ORDINANCE NO. 64-2019

INTRODUCED BY: Mayor James P. Graven and Council as a Whole

AN ORDINANCE AMENDING SECTION 1280.02 OF CODIFIED ORDINANCES OF THE CITY OF OLMSTED FALLS ENTITLED “NONCONFORMING LOTS, USES, BUILDINGS AND STRUCTURES” AND DECLARING AN EMERGENCY

WHEREAS, Olmsted Falls Charter changes were passed by the electorate in November of 2017 merging the Zoning Boards and Commissions within the city; and

WHEREAS, Olmsted Falls Codified Ordinance Section 1280.02 regulates non-conforming lots, buildings, and structures within the city; and

WHEREAS, it is deemed appropriate to amend and bring the Codified Ordinances of the City of Olmsted Falls in conformance with the Charter to reflect those mergers. Now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, OHIO, THAT:

SECTION 1. That Olmsted Falls Codified Ordinance Section 1280.02, is hereby amended to read as follows: (new material appears like THIS and deleted material appears like this)

1280.02 NONCONFORMING LOTS.

(a) Any lot in a single-family dwelling district, which was lawful at the time this Planning and Zoning Code became effective, but which does not conform to area and/or width requirements, may be improved with a single-family dwelling even though lot width and lot depth requirements are not met, provided that all other requirements, including the required front, side and rear yard dimensions for the district in which the lot is located, are met.

(b) Any lot in a multi-family dwelling district or in a non-residential district existing lawfully at the time this Planning and Zoning Code became effective, but which does not conform to area and/or width requirements may be improved with a building, provided that yard dimensions and other requirements not involving area and width conform to the regulations for the district in which the lot is located. The improvement of any lot in a multi-family dwelling district or in a non-residential district shall be subject to review by the Board of Zoning Appeals in accordance with Section 1206.05.

SECTION 2. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all
statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 3.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all individuals elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

__________________________________________
Paul Stibich, President of Council

PASSED: _________________________________

APPROVED: ____________________________  ________________________________
James P. Graven, Mayor                      Date

APPROVED AS TO FORM: ________________________________
Andrew D. Bemer, Director of Law

ATTEST: ________________________________
Angela Mancini, Clerk of Council

First Reading: ______________________________

Second Reading: ___________________________

Third Reading: _____________________________

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