

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, NOVEMBER 14, 2017
7:30 P.M.**

A. ROLL CALL OF MEMBERS

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. CAUCUS PRIOR TO THE COUNCIL MEETING HELD ON OCTOBER 17, 2017.
2. REGULAR COUNCIL MEETING HELD ON OCTOBER 17, 2017.

D. REPORTS OF STANDING COMMITTEES:

AVIATION & ENVIRONMENTAL (Powers)	_____
FINANCE COMMITTEE (McDonnell)	_____
LEGISLATIVE COMMITTEE - (Troyer)	_____
PARKS & RECREATION COMMITTEE (Mencini)	_____
PLANNING COMMITTEE - (Troyer)	_____
SAFETY COMMITTEE - (Salvatore)	_____
SERVICE COMMITTEE - (Burgio)	_____
BOARD OF ZONING APPEALS - (Scott)	_____

E. REPORTS OF SPECIAL COMMITTEES:

SOUTHWEST GENERAL HEALTH CENTER - TRUSTEE (Salvatore) _____
BEREA BOARD OF EDUCATION COMMITTEE (Burgio) _____

F. REPORTS OF BOARDS AND COMMISSIONS:

G. INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

H. REPORTS AND COMMUNICATIONS FROM THE MAYOR:

- I. **REPORTS AND COMMUNICATIONS FROM DEPARTMENTS, COMMISSIONS, AND OTHER PUBLIC OFFICIALS:**

- J. **OTHER COMMUNICATIONS AND PETITIONS, AND VERBAL APPROVAL: (INTRODUCTION OF NEW LEGISLATION):**

- K. **MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

- L. **REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:**

- M. **INTRODUCTION OF ORDINANCES AND RESOLUTIONS: (FIRST READING):**

- N. **SECOND READING OF ORDINANCES AND RESOLUTIONS:**

- O. **THIRD READING OF ORDINANCES AND RESOLUTIONS:**
 - 1. ORDINANCE NO. 11002-2017, AMENDING SECTION 1348 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'FRONT PORCHES' AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

- P. **ADJOURNMENT:**

SYNOPSIS OF ORDINANCES AND RESOLUTIONS
FOR THE COUNCIL MEETING OF NOVEMBER 14, 2017

THIRD READING:

Ord. No. 11002-2017 AN ORDINANCE AMENDING SECTION 1348 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'FRONT PORCHES', AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance amending Section 1348 of our ordinances to eliminate the need to go before the Planning Commission.

PREPARED BY THE BROOK PARK LEGAL DEPARTMENT
November 6, 2017

PIC 6/6/17 Legislative
CA 9-20-17
1st R 10-3-17
2nd R 10-17-17
3rd R 11-14-17
B/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11002-2017

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE
AMENDING SECTION 1348 OF THE
BROOK PARK CODIFIED ORDINANCES ENTITLED
'FRONT PORCHES,'
AND DECLARING AN EMERGENCY

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: Section 1348.01(a) of the Brook Park Codified Ordinance, as enacted by Ordinance No. 8567-1999, passed July 13, 1999 and Ordinance No.9442-2008, passed February 5, 2008 and reading as follows:

1348.01 FRONT PORCHES.

(a) Definition. A front porch shall be defined as an open area structure, with or without an approved roof or canopy, located at the front of a house behind the front setback line, with a masonry foundation. A front stoop shall be considered a front porch.

(b) Basic Standards. All new front porch construction, after the effective date of this section, must comply with the following basic standards. Any existing front porch structures not in compliance with this section shall be permitted to remain so long as the structures are in good repair.

(1) Planning Commission approval. All construction plans for front porches must come before the Planning Commission for aesthetic approval prior to receiving a permit. Planning Commission fees shall be waived for:

- A. Replacement of an existing masonry front stoop.
- B. Wheelchair ramps.
- C. ADA lifts and platforms.

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(2) Compatibility with house design and color. A front porch shall be enclosed from ground level to porch floor with material compatible to house design and color.

(3) Safeguards. All porch floors above thirty inches from grade shall have safeguards such as handrails, footrails and properly spaced balusters around the perimeter of the porch, including steps.

(4) Building materials. A front porch may be made out of poured concrete cap or stone.

(5) Footers. Front porches must have a continuous frost proof footer. Material above grade must be continuous masonry to match the foundation of the house. Split face block, face brick, and poured concrete are acceptable. Wolmanized wood is prohibited from being used in a footer, pier, or decking.

(c) Prohibited Front Porch Structures. Wolmanized decks are prohibited from being placed in the front of a house. All decks shall be prohibited from being placed in the front of any house.

is hereby amended to read:

1348.01 FRONT PORCHES.

(a) Definition. A front porch shall be defined as an open area structure, with or without an approved roof or canopy, located at the front of a house behind the front setback line, designed to meet the requirement of Section 2,3,4, and 5. A front stoop shall be considered a front porch.

(b) Basic Standards. All new front porch construction, after the effective date of this section, must comply with the following basic standards. Any existing front porch structures not in compliance with this section shall be permitted to remain so long as the structures are in good repair.

1. Front Porch Setback. Any proposed front porch that extends no more than 8 feet from the front building line may encroach into the front setback and is not subject to a variance request.
2. Plan Review Approval. All porches are required to have a formal plan review by the Building Commissioner.
3. Compatibility with House Design and Color. A front porch shall be enclosed from ground level to porch floor with material compatible to house design and color.
4. Safeguards. All porch floors above thirty inches from grade shall have safeguards and such as handrails, foot rails and

properly spaced balusters around the perimeter of the porch, including steps.

5. Building Materials. A front porch shall be made out of poured concrete cap or masonry material.
6. Footers. Front porches must have a continuous frost proof footer. Material above grade must be continuous masonry to match the foundation of the house. Split face block, face brick, and poured concrete are acceptable. Wolmanized wood, synthetic or composite material are prohibited from being used in a footer, pier, or decking.

(c) Prohibited Front Porch Structures. Wolmanized, composite, and synthetic decks are prohibited from being placed in the front of a house. All decks shall be prohibited from being placed in the front of any house with the exception of temporary, handicapped ramps may be constructed with wolmanized wood, composite and synthetic and must be stained or painted to match the house.

SECTION 2: Former Section 1348.01 as enacted by Ordinance No. 8567-1999, passed July 14, 1999, and Ordinance No. 9442-2008, passed February 5, 2008, is hereby expressly repealed.

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

SECTION 4: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason of amending Sections of 1348.01; therefore provided this Ordinance receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.