

ORDINANCE O-2019-16

AN ORDINANCE AMENDING THE WINDHAM VILLAGE ZONING MAP BY REPEALING THE EXISTING MAP AND AUTHORIZING AND APPROVING A NEW MAP ESTABLISHING ADDITIONAL AREA ZONED R-3 AND DECLARING AN EMERGENCY.

WHEREAS, on July 30, 2019 at its special meeting, the Windham Planning Commission recommended that the Council amend the Village of Windham Zoning Map by repealing the existing Map, and establishing a new Map; and

WHEREAS, in accordance with Windham Codified Ordinance § 1147.01, on August 1, 2019, Council, 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 in conformity with Windham Codified Ordinance § 1147.01; and

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

WHEREAS, on September 3rd, 2019 at least thirty (30) days after the date of the first publication in the newspaper, Council held a public hearing on the proposed amendment; and

WHEREAS, prior to the first reading of this ordinance, Council caused a copy of this ordinance and the associated proposed revisions to the Zoning Map of the Village of Windham to be filed in the office of the Village Fiscal Officer for public examination; and

WHEREAS, Council has considered the recommendation of the Planning Commission and after the public hearing desires to amend the zoning ordinance as recommended.

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

SECTION 1: The existing Zoning Map of the Village of Windham is hereby repealed, but only to the extent of the amendments set forth in this ordinance.

SECTION 2: A new Zoning Map for the Village of Windham as is set forth in the attached Exhibit "A" is hereby approved, enacted and established.

SECTION 3: That this ordinance is adopted pursuant to the Village's home rule powers under Article XVIII, Section 3 of the Ohio Constitution and is expressly intended to supercede any provisions of the Ohio Revised Code in conflict with its provisions.

SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution 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 Section 121.22 of the Ohio Revised Code.

SECTION 5: This Ordinance is declared to be an emergency measure effective immediately upon its passage by Council and approval by the Mayor, so as to protect and advance the health, safety and general welfare of the Village and for the further specific reason that the amendment to the Zoning Map of the Village of Windham will result in eligibility for and to establish an incentive and enhance the likelihood of a grant being awarded to the owner of the land proposed for rezoning, all for the purpose of building and to assist in the funding for a much needed retirement facility in the Village of Windham.

First Reading: August 1, 2019

Second Reading: August 27, 2019


Passed on Third Reading as an emergency: September 3, 2019

PASSED IN COUNCIL this 3rd day of September, 2019.

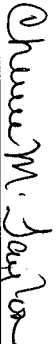
Vote of Council: Ayes: 6
 Nays: 0

ATTEST:


Cheree Taylor, Fiscal Officer

APPROVED:

Scott Garrett, Mayor

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


Cheree Taylor, Fiscal Officer

APPROVED AS TO FORM:


Thomas Reitz, Solicitor