02 and 11.03.

Table 4-2, Schedule of Use, Residential Districts

Uses	Residential Districts						Specific Conditions
	R-1A	R-1B	R-1C	R-2	R-3	RM	
Residential							
Assisted living facility				C	P		
Bed and breakfast	C	C	C				See Section 11.04B
Boarding house				C	C		See Section 11.06C
Dwelling, manufactured home						P	
Dwelling, multiple family					P		
Dwelling, single-family attached				P	P		
Dwelling, single-family detached	P	P	P	P			
Dwelling, two-family				P	P		
Family home	P	P	P				
Group home				P	P		
Manufactured home community/subdivision						P	
Nursing home and extended care				C	P		
Residential social services facility					C		See Section 11.06F
Retirement community				C	P		
Sober living facility					C		See Section 11.06G
Recreation and Leisure							
Adult day care	C	C	C	C			
Child care facilities	C	C	C	C			
Private noncommercial recreation	P	P	P	P	P	P	
Public parks/playgrounds	P	P	P	P	P	P	
Public/Quasi-Public							
Cemeteries	C	C	C	C	C		
Government buildings and facilities	C	C	C	C	C	C	
Places of worship	C	C	C	C	C	C	See Section 11.05A
Pre-school nursery	C	C	C	C	C	C	
Schools (K-12)	C	C	C	C	C	C	See Section 11.05B
Accessory Uses							
Accessory dwelling units	C	C	C	C			See Section 11.06A
Accessory uses and structures	P	P	P	P	P	P	
Cafeteria facilities located within a principal use (not including dwelling units)	P	P	P	P	P	P	
Child care facilities located within a principal use	P	P	P	P	P	P	
Home occupations	P	P	P	P	P	P	
Single-user solar energy system as accessory to a principal use	C	C	C	C	C	C	

CHAPTER 21 DEFINITIONS

Section 21.01 Definitions A-B

ACCESSORY BUILDING. A subordinate building detached from, but located on the same lot as, the principal building, the use of which is incidental and accessory to that of the principal building or use. A storage container, trailer, or similar item is not an accessory building.

ACCESSORY USE. A use customarily incidental and subordinate to the principal use or building and located on the same lot as the principal use or building.

ALLEY. A public thoroughfare or way, not more than 30 feet in width except for necessary turnarounds, and which normally provides a secondary means of access to abutting property.

ALTERATION: Any change to any land, structure or building.

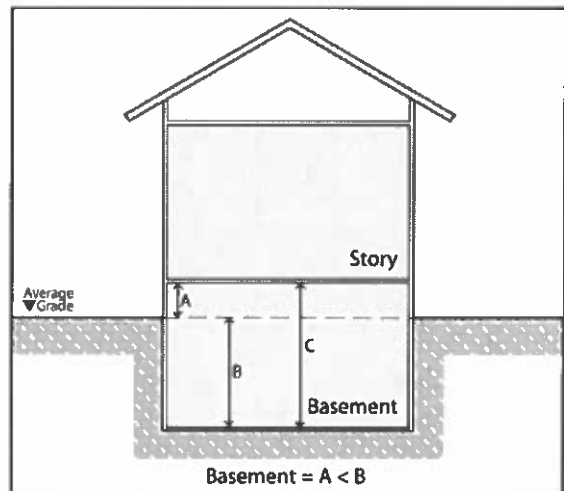
ALTERATION, BUILDING: Any change in the use of a building or any physical alteration made which modifies the existing foundation, load bearing walls or roof of a building; or requires an electrical, plumbing or mechanical permit.

ANIMAL HOSPITAL. An enclosed structure allowing for overnight or continuous care, diagnosis, and treatment of animal illnesses by a veterinarian.

BAR: Any place devoted primarily to the retailing and drinking of malt, vinous, or other alcoholic beverages, or which derives at least 75 percent of its total annual gross sales from the sale of such beverages for consumption on the premises.

BASEMENT: That portion of a building all or partly underground but having at least one-half (1/2) of its height below the average level of the adjoining ground.

BED AND BREAKFAST: An owner-occupied private single-family residence which is the principal residence of the owner and the principal structure on the premises, with bedrooms available for rent to the general public and with breakfast served at no additional cost.



BOARDING HOUSE. A dwelling or part thereof, other than a hotel or motel, providing rooms for compensation for three (3) or more unrelated persons who may reside for extended periods. Cooking facilities are not provided in the individual units. Accessory uses may include dining rooms and recreation rooms for use by the occupants, but not for the general public.

