

CHAPTER 1115

AMENDMENTS

1115.01 PROCEDURE BY COUNCIL

- A. Council may from time to time amend by ordinance the number, shape or area of districts established on the Zoning Districts Map or the regulations set forth in this Zoning Code, but no such amendment shall become effective unless the ordinance application proposing same shall first be submitted in writing by the Clerk of Council to the Planning Commission for approval, disapproval or recommended modifications, and the Commission shall have been allowed a reasonable time, not less than thirty days and not more than sixty days, for consideration and report. The Planning Commission may hold a public hearing on any proposed zoning amendment after notice has been published in a newspaper of general circulation in the City of Orrville at least seven (7) days prior to the date of the hearing. Written notice of the hearing shall be mailed by the Director of Public Safety and Service, by first class mail, at least five (5) days prior to the hearing to owners of property contiguous to and directly across the street from the property(s) being considered. Any amendment which fails to receive the approval of the Planning Commission shall not take effect unless passed by not less than three-fourths vote of the membership of Council.
- B. Council shall hold a public hearing before adoption of the proposed amendment. Notice of the hearing shall be published in a newspaper of general circulation in the City of Orrville at least fourteen (14) days prior to the date of the hearing. If the rezoning includes ten or less parcels, written notice of the hearing shall be mailed by the Clerk of Council, by first class mail, at least seven (7) days prior to the hearing, to owners of property contiguous to and directly across the street from property(s) being considered. Failure to deliver such notice shall not invalidate any action taken by Council.
- C. Any Council member may introduce an ordinance to amend this Zoning Code or the Zoning Districts Map and any other person desiring such amendment may file an application pursuant to Section 1115.02.
- D. Any person desiring an amendment to the Zoning Districts Map shall accompany the petition for such amendment, or the ordinance introduced for this purpose, with a statement giving the names and addresses of the owners of all properties within and contiguous to and directly across the street from such area proposed to be rezoned or redistricted if individual notice of the application is required to be given to said owners pursuant to the Ohio Revised Code.
- E. Any ordinance or application for change in the text of this Zoning Code or change in zoning map must be submitted by the Clerk of Council to the Orrville Planning Commission according to procedures detailed in Section 1115.01(A).

(Ord. 78-95. Passed 12-4-95.)

1115.02 APPLICATIONS

All applications for a zoning amendment shall include:

- A. Evidence that the existing Zoning Code is inappropriate with respect to the particular property and that it deprives the property owner of his lawful and reasonable use of the land. For the purposes of this Zoning Code, a limitation upon the financial gain from the land in question shall not constitute unreasonable zoning.
- B. Evidence that the proposed amendment would materialize in an equal or better Zoning Code than that existing.
- C. Any applicant who seeks an amendment to rezone property from one use district to another use district, or who seeks to change, add, or delete permitted uses in any use district, shall include with the application the appropriate fee, which fee shall not be refundable. A schedule of fees is available from the Director of Public Safety and Service or his designee.

Whenever an amendment is made to the text of the Zoning Code, the appropriate definitions pertinent to such amendments shall be included in Chapter 1102.