

ORDINANCE NO. 2002-3

**AN ORDINANCE AMENDING ORDINANCE NO. 2000-04
REGARDING THE ZONING CODE OF THE VILLAGE OF MENDON, OHIO,
AND DECLARING AN EMERGENCY**

WHEREAS, Ordinance No. 2000-04 of the Ordinances of the Village of Mendon, Ohio establishes a Zoning Code for the Village of Mendon, Ohio.

WHEREAS the public necessity, convenience, general welfare and good zoning practices require that the zoning regulations be amended with regard to the definition of recreational facilities in light of the development of a commercial campground within the Village corporation limits.

WHEREAS upon recommendation of the Planning Commission, the Council of the Village of Mendon, Ohio hereby amends the definition of recreational facilities in Ordinance 2000-04 to include the provision for a campground.

WHEREAS, the Village of Mendon declares that an emergency exists to provide for the proper zoning of the commercial campground in that the construction of the campground is underway, thereby necessitating the immediate action of Council for the preservation of health, safety and welfare of the Village of Mendon, Ohio.

BE IT THEREFORE ORDAINED BY THE COUNCIL OF THE VILLAGE OF MENDON, OHIO THAT:

SECTION 1: Section 152.003, Definitions, shall be amended with regard to the definition of "recreational facilities" to include the term "campground". Hereafter, the definition of "recreational facilities" on Page 9 shall read as follows:

Recreational Facilities.

(1) **Commercial Recreational Facilities.** Recreational facilities open to the public, established and operated for a profit, such as commercial golf courses, golf driving ranges, swimming pools, ice skating rinks, riding stables, race tracks, carnivals, campground, recreational facilities, and similar commercial enterprises.

(2) **Noncommercial Recreational Facilities.** Private and semiprivate recreational facilities which are not operated for commercial gain, including private country clubs, riding clubs, golf courses and other private noncommercial recreational areas and facilities or recreation centers including private community swimming pools.

SECTION 2: This Resolution is deemed to be an emergency measure and shall take effect and be in force immediately from and after its passage for the preservation of the public peace, health and safety of the citizens of the Village of Mendon, Ohio.

ORDINANCE NO. 2011-06

VILLAGE OF MENDON, OHIO

MOBILE HOME REPLACEMENT

An existing mobile home may be replaced with another mobile home only if the following conditions are met:

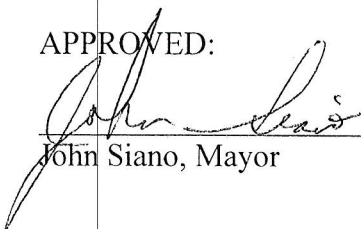
1. All other provisions of the zoning code must be complied with;
2. The proper zoning application must be made and approved by the zoning inspector;
3. The mobile home shall be a maximum three (3) years of age calculated from manufacture date to the date of application;
4. The replacement mobile home value shall be greater than the value of the trailer being replaced. If there is a dispute as to the value, the person applying for the zoning permit, at their expense, shall submit estimates of the value of the existing mobile home and of the replacement mobile home to the zoning inspector;
5. The replacement mobile home shall be placed upon a concrete slab or upon concrete runners;
6. The mobile home shall be skirted with appropriate metal siding, vinyl siding or masonry;
7. The mobile shall be secured to the land in accordance with the manufacturer's specifications.
8. This ordinance shall modify the provisions of Mendon's zoning ordinance section 152.007 in conflict herewith.



John Boroff, President of the Village Council of Mendon, Ohio

Adopted this 27 day of September 2011.

