

ORDINANCE NO.: 2016- 23

FIRST READING May 9, 2016

SECOND READING May 23, 2016

INTRODUCED BY: Mark Porter

THIRD READING July 11, 2016

**ORDINANCE AMENDING THE RESIDENTIAL DISTRICT REGULATIONS OF SECTION 402 OF THE ZONING CODE OF THE VILLAGE OF SOUTH RUSSELL BY ESTABLISHING NEW REDUCED MINIMUM DWELLING UNIT DIMENSIONS FOR RESIDENCES IN THE CHAGRIN HEIGHTS SUBDIVISION.**

**WHEREAS**, within the Village of South Russell there are two subdivisions known as Chagrin Heights No. 1 and Chagrin Heights No. 2 (hereinafter known as “Chagrin Heights subdivision”)

**WHEREAS**, the Chagrin Heights subdivision was platted and approved for development prior to the enactment of zoning regulations in the Village; and

**WHEREAS**, the lots in such subdivision are generally less than one half acre in size which is substantially smaller than the majority of other residential lots elsewhere in the Village; and

**WHEREAS**, subsequent to such subdivision approval the Village enacted certain minimum dwelling area dimensions for all residentially zoned areas which mandate larger dwelling unit sizes than can be reasonably accommodated on the smaller lots of the Chagrin Heights subdivision, thereby necessitating either variances to permit smaller dwelling units on vacant lots than currently allowed, or, when current minimums are met, resulting in the appearance of excessive size homes in comparison to existing homes and/or the appearance of a high density, crowded residential neighborhood, both of which may negatively impact property values; and

**WHEREAS**, a reduction in the minimum dwelling unit size in this subdivision would permit new homes in this subdivision to more closely adhere to the existing aesthetics of the neighborhood, minimize the number of variance requests necessary to build new homes therein, and to better protect the health, safety, and welfare of the residents of Chagrin Heights; and

**WHEREAS**, the Planning Commission has recommended and Council concurs after a public hearing held July 11, 2016 that reducing the current minimum dwelling unit area in the Chagrin Heights Subdivision from 2400 square feet to 1400 square feet (for residences with more than one floor) and from 2000 square feet to 1000 square feet (for residences with one floor only) on each original single lot only would accomplish the aforesaid goals.

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF SOUTH RUSSELL, GEAUGA COUNTY, OHIO THAT:**

**SECTION 1.** The Residential District Regulations chart set forth in Section 402 of the Zoning

Code of the Village of South Russell is hereby amended by adding Footnote 16 to the Minimum Dwelling Unit Area in the R-1-A Zoning District. Footnote 16 shall read as follows:

The Minimum Dwelling Unit Area for a one floor dwelling in the Chagrin Heights Subdivision shall be 1000 square feet. The Minimum Dwelling Unit Area for a dwelling with more than one floor shall be 1400 square feet. These minimum dwelling unit areas are applicable to single original lots only; whenever lots are consolidated in the Chagrin Heights subdivision, the minimum dwelling unit area shall remain the same as for all other R-1-A zoned lots.

**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 adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after December 2, 1975, that resulted in 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 3.** This Ordinance shall be effective at the earliest time allowed by law.

  
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Mayor - President of Council

Attest:

  
\_\_\_\_\_  
Fiscal Officer

I certify that Ordinance No. 2016-23 was duly enacted on the 11th day of July, 2016 by the Council of the Village of South Russell and posted in accordance with the Ordinances of the Village.

  
\_\_\_\_\_  
Fiscal Officer