BUFFER: Any visual buffer, screening, open spaces, landscaped areas, fences, walls, berms, or any combination thereof required by this ordinance used to physically separate or screen one use of property from another so as to visually shield or physically block noise, lights, or other nuisances.

BUILDING: Any structure, either temporary or permanent, having walls and a roof, designed for the shelter of any person, animal or property and occupying more than 100 square feet of area. .

4101:1-1-01 Administration.**Section 101**
General

101.1 Incorporation by reference, title and rules of construction. Except as provided in Chapters 4101:1-1 to 4101:1-35 of the Administrative Code, the International Building Code 2021 edition, Chapters 2 through 35 and appendix H, as published by the “International Code Council, Inc.” including all subsequently published errata and printings, and readily available at <https://www.iccsafe.org>, are hereby incorporated by reference in accordance with sections 121.71 to 121.74 of the Revised Code as if set out at length herein.

101.1.1 Rules of construction. The following rules of construction are to be applied to Chapters 4101:1-1 to 4101:1-35 of the Administrative Code:

- 1. All references to the International Building Code, International Mechanical Code, International Plumbing Code, and International Residential Code mean the Ohio Building Code, Ohio Mechanical Code, Ohio Plumbing Code, and Residential Code of Ohio, respectively, unless otherwise noted. References to “this code” in Chapters 4101:1-1 to 4101:1-35 of the Administrative Code mean the “Ohio Building Code.” References to “building code” in divisions 4101:1, 4101:2, 4101:3 and 4101:8 of the Administrative Code mean “Ohio Building Code.”**
- 2. The phrase “applicable energy conservation code referenced in Chapter 13” is substituted for “International Energy Conservation Code.”**
- 3. Except as otherwise noted and in Chapter 34 of this code, “Chapter 34” is substituted for “International Existing Building Code.”**
- 4. The terms “approval” or “approvals” are substituted for “permit” or “permits,” respectively, when referring to documentation indicating compliance with this code.**
- 5. The phrase “owner’s representative” is substituted for “owner’s authorized agent.”**
- 6. Except as otherwise noted, “building official” is substituted for “fire code official.”**
- 7. The phrase “building official” is substituted for “code official.”**
- 8. The provisions of this code are mandatory whether or not the term “shall” is used.**

101.2 Scope. The provisions of the “Ohio Building Code,” the “Ohio Mechanical Code,” and the “Ohio Plumbing Code” apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any

appurtenances connected or attached to such buildings or structures. As provided in division (B) of section 3791.04 of the Revised Code, no plans or specifications are to be approved or inspection approval given unless the building represented by those plans or specifications would, if constructed, repaired, erected, or equipped according to those plans or specifications, comply with Chapters 3781. and 3791. of the Revised Code and any rules adopted by the board. An owner may exceed the requirements of the "Ohio Building Code" in compliance with section 102.9. This code applies to detached one-, two-, and three-family dwellings and structures accessory to those dwellings only to the extent indicated in section 310 of this code.

Exceptions:

1. Detached one-, two-, or three- family dwellings, structures accessory to those dwellings, one-, two-, and three-family dwellings used as models, or those single family dwellings with five or fewer persons receiving care in a supervised environment but capable of self-preservation with or without limited verbal or physical assistance are within the scope of the "Residential Code of Ohio for One-, Two-, or Three-Family Dwellings".
2. Buildings owned by and used for a function of the United States government.
3. Buildings or structures which are incident to the use for agricultural purposes of the land on which said buildings or structures are located, provided such buildings or structures are not used in the business of retail trade; for the purposes of this section, a building or structure is not considered used in the business of retail trade if fifty per cent or more of the gross income received from sales of products in the building or structure by the owner or operator is from sales of products produced or raised in a normal crop year on farms owned or operated by the seller (see sections 3781.06 and 3781.061 of the Revised Code).
4. Agricultural labor camps.
5. Type A or Type B family day-care homes, except for the inspection required for licensure by the "Ohio Department of Jobs and Family Services (ODJFS)". This required inspection is conducted by the certified building department having jurisdiction or the division of industrial compliance and labor in accordance with the inspection checklist found on the board of building standard's website.
6. Buildings or structures which are designed, constructed, and maintained in accordance with federal standards and regulations and are used primarily for federal and state military purposes where the U.S. secretary of defense, pursuant to 10 U.S.C. Sections 18233(A)(1) and 18237, has acquired by purchase, lease, or transfer, and constructs, expands, rehabilitates, or corrects and equips, such buildings or structures as he determines to be necessary to carry out the purposes of Chapter 1803 of the U.S.C.

