

1st READING 1/22/19
2nd READING 1/29/19
3rd READING 1/22/19

ORDINANCE NUMBER 2019 - 3

AN ORDINANCE CHANGING THE ZONING DISTRICT CLASSIFICATION OF A 0.363 ACRE PARCEL OF REAL PROPERTY COMMONLY KNOWN AS 243 WEST MAIN STREET FROM CORRIDOR DISTRICT (CD) TO DOWNTOWN DISTRICT (DD) AND DECLARING AN EMERGENCY

WHEREAS, Changes Family Hair Salon is the owner of a 0.363 acre parcel of real property commonly known as 243 West Main Street and which is located in the Corridor District (CD) of the City's zoning districts; and

WHEREAS, Jeff and Tracey Wodarczyk, on behalf of Changes Family Hair Salon, filed a petition with the City and requested a change in the zoning district from Corridor District (CD) to Downtown District (DD); and

WHEREAS, the petition was referred to the City's Planning Commission for consideration and report, as required by law, and the Planning Commission has given notice, held a hearing, and returned its report recommending approval of the requested zone change from Corridor District (CD) to Downtown District (DD) with the following conditions:

- That a final site development plan must be submitted as outlined by Code. Specific attention must be paid to the parking and storm water runoff and how it will be detained so as not to negatively affect the adjacent property owners or the trail. This final site development plan must be submitted and approved by the Planning Commission and all construction of any approved parking must be completed to the City's satisfaction **prior to any** business opening at this location.
- That the existing structure identified as 243 West Main Street must be renovated and cannot be demolished. If, due to a public safety concern, this structure was to be demolished any new structure must be constructed according to the Design Guidelines outlined for the Historic District.
- That if any facade change is proposed to the structure it must be reviewed and approved by the Board of Architectural Review prior to the changes.

- That the above conditions run with the land and must be adhered to by any future property owners of 243 West Main Street.
- The Commission also recommends that the Wodarcyks and the architect follow through with contacting the State of Ohio to check on the state building code requirements for the proposed change in use of the structure so the proper state building permit can be acquired.

WHEREAS, the recommendation of the Planning Commission was presented to City Council for consideration, as required by law, and the City Council has given notice, held a hearing, and approved of the request for this change in zoning of the subject parcel as recommended by the Planning Commission with the following conditions:

- That a final site development plan must be submitted as outlined by Code. Specific attention must be paid to the parking and storm water runoff and how it will be detained so as not to negatively affect the adjacent property owners or the trail. This final site development plan must be submitted and approved by the Planning Commission and all construction of any approved parking must be completed to the City's satisfaction **prior to any** business opening at this location.
- That the existing structure identified as 243 West Main Street must be renovated and cannot be demolished. If, due to a public safety concern, this structure was to be demolished any new structure must be constructed according to the Design Guidelines outlined for the Historic District.
- That if any facade change is proposed to the structure it must be reviewed and approved by the Board of Architectural Review prior to the changes.
- That the above conditions run with the land and must be adhered to by any future property owners of 243 West Main Street.
- The Commission also recommends that the Wodarcyks and the architect follow through with contacting the State of Ohio to check on the state building code requirements for the proposed change in use of the structure so the proper state building permit can be acquired.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ST. CLAIRSVILLE, OHIO:

Section 1: That the City Council hereby approves of the proposed zone change. The zoning district classification of the area hereinafter designated, as shown on the zoning map of the

City of St. Clairsville, which is part of the zoning ordinance of the City of St. Clairsville as adopted November 19, 2001, and effective December 19, 2001, which area is now classified as Corridor District (CD) is hereby changed to and reclassified as Downtown District (DD) and shall be zoned as follows: all of the 0.363 acre parcel shall be zoned Downtown District (DD) with the following conditions:

- That a final site development plan must be submitted as outlined by Code. Specific attention must be paid to the parking and storm water runoff and how it will be detained so as not to negatively affect the adjacent property owners or the trail. This final site development plan must be submitted and approved by the Planning Commission and all construction of any approved parking must be completed to the City's satisfaction **prior to any** business opening at this location.
- That the existing structure identified as 243 West Main Street must be renovated and cannot be demolished. If, due to a public safety concern, this structure was to be demolished any new structure must be constructed according to the Design Guidelines outlined for the Historic District.
- That if any facade change is proposed to the structure it must be reviewed and approved by the Board of Architectural Review prior to the changes.
- That the above conditions run with the land and must be adhered to by any future property owners of 243 West Main Street.
- The Commission also recommends that the Wodarcyks and the architect follow through with contacting the State of Ohio to check on the state building code requirements for the proposed change in use of the structure so the proper state building permit can be acquired.

Section 2: The subject parcel is more particularly described as follows: Situated in the City of St. Clairsville, County of Belmont and State of Ohio and more specifically defined in Deed Volume 795, Page 791, and more commonly known as 243 West Main Street. The parcel number identifying this property is 34-01511.000.

Section 3: The Planning and Zoning Administrator shall cause the zoning map of the City of St. Clairsville to be amended to incorporate and show the zoning district classification made


by this Ordinance.

Section 4: That this Ordinance is declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and economic well being of the City of St. Clairsville; wherefore, this ordinance shall be in full force and effect immediately upon passage.

Section 5: That this ordinance shall take effect and be in full force from and after the earliest period allowed by the Charter of the City of St. Clairsville, Ohio.

PASSED at a meeting of the council of the City of St. Clairsville on this 22nd day of January, 2019, by the affirmative vote of 7 members of the council.

Passed: January 22, 2019

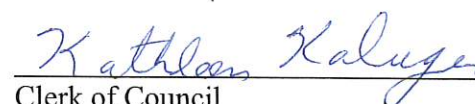


President of Council

Approved: January 22, 2019



Mayor



Clerk of Council