APPROVED:



John Siano, Mayor

ATTESTED:



Kristina Boroff, Clerk

1st read 7-26-2011
2nd read 8-30-11
3rd read 9-27-11

Lisa Dorsten -	yea <input checked="" type="checkbox"/>	nay <input type="checkbox"/>
Matt Dorsten -	yea <input checked="" type="checkbox"/>	nay <input type="checkbox"/>
April Grunden -	yea <input type="checkbox"/>	nay <input type="checkbox"/> Absent
Mike Bowling -	yea <input checked="" type="checkbox"/>	nay <input type="checkbox"/>
Terry Seibert -	yea <input checked="" type="checkbox"/>	nay <input type="checkbox"/>
John Boroff -	yea <input checked="" type="checkbox"/>	nay <input type="checkbox"/>

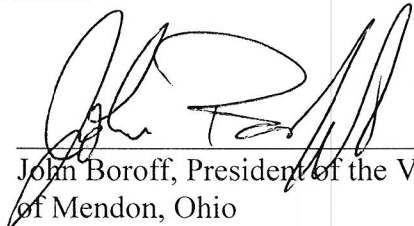
ORDINANCE NO. 2011-07

VILLAGE OF MENDON, OHIO

MOBILE HOMES ON EXISTING LOTS

In order for a mobile home to be placed on an existing lot, the applicant must meet all of the following conditions:

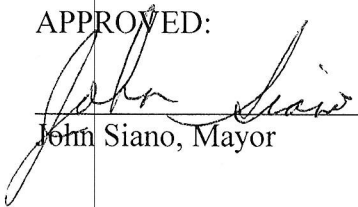
1. All other provisions of the zoning code must be complied with;
2. The proper zoning application must be made and approved by the zoning inspector;
3. The mobile home shall be a maximum of three (3) years of age calculated from manufacture date to the date of application;
4. The replacement mobile home shall be placed upon a concrete slab or upon concrete runners;
5. The mobile home shall be skirted with appropriate metal siding, vinyl siding or masonry;
6. The mobile shall be secured to the land in accordance with the manufacturer's specifications.
7. This ordinance shall modify the provisions of Mendon's zoning ordinance section 152.081 in conflict herewith.



 John Boroff, President of the Village Council
 of Mendon, Ohio

Adopted this 27 day of September 2011.

APPROVED:



 John Siano, Mayor

ATTESTED:



 Kristina Boroff, Clerk

1st read 7-26-2011
 2nd read 8-30-11
 3rd read 9-27-11

Lisa Dorsten -	yea <input checked="" type="checkbox"/>	nay <input type="checkbox"/>
Matt Dorsten -	yea <input checked="" type="checkbox"/>	nay <input type="checkbox"/>
April Grunden -	yea <input type="checkbox"/>	nay <input type="checkbox"/> Absent
Mike Bowling -	yea <input checked="" type="checkbox"/>	nay <input type="checkbox"/>
Terry Seibert	yea <input checked="" type="checkbox"/>	nay <input type="checkbox"/>
John Boroff -	yea <input checked="" type="checkbox"/>	nay <input type="checkbox"/>

RESOLUTION 2015- 04

A RESOLUTION APPROVING AND ACCEPTING THE ZONING MAP FOR THE VILLAGE OF MENDON;

WHEREAS, THE Village of Mendon, Ohio finds that there is a need for a zoning map within the village to delineate the zoning districts, and ;

WHEREAS, the Village of Mendon, Ohio has complied with the laws of the State of Ohio required to accept and adopt said zoning map, and;

WHEREAS, the Village of Mendon takes this action of Council to place on record a zoning map for the preservation of health, safety, and welfare of the Village of Mendon, Ohio.

BE IT THEREFORE RESOLVED BY THE COUNCIL OF THE VILLAGE OF MENDON, OHIO THAT:

SECTION 1: The Council of the Village of Mendon, Ohio hereby approves and adopts Zoning Map number 2015-1 as the official zoning map for the Village of Mendon, Ohio

SECTION 2: This Resolution shall take effect and be in force immediately from and after its passage for the preservation of the public peace, health and safety of the citizens of the Village of Mendon, Ohio.

First reading: March 31, 2015
Second reading: April 28, 2015
Third reading: ~~May~~ June 30, 2015

Passed this 30 day of June, 2015.

