

**AN ORDINANCE
AMENDING CODIFIED ORDINANCE SECTION 1111.03 TO
REQUIRE PRELIMINARY APPROVAL FROM THE
ARCHITECTURAL BOARD OF REVIEW PRIOR TO OBTAINING A
VARIANCE FOR THE ERECTION, ENLARGEMENT AND/OR
ALTERATION OF A BUILDING.**

WHEREAS, the Planning and Zoning Commission has reviewed and discussed an amendment to Section 1111.03 of the Planning and Zoning Code to amend the procedural requirements to obtain a variance for the erection, enlargement, and/or alteration of a building; and

WHEREAS, Council desires to require preliminary plan approval from the Architectural Board of Review before obtaining a variance for the erection, enlargement and/or alteration of a building in the Village; and

WHEREAS, the Planning Commission on _____, 2016 recommended to Council that Section 1111.03 of the Planning and Zoning Code be amended as hereinafter set forth; and

WHEREAS, Council has held a public hearing on _____, 2016 on this Ordinance; and

WHEREAS, Council desires to enact the foregoing amendments and additions to the Planning and Zoning Code, based on the recommendation of the Planning and Zoning Commission.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

SECTION 1. Section 1111.03 of the Planning and Zoning Code is hereby amended to add Subsection (d) which reads as follows:

- (d) Prior to filing an application for a variance from the Board of Zoning Appeals, for the erection, enlargement and/or alteration of a building in the Village, the applicant shall be required to first obtain preliminary plan approval from the Architectural Board of Review for such dwelling.

SECTION 2. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 3. That in accordance with Section 113.01 of the Codified Ordinances of

ORDINANCE NO. 2016-71
INTRODUCED BY: MS. ROGOFF

the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 4. That this Ordinance shall take effect and be in force after the earliest period allowed by law.

PASSED: _____, 2016

Karl Maersch, Council President

Submitted to the Mayor for
his approval on this

____ day of _____, 2016

Approved by the Mayor

_____, 2016

Mayor William Tomko

I hereby certify that Ordinance No. 2016-__ was duly enacted on the ____ day of _____, 2016, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

Clerk of Council