

1st reading 11-7-18
P&Z Action 11-14-18
2nd reading 12-12-18
3rd reading 12-12-18
Voted On
Ayes: 7 Nays: 0
PASSED ☒ DEFEATED ☐

ORDINANCE NO. 2018-39

**AN ORDINANCE
GRANTING A YARD SETBACK VARIANCE TO JOHN AND
BILLIE RAWOT FOR THEIR PROPERTY LOCATED AT 30
ORCHARD CIRCLE, ORANGE VILLAGE, OHIO.**

WHEREAS, the Charter of Orange Village, Article III, Section 9(g), provides that Council may grant variances after public hearing where there is substantial and unreasonable hardship in carrying out the spirit and intent of the Zoning Code; and

WHEREAS, John and Billie Rawot are the owners (the "Owners") of the property located at 30 Orchard Circle, Orange Village, Ohio (the "Property"); and

WHEREAS, the Property is located in the S-1 Zoning District; and

WHEREAS, Section 1170.06(c) of the Orange Village Codified Ordinances requires that buildings in the S-1 Zoning District shall be set back at least fifty feet (50') from any adjacent property which is not in an S-1 or S-1A zoning category; and

WHEREAS, the Owners' residence is fifty-three feet (53') on the north corner from the neighboring property line; and

WHEREAS, Owners are requesting a variance from the requirement of 1107.06(c) of the Codified Ordinances in the amount of eight feet four inches (8'4") to permit a proposed deck that will be located not nearer than forty-one feet eight inches (41'8"); and

WHEREAS, this Ordinance was referred to the Planning and Zoning Commission for a report and recommendation; and

WHEREAS, a public hearing has been held regarding this matter; and

WHEREAS, Council has adopted conclusions of fact regarding the requested variance.

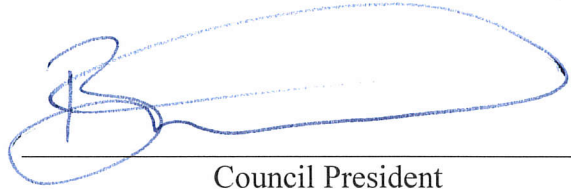
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF ORANGE VILLAGE, CUYAHOGA COUNTY, STATE OF OHIO:

SECTION 1. That this Council hereby grants and approves Owners' request for a building setback variance in the amount of eight feet four inches (8'4") from the requirement in Section 1170.06 of the Codified Ordinances that buildings in the S-1 Zoning District shall be set back at least fifty (50) feet from any adjacent property which is not in an S-1 or S-1A zoning category, so that the Owners may construct a deck to the rear of their residence not nearer than forty-one feet eight inches (41'8") from the property line, in accordance with the plans and specifications on file with the Village's Building Department.

SECTION 2. That actions of this Council concerning and relating to the passage of this Ordinance 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 3. That this Ordinance shall be in full force and effect at the earliest time permitted by law.

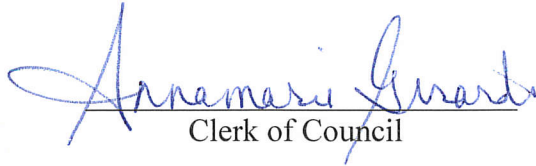
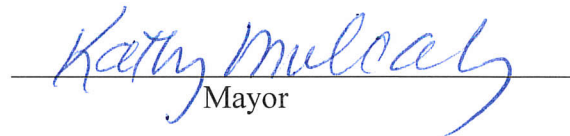
PASSED: Dec 12, 2018


Council President

Submitted to the Mayor for approval
on this 12 day of Dec, 2018

Approved by the Mayor this
12th day of Dec, 2018

ATTEST:


Clerk of Council
Mayor