7. Manufactured homes constructed under “24 CFR Part 3280,” “Manufactured Home Construction and Safety Standards” and within the scope of the rules adopted by the division of industrial compliance of the department of commerce, including additions, alterations and all utility connections from the utility service point to the manufactured home. This exception does not apply to changes of occupancy of manufactured homes, except that a manufactured home located within a manufactured home park and used by the park operator to promote the sale/rental of manufactured homes in that park remains exempt.
8. Sewerage systems, treatment works, and disposal systems (tanks, piping, and process equipment associated with these systems) regulated by the legislative authority of a municipal corporation or the governing board of a county or special district owning or operating a publicly owned treatment works or sewerage system as stated in division (A) of section 6111.032 of the Revised Code, however, a building that houses such process equipment is within the scope of this code.
9. Building sewer piping.
10. Amusement rides and portable electric generators and wiring supplying carnival and amusement rides regulated by the Ohio Department of Agriculture pursuant to Chapter 993. of the Revised Code.
11. Structures on the premises of and directly related to the operation of a generating plant defined as a major utility facility regulated by the power siting board, including the structures associated with generation, transmission, and distribution. As a condition of the power siting board’s approval, the building department may be requested to review and inspect these structures for compliance with the rules of the board of building standards. However, the building department has no enforcement authority.
12. Buildings or structures used for equipment housings and enclosures, telemetry enclosures, and associated tanks, foundations, platforms, process piping and equipment on the premises of and directly associated with the operation of pipelines regulated by federal or state agencies and used for the gathering, transmission, or distribution of natural gas or other gas or liquid hydrocarbons.
13. Public water systems (the tanks, foundations, piping, and process equipment associated with these systems) regulated by the Ohio Environmental Protection Agency in accordance with division (A) of section 6109.07 of the Revised Code, however, a building that houses such process equipment is within the scope of this code.
14. Private water systems (the tanks, foundations, piping, and process equipment associated with these systems) regulated by the Ohio Department of Health in accordance with section 3701.344 of the Revised

Code, however, a building that houses such process equipment is within the scope of this code.

15. Fixed or floating docks (including the electrical wiring, lighting, and fire protection systems serving the docks) at marinas or boatyards, unless the docks directly serve as a means of egress from, or an accessible route to, a regulated building located at the marina or boatyard.
16. Floating buildings that have been issued a Hull Identification Number (HIN) and a vessel registration from the Ohio department of natural resources division of parks and watercraft.
17. Portable mobile vehicles which have been issued a Vehicle Identification Number (VIN) by the United States department of transportation. The vehicles have wheels and license plates and are intended for transportation on the public streets and highways. Examples of the exempt vehicles include, but are not limited to, recreational vehicles, book mobiles, blood mobiles, mobile medical imaging units, mobile concession trailers, network television transmission and production trailers used at sporting events, mobile restroom facilities, mobile pet grooming units, etc.
18. Wind turbines and solar arrays not connected to building services equipment.
19. Pumps, site lighting, and flagpoles not connected to building services equipment.
20. Mine elevator shafts and structures.
21. Unless otherwise required by this code, ground signs not over six feet in height above the adjacent grade.
22. Signs erected by federal, state and local transportation authorities.
23. Oil or gas beam pumping units and derricks.
24. Bungee jumping and zip line structures, and miniature golf courses.
25. Retaining walls, bridges, walkways or site stairs unless associated with or necessary for the building or the building egress to comply with the rules of the board.
26. Primitive transient lodging structures with only provisions for sleeping, with no building services equipment or piping, and not greater than 400 sq. ft. in area.
27. Intermodal shipping or freight containers, moving containers, storage containers, if used exclusively as a storage container temporarily for a period not to exceed 180 days.
28. Underground storage tanks regulated by the bureau of underground storage tank regulations (BUSTR) of the state fire marshal.
29. Mobile computing units as defined in section 3781.06 of the Revised Code.
30. Industrialized units exempt from regulation in accordance with division 4101:10 of the Administrative Code.

appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators, and other energy-related systems.

101.4.3 Plumbing. Chapters 4101:3-1 to 4101:3-15 of the Administrative Code, designated as the “Ohio Plumbing Code” or the “plumbing code,” apply to the installation, alterations, repairs and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewerage system and all aspects of a medical gas system. The rules of the “Ohio Department of Health,” chapter 3701-29 of the Administrative Code, govern for household sewage disposal systems, also known as private sewage disposal systems.

