

Upon Recommendation of the Planning and Zoning Commission

## ORDINANCE NO. 18 - 2016

### **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF MADISON VILLAGE, OHIO, PART SEVEN - PLANNING AND ZONING, SECTION 5.3, TO INCREASE THE MAXIMUM HEIGHT OF BUILDINGS IN THE B-4, INTERSTATE BUSINESS DISTRICT, AND THE B-5, INTERSTATE BUSINESS-INDUSTRIAL DISTRICT, FROM 35 FEET TO 50 FEET.**

WHEREAS, upon initiation of the Planning and Zoning Commission, a review of the current 35 feet height limitation on buildings located within the B-4 and B-5 zoning districts was made at its regular meeting held on May 9, 2016; and

WHEREAS, the Planning and Zoning Commission by unanimous 3-0 vote recommended adoption of a Code amendment which would increase the maximum permitted building height in said districts to 50 feet to respond to current market conditions and thereby enhance the economic feasibility of development in these districts; and

WHEREAS, pursuant to Art. 18, § 18.4 of the Zoning Code, 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 to increase the permitted maximum height of buildings within the B-4 and B-5 zoning districts to 50 feet.

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

**SECTION 1.** That § 5.3 of the Codified Ordinances of Madison Village, Ohio, Part Seven - Planning and Zoning, is hereby amended as shown herein below with the current 35 feet maximum height limitation in the B-4 and B-5 zoning districts stricken (to wit: ~~xxx~~) to be amended and replaced with the new maximum height limitation of 50 feet as shown in bold text (to wit: **xxxx**):

Section 5.3 Height and Lot Area Requirements for Special, Business and Industrial Uses.

DISTRICT SYMBOL:	S-1	B-1	B-2	B-4	B-5	M-1	M-2
<sup>(1)</sup> Maximum height of buildings (in stories)	2	2	2	N/A	N/A	2	2
<sup>(2)</sup> Maximum height of buildings (in feet)	35	60	45	35 50	35 50	60	60
<sup>(3)</sup> Minimum depth of front yard (in feet) (r-o-w)	50	50	50	50	80	100	100
<sup>(4)</sup> Minimum width of either side yard (in feet)	20	20	20	20	20	20 <sup>(fn. 3)</sup>	20 <sup>(fn. 3)</sup>
<sup>(5)</sup> Minimum depth of rear yard (in feet)	40	40	40	40	40	50 <sup>(fn. 2)</sup>	50 <sup>(fn. 2)</sup>
<sup>(6)</sup> Maximum percentage of lot coverage	25%	None	40%	40%	40%	40%	40%

SECTION 2. The replacement Code page to be published in accordance with law is attached hereto as Exhibit 1.

SECTION 3. 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 4. This Ordinance shall take effect at the earliest time provided by law.

PASSED:

Date: 6-20-16

  
 Kenneth D. Takacs,  
 President of Council

Attested:

  
 Kristie M. Crockett,  
 Fiscal Officer / Clerk of Council

Approved:

  
 Sam Britton Jr.,  
 Mayor

6-20-16  
 Date