Attest:
Dustina Boroff
Clerk of Council

[Signature]
Mayor

Roll Call
Jeremy Welker yea ___ nay ___
Dennis Adams yea ___ nay ___
Greg Zizleman yea ___ nay ___
April Grunden yea ___ nay ___
John Siano yea ___ nay ___
Terry Seibert yea ___ nay ___

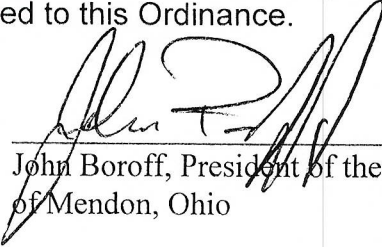
President of Council

ORDINANCE NO. 2011-02

VILLAGE OF MENDON, OHIO

ZONING PERMIT APPLICATIONS

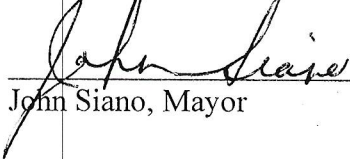
No zoning permit shall be issued by the Zoning Inspector unless and until the applicant has completed and received approval from the Zoning Inspector of the application which is a part of and attached to this Ordinance.



John Boroff, President of the Village Council
of Mendon, Ohio

Adopted this 30th day of August 2011.

APPROVED:



John Siano, Mayor

ATTESTED:

Kristina Boroff, Clerk

Lisa Dorsten -	yea	___	nay	___
Matt Dorsten -	yea	___	nay	___
April Grunden -	yea	___	nay	___
Mike Bowling -	yea	___	nay	___
Terry Seibert -	yea	___	nay	___
John Boroff -	yea	___	nay	___

1st reading 6-29-11
2nd reading 7-26-2011
3rd reading 8-30-11

Village of Mendon
 102 S. Main Street
 P.O. Box 167
 Mendon, OH 45862
 Tel. (419) 795-3220

Application received on:
 ___/___/___
 Received by: _____
 Permit # _____

APPLICATION FOR BUILDING/ZONING PERMIT
 PLEASE PRINT LEGIBLY AND FILL OUT FORM COMPLETELY

PROPERTY ADDRESS: _____
APPLICANT NAME: _____ **PHONE:** () _____
APPLICANT ADDRESS: _____ **FAX/CELL:** () _____
CITY _____ **STATE** _____ **ZIP** _____ **EMAIL:** _____

An application is hereby made for a permit for construction as indicated herein and which shall be located as shown on the plot plan submitted herewith and/or to use the premises for the purpose herein described. Applicant agrees that such work will comply with all provisions of the Zoning Ordinance, Building Code, with all deed restrictions and with all other applicable Ordinances of the Village of Mendon.

APPLICANT PRINTED NAME AND SIGNATURE: _____

PROPERTY OWNER PRINTED NAME AND SIGNATURE IF DIFFERENT THAN APPLICANT: _____ **PHONE** () _____ **DATE** ___/___/___

GENERAL INFORMATION

APPLICATION FOR:
<input type="checkbox"/> New Building
<input type="checkbox"/> Exterior Alteration
<input type="checkbox"/> Home Occupation
<input type="checkbox"/> Residential Addition
<input type="checkbox"/> Accessory Building
<input type="checkbox"/> Non-Residential Bldg
<input type="checkbox"/> Non-Residential Adn.
<input type="checkbox"/> Change of Use
<input type="checkbox"/> Temporary
<input type="checkbox"/> Parking Lot
<input type="checkbox"/> Sign
<input type="checkbox"/> _____

PROPOSED USE:
<input type="checkbox"/> Single Family
<input type="checkbox"/> Duplex
<input type="checkbox"/> Triplex
<input type="checkbox"/> Multi-Family
<input type="checkbox"/> Group Home
<input type="checkbox"/> Industrial
<input type="checkbox"/> Residential
<input type="checkbox"/> Business
<input type="checkbox"/> Utility or Misc.
<input type="checkbox"/> Conditional Use
<input type="checkbox"/> Home
<input type="checkbox"/> Occupation
<input type="checkbox"/> _____

LOT INFORMATION
Lot Width _____
Required Width _____
Lot Depth _____
Required Depth _____
Lot Area _____
Area Main Bldg _____
Area Access Bldg _____
Bldgs on Lot _____