101.4.4 Elevator. The provisions of the “Ohio Elevator Code” (Chapters 4101:5-1 to 4101:5-3 of the Administrative Code) apply to the design, construction, repair, alteration and maintenance of elevators and other lifting devices as listed and defined therein.

101.4.5 Fire prevention. The provisions of the “Ohio Fire Code” (Chapters 1301:7-1 to 1301:7-7 of the Administrative Code), designated as the “fire code,” apply to the preventive measures which provide for fire-safe conduct such as fire drills and fire safety and evacuation plans and provides for fire-safe operations in buildings such as good housekeeping practices for combustible commodity storage; storage, handling, and use of flammable and combustible solids, liquids and gases and other hazardous materials; and processes to reduce the risk from the hazards of fire and explosion and includes the maintenance of fire-detection, fire alarm, fire extinguishing equipment and systems, exit facilities, opening protectives, and other fire- safety devices and protection features.

101.4.6 Boiler. The provisions of the “Ohio Boiler and Pressure Vessel Rules” (Chapters 4101:4-1 to 4101:4-10 of the Administrative Code) apply to the design, construction, repair, alteration and maintenance of boilers and unfired pressure vessels as listed and defined therein.

Section 102

Applicability and Jurisdictional Authority

102.1 Conflicts. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement are applicable.

102.2 Other laws. The provisions of this code are not to be deemed to nullify any provisions of state or federal law. Municipal corporations may make further and additional regulations, not in conflict with Chapters 3781. and 3791. of the Revised Code or with the rules of the board of building standards. However, approval by the board of building standards of any fixture, device, material, system, assembly or product of a manufacturing process, or method or manner of construction or installation constitute approval for their use anywhere in Ohio.

102.3 Other rules. As provided in division (B) of section 3781.11 of the Revised Code, the rules of the board of building standards supersede and govern any order, standard, or rule of the divisions of the fire marshal or industrial compliance in the department of commerce, and the department of health and of counties and townships, in all cases where such orders, standards or rules are in conflict with the rules of the board of building standards, except that rules adopted and orders issued by the fire marshal pursuant to Chapter 3743. of the Revised Code prevail in the event of a conflict.

There may be other requirements owners may be required to meet as set forth by other licensing agencies such as the Ohio State Fire Marshal, Ohio Department of Health, the Ohio Department of Jobs and Family Services, Ohio Department of Mental Health and Addiction Services, Ohio Department of Developmental Disabilities, federal agencies, or other licensing authorities. Owners and designers should investigate these additional licensing agency requirements to ensure they are incorporated into the building design before submitting to the certified building department for plan approval.

The rules of the board of building standards adopted pursuant to section 3781.10 of the Revised Code govern any rule or standard adopted by the board pursuant to sections 4104.02 and 4105.011 of the Revised Code.

102.4 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, are to be construed to refer to such chapter, section or provision of this code, inclusively.

102.5 Referenced codes and standards. When a reference is made within the building, mechanical, or plumbing codes to a federal statutory provision, an industry consensus standard, or any other technical publication, the specific date and title of the publication as well as the name and address of the promulgating agency are listed in Chapter 35 of the building code, Chapter 15 of the mechanical code, or Chapter 15 of the plumbing code.

The codes and standards referenced in the building, mechanical, and plumbing codes are considered part of the requirements of these codes as though the text were printed in this code, to the prescribed extent of each such reference. Where differences occur between provisions of these codes and the referenced standards, the provisions of these codes apply.

102.6 Partial invalidity. In the event any part or provision of this code is held to be illegal or void, this does not have the effect of making void or illegal any of the other parts or provisions thereof, and it is to be presumed that this code would have been adopted without such illegal or invalid parts or provisions.

102.7 Existing structures. The provisions of the International Existing Building Code as modified by Chapter 34 of this code control the alteration, repair, addition, maintenance, relocation, and change of occupancy of any existing structure. The occupancy of any structure currently existing on the date of adoption of this code shall be permitted to continue without change provided there are no orders of the building official pending, no evidence of fraud, or no serious safety or sanitation hazard.

102.8 Temporary structures. The building official is authorized to issue approvals for temporary structures. Such approvals are to be in the form of a "Certificate of Occupancy for a Temporary Building" in accordance with section 111.1.6. This section does not apply to time-limited occupancies in existing structures. See section 111.1.5 for time-limited occupancies.

102.8.1 Conformance. Temporary structures are to conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code only to the extent necessary to ensure the public health, safety and general welfare. Temporary tents and membrane structures are to also comply with the applicable provisions in section 3103.

