



COME TOGETHER & THRIVE

REMINDER

NOTICE OF MEETING

CITY COUNCIL

Joe Frank
President
Sara Continenza
Marty Gelfand
Jane Goodman
Ruth Gray
Susan Hardy
Justin Tisdale

MEETING OF: **ZONING & PLANNING COMMITTEE**

CALLED BY: RUTH GRAY, CHAIR

DATE: **FEBRUARY 10, 2020**

LOCATION: COMMITTEE/JURY ROOM

TIME: 7:00 P.M.

RE: RES. 31-17 REGIONAL BUILDING
ORD. 21-17 WALLS & FENCES
ORD. 07-19 BOARD OF RESIDENTIAL
APPEALS.

COMMITTEE/COUNCIL MEMBERS:

MARTY GELFAND
JANE GOODMAN

MEMBERS OF COUNCIL:

SARA CONTINENZA
JOE FRANK
JANE GOODMAN
SUSAN HARDY

ADMINISTRATION:

LAURA HEILMAN, BUILDING COMMISSIONER
MIKE LOVE, ECON. DEVELOPMENT DIRECTOR
KEITH BENJAMIN, COMM. SERVICES DIRECTOR

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 31-17
INTRODUCED BY: Goodman
REQUESTED BY: Russell

July 10, 2017

A RESOLUTION

DIRECTING THE MAYOR TO SOLICIT PROPOSALS FOR AND A CONDUCT STUDY OF CREATING A REGIONAL BUILDING DEPARTMENT WITH THE AIM TO MERGE THE SOUTH EUCLID BUILDING DEPARTMENT WITH NEIGHBORING BUILDING DEPARTMENTS TO CREATE GREATER EFFICIENCIES AND ADVANCE THE GOAL OF REGIONALISM.

WHEREAS, the Council of the City of South Euclid is responsible for managing the financial resources of the City in the manner that best serves the residents of South Euclid while providing building inspection services to it's residents and businesses.

WHEREAS, between 1970 and 2010, the population of the City of South Euclid has decreased by over 7,000 residents, and was estimated to fall below 22,000 residents in 2014; and

WHEREAS, the financial records of the City indicate that, since 2012, the City has expended \$163,918 from the General Fund in order to supplement the operating expenses of the Building Department; and

WHEREAS, the City and neighboring communities have had difficulty identifying and hiring qualified individuals in a variety inspection positions

WHEREAS, Ohio Administrative Code (OAC) 4101:7-2-01(B)(4) allows municipalities to contract with an outside entity to satisfy the requirements of OAC 4101:7-3-01.

WHEREAS, A regional certified building department could provide multiple cities the ability to satisfy OAC 4101:7-3-01, while also providing efficiency and flexibility to go where the work is.

WHEREAS, due to continued and ongoing budgetary concerns and out of concern for quality customer service and efficient inspections, it would be fiscally and operationally prudent to explore the creation of a regional building department to maximize fiscal and personnel resources and benefit the citizens and businesses of South Euclid.

WHEREAS, the City of South Euclid has long been a proponent of and participant in regionalization of services, including South Euclid-Lyndhurst Recreation (SELREC,) Northeast Ohio Risk Management Association (NORMA,) Eastside Departments Group Enforcement SWAT team (EDGE,) Northeast Ohio Public energy Council (NOPEC) and many other partnerships; and

WHEREAS, in 2012 the City of South Euclid authored a successful grant application to look at the regional consolidation of our emergency dispatch center with neighboring communities. In 2016 the City expects the regionalization of the emergency dispatch center to commence operations; and

WHEREAS, these collaborations have proven to be both financially and operationally advantageous to the City and its residents and stakeholders; and

WHEREAS, the Council of the City of South Euclid recognizes the benefits of regionalization and the sharing of limited public resources; and

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of South Euclid authorizes and directs the Mayor of South Euclid to issue a request for proposals to conduct a feasibility study for the creation of a regional building department. Upon receipt, the Mayor shall authorize the selected firm to conduct aforementioned study.

Section 1: That the City of South Euclid will appropriate the necessary funds for the study of the feasibility and shall provide all necessary documents and information requested by selected firm during the course of the feasibility study.

Section 2: That the Council of the City of South Euclid hereby requests that the Clerk of Council forward a certified copy of this Resolution to Mayors, City Managers and Council Presidents of the following municipalities: Beachwood, Cleveland Heights, Euclid, Highland Heights, Lyndhurst, Mayfield Heights, Richmond Heights, Shaker Heights and University Heights. A enclosed note, should encourage them to pass similar resolutions and join our feasibility study.