<input type="checkbox"/> Corner Lot
<input type="checkbox"/> Interior Lot
<input type="checkbox"/> Lot on Cul-de-sac
<input type="checkbox"/> Modular Home
<input type="checkbox"/> Attached Garage
<input type="checkbox"/> Detached Garage
<input type="checkbox"/> Addition
<input type="checkbox"/> Trailer

Zoning District _____
BUILDING TYPE:
<input type="checkbox"/> Wood
<input type="checkbox"/> Masonry
<input type="checkbox"/> Structural Steel
<input type="checkbox"/> Reinforced Concrete
<input type="checkbox"/> _____

EXISTING STRUCTURE INFORMATION

Interior Floor Space _____ sq. ft. # of Bedrooms/Apartments _____ # Of Stories _____ Height to peak _____ ft.

DESCRIPTION OF PROPOSED WORK: TOTAL SQ. FT. ADDED _____

PROPOSED CONSTRUCTION PROJECT INFORMATION

I (the applicant) have attached the following project information for review:

- A scale drawing of the property and the proposed project
- Drawing includes elevations of proposed project
- Drawing includes alleys, easements and streets that abut property where project will take place
- State approval (if required call 937-440-8066)

PROPOSED SIGN INFORMATION

Total _____ sq. ft. of all signs at project location

I have attached the following proposed sign information for review:

- A scale drawing or photo rendering of the proposed sign showing height and width of all signs and framing
- Plan includes location placement on property of proposed signs
- Drawing includes alleys, easements and streets that abut property where project will take place
- State approval (if required call 937-440-8066)

APPLICATION APPROVED AS PRESENTED _____ / ____ / _____

APPLICATION DENIED _____ / ____ / _____

- Plan is incomplete
- More information needed for review
- Plan conflicts with requirements of Section # _____ of the Zoning Ordinance of the Village of Mendon, Ohio. Variance application and approval are required.
- A Site Plan approval required

A COPY OF THIS COMPLETED FORM WILL BE SENT TO YOU AND THE MERCER COUNTY AUDITOR'S OFFICE. ORIGINALS WILL BE KEPT ON FILE IN THE MENDON CLERK'S OFFICE.

