

CITY COUNCIL AGENDA

July 2, 2012

7:30 p.m.

The meeting will be held at City Hall, in Council Chambers, 1st Floor, 538 N. Market Street, Wooster, Ohio.

I. ROLL CALL & ORDERING OF AGENDA

II. APPROVAL OF MINUTES

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Public Hearing: Zoning Code Amendment

VI. OLD BUSINESS

1. Third Reading - ORDINANCE NO. 2012-18 VACATING SLOANE COURT IN THE CITY OF WOOSTER (Ulbright)
2. Third Reading - ORDINANCE NO. 2012-19 VACATING A PORTION OF AN UNNAMED ALLEY IN THE CITY OF WOOSTER (VICINITY OF SLOANE COURT) (Ulbright)
3. Third Reading - RESOLUTION NO. 2012-60 PROVIDING FOR THE ANNUAL TAX BUDGET FOR 2013 (Ansel)

VII. NEW BUSINESS

1. First Reading - ORDINANCE NO. 2012-21 AMENDING TITLE ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO BY THE ADOPTION OF AN AMENDMENT TO SECTION 1149.03(c)(4) DEALING WITH NONCONFORMING USES OF BUILDINGS, STRUCTURES OR LAND (Knapic)
2. First Reading - RESOLUTION NO. 2012-64 AUTHORIZING THE DIRECTOR OF FINANCE TO ISSUE PAYMENT FOR SERVICES PROVIDED TO THE MUNICIPALITY PURSUANT TO A CONTRACT WITH BUREAU VERITAS NORTH AMERICA, INC. (Ansel)
3. First Reading - RESOLUTION NO. 2012-65 AUTHORIZING THE DIRECTOR OF LAW TO ISSUE PAYMENT FOR THE SERVICES OF OUTSIDE COUNSEL IN LITIGATION TO ENFORCE THE GENERAL OFFENSES CODE RELATIVE TO NUISANCE ODORS, AND DECLARING AN EMERGENCY (Knapic)
4. First Reading - RESOLUTION NO. 2012-66 AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH THE IMPACT GROUP OF HUDSON, OHIO TO DEVELOP AND IMPLEMENT AN EDUCATION AND COMMUNICATION PROGRAM WITH INFORMATION DERIVED FROM THE COMMUNITY SURVEY, AND DECLARING AN EMERGENCY (Ansel)

VIII. MISCELLANEOUS

IX. ADJOURNMENT

EXHIBIT A

PLANNING COMMISSION'S RECOMMENDATION TO CITY COUNCIL

1149.03 NONCONFORMING USES OF BUILDINGS, STRUCTURES, OR LAND.

(c) Structures Occupied by Nonconforming Use.

(4) Damage or Destruction.

- A. *Except as provided in Section 1149.03(c)(4)B. below, in the event a building or structure that is occupied by a nonconforming use is destroyed by any means to the extent of more than 50% of its replacement value, it shall not be rebuilt, restored or reoccupied for any use unless such use conforms to the use regulations of the district in which the building or structure is located.*
- B. *Notwithstanding Section 1149.03(c)(4)A. above, in the event that a building or structure that is occupied by a nonconforming use is damaged or destroyed by any means (excluding arson attributable to the property owner) to the extent of more than 50% of its replacement value, it may be rebuilt or restored and reoccupied if either of the following apply:*
- a. *If the use of the building or structure is residential in nature (whether single-family, two-family or multi-family), it may be rebuilt to its prior use if the Board of Building and Zoning Appeals determines that the owner would otherwise face an undue economic hardship ,and provided that:*
- 1) the footprint and floor area of the building or structure may be restored only to those in existence before the damage or destruction,*
 - 2) the restoration is commenced within six (6) months of the damage or destruction, and*
 - 3) the restoration is completed within one (1) year after the restoration commences.*
- b. *Excluding non-residential uses in any residential zoning district, regardless of the use of the building or structure before damage or destruction, it may be rebuilt to its original use if, and only if:*
- 1) its use was legal and in full compliance with all City ordinances at the time of its original construction, and*
 - 2) it is restored to the same use to which it was put at the time of its original construction.*

Existing language in current Zoning Code shown in Black. Proposed language is shown in Red and is in *italics*.