Section 3: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such 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 4: Wherefore, this Resolution shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2017.

Jane Goodman, President of Council

Approved:

Georgine Welo, Mayor

Attest:

Keith A. Benjamin, Clerk of Council

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 21-17
INTRODUCED BY: Goodman
REQUESTED BY: Gelfand

September 11, 2017

AN ORDINANCE

AMENDING SECTION 726.05 "WALLS AND FENCES" OF CHAPTER 762 "PROCEDURES" OF PART SEVEN "PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of South Euclid, Ohio:

Section 1: That Section 762.05 "Walls and Fences" of Chapter 762 "Procedures" of Part Seven "Planning and Zoning Code" of the Codified Ordinances of the City of South Euclid, Ohio be hereby amended to read as follows:

"726.05 WALLS AND FENCES.

(a) Definitions. For the purpose of this section the following definitions shall apply:

(1) "Decorative walls and fences". Any various permanent upright construction of permitted materials, that is not designed as a barrier to enclose an area, yard, etc., attached to a principal structure, used to prevent entrance, intended to create the impression of privacy, or to confine or mark a boundary, and is designed to withstand long-term exposure to the surrounding environmental conditions.

(2) "Walls and fences". Any various permanent upright constructions used as a barrier to enclose or border an area, yard, etc., which is used to prevent entrance, to confine or mark a boundary, and is designed to withstand long-term exposure to the surrounding environmental conditions.

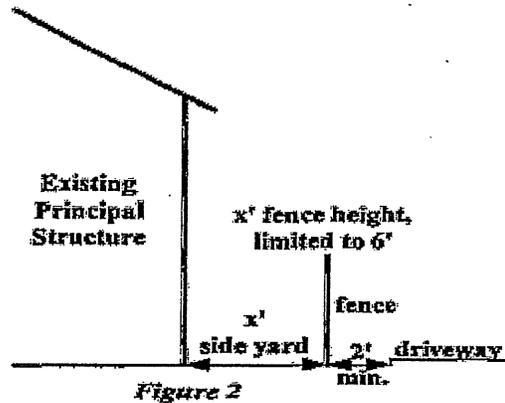
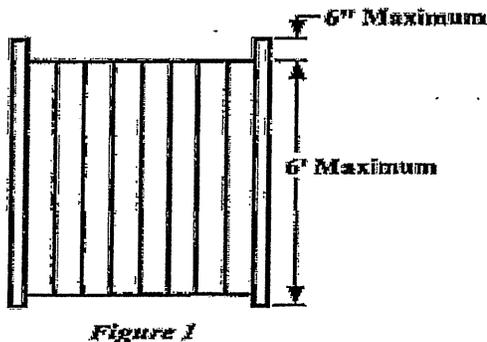
(b) Restrictions.

(1) Height.

A. Rear yard maximum height. Six feet to the rear face of the principal structure. (See Figure 1.)

B. Side yard maximum height. No higher than the distance from the existing principal structure on property or the adjacent property, with a six foot limitation. (See Figure 2.)

C. Post height. Six feet six inches to accommodate decorative top. (See Figure 1.)



(2) Location.

A. No wall or fence shall be located in a front yard or from the front building setback line to the right-of-way line. (See Figure 3.)

B. No wall or fence shall be located in any side yard within two feet of an adjacent neighbor's driveway. (See Figure 2.)

