

1st reading _____
 2nd reading _____
 3rd reading _____
 Voted On _____
 Ayes: _____ Nays: _____
 PASSED _____ DEFEATED _____

ORDINANCE NO. 2018-18

**AN ORDINANCE
 AMENDING SECTION 1325.03, APPROVAL OF PLANS, OF THE
 CODIFIED ORDINANCES OF ORANGE VILLAGE MODIFYING
 PRECONDITIONS WHICH MUST BE SATISFIED BEFORE A
 BUILDING PERMIT IS ISSUED BY THE BUILDING
 COMMISSIONER.**

WHEREAS, the Village requires Building Commissioner approval before the erection, construction, or alteration of any building or other structure, or any part thereof, may take place; and

WHEREAS, this Council desires to amend and clarify the plan approval process.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF ORANGE VILLAGE, CUYAHOGA COUNTY, STATE OF OHIO:

SECTION 1. That existing Section 1325.03, Approval of Plans, is hereby amended to read and provide, in its entirety, as follows:

1325.03 APPROVAL OF PLANS.

- (a) Development Plans.
 Applications for developments regulated by Section 1143.02(a) of the Zoning Code shall be reviewed as set forth in Chapter 1143. No permit shall be issued by the Building Commissioner for such developments until the Planning and Zoning Commission has approved the development plans and drawings thereof, as provided in Chapter 1143.
- (b) New 1 and 2 Family Dwellings and Additions.
~~Except for applications for the installation of certain fences which may be approved as provided in subsection (f) hereof, b~~ Building permit applications, including the plans and drawings associated with said applications, for new single-family dwellings and for additions or expansions of existing dwellings where such additions or expansions involve changes to the ground coverage, height, and/or setbacks from property lines, ~~and plans for new commercial buildings~~ shall first be referred to the Village Architect ~~(or the Village Plans Examiner for commercial structures)~~, the Village Engineer, the Architectural Board of Review and the Planning and Zoning Commission for review. No building permit shall be issued by the Building Commissioner for new dwellings or additions or expansions of existing dwellings regulated by this sub-section until the Planning and Zoning Commission and Architectural Board of Review have approved said plans and drawings.
- (c) New Commercial Buildings and Additions.
 Building permit applications, including the plans and drawings associated with said applications, for commercial buildings and for additions or expansions of existing

commercial buildings where such additions or expansions involve changes to the ground coverage, height, and/or setbacks from property lines, shall first be referred to the Village Architect or the Village Planner, the Village Plans Examiner, the Village Engineer, the Architectural Board of Review and the Planning and Zoning Commission for review. No building permit shall be issued by the Building Commissioner until the Planning and Zoning Commission, the Architectural Board of Review, the Village Engineer and the Village Plans Examiner have approved said plans and drawings.

- (d) Changes to the Exterior of Residential and Commercial Exterior changes to Buildings; No Change to Height or Footprint.

Building permit applications for the remodeling, renovation, or alteration of an existing building or structure which do not involve any changes to ground coverage, height or setback from property lines, but which involve changes to the exterior appearance of the building or structure, shall first be referred to the Village Architect and the Architectural Board of Review for review, and such changes to commercial buildings shall also be referred to the Village's Plans Examiner. No building permit shall be issued by the Building Commissioner until the Architectural Board of Review has approved said plans and drawings.

- (e) Interior changes to 1 and 2 Family Residential Buildings. Building permit applications for remodeling, renovation, or alteration of existing residential structures which do not involve any changes to ground coverage, height, or setbacks from property lines and do not alter the exterior appearance of the building or structure shall be reviewed and approved by the Building Commissioner. If the permit application complies with all applicable codes, the Building Commissioner shall approve the permit. The Building Commissioner may refer said plans to the Village Architect for review and comment.
- (f) Interior Changes to Commercial Buildings. Building permit applications for remodeling, renovation, or alteration of existing commercial structures which do not involve any changes to ground coverage, height, or setbacks from property lines and do not alter the exterior appearance of the building or structure shall be reviewed and approved by the Village Plans Examiner. No building permit shall be issued by the Building Commissioner until the Village Plans Examiner has approved said plans and drawings.
- (g) Administrative Approval.

~~A building permit application for the installation of a fence may be approved by the Building Commissioner without referral to the Planning and Zoning Commission or Architectural Board of Review, provided that the application is for a fence similar to one of the types commonly occurring in the Village, i.e., picket, split rail, chain link or board on board, and further provided that it is otherwise to be installed in conformance with all of the Village's ordinances. Should the Building Commissioner determine that he is not authorized to grant the fence permit pursuant to this section, the matter shall go before the Planning and Zoning Commission and the Architectural Board of Review as otherwise provided in this section.~~ Building permits for the following specific improvements may be approved by the Building Commissioner if they otherwise comply with the Zoning Code:

1. Fences that are one of the types commonly occurring in the Village, i.e. picket, split rail, chain link or board-on-board; or

- 2. Residential decks, trellises and patios located directly behind the dwelling;
or
- 3. Accessory structures that have a footprint of 200 square feet or less.

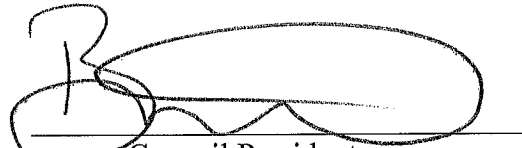
If an improvement does not meet one of the standards set forth above, it shall be referred to the Planning and Zoning Commission and Architectural Board of Review for review and approval. The Building Commissioner may, in his discretion, refer any improvement identified herein to the Architectural Board of Review to determine the compatibility of the proposed improvement with existing buildings and improvements on the applicant's property and on adjacent properties.

SECTION 2. That existing Section 1325.03 of the Codified Ordinances of Orange Village any ordinance or any part of any ordinance in conflict with this ordinance are repealed to the extent of the conflict.

SECTION 3. That actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Chapter 105 of the Codified Ordinances of Orange Village.

SECTION 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: May 2, 2018



Council President

Submitted to the Mayor for approval on this 2 day of May, 2018

Approved by the Mayor this 2 day of May, 2018

ATTEST:



Clerk of Council



Mayor