

Ordinance No. 362-07

Passed November 1, 19 07

AN ORDINANCE AMENDING ORDINANCE 226-98
REGULATING THE SET BACK, SIDE YARD AND
BUILDING STANDARDS FOR RESIDENCES WITHIN
THE VILLAGE OF FELICITY AND DECLARING AN
EMERGENCY

WHEREAS, it is necessary to declare certain minimum standards for the location of residences within the Village of Felicity, Ohio, to protect the health, safety and welfare of the residents of said Village, and

WHEREAS, the Village of Felicity has determined that without such standards, occupation of the village lot by two or more residential units has created health and fire hazards within the Village, now therefore:

BE IT ORDAINED, by the Council of the Village of Felicity, Ohio, three-fourths of its members, concurring:

SECTION 1. (Definitions)

a. Residential unit shall mean any object, building, house trailer, mobile home, excepting apartment building, used or suitable for use as a residence or domicile.

b. Code shall refer to the current of amended code in use, or subsequently adopted by the Clermont County Building or Health Department.

SECTION 2. All residential units within the Village of Felicity, Ohio shall comply with the current code standards for fire, building structure, plumbing and sanitary facilities, wiring and other regulations as determined by the Clermont County Health and Building Department, which regulations are hereby adopted by reference and shall be at least 800 square feet.

SECTION 3. No more than one (1) residential unit shall be located on each lot and each village lot shall be a minimum of 8700 square feet.

SECTION 4. All residential units shall be located not less than 15 feet from the rear boundary line of the lot and shall have a side yard clearance of 7 1/2 feet from each side boundary.

SECTION 5. A fee of \$100.00 shall be paid to the village for the erection or placement of any residential unit within the Village of Felicity after the effective date of this ordinance. Said fee shall be paid to the clerk of the Village of Felicity who will issue a receipt and the Mayor shall issue a permit to the applicant. Each applicant shall display such permit for a period of thirty (30) days from date of issue, on said residential unit.

SECTION 6. Any house trailer or mobile home placed in the Village of Felicity has a minimum of 60 days to put factory skirting around said unit.

SECTION 7. Structures that are currently in violation of this ordinance are deemed to be nonconforming and shall be permitted to continue, provided that anytime the nonconforming structure is vacant or uninhabitable, for more than six (6) months, then the nonconforming use shall be deemed to have been terminated and all additional structures shall be in compliance with this ordinance.

SECTION 8. Residential units that are nonconforming as of September 26, 1990, may be replaced in accordance with this section.

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a. With the permit fee as set forth in Section 5 of this ordinance the person desiring to replace a nonconforming residential unit shall set forth the year, size, type and location on the lot of the proposed replacement unit along with the name and addresses of all adjoining property owners.

b. The Village Clerk shall cause notice to be sent by regular U.S. Mail to all adjoining property owners of the request and the date and time the request is to be considered by Council.

c. The Village Council shall decide, by majority vote, the application for the replacement of a nonconforming use using the following criteria:


- 1) Best interest of the Village of Felicity.
- 2) The input of the neighboring property owners.
- 3) The age and condition of the existing structure.
- 4) The age and condition of the proposed replacement.
- 5) The intent of the Village to eliminate nonconforming uses balanced against the desire to avoid unnecessary hardship and the desire to upgrade the housing in the Village.
- 6) Replacement residential units, including mobile homes, shall not be more than 5 years old.

SECTION 9. Permits issued under this ordinance are valid for one year from date of issuance.

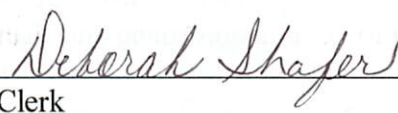
SECTION 10. Violation of this ordinance shall be deemed a minor misdemeanor, and each day the violation continues shall be punishable by a fine of up to \$100.00 per day.

SECTION 11. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

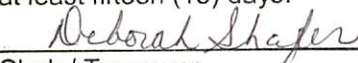
SECTION 12. This ordinance is hereby declared to be an emergency measure for the reasons set forth in the preamble.


Mayor

Adopted: November 1, 2007


Clerk

I certify that a copy of this ordinance was posted in five public places within the Village of Felicity on the 2nd day of November, 20 07 for at least fifteen (15) days.


Clerk / Treasurer