

**ORDINANCE NO. 2016-11**

**AN ORDINANCE  
AMENDING SECTION 1305.02 OF THE CODIFIED  
ORDINANCES OF THE VILLAGE OF WAITE HILL,  
OHIO, TO ESTABLISH A FEE FOR A “MINOR”  
ACCESSORY STRUCTURE, REPEALING CERTAIN  
ORDINANCES, AND DECLARING AN EMERGENCY.**

WHEREAS, the Village desires to create category of a “minor accessory structure” and establish the fee which is charged and collected by the Village for the processing of a zoning application for a “minor accessory structure;” and

WHEREAS, Council finds and determines that the fees set forth in this ordinance are necessary and reasonable in order to defray certain costs of government which are incurred by review and approval of improvements of private property, and should therefore be borne by the private property owner rather than the Village’s taxpayers, generally.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WAITE HILL, LAKE COUNTY, STATE OF OHIO:**

SECTION 1. That existing Section 1305.02, “Permits, Plans and Numbering Buildings” of the Codified Ordinances of the Village of Waite Hill is amended as follows:

**“1305.02 VILLAGE ZONING/BUILDING FEE.**

(a) At the time of the filing of an application for a Zoning Certificate for the construction, repair, alteration, remodeling or modification of a building, the applicant shall pay the following fees to the Village Clerk-Treasurer:

<u>Project</u>	<u>Fee</u>
Construction of a new residence	\$3,500
Exterior remodeling of a residence or accessory building (substantial)	\$2,000
Construction of a new accessory structure (except a shed or fence)	\$1,500
Exterior remodeling of a residence or accessory building (minor)	\$500
Construction of a new or replacement shed, fence or minor accessory structure	\$250
Any project which requires a variance to be granted by the Board of Zoning Appeals	\$750

(b) The Village’s fees shall be in addition to any fee required by Lake County Building Department for inspections performed by the Lake County Building Department pursuant

to Chapter 1309 of the Codified Ordinances. Fees shall not be refunded, except that fifty percent (50%) of the fee shall be refunded upon the request of the property owner:

- (1) If the property owner withdraws the project from consideration by the Village;  
or
- (2) The project is rejected by the Village.

(c) The Village’s fees shall be used for the inspections called for in Section 1305.05(a) and (b).

(d) For purposes of this Chapter:

- (1) A “substantial” remodeling of a residence or accessory building occurs when architectural features such as windows, doors or roofs are relocated or the footprint of the residence or accessory structure is increased by more than five percent (5%).
- (2) A “minor” remodeling of a residence or accessory building occurs when there is a visible and material change to the appearance of building (other than routine maintenance), and architectural features of the building are not relocated and the footprint of the building is not increased by more than five percent (5%).
- (3) A “minor” accessory structure is any accessory structure that costs less than \$20,000 to construct.
- (4) A “shed” is any accessory building that is less than two hundred (200) square feet.

SECTION 2. That existing Section 1305.02 of the Codified Ordinances of Waite Hill, Ohio, and any ordinances in conflict herewith, are repealed.

SECTION 3. That actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were held in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the Village of Waite Hill.

SECTION 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2016

\_\_\_\_\_  
Council President

Submitted to the Mayor for  
his approval on this  
\_\_\_\_\_ day of \_\_\_\_\_, 2016

Approved by the Mayor

ATTEST:

\_\_\_\_\_, 2016

\_\_\_\_\_  
Clerk-Treasurer

\_\_\_\_\_  
Mayor