

ORDINANCE NO. 14 - 2014

**AN ORDINANCE AMENDING THE CODIFIED ORDINANCES
OF MADISON VILLAGE, OHIO, PART SEVEN – PLANNING
AND ZONING, SECTION 8.7(c), RELATED TO THE LOCATION
OF SEXUALLY ORIENTED BUSINESSES**

WHEREAS, the Council desires to amend §8.7(c) of the Codified Ordinances of Madison Village, Ohio, Part Seven - Planning and Zoning, to eliminate permanent parcel nos. 02-A-008-0-00-027-0 and 02-A-008-0-00-028-0 as locations at which a sexually oriented business may be located; and

WHEREAS, it is the Council's sole purpose and intent to do so in furtherance of mitigating the adverse secondary effects of sexually oriented business from the adjacent residentially zoned districts; and

WHEREAS, the legislative purpose and findings set forth in §8.7(a) of the Zoning Code are incorporated herein by this reference; and

WHEREAS, this Ordinance was referred to the Planning and Zoning Commission which undertook review and has made timely recommendation to the Council as required by Art. 18, §18.3 of the Zoning Code; and

WHEREAS, pursuant to Art. 18, §18.4, the Council has conducted the required public hearing after timely publication notice; and

WHEREAS, upon consideration of the recommendation made by the Planning and Zoning Commission, public comments presented, and having given the matter its independent consideration, the Council finds that it is in the public interest, health and welfare, and consistent with good zoning practice to amend the Zoning Code with the addition of new subsection (7) to Art. 8, §8.7(c).

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADISON, COUNTY OF LAKE, STATE OF OHIO, THAT:

SECTION 1. That §8.7(c) of the Codified Ordinances of Madison Village, Ohio, Part Seven - Planning and Zoning, is hereby amended with the addition of subsection (7), which shall read as follows:

“(7) Notwithstanding any provisions of §4.3(f) of the Zoning Code to the contrary, and in priority over any such conflicting provisions, no sexually oriented business shall be located on permanent parcel nos. 02-A-008-0-00-027-0 and 02-A-008-0-00-028-0, which prohibition shall include any future subdivision(s) or consolidation(s) of either parcel.”

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including §121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance shall take effect at the earliest time provided by law.

PASSED:

Ken Takacs,
President of Council

Attested:

Kristie M. Crockett,
Acting Fiscal Officer / Clerk of Council

Approved:

Sam Britton Jr.,
Mayor

Date