

President of Council
CHRISTOPHER HALLUM

Vice President of Council
MICHAEL KLINE.

Clerk of Council
JOANNE MONACO

City of Willoughby Hills

Council

NANCY E. FELLOWS
JOE JARMUSZKIEWICZ
DANIEL KNECHT
TANYA TAYLOR DRAPER
DANIEL S. ZEGARAC

ORDINANCE NO. 2020-41

AN ORDINANCE AUTHORIZING THE TEMPORARY ENFORCEMENT ABEYANCE OF THE CITY OF WILLOUGHBY HILLS CODIFIED ORDINANCE CHAPTER 1103.02 – DEFINITIONS AND CHAPTER 1137.02 (d) - COMMERCIAL ZONING DISTRICT DURING THE CURRENT “STAY AT HOME” & “STAY SAFE” ORDERS FOR A PERIOD OF TIME NOT TO EXCEED EIGHTEEN (18) MONTHS.

WHEREAS, Chapter 1103.02 and Chapter 1137.02 (d) of the Codified Ordinances of the City of Willoughby Hills provide definitions and permitted uses in the City’s Commercial Zoning District; and

WHEREAS, Willoughby Hills Parcel #31-A-008-0-00-018-0, located at 27557 Chardon Road, is in a B-3 zoning district, which is the least restrictive in the City’s Zoning Code; and

WHEREAS, Parcel #31-A-008-00-018-0, one of the largest parcels of property in the City of Willoughby Hills, does not have any residential components to the property within a one hundred (100)-yard radius; and

WHEREAS, Parcel #31-A-008-00-018-0 is owned and occupied by Bishop Castle LLC, the Shoppes of Willoughby Hills, and managed by Mr. J. Scott Scheel; and

WHEREAS, in March 2020, a property violation was issued to Mr. Scheel based upon the parking of Amazon trucks on the aforementioned Parcel; and

WHEREAS, the City granted a temporary use variance to Mr. Scheel the issued property violation, which has now expired, due to the essential need for home deliveries during the Governor’s Stay-at-Home order; and

WHEREAS, similar properties have been granted temporary special permits for the continuation of necessary projects that will allow for and promote the health, safety and welfare of the residents of the City of Willoughby Hills; and

WHEREAS, with the continuation of the public need for the Amazon trucks as the Stay-at-Home and Stay Safe Orders remain in effect, the City of Willoughby Hills, with the health, safety and welfare of its residents being paramount, believes strict enforcement of Willoughby Hills Codified Ordinance Chapter 1137.02 (d) should be held in temporary abeyance to allow the presence of Amazon trucks at Parcel #31-A-008-00-018-0 for a period not to exceed eighteen (18) months from the date of the passage of this Ordinance.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. With the “Stay-at-Home” and “Stay Safe” Orders still mandated, the continued and ongoing need for transport and deliveries from resources, such as Amazon, are vital for the health, safety and welfare of the residents of our community.

SECTION 2. Chapter 1137.02 of the Codified Ordinances of the City of Willoughby Hills regulates and prohibits uses in the City’s zoning districts, but may be amended if a change of use is warranted, in part based upon the present and future emergency measures addressing COVID-19.

SECTION 3. This declared temporary abeyance in the enforcement of Chapter 1103.02 and Chapter 1137.02 shall be for a period not to exceed eighteen (18) months.

SECTION 4. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 5. This Ordinance shall be in full force and effective thirty days upon its adoption and approval by the Mayor.

PASSED: Sept. 24, 2020



Christopher Hallum
President of Council

Submitted to the Mayor for his approval
on this _____ day of September, 2020

Approved by the Mayor

ATTEST:

Joanne Monales
Clerk of Council

Sept 25, 2020



G. Andrew Gardner
Mayor