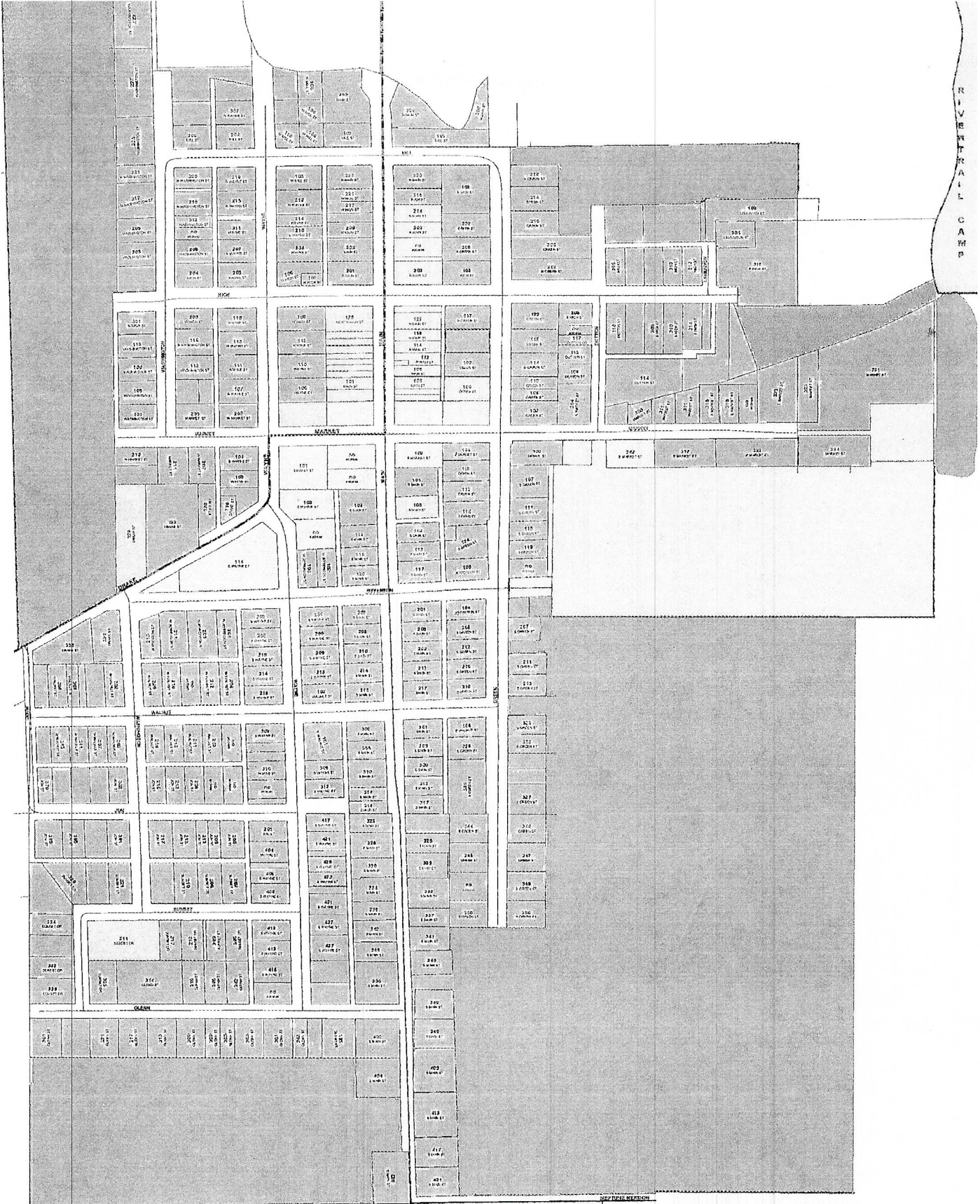
ALL COMMERCIAL INDUSTRIAL AND APARTMENT (4 UNITS AND UP) STRUCTURES AS WELL AS MOST SIGNS REQUIRE STATE BUILDING APPROVAL PRIOR TO CONSTRUCTION OR PLACEMENT. YOU ARE REQUIRED TO MAKE THIS CONTACT (INFORMATION BELOW).

STATE BUILDING INSPECTION NEEDED-PLEASE CALL 937-440-8066 FOR INFORMATION

PERMIT ISSUED BY: _____ DATE ___/___/___
Mendon Building/Zoning Inspector

PERMIT # ASSIGNED _____ EXPIRATION DATE ___/___/___

! IF STATE PERMIT REQUIRED PERMIT APPLICATION WILL BE FAXED TO 937-440-5486



- YELLOW - BUSINESS B-1**
- PINK - SPECIAL S-1**
- BLUE - INDUSTRIAL M-1**
- GREEN - RESIDENTIAL R-2**
- RED - AGRICULTURE A-1**

Map Number 2015-1

ORDINANCE NO. 2019-01

MENDON BOARD OF ZONING APPLICATIONS AND APPEALS

PREAMBLE: In order to preserve the best interests of all residents of the Village of Mendon, Ohio as concerns real estate located in the Village, it is hereby determined that there be legislation to establish a Board of Zoning Appeals which is fair, affordable, accessible and efficient to the residents of the Village.

SECTION 1

ORGANIZATION AND PROCEDURE

(A) The Council of the Village of Mendon Ohio shall be the Board of Zoning Appeals. [Hereinafter referred to as the "Board of Zoning Appeals" or "Board"]. When acting as said Board of Zoning Appeals, there shall be at least five members present to consider any issue before the board. The members present shall decide all issues properly before it by a majority vote of its members.

(B) Hearings

(1) The hearings of the Board of Zoning Appeals shall be public. However, the Board may go into executive session for discussion, but at all times, hearings shall conform to the open meeting requirements of R.C. § 121.22.

(2) The Board shall hear any owner of property adjacent to the lot for which the granting of any zoning permit is pending, and shall also hear any other parties having substantial interest as determined by the Board.

(C) Quorum. Five members of the Board of Zoning Appeals shall constitute a quorum. Any decision of the Board must be approved by a vote of at least a majority of all the members of the Board.

