

ORDINANCE NO. 2024-11

**AN ORDINANCE
AMENDING SECTION 1133.07, NOTICE OF PUBLIC
HEARING, OF PART ELEVEN – PLANNING AND
ZONING CODE OF THE CODIFIED ORDINANCES OF
THE VILLAGE OF WAITE HILL, OHIO, AND
REPEALING CERTAIN ORDINANCES.**

WHEREAS, Council desires to revise the process for which property owners and their neighbors are notified of requested variances and/or appeals; and

WHEREAS, this Ordinance has been referred to the Planning and Zoning Commission for report and recommendation; and

WHEREAS, Council has held a public hearing regarding the proposed amendment to the zoning code.

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

SECTION 1. That existing Section 1133.07, “Notice of Public Hearing” of the Codified Ordinances of the Village of Waite Hill is amended as follows:

“1133.07 NOTICE OF PUBLIC HEARING.

Upon such application being filed with the Board of Zoning Appeals, the Board shall give notice of the time, place and purpose of the hearing thereon fourteen (14) days prior to such hearing:

- (a) By publication on the Village website; and
- (b) By mailing such notice by first-class mail to the property owner and to the owners of the property contiguous to and directly across the street from the property for which the variance or appeal is requested. Failure of delivery of such mail notice shall not invalidate the proceedings.
- (c) **If the Village has been advised by a property owner or an owner of the property contiguous to or directly across the street from the property for which the variance or appeal is requested, the Village shall attempt to make actual notice to the person entitled to notice under this ordinance via telephone, mail, email or other means of communication. The failure to make actual notification shall not invalidate the proceedings.”**

SECTION 2. That existing Section 1133.07, and all Ordinances of parts thereof in conflict with this Ordinance be, and the same hereby are, repealed.

SECTION 3. That the 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: _____, 2024

Council President

Submitted to the Mayor for
approval on this

_____ day of _____, 2024

Approved by the Mayor

ATTEST:

_____, 2024

Clerk-Treasurer

Mayor