C. An extension of the fence to provide closure to the building shall be permitted.

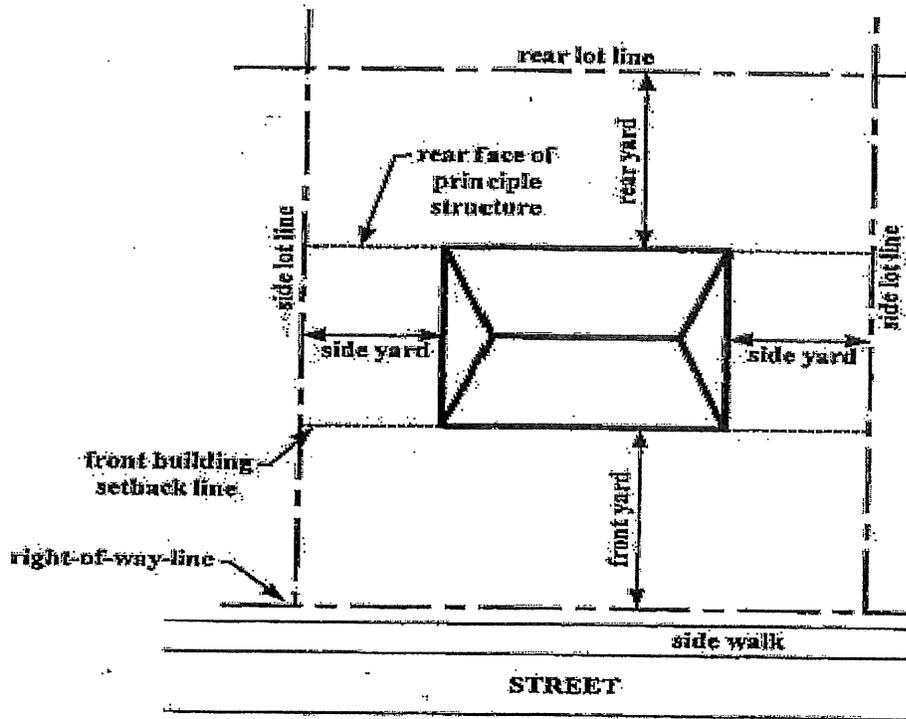


Figure 3

(3) Exemption.

A. Corner lots, walls and fences are permitted in rear and side yards and may extend from the rear lot line to the front building setback line, but not beyond the street side yard setback. (See Figure 4.)

B. In this section, principal structure shall not include patio, deck, open or seasonal porch or similar addition.

C. A decorative wall or fence is permitted in a front yard or from the front building setback line to the right-of-way line and shall not enclose an area, yard, etc., be attached to a principal structure, used to prevent entrance, or intended to create the impression of privacy, such as but not limited to the full width of the property's right-of-way line. The following restrictions shall apply to decorative walls or fences.

1. The height of the decorative wall or fence shall not exceed 36 inches.
2. The decorative wall or fence shall be a minimum of three feet from the sidewalk, or if no sidewalk exists then the right-of-way line or side lot line.
3. The decorative wall or fence shall be parallel to or follow the contour of the sidewalk, right-of-way line or side lot line.
4. The decorative wall or fence's maximum permitted linear footage shall not be greater than 60% of the right-of-way line. (See Figure 4.)
5. No gates shall be installed in the decorative wall or fence.

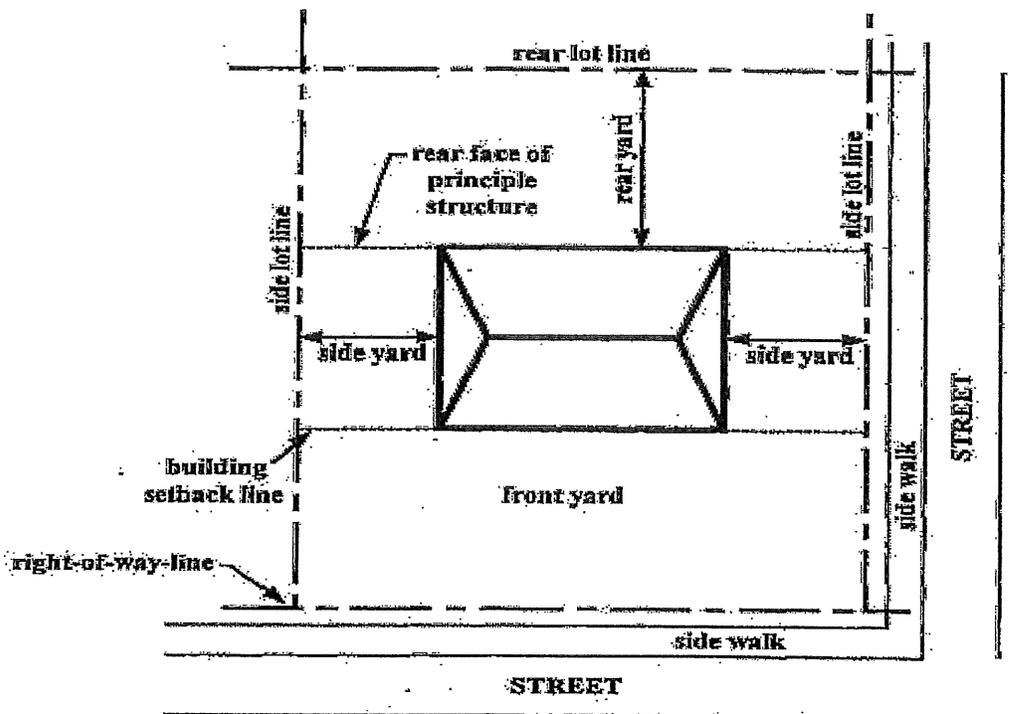


Figure 4

(4) Quality. The finished side of the fence shall face the neighboring property and be of uniform type.

