

PASSED: October 8, 2018
BY: Bardach

ORDINANCE NO. 2018-11

EMERGENCY ORDINANCE APPROVING A TEMPORARY MORATORIUM ON
CERTAIN ACCESSORY STRUCTURES

WHEREAS, Amberley Village is a unique community blessed with beautiful landscapes and aesthetics making it an attractive place to live and raise a family;

WHEREAS, in order to maintain the appearance of property in the Village and sustain high property values, it is necessary to have regulations in place to enable the Village and its residents to establish uniform standards relating to the construction and use of structures in residential neighborhoods, including but not limited to accessory structures such as sheds and garages;

WHEREAS, Council recently became aware that existing zoning regulations do not prohibit the construction of certain accessory structures that are so large and are constructed of such unattractive and undesirable materials, that such structures threaten the health, safety, and welfare of the community, other residents' property values, the ability of residents to use and enjoy their own properties, and the overall beauty and attractive appearance of the Village;

WHEREAS, an immediate halt to the construction of certain accessory structures is necessary in order to provide ample time for the Village to investigate and study the existing Zoning Code and develop fair and equitable rules that balance a property owners' ability to place accessory structures on their property with the adverse impact of such structures on neighbors and the community as a whole;

WHEREAS, the Law Committee discussed this issue and recommends that Council adopt a six-month moratorium on accessory structures over 200 square feet in size pending a proper consideration and review of regulations affecting accessory structures in the Village;

NOW, THEREFORE, BE IT ORDAINED BY THE Council of Amberley Village, State of Ohio, six (6) members elected thereto concurring:


SECTION 1: For a period of 180 days from October 8, 2018, there shall be a moratorium on the construction of accessory structures in excess of 200 square feet of floor space in Amberley Village. The moratorium includes accessory structures that are covered or have a roof such that they are not open to the sky, such as sheds or garages, but does not include uncovered structures like swimming pools, patios, driveways, swingsets, and similar structures. The purpose of the moratorium is to allow the Village to study and investigate accessory structures in the Village, and to develop fair and equitable regulations governing accessory structures that balance the ability of property

owners to use their property with the adverse impacts of such structures on neighbors and the surrounding community, property values, and quality of life in general.

While the moratorium is in place, the Village will not grant zoning or permit approvals for accessory structures exceeding the aforesaid dimensions. The moratorium does not apply to structures for which zoning approval and/or a building permit has been issued before the effective date of this ordinance.

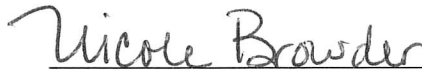
SECTION 2: That this Ordinance is declared to be an emergency necessary for the immediate preservation of the public peace, health, and safety. Such emergency is necessary in order to prevent the construction of accessory structures that harm property values, interfere with residents' use and enjoyment of their properties, and that threaten the quality of life of residents in the Village, pending a thorough but limited review of the Village Zoning Code and ordinances.

Passed this 8th day of October 2018.



Mayor Thomas C. Muething

Attest:



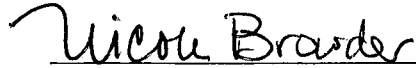
Nicole Browder, Clerk of Council

Ordinance Vote:

Moved: Bardach Seconded: Wolf

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 9th day of October 2018, the forgoing 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.

A handwritten signature in cursive script that reads "Nicole Browder". The signature is written in black ink and is positioned above a horizontal line.

Nicole Browder, Clerk of Council