

RECORD OF ORDINANCES

Ordinance No. 2026-3

Passed January 7, 20 26

SPONSOR: PLANNING

AN ORDINANCE AMENDING SECTION 152.052 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MOGADORE, ENTITLED “PUD PLANNED USE DEVELOPMENT-MIXED DISTRICT” TO REDUCE THE REAR YARD SETBACK FOR TOWNHOUSES AND CONDOMINIUMS WITHIN APPLICABLE DISTRICTS, AND DECLARING AN EMERGENCY.

WHEREAS, Section 152.052 of the Codified Ordinances of the Village of Mogadore, entitled “PUD Planned Use Development-Mixed District” provides for zoning regulations in PUD Districts within the Village; and

WHEREAS, Subsection 152.052(C)(8)(d) further provides for the lot, setback and unit specifics for townhouse and condominium units within PUD Districts; and

WHEREAS, Subsection 152.052(C)(8)(d) currently provides that the minimum rear yard setback for townhouses and condominiums in PUD Districts is 30 feet from the nearest property line for the main structure, 20 feet for decks and patios; and

WHEREAS, on DECEMBER 30, 20 25, the Village’s Planning Commission recommended that the rear yard setbacks for townhouses and condominiums in PUD Districts be reduced as set forth herein; and

WHEREAS, reducing the rear yard setback for townhouses and condominiums in PUD Districts will allow for more two-story units, rather than three-story units, will allow for larger units in general, and will make the units more marketable; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and it the best interest of the Village to amend Section 152.052(C)(8)(d) as set forth herein.

NOW, THEREFORE BE IT ORDAINED, by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio, that:

SECTION 1: This Council hereby amends Section 152.052(C)(8)(d) of the Codified Ordinances of the Village of Mogadore as follows:

**“152.052 PUD PLANNED USE DEVELOPMENT-MIXED DISTRICT**

...

(C)(8)(d) Townhouses and condominiums.

1. Unit requirements:

- a. Maximum of 20 units per acre.
- b. Maximum amount of connected units is eight units.
- c. Minimum unit width of 25 feet.

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- d. Minimum of 1,000 square feet per unit.
2. Yard requirements:
- For front-loaded units, the minimum front yard setback is 20 feet from the nearest property line or right-of-way, but not less than 25 feet from a curb or walk where a drive is located.
  - For rear-loaded unit, the minimum front yard setback is five feet from the right-of-way (or equivalent thereof) and five feet from the nearest utility easement.
  - Minimum distance is 25 feet between buildings.
  - Minimum rear yard setback ~~is 30 feet from the nearest property line, 20 feet from deck or patio~~ from the rear property line as follows:

Lot Depth	Minimum Setback	Minimum Setback
	Structure	Deck
93' or less	18'	8'
94' to 98.99'	20'	10'
99' to 101.99'	24'	14'
102' to 109.99'	27'	17'
110' or more	30'	20'

SECTION 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately providing for the aforementioned revision to rear-yard setbacks for townhouses and condominiums within PUD Districts so that several may begin to be constructed in the near future, and, provided this Ordinance receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

Michael Raddish 1-7-26  
President of Council Date

Mike A. 1-7-26  
Mayor Date

Attest:

Clerk-Treasurer