(D) Minutes and records. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question; or, if absent or failing to vote, indicating such fact; and shall keep records of its examinations and other officials' actions, all of which shall be immediately filed in the office of the Village Administrator and shall be a public record.

(E) Witnesses, oaths, and the like. The Board shall have the power to subpoena witnesses, punish for contempt, and may require the production of documents. Oaths may be administered to witnesses by a notary public.

(F) Department assistance. The Board may call upon the various departments of the municipality for assistance in the performance of its duties, and it shall be the duty of such departments to render such assistance to the Board as may reasonably be required.

SECTION 2

POWERS AND DUTIES

The Board of Zoning Appeals shall have the following powers and it shall be its duty:

(A) To hear and decide appeals where it is alleged there has been error in any order, requirement, decision or determination made by the Zoning Inspector in the enforcement of this chapter or any amendments thereto.

(B) The Board shall have the power to authorize variances from the provisions or requirements of the Mendon zoning ordinance as will not be contrary to the public interest. In authorizing variances the Board may attach conditions and require such guarantee or bond as it may deem necessary to assure compliance with the objectives of the best interests of the Village.

(C) As a guideline for the granting of a variance or an appeal, the following factors shall be considered along with any other factor(s) the Board deems relevant:

(1) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions generally created by the provisions of the zoning code in the neighborhood or district in which the property is located.

(2) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning chapter and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

(3) That the variance, if authorized, will not alter the essential character of the area in which the property is located, nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

(4) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

(B). The Board shall have the authority to grant an extension of or permit completion of a building devoted to a nonconforming use upon a lot occupied by such building, or on a lot adjoining, provided that such lot was under the same ownership as the lot in question on the date such building became nonconforming, and where such extension is necessary and incidental to the existing use of such building.

SECTION 3

APPLICATIONS OR APPEALS

APPLICATIONS

An application (typically a "variance") or appeal shall be filed with the Village of Mendon Zoning Inspector by any person, including a tenant, or by a governmental officer, department, board or bureau. The Zoning Inspector shall transmit same to the Village Clerk acting for the Board. A fee of \$75 shall be paid to the Zoning Inspector at the time notice of appeal or application is filed, which the officer shall forthwith pay over to the Village Clerk to be deposited in the general revenue fund.

APPEALS

(A) An appeal to the Board may be taken by any person aggrieved or by an officer of the municipality affected by any decision of the Zoning Inspector. Such appeal shall be taken within 20 days after the decision. If the notice is mailed, the post-mark date shall determine the timeliness of the appeal. The appeal shall be initiated by filing a written notice of appeal by delivering a copy to the Zoning Inspector and to the Village Clerk.

Notices may be mailed or dropped at the fire hydrant in front of the Village Hall. The notice of appeal shall identify the person or entity filing the appeal, that person's address and phone number and shall specify the grounds for the appeal.

(B) An appeal shall stay all further activity in furtherance of the action appealed from.

(C) The Board may, in conformity with the provision of this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or

determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises.

SECTION 3

HEARINGS ON APPLICATIONS OR APPEALS, NOTICE

(A) The Board shall fix a reasonable time for the hearing of an appeal. The Board shall give at least 30 days public notice of the date, time and place of any and all hearings thereof in a newspaper of general circulation in the Village and at least 20 days' notice to parties having any proprietary interest in land adjacent to or across the street from the property in issue.

(1) The hearings of the Board shall be public. However, the Board may go into executive session for discussion, but all hearings shall conform to the open meeting requirements of R.C. § 121.22.

(2) The Clerk of the Board of Zoning Appeals shall mail a registered letter to the appellant or applicant advising the appellant or applicant of the date, time and place of the hearing and further, that he/she/it or a representative must appear to have the appeal heard.

(B) At the hearing, the Board may adjourn in order to permit the obtaining of additional information or to cause such further notice as it deems proper to be served upon such other property owners or interested persons as it decides may be substantially interested in the application or appeal. In the case of an adjourned hearing, persons previously notified of the hearing shall be notified of the time of resumption of the hearing.

