

ORDINANCE NO. 16-03

ORDINANCE AMENDING SECTION 1106.02 (P-2, PARK LAND) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF NORTH PERRY, OHIO TO ALLOW RENTAL OF RESIDENTIAL PROPERTY LOCATED ON VILLAGE PARK LAND.

WHEREAS, the Village of North Perry has determined that it is desirable and necessary to amend Section 1106.02 of the Codified Ordinances of the Village of North Perry to allow the rental of residential property located on Village Park Land.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF NORTH PERRY VILLAGE, COUNTY OF LAKE AND STATE OF OHIO, AS FOLLOWS:

Section 1. Section 1106.02 of the Codified Ordinances of the Village of North Perry, Ohio is hereby amended to read as follows:

1106.02 P-2, PARK LAND.

The purpose of Park Land is to provide the conservation of environmental qualities and safe outdoor recreation facilities for this generation and future generations. These lands shall consist of scenic areas, fields, wooded areas, trails, beaches, waterways, and other natural and manmade areas which enhance the environment of North Perry Village for residents and visitors. The regulations set forth in this section or set forth elsewhere in this Zoning Ordinance where referred to in this section are the district regulations in the P-2 Park Land district.

- (a) Use Regulations. A building or premise shall be used only for the following purposes:
- (1) Agriculture.
 - (2) Public and private forests and wildlife reservations.
 - (3) Public parks, picnic areas, shelters and playgrounds.
 - (4) Public beaches and pools.
 - (5) Public boat launch facilities.
 - (6) Public recreation facilities for baseball, volleyball, tennis, golf, skiing, cross-country skiing, sledding, football, soccer, walking, jogging and other non-motorized sports and activities.
 - (7) Public recreation halls and club houses furnishing meals, selling soft drinks, soda, confectionery, ice cream, snacks, nuts, and fruits for public use at the park.
 - (8) Public buildings for the display of natural or historical artifacts or collections.
 - (9) Rental of public recreation halls, rooms, shelters and kitchen facilities.
 - (10) Public halls that are used in part for North Perry government offices that provide services for the residents of the Village of North Perry, and rooms for public meetings.
 - (11) Accessory building or use including garages, maintenance buildings, cabins, barns, out buildings and shelters customarily incident to the above uses and grounds maintenance.
 - (12) Any other similar use which is deemed by the Planning Commission to be of the same nature and character as these uses.
 - (13) Buildings, structures or uses that are not allowed:
 - A. Residences, dwellings.
 - B. Apartments.
 - C. Cabins, tourist homes, motels, hotels, congregate living facilities.
 - D. Rental of overnight sleeping accommodations.
 - E. Administration buildings, offices.
 - F. Vehicle repair facilities except as herein permitted.
 - G. Commercial and industrial use.
 - H. Any other similar use which is deemed by the Planning Commission to be of the same nature and character as these uses.
 - (14) Notwithstanding the provisions of item (a)(1) through a(13) of this Section, the residential structure owned by the Village and located at North Townline Park may be rented by the Village, through the Mayor, pursuant to the regulations hereinafter adopted by the Village Council.
- (b) Preservation Regulations.

- (1) Pollution of waterways with sewage, trash, soil or other pollutants shall be prohibited.
- (2) The preservation of all timber within the area shall be encouraged. The private and commercial harvesting of timber shall be permitted on a selective harvesting basis as approved by the Planning Commission based on ODNR recommendations.
- (3) The planting of trees, shrubs and aids for the protection of natural wildlife and for erosion control shall be encouraged.
- (c) Total Area. A building or premise used as the principal building shall contain the minimum square footage total area as shown by the building type.
 - (1) One (1) level, 750 minimum square feet total area.
 - (2) Two (2) levels or more, 1500 minimum square feet total area.
- (d) Minimum Dimensions and Limitations.
 - (1) Minimum building setback from the right of way: 100 feet.
 - (2) Minimum lot width at the building line: 100 feet.
 - (3) Minimum lot rear yard depth from principal building: 100 feet.
 - (4) Minimum side yard width from principal building: 25 feet.
 - (5) Maximum principal building height from finished grade: 35 feet.
 - (6) Maximum accessory building height from finished grade: 24 feet.
 - (7) Minimum accessory building side yard width: 25 feet.
 - (8) Minimum accessory building rear yard depth: 100 feet.
 - (9) Maximum total area of all accessory buildings: two percent (2%) of lot size.
 - (10) Minimum distance from principal building to accessory building excepting deck, patio, belvedere or attached private garage: 10 feet.

(Ord. 94-419. Passed 2-3-94.)

Section 2. Upon the effective date of this Ordinance, the Clerk of Council of the Village of North Perry, Ohio shall make available to all members of Council, and any members of the public, when required, copies of this amendment to the Codified Ordinances of the Village of North Perry, Ohio.

Section 3. The severability provisions of the Codified Ordinances Section 101.08 shall be applicable to this Ordinance.

Section 4. That all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and all deliberations of this Council, or any of its committees, which result in formal actions, were in meeting open to the public, in compliance with all requirements included in Section 121.22 of the Ohio Revised Code.

Section 5. This Ordinance shall be in full force and effect upon the earliest date allowable by law.

MAYOR

ADOPTED: February 4, 2016

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ATTEST:

FINANCE DIRECTOR

1st Reading 6-4-2015

2nd Reading 7-2-2015

Tabled on 8-6-2015 by Cutler, second by Reichard.

11-5-2015 Motion by Cutler, second by L. Klco to remove from table. Council members Callahan, Cutler, L. Klco, Reichard and Shreve vote for the motion.

11-5-2015 Motion by Reichard, second by L. Klco to table the legislation. Council members Callahan, Cutler, L. Klco, Reichard and Shreve vote for the motion.

Motion by Reichard, second by Cutler to remove from table. Council members Callahan, Cutler, L. Klco, Reichard, Siegel and Thompson voted in favor of the motion.

3rd Reading 2-4-2016

Motion by L. Klco, second by Callahan to adopt.

Council members Callahan, Cutler, L. Klco, Reichard, and Siegel voted in favor of the ordinance, Thompson voted against.