

CITY OF MIDDLEBURG HEIGHTS, OHIO

Ordinance No. 2024- 48

Introduced By: Mr. Ference
Co-Sponsors: Mr. Bortolotto, Mr. Sage

AN ORDINANCE
AMENDING SECTIONS 1129.07 AND 1143.04
OF THE MIDDLEBURG HEIGHTS ZONING CODE

WHEREAS, pursuant to Section 1123.02 of the Middleburg Heights Zoning Code, Breaking Through Intensive Therapy is requesting a text amendment to the Zoning Code to permit a medical, dental & vision office use to occupy and run businesses in properties zoned General Industrial; and

WHEREAS, the Zoning & Building Code Committee of Council has reviewed the request and pursuant to Section 1123.02 (d) (1) of the Middleburg Heights Zoning Code has requested preparation of zoning amendment legislation; and

WHEREAS, pursuant to Section 10.02 (d) of the Charter of Middleburg Heights, and Section 1123.03 (e) of the Middleburg Heights Zoning Code, such legislation shall be referred to the Planning Commission for its consideration and recommendation; and

WHEREAS, pursuant to Section 10.02 (d) of the Charter of Middleburg Heights and Section 1123.03 (f) (7) of the Middleburg Heights Zoning Code, Council shall establish a time for a public hearing on zoning matters after action by the Planning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS, STATE OF OHIO, AS FOLLOWS:

Section 1: That Section 1129.07 “Land Use Matrix Chart” of the Middleburg Heights Zoning Code shall be amended so as to permit a Medical, Dental & Vision Office as a conditional use in the GI zoning district to read as follows:

Land Use Description	R1-A	R1-C	R2-F	RMF	RSL	GB	PMU	O	GI	P-I
Health Services										
Medical, Dental & Vision Office	-	-	-	-	-	P	P	P	C	P

Section 2: That Section 1143.04 “Specific Standards for Each Conditional Use” of the Middleburg Heights Zoning Code shall be amended so as to add a new sub-section numbered “1143.04 (bb)” to include the following new zoning code text:

"(bb) Medical Dental & Vision Office.

- (1) These conditional use requirements apply only to a medical, dental & vision office land use when located in the GI General Industrial zoning district.
- (2) A medical, dental & vision office establishment shall occupy no more than ten thousand (10,000) square feet of space.
- (3) All active and passive uses associated with a medical, dental & vision office located within the GI General Industrial zoning district shall be conducted inside the principal building on the property."

Section 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Middleburg Heights Code and Section 121.22 of the Ohio Revised Code.

Passed: 9/10/24

David Bortolotto
President of Council

Attest: M. Meola
Clerk of Council

Approved On: 9-11-24

Presented to Mayor: 9/11/24

Matthew Casella
Mayor
I, Mary Ann Meola Clerk of the Council of the City of Middleburg Hts., Ohio, hereby certify that Ord. 2024-48 adopted by the Council of the City of Middleburg Hts., on 9/10/24 was posted for a period of fifteen days, beginning 9/12/24 and remained so posted for fifteen days at the two posting places as designated by Charter.

Mary Ann Meola
Clerk

	Yea	Nay
Bortolotto	<u>X</u>	_____
Ali	<u>X</u>	_____
Sage	<u>X</u>	_____
Meany	<u>X</u>	_____
McGregor	<u>ABSENT</u>	_____
Ference	<u>X</u>	_____
Zakel	<u>X</u>	_____

CERTIFICATE

I, Mary Ann Meola, Clerk of Council of the City of Middleburg Heights, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ord. 2024-48 passed on the 10th day of September 2024 by said Council.

Mary Ann Meola
Clerk of Council