(5) Construction.

A. Walls and fences. Masonry material such as but not limited to brick, concrete, stone, stucco, or grill block, or of either wood, metal or vinyl, including open diamond mesh fabric, chain link, picket, board on board, ornamental wood, ornamental vinyl or ornamental metal, split rail or stockade type. The wall or fence shall be constructed of aesthetically pleasing material that is consistent with the surrounding construction/environment.

B. Decorative walls and fences. Materials limited to split rail, ornamental metal, ornamental wood, or ornamental vinyl shall be permitted. The decorative wall or fence shall be constructed of aesthetically pleasing material that is consistent with the surrounding construction/environment.

(6) Maintenance. The property owner or occupant shall maintain all walls and fences in good condition at all times.

(7) Prohibited.

A. Snow fencing, burlap, vinyl fabric or chicken wire or similar type material are not permitted as permanent fence materials.

B. Snow fence posts shall not be permitted as a permanent fence material.

C. No fence or wall shall be electrically charged or made of any sharp-edged materials, barbed wire, razor wire, chicken wire or fiberglass.

(8) Permit.

A. All walls or fences in accordance with this section shall require a permit.

B. If requested by the Zoning Administrator, the application shall receive approval from the City Architect prior to issuance of the permit.

C. The Zoning Administrator may require the applicant to provide appropriate documentation verifying the location of property line(s).

D. Upon issuance of a permit, applicant shall wait thirty (30) days prior to commencing construction, and adjacent residences shall be notified via United States Postal Service Mail of the intent to construct a wall or fence.

E. The issuance of a permit shall be required for the removal of a wall or fence and applicant shall wait thirty (30) days prior to commencing construction, and adjacent residences shall be notified via United States Postal Service Mail of the intent to construct a wall or fence.

Section 2: That 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 November 25, 1975, that resulted in such 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: Wherefore this Ordinance shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2017.

Jane Goodman, President of Council

Attest:

Approved

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 07-19
INTRODUCED BY: Fiorelli
REQUESTED BY: Mayor

March 25, 2019

AN ORDINANCE

CREATING NEW SECTION 1303.16 "BOARD OF RESIDENTIAL BUILDING APPEALS" OF CHAPTER 1303 "PERMITS AND APPEALS" OF PART THIRTEEN "BUILDING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID; AND DECLARING AN EMERGENCY.

WHEREAS, it has been determined by the Building Commissioner of the City of South Euclid that there exists a requirement under Section 110 "Appeals" in the "Residential Code of Ohio" for a "Board of Residential Building Appeals" within the City of South Euclid; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of South Euclid, State of Ohio:

Section 1: That new section 1303.16 "Board of Residential Building Appeals" of Chapter 1303 "Permits and Appeals" of Part Thirteen "Building Code" of the Codified Ordinances of the City of South Euclid, Ohio is hereby adopted and shall read as follows:

"1303.16 "Board of Residential Building Appeals"

- (A) The Board of Residential Building Appeals shall consist of three (3) qualified electors of the City of South Euclid not holding other office in the Municipality. Each member shall have a background in the building trades or the construction industry. Said members shall be appointed by and serve at the direction of the Mayor for a term of six (6) years. A vacancy occurring during the term of any member shall be filled for the respective unexpired term in the manner authorized for an original appointment. A chairperson of the Board shall be elected annually by the Board and the Board shall appoint its own secretary.
- (B) The Board shall hear and decide appeals of orders, decisions, or determinations made by the residential building official of the city relative to the application of the Residential Code of Ohio. All adjudication hearings shall be in accordance with Sections 119.09 to 119.13 of the Ohio Revised Code."

Section 2: That 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 November 25, 1975, that resulted in such 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: That this Ordinance is deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety within the City and therefore should be adopted at the earliest possible time. Wherefore this Ordinance shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2019

Dennis Fiorelli, Council President

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael Lograsso, Director of Law