

First Reading: March 4, 2020
Second Reading: June 4, 2020

PASSED: July 13, 2020
BY: Kamine

ORDINANCE NO. 2020-6

ORDINANCE TO AMEND THE VILLAGE ZONING CODE

WHEREAS, Amberley Village is a suburban oasis characterized by open views, spacious natural vistas, greenery, and a picturesque setting; residential structures are typically exemplified by quality construction that provides permanent and long-lasting buildings that also have a desirable appearance and aesthetic that are compatible with surrounding properties;

WHEREAS, it is important to preserve property values and the quality of the residential environment;

WHEREAS, in order promote the health, safety, and welfare of residents and the community as a whole, the Zoning Code strives to protect and enhance the attractive appearance of all residential structures in the Village;

WHEREAS, Council finds and determines that changes to the Zoning Code are necessary to protect and promote the public health, safety, and welfare;

WHEREAS, Village staff worked extensively to draft new regulations, in response to input from the Planning Commission, the Law Committee, and Village Council, and comments received at duly noticed public hearings before the Planning Commission and Village Council, respectively;

WHEREAS, the Planning Commission and Law Committee recommend the adoption of changes to the Zoning Code as set forth herein;

WHEREAS, Council finds and determines that the proposed changes serve the public interest and protect the public health safety and welfare, and constitute measured and reasonable restrictions on the use of one's property in order to balance and protect the rights of neighboring property owners and the community as a whole;

NOW, THEREFORE, BE IT ORDAINED BY THE Council of Amberley Village, State of Ohio, seven (7) members elected thereto concurring:

SECTION 1: Section 154.14 of the Municipal Code of Ordinances is amended to read as follows:

§ 154.14 FENCES, WALLS, AND HEDGES.

(A) Notwithstanding other provisions of this Zoning Code, fences, walls, and hedges not exceeding four and a half feet in height may be permitted in any required side or

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Second Reading: June 4, 2020

rear yard or along the edge of any yard, provided that no fence or wall, along the sides or front edge of any front yard or in any part of a front yard shall be permitted. Hedges not over two and a half feet in height may be permitted in a front yard.

(1) Residential fences constructed in Amberley Village may not be constructed with the following material: barbed wire, farm, chain link, razor wire or non-vinyl coated chain link. Fences constructed with a finished side must have the finished side facing adjacent properties. All fences must be properly aligned so as to make a straight line.

(2) Vegetable and Fruit garden fences are permitted in order to protect vegetation from wildlife. The fence may not exceed six feet in height and must be constructed of see through fencing material green or black in color. The enclosed space may not exceed more than 400 square feet and used strictly for agricultural purposes.

(B) Privacy panels are permitted in a rear yard located directly behind, and attached to or immediately adjacent to, the principal structure. The finished side of a panel shall face adjacent properties. The unfinished side of a panel, with any exposed posts or supports, shall face in toward the principal structure of the subject property. The construction and appearance of privacy panels shall be aesthetically pleasing and appropriate for the location. Materials such as brick, block, lumber, vinyl, natural materials or landscaping, shall be used and are to be similar or complementary in appearance and style to the principal structure. Alternate materials may be considered for approval by the Village Manager. Privacy panels are subject to the village Property Maintenance Code. Privacy panels shall be located as close as possible to the object or area intended to be screened so as to allow for limited screening but also minimize adverse effects on neighboring properties and sight lines. The maximum height of a privacy panel, as measured from the bottom of a panel, shall be no more than six feet. The maximum height of a privacy panel as measured from the ground or deck surface shall be no more than six and one-half feet. The maximum length of a privacy panel, whether constructed singularly or in combination, is 16 linear feet.

SECTION 2: Section 154.54(D)(4) of the Municipal Code of Ordinances, shall be amended to read as follows:

§ 154.54(D)(4) CHICKENS.

Chickens shall be enclosed within the habitat structure at night from sunset to sunrise. If chickens are allowed by the owner to be outside of the structure from sunrise to sunset, the chickens must be contained within an area that is fenced or surrounded by other barriers (“Containment Area”) so as to prevent access to the chickens by dogs or other predators, and to prevent chickens from traveling outside of the Containment Area.

Fencing may not exceed six (6) feet in height and must be constructed of fencing liner or mesh and shall not be visible from the street.

First Reading: March 4, 2020
Second Reading: June 4, 2020

SECTION 3: This Ordinance shall take effect and be enforced from and after the earliest period allowed by law.

Passed this 13th day of July 2020.

Mayor Thomas C. Muething

Attest:

Tammy Reasoner, Clerk of Council

Ordinance Vote:

Moved: Kamine Seconded: Conway

Muething	Aye
Wolf	Aye
Bardach	Aye
Conway	Aye
Hattenbach	Aye
Kamine	Aye
Warren	Aye

I, Clerk of Council of Amberley Village, Ohio, certify that on the _____ day of July 2020, the foregoing Ordinance was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Ordinance at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

Tammy Reasoner, Clerk of Council