

1st reading _____
P&Z Action _____
2nd reading _____
3rd reading _____
Voted On _____
Ayes: _____ Nays: _____
PASSED _____ DEFEATED _____

ORDINANCE NO. 2017-26

AN ORDINANCE AMENDING SECTION 1175.14 OF THE CODIFIED ORDINANCES OF ORANGE VILLAGE TO PERMIT THE CONTINUED USAGE OF PROPERTY, WHICH HAD BEEN ZONED U-4A, TO CONTINUE TO BE USED UNDER THE REGULATIONS OF THE U-4A DISTRICT.

WHEREAS, when this Council enacted Chapter 1175, Pinecrest Planned Development District (PPDD), and zoned land into the PPDD, the precise boundaries of said district had not been established as the developer was seeking to acquire some additional property; and

WHEREAS, the property at 3795 Orange Place, owned by Rukshmani, Inc. (the "Property") was included in the proposed PPDD, pursuant to the legislation which enacted the PPDD; and

WHEREAS, the Property was not acquired by the developer and was not included in the Final Development Plan (FDP), but has continued to be used as it was when it was zoned in the U-4A District; and

WHEREAS, this Council desires to permit the Property to be used and redeveloped as though it were still in the U-4A District, in the same manner that property that is within the PPDD that is not incorporated into the PDP may be used pursuant to the U-1 Development regulations; and

WHEREAS, this ordinance has been referred to the Planning and Zoning Commission for its report and recommendation.

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

SECTION 1. That existing Section 1175:14, U-1 Development, of the Codified Ordinances is amended to read as follows:

1175.14 U-1 OTHER DEVELOPMENT PERMITTED.

(a) Except as provided in subsection (b), ~~Should~~ if development of the property or portion thereof **does** not proceed according to the approved PDP, as it may be amended, the property owner(s) may continue to develop and use the property in accordance with Chapter 1148 of this Zoning Code.

(b) If a parcel of the property which has previously been zoned as a part of a U-4A District has been rezoned into the PPDD, but has not been included into the approved PDP, the property may be used and redeveloped in accordance with the provisions of Chapter 1156 of this Zoning Code.

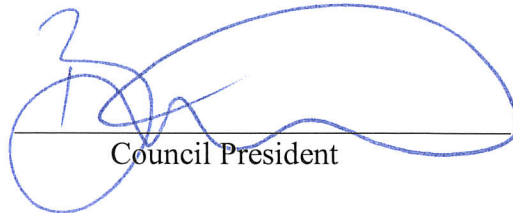
SECTION 2. That existing Section 1175.14, U-1 Development, of the Codified Ordinances of Orange Village, any ordinance or any part of any ordinance in conflict with this ordinance, are repealed to the extent of the conflict.

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: August 9, 2017

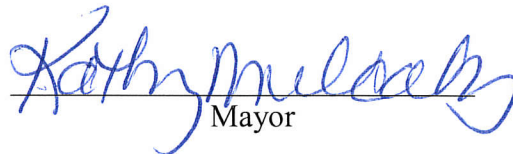
Submitted to the Mayor for
approval on this 9 day of August, 2017


Council President

Approved by the Mayor this
9 day of August, 2017

ATTEST:


Clerk of Council


Mayor



Orange Village

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DATE: JULY 18, 2017
TO: ALL MEMBERS OF COUNCIL
FROM: PLANNING & ZONING COMMISSION
RE: REPORT & RECOMMENDATION OF THE PLANNING & ZONING COMMISSION

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Ordinance No. 2017-26 was referred to the Planning & Zoning Commission on 7-12-17 for review and a recommendation. On 7-18-17 a motion to recommend passage of the ordinance was made and was approved / defeated.

The vote was as follows:

Ayes: Kayal, Linder, ~~King~~, King, Mulcahy
Hitt (RM)

No: _____

Absent/Abstain: Hitt

Kathy U. Mulcahy
Mayor Kathy U. Mulcahy

July 18, 2017
JULY 18, 2017