102.8.2 Termination of approval. The building official is authorized to terminate approval for a temporary structure and to order the temporary structure to be discontinued if conditions of the approval have been violated or the structure or occupancy poses an immediate hazard to the public or occupants of the structure.

102.9 Non-required work. Any component, building element, equipment, system or portion thereof not required by this code are to be permitted to be installed as a partial or complete system provided that it is constructed or installed in accordance with this code to the extent of the installation.

102.10 Work exempt from approval. Approval is not required for the following work; however, this work is still to comply with all applicable provisions of the rules of the board:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed one hundred twenty square feet (11.15 m²) and playground structures.
2. Fences not over seven feet (1829 mm) high.
3. Retaining walls which are not over four feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
4. Water tanks supported directly upon grade if the capacity does not exceed five thousand gallons (18 927 L) and the ratio of height to diameter or width does not exceed two to one.
5. Sidewalks, parking lots and driveways not more than thirty inches (762 mm) above grade and not over any basement or story below and which are not part of an accessible route.
6. Finishes not regulated by this code, decorating, or other work defined as maintenance or minor repair.
7. Temporary motion picture, television and theater stage sets and scenery.
8. Window awnings supported by an exterior wall of Group R-3.
9. Tents and membrane structures exempted in section 3103.1.3.
10. Above-ground storage tanks as defined in rule 4101:1-2-01 of the Administrative Code and the associated tank foundations.
11. Battery operated smoke or carbon monoxide alarms installed in existing buildings where no construction is taking place.
12. Crypts, mausoleums, and columbaria structures not exceeding 1500 square feet if the building or structure is not for occupancy and used solely for the interment of human or animal remains.
13. Signs painted directly on building surfaces.
14. Temporary yard signs.
15. Signs not more than 2.5 ft.² in area (0.23m²).
16. Signs required in accordance with the provisions of Chapter 11.
17. Signs undergoing minor repairs in accordance with section 102.10.2.
18. Temporary or time-limited occupancy of a building used or constructed to respond to conditions directly connected to an emergency declaration issued by the governor or federal government.

Electrical:

1. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. Electrical equipment used for radio and television transmissions except equipment and wiring for power supply, and the installations of towers and antennas.
3. The installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.
4. Electrical wiring, devices, appliances, apparatus or equipment operating at less than twenty-five volts and not capable of supplying more than fifty watts of energy, unless specifically addressed in this code.
5. Process equipment and the associated wiring on the load side of the power disconnect to the equipment.
6. Electrical wiring equipment not connected to building services equipment in and adjacent to natural or artificially made bodies of water as defined in Article 682 of NFPA 70 as referenced in Chapter 35.

Gas:

1. Portable heating appliances;
2. Replacement of any part that does not alter approval of equipment or make such equipment unsafe.
3. Gas distribution piping owned and maintained by public or municipal utilities and located upstream of the point of delivery.
4. Process equipment, including the associated tanks, foundations, and process piping. For combination building services/process or power piping systems, the power or process piping located downstream of the control valve which separates the process from the building services piping is exempt from approval.
5. When installed by the servicing gas supplier, replacement of existing LP-gas containers by servicing gas supplier of the same capacity in the same location and associated regulators.

Mechanical:

1. Portable heating appliances;
2. Portable ventilation equipment;
3. Portable cooling units;
4. Replacement of any part of an appliance which does not alter its approval or make it unsafe;
5. Portable evaporative cooler;
6. Process equipment including the associated tanks, foundations, and process piping. For combination building services/process or power piping

systems, the power or process piping located downstream of the control valve which separates the process from the building services piping is exempt from approval.

7. Heating and cooling distribution piping installed and maintained by public or municipal utilities.
8. Self-contained refrigeration system containing ten pounds (4.54 kg) or less of refrigerant and actuated by motors of one horsepower (0.75 kW) or less.

Plumbing:

1. The repair of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drain-pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work is to be considered as new work and an approval is to be obtained and inspection made as provided in this code.
2. The clearance of stoppages or the repair of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve the replacement of more than one fixture or rearrangement of valves, pipes or fixtures.
3. Process equipment including the associated tanks, foundations, and process piping. For combination building services/process or power piping systems, the power or process piping located downstream of the control valve which separates the process from the building services piping is exempt from approval.

102.10.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, an application for approval is to be submitted within the next working business day to the building official.

102.10.2 Minor repairs. Minor repairs to structures may be made without application or notice to the building official. Such repairs are not to include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor do minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

102.11 Building department jurisdictional limitations. A municipal, township, or county building department that has been certified by the board of building standards, pursuant to rule 4101:7-2-01 of the Administrative Code, has jurisdiction