

ORDINANCE NO.: 2013-32

FIRST READING MAY 20, 2013

SECOND READING JUNE 10, 2013

INTRODUCED BY: MARY BETH WOLFE

THIRD READING AUGUST 12, 2013

ORDINANCE AMENDING SECTIONS 4.01, 4.02, 4.07, 4.08, 5.01, 5.02, 5.05, 5.06, 6.01, 6.02, 6.05, AND 6.06 OF THE ZONING CODE OF THE VILLAGE OF SOUTH RUSSELL BY ESTABLISHING "MUNICIPAL CEMETERY" AS A PERMITTED "MAIN" USE WITHIN EACH ZONING DISTRICT OF THE RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL DISTRICTS, AND BY ESTABLISHING THERE SHALL BE NO MINIMUM LOT AREA, NO MAXIMUM LOT COVERAGE, NO MINIMUM LOT WIDTH, NO MINIMUM FRONT, SIDE, OR REAR YARD DIMENSIONS, NO PARKING REGULATIONS, AND NO SIGNAGE REGULATIONS FOR SUCH MAIN USE.

WHEREAS, the Village Council has been investigating the possible installation and operation of a municipal cemetery for more than six years and has previously expressed an intention to utilize Village owned acreage on State Route 306 for such a cemetery, contingent upon being satisfied that such a use is financially feasible for the Village; and

WHEREAS, "cemeteries" are now classified as a "conditional" use in the Residentially zoned districts of the Village, but the requirements for such conditional use are impossible for the Village to meet given the space limitations imposed by the Village owned acreage; and

WHEREAS, there is no necessity to impose the usual zoning restrictions on a municipal cemetery since such a proposed use will be planned, designed, and executed by Village officials in a public forum and will therefore presumably comply with and satisfy the public needs, concerns, and aspirations of the residents of the Village; and

WHEREAS, the Planning Commission recommended on May 9, 2013 that the Village's zoning code be amended to permit a municipal cemetery in any zoning district in the Village and to remove any of the usual restrictions as to setbacks, size, lot coverage, parking and signage for such a cemetery; and

WHEREAS, Council has concluded that treatment of municipal cemeteries should be different than private commercial cemeteries within the Village in order to best serve the Village residents and the financial limitations of the Village and in light of the public process which any such municipal cemetery must undergo prior to approval; and

WHEREAS, a public hearing to consider this proposed zoning amendment was held AUGUST 12, 2013.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of South Russell, Geauga County, Ohio, that:

SECTION 1: Sections 4.01, 4.02, 4.07, 4.08, 5.01, 5.02, 5.05, 5.06, 6.01, 6.02, 6.05, and 6.06 of the zoning code of the Village of South Russell shall be amended to establish "Municipal Cemetery" as a permitted "Main" use within each zoning district of the residential,

commercial, and industrial districts, and by establishing there shall be no minimum lot area, no maximum lot coverage, no minimum lot width, no minimum front, side, or rear yard dimensions, no parking regulations, and no signage regulations for such main use.

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.



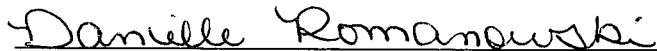
Mayor - President of Council

ATTEST:



Fiscal Officer

I certify that Ordinance No. 2013-32 was duly enacted on the 12TH day of AUGUST, 2013, by the Council of the Village of South Russell, and posted in accordance with the Ordinances of the Village.



Fiscal Officer