

ORDINANCE NO. O-2014-22

**AN ORDINANCE AMENDING THE WINDHAM VILLAGE ZONING
ORDINANCE WITH RESPECT TO THE TREATMENT OF
NONCONFORMING RESIDENTIAL STRUCTURES**

Whereas, the Council has determined it is appropriate to amend the Village of Windham Zoning Code with respect to the treatment of nonconforming residential structure structures within the Village; and

Whereas, in accordance with Windham Codified Ordinance Section 1147.01 the Council on October 7, 2014, by resolution fixed the time, date and place of the public hearing on the proposed amendment and directed the Village Fiscal Officer to publish the notice described in Windham Codified Ordinance Section 1147.01; and

Whereas, the Council caused notice of the proposed amendment and the time and place of the public hearing to be published in the Record Courier, a paper of general circulation in the Village, once a week for three successive weeks; and

Whereas, on November 11, 2014 at least thirty days after the date of the first publication of the notice in the Record Courier, the Council held a public hearing on the proposed amendment; and

Whereas, the Council has decided to amend the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Windham, Portage County, Ohio, the majority or more of its members thereto concurring:

SECTION 1: That section 1193.08 as follows is hereby enacted:

1193.08 EXCEPTION.

Notwithstanding any other provision of this Chapter to the contrary, a legal nonconforming residential structure being used for a residence, and in existence as of the date of passage of this subsection 1193.08 may be rebuilt after its destruction by accidental fire or destruction as the result of other natural causes, regardless of the percentage of the residential structure which was destroyed or damaged, and regardless of the zoning district where the residential structure is located.

SECTION 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were accepted in an open meeting of this Council, and that deliberations of this Council and any of its committees that resulted in such formal actions were in meeting open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

SECTION 3: That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed on First Reading: November 11, 2014

Vote of Council: Ayes: Mrs. Barrett, Ms. Blewitt, Mr. Garrett, Mrs. Prem, Mr. Slusher

Nays: None.

ATTEST:

APPROVED:

Lloyd Billman, Fiscal Officer

Robert Donham, II, Mayor

I hereby certify that the above Ordinance was duly published by public posting at predesignated posting places.

APPROVED AS TO FORM:

Lloyd Billman, Fiscal Officer

Thomas Reitz, Solicitor