(C) The Board, in its discretion, may dispense with the 30 days public notice required in Section A of this Section 3 when the application for variance is limited to relief from rear yard and/or side yard requirements of this chapter in "R" Districts and/or is limited to relief from the prohibition of improvements to an existing dwelling and/or structures accessory thereto which are nonconforming uses in the district where located; provided, however, the Board shall not dispense with the public notice unless there is first filed with the application for variance written and signed consents to the relief requested by all of the owners of all of the property adjacent to or across the street from the property for which the application for variance is filed.

SECTION 4

DECISIONS OF THE BOARD

(A) The Board shall decide all applications and appeals within ten days after the completion of the final hearing thereon.

(B) A copy of the Board's decision shall be mailed to all parties notified of the hearing. Such decision shall be binding upon the Zoning Inspector. (S)he shall incorporate the terms and conditions of the decision in the permit to the applicant or appellatant.

(C) A decision of the Board shall not become final until the expiration of five days from the date such decision is made, unless the Board shall find the immediate taking effect of such decision is necessary for the preservation of property or personal rights and shall so certify on the record.

(D) The Board may reverse or affirm, wholly or partly, or may modify the order, requirements, decision, or determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises; and to that end, shall have all powers of the Zoning Inspector from whom the appeal is taken. Any party adversely affected by a decision of the Board may appeal as provided by law.

REPEAL OF PREVIOUS SECTIONS OF THE ZONING ORDINANCE

Sections 152.150, 152.151, 152.152 152.153, 152.154, 152.155 and 152.156 of the Zoning Code of Mendon, Ohio are hereby REPEALED.

NOTE: This ordinance is passed on an emergency basis due to a recent application for a variance having been filed and the fact that there is currently no zoning board of appeals for the Village of Mendon, Ohio.

Vote on Emergency: Yea 6 Nay ___
Vote on Passage: Yea 6 Nay ___

Passed on this 17th day of December 2019.

Attest:
Kristina Beard
Clerk/Fiscal Officer

[Signature]
Mayor
[Signature]
President of Council

Kris Hughes- yea nay ___
Terry Seibert -yea nay ___
April Grunden-yea nay ___
Seth Seibert- yea nay ___
Steve Hughes- yea nay ___
Kayle Heckler- yea nay ___

SECTION 4

DECISIONS OF THE BOARD

(A) The Board shall decide all applications and appeals within ten days after the completion of the final hearing thereon.

(B) A copy of the Board's decision shall be mailed to all parties notified of the hearing. Such decision shall be binding upon the Zoning Inspector. (2) The Board shall incorporate the terms and conditions of the decision in the permit to the applicant or applicant.

(C) A decision of the Board shall not become final until the expiration of five days from the date such decision is made, unless the Board shall find the immediate taking effect of such decision is necessary for the preservation of property or personal rights and shall so certify on the record.

(D) The Board may reverse or affirm, wholly or partly, or may modify the order, requirements, decision, or determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises; and to that end shall have all powers of the Zoning Inspector from whom the appeal is taken. Any party adversely affected by a decision of the Board may appeal as provided by law.

REPEAL OF PREVIOUS SECTIONS OF THE ZONING ORDINANCE

Sections 152.150, 152.151, 152.152, 152.153, 152.154, 152.155 and 152.156 of the Zoning Code of Mendon, Ohio are hereby REPEALED.

NOTE: This ordinance is passed on an emergency basis due to a recent application for a variance having been filed and the fact that there is currently no zoning board of appeals for the Village of Mendon, Ohio.

Kyle Hughes	- yes
Tony Beldan	- yes
April Guntler	- yes
Seth Snider	- yes
Steve Hughes	- yes
Kyle Heckler	- yes

Vote on Emergency	Yes <input checked="" type="checkbox"/>	May <input type="checkbox"/>
Vote on Passage	Yes <input checked="" type="checkbox"/>	May <input type="checkbox"/>

Passed on this 17th day of December 2018.

Attest:

Christina Gray

Clerk/Treasurer

[Signature]

Mayor

President of Council