

North Canton City Council
Community and Economic Development Committee

Resolution No. 15 - 2019

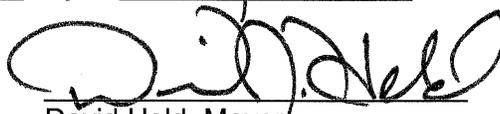
A resolution requesting the Planning Commission review, consider, and propose to City Council, an amendment to North Canton's Codified Ordinances, Chapter 1173 Procedures for Zoning Certificates and Certificates of Occupancy, to include a new section, 1173.07 Administrative Waiver Requests.

WHEREAS, City Council respectfully requests the Planning Commission consider a text amendment to North Canton's Planning and Zoning Code to update and streamline reasonable administrative requests for waivers for area or dimensional regulations not in excess of 10 percent of the applicable minimum or maximum requirement, and as further detailed in Exhibit A attached hereto and incorporated herein.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That, pursuant to North Canton Codified Ordinance section 1181.04, City Council requests the Planning Commission review and consider and propose amendments to an amendment to North Canton's Codified Ordinances, Chapter 1173 Procedures for Zoning Certificates and Certificates of Occupancy, to include a new section, 1173.07 Administrative Waiver Requests, as further detailed in Exhibit A attached hereto and incorporate herein.
- Section 2. That if a provision of this resolution is or becomes illegal, invalid or unenforceable, that it shall not affect the validity or enforceability of any other provision of this resolution.
- Section 3. That this resolution shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this 8 day of July 2019


David Held, Mayor

Signed: 7/08, 2019

ATTEST:



Laura Brown, Director of Finance

1173.07 Administrative Waiver Requests

(a) Applicability

(1) The Superintendent of Permits and Inspections may grant an administrative waiver for any area or dimensional regulation that does not exceed 10 percent of the applicable minimum or maximum requirements. Area and dimensional requirements include, but are not limited to, minimum front, side, and rear yard setbacks; maximum height of structures; maximum sign height; maximum sign area, etc.

(2) An administrative waiver for a minimum lot area or lot width requirement is prohibited.

(3) The applicant shall apply for a variance for any waiver request that exceeds 10 percent of the applicable minimum or maximum requirement, or other variations from the code, that do not qualify for an administrative waiver.

(b) Administrative Waiver Review Procedure and Decision

(1) Administrative waivers shall be reviewed as part of the zoning permit review process.

(2) The Superintendent of Permits and Inspections is the approving authority for administrative waivers.

(c) Review Criteria

(1) Decisions on an administrative waiver shall be based on consideration of the following criteria:

A. The waiver will allow the proposed development to reflect the predominant development character of surrounding, similar uses and properties (e.g., similar setbacks, similar sign areas, etc.);

B. Special circumstances exist that make the precise compliance with the subject standards impractical or unreasonable;

C. The waiver request is minor in nature;

D. The waiver request does not substantially alter characteristics found in the development character of the surrounding properties; and

E. The waiver request does not deviate from the overall purpose of this code or the intent and objective of the original ordinance.