

ORDINANCE NO. 2005-30
VILLAGE OF BUCKEYE LAKE, OHIO

**AN ORDINANCE TO AMEND ORDINANCE 96-09 VILLAGE OF BUCKEYE LAKE ZONING
ORDINANCE AND DECLARE AN EMERGENCY**

WHEREAS, the Village of Buckeye Lake, currently has zoning regulations; and

WHEREAS, the members of Council of the Village of Buckeye Lake deem it necessary and advisable to amend said zoning regulations to effectively control the growth of the Village; and

WHEREAS the Village of Buckeye Lake Planning and Zoning Commission has formally recommended that the Council amend the Zoning regulations as attached hereto;

NOW THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE VILLAGE OF BUCKEYE LAKE THAT FOLLOWING AN AFFIRMATIVE VOTE OF AT LEAST THREE-FOURTHS (3/4) OF THE COUNCIL TO DISPENSE WITH THE REQUIREMENT OF THE BUCKEYE LAKE VILLAGE CHARTER TO READ AN ORDINANCE ON THREE SEPARATE DAYS,

Section 1. That Article 2, Section 200 of Ordinance 96-09 Buckeye Lake Village Zoning is hereby amended with the addition and/or amendment of definitions for clarifying accessory use or structure and setback measurements as listed below.

Setback Line: A line established by the zoning ordinance generally parallel with and measured from the lot line (defined herein), defining the limits of yard in which no building, accessory building or structure may be located above ground, except as may be provided in said code.

Lot Line: When adjacent to the street, such line shall be measured from the right-of-way line of the existing street, provided, however, that if the proposed location of the right-of-way line of such street as established on the Thoroughfare Plan or on the "Official Map of the Village of Buckeye Lake" differs from that of the existing street, then the lot line shall be measured from the right-of-way line of such street as designated on said Thoroughfare Plan or Official Map.

Section 2. Council declares this to be an emergency measure immediately necessary for the preservation of the public health, safety, welfare, and morals, such emergency arising out of the necessity to provide for the continued and effective regulation of zoning and growth of the Village without the due delay and in order to correct a situation now deemed undesirable; wherefore this ordinance shall take effect and be in force from and after its passage.

Section 3. Each section and each part of each section of this Resolution is hereby declared to be an independent section or part of a section and, notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any such section or part of a section, or any provision thereof, or the application thereof to any person or circumstances, is held to be invalid, the remaining sections or parts of sections and the application of such provision to any other person or circumstances, other than those to which it is held invalid, shall not be

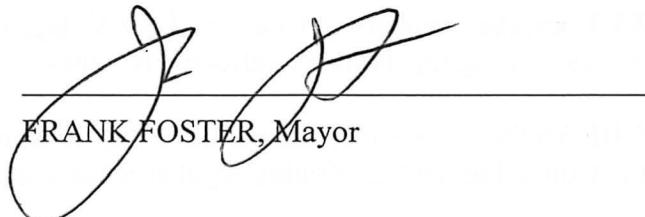
affected thereby, and it is further declared to be the legislative intent that the other provisions of this Resolution would have been adopted independently of such section, sections or parts of a section so held to be invalid.

PASSED: 10-27, 2005

ATTEST

Charlene C. Hayden
CHARLENE HAYDEN, Council President

Accepted by Mayor for action on 10-27-05


FRANK FOSTER, Mayor