

ORDINANCE NO. 15-08
CITY OF CENTERVILLE, OHIO

Sponsored by Council Member John Beals on the 15th day of December, 2008.

**AN ORDINANCE AMENDING SECTION
3.13(H) OF THE CENTERVILLE UNIFIED
DEVELOPMENT ORDINANCE.**

WHEREAS, the City of Centerville enacted the Unified Development Ordinance (UDO) to establish zoning and land use regulations in the City; and

WHEREAS, the UDO addressed the parking and storage of recreation vehicles and the requirements for parking surfaces within the City; and

WHEREAS, the version of the UDO recommended by the Planning Commission for passage failed to address the parking and storage of recreation vehicles and the requirements for parking surfaces for current uses even though those items were discussed by the Planning Commission; and

WHEREAS, the City of Centerville has determined that the parking of recreational vehicles of a certain size creates a public nuisance within the City; and

WHEREAS, The City of Centerville seeks to eliminate the recreational vehicle nuisances from the City; and

WHEREAS, the City of Centerville has determined that substandard parking surface areas within the City create a nuisance; and

WHEREAS, the City of Centerville seeks to eliminate all substandard parking areas within the City; and

WHEREAS, the City has determined that the parking of nonconforming recreation vehicles and that substandard parking surfaces will continue to be a detriment to the health, safety and general welfare of the community;

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That the following amendments to Section 3.13 of the Centerville Unified Development Ordinance are hereby enacted as follows with new language

to be added in *italics* and text to be deleted in ~~strikeout~~ as provided in Section 5.02 of the Centerville Charter:

3.13 Nonconforming Uses, Lot, Setbacks, Structures and Land in Combination

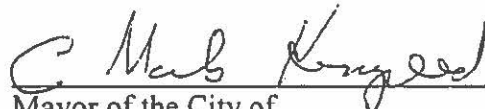
- H. Nonconforming Uses of Land: At the time of adoption of this Ordinance, lawful uses of land exist which would not be permitted by the regulations imposed by this Ordinance. These uses may be continued so long as they remain otherwise lawful, provided:
1. No such nonconforming uses shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance;
 2. No such nonconforming uses shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such uses at the effective date of adoption or amendment of this Ordinance;
 3. If any such nonconforming uses of land are voluntarily discontinued or abandoned for more than (1) year (except when government action impedes access to the premises), any subsequent use of such land shall conform to the regulations specified by this Ordinance for the district which such land is located;
 4. No additional structure not conforming to the requirements of this ordinance shall be erected in connection with such nonconforming use of land; ~~and~~
 5. A non-conforming recreational vehicle use of a premises shall be lost if any of the following shall occur:
 - a. The use is discontinued for more than six months
 - b. The nonconforming recreational vehicle is replaced. Any replacement recreational vehicle must conform to all of the requirements of this UDO
 - c. The ownership of the premises on which the nonconforming recreational vehicle use exists is changed and no former owner remains an owner

d. *Eighteen months after the date of adoption of this Ordinance;
and*

6. *A non-conforming vehicle parking area use that is not graded and
constructed with a hard paved surface pursuant to 9.29 B. 2. a;
9.29 B. 2. e.; 9.29 C. 2. b. 3; or 9.29 C. 2. c. shall be lost eighteen
months after the date of adoption of this Ordinance.*

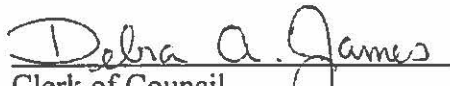
Section 2. This ordinance shall be effective from and after the earliest date allowed
by law.

PASSED THIS 15th day of December, 2008.



Mayor of the City of
Centerville, Ohio

ATTEST:



Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby
certifies the foregoing to be a true and correct copy of Ordinance No.

15-08, passed by the Council of the City of Centerville, Ohio
on the 15th day of December, 2008.



Clerk of the Council

Approved as to form, consistency with the
Charter and Constitutional Provisions.

Department of Law
Scott A. Liberman
Municipal Attorney